



**City of Kingston
Report to Council
Report Number 24-249**

To: Mayor and Members of Council
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: November 5, 2024
Subject: Notice of Objection to Proposed Heritage Designations
Address: 140-150 Montreal Street & 145-149 Montreal Street/97 Bay Street
File Number: R01-030-2024 & R01-031-2024 File Number: R01-030-2024 & R01-031-2024

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 two properties, namely a limestone rowhouse at 140-150 Montreal Street and a portion of the Strange Terrace at 145-149 Montreal Street/97 Bay Street.

Notice of Intention to Designate the properties were provided to the owners and published in the newspaper on July 18, 2024. The owner of 140-150 Montreal Street provided a Notice of Objection on August 7, 2024, while the owners of 145-149 Montreal Street/97 Bay Street provided a Notice of Objection on August 13, 2024. The Notices of Objection are attached as Exhibit A and Exhibit B, respectively. 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 to proceed with the designation process. This timeline will expire on November 15, 2024.

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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 each property owner. The draft designation by-laws have been amended to accommodate several minor changes requested by the owners. The purpose and effectiveness of the designation by-law is unchanged.

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.

Attached to this report (Exhibit F) is a document, prepared by Heritage Staff, to address several common misconceptions related to heritage designations. It is hoped that these responses can help alleviate some of the fears and misinformation surrounding heritage conservation in Ontario and the designation of properties in Kingston under the *Ontario Heritage Act*.

Recommendation:

That Council acknowledges receipt of the Notice of Objection from Peter Draper dated August 7, 2024, to the proposed designation of the property located at 140-150 Montreal Street, 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 give all three readings to the Designation By-Law for 140-150 Montreal Street, attached as Exhibit C to Report Number 24-249 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 Blasko and Carly Lindsay dated August 13, 2024, to the proposed designation of the property located at 145-149 Montreal Street and 97 Bay Street, known as the Strange Terrace, 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 give all three readings to the Designation By-Law for 145-149 Montreal Street and 97 Bay Street, attached as Exhibit D to Report Number 24-249 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:

ORIGINAL SIGNED BY COMMISSIONER

**Jennifer Campbell,
Commissioner, Community
Services**

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

**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 two (2) properties and circulates the Notices of Objection that have been received for each property.

The property at 140-150 Montreal Street is located on the northwest corner of Montreal and Bay Streets, just south of Hillside Park, in downtown Kingston. It includes a two-storey residential limestone terrace, consisting of four-units, constructed circa 1875. A later frame addition and a detached concrete block building (at 148 and 150 Montreal Street, respectively), with no heritage value, are also located on the property. The property is a representative example of a modest, late-19th century residential stone terrace, that is historically linked to its surroundings and is important to maintaining and supporting the 19th century working class character of Montreal Street.

The property at 145-149 Montreal Street and 97 Bay Street is located on the east side of Montreal Street, at the northeast corner of Bay Street, in the City of Kingston, and contains a portion of a two-storey red brick terrace known as the Strainge Terrace, constructed circa 1880. The properties at 151, 153 and 155 Montreal Street were designated separately under By-Law Number 2024-352. The building is a representative example of a late Victorian residential and commercial brick terrace with a detailed corner unit (historically for commercial use). The building is associated with architect Robert Gage as one of his few Kingston works. The Strainge Terrace is historically and physically linked to its surroundings and is important to maintaining and supporting the 19th century working class character of Montreal Street.

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 July 9, 2024, with respect to Report Number HP-24-028, passed the following motions:

That Council direct staff to serve a Notice of Intention to Designate the property located at 140-150 Montreal Street 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-24-028; 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 140-150 Montreal Street, attached as Exhibit B to Report Number HP-24-028, 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 145-149 Montreal Street/97 Bay Street, known as the Strainge Terrace, 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-24-028; and

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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 145-149 Montreal Street/97 Bay Street, attached as Exhibit C to Report Number HP-24-028, 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. After a notice of its intention to designate a property has been provided to the owners and published in the newspaper, anyone can object by providing a Notice of Objection to the City Clerk. The objection must be received within 30 days of the publication of the notice in the newspaper.

A Notice of Intention to Designate the properties at 140-150 Montreal Street and 145-149 Montreal Street/97 Bay Street was provided to the owners, published in the newspaper and posted on the City's website on July 18, 2024. The Notice of Objection for 140-150 Montreal Street was provided to the City on August 7, 2024 (Exhibit A). The Notice of Objection for the Strange Terrace at 145-149 Montreal Street/97 Bay Street was provided on August 13, 2024 (Exhibit B). Both letters were received within the 30-day objection period.

Staff discussed the details of the objection with the owner of 140-150 Montreal Street via telephone on August 28, 2024, and provided a written response, including an amended version of the draft designation by-law on August 29, 2024.

Staff met with the owners of 145-149 Montreal Street/97 Bay Street on September 24, 2024 and provided them with an amended version of the draft designation by-law.

When Notices of Objection 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 November 15, 2024. 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 designation.

