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Un organisme du gouvernement de l'Ontario

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Development Services
180 Kent Street West
Lindsay ON K9V 2Y6
705-324-9411 ext. 1366
heritage@kawarthalakes.ca

December 20, 2021

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received
Ontario Heritage Trust

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario M5C 1J2

On December 14, 2021, the Council of the City of Kawartha Lakes passed By-law 2021-193 under Part IV of the Ontario Heritage Act, R.S. O. 1990, c.18, to repeal and replace By-law 2021-003 which designates 28 Boyd Street, Bobcaygeon as a property of cultural heritage value and interest. A copy of the notice of designation is enclosed.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

Emily Turner
Economic Development Officer – Heritage Planning
705-324-9411 ext. 1366
eturner@kawarthalakes.ca

Development Services
180 Kent Street West
Lindsay ON K9V 2Y6
705-324-9411 ext. 1366
heritage@kawarthalakes.ca

Notice: Repeal of Designation By-law under the Ontario Heritage Act

Take Notice that the Council of the City of Kawartha Lakes, on December 14, 2021 passed By-law 2021-193 which repeals By-law 2021-003 designating the following property under Section 29 of the Ontario Heritage Act, R.S.O. 1990, c.18, as a property of cultural heritage value or interest:

28 Boyd Street, Bobcaygeon

LT 2 N/S SOUTH ST AKA BOYD ST PL 70; LT 3 N/S SOUTH ST AKA BOYD ST PL 70; LT 4 N/S SOUTH ST AKA BOYD ST PL 70; LT 5 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 1 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 6 N/S SOUTH ST AKA BOYD ST PL 70 AS IN R426933; CITY OF KAWARTHA LAKES

Statement of Reasons for Repeal

The by-law is proposed for repeal in order to remove Schedule B of the subject the by-law to bring it into compliance with the current requirements under the Ontario Heritage Act. The designating by-law for this property will be simultaneously replaced and the heritage protection for this property will not lapse.

Further information respecting the proposed repeal is available at the City's Economic Development Department. Interested parties may object to the repealing by-law to the Ontario Land Tribunal. Any objection to the repeal of this by-law must be filed within 30 days of December 23, 2021 and include the reasons for the objection to the repealing by-law and the fee charged by the Tribunal. Objections should be directed to: Cathie Richie, Clerk, City of Kawartha Lakes, P.O. Box 9000, 26 Francis Street, Lindsay, ON K9V 5R8.

Any inquiries may be directed to:

Economic Development Officer- Heritage Planning
City of Kawartha Lakes,
180 Kent Street West, Lindsay, ON K9V 2Y6
(705) 324-9411 ext.1366
eturner@kawarthalakes.ca

The last date for objection is 4:00 p.m. on January 21, 2022.

Development Services
180 Kent Street West
Lindsay ON K9V 2Y6
705-324-9411 ext. 1366
heritage@kawarthalakes.ca

Notice: Designation of Property under the Ontario Heritage Act

Take Notice that the Council of the City of Kawartha Lakes, on December 14, 2021, passed By-law 2021-193 to designate the following property under Section 29 of the Ontario Heritage Act, R.S.O. 1990, c.18, as a property of cultural heritage value or interest:

28 Boyd Street, Bobcaygeon

LT 2 N/S SOUTH ST AKA BOYD ST PL 70; LT 3 N/S SOUTH ST AKA BOYD ST PL 70; LT 4 N/S SOUTH ST AKA BOYD ST PL 70; LT 5 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 1 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 6 N/S SOUTH ST AKA BOYD ST PL 70 AS IN R426933; CITY OF KAWARTHA LAKES

Statement of Reasons for Designation

Design and Physical Value

28 Boyd Street has design and physical value as an excellent and unique example of a late nineteenth century dry stone wall. Dry stone wall construction has been recognized by UNESCO as intangible cultural heritage of global value and was practiced primarily in agricultural areas of Kawartha Lakes in the late nineteenth century to construct farm and retaining walls. 28 Boyd Street contains an excellent and well-known example that still survives in significant form and a rare example in a non-rural setting where it has been used as a decorative landscape feature, as opposed to a utilitarian part of the agricultural landscape. It demonstrates a high degree of technical merit through its successful use of this construction method.

