



**City of Kingston
Report to Council
Report Number 24-054**

To: Mayor and Members of Council
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: February 6, 2024
Subject: Notices of Objection to Proposed Heritage Designations
Addresses: 35 Johnson Street and 160 Belmont Avenue
File Numbers: R01-006-2023 and R01-002-2023

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 the two subject properties located at 35 Johnson Street, known as the Anchor Hotel, and 160 Belmont Avenue, known as the Everitt-Miller House.

A Notice of Intention to Designate these properties was served on the owners and published in the newspaper on October 17, 2023. The owners of 35 Johnson Street provided a Notice of Objection on November 8, 2023. The owners of 160 Belmont Avenue provided a Notice of Objection on November 14, 2023. 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 February 15, 2024.

The draft designation by-laws were prepared and circulated to the owners in accordance with *Ontario Heritage Act* requirements. In the time since the owner's objections were received, staff have worked with both property owners, and have made minor edits to one of the designation

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by-laws to address owner concerns. 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 final readings to the by-laws and serving a Notice of Passing.

Recommendation:

That Council acknowledge receipt of the Notice of Objection from Julia McArthur and Justin Connidis dated November 8, 2023, to the proposed designation of the property located at 35 Johnson Street, known as the Anchor 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 Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

That Council give all three readings to the amended Designation By-Law for 35 Johnson Street, attached as Exhibit C to Report Number 24-054 and direct the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act; and

That Council acknowledge receipt of the Notice of Objection from Ian Edginton dated November 14, 2023, to the proposed designation of the property located at 160 Belmont Avenue, known as the Everitt-Miller 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 Objection pursuant to Section 29(6), decide not to withdraw the Notice to Intention to Designate the property; and

That Council give all three readings to the Designation By-Law for 160 Belmont Avenue, attached as Exhibit D to Report Number 24-054 and direct 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) separate properties, being 35 Johnson Street and 160 Belmont Avenue, and circulates the Notices of Objection that have been received for each (see Exhibits A and B respectively) for Council's consideration.

The property at 35 Johnson Street is located on the north side of Johnson Street between Ontario and King Streets, with 16.6 metres of frontage on Johnson Street. It contains a 5 bay, 2-and-a-half storey house of limestone construction built in 1841, originally with two doorways, one for a tavern and one for a residence, known as the Anchor House.

The property at 160 Belmont Avenue is situated on the northeast corner of Belmont Avenue and Camberley Crescent, in the Henderson Place area, in the former Township of Kingston. The property is approximately 740 square metres and contains a one-and-a-half-storey limestone residence, built circa 1860, known as the Everitt-Miller House.

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 October 3, 2023, with respect to [Report Number HP-23-030](#), passed the following motion:

That Council direct staff to serve a Notice of Intention to Designate the property located at 160 Belmont Avenue, 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-23-030; 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 160 Belmont Avenue, attached as Exhibit B (as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the reference to interior features) to Report Number HP-23-030, 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 35 Johnson Street, known as the Lynch 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-23-030; 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 35 Johnson Street, known as the Lynch House, attached as Exhibit F (as amended in Schedule A, by the Kingston Heritage Properties Committee, to delete the

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reference to interior features) to Report Number HP-23-030, 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;

As outlined in detail in [Report Number HK-21-004](#), the 2020 changes to the *Ontario Heritage Act* created a new 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 was served on the owners and published in the paper on October 17, 2023. The Notices of Objection were provided to the City on November 8 and November 14, 2023, within the 30-day objection period.

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, following the completion of the 30-day objection period. This timeline will expire on February 15, 2024. Council's decision regarding the objection is 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.

35 Johnson Street – Anchor House

The Letter of Objection for 35 Johnson Street (Exhibit A) outlines several concerns with the proposed designation by-law, primarily the name of the building, the accuracy of the description of some of the features and the limiting of possible expansion opportunities by the list of Heritage Attributes.

Staff have no objection to renaming the designation by-law to the Anchor House, in honour of its popular use as a hotel/inn in the early 20th century. Similarly, staff support the minor edits suggested to the Statement of Cultural Heritage Value and Heritage Attributes to ensure accuracy and minimize confusion.

Staff confirmed for the owners that a heritage designation will not, on its own, impede the owners' ability to expand their property, but rather will add an additional layer of consideration.

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Staff support removing of the Heritage Attributes “footprint and massing” from the list but have concerns with removing “limestone walls on the sides.” One of the most recognizable heritage features of this building is its random-coursed limestone construction, which can be seen on the sides as well as on the street frontage. The owners did not object to the retention of this attribute.

The draft designation by-law has been amended, as noted above, and provided to the property owners who have confirmed their support for the changes. As per Section 29(6) of the Act, Council needs to formally consider the objection and approve the revised statement of significance, including an updated list of heritage attributes. The amended draft designation by-law is attached as Exhibit C. Photographs of the property are also included as Exhibit E.

