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The Corporation of the City of Kawartha Lakes

By-Law 2018-162

A By-Law to Repeal and Replace By-Law 1988-48 Being a By-Law to designate 3 Kent Street West, 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 3 Kent Street West, 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 2018-162.

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 3 Kent Street West, 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 1988-48 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 2018-162

Being a By-law to designate 3 Kent Street West, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

Located on the south west corner where Kent Street West and Lindsay Street South connect, this three storey residential and commercial building is a featured part of the Lindsay Heritage Conservation District.

Legal Description:

PLAN TOWN PLOT PT LOT 1 S;KENT ST RP 57R1276 PARTS 3;AND 6

PIN: 63228-0054

REASON FOR DESIGNATION

Architectural Significance:

This building reflects the Italianate commercial architectural style that would have been present during the time of Lindsay's earliest years. Some examples of the building worth preserving include its front façade with the decorative brickwork around second and third storey windows. The two center windows have a semicircular arch with three distinct keystones at the ends and middle of the arch. The two windows on either side are decorated with a flat segmental arch found on many of the buildings built in the end of the 19th century. Ornate brick patterning along the cornice is reflective of the Italianate style.

Historical Significance:

The building that was previously constructed on this lot was a Y.M.C.A. which speaks to the growth of social and cultural life in Lindsay at the time. Records from 1899 show that the Y.M.C.A. was constructed at this location after the fire destroyed most of the downtown.

ATTRIBUTES TO BE CONSERVED:

- The north facing façade of the building and the east wall
- Rectangular windows in alignment with the attached properties
- Stone lintel's below windows and keystone arches above second and third storey arched windows
- Decorative cornices at north east and north west corners of building
- Corbelled brick work around windows of second and third storeys reflective of the Italianate commercial building from the late 19th century
- Ornate brick patterning along the cornice

- The full storefront façade windows and transom windows on the first storey
- Prominent chimney in a buff brick colour
- Decorative triple cornices along roofline