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CITY OF KAWARTHA LAKES TRUST

The Corporation of the City of Kawartha Lakes

By-Law 2018-163

A By-Law to Repeal and Replace By-Law 1980-02 Being a By-Law to designate 2 Lindsay Street South, 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 2 Lindsay Street South, 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 2018-163.

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 2 Lindsay Street South, 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 1980-02 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 2018-163

Being a By-law to designate 2 Lindsay Street South, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

The Academy Theatre is a landmark building located on the East side of Lindsay Street South, between Kent Street West and Kent Street East.

Legal Description:

PT BLK A E LINDSAY S KENT ST

PIN: 63229-0007

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The building exhibits Romanesque features with rounded pilasters, a gabled parapet, and red and salmon brick colour. The theatre's symmetry of design and rectangular windows also suggest a classical style of architecture that was popular in the late 19th century, but was rare to North America.

Historical Significance:

Constructed in 1892 while Lindsay was experiencing significant economic growth, the need for arts and culture was met through the construction of a brick theatre called the Academy of Music. The Romanesque building was designed by W. Blackwell of Peterborough and built by William White of Lindsay. The first performance in the theatre took place on January 5th, 1893. Some of the notable performers include Marie Dressler and Dumbells. It was one of the original silent movie houses east of Toronto, with the first movie being shown in 1913. During the middle of the 20th century, use for the theatre declined, forcing its doors to be closed in 1956. The residents of Lindsay came together in 1963 to buy and restore the theatre.

Contextual Value:

Since 1892, the Academy Theatre has been an identifying landmark of the downtown core of Lindsay, contributing to its historic streetscape and providing arts and culture for the township and the surrounding region.

ATTRIBUTES TO BE CONSERVED:

- Front westerly façade with decorative belt cornice and tongue and groove commercial façade, Georgian style storefront windows, and art deco main entrance doors into foyer

- The large corbel bricked chimney on the south facing side of the building
- Prominent center gabled parapet
- Salmon brick featured on the west facing front facade on second and third storeys of the building and red brick on the north and south sides
- Highly symmetrical building with three distinct bays
- Rounded pilasters separate the three bays from one another with limestone base
- Rectangular windows in a 4 over 4 pattern on second and third storeys
- The main storey is tongue and groove siding adorned with two large sets of windows and the front entrance doors.
- Limestone lintels and sills on rectangular windows
- A semicircular window located in the gabled parapet surrounded by limestone lintel