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AUG 19 2019

RECEIVED

The Corporation of the City of Kawartha Lakes

By-Law 2018-166

A By-Law to Repeal and Replace By-Law 1983-09, Being a By-Law to designate 63 Regent Street East, Lindsay, in the City of Kawartha Lakes as being of Cultural Heritage Value and Interest

Recitals

1. Section 29 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may pass a by-law designating a property within the boundaries of the municipality to be of cultural heritage value or interest.
2. Notice of Intention to Designate 63 Regent Street East, Lindsay, City of Kawartha Lakes, described further in Schedule "A", has been given in accordance with Section 29 of the Ontario Heritage Act.
3. No objection to the proposed designation has been served on the Clerk of the City.
4. Reasons for Designation are set forth in Schedule "A".

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-166.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

"City", "City of Kawartha Lakes" or "Kawartha Lakes" means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

"Council" or "City Council" means the municipal council for the City;

"Director of Development Services" means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

"Property" means property as set out in Section 2.01.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Designation

- 2.01 63 Regent Street East, Lindsay, City of Kawartha Lakes, is designated as being of historic interest and value, described further in Schedule "A". This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building but that any and all such changes shall be in keeping with the original and present character of the building and in consultation with the municipal heritage committee.
- 2.02 The City is hereby authorized to cause a copy of this by-law to be registered against the property described above in the proper Land Registry Office.
- 2.03 The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper.

Section 3.00: Enforcement, Offence and Penalties

- 3.01 **Enforcement:** This by-law may be enforced by every municipal law enforcement officer and police officer.
- 3.02 **Offence and Penalty:** It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the *Provincial Offences Act* and to any other applicable penalty.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law:** The Director of Economic Development is responsible for the administration of this by-law.
- 4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed

Section 5.00 Repeals

5.01 Repeal: By-law 1983-09 is repealed.

By-law read a first, second and third time, and finally passed, this 25 day of September, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law 2018-166

Being a By-law to designate 63 Regent Street East, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

This one and a half storey brick home is located on the south side of Regent Street between Albert and Victoria Streets.

Legal Description:

PLAN 1 BLK C LOT 13

PIN: 63220-0085

REASON FOR DESIGNATION

Architectural Design or Physical Value:

This home is an excellent example of the "Ontario Farm House" with Gothic Revival features that was common on farms in the mid 1800's. This design has characteristics which include a pitched gable and front verandah with decorative bargeboard, chamfered columns and a ballasted roof. and a gothic style window in the center of the predominant front gable. The paneled front door is framed by a window transom above and sidelights.

Historical Significance:

Constructed in 1870 by William Laidley, this property was part of a large parcel of land bounded by Colbourne, Angeline, Needham and Verulam streets owned by Cheeseman Moe. The house contained one of the first phones for the surrounding area, and as a result many neighbours would often use their phone. Captain Moe was a retired naval officer from Britain who set out for the California Gold Rush in 1847 and never returned. A land company acquired his land when the taxes went unpaid.

ATTRIBUTES TO BE CONSERVED:

- One and a half storey two tone brick in an Italianate style with quoining at corners
- Verandah with chamfered columns, decorative bargeboard and a ballasted roof
- Prominent center pitched gable
- Solid wood paneled front door with overhead window transom and sidelights
- Two brick chimneys frame either side of the home
- Original four over three double-hung windows with brick lintels and shutters
- The central rounded arch window in the front gable with a yellow brick segmented arch lintel and shutters
- Decorative yellow brick cornice along roofline and under front gable