



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 12-105

TO: Mayor and Members of Council

FROM: Cynthia Beach
Commissioner, Sustainability and Growth

RESOURCE STAFF: Grant C. Bain
Director, Planning and Development Department

DATE OF MEETING: March 20, 2012

SUBJECT: Update to Ontario Heritage Act Designation By-Law for
102 Centre Street

EXECUTIVE SUMMARY:

This report follows an earlier Report to Council dated on 24 January 2012 (KMHC 12-001) pursuant to which the Council of the City of Kingston approved serving Notice of Intention to Amend the Designation By-Law for 102 Centre Street on January 24, 2012. Notice was served on the property owner and the Ontario Heritage Trust on February 14, 2012. No Notice of Objection to the proposed amendment has been received in response.

Accordingly, it is recommended that the adoption of the amended Designation By-Law for 102 Centre Street be passed pursuant to section 30.1(7) under the Ontario Heritage Act and that other steps resulting from the adoption be undertaken as described in this report.

RECOMMENDATION:

THAT the amended designation by-law under the Ontario Heritage Act for the property located at 102 Centre Street (Part of Farm Lot 22, Concession 1, City of Kingston, County of Frontenac, being Part 1 on Plan 13R-20257), attached hereto as Exhibit 'A', be adopted by Council; and,

THAT the entry in the City of Kingston Heritage Properties Register for the property located at 102 Centre Street be amended to reflect the amended designation of the property.

AUTHORIZING SIGNATURES:

ORIGINAL SIGNED BY COMMISSIONER _____ Cynthia Beach, P.Eng., MCIP, RPP, Commissioner, Sustainability and Growth
ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER Gerard Hunt, Chief Administrative Officer

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

Lanie Hurdle, <i>Community Services</i>	N/R
Denis Leger, <i>Transportation, Properties & Emergency Services</i>	N/R
Jim Keech, <i>President and CEO, Utilities Kingston</i>	N/R

(N/R indicates consultation not required)

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OPTIONS/DISCUSSION:

102 Centre Street was designated under the Ontario Heritage Act on July 25, 1975 under By-Law No. 8497. The By-Law was amended on August 16, 1976 through the adoption of By-Law 8892 to expand the 'Reasons for Designation' for the property, which are as follows:

Barberry Cottage was built for Mrs. Henry Cassady, widow of a mayor of Kingston, by her son-in-law, after her only son was drowned in front of her King Street West home. This large rectangular stone cottage is an example of the success often obtained by combining simple stone buildings with wood details done with a touch of lightness and elegance. In this case this is achieved by the use of the sculptured verge boards and the intricate pattern of the glazing bars on the French doors at the front of the house. The addition, although extensive, does not interfere with the original building. This rectangular two storey hammer-dressed and rubble stone house has a simple doorway with side lights and a transom light. On either side of the entrance is a pair of wide French doors with an intricate pattern of glazing bars and shutters. A porch (probably later) with groups of Tuscan-like columns stretches across the front. The second floor windows are rectangular casements which are close under the eaves of the hipped roof. An extensive one storey addition has been made in recent years to the south side.

The property was the subject of a recent Committee of Adjustment decision supporting the severance of a portion of the subject property for a new building lot. The result of the severance is a change in the legal description of the property. In addition, the existing reasons for designation are not sufficient under the current requirements of the Ontario Heritage Act. In support of the Committee of Adjustment application, both a Heritage Impact Statement and a Stage 1/2 Archaeological Assessment were submitted by the applicant. The Heritage Impact Statement, prepared by Bray Heritage, Dr. Jennifer McKendry, and André Scheinman, evaluated the property based on the City's evaluation template. This Heritage Impact Statement included an updated statement of significance which was recommended to form the basis for an updated Designation By-Law. It also noted that there were a number of interior elements worthy of protection and that this property meets all three criteria of Regulation 9/06 of the Ontario Heritage Act.

A Notice of Intention to Amend a Designation By-Law was served on February 14, 2012 and no objections were received. The Notice of Intent provided the following overview of the property:

The property known as Barberry Cottage, located at 102 Centre Street (Part of Farm Lot 22, Concession 1, City of Kingston, County of Frontenac, being Part 1 on Plan 13R-20257) is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values. It is of physical design value because of its unique expression of the picturesque tradition and the survival of interior elements. Its character defining exterior elements include its limestone construction which is expressed on the façade as ashlar and snecked rubble at other elevations, the fenestration in the form of casements with its muntin pattern expressed

