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AUG 19 2019

RECEIVED

The Corporation of the City of Kawartha Lakes

By-Law 2018-146

A By-Law to Repeal and Replace By-Law 1985-15, Being a By-Law to designate 55 Albert Street North, 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 55 Albert Street North, 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 2018-146.

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 55 Albert Street North, 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 1985-15 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 2018-146

Being a By-law to designate 55 Albert Street North, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

55 Albert Street contains a two storey fieldstone residence. The residence is located on a large lot on the west side of the street.

Legal Description:

PLAN 13 PT LOT 1 N BOND W;ALBERT

PIN: 63224-0075

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The residence at 55 Albert Street maintains strong architectural value. The residence provides an example of the Gothic Revival style, which are sometimes termed "Ontario Farm Houses." The house, constructed of fieldstone, is symmetrical in design with a gabled roof. Decorative Gothic bargeboard frames the steep center pitch with a central Gothic window and shutters.

Historical Significance:

The building on this property was originally located in West of Oakwood and North of Manilla. In 1934, Mervyn and Margaret Sutcliffe purchased the home and had it moved to Lindsay. To do so, the house was disassembled, each individual component then numbered, and the house reconstructed on the current lot. The Gothic Revival features and re-construction of this residence on its current lot contribute to the historical value and heritage merit of the property.

The home was originally built in 1852 by a Scottish stone mason. Many farmers would use the stone they accumulated when clearing their fields. The property on which the original home was built is located approximately 1.5 miles from Manilla.

ATTRIBUTES TO BE CONSERVED:

- Multicolor cut fieldstone with all the pieces of the stone still in their original location as they were when the home was originally constructed in 1852
- Six over six windows framing either side of the door
- Original windows
- Cedar shake roof
- Centre gable decorated with Gothic bargeboard and a drop turned finial
- Low pitched gable roof
- Plain boxed cornices, and prominent eaves and soffits trimming the roof

- Two large offset chimneys
- Recessed front entrance with vaulted trim
- Cross and bible front entrance door of pine with four paneled window transom and three paneled window sidelights
- Arched stonework over windows in dormer and all other main windows
- Stone porch entrances