Historical and Associative Value

28 Boyd Street has historical and associative value in its connection to the Boyd family in Bobcaygeon. The wall was originally constructed in 1890 for W.T.C. Boyd, the son of local lumber baron Mossom Boyd as part of the landscaping for his Bobcaygeon estate, known as Edgewood. It has direct historical associations with the Boyd family, specifically W.T.C. Boyd, who was a significant figure in late nineteenth and early twentieth century Bobcaygeon for his role in the Boyd family's various commercial ventures. The property yields information about the Boyds and their influence in the village in the nineteenth and early twentieth centuries through their business and civic endeavors. It also yields information regarding the evolution of landscape design, particularly with regard to estates for wealth business people, in

Canada during this period which often emphasized local landscape elements and the picturesque.

Contextual Value
28 Boyd Street has contextual value as a local landmark. The dry stone wall is known and recognized throughout the community and is located in a prominent location at the intersection of Boyd Street and County Road 36 which acts as an access point to the historic core of the village. The property is also historically linked to a number of important local features, including the Edgewood estate, the adjacent Mossom Boyd estate property, and the Boyd office located nearby on Canal Street.

Further information respecting the designation is available at the City's Economic Development Department. Interested parties may object to the designating by-law to the Ontario Land Tribunal. Any objection to this designation must be filed within 30 days of December 23, 2021 and include the reasons for objection to the designating by-law and the fee charged by the Tribunal. Objections should be directed to: Cathie Richie, Clerk, City of Kawartha Lakes, P.O. Box 9000, 26 Francis Street, Lindsay, ON K9V 5R8.

The by-law will come into effect on the day following the last day of the notice period.

Any inquiries may be directed to:

Economic Development Officer- Heritage Planning
City of Kawartha Lakes,
180 Kent Street West, Lindsay, ON K9V 2Y6
(705) 324-9411 ext.1366
eturner@kawarthalakes.ca

Last date for objection is 4:00pm on January 21, 2022.

The Corporation of the City of Kawartha Lakes

By-Law 2021-193

A By-law to Repeal and Replace By-law 2021-003, Designating 28 Boyd Street, Village of Bobcaygeon in the City of Kawartha Lakes

A By-law to repeal and replace By-law 2021-003 which designates 28 Boyd Street in the Village of Bobcaygeon in the City of Kawartha Lakes as being of Cultural Heritage Value or Interest under Part IV of the Ontario Heritage Act.

Recitals

1. Section 31 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may repeal a by-law passed under Section 29 of the Act designating a property within the boundaries of the municipality at Council's initiative.

2. A Notice of Intention to Repeal By-law 2021-003 designating 28 Boyd Street, Village of Bobcaygeon has been given in accordance with Section 31 of the Ontario Heritage Act.

3. No objection to the proposed repeal of the designating by-law has been served on the Clerk of the City.

4. Section 29 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may pass a by-law to designate a property within the boundaries of the municipality as being of cultural heritage value or interest.

5. A Notice of Intention to Designate 28 Boyd Street, Village of Bobcaygeon described further in Schedule A, has been given in accordance with Section 29 of the Ontario Heritage Act.

6. No objection to the proposed designation has been served on the Clerk of the City.

7. Council has consulted with its Municipal Heritage Committee.

8. 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 2021-193.

Section 1.00: Definitions and Interpretation

1.01 **Definitions**: In this by-law,

"alter" means to change in any manner and includes to restore, renovate, repair, erect, demolish, and disturb; and "alteration" and "altering" have corresponding meanings;

"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;

"Municipal Heritage Committee" means the Kawartha Lakes Municipal Heritage Committee which makes recommendations to Council and is established under Section 28 of the Ontario Heritage Act;

"Ontario Heritage Act" or **"the Act"** means the Ontario Heritage Act, R.S.O. 1990, c. o.18, as amended or any successor thereof;

"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 of Property

2.01 28 Boyd Street, Village of Bobcaygeon is designated as being of cultural heritage value, as described further in Schedule A. This designation shall not preclude alterations that may be deemed necessary for the efficient use of the property but that any and all alterations shall be in keeping with the original and present character of the property and that no alterations to the property affecting its heritage attributes as outlined in Schedule A shall be made without written consent from the City.

