



**City of Kingston  
Report to Council  
Report Number 24-182**

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**To:** Mayor and Members of Council  
**From:** Jennifer Campbell, Commissioner, Community Services  
**Resource Staff:** Kevin Gibbs, Director, Heritage Services  
**Date of Meeting:** July 9, 2024  
**Subject:** Notice of Objection to Proposed Heritage Designations  
45 Charles Street, 605-607 Bagot Street, 384 Division Street &  
3578 Unity Road

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**Council Strategic Plan Alignment:**

Theme: Corporate business

Goal: See above

**Executive Summary:**

This report is to provide Notices of Objection for Council's consideration, which were received as part of the heritage designation process currently underway for three (3) heritage resources (over four properties), namely the Calvary Church at 45 Charles Street & 605-607 Bagot Street, the Hoagie House at 384 Division Street and the Raycroft Farmhouse at 3578 Unity Road.

A Notice of Intention to Designate 45 Charles Street & 605-607 Bagot Street and 384 Division Street was served on the owners and published in the newspaper on March 12, 2024, and a Notice of Intention to Designate 3578 Unity Road was served on the owners and published in the newspaper on April 9, 2024. The owner of 45 Charles Street & 605-607 Bagot Street provided a Notice of Objection on March 21, 2024, and the owner of 384 Division Street provided a Notice of Objection on March 29, 2024. The owner of 3578 Unity Road provided a Notice of Objection on May 3, 2024. When a Notice of Objection is received by the city, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate or not. This timeline will expire on July 10, 2024 and August 7, 2024, respectively.

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The draft designation by-laws were prepared and provided to the owners in accordance with *Ontario Heritage Act* requirements. In the time since the owners' objections were received, staff have communicated with owners of each property; no changes were requested to the draft designation by-laws.

The subject properties exceed the minimum required criteria for determining cultural heritage value or interest in Ontario. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the subject properties under Section 29 of the *Ontario Heritage Act* and staff recommend giving all three readings to the proposed by-laws and serving a Notice of Passing.

**Recommendation:**

**That** Council acknowledges receipt of the Notice of Objection from Elaine Dickson dated March 21, 2024, to the proposed designation of the property located at 45 Charles Street, known as the Calvary Church, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

**That** Council accordingly reaffirms its approval of the Draft Designation By-Law for 45 Charles Street, known as the Calvary Church; and

**That** Council give all three readings to the Designation By-Law for 45 Charles Street, attached as Exhibit D to Report Number 24-182 and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

**That** Council acknowledges receipt of the Notice of Objection from Elaine Dickson dated March 21, 2024, to the proposed designation of the property located at 605-607 Bagot Street, known as the Calvary Church, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

**That** Council accordingly reaffirms its approval of the Draft Designation By-Law for 605-607 Bagot Street, known as the Calvary Church; and

**That** Council give all three readings to the Designation By-Law for 605-607 Bagot Street, attached as Exhibit D to Report Number 24-182 and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

**That** Council acknowledges receipt of the Notice of Objection from Phil Thompson dated March 29, 2024, to the proposed designation of the property located at 384 Division Street, known as the Hoagie House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of

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Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

**That** Council accordingly reaffirms its approval of the Draft Designation By-Law for 384 Division Street, known as the Hoagie House; and

**That** Council give all three readings to the Designation By-Law for 384 Division Street, attached as Exhibit E to Report Number 24-182 and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

**That** Council acknowledges receipt of the Notice of Objection from Jeff and Monika Cook, dated May 3, 2024, to the proposed designation of the property located at 3578 Unity Road, known as the Raycroft Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

**That** Council accordingly reaffirms its approval of the Draft Designation By-Law for 3578 Unity Road, known as the Raycroft Farmhouse; and

**That** Council give all three readings to the Designation By-Law for 3578 Unity Road, attached as Exhibit F to Report Number 24-182 and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act.

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Authorizing Signatures:

\_\_\_\_\_  
**Jennifer Campbell,**  
**Commissioner, Community**  
**Services**

\_\_\_\_\_  
**Lanie Hurdle, Chief**  
**Administrative Officer**

**Consultation with the following Members of the Corporate Management Team:**

Paige Agnew, Commissioner, Growth & Development Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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**Options/Discussion:**

This report provides an update on the heritage designation process currently underway for three (3) heritage resources (four properties) and circulates the Notices of Objection that have been received for Council's consideration.

The properties at 45 Charles Street & 605-607 Bagot Street are located on the northeast corner of Charles and Bagot Streets, in the Inner Harbour neighbourhood. They contain the Calvary Church; a one storey frame church originally constructed in 1889 with later additions and alterations in 1910 and 1924. The Calvary Church is a rare surviving example of a frame church in Kingston. It contributes to an understanding of the development of the Charlesville area and reflects the modest means of this 19<sup>th</sup> century working-class area. It also demonstrates the works of architects James Bruce Reid and Colin Drever who designed the original church and oversaw the 20<sup>th</sup> century alterations, respectively.

The property at 384 Division Street is located on the southwest corner of Division and Stanley Streets. It contains the Hoagie House; a two-storey limestone residential building, now mixed use, constructed before 1855. The building is an early example of a two-storey vernacular limestone residence with Georgian influences in Kingston. The Hoagie House has become a landmark and contributes to the historic scale and character of the Division Street streetscape.

The property at 3578 Unity Road is located on the north side of the road in the former Township of Kingston. This 6.5-hectare rural property contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built in the 1860s. The Raycroft Farmhouse is a well-crafted example of this style that supports the agricultural character of the area and shares a visual and historical relationship with its surroundings.