Since the passing of Bill 23 on November 28, 2022, the City of Kingston has served a Notice of Intention to Designate on 138 properties under Part IV on the *Ontario Heritage Act*. To date, Council has reviewed 10 formal objections to their Notices of Intention to Designate. All but one (163 Brock Street) has been advanced to designation, and only one of those has appealed to the Ontario Land Tribunal. On October 1, 2024, Council voted against the serving a Notice of Intention to Designation on 831 Montreal Street, due to the owners' objection.

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Common objections to a designation include such matters as increased insurance costs, limitations on future changes to property, impacts on resale value, increase in costs for maintenance, the integrity/authenticity of the building, and questioning the cultural heritage value of the property. An overview of these concerns and responses from staff are available as 'Exhibit F – Common Concerns'. Concerns specific to the properties at 140-150 Montreal Street and 145-149 Montreal Street/97 Bay Street are discussed in the cultural heritage analysis which follows.

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.

140-150 Montreal Street

The property at 140-150 Montreal Street meets three of the nine criteria for determining heritage value, as outlined in Ontario Regulation 9/06. A property needs to meet at least two criteria to be Part IV designated in the province. The criteria met for 140-150 Montreal Street are: design value as a representative example of late-19th century stone terrace housing; contextual value as a feature that maintains and supports the character of this area of Montreal Street; and contextual value as it is physically and historically linked to the surrounding area.

Two of the three criteria associated with this property relate to how it supports and contributes to the context of the area. This combination of the physical elements of the property, including its stone construction and two-storey scale, and its location to similar or sympathetic architecture, such as the stone wall along Montreal Street at Providence Manor, establish and preserve this stretch of Montreal Street's distinctive character.

The Notice of Objection for the property at 140-150 Montreal Street (Exhibit A) outlines the owner's initial concerns, primarily regarding the inclusion of 148 & 150 Montreal Street in the designation. Following further conversations with staff, the owner has provided several additional concerns with the proposed designation, namely the perceived restrictions on changes to the building and the potential increase in costs.

With respect to the inclusion of 148 & 150 Montreal Street, being the stucco-clad frame addition on the northern end of the building (148) and the detached concrete building (150), staff agree that they have no cultural heritage value. While the designation by-law must be registered on title of entire holding, staff have amended the draft by-law (Exhibit C) to add additional clarity by noting this lack of heritage value in both the property description and as a "Non-Heritage Attribute". This will provide the owner with greater flexibility and less required approvals when making future changes to these portions of the property.

The evolution of a protected heritage property is a natural and expected occurrence. It is important that a heritage building continue to be relevant and useful. Changes such as interior

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reconfiguration and rear additions are regularly supported. Basic homeowner updates, such as new roofing, windows, doors and general repairs (many of which do not require any prior approval) are also encouraged and supported. The key consideration when making changes to a designated property is its appropriateness to the era and character of the building. New roofing, windows and doors should look like they belong on the building (albeit with new materials). New additions should be designed to compliment the heritage value of the building and not compete with it. There are plenty of examples of successful additions to heritage buildings throughout Kingston.

It is a common misconception that heritage designations will directly result in more expensive repairs and higher standards of maintenance. This is not true. A heritage designation does not, on its own, mean that building maintenance will cost more, and owners of protected heritage properties are not held to a higher standard than any other property owner in the City.

Older buildings, generally, may have particular maintenance needs. For example, a 19th century building that is constructed of stone may be more challenging to repair than a modern building with only a masonry veneer. As a responsible property owner, this can sometimes mean hiring a mason who specializes in historic masonry, and it can sometimes take longer to do the repairs and to source replacement materials; all adding to the cost. However, this is a result of the age of the building and a heritage designation does not change this.

The administration of a heritage designation through the heritage permit process will not stipulate who does the work and will not require additional works that are not already planned by the owner. See 'Exhibit F' for a detailed discussion of common misconceptions regarding heritage designation.

The draft designation by-law has been amended as noted above and is attached as Exhibit C. Photographs of the property are also included as Exhibit E.

Strange Terrace – 145-149 Montreal Street/97 Bay Street

The property at 145-149 Montreal Street/97 Bay Street meets four of the nine criteria for determining heritage value, as outlined in Ontario Regulation 9/06. A property needs to meet at least two criteria to be designated. The criteria met for the property are design value as a representative example of late-19th century brick terrace housing; historical or associative value through its connection to the Kingston architect Robert Gage; contextual value as a building that maintains and supports the character of this area of Montreal Street; and contextual value as it is physically and historically linked to the surrounding area.

Two of the four criteria demonstrating the value of this property relate to its contribution to the character along this section of Montreal Street. The brick construction is shared by similar residential buildings north and south of the property, and, like the stone used in the architecture of the west side of Montreal Street, brick is a material representative of 19th century architecture in the City. The brick construction, two-storey massing, and minimal setback from Montreal Street contributes to the distinctive character of this section of Montreal Street.

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The Notice of Objection from the owners of the Strainge Terrace (Exhibit B) includes several concerns: one being a question of the cultural heritage value of the property, another being the lack of authenticity due to extensive alterations over time, and the other is the perceived increase in maintenance costs.

