

The Corporation of the City of Kawartha Lakes

By-Law 2018-142

A By-Law to Repeal and Replace By-Law 1992-12, Being a By-Law to designate 37 Colborne Street, Fenelon Falls 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 37 Colborne Street, Fenelon Falls 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 2018-142.

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 37 Colborne Street, Fenelon Falls, 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 1992-12 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 2018-142

Being a By-law to designate 37 Colborne Street, Fenelon Falls, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

The building that currently operates as the Canadian Institute of Banking Commerce (CIBC) is on the west side of Colborne Street and the south side of Francis Street. Facing east, the front of the red brick building is a landmark for its residents with its large standing clock tower.

Legal Description:

100 PT LOT 1 W COLB S;FRAN

PIN# 63155-0130

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The CIBC building is an architecturally significant building that contributes to the streetscape of Fenelon Falls. The most notable feature of the red brick building is the three storey clock tower. This building is also adorned with a large stone that has been carved with the words "Fenelon Falls". The building itself, and particularly its exterior walls were original to the building from 1935 until 1992 when an amendment to the original designation Bylaw allowed CIBC to make alterations to the building by expanding the front of the building to align with the existing structure.

Historical Significance:

The building and its adjoined clock tower have been in existence as a landmark to the residents of Fenelon Falls since 1935. Originally the building operated as a post office until its services were moved to a different location in 1968. Today, the building remains an integral part of the community functioning as the Canadian Institute of Banking Commerce (CIBC).

Contextual Value:

The clock tower is significant given the role it played as an identifying landmark to the surrounding area. The landscape of Fenelon Falls would be significantly altered should the landmark ever be removed. Given that few other municipalities have preserved their clock towers it is a rare landmark that should be protected in Fenelon Falls.

ATTRIBUTES TO BE CONSERVED:

- 3 storey clock tower featuring a clock face on each of the four sides of the tower
- Neo-classical detailing surrounding the front doors and limestone detailing around the windows and clocks within the clock tower
- Main entrance surrounded by carved rococo design stonework
- The name “Fenelon Falls” etched into the building's stonework
- The raised brick quoins on the building's corners with decorative limestone tops
- The roofline peaked cornices on the clock tower