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both symmetrically and asymmetrically (considered a picturesque treatment), the building's L-shaped design with a verandah, the main entrance treatment with sidelights, transom and the French doors flanking the main entrance and its steeply pitched centre gable breaking the eave line of the main hipped roof. Decorative elements that express its physical design value include the heavy looped rope moulding, verge, finial/pendant at the peak and Turdoresque elements. Notable interior elements include the floor plan, including the centre hall/cross hall plan, the back stairs and the back hallway (second floor), the main staircase with octagonal newel, the southeast fireplaces at each respective storey, and the kitchen fireplace. The semi-circular flagstone walk drive at the front, generous front, rear and side yards and the surviving mature trees, shrubs and perennial plantings at the front are also important elements of the property. 102 Centre Street is of historical/associative value because of its direct associations with a theme, an event, several persons and organizations significant to the history of Kingston. This includes its association with the theme of the City's expansion and urbanization westward, with the stone 'cottage' being one of the last cottage/villas to be built in the immediate area. It has direct associations with Smith Bartlett, Alexander Campbell and possibly William Coverdale. The property at 102 Centre Street is of contextual value as a key component of the streetscape and as a landmark for the area. It is also representative of the cottage style with its picturesque siting of the building relative to the landscaping surrounding it.

An amendment to the Ontario Heritage Act Designation By-Law for this property has been attached as Exhibit 'A.' The Notice of Passing of the Amending Designation By-Law does not need to be published in a local newspaper; it only has to be served on the owner and on the Ontario Heritage Trust.

Therefore, it is recommended that Council adopt the By-Law to amend the Designation By-Law for 102 Centre Street, and that the entry for the property on the City of Kingston's Heritage Properties Register be amended to reflect the new Statement of Significance. Following Council adoption of the By-Law, all appropriate Notices required under section 30.1(9) the Ontario Heritage Act shall be prepared and circulated.

EXISTING POLICY/BY LAW:

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

Ontario Heritage Act, Regulation 9/06 (Province of Ontario)

NOTICE PROVISIONS:

Notice of Intention to Amend the By-Law was served on the property owner and the Ontario Heritage Trust. A copy of the amending By-Law will be served on the property owner and

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served on the Ontario Heritage Trust following its adoption in accordance with the requirements of the Ontario Heritage Act.

ACCESSIBILITY CONSIDERATIONS:

Alternative formats of this report and the exhibits are available on request.

FINANCIAL CONSIDERATIONS:

N/A

CONTACTS:

Grant C. Bain, Director, Planning and Development Department, 613-546-4291 ext. 3252
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Shirley Bailey, Manager, Heritage and Urban Design, 613-546-4291, ext. 3253
Lindsay Lambert, Planner, Planning & Development Department, 613-546-4291 ext. 2176

OTHER CITY OF KINGSTON STAFF CONSULTED:

Alan McLeod, Senior Legal Counsel, Legal Services Department, 613-546-4291 ext. 1237

EXHIBITS ATTACHED:

Exhibit 'A' - By-Law 2012-XXX: "A By-Law to Amend By-Laws No. 8497 and 8992 to Reflect the Cultural Heritage Value and Interest of 102 Centre Street"
Exhibit 'B' - Photo of 102 Centre Street

BY-LAW NO. 2012-XXX

A BY-LAW TO AMEND BY-LAWS NO. 8497 and 8892 TO REFLECT THE CULTURAL HERITAGE VALUE AND INTEREST OF 102 CENTRE STREET

PASSED: 2012

WHEREAS Section 30.1 of the Ontario Heritage Act provides for the updating of existing Designation By-Laws; and

WHEREAS the Legal Description for 102 Centre Street was changed by a severance and the 'Reasons for Designation' in the current By-Law do not meet current provincial requirements;

NOW THEREFORE the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. That all references to 'Barberry Cottage – 102 Centre Street', located in By-Law 8497 and Schedule 'A' of By-Law 8892 be deleted and replaced with the document hereto attached entitled '102 Centre Street'.

2. For the purpose of interpretation, 'Maintenance' on 102 Centre Street will include the following works:

Maintenance is considered routine, cyclical, and non-destructive actions, necessary to slow the deterioration of a historic place. It entails the following actions: periodical inspection; general property cleanup; general gardening and repair of landscape features; replacement of glass in broken windows; minor exterior repairs (including replacement of individual asphalt shingles where there is little or no change in colour or design); repainting in the same or similar colour; repairs to walls and floors that do not remove original material; and re-pointing areas of wall space under 1.5 square metres.

3. For the purpose of interpretation, interior works will be considered as delegated to Heritage Staff for approval with the understanding that approval of said works must follow the process as outlined in By-Law 2005-227, "A By-Law to Delegate to an Appointed Officer Specific Approvals under the Ontario Heritage Act".

4. A copy of this By-Law shall be registered against the property affected in the proper land registry office. The City Clerk is hereby authorized to cause a copy of this By-Law to be served on the owner of the land described in the document entitled '102 Centre Street' attached hereto and on The Ontario Heritage Trust.