**Background**

Section 29 of the *Ontario Heritage Act* 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. Council, on March 5, 2024, with respect to Report Number HP-24-009, passed the following motions:

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 605-607 Bagot Street, known as the Calvary Church, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-009; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 605-607 Bagot Street, attached as Exhibit I to Report Number HP-24-009, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

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**That** Council direct staff to serve a Notice of Intention to Designate the property located at 45 Charles Street, known as the Calvary Church, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-009; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 45 Charles Street, attached as Exhibit I to Report Number HP-24-009, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act; and

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 384 Division Street, known as the Hoagie House, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-009; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 384 Division Street, attached as Exhibit F to Report Number HP-24-009, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

Council, on April 2, 2024, with respect to Report Number HP-24-014, passed the following motion:

**That** Council direct staff to serve a Notice of Intention to Designate the property located at 3578 Unity Road, known as the Raycroft Farmhouse, as a property of cultural heritage value or interest pursuant to Section 29 of the Ontario Heritage Act, attached as Exhibit A to Report Number HP-24-014; and

**That** should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 3578 Unity Road, attached as Exhibit G to Report Number HP-24-014, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

The 2020 changes to the *Ontario Heritage Act* created a two-tier appeal process for new designations. Following consultation with its heritage committee and the serving of a notice of its intention to designate a property, anyone, within 30 days of the publication of the notice in the newspaper, can object by providing a Notice of Objection to the City Clerk.

A Notice of Intention to Designate the properties at 45 Charles Street, 605-607 Bagot Street and 384 Division Street was served on the owners, published in the newspaper and posted on the City's website on March 12, 2024. The Notice of Objection for the Calvary Church was provided to the City on March 21<sup>st</sup> (Exhibit A), with an additional letter submitted on June 5, 2024. The

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Notice of Objection for the Hoagie House was provided on March 29<sup>th</sup> (Exhibit B). Both letters were received within the 30-day objection period.

A Notice of Intention to Designate the property at 3578 Unity Road was served on the owners, published in the newspaper and posted on the City's website on April 9, 2024. The Notice of Objection for the Raycroft Farmhouse was received on May 3<sup>rd</sup> (Exhibit C), within the 30-day objection period.

When a Notice of Objections are received by the City, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate, following the completion of the 30-day objection period, as per Section 29(6) of the *Ontario Heritage Act*. This timeline will expire on July 10, 2024 and August 7, 2024, respectively. Council's decisions regarding the objections are required to be served on the owner(s) and be published in the newspaper in the form of either a Notice of Passing (after giving final reading to the by-law) or a Notice of Withdrawal.

If Council chooses to publish a Notice of Passing, the public (including the owners) will be afforded a second opportunity to appeal the designation to the Ontario Land Tribunal within 30 days of the publication of the Notice. The Tribunal would then review the appeal, hold a hearing and render a binding decision on the fate and content of the designation.

### **Cultural Heritage Analysis**

The purpose of the first tier of the two-tier objection/appeal process is to provide the municipality with an opportunity to consider the merits of the objections and reconsider their intention to designate the properties, before relinquishing decision making authority on the fate of the designation to the Ontario Land Tribunal, should the matter be appealed under tier two.

### **Calvary Church – 45 Charles Street & 605-607 Bagot Street**

The Notice of Objection for the Calvary Church (Exhibit A) outlines the owner's concerns in detail and requests that either the by-law not be approved or that it be delayed until the property is sold to a new owner. With the recent changes to the *Ontario Heritage Act*, those non-designated properties of heritage value (also known as Listed properties) if not designated by January 1, 2027, will automatically be removed from the Kingston Heritage Register and would not be eligible for re-listing for five years. This would leave this valued heritage resource with no municipal heritage protection.

The owner provided their opinion on the property's heritage value in light of the Provincial criteria (Ontario Regulation 9/06) as noted in the draft by-law. It is understood that the property has undergone several alterations over the years thus concealing some of its original design. However, through this evolution one can better understand the changing needs of the congregation and community. Its physical heritage value is reflected in the short list of Heritage Attributes (Exhibit D). The cultural heritage value of a property is not limited just to its physical components. In the case of the Calvary Church, the presence of an unadorned modest church provides an understanding of the history of the area as a working-class community. Further, there are very few examples in Kingston of the work of Architect James Bruce Reid, who was

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not only the designer of the original Calvary Church but also a prominent member of its congregation and leadership.

While staff recognize the challenges of a diminishing church membership for the maintenance of the property, the designation of a property under the *Ontario Heritage Act* does not in any way impose a greater level of property standards for the owner.

In addition, a heritage designation does not change the permitted uses of the property. If the property is sold in the future, it is possible that a non-institutional use will be proposed. A medical clinic or residential use, as noted by the owner, could be a very appropriate adaptive reuse of this resource. A heritage designation will allow the City to require consideration of the cultural heritage value of the property for any future Planning Act applications or proposals for external alterations to the property or adjacent properties.

The draft designation by-law has not been amended and is attached as Exhibit D. Photographs of the property are also included as Exhibit G.

### **Hoagie House – 384 Division Street**

The Notice of Objection from the owner of the Hoagie House (Exhibit B) includes two main concerns: one being the lack of authenticity in the original dwelling due to extensive alterations in the early 1970s, and the other is the perceived impact of the designation on potential future sale.

It should be noted that the heritage evaluation of the subject property was completed in 2024. Staff are aware of the extensive changes to the main floor openings and interior of the building; regardless, the property still satisfies four of the Provincial criteria for determining cultural heritage value (O.Reg. 9/06), where it only needs to meet two criteria to be eligible for heritage designation. The building's form, roof profile, limestone construction, central entrance and second floor window pattern are all extant.

In regard to resale value, there is no clear evidence that heritage designations negatively impact resale value of commercial or residential properties. Professional heritage staff and volunteers at the City's Heritage Resource Centre are available to discuss concerns with new purchasers and to provide guidance and advice on heritage conservation and what it means to own a designated heritage property.

The draft designation by-law has not been amended and is attached hereto as Exhibit E. Photographs of the property are also included as Exhibit G.

### **Raycroft Farmhouse – 3578 Unity Road**

The Notice of Objection for the Raycroft Farmhouse (Exhibit C) includes three primary concerns: the extra expense in sourcing contractors "authorized to do historical work", the number of changes to the original house; and the "great frustration" while working with the heritage committee.