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 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 a newspaper with general circulation within the municipality.

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, the Ontario Heritage Act and to any other applicable penalty.

Section 4.00: Administration and Effective Date

4.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.

4.02 **Effective Date:** This By-law shall come into force thirty (30) days after the publication of the notice of designation in a newspaper with general circulation in the municipality.

Section 5.00: Repeals

5.01 **Repeal:** By-law 2021-003 is repealed.

By-law read a first, second and third time, and finally passed, this 14th day of December, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2021-193

Being a By-law to repeal and replace By-law 2021-003, designating 28 Boyd Street, Village of Bobcaygeon in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

28 Boyd Street, Bobcaygeon

Section 2: Location of Property

Located at the intersection of Boyd Street and County Road 36 in the Village of Bobcaygeon, City of Kawartha Lakes

Section 3: Legal Description and PIN

LT 2 N/S SOUTH ST AKA BOYD ST PL 70; LT 3 N/S SOUTH ST AKA BOYD ST PL 70; LT 4 N/S SOUTH ST AKA BOYD ST PL 70; LT 5 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 1 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 6 N/S SOUTH ST AKA BOYD ST PL 70 AS IN R426933; CITY OF KAWARTHA LAKES

PIN: 63129-0226

Section 4: Location of Heritage Features

The heritage feature of the property is the dry stone wall which runs along the south (front) and west sides of the property.

Section 5: Statement of Reasons for Designation

Design and Physical Value
28 Boyd Street has design and physical value as an excellent and unique example of a late nineteenth century dry stone wall. Dry stone wall construction has been recognized by UNESCO as intangible cultural heritage of global value and was practiced primarily in agricultural areas of Kawartha Lakes in the late nineteenth century to construct farm and retaining walls. 28 Boyd Street contains an excellent and well-known example that still survives in significant form and a rare example in a non-rural setting where it has been used as a decorative landscape feature, as opposed to a utilitarian part of the agricultural landscape. It demonstrates a high degree of technical merit through its successful use of this construction method.

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centuries through their business and civic endeavors. It also yields information regarding the evolution of landscape design, particularly with regard to estates for wealth business people, in Canada during this period which often emphasized local landscape elements and the picturesque.

Contextual Value
28 Boyd Street has contextual value as a local landmark. The dry stone wall is known and recognized throughout the community and is situated in a prominent location at the intersection of Boyd Street and County Road 36 which acts as an access point to the historic core of the village. The property is also historically linked to a number of important local features, including the Edgewood estate, the adjacent Mossom Boyd estate property, and the Boyd office located nearby on Canal Street.

Section 6: Heritage Attributes

The Reasons for Designation include the following heritage attributes and apply to all elevations, unless otherwise specified, and the roof including: all façades, entrances, windows, chimneys, and trim, together with construction materials of wood, brick, stone, stucco, concrete, plaster parging, metal, glazing, their related building techniques and landscape features.

Design and Physical Features

The architectural features of this property all demonstrate the high degree of technical achievement in the construction of the drystone wall on this property and its role as a unique and important construction type as recognized by UNESCO.

- Nineteenth-century dry stone wall
- Dry stone construction
- Double wall construction
- Limestone exterior walls
- Cope stones
- Interior hearting

Historical and Associative Features

The historical features of this property yield information on its relationship to the Boyd family and wider trends in landscape design.

- Relationship of the wall to the Edgewood/Case Manor property

Contextual Features

The contextual features of this property identify the property as a local landmark and its relationship to other Boyd properties in Bobcaygeon.

- Views to and from the wall along Boyd Street and from County Road 36
- Contextual relationship to the nearby Boyd properties, including the Mossom Boyd Estate property and Boyd Office

The modern long term care facility on this property and its associated features are not included as part of the heritage attributes of the property.