With respect to the comments regarding the cultural heritage evaluation of the property, staff agree with much of what is noted in the Notice. Victorian buildings are not rare in Kingston. But the Strainge terrace is a largely intact example of a Victorian-era brick working class mixed-use row, with a decorative corner unit, and contributes significantly to the character of this section of Montreal Street. As far as staff can ascertain, the merchants that originally owned the building were not prominent Kingstonians; however, Robert Gage is a note-worthy architect who practiced in the Kingston area for a very short time. There are relatively few extant examples of this work in Kingston, particularly his works on a mixed-use brick row buildings.

It should be noted that the heritage evaluation of the subject property was completed in 2024. Staff are aware of the various changes that have occurred over time; regardless, the property still satisfies four of the nine 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, brick and limestone construction, elaborate corner entrance and dormer are all extant.

Staff met with the owners and discussed their concerns. The draft designation by-law was amended at the request of the owners. This included the removal of the second-floor windows as noted heritage attributes and the refinement in the description of the hip roof, foundation and brick attributes. The draft amended by-law is attached as Exhibit D. Photographs of the property are also included as Exhibit E.

Summary

Kingston is fortunate to have a wealth of built heritage resources, unique in Ontario, which is a defining characteristic of the City. This collection of historical buildings supports tourism and promotes a desirable urban environment that attracts settlement to the City. Heritage designations ensure this irreplaceable feature of Kingston is preserved for future generations.

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 140-150 Montreal Street and 145-149 Montreal Street/97 Bay Street under Section 29 of the *Ontario Heritage Act*. Staff recommend giving all three readings to the by-laws and serving a Notice of Passing.

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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)

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, 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 – 140-150 Montreal Street

Exhibit B Notice of Objection – 145-149 Montreal Street/97 Bay Street

Exhibit C Draft Designation By-Law – 140-150 Montreal Street

Exhibit D Draft Designation By-Law – 145-149 Montreal Street/97 Bay Street

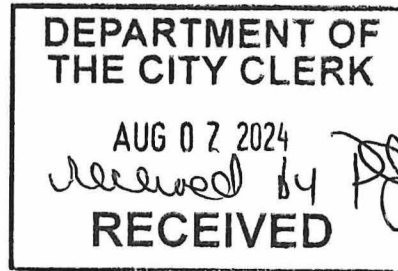
Exhibit E Photographs of Properties

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Exhibit F Common Concerns with Heritage Designation

Peter Draper
613-548-4530
319 Johnson Street
Kingston, Ontario
Canada K7L 1Y6



August 7, 2024
Janet Jaynes, City Clerk
The Corporation of the City of Kingston
216 Ontario Street
Kingston, ON, K7L 2Z3

Dear Janet,

I am writing to you today in response to the “Notice of Intention to pass a By-Law to Designate 140-150 Montreal Street”, dated July 19, 2024. Please let this letter serve as my second Notice of Objection to the proposed designation of the property located at 140-150 Montreal Street, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*. As per Section 29.4 of the *Ontario Heritage Act*, the notice of intention was provided to me on July 19, 2024, thus meaning this letter is in compliance with the 30-day deadline to submit.

Please be advised my first Notice of Objection letter was submitted to the City of Kingston on June 14, 2024. It was written to the attention of the Heritage Planning Committee. It was in response to the “Proposed Designation under the *Ontario Heritage Act* 140-150 Montreal Street” letter issued on May 6, 2024.

Prior to the publishing of the drafted Report Number HP-24-028, it was not identified to whom I may submit my opposition to the proposed designation. I was a participant in the meetings that took place on May 22 and June 19, 2024. I was not provided time to vocalize my concerns, nor did I have guidance on how to proceed. My sentiments have not changed. I am objecting to the proposed designation of 140-150 Montreal Street.

Furthermore, as stated in the “Schedule ‘A’ Description and Criteria for Designation” documents, neither 148 nor 150 Montreal Street have historic significance and thus do not meet the criteria for designation. It is preferred to have the 140-150 Montreal Street properties fully removed from consideration, however, should we not be able to move forward with this request, I am seeking an amendment to remove 148 and 150 Montreal Street from designation.

These properties have been in the Draper family for multiple generations. We have maintained the structural integrity of and cared for the associated properties, all with the intention of retaining their historic value in the manner we deem appropriate.

Thank you for taking the time to read the letter. I would like to kindly request time to discuss this further, and for more transparent processes going forward.

Sincerely,



Peter Draper

Peter Draper
319 Johnson Street
Kingston, Ontario
Canada K7L 1Y6
613-548-4530

To the attention of:
The Heritage Planning Committee
City of Kingston
216 Ontario Street
Kingston, Ontario
Canada K7L 2Z3

Dear Heritage Planning Committee,

I am writing to you today in response to the "Proposed Designation under the *Ontario Heritage Act* 140-150 Montreal Street" letter. This letter is to indicate my opposition to the proposed designation. I appreciate your interest in the identified properties however I am requesting the removal of 140-150 Montreal Street from consideration.

These properties have been in the family for multiple generations. We have maintained the structural integrity of and cared for the associated properties, all with the intention of retaining their historic value. We have no intention of changing the exterior or tearing down the buildings.