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The heritage value of the subject property was evaluated initially in 2015 by the consulting firm of ARA Heritage and more recently by staff in 2024. Staff are aware of the numerous alterations and additions to the original dwelling; however, many reflect good conservation practices, leaving the original stone house, fenestration pattern, twin chimneys and Ontario Gothic Revival profile intact and readily visible from the road. The property satisfies four of the nine criteria in O.Reg 9/06.

There is no requirement that specific firms complete heritage restoration works. The heritage permit process is designed to review the nature of the work, not the parties doing the work. As older homes function differently and have different considerations than modern homes, it is sometimes necessary for owners to engage trades that have experience working with older buildings. The administration of a heritage designation through the heritage permit process, will not stipulate who does the work and leaves that to the discretion of the owners.

Staff strive to make the heritage permitting process as efficient as possible. Many recent changes have been made to improve the heritage permitting process, including the introduction of the Development and Services Hub (DASH) application processing system and the refinements to the Heritage Properties Committee mandate and reporting process, as well as increasing the number of alterations that can be approved through delegated authority by the Director of Heritage Services. Heritage permits remain free of charge and staff are available to assist with the permitting process.

The draft designation by-law has not been amended and is attached as Exhibit F. Photographs of the property are also included as Exhibit G.

## Summary

The draft by-laws were prepared in accordance with *Ontario Heritage Act* requirements. The subject properties were evaluated against the 'Criteria for Determining Cultural Heritage Value or Interest' in Ontario Regulation 9/06, which requires the property to meet at least two (2) of the nine (9) criteria to be considered for designation under the Act. The subject properties exceed the minimum tests of the criteria. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the properties at 45 Charles Street, 605-607 Bagot Street, 384 Division Street and 3578 Unity Road under Section 29 of the *Ontario Heritage Act*. Staff recommend giving all three readings to the by-laws and serving a Notice of Passing.

## Existing Policy/By-Law:

*More Homes Built Faster Act*, 2022 (Province of Ontario)

*More Homes, More Choice Act*, 2019 (Province of Ontario)

*Ontario Heritage Act*, R.S.O. 1990, C.O. 18 (Province of Ontario)

Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest (Ontario)

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Ontario Regulation 385/21 – General Regulations (Ontario)

City of Kingston Official Plan

**Notice Provisions:**

Notice of Passing or Notice of Withdrawal must be served on the property owner(s) and the Ontario Heritage Trust and be published in a newspaper, having general circulation in the municipality, pursuant to Section 29 of the *Ontario Heritage Act*.

**Financial Considerations:**

None

**Contacts:**

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Joel Konrad, Manager, Heritage Planning, Heritage Services, 613-546-4291 extension 3256

Ryan Leary, Senior Planner, Heritage Services, 613-546-4291 extension 3233

**Other City of Kingston Staff Consulted:**

None

**Exhibits Attached:**

Exhibit A Notice of Objection – Calvary Church

Exhibit B Notice of Objection – Hoagie House

Exhibit C Notice of Objection – Raycroft Farmhouse

Exhibit D Draft Designation By-Law – 45 Charles Street and 605-607 Bagot Street

Exhibit E Draft Designation By-Law – 384 Division Street

Exhibit F Draft Designation By-Law – 3578 Unity Road

Exhibit G Photographs of Properties

# **CALVARY UNITED CHURCH**

(United Church of Canada)

45 Charles Street, Kingston, Ontario K7K 1V3  
(613) 544-1572

The Lord requires that we “do justice, love  
kindness and walk humbly with God.”  
Micah 6:8

June 5<sup>th</sup>, 2024

Ryan J. Leary  
Senior Planner, Heritage  
Heritage Services Department  
City of Kingston  
216 Ontario Street  
Kingston, Ontario  
K7L 2Z3

Dear Sir:

Re: Proposed Designation under the Ontario Heritage Act  
605-607 Bagot Street & 45 Charles Street

Further to your E-Mail, dated May 8<sup>th</sup>, 2024, in which you indicated that you did not see any specific requests in our previous correspondence for edits to the draft by-law or any specific concerns regarding the Heritage Committee’s evaluation of the above-noted property, we advise, once again, as follows.

## **Concerns Regarding the Heritage Committee’s Evaluation:**

1. **Design and physical value:** with many modifications and additions, it can hardly be considered an “original” building. It only has views and, in our opinion, very, very little architecture interest of the building from both Bagot and Charles Streets because there is no development (as yet) on the vacant lots across from the Church. However, St. Vincent de Paul Society is in the process of building their new premises on the vacant lots across the street which will definitely hinder the current views. Only the stained glass window panes are evident from the street. The church building is only 3-4 steps from the main streets so naturally one is almost on top of the building while walking by. But, from a distance that is not the view one sees – one only sees white vinyl siding which is the most prominent feature and definitely not of historical importance.
2. The property has historical value because it yields, or has the potential to yield information that contributes to an understanding of a community or culture. In our opinion, the property does not and will never have the potential to yield information that contributes to an understanding of a community or culture when all the buildings around it are of modern style and the modifications, over the

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years, to the church's buildings are of modern 21<sup>st</sup> century materials. There are no historical buildings around the property or close by the property. In our opinion, it definitely does not stand out as an historical building. One block away on Cataraqui Street was the location of the old brick beer store.

3. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

Its connection to James Bruce Reid who designed the original chapel, and Colin Drever who oversaw later 20<sup>th</sup> century alterations and additions. We ask you – if Reid and Drever are considered to have such historical importance then why wasn't any street, building, park, library or museum, etc. named after them?

4. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.

We are of the opinion that the property is NOT linked to its surroundings. It is only one property amongst its surroundings but could NOT ever be said to be physically, functionally, visually or historically linked to its surroundings. It is 99% a modern building and all the buildings around it are modern buildings, not historical buildings.

