

Exhibit B

**Notice of Intention to Pass a By-Law to Designate 305-323 Rideau Street,
also known as the Bailey Broom Factory,
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 305-323 Rideau Street, (Part of Lot 13 RP B3, now Part 2, Plan 13R-20924, City of Kingston, also known as the Bailey Broom Factory, to be of cultural heritage value and interest.

305-323 Rideau Street, known as the Bailey Broom Factory, (Part of Lot 13 RP B3, now Part 2, Plan 13R-20924, City of Kingston, is of cultural heritage value and interest because of the physical/design value of the office section of the Bailey Broom Factory building which is a representative example of Queen Anne Revival style as applied to a commercial storefront.

The property has historical value through its association with the Bailey Broom Company, a local broom manufacturing company founded in 1903, and operated until 1923, which added the office and concrete sections c 1910-11. In addition, the office section was designed by W. Newlands & Son, Architects, c 1910-11, exhibiting features typical of Newlands' work and is an example of his work in a modest, industrial/commercial setting.

This property has contextual value in that it supports the character of the industrial area between Rideau Street and the Cataraqui River. Because of its location, it acts as a visual and geographical gateway to the area, and other former industrial buildings including the former Cotton Mill and the former National Grocers Building.

Additional information, including a full description of the reasons for designation is available upon request from Shirley Bailey, Planning, Building and Licensing Services at 613-546-4291 extension 3253 or at sbailey@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

John Bolognone, City Clerk

this XXX day of XXXX, 2015

City of Kingston

By-Law Number 2014-XXX

A By-Law to Designate Bailey Broom Factory at 305-323 Rideau Street to be of Cultural Heritage Value and Interest pursuant to the provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)

Passed: XXX , 2015

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 and interest;

And Whereas Council consulted with its Municipal Heritage Committee on November 24, 2014, and has approved the designation of a property located at 305-323 Rideau Street (Part of Lot 13, Registered Plan B3 now designated as Part 2 on Plan 13R-20924, being part of PIN 36001-0129 LT, City of Kingston);

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, 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: 305-323 Rideau Street, also known as the Bailey Broom Factory, more specifically 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 land registry office. The City Clerk is hereby authorized to cause a copy of this By-law to be served on the owner (City of Kingston) 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 broken glass in 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."
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:

Given Third Reading and Passed:

(Signed)

John Bolognone

City Clerk

Bryan Paterson

Mayor

Schedule A
Description and Reasons for Designation
305-323 Rideau Street

Legal Description

Civic Address: 305-323 Rideau Street
Lot/Concession: Part of Lot 13, RP B3, now designated as Part 2 Plan 13R-20924,
City of Kingston
Property Number: PIN 36001-0129 LT

Introduction and Description of Property

The property at 305-323 Rideau Street is an irregular-shaped parcel located at the northeast corner of Catarauqui and Rideau streets in the City of Kingston. The only structure on the property is a one-storey, L-shaped building comprising three parts: a brick office facing onto Rideau Street; a brick warehouse/workshop extending east along Catarauqui Street; and a poured-concrete warehouse/workshop extending north along Rideau Street.

The building has recently become known as the “Bailey Broom Factory”. It was built in stages between 1894 and 1911, while the property was owned by the Imperial Oil Company (1890-99), its subsidiary the Queen City Oil Company (1899-1903) and the Bailey Broom Company (1903-1923). The brick warehouse/workshop was built by Imperial Oil in 1894. The brick office and the concrete warehouse/workshop were built c1909 by the Bailey Broom Company. The office portion was designed by W. Newlands & Son, Architects. Builders/trades included: McKelvey & Birch (tin and plumbing); Harry W. Watts (contractor), and R. N.F. McFarlane.

Statement of Cultural Heritage Value/Statement of Significance:

The cultural heritage value of the Bailey Broom Factory lies in its architectural design, its historical value and its contextual value.

The property associated with the Bailey Broom factory has historical value because it includes the office section of the building, built circa 1909, a representative example of Queen Anne Revival style as applied to a commercial storefront.

The property has associative value because of its affiliation with the Bailey Broom Company, a local broom manufacturing company founded in 1903, and its principals, Samuel R. Bailey, John M. Hughes and William J. Lee. The Bailey Broom Company owned and operated a factory here from 1903 to 1923, adding the office section and the concrete wing. The Baileys were in the broom-making business is a good illustration of the type of small industrial enterprise that thrived in Kingston during the late 19th and early 20th centuries.

Samuel Bailey was the son of William and nephew of Benjamin Bailey, both of whom operated broom companies at other locations in Kingston from at 1863 to 1903. Samuel was a broom maker from 1885 to 1909 and later became a town councillor and member of various city committees.

