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ONTARIO HERITAGE TRUST

AUG 19 2019

RECEIVED

The Corporation of the City of Kawartha Lakes

By-Law 2018-157

A By-Law to Repeal and Replace By-Law 1994-097, Being a By-Law to designate 22 Elgin Street, 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 22 Elgin Street, 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 2018-157.

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 22 Elgin Street, 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 1994-097 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 2018-157

Being a By-law to designate 22 Elgin Street, Town of Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

This two storey home is located on the north side of Elgin Street between William Street North and Margaret Avenue.

Legal Description:

PLAN 1 BLK L PT LOT 3

PIN: 63221-0037

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The spacious home, featuring an original two storey rear tail, was constructed of solid buff coloured brick, on a rubble stone foundation. The prominent features of the home include the decorative brick window hoods, a gracious entrance with the original panel door beneath an arched transom, and raised brick pilaster strips framing the corners of the home. Decorative bargeboard which is frequently present on Gothic revival homes from this period adds to the home's façade.

Historical Significance:

Originally constructed in 1875, the home is of contextual and historical value given it being a fine example of early Lindsay buildings. The home's features are influenced from the Ontario Gothic Revival style of architecture. The home exemplifies 19th century architecture and contributes to the history of Lindsay and Elgin Street streetscape where a variety of homes featuring numerous styles and eras are visible. Owners of the home were likely farmers, dating as far back as 1896-1906 Miss Catherine Naylor was in charge of selling or renting a farm. Her husband was Mr. John Naylor.

Attributes to be conserved:

- Buff coloured brick
- Rubble stone foundation
- Two storey rear tail
- Prominent center gable
- Raised brick pilaster strips at corners of the home
- Front panel door
- Arched transom and sidelight panel windows with etched glass

- Original two over two windows on main level
- Wood lug window sills with matching trim
- Full height brick chimney in rear
- Decorative soldier brick work over windows