5. The property has contextual value because it is a landmark.

We are of the opinion that the property has no contextual value because it is not considered a landmark. Only 2 dozen people out of Kingston's population of 45,000 people even know where Calvary United Church is located. They have never heard of it. How can a building be considered a landmark when only 2 dozen people out of 45,000 citizens know its location? No church today serves a local community – the members live in all parts of the City of Kingston – east, west, north and south. It no longer serves and hasn't for years and years as a gathering place. It serves as a place of worship. With the onset of vehicles versus horse and buggy, the majority, if not all the gathering places are now located within commercial establishments.

As reiterated over and over again, the congregation is vehemently opposed to any cultural heritage designation and the resultant financial and emotional stress and undue hardship.

#### Request for Edits to the Draft or Final By-Law

We requested in our previous correspondence that the property be deleted from any proposed register and any proposed by-law. If that is not possible, then we hereby request that an amendment be attached to the by-law, excluding the property from the designation, and that all councillors and the mayor be provided with copies of the correspondence that Calvary United Church has submitted, to date, for their information, perusal, and positive consideration before any Council Meeting or vote occurs. Or:

Can the draft/final by-law be amended to suspend for 3-4 years the designation on the property?

We provide additional information below.

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1. Calvary United Church's membership is declining year-over-year (currently, approximately 17 members), along with rapidly declining financial resources and volunteer labour. As a result, Calvary United Church will cease to exist in 3-4 years time and will be de-commissioned as a church and all activities as a church will cease. We are an independent church and must be self-sufficient which will not be possible within the next 3 to 4 years.
2. We propose to sell the property in 3-4 years' time and donate the surplus funds. The Board of Trustees is also considering the possibility of donating the land to the City of Kingston or charitable organization so it can be re-purposed and developed into low rental or geared-to-income housing or transitional housing or perhaps a medical facility such as an MRI or CAT Scan Clinic or Breast Imaging Clinic, etc. We would like to see the property benefit as many citizens of Kingston as is possible, especially with our current housing and medical facilities crisis.

The members of Calvary United Church feel it would be unfair, unrealistic and uncompassionate to burden and saddle the current owner (a very, very small church, struggling financially and resource-wise) or any future owner with the cultural heritage designation. It would definitely not benefit or be in the best interest of the current or future owner, especially when such a designation has far reaching financial and re-development consequences when it is attached to the deed in the land registry office. Calvary's insurance agent has already advised that we MUST notify them of such a designation and a complete insurance re-evaluation must be completed and they are unsure until a re-evaluation is undertaken whether there would be an increase in premiums as a result of the designation.

How can a property owner, who does not reside on the property because it is a church building, not a residential building, monitor the property on a continuous daily basis, for destruction and damage, which the property owner is responsible for paying all costs associated with same? Would any of you, as a councillor or mayor want to be burdened with that responsibility and cost?

One example: The Hub and St. Vincent de Paul Society are located a short distance away and in the past 5 weeks, this is what had to be cleaned up. The Church's doorstep: 4 containers with uneaten food still therein and half empty water bottles and pop cans on the Church doorstep with a swarm of ants around them. Furthermore, the small parking lot had discarded and smelly clothes and mis-mated shoes and boots, as well as small, used kitchen items, used injection needles and empty cigarette packages and cigarette/cigar butts, as well as a pair of scissors and a small switch blade knife thrown all around on it. Who was stuck cleaning up that mess? None other than the property owner. We anticipate it will only get worse when St. Vincent de Paul Society relocates their premises, within the next few months, from Stephen Street to Bagot Street, directly across the street from Calvary United Church.

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Would you expect to see that on a small church parking lot? We definitely were not? But that happens frequently on the church's property. That is one of the many reasons we are vehemently opposed to any heritage designation. That is the reality of the situation when the north end, where Calvary United Church is located, is subjected to some of the most vulnerable citizens of Kingston, congregate, because it is not a residential building but a Church building and the most desperate citizens know that no one resides in the premises, therefore, will not see them utilize the property for their own uses.

I ask once again: would you, as a heritage committee member, councilor or mayor, want to be subjected to cleaning the mess up, if you were the property owner? Would you, as the property owner, want to see a heritage designation attached to your property and the resultant land registry office? Would you be proud of your property being designated "heritage" being desecrated in such a manner and looking like that until the mess could be cleaned up? We definitely are not. We are very disappointed and perplexed as to why the "homeless" population feel they can desecrate, dump their garbage, and utilize other people's private property in such a manner, and not be held responsible for their actions. That being said, we want all of you making the decisions, to be fully aware of the reality of the situation we live with day-by-day.

We realize that when one lives far away from the situation, they cannot fully appreciate the views of those living with the situation day-by-day until they live with it themselves, as a private property owner, and see it with their own eyes.

We hope that each of you, reading this letter, will recognize that there is a disconnect with what the private property owners need and what the heritage committee members and councilors and mayor need or want, and that the opportunity is being presented to each of you to incorporate an amendment to the by-law to exclude the property known as 605-607 Bagot Street and 45 Charles Street from the "culture heritage designation". We trust the heritage committee members and city councilors/mayor are supposed to look out for the best interest of their citizens, and not look at the proposed designation and by-law with blinders of just considering their own view, and recognize that sometimes they get things wrong and adjust their policy/political decisions accordingly. We thank all of you for taking the time to read our urgent concerns and rebuttal to the designation, and request that a positive response will be forthcoming.

