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Office of the City Clerk

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December 14, 2023

Via mail

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]:

**Re: Kingston City Council Meeting, December 5, 2023 – By-Law Number 2024-007; A By-Law to Designate the Burrows House at 771 Kingston Mills Road to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act**

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At the regular meeting on December 5, 2023, Council gave three readings to By-Law Number 2024-007; A By-Law to Designate the Burrows House at 771 Kingston Mills Road to be of Cultural Heritage Value and Interest pursuant to the Ontario Heritage Act.

Attached please find By-Law Number 2024-007, and the Notice of Passing.

Yours sincerely,

Janet Jaynes  
City Clerk  
/nb

Encl. By-Law Number 2024-007  
Notice of Passing

C.C. Ontario Heritage Trust  
Ryan Leary, Heritage Planner

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The Corporation of the City of Kingston

216 Ontario Street, Kingston, ON K7L 2Z3

Phone: (613) 546-4291 extension 1207

cityclerk@cityofkingston.ca

**Notice of Passing By-Laws to Designate  
The following properties to be of Cultural Heritage Value and Interest Pursuant to  
the Provisions of the *Ontario Heritage Act* (R.S.O. 1990, Chapter 0.18)**

**Take Notice** that the Council of The Corporation of the City of Kingston on December 5, 2023, passed By-Law Numbers 2024-003, 2024-004, 2024-005, 2024-006, 2024-007, 2024-008, 2024-009, and 2024-010 under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, to designate the following lands to be of cultural heritage value and interest:

**2518 Highway 38** (Part Lot 3-4 Concession 5; Part 1, 13R19328; S/T TKU12460; City of Kingston, County of Frontenac), known as the Robert Gibson Jr. Farm Complex;

**2643 Bur Brook Road** (Part Lot 10-11 Concession 4; Part 1 & 2, 13R2130; City of Kingston, County of Frontenac), known as the Jackson Mills Schoolhouse;

**344-350 Bagot Street** (Part Artillery Park Original Survey Kingston City Part 1 13R13119; S/T FR677127; City of Kingston, County of Frontenac), known as the Artillery Park Barracks;

**53 Princess Street and 365-369 King Street East** (Part Lot 58 Original Survey Kingston City as in FR399469, S/T FR399469, S/T Debts in FR395307; now City of Kingston, County of Frontenac), known as the Millan Building;

**67 Kensington Avenue** (Lot 35 Plan 131 Kingston City S/T interest in FR613314; now City of Kingston, County of Frontenac), known as the Burr House;

**771 Kingston Mills Road** (Part Lot 35-37 Con 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac), known as the Burrowes House;

**78-86 Princess Street** (Part Lot 107 Original Survey Kingston City; Part Lot 110 Original Survey Kingston City; Part Lot 119 Original Survey Kingston City Part 1 13R13826; S/T interest in FR290929; now City of Kingston, County of Frontenac), known as the Orange Hall; and

**85 Princess Street** (Part Lot 111 Original Survey Kingston City as in FR652624; now City of Kingston, County of Frontenac).

**Additional information**, including a full description of the reasons for designation is available upon request from Ryan Leary, Senior Heritage Planner, Heritage Services at 613-546-4291, extension 3233, or at [rleary@cityofkingston.ca](mailto:rleary@cityofkingston.ca) during regular business hours.

Any person who objects to one or more of these By-laws may appeal to the Ontario Land Tribunal by giving the Tribunal and the City Clerk, within 30 days of the publication of this notice, a notice of appeal setting out the objection to the By-Law(s) and the reasons in support of the objection, accompanied by the fee charged by the Tribunal.

**Dated** at the City of Kingston

This 12<sup>th</sup> day of December 2023

Janet Jaynes, City Clerk

City of Kingston

**By-Law Number 2024-7**

**A By-Law To Designate the Burrowes House at 771 Kingston Mills Road to be of Cultural Heritage Value and Interest pursuant to the *Ontario Heritage Act***

**Passed:** December 5, 2023

**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;

On [October 3, 2023], Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property municipally at 771 Kingston Mills Road, known as the Burrowes House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On [October 3, 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*.