5. The City reserves the right to install a designated property plaque or interpretive panel.

6. This By-Law shall come into force and take effect on the date of its passing.

GIVEN ALL THREE READINGS AND FINALLY PASSED

**CITY CLERK
JOHN BOLOGNONE**

**MAYOR
MARK GERRETSEN**

102 Centre Street Description and Reasons for Designation

Legal Description

Civic Address: 102 Centre Street
Lot/Concession: Part of Farm Lot 22, Concession 1, City of Kingston, County of Frontenac, being Part 1 on Plan 13R-20257
PIN: 36031-0128 (LT).

Description of Property

The property known as Barberry Cottage, located at 102 Centre Street (Part of Farm Lot 22, Concession 1, City of Kingston, County of Frontenac, being Part 1 on Plan 13R-20257) is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values. It is of physical design value because it is a good example of Gothic Revival/Picturesque design, its expression of the 'cottage aesthetic' through the stonework and the survival of interior elements. Its character defining exterior elements include its limestone construction which is expressed on the façade as ashlar and snecked rubble at other elevations, the fenestration in the form of casements with its muntin pattern expressed both symmetrically and asymmetrically (considered a Picturesque treatment), the building's L-shaped design with a verandah, the main entrance treatment with sidelights, transom and the French doors flanking the main entrance, and its steeply pitched centre gable breaking the eave line of the main hipped roof. Decorative elements that express its physical design value include the heavy looped rope moulding, verge, finial/pendant at the peak and Turdoresque elements. Notable interior elements include the floor plan, including the centre hall/cross hall plan, the back stairs and the back hallway (second floor), the main staircase with octagonal newel, the southeast fireplaces at each respective storey, and the kitchen fireplace. The semi-circular flagstone walk drive at the front, generous front, rear and side yards and the surviving mature trees, shrubs and perennial plantings at the front are also important elements of the property. 102 Centre Street is of historical/associative value because of its direct associations with a theme and persons significant to the history of Kingston. This includes its association with the theme of the City's expansion and urbanization westward, with the stone 'cottage' being one of the last cottage/villas to be built in the immediate area. It has direct associations with Smith Bartlett, Alexander Campbell and possibly William Coverdale. The property at 102 Centre Street is of contextual value as a key component of the streetscape and as a landmark for the area. It is also representative of the cottage style with its Picturesque siting of the building relative to the landscaping surrounding it.

Statement of Cultural Heritage Value/Statement of Significance

The property located at 102 Centre Street is of cultural heritage value and interest because of its physical design values, its historical associations, and its contextual values.

Physical/Design Values

The property at 102 Centre Street is of design/physical value because it is a good example of Gothic Revival/Picturesque design, its expression of the 'cottage aesthetic' through the stonework and the survival of interior elements. While the building's architect remains unconfirmed, the design and detailing suggest a designer very familiar with Gothic Revival/Picturesque detailing as applied to a 'solid' country house. This is evident in the manner the steeply pitched centre gable breaks the eave line of the main hipped roof (the typical 'cottage' roof) becoming the focus for architectural expression that includes the heavy looped rope moulding along the verge which extends to a particularly fine finial/pendant at the peak and is terminated with octagonal Tudoresque pendants. Each bracket of the rope moulding features a Tudor rose. As well, the centre gable window of paired casements is given special prominence with its deep, eared hood. The French doors which flank the main entrance lead to a verandah which is a typical feature of the cottage/villa style. The original verandah treatment was very much in the Tudor mode, the existing being a much more recent treatment. Beyond the façade, there is little decorative emphasis, though the coved (likely plastered) soffit and fascia /frieze with heavy drip mould which extends around the perimeter is noteworthy.

The stonework reflects the 'cottage aesthetic' with only a stringcourse across the front as a projecting detail and this originally as a termination for the verandah roof. Otherwise, the regularly coursed ashlar across the perimeter is noteworthy.

The fenestration is a very important element of the design though beyond the face the openings are placed functionally. The windows generally consist of multi-paned paired casements of various sizes with muntin configuration which is symmetrical in some and asymmetrical (considered a Picturesque treatment) in others. The muntin configuration is most highly articulated at the French doors where a distinctive border pattern has been created. Many of the louvered shutters survive on original pins and are held by shutter 'dogs' and are an essential visual component of the exterior.

Much of the original floor plan remains legible and several key features such as the main stair and octagonal newel and the fireplace surrounds of the southeast room at each respective floor remain intact and extend the Tudor vocabulary of the original design.

Historical/Associative Values

102 Centre Street is of historical/associative value because of its direct associations with a theme and persons significant to the history of Kingston. It is also posited that the property demonstrates the work of important Kingston architect William Coverdale. 102 Centre Street is representative of a country cottage/villa type characteristic of the westward expansion of Kingston in the mid-19th century and is closely associated with some prominent Kingstonians.

