

# A. City of Kingston Heritage Conservation District Implementation Process

## A.1 Rationale for Delegation of Approval Authority to Staff

In Heritage Conservation Districts and for designated heritage properties within Kingston, applications for alterations are reviewed by City Heritage Planning staff and the Municipal Heritage Committee. Since 2005, however, Council has delegated authority for review and issuance of heritage permits to City staff. Under City of Kingston By-law No. 2005-227, City staff were granted specific approval powers under the *Ontario Heritage Act* R.S.O 1990 C. O. 18 (Section 33(15k) and 33(16) as well as Sections 42(16) and 42(17). Delegated authority to staff was extended in 2013 with the adoption of the Procedural By-law for Heritage (By-law No. 2013-141).

In the last several years, the City has acquired sufficient numbers and range of professional Heritage Planning staff that are now capable of reviewing the majority of applications for alteration. This enhanced staff capacity has two major benefits: eliminating a potentially large additional workload for the volunteer members of the Municipal Heritage Committee (MHC), and; significantly improving the efficiency of the approval process. Achievement of these twin benefits is important for the successful implementation of the Old Sydenham Heritage Conservation District Plan. Designation of Old Sydenham as an HCD will add over 500 properties and their associated landscape to the list of heritage resources that MHC could address. The inclusion of policies and guidelines within the HCD Plan will remove from the Committee much of the burden of supplying information and advice to individual property owners. Professional staff at the City, using the HCD Plan as a guide, can now take on these tasks, leaving MHC to focus on its core mandate of providing advice to Council on major heritage matters, including built heritage, and cultural landscapes, and other cultural issues.

This change in mandate was recommended in the City of Kingston Culture Plan (2010). The intent was to move the Committee towards assuming greater responsibilities for fostering a dialogue on cultural values in Kingston, as broadly defined, and including a wide range of stakeholders. Heritage advice would be a component of a wider range of advice the Committee would give Council. As stated on page 75 of the Plan:

The Kingston Municipal Heritage Committee can be more effective by allowing trained heritage staff to address details of heritage projects, while it attends to broader heritage concerns. While it should consider heritage expertise in making decisions, the Committee itself should not function as a panel of heritage experts.

Accordingly, the committee's mandate was changed in 2012 (Council Report 12-195). The Procedural By-law (2013-141) now permits further delegation of approval powers to City staff to the full extent allowed under the *Ontario Heritage Act* and it is the City's intent to increase delegated authority to staff over time. This means that staff would only be required to consult with the MHC for applications for all major alterations to existing buildings, demolish or remove

a building or structure, as they now are under the *Ontario Heritage Act*. However, within this HCD Plan, the proposed approval process for applications for alterations provides a role for the Committee in reviewing any application for a heritage permit that staff deems as not complying with the policies and guidelines of the HCD Plan. It is also likely that staff and the public will seek the advice of MHC on important matters arising from potential changes within the HCD, such as significant development proposals requiring Site Plan Approval, a rezoning, or an Official Plan Amendment. And, as noted below, staff and members of the public have the option of requesting review by the Committee of any application for a heritage permit should there be a desire to pre-consult on an application.

## **A.2 Current Municipal Heritage Policy Context**

Old Sydenham has been recognized for its special character before, and the rationale for its designation begins a half century ago. As described in detail in the Heritage Conservation District Study report, the Old Sydenham area has been identified as having heritage significance in many previous studies, beginning with urban renewal plans from 1960 and 1970, and continuing into the City's Official Plans from that time to the present. What is notable in all of these documents is a consistent regard for the holistic nature of the District's heritage resources; the fact that it is a complex assembly of buildings and landscapes that makes the area special.

The general recommendations for conservation of local scale, urban texture and streetscape character are still applicable today and are reflected in this Plan's guidelines. In addition to comments on area character and suggestions for ways of maintaining that character, each of the studies recommends some form of legislative protection for the area, although they preceded the passage of the *Ontario Heritage Act*. Once the *Act* was passed, subsequent Official Plans for the City noted the area and, in the most recent version, considered it to be a priority area for consideration as a potential Heritage Conservation District. In short, the municipality's intent to protect Old Sydenham has been evident for the last fifty years.