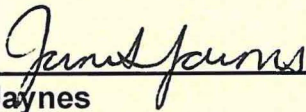
**Therefore, *Council* enacts:**

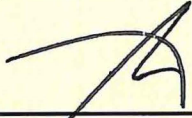
1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this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



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:** December 5, 2023

  
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Janet Jaynes  
City Clerk

  
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Bryan Paterson  
Mayor





**Schedule "A"****Description and Criteria for Designation****Burrowes House**

Civic Address: 771 Kingston Mills Road

Legal Description: Part Lot 35-37 CON 4 Kingston as in FR477165 Except the Easement Therein; City of Kingston, County of Frontenac

Property Roll Number: 1011 080 270 03800

**Introduction and Description of Property**

The Burrowes House at 771 Kingston Mills Road is located on the south side of the road and south of the CN railway tracks, in the former Township of Kingston, now part of the City of Kingston. The property is over 20 hectares in size and set well back from the road. It contains a one-and-a-half storey dwelling constructed with randomly coursed limestone around 1830 by Thomas Burrowes.

**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.*

The Burrowes House is a representative and early example of a 19th century Ontario limestone dwelling. It is a one-and-a-half storey dwelling built of random coursed limestone with the principal elevations on a north-east south-west axis. The roof is hipped with unadorned cornices and single low gables centered on each of the four slopes. The north-west front is symmetrical with five bays over a high basement foundation, so the entrance is reached by long double flight of stairs supported by a round headed stone arch foundation. The entrance displays a high degree of craftsmanship with its semi-elliptical transom with a tracery pattern over a door and sidelights; as well the gable over the entrance has a window of unusual design having a joined pair of shallow segmental headed windows surmounted by a small additional window with curved sides forming an ogee head. On either side of the entrance are two sash windows with corresponding shallow rectangular windows under the eaves to provide light to the upper floor.



The rear south-east elevation has unusual south and east facing chamfered corners each containing a single main floor window with a south basement window and east basement door. Where there was once a kitchen tail extending from the south-east wall, an enclosed porch with a shed roof and central gable over the entrance now takes its place. A tall round headed window replaces the upper storey loft door under a low gable formed from a vestige of the original kitchen roof. The gable is flanked by single shallow windows under the eaves. The south-west and north-east side elevations are similar to each other in detail with single stone chimneys rising centrally over the gable walls. Below the gable eaves the chimneys are flanked on each side by tall quadrant-headed windows. The only other openings visible are matching sash windows toward the north and west corners of the main floor. A northeast doorway is enclosed by a gable roofed entrance porch addition.

*The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.*

Thomas Burrowes (1796-1866) was a prominent figure in this area and instrumental in the construction of the Rideau Canal. Burrowes was posted to Canada as a British sapper (1815-24) and served at Fort Henry. In 1826 Colonel By appointed him as a civilian to help oversee the building of the Rideau Canal. Initially he surveyed and planned construction at the Bytown (Ottawa) end of the canal, and was posted to the Cataraqui end in 1829, becoming Clerk of Works for the canal in 1832. Burrowes settled in this stone house, close to Kingston Mills, at this time and continued to live there until his death in 1866. After retirement from canal duties in 1846 he remained active as a postmaster, justice of the peace, and farmer, and continued to visit and paint sites along the canal. His 115 watercolour images, found in 1905, are now in the collection of the Archives of Ontario.

*The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*

The Burrowes House has contextual value through its location near Kingston Mills where Burrowes was a prominent citizen, and as a landmark along the Cataraqui River, which was an important waterway from the earliest days of Loyalist settlement. It has been suggested that its random coursed limestone construction can be attributed to the use of stones that were surplus to requirements for building the canal lock walls.

### **Cultural Heritage Attributes**

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

- One-and-a-half storey dwelling of random coursed limestone construction;
- Unique hipped roof;
- Double-flighted stair entranceway;



- Semi-elliptical transom with sidelights around the front door;
- Gable and associated window in entranceway;
- Window openings on the original building with tall limestone voussoirs;
- 5-bay front façade; and
- The stone chimneys.

#### **Non-cultural Heritage Attributes**

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

- South-eastern vinyl clad addition and its associated deck;
- Metal railings along entranceway; and
- Tall portico over main entranceway.