160 Belmont Avenue – Everitt-Miller House

The Letter of Objection for 160 Belmont Avenue (Exhibit B) confirms that the owner supports the findings that the property has “historical significance”. The owner’s concerns are not with the draft by-law itself but with the perceived hinderance in their ability to maintain and “upgrade” the building and possible added costs.

While designated properties do sometimes require an additional approval outside of the typical building permit and zoning approvals, and many heritage permits can be approved through the authority granted to the Director of Heritage Services within a truncated timeframe. Staff communicated with the owner and provided information on the heritage permitting process, timelines and resources available to owners of properties designated under the *Ontario Heritage Act*, including providing information on the City’s Heritage Property Grant program. Staff also offered to help the owner through future heritage permit processes as needed.

While the owner was thankful for the information, they maintain their objection to the proposed designation. The owner did not request any edits to the draft designation by-law which was recommended by the Heritage Properties Committee and is attached as Exhibit D. Photographs of the property are also included as Exhibit E.

Summary

Staff have reached out to the owners of both properties and have answered their questions. While the property owners may continue to have objections regarding the designation of their property under the *Ontario Heritage Act*, the draft designation by-laws, attached as Exhibits C and D, were created through a collaborative approach to the designation process in pursuit of the conservation of Kingston’s heritage resources.

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 criteria. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the subject properties at 35 Johnson

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Street and 160 Belmont Avenue under Section 29 of the *Ontario Heritage Act*. Staff recommend giving final 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)

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*.

Accessibility Considerations:

None

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, 613-546-4291 extension 3233

Other City of Kingston Staff Consulted:

None

Exhibits Attached:

Exhibit A Notice of Objection – 35 Johnson Street

Exhibit B Notice of Objection – 160 Belmont Avenue

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Exhibit C Amended Draft Designation By-Law – Anchor House

Exhibit D Draft Designation By-Law – Everitt-Miller House

Exhibit E Photographs of Properties

To: City of Kingston
c/o City Clerk

Date: November 8, 2023

Re: Notice of Objection – 35 Johnson Street

Thank you for your letters dated August 11, 2023 from Mr. Ryan J. Leary, Senior Planner, and October 17, 2023 from Ms. Janet James, City Clerk, and for the work you do to maintain the heritage of Kingston. The October 17 letter referred to an Exhibit F (as amended) which was not included in the letter but was provided to us last week. Unfortunately, we were away in August when the August 11 letter arrived and for much of September and October due to various family commitments and were not able to attend the public meeting or review this matter until it was too late to comment on it before receiving the October 17 letter. We did raise most matters raised in this letter last week by email correspondence with Ms. James and Mr. Leary and were advised by Mr. Leary as follows: "Your suggestions seem very reasonable and if we had received them in advance of the serving of the formal Notice of Intention to Designate I am sure we could have entertained many of them, however as Council has already reviewed and approved the by-law in its current form, we as staff cannot make changes to it, unless you are willing to submit a formal Objection in writing to the Clerk's office before the 30 day objection period expires on November 16th." Accordingly, we submit this formal notice of objection to the proposed by-law. However, we do wish to be clear that subject to changes we respectfully request be made to the by-law and Exhibit F, we do not otherwise object to the proposed designation of 35 Johnson St.

The following are our comments and requested changes to the proposed by-law and Schedule F:

1. The house since the time David Milne owned and lived in it, and probably long before, has been referred to as the Anchor Inn or Anchor House. We find this a more appealing historical name than the Lynch House. We learned through the Third Crossing naming process that Indigenous peoples do not believe in naming things after people but rather prefer names based on function or geography. We would like to decolonize this house as much as possible in keeping with our reconciliation efforts while acknowledging its historic use "as a private residence or a boarding house" as noted in the report. Accordingly, we would ask that the name Anchor House be used instead of Lynch House.
2. A few changes in the Description of the Property and Physical/Design Value would be appreciated: It is our understanding that the front door is not original to the house but a 20th century replacement. The portico referred to was added by Mr. Milne some forty years ago we believe and is not a recent addition. The reference to "a window and small balcony at the west end" should be to "a door and small balcony at the west end". This is located on the third floor of the house, so the house should be described as a two and a half or three storey house, not a 2 storey house. Lastly, since the designation does not relate to the interior, we would ask that the last paragraph in this section relating to the interior be deleted.
3. In terms of the Cultural Heritage Attributes, we are concerned that listing characteristics relating to the rear of the house and all sides would limit the ability to develop the vacant portion of the property in accordance with its existing zoning. The reference to footprint, massing and all sides would appear to adversely affect the ability to create additional housing downtown contrary to provincial guidelines and the City's housing needs. We would ask that this attribute be deleted and limited to the street front of the house. Similarly, the reference to "gable roof with parapet and corbels" might be interpreted as preventing the addition of gable dormers similar to what has been appropriately done on other

