

**Notice of Intention to Pass a By-Law to Designate 135 Clergy Street East,
To be of Cultural Heritage Value and Interest Pursuant to the Provisions of the
Ontario Heritage Act (R.S.O. 1990, Chapter 0.18)**

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 0.18, to designate the lands at 135 Clergy Street East (Part of Lot 329, Original Survey; Part of Lot 330, Original Survey, Being Part 1 on Reference Plan 13R-6842; Together with FR652131; City of Kingston, County of Frontenac), to be of cultural heritage value and interest.

This property has physical/design value as a two-storey symmetrical-plan limestone residence (originally a double-house) with chimneys and parapets. The medium pitch gable roof retains its original configuration with recently reconstructed stone chimneys and parapet walls at each gable end. The building's walls were laid in broken courses with squared stones. The front facade has a full length verandah and balcony, although the balcony is a later addition. Most of the windows retain their original openings, voussoirs, and sills. Surviving shutter hardware on some of the windows indicates period shutters were present.

The property has associative value through its connection with Robert Carson and his son, Robert James Carson. Robert Carson was a local merchant who established a grocery at his property at 244-246 Princess Street in the 1860s. After his death in 1870 this business was continued and expanded by his son Robert James Carson and other family members. The Carson grocery business continued for many years. Robert James Carson served as mayor of Kingston in 1880.

This property has important contextual value due to its substantial presence in this block of Clergy Street opposite St. Andrew's Church and Manse, and its contribution to streetscapes along both Clergy and Princess Streets that include a number of designated heritage buildings.

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 at 613-546-4291, extension 3233, or at rlenary@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 135 Clergy Street East 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 135 Clergy Street East, (Part of Lot 329, Original Survey; Part of Lot 330, Original Survey, Being Part 1 on Reference Plan 13R-6842; Together with FR652131; City of Kingston, County of Frontenac) on April 13, 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 XXXXXXX, 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: 135 Clergy Street East, 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:
periodic 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 in accordance with the

City of Kingston By-Law Number. 2015-XX

City's Policy of Masonry Restoration in Heritage Buildings; 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****135 Clergy Street East**

Civic Address: 135 Clergy Street East

Legal Description: Part of Lot 329, Original Survey; Part of Lot 330, Original Survey, Being Part 1 on Reference Plan 13R-6842; Together with FR652131; City of Kingston, County of Frontenac

Tax Roll Number: 101103008006200

Introduction and Description of Property

The property is located on the east side of Clergy Street, north of Princess Street and opposite St. Andrew's Church.

135 Clergy Street East is a handsome stone residence build c.1880. It has cultural heritage value through its physical/design values, its historical/associative values and its contextual values.

Statement of Cultural Heritage Value / Statement of Significance*Physical/Design Value*

This property has physical/design value as a two-storey symmetrical-plan limestone residence with chimneys and parapets. It was originally a double house but was converted to a single house and office space in recent times.

The building is two full storeys in height with a high foundation. The symmetrical street facade has four bays, two for each of the original units. The medium pitch gable roof retains its original configuration with recently reconstructed stone chimneys and parapet walls at each gable end. The building's walls were laid in broken courses with squared stones. The front facade has a full length verandah and balcony, although the balcony is a later addition. One of the front upper windows has been enlarged to provide a doorway access to the balcony. In place of the original two main doorways an elaborate new single doorway of Neoclassical design has been inserted, with sidelights and semi-elliptical transom.

Most of the windows retain their original openings, voussoirs, and sills, although the voussoirs are partly concealed by verandah and cornice woodwork. Surviving shutter hardware on some of the windows indicates period shutters were present. The current windows all appear to be replacements.