The office section was designed by W. Newlands & Son, Architects c1910-11. William Newlands practised from 1882 to 1926, primarily in Kingston, and designed many commercial and industrial buildings. The Bailey Broom Factory exhibits many features typical of Newland's designs and is an example of his work in a modest industrial/commercial setting.

This property has important contextual value because it is one of several late-19th century or early 20th century industrial buildings in the area surrounding Cataraqui Street and bounded by Rideau Street and the Cataraqui Rivers. It is important in supporting the industrial character of the area. Because of its location at the corner and Cataraqui Streets, its brick construction and its distinctive architecture, it acts as a visual and geographical gateway to the area.

Cultural Heritage Attributes

The heritage attributes essential to the cultural heritage value or interest of this property is the former Bailey Broom Company building. Key elements of the building include:

- the central office section designed by William Newlands in a modest Queen Anne Revival style, including: its asymmetrical form and projecting and receding planes; the parapetted front elevation with prominent, dentilled cornice and pediment; the gabled roof ; the projecting side-hall entrance with corbelled piers and arch; the entrance door with glazed and fielded panels; the three-sided bay with pyramidal roof and prominent cornice; and the segmental-arched door and window openings topped with brick voussoirs;
- the brick construction and concrete and stone foundations of the office section;
- the simple, functional qualities of the brick wing along Cataraqui Street, including its brick construction, rhythmic bays marked by brick piers, random-coursed stone foundation, and low-sloped gable roof;
- the visibility, legibility and symmetry of its heritage attributes from Rideau Street and Cataraqui Street, including the façade of the Rideau Street concrete structure;
- its visual relationship to other late-19th century and early 20th century industrial buildings in the area, including the former National Grocers Building and the former Dominion Cotton Mill, both on Cataraqui Street.

Notice of Intention to Pass a By-Law to Designate 426, 428, 430, 432, 434 and 436 Princess Street, also known as Vaughn Terrace, 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 426, 428, 430, 432, 434 and 436 Princess Street, (Plan C15, Part Lot 1-2, City of Kingston) also known as Vaughn Terrace, to be of cultural heritage value and interest.

Vaughn Terrace is a representative example of an Italianate-style row house built c.1876. Despite alterations to openings and porches, the plan and proportions of the row house units are basically intact, and it retains many exterior features associated with the style. Exterior detailing such as the evenly coursed stone foundation with hammer-dressed voussoirs and top course, the wooden cornice and porch and window decoration, shows a high level of craftsmanship.

Built by Roy G. Vaughn as a rental property c.1876, Vaughn Terrace was passed to his daughter Cornelia Marcia Vaughn Pense (c.1850-1897) and her husband Edward J.B. Pense (1848-1910) and their children. Edward Pense was a prominent Kingston politician and editor of the British Whig newspaper. He served as Alderman, Mayor, School Trustee and Member of the Legislative Assembly for Kingston. The Pense family used Vaughn Terrace as an income property for almost 60 years before the units were sold to separate owners.

The individual units of Vaughn Terrace form a residential streetscape that reflects the 19th century development of Princess Street. As the only example of 19th century terrace housing on Princess Street between Division Street and Bath Road, Vaughn Terrace functions as a landmark in its surroundings.

Additional information, including a full description of the reasons for designation is available upon request from Ryan Leary, Senior Heritage Planner, Planning, Building and Licensing Services Department at 613-546-4291 extension 3233, or at 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 XXXX, 2015

John Bolognone, City Clerk
City of Kingston

By-Law Number 2015-XX

A By-Law to Designate Vaughn Terrace at 426, 428, 430, 432, 434 and 436 Princess Street to be of Cultural Heritage Value and Interest pursuant to the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)

Passed: XXX, 2015

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 the properties located at 426, 428, 430, 432, 434 and 436 Princess Street, also known as Vaughn Terrace, City of Kingston, County of Frontenac, on XXXX, 2015; and

Whereas a notice of intention to designate the properties was published in the Kingston Whig-Standard, which is a newspaper having general circulation in the municipality, on XXXXX, 2015; 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 properties in the City of Kingston: 426, 428, 430, 432, 434 and 436 Princess Street, also known as Vaughn Terrace, 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 properties 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 owners of the lands 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 definition (or as otherwise defined in the City's Procedural By-Law for Heritage): "Maintenance means routine, cyclical, non-destructive actions, necessary to slow the deterioration of a Protected Heritage Properties, 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”;

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 XXX, 2015

Given Third Reading and Passed XXX, 2015

John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule “A”

