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AUG 19 2019

RECEIVED

**The Corporation of the City of Kawartha Lakes**

**By-Law 2018-161**

**A By-Law to Repeal and Replace By-Law 1990-11 Being a By-Law to Designate 2 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 2 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 2018-161.**

**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 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 1990-11 is repealed.

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

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule 'A' to By-law 2018-161**

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

### **Description of Property**

The building is a two storey commercial building located on the northwest corner of Kent Street west and Lindsay Street south which is also within Lindsay's designated heritage conservation district.

### **Legal Description:**

TOWN PLAN PT LOT 1 N KENT ST;W

PIN: 63222-0144

### **REASON FOR DESIGNATION**

#### **Architectural Design or Physical Value:**

This building exemplifies the essence of the downtown core and the effort that was made to ensure previous and original styles of architecture were maintained after the great fire. The building is a superb example of Italianate architecture with Georgian overtones that is characteristic of the downtown core. All elements including the ornate brickwork, Italianate façade, Georgian style windows and doors, and roof details are impeccably presented and preserved.

#### **Contextual Significance:**

The two storey building at 2 Kent Street West is prominent focal point of the downtown streetscape, sitting at the juncture of Kent Street and Lindsay Street. Kent Street development began in 1840 when the properties were cleared of timber. After the fire of 1861, many of the storefronts that had previously existed in downtown Lindsay were destroyed. However, the town quickly went into action to rebuild, and by 1875 this building was an integral component of the post-fire streetscape.

#### **ATTRIBUTES TO BE CONSERVED:**

- Georgian four over four windows on south and east walls
- Protruding roof beam accents exposed through soffits
- Front entrance with double and single French doors with transom
- Ornate wooden storefront with chamfered Greek revival pilasters with fern motif
- Side entrance on east wall with Italianate pilasters and Georgian door surrounded by sidelights
- Cedar Shake roof

- **Decorative brick cornice at south east corner of building**
- **Steel window sills on upper storey windows**
- **Two tone ornate brickwork throughout the building**
- **Ornate Italianate signs with raised serif lettering**
- **Rectangular windows on the south and east facing sides of the building**
- **Hipped roof**
- **Brick quoin features**
- **Corbel brick between the first and second storey**