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I, **John Bolognone**, hereby certify this to be a true and correct copy of **By-Law No. 2013-79** "**A By-Law To Designate And Adopt the 'Market Square Heritage Conservation District Plan, 2013', Pursuant To The Provisions Of The Ontario Heritage Act (R.S.O. 1990, 0.18)**" which By-Law was passed by the Council of the Corporation of the City of Kingston on April 11, 2013.

**DATED** at Kingston, Ontario  
this 7th day of June, 2013

**John Bolognone, City Clerk**  
The Corporation of the City of Kingston

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**BY-LAW NO. 2013-79**

**A BY-LAW TO DESIGNATE AND ADOPT THE 'MARKET SQUARE HERITAGE CONSERVATION DISTRICT PLAN, 2013', PURSUANT TO THE PROVISIONS OF THE ONTARIO HERITAGE ACT (R.S.O. 1990, 0.18).**

**PASSED:** April 11, 2013.

**WHEREAS** Section 41 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact By-Laws to designate a defined area, including all buildings and structures thereon, to be a Heritage Conservation District; and

**WHEREAS** Section 41.1(2) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a Municipality to enact By-Laws to adopt a Heritage Conservation District Plan for an existing designated Heritage Conservation District; and

**WHEREAS** the Council, as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, has made available to the public the 'Market Square Heritage Conservation District Plan, 2013' and held two public meeting; and

**WHEREAS** Council has consulted with its Municipal Heritage Committee;

**NOW THEREFORE BE IT RESOLVED**, The Council of the Corporation of the City of Kingston hereby **ENACTS** as follows:

The Market Square area, the boundaries of which are defined on Schedule "B" attached hereto and forming part of this By-law, is designated as a Heritage Conservation District pursuant to Part V, Section 41 of the Ontario Heritage Act;

1. The Market Square Heritage Conservation District Plan, 2013, attached hereto as Schedule "A" and forming part of this By-law, is hereby adopted as the heritage conservation district plan pursuant to Part V, Section 41.1(2) of the Ontario Heritage Act;
2. A copy of this by-law shall be registered against each 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 owners of the land defined in Schedule "B" hereto and on the Ontario Heritage Trust and to cause notice of the passage of this by-law to be published in the Kingston Whig-Standard;
3. For the purpose of interpretation the term 'Maintenance' will include the following:

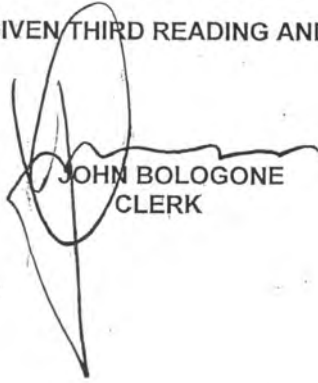
Maintenance is considered means routine, cyclical, non-destructive actions, necessary to slow the deterioration of Protected Heritage Properties, including the following: periodical inspection, property cleanup; gardening and repair of

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 where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing; and any other work defined as Maintenance in an individual designation by-law, or in a Heritage Conservation District Plan.

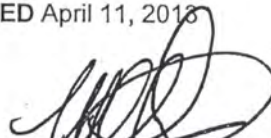
4. The City reserves the right to install a designated property plaque or interpretive panel; and
5. This By-Law shall come into force and take effect on the date of its passing.

**GIVEN FIRST AND SECOND READINGS** March 19, 2013

**GIVEN THIRD READING AND PASSED** April 11, 2013



JOHN BOLOGONE  
CLERK



MARK GERRETSEN  
MAYOR

