

Good afternoon,

Thank you for reaching out.

Yes, the City is in the process of designating the lands noted above under Part IV of the Ontario Heritage Act. I have attached the draft designation by-law for your information and our handout on what it means to be designated.

I would draw your attention to the last two pages of the draft by-law. The list of Heritage Attributes are those features on the building that contribute to its heritage value. This does not mean that these features cannot be changed, only that the City has an interest in how they are changed. Also, the proposed heritage designation only affects the exterior of the building; interior changes do not require heritage approval.

In a nutshell, if you are planning to make a change to the exterior appearance of a protected heritage property, particularly on or near the main dwelling, prior approval from the City is required. Most basic day to day upkeep type matters are considered maintenance and do not require prior approval. Staff have also been granted authority to approve certain minor alterations, such as new roofing, window repairs, and repairs to existing features. Larger changes, such as new additions and structures, demos, or changes to existing features, require prior approval from Council with consultation from the City's heritage committee.

Heritage approvals are free of charge. Heritage approval by Staff take about 2 weeks to process, while permits through committee and Council can take about 2 months. Further information on heritage permits is available at <https://www.cityofkingston.ca/building-and-renovating/building-permits/heritage-permits/>.

I trust this is helpful. Please feel free to contact me should you have any further information.

Best

Ryan



Ryan J. Leary RPP, MCIP, CAHP (he/him/his)

Senior Planner, Heritage

Heritage Services



PROPERTY OWNER'S GUIDE TO HERITAGE DESIGNATION



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CONTEXT

The *Ontario Heritage Act* was passed in 1975 in order to give the Province and its municipalities a framework and legal basis upon which to conserve our heritage resources for the public interest. The Act and the City of Kingston's Official Plan provide guidance in identifying and protecting our heritage resources. Heritage resources include:

- **buildings** of all types;
- **cultural landscapes**, such as parkland and streetscapes; and
- **archaeological resources**.



Rideau Canal Waterway UNESCO World Heritage Site

Under the *Ontario Heritage Act*, the City of Kingston is able to designate properties based on a provincial set of criteria. By protecting these important heritage resources, the City will conserve its sense of community and promote tourism while preserving the quality of life that makes Kingston a truly unique and authentic city.

BENEFITS OF OWNING A DESIGNATED PROPERTY



*Hawthorn Cottage – Pittsburgh Branch
Kingston Frontenac Public Library*

In addition to the enhanced public experience and protection of local identity that are fostered by heritage designations, there are also a series of benefits for individual property owners, such as:

- **free guidance** on completing maintenance and alterations that are appropriate and help to celebrate the heritage value of the property and/or the overall district;
- **grants** for restoration work, up to \$5000 for eligible projects; and
- **tax refunds** for completed restoration works, up to \$5000 for eligible property owners.

Furthermore, studies on Ontario's heritage designated properties have revealed above-average performance in terms of property value changes, as well as resistance to market downturns.

TYPES OF HERITAGE DESIGNATIONS

The *Ontario Heritage Act* describes two broad designation types:

- **individual properties** (Part IV); and
- **Heritage Conservation Districts** (Part V).

The City of Kingston's Heritage Register currently contains over 600 designated properties and 3 Heritage Conservation Districts (HCDs), Old Sydenham HCD, Market Square HCD and Barrielfield HCD.

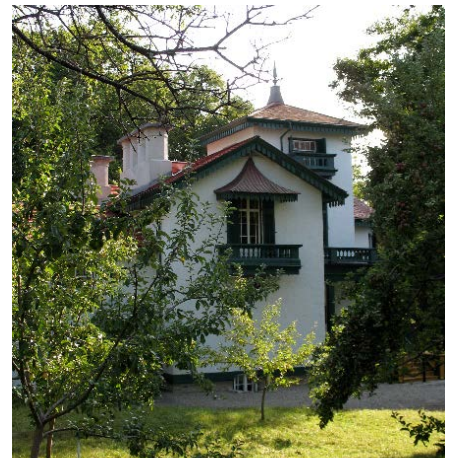


*Boundaries of the Barrielfield
Heritage Conservation District*

CRITERIA FOR DESIGNATION

A designation by-law for a property sets out the cultural heritage value of the property, including a list of the features which are important to conserving its value as a heritage resource. At least one of three broad provincial criteria types must be identified for a property to be considered for designation:

- **design/physical** (representative of a particular architectural style, for example);
- **historical/associative** (previously owned by a historical figure, for example); and
- **contextual** (contributes significantly to the area's character or is a landmark).



Bellevue House National Historic Site of Canada, former residence of Sir John A. Macdonald

THE HERITAGE DESIGNATION PROCESS



*81 King Street East, Old Sydenham
Heritage Conservation District*

The decision to put a heritage designation on a property is one that is made for the public's long-term benefit. Anyone can recommend designation, and while it is not required, it is preferable for the property owner to support the designation and work with City staff throughout the designation process.

In Kingston, an application for heritage designation can be submitted through the City's online application system – DASH. Once reviewed, staff will offer a recommendation to the Heritage Kingston Committee based on its adherence to the provincial criteria. The Committee will then either recommend approval or denial to City Council.