The current Heritage Conservation District planning initiative is evidence that the City is now putting this intent into action.

### **A.2.1 Provincial Heritage Planning Policies**

The Provincial Policy Statement (PPS, 2014), the over-arching indication of the Provincial government's interest in planning matters, continues to place heritage conservation on equal terms with other major planning matters, such as natural resources, natural resources and agriculture. Section 2.6, Cultural Heritage and Archaeology, states that (2.6.1) significant built heritage resources and significant cultural heritage landscapes shall be conserved (italicized terms are defined within the PPS). The remainder of the section provides policies for the conservation of areas of archaeological potential and for the assessment and mitigation of impact of development or site alteration on adjacent lands to protected heritage property. This policy applies to Heritage Conservation Districts as well as to individually listed or designated properties.

**Notice of Intention to Pass a By-Law to Designate 1069 Highway 15,  
also known as the McCallum House,  
To be of Cultural Heritage Value and Interest Pursuant to the Provisions of the  
*Ontario Heritage Act* (R.S.O. 1990, Chapter O.18)**

**Take Notice** that the Council of The Corporation of the City of Kingston intends to pass a by-law under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, to designate the lands at 1069 Highway 15, (Plan 1846, Block 246, former Township of Pittsburgh, now in the City of Kingston) also known as the McCallum House, to be of cultural heritage value and interest.

1069 Highway 15, known as the McCallum House, is of cultural heritage value and interest because of the physical/design value of this property as an early stone farmhouse of Neoclassical design. It is a one and a half storey house with a L-shaped floor plan and limestone construction. The masonry craftsmanship exhibited in the McCallum House is among the best documented in the former Pittsburgh Township.

The property has historical value through its association with John McCallum, who was a prominent landowner in this part of the former Township. The original farm lot was purchased by John McCallum, an Irish immigrant stone mason, in 1830, and it is believed that he built this house soon after. This house was one of the earliest farmhouses in the area and the centre of a large and successful farming operation, which at one point included 182 hectares (450 acres) of farmland. The house remained in the McCallum family until 1925.

This property has contextual value as a local landmark and an early stone farmhouse that marks the original agricultural settlement of this area.

**Additional information**, including a full description of the reasons for designation is available upon request from Ryan Leary, Senior Heritage Planner, Planning & Development Department at 613-546-4291, extension 3233, or at [rleary@cityofkingston.ca](mailto:rleary@cityofkingston.ca) during regular business hours.

Any notice of objection, setting out the reason for objection and all relevant facts, must be served upon the City Clerk within 30 days of the first publication of this notice.

**Dated** at the City of Kingston  
this XXX day of AAAA, 2014

John Bolognone, City Clerk  
City of Kingston

**By-Law Number 2015-XX**

**A By-Law to Designate McCallum House at 1069 Highway 15 to be of Cultural Heritage Value and Interest Pursuant to the Provisions of the Ontario Heritage Act (R.S.O. 1990, 0.18)**

**Passed:** XXXXX, 2015

The Council of The Corporation of the City of Kingston enacts as follows:

**Whereas** Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

**And Whereas** Council has consulted with its Municipal Heritage Committee and has approved the designation of a property located at 1069 Highway 15 (Plan 1846, Block 246, former Township of Pittsburgh, now in the City of Kingston) on November 24, 2014;

**And Whereas** a notice of intention to designate the property was published in the *Kingston Whig-Standard*, which is a newspaper having general circulation in the municipality, on XXXXX, 2014;

**And Whereas** no notice of objection to the proposed designation was served to the Clerk of The Corporation of the City of Kingston;

**Therefore be it resolved that** the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. To designate as being of cultural heritage value and interest the following property in the City of Kingston: 1069 Highway 15, also known as the McCallum House, more particularly described in Schedule 'A' attached hereto and forming part of this By-Law;
2. A copy of the designating by-law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this by-law to be served on the owner (Cancoil Corporation) of the land described in Schedule 'A' hereto and on The Ontario Heritage Trust and to cause notice of the passing of this by-law to be published in the *Kingston Whig-Standard*;
3. For the purpose of interpretation the term 'Maintenance' will include the following: "Maintenance means routine, cyclical, non-destructive actions, necessary to slow the deterioration of a Protected Heritage Property, including the following: periodical inspection; property cleanup; gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs, including replacement of individual asphalt shingles where there is little or no change in colour or design; repainting where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing."