Sincerely  
Elaine Dickson, Secretary  
Calvary United Church

Please provide a copy of this letter to all committee members, councillors/mayor

# **CALVARY UNITED CHURCH**

(United Church of Canada)

45 Charles Street, Kingston, Ontario K7K 1V3  
(613) 544-1572

The Lord requires that we "do justice, love  
kindness and walk humbly with God."  
Micah 6:8

March 21, 2024

Janet Jaynes  
City Clerk  
The Corporation of the City of Kingston  
216 Ontario Street  
Kingston, Ontario  
K7L 2Z3

**DEPARTMENT OF  
THE CITY CLERK**

MAR 22 2024

DO 3:17pm  
**RECEIVED**

Dear Janet:

**Re: Notice of Intention to Designate - Under the Ontario Heritage Act  
605-607 Bagot Street & 45 Charles Street**

Further to your letter dated March 14, 2024, advising that the above-noted property is currently on the list of properties regarding the City's intention to apply the heritage designation, we respectfully submit our objection to same. While we appreciate the City of Kingston preserving its architectural history, we and many neighbours, visitors and contacts we have spoken to, are of the opinion that the above property only possesses minimal attributes, as compared to other properties" and are perplexed as to why the property was evaluated for a possible "heritage designation". We are very cognizant of the fact that "undue financial hardship" could await the current and future owners of a "heritage designated" property, which only the future yields, but as the current owner, we are fully aware of the unreasonable financial hardship it presently encompasses.

**Fact:**

We are talking about a "church building" and not a residential or commercial building. A "church building" could be classified in a "category of its own". Coloured stained glass windows, currently in the church building, are becoming very, very costly and often times difficult to source, as advised by David Green from Green Superior Glass Kingston Ltd., who recommended any replacement should be completed with normal thermal window glass. David said that replacement costs have escalated very high for stained glass windows and recommended if same needs to be replaced that they should be of normal thermal pane glass. A "heritage designation" would impose undue restrictions on same

being done. That feature, itself, is costly prohibitive and puts undue financial hardship on current and future owners of the property (regardless of any heritage grant).

**Fact:**

The Property Owner's Guide to Heritage Designation stipulates under Insurance Premiums that a heritage designation should not affect insurance premiums. While the guide describes it is not a requirement for destroyed features to be replicated, there should be no added cost to insurance companies or owners in that regard.

I contacted our insurance office and provided a copy of the Guide to Heritage Designation. Nicole, Commercial Insurance Specialist, our representative, advised that she could not guarantee that there will not be a change in the rebuild cost of the Church. If the Church is "designated a heritage building", there is more to take into consideration and unfortunately this usually increases the rebuild costs. Furthermore, she must insure what the property owner has today, regardless of what would be rebuilt in the Church's place in the future. Nicole said she was sorry if we were misinformed by others and stated that an inspection and re-evaluation is standard for the insurance coverage when a building is designated heritage. Nicole further stipulated that she would need to complete a full inspection and evaluation to determine if there would be an increase in the rebuild cost, resulting in an increase in the insurance premium. (That cost, which will place an undue financial hardship on us as the property owner, will not be known until "after" the designation is applied).

**Fact:**

When the Church replaced the shingles a few years ago, on the church and church hall and we went through the process of obtaining estimates, the cost was much higher to replace the new shingle to replicate the old shingles, which placed undue financial hardship on the property owner. Contrary to the views/opinions of what many others may think, it does place an undue financial and stressful hardship on the property owner, especially a place of worship, which is significantly dependent on the donations of others.

**Fact:**

Surveys of church attendance, of every denomination, has confirmed that attendance has declined substantially, which was compounded by the ravaging effects of COVID-19. We, as a church, have been affected by the substantial downturn, and are facing financial hardship just to "survive", as are many other organizations, establishments and governments. To have a "heritage designation" applied only adds to their and our present "undue financial hardship".



Because of declining church attendance and the unprecedented debilitating effects of COVID-19, there is a severe shortage of financial resources and volunteer labour, which would be compounded by a "heritage designation".

The Congregation at Calvary United Church is very, very concerned by the financial hardship a "heritage designation" would impact our existing financial hardship. We sent a letter to Ryan J. Leary, Senior Planner, Heritage, on January 19<sup>th</sup>, 2024, objecting to Calvary United Church's property being considered for the "heritage designation". (We are a copy of same for your perusal).

With Church attendance, volunteer availability and donation support declining year-over-year, coupled with current financial hardships, and the "undue financial hardship" a heritage designation would place on us as the current owner, we are respectfully submitting this "letter of objection" for your review.

We do appreciate and extend our thanks for the endless hours devoted by the City of Kingston's Heritage Committee members to preserve this great city's historical humble beginnings, however, currently, we do not have sufficient volunteers, volunteer labour, or financial resources to incorporate a "heritage designation" and the "undue financial hardship" same would place on our already existing financial hardship.

Thank you for taking the time to analyze Calvary's concerns from our view point, and respectfully request that positive consideration be given to removing Calvary United Church's property from the "heritage designation".

Awaiting your reply, we remain

Sincerely,



Elaine Dickson,  
Secretary,  
Calvary United Church

Home Phone: (613) 544-1572 – if not home, leave message

E-Mail:

[dickson.elaine@outlook.com](mailto:dickson.elaine@outlook.com)

Enclosure:

Copy of Letter, dated January 19, 2024, sent to:  
Ryan J. Leary, Senior Planner, Heritage

# **CALVARY UNITED CHURCH**

(United Church of Canada)

45 Charles Street, Kingston, Ontario K7K 1V3  
(613) 544-1572

The Lord requires that we "do justice, love  
kindness and walk humbly with God."  
Micah 6:8

January 19, 2024

Ryan J. Leary  
Senior Planner, Heritage  
Heritage Services Department  
City of Kingston  
216 Ontario Street  
Kingston, Ontario  
K7L 2Z3

Dear Sir:

Re: Proposed Designation under the Ontario Heritage Act  
605 Bagot Street & 45 Charles Street

Further to your letter dated January 9, 2024, advising that the above-noted property is currently listed on Kingston's Heritage Properties Register, we are requesting via this letter that the above property be removed/deleted from Kingston's Heritage Properties Register.

The Congregation at Calvary United Church did not request and does not want or wish to have the property protected by being placed on Kingston's Heritage Properties Register and objects to Heritage Services Department's intention to undertake the process to designate the specific property as having heritage value.