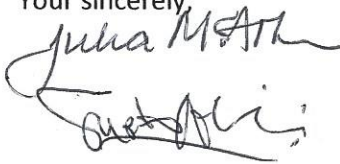
downtown limestone buildings (as opposed to some of the hideous dormers one sees in some places) to make the third floor a family-sized apartment with three bedrooms. (We note that the current tenant is a couple who recently had a baby and need more space, so this would allow a family like that to continue to live there and grow.) In addition, an addition to the house on the vacant portion of the lot in accordance with existing zoning would need to extend to the top of the roof to prevent snow, rain and debris collection. Accordingly, we would ask that this description be changed to "gable ends with parapet and corbels from the top of the roof line to the street front" (i.e. the portion visible from the street).

4. Lastly, we would note that this property is zoned for both residential and commercial uses. Consistent with the City's efforts to get more housing downtown, and to better maintain the historic use of the house, we would suggest the zoning be changed to an appropriate category of residential only by the proposed by-law.

We thank you for your kind consideration and, we hope, adoption of our requests. We would be happy to meet with City representatives to discuss further if desired.

Once again, thank you for your work in preserving our heritage in a sympathetic manner which preserves Kingston's past while enhancing its future.

Your sincerely,

Handwritten signatures of Julia L. McArthur and Justin A. Connidis. The signature for Julia L. McArthur is written in cursive and is positioned above the signature for Justin A. Connidis, which is also in cursive and appears to be written over a horizontal line.

Julia L. McArthur & Justin A. Connidis
25 Sydenham Street,
Kingston ON K7L 3G8

November 14th, 2023

To Whom it May Concern,

My wife and I are the current owners of 160 Belmont Ave, and I would like to formally protest our home receiving a heritage designation.

Although undeniable that the design of the house has historical significance, certain updates/upgrades are most certainly required to be done in the coming years to ensure that the home will continue to be livable into the future.

- windows:
 - Storm windows have already been installed on all windows in the home, these storm windows will likely need to be replaced and upgraded in the next few years to ensure adequate performance of the building envelope against weather
 - Many of the interior wooden windows are damaged, with broken panes of glass, and rotted wood. It is a significant cost increase to us, the owners, if we are mandated to restore the wooden windows as opposed to upgrading to a more modern window construction
 - window frames, many of the window frames themselves are severely rotted, and will need to be replaced in the coming years
- Exterior limestone:
 - Much of the pointing on the exterior of the home has been poorly repaired since the inception of the home and, to restore the exterior to its original beauty, will need to be repointed in the future.
- Front door
 - The front door that is currently installed is sealed very poorly, and will have to be replaced with a new door and frame
- Sun room Addition:
 - The sun porch on the north side of the home will likely require upgrades and perhaps a rebuild as the slab that it is poured on has heaved over the years, pulling the addition away from the original home

Although we appreciate the committee's interest in designating the home, we feel as though the designation will hinder us, as the owners of the home, to do the necessary upgrades that the home will require to continue to be habitable for the remainder of its life. We took possession of this house in April and have invested a significant amount of our savings into restoring the interior of the home and are concerned at the additional costs associated with this designation moving forward. We feel as though a designation will affect the future value of our investment, and is therefore not agreeable.

Thank you,



Ian Edginton

(613) 483-4464

By-Law Number. 2024-XX

A By-Law To Designate the Anchor House at 35 Johnson Street to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act*

Passed: XXX, 2024

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* on April 19, 2016;

On September 20, 2023, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Anchor House at 35 Johnson Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On October 17, 2023, *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 October 17, 2023, 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

A 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*") on November 8, 2023, 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

Janet Jaynes

City Clerk

Bryan Paterson

Mayor

City of Kingston By-Law Number. 2024-XX

Schedule “A”

Description and Criteria for Designation

Anchor House

Civic Address: 35 Johnson Street
Legal Description: Part Lot 45 Original Survey Kingston City as in FR358046;
City of Kingston, County of Frontenac; City of Kingston,
County of Frontenac
Property Roll Number: 1011 010 120 09300

Description of Property

This property is located on the north side of Johnson Street between Ontario and King Streets, with 16.6 meters frontage on Johnson Street. It is a 5 bay, 2-and-a-half storey house of limestone construction built in 1841, originally with two doorways, one for a tavern and one for a residence.