Furthermore, in concurrence with Schedule A of the City of Kingston's "Description and Criteria for Designation" document, neither 148 nor 150 Montreal Street are of historic value and thus should not be considered for designation by the Heritage Planning Committee.

It is preferred to have the 140-150 Montreal Street properties fully removed from consideration. Should we not be able to move forward with this request, I am seeking an amendment to remove 148 and 150 Montreal Street from designation. Not only are these properties not of historic value, but it would allow my family to feel as though we have a say with respect to our property.

Thank you for taking the time to read the letter. I understand the position of the Heritage Planning committee, however it would be greatly appreciated if we could meet to discuss both sides and determine next steps that will mutually benefit the parties involved.

Thank you.

A handwritten signature in black ink that reads "Peter Draper". The signature is written in a cursive style and is positioned above a horizontal line.

Peter Draper

August 13th, 2024

Dear City Clerk at the City of Kingston,

This is a letter of objection to the heritage designation of the property at 145-149 Montreal St and 97 Bay St. We have previously sent letters of objection to Mr. Ryan Leary, Senior Heritage Planner for the City of Kingston and Mr. Iain Sullivan, Committee Clerk. These letters were sent on May 23rd and June 17th, respectively, and we were informed they would be forwarded to the appropriate parties prior to council's review of the heritage designation.

Our previous requests to remove our property from this designation list have not been met with a response from council. We do not wish to have our property, which we purchased last year, designated as heritage. Ultimately, this is against our wishes as the property owners.

For several reasons, we are not in agreement with the city's proposed heritage designation of our property.

Firstly, the property design is not rare or unique. Victorian-style houses, including red brick houses with limestone foundations/ ashlar bases, are a common sight in Kingston. This is not an exemplary example of this style of building, and not every Victorian-style building in Kingston requires heritage designation. A significant collection of this style of architecture has already been designated.

Secondly, this building is not of any significant historical value. It was constructed for merchant W. Straunge and later owned by James McCulla another merchant. These men were not of any known historical significance other than owning a tea shop and grocery store on that corner. Furthermore, the architect Robert Gage's designs were often described as unadventurous but competent, and not every single one of his designs requires designation as many more prominent examples of his work are already designated. Our property is in no way an extraordinary or unique example of his work.

Thirdly, in terms of contextual value the construction of our property did not represent an expansion of the city as the heritage designation document describes in its contextual value section. The city's borders well exceeded this property's location at the time of construction in 1880. In fact, another property appears to have stood on site before this in 1875 (see map).

In addition to these points, the brickwork and pointing on the ashlar base are not original. The brickwork on the main building is of various ages, colours, mortar types, and states of repair. We should not be expected to maintain this to a consistent or even nearly original standard given the current state. The mortar on the ashlar base has recently been repointed and is also not original. It would not be appropriate to require a heritage standard for this pointing. When we look for the City of Kingston's policy on the masonry of heritage buildings, it is not currently available online to review.

Further, the city's language around windows in the heritage document notes that second-floor windows must be two-over-two wooden sash windows. Many of these second-floor windows have already been replaced with modern ones that look nearly identical from the outside of the building to the wooden ones. We should not have to revert or change these windows in any way. The

City of Kingston's policy on window replacement/ windows of heritage buildings is not currently available online for review.

We believe the cost to us as the owners will be extensive in terms of repair and upkeep. In this time of high interest rates, high inflation, and extremely high labour costs in the construction industry, this designation creates an unnecessary financial hardship which cannot be offset by the proposed grants and tax rebates.

We only purchased this property one year ago, essentially using all our savings to do so, and were not able to plan for this additional cost. If this property had already been designated, this would have significantly impacted our decision to purchase. We may not have proceeded with the purchase, or we may have lowered the offering price we would have been willing to offer, given the extra expense and the higher degree of oversight associated with repairs and remediation.

One example of this would be masonry work. We spoke with a Red Seal mason who has completed many heritage projects, and he has informed us that the price of heritage masonry work is generally five times the regular cost. A \$5000 tax break once every three years or a possible \$5000 grant for heritage work deemed to meet criteria will not come close to covering these extraordinary costs. These costs will prevent us from properly caring for this building to the degree we desire, and the city requires to meet the heritage designation. In reality, these costs will prevent us from improving the exterior façade of the building.

We plan to own the building for the foreseeable future and have no desire to change its look. Our long-term plan is to add an additional 1-2 bedrooms in the third-floor attic space above the corner unit of Bay and Montreal streets. A small balcony would face towards the back of the building, and Bagot St. The language around protecting the low-pitched hipped roof would impact our ability to do this. This would impede us from adding additional density to the dwelling, which is a high priority of the city's plan as evidenced by many intensification projects throughout the downtown core of the city.

Given the significant impact this proposed heritage designation would have on us and the limited added heritage benefit to the city, we ask that you reconsider the designation. Given the aforementioned impact, we have included our MP, MPP, and City Councillor, in the distribution of our notice of objection. We request that you not proceed with this heritage designation given the numerous reasons mentioned above, and we welcome the opportunity for discussion prior to the council's decision on our property.