It is our intention to eventually sell or donate the property in hopes that it could be developed/utilized for desperately needed, geared-to-income senior housing.

With Church attendance, volunteer availability and donations declining year-over-year, coupled with the well-known fact that more and more places of Church Worship are ceasing to exist, the congregation wishes and wants to have no restrictions or prohibitions or plaques designated to the property placed thereon by any government agency or committee. We have invested thousands of hours

– 2 –

of volunteer service and deserve to be listened to, and our wishes respected. It is our opinion that the cultural/historical value is so minimal that the property should never have been put on the Heritage Properties Register to begin with. We do not want or need any protection or interference from any level of government regarding our property and our future and what that may entail.

We do not have sufficient volunteers or resources to attend endless meetings or undertake endless communications, and trust our request, concerns and objection to have the designated property removed/deleted from Kingston's Heritage Properties Register will be respected and receive your positive consideration.

Awaiting your reply, we remain

Sincerely,



Elaine Dickson,  
Secretary,  
Calvary United Church

Home Phone: (613) 544-1572 – if not home, leave message

E-Mail:

[dickson.elaine@outlook.com](mailto:dickson.elaine@outlook.com)

March 29, 2024

Re: 384 Division Street, Kingston Ontario

When my mother and I purchased 384 Division Street in the early 1970's, no designations were attributed to the property. Mrs. Martin who owned the property was very frank with us and stated that the property needed a lot of work. Mrs. Martin was right. Structurally the building was reasonably sound, but many problems were evident. Fortunately for us, we found a class A contractor to do the work. His name was Harry Sutherland, a Scotsman who had extensive experience working with stone and wood. Together with my mother they came up with a design to change the building for our purpose.

Harry proceeded to remove the two front windows and remove a large quantity of stone to make the current windows. He then closed in the rear window and then started on the inside. He removed the inside staircase, removed all interior walls on the main floor, and replaced the original bearing wall with a new beam and post system. He then built a false, non functional fire place on one of the interior walls. All lathe and plaster was removed from the interior upstairs and downstairs so that insulation could be installed. The upstairs stone wall at the back of the building was removed to open up the upstairs. The stone from the front of the store and from the upstairs back wall was stacked at the south side of the building. Unfortunately the stone was stolen in the late 1980's.

As you can see the building has been changed considerably from the original design and intent. On these grounds I formally object to this building being either heritage or historically significant. I do agree that the location is iconic to Kingston as the Hoagie House has been in that location for fifty years. However, I am 74 years old and my daughter has no intent on continuing the business once my wife and I are gone. Also, while I do realize there are some myths about heritage designation, one thing is not a myth, and that is many potential purchasers are reluctant to buy a building that is so designated. This building is a large part of my wife's and mine retirement plan, any impediment to selling this property at the worth that is valued would cause undue-hardship on my wife and me. As stated I do object to this building being so designated.

Thank you for your consideration.

Sincerely yours,

Phil Thompson, *owner 384 Division Street.*

May 3, 2024

Jeff and Monika Cook  
3578 Unity Road  
Odessa, ON  
K0H 2H0

Attention: Janet Jaynes  
Clerk, City of Kingston  
216 Ontario Street  
Kingston, ON  
K7L 2Z3

To Whom it May Concern,

On behalf of my husband and I, I am writing to express our strong opposition to the proposed historical designation of our home, 3578 Unity Road. While I appreciate the importance of preserving our community's history, I believe that designating this property as historically significant would pose significant challenges and limitations to us as owners.

After receiving word that our home was on a list to consider for this designation I did some research. On a personal level, declaring our home historic would provide to be a burden financially to us. While there are some grants available – the short list of contractors authorized to do historical work is short. It is not a competitive market to seek quotes in. Recently we had our soffit and fascia replaced on our home. We entertained several quotes. The price difference between using an approved contractor versus hiring a contractor without designation was astronomical. A pricing difference of \$20,000. The other challenges for us personally would include insurance implications (our current provider would not insure us), in addition to limitations when we go to sell our home, which is also a working farm.

I would also like to acknowledge that we bought our home in 2018. At this point so many things with our home and property were changed, not with historical value in mind. I understand that to meet the criteria of “historic” you must meet 2/4 of the criteria. In our case, our house reflects the Ontario Gothic Style Cottage. A notice from City Council indicates, **“the heritage attributes of (our) home being the one and a half story limestone building with gable roof, twin chimneys, and original symmetrical openings and the one storey limestone wing on the east elevation”**. (Quoted from Notice of Intention to Designate) I’d like to suggest that whether our home is deemed historical or not, these are not going to change.

In doing my research I also took time to speak with owners of several properties that are deemed historical. Their experienced point to great frustration in communicating with the historical committee. Length of time in responses is one huge frustration.

In conclusion, I respectfully urge you to reconsider the proposal to designate 3578 Unity Road as a historical property. Preserving our community's history is important, but it should not come at the expense of the rights and interests of property owners.

Thank you for considering my viewpoint on this matter.

Sincerely,

Monika Cook

**City of Kingston By-Law Number 2024-XX**

**A By-Law to Designate the property at 605–607 Bagot Street and 45 Charles Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the “*Ontario Heritage Act*”) authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010;

On February 21, 2024, Council of the City of Kingston (“*Council*”) consulted with its municipal heritage committee regarding the designation of the property municipally known as the Calvary Church at 605-607 Bagot Street and 45 Charles Street (the “*property*”) in accordance with subsection 29(2) of the *Ontario Heritage Act*,

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the “*Trust*”), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the “*Clerk*”) of the Corporation of the City of Kingston (the “*City*”) within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

**Therefore, *Council* enacts:**

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule “A” of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

City of Kingston By-Law Number 2024-XX

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

**Schedule “A”**  
**Description and Criteria for Designation**  
**Calvary Church**

Civic Address: 605-607 Bagot Street  
Legal Description: Lots 1-2 Plan D9, City of Kingston, County of Frontenac  
Property Roll Number: 1011 040 020 08700

Civic Address: 45 Charles Street  
Legal Description: Lot 3 Plan D9, City of Kingston, County of Frontenac  
Property Roll Number: 1011 040 020 08800

**Introduction and Description of Property**

The Calvary Church at 605-607 Bagot Street and 45 Charles Street, is located on the northeast corner of Bagot and Charles Streets in the Inner Harbour neighbourhood in the City of Kingston. The Calvary Church spans two properties (a total of 957 square metres) and consists of a one-storey frame church constructed in 1889 with later additions and alterations in 1910 and 1924. A small dwelling is located to the rear of the church building at 607 Bagot Street.