Historical/Associative Value

The property has associative value through its connection with Robert Carson and his son, Robert James Carson. In 1865 the entirety of Lot 330, with 66 feet of frontage on Princess Street and 132 foot depth along Clergy Street, was sold to Robert Carson. It remained in the Carson family undivided until at least the 1930s. Robert Carson was a local merchant who established a grocery at his property at 244-246 Princess Street in the 1860s. After his death in 1870 this business was continued and expanded by his son Robert James Carson and other family members. The Carson grocery business continued for many years. Robert James Carson served as mayor of Kingston in 1880.

Title and assessment records do not reveal clear evidence for the construction date of this building. The 1850 Gibbs map shows a row of stores fronting Princess Street but no building at the location of the present 135 Clergy Street. Maps dating 1865 and 1875 show a building on Clergy Street near this site but the size and location appear to match. Street directories in the late 1880s identify tenants at 133 and 135 Clergy Street so it is likely that either Robert Carson or more likely his son Robert James Carson built a stone double house here as rental property. The 1892 Fire Insurance map clearly identifies the present two-storey stone building at 133 and 135 Clergy Street East.

Contextual Value

This property has important contextual value due to its substantial presence in this block of Clergy Street opposite St. Andrew's Church and Manse, and its contribution to streetscapes along both Clergy and Princess Streets that include a number of designated heritage buildings.

Cultural Heritage Attribute

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

- the scale and massing of this limestone building;
- its roofline, chimneys, and parapets;
- the limestone masonry construction with many original window and door openings showing its symmetrical design;
- the full-length verandah fronting Clergy Street East;
- its prominent location on the east side of Clergy Street East opposite St. Andrew's Church; and
- its proximity to other heritage buildings and its contribution to the streetscapes along Princess and Clergy streets.

**Notice of Intention to Pass a By-Law to Designate 291-297 Princess Street,
To be of Cultural Heritage Value and Interest Pursuant to the Provisions of the
Ontario Heritage Act (R.S.O. 1990, Chapter 0.18)**

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 0.18, to designate the lands at 291-297 Princess Street, (Part of Lot 330, Original Survey, Being Parts 1 to 6 on Reference Plan 13R-12150; Subject to and Together with FR662268; City of Kingston, County of Frontenac), to be of cultural heritage value and interest.

This property has physical/design value as a substantial row of limestone buildings with excellent masonry work occupying a prominent corner location. The stonework features regular courses of squared stones on the Princess and Clergy Street facades, radiating voussoirs over the window and door openings and many original stone sills. The 295-297 Princess Street building has a base course and quoins of smooth ashlar. The building at 291-293 Princess Street has a medium pitch gable roof while 295-297 Princess Street has a hip roof with a dormer on each of the Princess and Clergy Street facades. The roofline of these buildings is unchanged since the 19th century.

The property has associative value through its connection with Robert Carson and his son, Robert James Carson. Robert Carson was a local merchant who established a grocery at his property at 244-246 Princess Street in the 1860's. After his death in 1870, this business was continued and expanded by his son Robert James Carson and other family members. The Carson grocery business continued for many years. Robert James Carson served as mayor of Kingston in 1880.

This property has important contextual value due to its prominent corner location and its contribution to streetscapes along both Princess and Clergy Streets. These views include a number of designated commercial properties along Princess Street as well as St. Andrew's Church and Manse on Clergy Street.

Additional information, including a full description of the reasons for designation is available upon request from Ryan Leary, senior heritage planner, Planning Division, Planning, Building & Licensing Services 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 291-297 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 property located at 291-297 Princess Street, (Part of Lot 330, Original Survey, Being Parts 1 to 6 on Reference Plan 13R-12150; Subject to and Together with FR662268; City of Kingston, County of Frontenac) on April 13, 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 XXXXXXX, 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: 291-297 Princess Street, 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: periodic 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 in accordance with the City's Policy on Masonry Restoration in Heritage Buildings; 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

291-297 Princess Street

Civic Address: 291-297 Princess Street

Legal Description: Part of Lot 330, Original Survey, Being Parts 1 to 6 on Reference Plan 13R-12150; Subject to and Together with FR662268; City of Kingston, County of Frontenac

Tax Roll Number: 101103008005900

Introduction and Description of Property

This property is located on the north side of Princess Street at the corner of Clergy Street, with approximately 15 metres (50 feet) of frontage on to Princess Street.