Description and Reasons for Designation

Vaughn Terrace

Legal Description

1. 426 Princess Street - PIN 36036-0158 (LT) – Lot 3, Plan C15; Part Lots 1 & 2, Plan C15, Being Parts 1-5 on Reference Plan 13R-14886; Subject to Right-of-Way over Part 5 on Reference Plan 13R-14886 as in FC55011, City of Kingston.
2. 428 Princess Street - PIN 36036-0112 (LT) – Part Lot 2, Plan C15 as in FR311844; Together with FR311844, City of Kingston.
3. 430 Princess Street - PIN 36036-0111 (LT) – Part Lot 1-2, Plan C15 as in FR613610; Together with FR613610, City of Kingston.
4. 432 Princess Street - PIN 36036-0110 (LT) – Part Lot 1-2, Plan C15, Being Part 1 on Reference Plan 13R-16143, Together with FR709902, City of Kingston.
5. 434 Princess Street - PIN 36036-0109 (LT) – Part Lot 1, Plan C15 as in FR392732; Together with FR392732, City of Kingston.
6. 436 Princess Street - PIN 36036-0108 (LT) – Part Lot 1, Plan C15 as in FR524739, Together with FR524739, City of Kingston.

Introduction and Description of Property

Vaughn Terrace is a 19th century terrace row-house at 426, 428, 430, 432, 434 and 436 Princess Street. The properties are located on the south side of Princess Street, at the intersection with Division Street. Built circa 1876, they are 2.5 storey, red-brick units in the Italianate style, with round-arched door openings, bracketed cornices, cast-stone sills, pedimented dormers and cut-stone foundations. Three of the units feature elaborate door hoods.

Heritage Value

The heritage value of the properties lies in their historical associations, design value and contextual value.

Vaughn Terrace is a representative example of an Italianate-style row house circa 1876. Despite alterations to openings and porches, the plan and proportions of the row house units are basically intact, and it retains many exterior features associated with the style. Exterior detailing such as the evenly coursed stone foundation with hammer-dressed voussoirs and top course, the wooden cornice and porch and window decoration, shows a high level of craftsmanship.

Vaughn Terrace is associated with the 19th century urban development of Kingston, and the construction of row housing for rental to urban workers. Built by Roy G. Vaughn as a rental property circa 1876, it passed to his daughter Cornelia Marcia Vaughn Pense and eventually to her husband and children. The Pense family used it as income property for almost 60 years before the units were sold to separate owners.

Vaughn Terrace is associated with E.J.B. Pense (1848-1910), Cornelia's husband and a prominent Kingston politician and businessman who owned the property jointly, and after his first wife's death, solely. Pense was editor of the British Whig newspaper and served as Alderman, Mayor, School Trustee and Member of the Legislative Assembly for Kingston.

The individual units of Vaughn Terrace form a residential streetscape that reflects the 19th century development of Princess Street. As the only example of 19th century terrace housing on Princess Street between Division Street and Bath Road, Vaughn Terrace functions as a landmark in its surroundings.

Heritage Attributes

The heritage attributes essential to the cultural heritage value or interest of these properties is the multi-unit terrace house known as Vaughn Terrace. Key elements of the entire terrace house include the following:

- The brick construction, stone foundations and wood detailing;
- The form and proportions of all units as a joined entity, including the two and-a-half-storey height, full basement, gabled roof with dormers, division into six units and division of each unit into two bays;
- The slightly projecting entrance bay of each unit with its round-arched door opening edged in recessed brick, glazed transom and flat-arched window opening above;
- The placement and proportions of surviving original flat-arched window openings on the front elevation, including the slightly elevated window opening in each entry bay;
- Surviving cast-stone sills and consoles under window openings on the front (Princess Street) elevation;
- The single gabled and pedimented dormer on the front elevation of each unit, including surviving scrolled wood window surrounds;
- The wooden cornice at eaves level along the front elevation of all units, with scrolled ends delineating each bay, dentilled detailing and paired brackets supporting the eaves of the projecting entry bay;
- The evenly coursed, cut-stone foundations, made of rough-faced stone blocks with a hammer-dressed top course and hammer-dressed voussoirs over shallow-arched window openings; and
- The visibility and legibility of its heritage attributes when viewed from Princess and Division Streets.

Additional key elements for the units at 430, 434 and 436 Princess Street include:

- The Italianate door hood at each of the three units, a flat-topped wooden structure with a flared cornice, dentilled frieze, and scrolled and channelled brackets with pendants;
- The door at 434 Princess, with its fielded lower panels and cast-iron grillwork over the glazed upper panels; and
- The projecting window bay and oval window opening in the western sidewall of 436 Princess Street.