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

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

The Calvary United (formerly Congregationalist) Church has design and physical value as a rare example of a surviving 19<sup>th</sup> century frame church in Kingston. Despite many modifications and additions, its modest religious architectural character is expressed through its massing and scale. The original 1889 chapel footprint is rectangular (50 feet by 25 feet or 15 metres by 7.5 metres) with a gable roof running north south. The principal end gable with large Gothic Revival style window faces Charles Street and a gabled entrance vestibule faces Bagot Street, thereby taking advantage of the corner location to provide views to and architecture interest of the building from both streets.

The early 20<sup>th</sup> century modifications include an addition to the east for the Sunday school, the insertion of Gothic Revival style tracery within the original rectangular window openings, and the application of stucco to unify the enlarged church. The building's stucco and original painted board-and-batten siding is now covered by vinyl. An interesting architectural detail that remains (or has been reinstated) is the wooden triangular decoration over the Gothic Revival style window facing Charles Street, which mimics the shape of the gable roof over the entrance vestibule facing Bagot Street.



*The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*

The Calvary Church has historical value because it yields information that contributes to an understanding of the development of the surrounding neighbourhood known as Charlesville. At the time of its construction in 1889, it was the only Congregational church between Queen Street and the Outer Station (i.e. the former Grand Trunk Station). It was acknowledged by the Congregationalists that the growing population in this part of the city, particularly the workers of the nearby cotton mill and other factories, needed a permanent chapel. The land and building were gifted by Congregationalist member and wholesale grocer Benjamin W. Robertson, and the church opened in the spring of 1889. The church's size (50' by 25' with seating for 170) and frame construction reflect the modest means of this 19<sup>th</sup> century working-class neighbourhood at the northern edge of Kingston as well as the aesthetic sensibilities of the Congregationalist members of what would become the United Church. In contrast, around the same time, the Presbyterian congregants constructed Chalmers United Church, a grand Romanesque style design in limestone masonry at the corner of Barrie, Clergy and Earl Streets.

*The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*

Calvary Church has associative value for its connections to James Bruce Reid, who designed the original chapel, and Colin Drever who oversaw later 20<sup>th</sup> century alterations and additions. Reid worked as a draftsman with William Newlands from 1885-1888 before becoming a partner in the firm. In 1889 he worked under his own name with assistance from Arthur Ellis. Reid was the Deacon of the First Congregational Church and secretary of the committee that managed the construction of the new church, which he designed.

Colin Drever was a well-known local architect, who worked with Power & Son from 1912 to 1923 and then on his own until 1945, at which point he formed Drever & Smith with Harry P. Smith. Drever's most well-known local works include McLaughlin Hall, McArthur College, Waldron Hall and the King Street Power Plant at Queen's University, and as part of the team that designed the Kingston Memorial Centre. He was also instrumental in many prominent alterations and additions, such as those to the interior of Sydenham Street United Church (now The Spire) and those at Calvary United.

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

*The property has contextual value because it is a landmark.*

The Calvary Church has contextual value because it is historically linked to its surroundings and is an historic landmark in the neighbourhood. As the only church in

the former Charlesville hamlet, Calvary Church was built to serve the local community of working-class families and has been a local gathering place for generations. The church has an historic presence on the corner location and is visible north-south on Bagot Street and east-west on Charles Street. As one of only a few extant 19<sup>th</sup> century frame churches in Kingston, Calvary Church is a local landmark in the community.

### **Heritage Attributes**

Key exterior elements that contribute to the property's cultural heritage value include its:

- One-storey chapel with side addition, both with gable roofs;
- Entrance vestibule with gable roof on the west elevation of chapel;
- Original window openings with early 20<sup>th</sup> century Gothic Revival style wooden tracery and coloured glass on the original chapel; and
- Large Gothic Revival style pointed arch window facing Charles Street with wooden triangular decoration.

### **Non-Heritage Attributes**

Elements that are not included in the Statement of Cultural Heritage Value of the property include the:

- Dwelling at 607 Bagot Street.

**City of Kingston By-Law Number 2024-XX**

**A By-Law to Designate the property at 384 Division Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2010;

On February 21, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Hoagie House at 384 Division Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

**Therefore, *Council* enacts:**

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

City of Kingston By-Law Number 2024-XX

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**

City of Kingston By-Law Number 2024-XX

**Schedule “A”**  
**Description and Criteria for Designation**  
**The Hoagie House**

Civic Address: 384 Division Street  
Legal Description: Part Lot 8 W/S Division Street Plan A13 Kingston City as in  
FR335913 Except Part 1 13R19840; City of Kingston,  
County of Frontenac  
Property Roll Number: 1011 050 010 11300

**Introduction and Description of Property**

The Hoagie House at 384 Division Street is located on the southwest corner of Division and Stanley (formerly Victoria) Streets in the City of Kingston. The 500 square metre property contains a detached two-storey limestone residential building, constructed before 1855. The first floor of the building was converted for commercial uses many years ago and has been the location of the well-known local establishment, The Hoagie House, since 1971.