Signed,

Jeff Blasko, Carly Lindsay

CC:  Carly Lindsay

Ted Hsu MPP (Kingston and the Islands)

Mark Gerretsen MP (Kingston and the Islands)

Gregory Ridge (City Councillor, King's Town)

Figure 1. Map of Kingston Circa 1875.



Our property is circled in yellow. Neighbourhoods extend well past, out to James St. to the North and past Pine and Division to the Northwest.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 140-150 Montreal 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 June 19, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 140-150 Montreal Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On July 18, 2024, *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 July 18, 2024, 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

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* and *Council* considered the objection at its meeting of November 5, 2024.

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.

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 All Three Readings and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation

Civic Address: 140-150 Montreal Street
Legal Description: Part Lot 436 Original Survey Kingston City as in FR554239;
City of Kingston, County of Frontenac
Property Roll Numbers: 1011 030 130 03701; 1011 030 130 03800; 1011 030 130
03900; 1011 030 130 04000; 1011 030 130 04100; 1011 030
130 04200

Introduction and Description of Property

The property at 140-150 Montreal Street is located on an approximately 840 square metre residential property on the west side of Montreal Street, at the northwest corner of Bay Street, south of Hillside Park in the City of Kingston. Constructed circa 1875, the property contains a two-storey residential stone terrace, consisting of four-units (Numbers 140-146) with a smaller two-storey frame fifth unit (Number 148), with no heritage value, subsequently added on the north elevation. The sixth address (Number 150) includes a 1982 detached concrete block building, with no heritage value, located in the north-west corner of the property.

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 as a representative example of a modest, late-19th century residential stone terrace. Constructed circa 1875 (it is not shown on Brosius' 1875 birds eye map of Kingston), the terrace's style overlaps the transition in architectural taste from the Georgian to Victorian era. For example, the simplicity and symmetry of the terrace's massing and arrangement of window and door openings, and limestone construction, are characteristic of the Georgian style, but the larger vertical window openings signify a shift towards Victorian style. The eaves have been concealed by aluminum flashing, and all original windows and doors have been replaced on the façade. One brick chimney remains on the roof ridge above the third unit (between 144 and 146).

The absence of segmental arches on the two windows on the southern elevation suggest that these openings were added following the building's original construction. Additionally, the absence of a segmental arch over the most southerly front door on the façade suggests that the first unit may have been larger and included the larger central ground floor window with symmetrically placed second floor windows with the door to the right (Number 142) being the original front door. In other words, the original terrace may have consisted of only three units.

Consistent with the 1908 Fire Insurance Plan for this area, the two-storey rear wing on the most southerly unit remains (perhaps originally a separate unit as evidenced by the door on the south elevation) as does the one-storey rear wing on the third unit moving north (Number 144), while the fourth unit has a modern two-storey rear addition. Some original windows remain on the rear elevation, which include both two-over-two and six-over-six patterning.

The design value of this property is associated with the form and massing of the stone terrace and does not include the frame addition at 148 Montreal Street or the concrete block building located at 150 Montreal Street.

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.

140-146 Montreal Street has contextual value because it is physically and historically linked to its surroundings. In combination with the stone and brick terrace immediately to the west and the historic residential/commercial brick terrace to the east side of Montreal Street (Strange Terrace), this property maintains and supports the 19th century working class character of Montreal Street, which illustrates the growth of the City outwards from the downtown.

Heritage Attributes (140-146 Montreal Street)

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

- Two-storey massing with gable roof;
- Brick chimney;
- Limestone foundation with projecting ashlar base course;
- Hammer-dressed coursed limestone walls;
- Original window openings with segmental arches and limestone sills; and
- Original door openings with transom lights.

Non-Heritage Attributes

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

- Later addition to the north side of the row at 148 Montreal Street; and
- Detached building at 150 Montreal Street.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 145-149 Montreal Street/97 Bay 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 June 19, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Strainge Terrace at 145-149 Montreal Street/97 Bay Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*,

On July 18, 2024, *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 July 18, 2024, 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

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*, and *Council* considered the objection at its meeting of November 5, 2024.

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 All Three Readings and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

City of Kingston By-Law Number 2024-XX

Schedule “A”
Description and Criteria for Designation
Strainge Terrace

Civic Address: 145-149 Montreal Street and 97 Bay Street
Legal Description: Part Lot 285 Original Survey Kingston City; Part Lot 286 Original Survey Kingston City as in FR628874 Except FR569855; S/T FR628874; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 120 14800

Introduction and Description of Property

The Strainge Terrace at 145-149 Montreal Street/97 Bay and 151, 153 and 155 Montreal Street, is located on the east side of Montreal Street, at the northeast corner of Bay Street, in the City of Kingston. The property, spanning four separate parcels, contains a two-storey red brick terrace, constructed circa 1880. The parcels located at 151, 153 and 155 Montreal Street are not include in the by-law. The terrace appears to have been constructed in two phases, with the corner section constructed first and originally including a commercial unit at grade.