Early Kingston maps show that the property, situated close to the commercial waterfront area, contained buildings, probably of frame construction, from 1797 on. In 1839 Thomas Kirkpatrick sold the SW part of lot 45, the location of the present 35 Johnson St building, to Daniel Lynch. However, the previous building was destroyed in the catastrophic waterfront fire of April 1840. The present building, described in the Kingston Chronicle and Gazette of July 24, 1841 as “the new stone building of Mr. D. Lynch” can accordingly be dated to 1841. It remained in the Lynch family until 1913, initially as their residence in one part of the double house, and as an inn, known as the Anchor Hotel or Anchor House, in the other. Later, probably around 1900, the hotel doorway was stoned in, and the building has since served as a boarding house and residential apartments, and has also housed an art gallery, professional offices, a hairdressing salon and a tea room.

Statement of Cultural Heritage Value/Statement of Significance

Physical/Design Value

This property has physical/design value as a good example of a classical 5-bay limestone building with a Georgian influenced simple rectangular side-gable plan, built to accommodate both residential and commercial use. On the main façade the stones are laid in uniform courses, while the side and rear walls are rubble stonework. The central doorway is recessed with paneled reveals as well as a transom and original stone steps. The 6-panel door is likely not original, and the upper 4 panels have been replaced by glazing. The regular window openings, arranged in the Georgian style, have

stone voussoirs and sills. The south-eastern ground floor window was designed with extra width, presumably to enhance the view of the waterfront for patrons of the inn. The alterations to the 1841 façade are relatively minor: the second front doorway has been stoned in, the original windows have been replaced, and a portico has been added to the front entrance. At the gable ends the chimneys have been removed, two windows inserted at the east end, and a door and small balcony inserted at the west end.

Historical/Associative Value

This property has historical/associative value as a building historically combining residential and commercial functions in the heart of the early developing Kingston. The owners of preceding buildings on the site include Christopher Hagerman and Thomas Kirkpatrick, who were law partners and prominent local and provincial politicians. The present structure was built and occupied by the Lynch family for over 70 years.

Contextual Value

This house has important contextual value through its contribution as a substantial limestone structure to the streetscape of early buildings in stone and brick along Johnson and Ontario Streets.

Heritage Attributes

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

- Its 5-bay, 2-and-a-half storey configuration;
- Its rubble stone, pitched-faced limestone construction with regular coursing on the main façade and random coursed limestone walls on the sides;
- Original window openings with limestone voussoirs and sills;
- The central doorway with fielded panels and transom; and
- The gable roof with parapet and corbels.

Non-Heritage Attributes

Elements that do not contribute to the property's cultural heritage value include its:

- Small entranceway portico

City of Kingston By-Law Number 2024-XX

A By-Law to Designate 160 Belmont Avenue 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* on April 19, 2016;

On September 20, 2023, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally known as the Everitt-Miller House at 160 Belmont Avenue (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On October 17, 2023, *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 October 17, 2023, 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

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Everitt-Miller House

Civic Address: 160 Belmont Avenue
Legal Description: LT 328 PL 1423; S/T FR175306, FR176468 former
Township of Kingston; now City of Kingston, County of
Frontenac
Property Roll Number: 101108006007700

Introduction and Description of Property

160 Belmont Avenue, the Everitt-Miller House, is situated on the northeast corner of Belmont Avenue and Camberley Crescent, in the Henderson Place area, in the former Township of Kingston, now part of the City of Kingston. The property is approximately 740 square meters and contains a one-and-a-half-storey limestone residence, likely built circa 1860.

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.

160 Belmont Avenue is an excellent representative example of a vernacular limestone house characteristic of early farmhouses in the former Kingston Township. The one-and-a-half-storey unadorned limestone house has simple classical proportions that has been little altered. The gable roof features a chimney at each end. The house is constructed of limestone laid in even courses on the main (east) façade, and uneven courses on the rear and side elevations. The main (east) façade has five bays with central doorway in a symmetrical Georgian style, flanked by two sash windows with two-over-two glazing on each side. The south elevation has two-bay and two storeys, with the first storey exhibiting two twelve-over-twelve sash windows, and the second storey containing two smaller six-over-six sash windows (directly over the first storey windows). The west elevation is also symmetrical, featuring two sash windows in a twelve-over-twelve glazing pattern.

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 a landmark.

The original farm lot was granted to Loyalist John Everitt in 1798 and was deeded to Mercy Everitt in 1830. It is likely that she and husband John Miller had the stone farmhouse built around 1860.

The Everitt-Miller House has contextual value as it defines and maintains the former historic rural character of this area, which has been all but lost. Its distinctive stone architecture and prominent corner location make it a landmark in the Henderson Place area.

Heritage Attributes

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

- One-and-a-half-storey house of limestone construction laid in even courses on the east façade, and uneven courses on the rear and side elevations; and
- Symmetrical fenestration, gable roof with two chimneys and various period windows including twelve-over-twelve and six-over-six examples.

160 Belmont Avenue -
Everitt-Miller House



Google - 2019

35 Johnson Street –
Anchor House