Exhibit A

4. The City reserves the right to install a designated property plaque or interpretive panel; and
5. This By-Law shall come into force and take effect on the date of its passing.

Given First and Second Readings: Month XX, 2015

Given Third Reading and Passed: Month XX, 2015

(Signed)

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**John Bolognone**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

## Schedule "A"

### Description and Reasons for Designation McCallum House

#### Legal Description

Civic Address: 1069 Highway No. 15  
Lot/Concession: Plan 1846, Block 246, former Township of Pittsburgh, now in the City of Kingston.  
Property Number: 101109009020940

#### Introduction and Description of Property

The McCallum House (Plan 1846, Block 246, former Township of Pittsburgh, now in the City of Kingston) is located east of Kingston on the east side of Highway 15 on a 0.7 hectare (1.7 acre) lot with over 76 metres (250 feet) of frontage onto Highway 15.

This one and a half storey limestone farm house, built c.1830, has cultural heritage value through its physical/design values, its historical associations, and its contextual values.

#### Statement of Cultural Heritage Value/Statement of Significance:

##### *Physical/Design Value*

The property has physical/design value due to its scale, configuration and massing, making it an excellent example of an early stone farmhouse of Neoclassical design. It is a one and a half storey with a L-shaped floor plan and limestone construction consisting of coursed cut limestone and squared coursed limestone rubble. Most of the stones have a characteristic brownish tint but others are whiter, indicating a different source. The masonry craftsmanship exhibited in the McCallum House is among the best documented in the former Pittsburgh Township.

All main block window openings are heritage attributes and are characterized by flat headed openings with voussoirs, limestone lug sills and double hung twelve-over-twelve windows on the main floor and eight-over-eight on the second floor. The front basement windows have voussoirs aligned with the main floor windows. The medium-pitch end-gabled roof is adorned by a single limestone chimney located at each gable end. The three bay front facade is characterized by a central doorway with a window on either side. The door is flanked by sidelights with delicate, curvilinear tracery above moulded wood panels. Over the door and sidelights is a semi-elliptical fanlight transom with a pattern of radiating muntins.

The one and a half storey rear wing is of a lower elevation than the main block. Its medium pitched end gabled roof has return eaves at the east end. The south facade has a central doorway and a window with eight lights per sash to the east of the door. Above the door is a small, flat-headed, gabled dormer window, with two lights per sash.

### *Historical/Associative Value*

The property has historical value through its association with John McCallum, who was a prominent landowner in this part of the former Pittsburgh Township. This house was one of the earliest farmhouses in the area and the centre of a large and successful farming operation. The original farm lot of 40 hectares (100 acres) was purchased by John McCallum, an Irish immigrant stone mason, in 1830, and it is believed that he built this house soon after. The rear wing was probably added some years later. His son and grandsons purchased neighbouring lots and at one point owned 182 hectares (450 acres) of farmland while still living in this house. The house remained in the McCallum family until 1925.

After the original farm property was subdivided and developed in the 1980s the house was carefully restored under the guidance of architect Neil McLennan.

### *Contextual Value*

This property has contextual value as a local landmark and an early stone farmhouse that marks the original agricultural settlement of this area, predominantly by Scottish and Irish immigrants.

### **Heritage Attributes**

- The 19<sup>th</sup> century Neo-classical style farmhouse, its scale, configuration and massing and visual presence on Highway 15, making it a local landmark;
- The one and a half storey building of a simple L-shaped plan;
- The local limestone construction;
- The central doorway, including sidelights with delicate curvilinear tracery above the moulded wood panels and semi-elliptical fanlight transom with a pattern of radiating muntins;
- The pitched gable roof with two limestone chimneys, one at each gable end;
- The double-hung sash windows, all in the original openings, with flat headed voussoirs and limestone lug sills; and
- Its setting on a large open lot.