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 Strainge Terrace has design value as a representative example of a late Victorian brick (residential and commercial) terrace, a popular building form in growing 19th century Ontario towns and cities. The composition is simple, and the terrace’s form and massing make an efficient use of available land, maximizing density. It appears that the terrace was designed and constructed in two phases with the corner section (hipped roof) and first residential unit to the north in one phase (145-149 Montreal and 97 Bay), and the last three residential units to the north (151, 153 and 155 Montreal) in a subsequent phase.

Evidence of these phases includes the step down in ridge height of the roofs, the larger width of the first unit north of the corner section, and the slightly different colour of red brick; one being a browner red, the other an orange red. Nonetheless, there is a clear continuity in their architectural styles and alignment/size of door and window openings. Additionally, all units facing Montreal Street have a painted wooden frieze board beneath the eaves, which appear original to the circa 1880 construction date.

The Victorian architectural style of the terrace is evident in the vertical emphasis, and large size of the window openings. On the residential terrace (149 Montreal Street), almost all the original window openings, flat brick arches and limestone sills remain, but

the windows are modern replacements. Given the construction date of the terrace, the original windows were likely two-over-two vertically sliding sash windows. The residential terrace has a patchwork of red brick walls in running/stretcher bond.

Aside from the transom lights, the residential terrace exhibits very little architectural detailing; however, the corner section (97 Bay/145-147 Montreal), which originally included residential and commercial uses, includes dichromatic brickwork in the form of buff brick arches over the windows, and several buff brick string courses. Additional architectural detailing includes the brick pilasters which define the five bays, a decorative dormer that is symmetrically placed above the store entrance, and bracketed cornice that lands on two small brick pilasters framing the store entrance. The corner section has two residential entrances (in addition to the store entrance); one facing Montreal Street and once facing Bay Street. All the original window and door openings remain, including the two large storefront windows, symmetrically placed either side of the corner entrance. The window openings have limestone sills and either flat or segmental brick arches. Wooden two-over-two vertically sliding sash windows survive on the second floor.

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.

The corner section, which included a “dwelling & store”, was constructed for W. Strainge in 1880 to plans by Robert Gage. This was likely the W. Strainge born in England circa 1837, who immigrated to Kingston sometime in the mid-nineteenth century. He is listed in the 1881 census as married and a merchant.

The original corner portion of the building has associative value because it demonstrates the work of Kingston architect Robert Gage. Gage practiced architecture in Kingston from 1870 to 1885. He emigrated with his family from Coleraine, County Derry, Ireland to Canada in 1852, and settled in Kingston in 1853. It is not clear whether Gage received formal training or was entirely self-taught. He is not known for innovative architecture but rather preferred architectural pattern books for inspiration. Of his 15 years of practice in Kingston, Gage is perhaps best known for the Education Block (1877) on the grounds of the Royal Military College, Kingston. The authorship of the drawings is attributed to the Department of Public Works (i.e. Thomas S. Scott, Chief Architect, and his team in Ottawa) with Gage referred to as “the architect in charge”, raising questions regarding his role in the building’s design. Dr. Jennifer McKendry’s book, *Architects Working in the Kingston Region 1820 – 1920*, includes an historical extract of the building as “Dwelling & store for W. Strainge, 145 Montreal at Bay, 1880”. The simplicity of the design of 145-149 Montreal Street is commensurate with his design aesthetic and demonstrates a creative and attractive use of a corner site for both commercial and residential uses.

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 Strainge Terrace has contextual value because it is physically and historically linked to its surroundings and maintains and supports the character of the area. Through its brick construction, two-storey massing, modest row-house design and minimal setback from the street, and in combination with the residential stone terrace on the west side of Montreal Street, this property maintains and supports the 19th century working class character of Montreal Street, which illustrates the growth of the City outwards from the downtown.

Heritage Attributes

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

- Two-and-a-half storey massing divided into five bays by brick pilasters and shallow projecting corner bay, with façades addressing Montreal Street, the northeast corner and Bay Street;
- Low-pitched hipped roof on west and south elevations;
- A patchwork of brick walls, showing repairs overtime, in stretcher/running bond;
- Wooden frieze board under the eave;
- Limestone foundation with ashlar base course on the south elevations;
- Original window and door openings with segmental arches on the ground floor and flat arches on the second floor;
- Recessed corner entrance framed by bracketed cornice and narrow brick pilasters within a shallow projecting bay, with large storefront window openings symmetrically placed on either side (west and south);
- Original entrance openings to second floor residential units on the west and south elevations with transom lights;
- Dichromatic brickwork including buff arches above window and door openings, and buff brick string courses; and
- Small decorative dormer aligned with ground floor corner entrance.

140-150 Montreal Street



Heritage Studios - 2024

145-149 Montreal Street & 97 Bay Street –
Strainge Terrace



Heritage Studios - 2024

Common Concerns with Heritage Designation

Heritage Services staff prioritize transparency and collaboration, and work to ensure open dialogue with property owners. In their conversations a number of common concerns have been indicated, which are discussed below.