The 100 acre parcel comprising the west half of farm Lot 22 and including the subject property, was purchased by Smith Bartlett in 1818. In 1852 Bartlett subdivided the property south of Otterburn (which he had built in 1841). Bartlett, originally from the U.S., was an important personage in early Kingston as a

merchant, brewer, real estate owner and banker. His son, John Russell Bartlett, who grew up in Kingston, surveyed the boundary between Mexico and the United States and was the Secretary of State of Rhode Island for 17 years.

By 1852, seven of Bartlett's lots as well as Otterburn had been purchased by Alexander Campbell and it was Campbell who had the stone 'cottage' constructed, completed by 1857-1858 on the lot adjacent to Otterburn (where he was living). Alexander Campbell was a prominent lawyer, politician, educator and business man. The law partner of Sir John A. Macdonald, he was the first Alderman of Victoria ward, and was later elected to the Legislative Council for the Cataraqui District (1858-1867). Like Macdonald, he was a Father of Confederation. He held a variety of cabinet posts in the Macdonald government before resigning in 1887 to become the sixth Lieutenant Governor of Ontario (1887-1892). He was considered one of the most influential Conservatives of the period and was knighted in 1879. However, the tenure of the Campbell family at the cottage was short as they sold the property in 1858.

The design of the building has been linked to John Grist, later clerk of the Works for the Houses of Parliament, based on a published 1853 tender call, but also bears a strong stylistic resemblance to the work of William Coverdale with whom Alexander Campbell corresponded during this period.

102 Centre Street is also associated with the theme of the City's expansion westward, the Western Liberties being annexed by the City of Kingston in 1850. This expansion begins the trend of urbanization of the area exemplified by Smith Bartlett's subdivision. The stone 'cottage' is one of the last of the cottage/villas to be built in the immediate area.

Contextual Value

The property at 102 Centre Street is of contextual value because of its role in supporting the character of Portsmouth Village and as a landmark for the area.

The property is a very important component of the Centre Street streetscape, which is comprised of several mid-19th century cottages/villas as well as some c. 1920 Craftsman Homes across the street. It is also one of the groups of cottages/villas which survive as a distinctive entity throughout western Kingston, ranging from Rockwood to Otterburn.

An essential aspect of the cottage style was the Picturesque siting of the building relative to the landscaping surrounding it. In its current form, the property reflects the original configuration of a substantial house set back from the street and flanked by generous side yards. The size of the side yards was a result of both aesthetic and functional considerations. Setting the 'cottage' in a miniature version of a rural setting creates the illusion of countryside, even within what was clearly intended to be, and soon to become an urban streetscape. Providing ample space for stables and service yards also meant that plenty of space could still be set aside for ornamental landscaping that was an integral part of the illusion created of a rural scene. Surviving features in that reflect the original design intent include the mature and immature trees on the property and the semi-circular, flagstone walk, although the plantings are probably not the same species or in the same locations as would have been the case with the original, Picturesque design, nor is the flagstone path probably following the same alignment as the original (it appears to have been a wider arc).

Character Defining Elements / Heritage Attributes

Physical/Design Attributes

- 'L' Plan comprised of original main section and kitchen
- Stone exterior, including both ashlar façade and snecked rubble at other elevations
- Steeply pitched centre gable breaking the eave line of the main hipped roof (typical 'cottage' roof)
- Heavy looped rope moulding along the verge which extends to a particularly fine finial/pendant at the peak and terminated with octagonal Tudoresque pendants, each bracket of the rope moulding featuring a Tudor rose
- The centre gable window of paired casements with its deep, eared hood
- The French doors which flank the main entrance with distinctive muntin configuration
- The main entrance treatment with sidelights and transom (door includes the interior rimlock)
- The verandah (as a feature though ideally in its original form)
- The coved (likely pilastered) soffit and fascia/frieze with heavy drip mould which extends around the perimeter
- The fenestration consisting of multi-paneled paired casements of various sizes with muntin configuration which is symmetrical in some and asymmetrical (considered a Picturesque treatment) in others
- The louvered shutters set on original pins and held by original shutter 'dogs'
- The chimneys (as a feature though ideally in their original corbelled form)
- The semi-circular flagstone walk

Historical/Associative Attributes

- Its direct associations with Smith Bartlett, Alexander Campbell and possibly William Coverdale.
- Its association with the theme of the City's expansion and urbanization westward, with the stone 'cottage' being one of the last cottage/villas to be built in the immediate area.

Contextual Attributes

- Its role as a key component of the streetscape and as a landmark for the area.
- The Picturesque siting of the 'cottage/villa' building relative to the landscaping surrounding it.
- Its role as one of the groups of cottages/villas which survive as a distinctive entity throughout western Kingston, ranging from Rockwood to Otterburn.



Figure 1: Picture of 102 Centre Street