

**Notice of Intention to Pass a By-Law to Designate 1621 Jackson Mills Road,
also known as the Orser 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 1621 Jackson Mills Road, (Part of Lots 11 and 12, Concession 4, City of Kingston, County of Frontenac) also known as the Orser House, to be of cultural heritage value and interest.

The Orser House at 1621 Jackson Mills Road has physical/design value. It is a one-and-a-half-storey limestone house that is believed to date from the mid to late 1840s. It retains its original scale and massing with only minor later alterations at the rear. The five-bay front facade is typically symmetrical with a decorative central doorway, with coursed, squared stonework, while the sides, rear and foundation have fieldstones laid in broken courses. The interior retains some notable original features, including window panelling, baseboards and chair rails, the fire place and adjacent bake oven in the basement.

This house is associated with the Orser family who were among the first Loyalist settlers in the area, probably taking possession of the property in 1785. Early log or frame houses have not survived, but this stone house is believed to have been built by the second or third Orser generation. They did not occupy it for long, however, since the house and lot were sold in 1849 to William Jackson who operated a grist mill (Jackson's Mill) the first grist mill in the region, on the neighbouring lot. The Orser family members continued to live and farm nearby and were prominent members of the community.

This property has contextual value as an early stone farmhouse that helps to define the Loyalist settlement and history of the area.

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

City of Kingston

By-Law Number 2015-XX

A By-Law To Designate the Orser House at 1621 Jackson Mills Road 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 property located at 1621 Jackson Mills Road, also known as the Orser House (Part of Lots 11 and 12, Concession 4, City of Kingston, County of Frontenac), on February 2, 2015; 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 XXXXXXXX, 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 property in the City of Kingston: 1621 Jackson Mills Road, also known as the Orser 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 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 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

Orser House

Legal Description

Civic Address: 1621 Jackson Mills Road
Legal Description: Part of Lots 11 and 12, Concession 4 as in FR405349, City of Kingston, County of Frontenac, PIN 36130-0013 (LT)
Property Roll Number: 1011080250212000000

Introduction and Description of Property

The property at 1621 Jackson Mills Road is a 2.9 hectare (7 acre) parcel of land on the east side of Highway 38, just north of the Macdonald-Cartier Freeway (401 Expressway), at the terminus of Jackson Mills Road. The main feature of the property is a one-and-a-half-storey, Georgian-style house with a stone exterior and gabled roof, known as the Orser House.

Likely built in the mid to late 1840s as a private residence for the Orser family, an early Loyalist family to the area, then sold to the Jackson family in 1849 who opened a grist mill on a nearby lot and for which the road is named.

Heritage Value

This stone farmhouse has cultural heritage value through its physical/design values, its historical associations and its contextual values.

This one-and-a-half-storey limestone house is believed to date from the mid to late 1840s, although its profile is more typical of earlier Loyalist/Georgian buildings. It retains its original scale and massing with only minor later alterations at the rear. The five-bay front facade is typically symmetrical with a central doorway, but the high foundation has basement windows and door openings that are not in alignment. The gable ends are symmetrical with two windows on the main floor, two on the upper floor and a chimney above. The rear facade has irregular door and window openings. The front facade has coursed, squared stonework, while the sides, rear and foundation have fieldstones laid in broken courses. It is interesting that the corners of the front wall do not have quoins. The windows have flat heads with stone voussoirs and lugsills, and the glazing is mostly original six-over-six sash. The decorative doorway has a flat transom with sidelights reaching almost to the floor, flanked by paired pilasters suggesting Greek Revival influence, although parts of the doorway appear to be newer replacements. The interior retains some notable original features including window panelling, baseboards and chair rails, the fire place and adjacent bake oven in the basement.

This house is associated with the Orser family who were among the first Loyalist settlers in the area, probably taking possession of the property in 1785. Early log or frame houses have not survived, but this stone house is believed to have been built by the second or third Orser generation. They did not occupy it for long, however, since the house and lot were sold in 1849 to William Jackson who operated a grist mill (Jackson's Mill) the first grist mill in the region, on the neighbouring lot. The Orser family members continued to live and farm nearby and were prominent members of the community.

This property has contextual value as an early stone farmhouse that helps to define the Loyalist settlement and history of the area.

Heritage Attributes

The heritage attributes essential to the cultural heritage value and interest of this property include:

- The 1840s Georgian-style stone farmhouse;
- Its form and massing, including its one-and-a-half storey height and five-bay facade;
- The medium pitched gable roof with two brick chimneys, one at each gable end;
- The pattern and proportions of window and door openings, including window openings with flat headed stone voussoirs and lug sills, with mostly original six-over-six sash windows;
- The central doorway with flat transom and sidelights and recent double pilasters; and
- Attributes on the interior of the house include window paneling, baseboards and chair rails, as well as the fire place and adjacent bake oven in the basement.

By-Law 2015-XX

A By-Law to adopt the Old Sydenham Heritage Conservation District Plan 2015,
pursuant to the provisions of the *Ontario Heritage Act* (R.S.O. 1990, 0.18)

Passed: meeting date, 2015

Whereas section 41 of the *Ontario Heritage Act*, R.S.O. 1990, chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate a defined area, including all buildings and structures thereon, to be a heritage conservation district; and

Whereas on June 5, 2006, the Municipal Heritage Committee received a request from the Sydenham Ward Tenants and Ratepayers Association (SWATRA) to designate parts of Sydenham Ward as a district under Part V of the *Ontario Heritage Act*; and

Whereas on August 9, 2009, Council received Planning Committee Report Number 77 recommendation which directed staff to undertake the completion of a district plan in order to fulfill the recommendations arising from the Old Sydenham Heritage Conservation District Study, April 2009; and

Whereas the Council, as required by Section 41.1(6) of the *Ontario Heritage Act*, R.S.O. 1990, chapter 0.18, has made available to the public the recommended district plan for the Old Sydenham Heritage Conservation District Plan 2015, and held the statutory public meeting on Dec. 1, 2014, with appropriate notice given in accordance with the *Ontario Heritage Act*; and

Whereas Council has consulted with its Municipal Heritage Committee, which has recommended approval of the final district plan on March 2, 2015;

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

1. By-law No. 15-XXX, "A By-Law Implementing the Old Sydenham Heritage Conservation District Plan, March 2015, and designating the Old Sydenham Area of the City of Kingston as a Heritage Conservation District";
2. The Old Sydenham Heritage Conservation District, the boundaries of which are defined on the attached Schedule "B" forming part of this by-law, is designated as a Heritage Conservation District, and the Old Sydenham Heritage Conservation District Plan, 2015, attached hereto as Schedule "A", is hereby adopted as the heritage conservation district plan under Part V, Section 41.1(2) of the *Ontario Heritage Act*;
3. A copy of the designating by-law shall be registered against each 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 owners of the land defined in Schedule "B" hereto and on the Ontario Heritage Trust and to cause notice of the passage of this by-law to be published in the Kingston Whig-Standard;
4. 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

John Bolognone
City Clerk

Bryan Paterson
Mayor