291-297 Princess Street is a row of stone buildings constructed in the period 1850-1870. It has cultural heritage value through its physical/design value, its historical/associative value and its contextual values.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

This property has physical/design value as a substantial limestone building of excellent craftsmanship, occupying a prominent corner location. 291-293 Princess Street has a symmetrical three-bay facade, with three identical window openings in each of the upper storeys, and two doorways with a wider central window on the ground floor. The western (295-297 Princess Street) portion of the building has a five-bay front facade, originally symmetrical, but the two western bays on the ground floor have been converted into modern storefront windows and a doorway. The Clergy Street facade originally had two doorways with windows above, but the doorways have been converted to windows and a new large window inserted near the corner of Princess Street. The stonework features regular courses of squared stones on the Princess and Clergy Street facades, radiating voussoirs over the window and door openings and many original stone sills. The western portion of the building has a base course and quoins of smooth ashlar, although portions of them were lost or replaced during later renovations. The eastern portion of the building (291-293 Princess Street) has a medium pitch gable roof while western portion (295-297 Princess Street) has a hip roof with a dormer on each of the Princess and Clergy Street facades. It appears that the roofline of these buildings is unchanged since the 19th century. The windows have been replaced, but with windows of a design sympathetic with the period of the buildings.

Historical/Associative Value

Title and assessment records do not reveal clear evidence for dates of construction of these stone buildings. In 1865 the entirety of Lot 330, with 66 feet frontage and 132 feet depth, was sold to Robert Carson. It remained in the Carson family undivided until at

least the 1930s. The 1850 Gibbs map shows buildings fronting Princess Street over the full lot width, but these were not necessarily the present stone buildings. They were evidently commercial properties as the Carsons lived nearby on Princess Street opposite St. Andrew's Church.

Street directories of the 1880s show retail occupants at these addresses such as a baker, dressmaker, and a piano agent. In the 1870 assessment records there is a reference to a "new store" at what is now 295-297 Princess Street (the western portion), suggesting an 1869 construction date. A photograph from about 1971 of this building, which was then the Paul Bunyan Restaurant, shows 2 over 2 sash windows, which would be consistent with 1869 construction. However there is good physical evidence that the eastern portion (291-293 Princess Street) was built earlier.

The stonework where 293 joins 295 Princess Street strongly suggests that the building on the east half of the lot was completed first, but only with two storeys. It appears that the current two-storey building on the west half of the lot was then built, but with higher floors and windows than the building on the east half. An additional storey was then added to the east half to bring it to the same roofline as its neighbour.

These alterations were apparently completed by 1875, since the Brosius map shows three storeys for the eastern section and two storeys for the western section. The 1892 Fire Insurance map confirms the number of storeys in each section, unchanged to the present date, and the stone construction for the entire row.

The property has associative value through its connection with Robert Carson and his son, Robert James Carson. Robert Carson was a local merchant who established a grocery at his property at 244-246 Princess Street in the 1860s, and after his death in 1870 this business was continued and expanded by his son Robert James Carson and other family members. The Carson grocery business continued for many years. Robert James Carson served as mayor of Kingston in 1880.

Contextual Value

This property has important contextual value due to its prominent corner location and its contribution to the streetscapes along both Princess and Clergy Streets. These views include a number of heritage designated commercial properties along Princess Street as well as St. Andrew's Church and Manse on Clergy Street.

Cultural Heritage Attribute

- the scale and massing of this limestone row with roofline and parapets unchanged since the 1870s;
- the excellent masonry work with many original window and door openings showing the original symmetrical plan;
- its prominent corner location; and
- its proximity to other heritage buildings and its contribution to the streetscapes along Princess and Clergy streets.