Property Insurance:

A concern of some property owners is that their insurance premiums will rise, which is sometimes also voiced by insurance companies. This is a concerning trend that reflects a "hard market" scenario and misunderstood factors that are being perceived as risks. Insurance companies may increase premiums for older buildings for a variety of reasons such as outdated wiring, old heating systems, etc. However, there is no reason that insurance premiums should go up because of a heritage designation on its own.

The Insurance Board of Canada and the Provincial government have made attempts to educate the industry on the implications (if any) of heritage designations for many years (<https://www.ontario.ca/page/heritage-properties-and-insurance>). The perception that the municipality is going to require specialty 19th century workmanship or materials to restore a building, is not the case. There is nothing in the *Ontario Heritage Act* that requires a property owner to replace or replicate a lost heritage building.

Some companies may not insure buildings over a certain age, but designation itself does not place additional requirements on the insurer and should not affect premiums. The Province of Ontario has clearly outlined this, stating that "if a building on a heritage property is completely or partially destroyed, the designation by-law does not require the owner to replicate any lost heritage attributes."

The National Trust for Canada and Community Heritage Ontario have published articles on this matter. Staff would be pleased to share upon request.

Resale Value:

While it may be that some purchasers are apprehensive about buying a designated heritage property, particularly those who wish to purchase the property for the land and not the building itself, there is evidence that properties designated under the *Ontario Heritage Act* perform well in the housing market. A study completed by Dr. Robert Shipley on almost 3,000 designated properties in 24 communities in Ontario, published in the *International Journal of Heritage Studies*, found that there was no negative impact on property values as a result of heritage designation. In fact, the study demonstrated that 74% of designated properties fared better in housing markets than those comparable properties that were not designated. [Shipley, Robert. "Heritage Designation and Property Values: Is there an Effect?", in *The International Journal of Heritage Studies*. Volume 6, Number 1 (2000)].

A more recent study, completed by McMaster University for the City of Hamilton, found that heritage designations are “positively associated with sale prices of residential properties” in that city. The authors concluded that their work supports the findings of a growing number of studies that uncover connections between heritage designation and an increase in residential property values [Correia, Rebecca, Otto Liao, Isaac Kinley, Sarah Lashley, Tanzir Rahman Khan, and Evan Gravely. “Investigating the Impact of Heritage Property Designation on Real Estate Value”, published by McMaster’s Research Shop (March 2023)].

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.

Integrity/Authenticity of Resource:

It is understood that properties undergo regular maintenance and evolve and change over time, which some property owners interpret as a loss of heritage value. However, oftentimes this evolution provides an opportunity to appreciate the changing heritage of a community, business or people. It is important to note that the heritage evaluation of a property is completed as it currently exists, and staff consider unoriginal or modern interventions to original structures. A structure does not need to be exactly as it was at the time of construction in order for it to have heritage value. In some instances, additions and major changes can tell us about how communities or individuals repurposed buildings for changing uses. Provincial guidance, located within the Ontario Heritage Toolkit, has indicated that this information can contribute to the building’s heritage value rather than detract from it. Therefore, a property that has undergone significant change can satisfy Provincial criteria for determining cultural heritage value (O.Reg. 9/06) and is still eligible for heritage designation.

A property’s physical heritage value is reflected in the short list of Heritage Attributes (included in draft designation by-laws). However, in many cases the cultural heritage value of a property is not limited just to its physical components. In the case of a church, for example, the presence of an unadorned modest church building provides an understanding of the history of the area as well as the religious practices of a community.

Typically, modern features are not noted as heritage attributes; however, there are cases where these features are replicas (or interpretations) of important character defining elements of the building that need to be noted as attributes to ensure any future changes to them are considered with respect to the overall heritage value of the property. An example is the mid-twentieth century columns on the front of Kingston City Hall, which replicate the original columns that were removed.

Restrictions on Change:

The purpose of a heritage designation is to clearly define the cultural heritage value and features of the property and to require consideration of this value when making changes

to the property, in order to conserve the heritage value for the people of Kingston. A heritage designation will not, on its own, impede the owners' ability to change their property. The evolution of a protected heritage property is a natural and expected occurrence. It is important that a heritage building continue to be relevant and useful.

Alterations and additions to heritage buildings, even substantial modifications, are not uncommon and are regularly supported by Committee and Council. Typical home improvements such as new roofing, windows, doors and general repairs (many of which do not require any prior approval) are encouraged. Large redevelopment projects, which involve a greater level of consideration, are also supportable in many cases. The key consideration when making changes to a designated property is its suitability to the era and character of the building/property. New roofing, windows and doors should look like they belong on the building (albeit with new materials). New additions should be designed to compliment the heritage value of the building and not compete with it. There are plenty of examples of successful additions to heritage buildings throughout Kingston.

Designated properties do sometimes require additional approvals, outside of the typical building permit and planning approvals. Heritage Procedural By-Law Number 2023-38 outlines several activities that can be completed without a heritage permit, including all interior work, maintenance and most landscaping. Minor alterations that have no significant impact to heritage attributes of the property do require a heritage permit, but these can be approved by the Director of Heritage Services through delegated authority. Significant alterations that would impact the heritage value of the property require review by the Heritage Properties Committee and sometimes approval from Council.