APPLICATION PROCESS FOR ALTERATION, DEMOLITION AND NEW CONSTRUCTION

The application process for designated properties is similar to the designation process described above, in that the application is submitted through DASH (www.cityofkingston.ca/dash) and proponent seeks City Council's approval by way of a recommendation from the Heritage Kingston Committee. Such an application is required where alterations are proposed that may affect the property's "reasons for designation," as defined in its designation by-law. Many alterations do not need to go before the heritage committee and Council and can be approved through staff's delegated authority. For more information about the application process, please see the City of Kingston's Heritage Permit webpage at <http://www.cityofkingston.ca/heritage>, or visit the Heritage Resource Centre located in City Hall.



*Ongoing alteration work-former
Queen Street United Church*

SOME COMMON MISCONCEPTIONS ABOUT HERITAGE DESIGNATIONS

“Heritage designations are put in place to prevent change.” The purpose of a heritage designation is to guide alterations to the property, not to prohibit them. This is to ensure that they complement, rather than compromise, the integrity of its cultural heritage value. As such, when thoughtfully designed, modern features such as new additions and landscape changes can certainly be added to heritage properties.

“All changes to heritage properties must be approved by City Council.” Most designations apply only to the exterior of the property, and most commonly the area which can be seen by the general public. Works that do not require a heritage application include:

- **interior work**, except where specifically designated; and
- **minor alterations, landscaping and maintenance work** as defined in By-law No. 2013-141.

Moreover, many types of approvals have been delegated to the City’s Director of Planning, such as:

- **minor repairs** to existing features;
- **replacing** roofing where there is little or no change in material, colour or design;
- **minor re-pointing** masonry according to the City’s *Policy on Masonry Restoration in Heritage Buildings*;
- **removing or altering** signage within its current configuration and building coverage;
- **repairing or replacing windows** according to the City’s *Policy on Window Renovation in Heritage Buildings*.

Please see Part IV of By-law No. 2013-141 for the full list of potentially delegated works.

A heritage designation does not restrict the owner’s right to sell the property, or its particular use as that is addressed through requirements contained in the applicable planning documents, such as the zoning by-law.

“Heritage designation places a financial burden on the property owner.” The owner of a heritage property is not required to restore or maintain the property beyond what is expected of any property owner. Moreover, the City offers financial incentives to property owners for eligible restoration projects.

“Insurance premiums are higher for designated properties.” Although older properties may involve greater risk due to outdated features, a heritage designation does not prevent these features from being updated and therefore should not affect insurance premiums. Furthermore, since it is not a requirement for destroyed features to be replicated, there should be no added cost to insurance companies or owners in that regard.

“Heritage designation negatively impacts property values.” Studies have found that heritage designated properties most often perform at or above the average property in terms of changes in economic value, thus allaying the financial worries of prospective heritage property owners.



Compatible addition at the side of an 1850s limestone cottage, Barriefield Heritage Conservation District



McIntosh Castle, constructed in 1852, Old Sydenham Heritage Conservation District

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 145-149 Montreal Street/ 97 Bay Street and 151, 153 & 155 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 known as the Strainge Terrace at 145-149 Montreal Street/ 97 Bay Street and 151, 153 and 155 Montreal Street (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

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

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

Therefore, *Council* enacts:

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

City of Kingston By-Law Number 2024-XX

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

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

**Schedule “A”
Description and Criteria for Designation
Straine 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

Civic Address: 151 Montreal Street
Legal Description: PT LT 286 Original Survey Kingston City as in FR524489; T/W FR524489; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 120 14900

Civic Address: 153 Montreal Street
Legal Description: PT LT 286 Original Survey Kingston City as in FR505753; T/W FR505753; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 120 15000

Civic Address: 155 Montreal Street
Legal Description: PT LT 286 Original Survey Kingston City Part 1 13R12773; T/W FR665707; City of Kingston, County of Frontenac
Property Roll Number: 1011 030 120 15100

Introduction and Description of Property

The Straine 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 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 Strange 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 c. 1880 construction date.

The Victorian architectural style of the terrace is evident in the vertical emphasis, and large size of the windows. On the residential terrace (149-155 Montreal Street), almost all the original window openings, flat brick arches and limestone sills remain, but the windows are modern replacements (the ground floor window on the northernmost unit has been enlarged). Given the construction date of the terrace, the original windows were likely two-over-two vertically sliding sash windows. The residential terrace has red brick walls in running/stretcher bond (the last unit to the north (155) has been clad over in a modern cement-based brick veneer). 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 (145-149 Montreal Street / 97 Bay Street) 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. 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 (145-149 Montreal Street / 97 Bay Street)

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;
- Red brick walls in stretcher/running bond;
- Wooden frieze board under the eave;
- Limestone foundation with ashlar base course on the south and west elevations;

- Original window and door openings with segmental arches on the ground floor and flat arches on the second floor;
- Wooden two-over-two vertically sliding sash windows 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 window aligned with ground floor corner entrance.

Heritage Attributes (151, 153 & 155 Montreal Street)

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

- Two-storey massing with gable roof;
- Red brick walls in stretcher/running bond;
- Wooden frieze board under the eave;
- Original window openings with flat arches and limestone sills; and
- Original door openings with transom lights;