**Statement of Cultural Heritage Value**

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

Built for carter William Lemmon in the early 1850s, the property has design value as an early surviving example of a two-storey vernacular limestone residential building with a Georgian influence in Kingston. Despite some alterations to the façade (i.e. replacement of the first-floor windows and door and the removal of the end gable chimneys), the Hoagie House retains the symmetry and balance characteristic of Georgian architecture, expressed through its low-pitch side gable roof, centrally placed first-floor entrance, and symmetrical alignment of window openings on the façade, including a possible blind window behind the wooden shutters on the second floor. Its full two-storey massing (as opposed to one-and-half) is unusual and notable for its early construction date (i.e. before 1855).

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

*The property has contextual value because it is a landmark.*

The Hoagie House, originally opened by Angie Thompson on Brock Street in 1969, moved to his location in 1971 and is owned and operated by the Thompson family. The

Hoagie House has been a treasured local landmark for three generations of Kingstonians.

Located on a corner site and as one of only a few limestone buildings along this stretch of Division Street, the Hoagie House contributes to, and supports, the historic scale and character of Division Street south of Concession Street, which traditionally formed the western boundary to the city. The Hoagie House is visually linked to this section of Division Street, which is defined by 19<sup>th</sup> and early 20<sup>th</sup> century residential buildings with shallow setbacks from the public right-of-way. Of particular note are those buildings at 371, 375, 381, 390, 398 and 400 Division, which, with the Hoagie House, contribute to this historic character.

### **Heritage Attributes**

Key exterior elements that contribute to the property's cultural heritage value include its:

- Two-storey massing with low-pitch side gable roof;
- Limestone construction with even coursing on the façade and random coursing on gable ends;
- Original window openings with wooden sills on the façade, including the currently blinded window on the second floor (now concealed by wooden shutters), and those on the side elevations;
- Voussoirs on the ground floor of the façade, indicating the symmetrical placement of the original first floor openings; and
- Original entrance opening on the façade.

**City of Kingston By-Law Number 2024-XX**

**A By-Law to Designate the property at 3578 Unity Road to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act***

**Passed:** [insert date]

**Whereas:**

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2016;

On March 20, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Raycroft Farmhouse at 3578 Unity Road (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [insert date], *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on [insert date], notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

No notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*.

**Therefore, *Council* enacts:**

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

City of Kingston By-Law Number 2024-XX

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

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**Janet Jaynes**  
**City Clerk**

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**Bryan Paterson**  
**Mayor**



City of Kingston By-Law Number 2024-XX

**Schedule “A”**  
**Description and Criteria for Designation**  
**Raycroft Farmhouse**

Civic Address: 3578 Unity Road  
Legal Description: Part Lot 4 Con 6 Western Addition Kingston as in FR615351  
Except Part 6 EXPROP Plan RP1562; City of Kingston,  
County of Frontenac  
Property Roll Number: 1011 080 230 04700

**Introduction and Description of Property**

The Raycroft Farmhouse, located at 3578 Unity Road, is situated on the north side of the road, in the former Township of Kingston, now part of the City of Kingston. This 6.5-hectare rural property contains a one-and-a-half storey limestone Ontario Gothic Revival Cottage style farmhouse built in the 1860s for farmers Willam and Mary Raycroft.

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

*The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*

*The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*

William Raycroft and his wife Mary Burnside were born in Ireland and immigrated to Canada in the early 1800s. They obtained a Crown Patent for the property in 1864, however they appear to have been living on the property as early as 1851. William and Mary Raycroft operated a successful farm, employing labourers, and raised their eight children in the stone dwelling. William died in 1885, but his family continued to live on and farm the property until 1900 when it was sold.

The farmhouse is representative of the Ontario Gothic Revival Cottage, as demonstrated through the symmetrical façade, median-pitched gable roof with twin chimneys at the roof peak, one on each end of the house, and a front elevation that includes a central gable, featuring an arched window opening. The building is well-crafted, with a demonstrable attention to construction methods and materials. Particularly notable is the evenly coursed limestone construction and fine masonry work on the façade.

The centrally located front entranceway is flanked by large window openings, which is typical of the Ontario Gothic Revival Cottage style. All window and door openings have

tall stone voussoirs and stone sills. The west elevation includes two bays each featuring large window openings. A one storey wing extends from the east elevation and features a medium-pitch side gable roof and a verandah with a shed roof that runs the length of the wing's façade, covering a central entrance flanked by windows. The wing also has a limestone chimney at the gable end.

Despite displaying architectural elements common to the style, the Raycroft Farmhouse also demonstrates several unusual elements. For example, its oversized flat-headed main entrance, slightly recessed with side lights and transom. The entrance and flanking window openings have flat heads embellished with tall stone voussoirs. The central window opening above the main entrance however has a dramatic half round arch with radiating stone voussoirs.

The main dwelling also includes a large rear (north side) addition and several detached farm outbuildings, which are not identified as supporting the heritage value of the property.

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

*The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*

The Raycroft Farmhouse supports the agricultural character of the area through its Ontario Gothic Revival style, which was a common design in Ontario farmhouse construction during the second half of the 19<sup>th</sup> century. In addition, the generous setback of the residence reflects similar residential sitings along Unity Road between Quabbin Road and Rock Road. The property also shares a visual and historical relationship with its surroundings and is an important part of the historical rural context of the area.

## **Heritage Attributes**

Key exterior elements that contribute to the property's cultural heritage value include its:

- One-and-a-half storey limestone construction with medium-pitch side gable roof with a central medium-pitch front gable;
- Semi-circular arched window opening and a stone sill located in the central gable;
- Symmetrical front façade with a central entranceway flanked by window openings;
- Large entranceway, slightly recessed, with sidelights, a transom and radiating limestone voussoirs;
- Two chimneys, one at each gable end; and
- One storey wing on the east elevation with medium-pitch side gable roof with stone chimney, a verandah with a shed roof that runs the length of the front façade over symmetrical openings.

### **Non-Heritage Attributes**

Elements that are not included in the Statement of Cultural Heritage Value of the property include:

- Various detached outbuildings and structures.

384 Division Street –  
Hoagie House



605-607 Bagot Street & 45 Charles Street –  
Calvary Church



3578 Unity Road –  
Raycroft Farmhouse