In the event that an application is submitted that is not supported by staff or Committee, the application will be brought to Council where the heritage value can be assessed alongside other considerations.

Ontario Heritage Act approvals (heritage permits) continue to be free of charge and many can be approved through the authority granted to the Director of Heritage Services within a couple of weeks (typically faster than a building or planning approval). Professional heritage staff are available to assist owners in navigating the approval process in an efficient and collaborative manner and concurrently with other approvals.

Increase Costs on Maintenance/Repairs:

It is a common misconception that heritage designations will result in more expensive repairs and higher standards of maintenance. This is untrue. A heritage designation does not, on its own, mean that building maintenance will cost more, and owners of protected heritage properties are not held to a higher standard than other property owners in the City. For example, a 19th century building that is constructed of stone or brick may be more of a challenge to repair than modern buildings with only a masonry veneer. As a property owner, this can sometimes mean engaging trades that have experience working with older buildings, and it can sometimes take longer to do the repairs and to source replacement materials, which may add to the cost. A heritage

designation; however, does not change this. The administration of a heritage designation through the heritage permit process will not stipulate who does the work and will not require additional works to be done that are not already planned by the owner. The heritage permit process is designed to review the nature of the work, not the parties doing the work.

Further, the City strives 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, Council has increased the number of alteration types that can be approved through delegated authority, thus shortening the approval time. Heritage permits remain free of charge and staff are always available to assist.

What the designation can do is provide the owner (and their contractor) with vital information on how best to repair older buildings. Staff can also provide a list of trades that work on older buildings, but owners will not be required to choose any of these particular firms.

Cultural Heritage Evaluation:

While property owners may express a variety of concerns with respect to a heritage designation, Heritage Planning staff and the volunteers on the Kingston Heritage Properties Committee are ultimately tasked with evaluating and presenting to Council the merits of designation as they relate to the provincial criteria for designation (O.Reg. 9/06).

The Province of Ontario, through the *Ontario Heritage Act* and Provincial Planning Statement, and the City of Kingston, through its Official Plan, directs conservation of heritage resources in the city. A heritage designation is intended to protect the heritage value of a property beyond the tenure of a single owner. The City must consider long-term conservation, if (and when) a property changes hands to an owner who wishes to remove or permanently alter heritage attributes of the property. Heritage designation is the tool the province has established to ensure the long-term conservation of heritage resources.

Process:

The evaluation of the cultural heritage value of each property is an in-depth multi-stage process, beginning with the compiling of historic information on the address. This includes, in some cases, information from the Queens Archives, the Heritage Resource Centre, the Land Registry Office, internal files and publications, and public online sources. Information is compiled by heritage staff or, in some cases, professional heritage consultants or experienced volunteers. Staff visit each property to confirm the presence of heritage attributes (all site inspections are completed from the public road allowance).

The experienced professional heritage planning staff (members of the Canadian Association of Heritage Professionals) from the City of Kingston review the available data and complete an evaluation form for each property to confirm if the property meets at least two of the Provincial Criteria for Determining Cultural Heritage Value or Interest (Ontario Regulation 9/06).

If the evaluation determines that the property contains sufficient cultural heritage value, staff prepare a draft designation by-law outlining the heritage value and listing the heritage attributes of the property. The by-law is then reviewed by Heritage Planning staff, members of the Heritage Properties Working Group and the Kingston Heritage Properties Committee. The by-law is provided to the property owner for review and comment, sent by registered mail to ensure the documents are received.

Property owners are invited to discuss the process with staff via telephone, virtual meetings, in-person appointments, regularly scheduled open house sessions or drop-in visits at the Heritage Resource Centre in City Hall.

Criteria:

The City of Kingston is fortunate to have a wealth of built heritage resources, unique in Ontario, which are the backbone of the City's identity. This collection of historical buildings supports tourism and promotes a unique cultural and visual experience that attracts settlement in, and prosperity to, the City.

Determining which properties contribute to this character and identity, and thus should be designated, is based on the Provincial criteria provided in Ontario Regulation 9/06. This includes nine separate criteria in three broad categories of value: physical and design value, historical and associative value, and contextual value.

Physical and design value is the most visible criteria. It is the appearance of the building, its architectural style, building technique and craftsmanship. This criterion is satisfied if the building is a representative, rare or unique example of architectural style, if it displays a high degree of craftsmanship or artistic merit, or if it demonstrates a high degree of technical achievement.

A heritage property may not always include an impressive architectural building but may still warrant designation due to its historical associations, and thus the second group of 9/06 criteria relates to the property's history. A property may satisfy these criteria if it is directly associated with a prominent person, event or organization, or if it demonstrates the works of a well-known architect, builder, designer, etc. A heritage designation may also be warranted if the property helps one to understand a community or culture.

The final group of criteria relate to the property's impact on and connection with its immediate area. Properties that contribute to or define the character of an area, such as an old rural farmhouse in a former rural settlement area, could be designated for their contextual value. If a property is a landmark or is functionally, visually or historically linked to an area, such as mill on a former millpond in an area so named for, it would satisfy these criteria.