

The Corporation of the City of Kawartha Lakes

By-Law 2018-149

A By-Law to Repeal and Replace Town of Lindsay By-Law 1985-42, Being a By-Law to designate 46 Bond 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 46 Bond 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 2018-149.

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 46 Bond 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 Development Services 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: Town of Lindsay By-law 1985-42 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 2018-149

Being a By-law to designate 46 Bond Street West, Township of Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

The property at 46 Bond Street is a single story brick dwelling. The property is named "The Garth" in reference to the stone fence that encloses the property.

Legal Description:

TOWN PLAN S PT LOT 16 N BOND;ST W

PIN: 63223-0031

Reason for Designation:

Architectural Design or Physical Value:

The dwelling is a unique example of the Ontario Regency Cottage style of architecture in the area. The residence is squarely constructed with a hip roof that slopes on all four sides, typical of the Regency style of construction. The residence maintains a symmetrical form with three sets of French doors, two acting as windows and one as a centered entrance. The Regency style of architecture is not predominate in the local area, and as such enhances the architectural value of this rare property.

Historical Significance:

The dwelling on the property was built in 1853 by Charles Rubridge. The home was intended to be used by Charles' sister. The surrounding stone fence was added in 1935 which dubbed the property with the nickname "The Garth".

Attributes to be Conserved:

- Stone fence which surrounds the premise of the property
- Low four sided slanted roofline
- French doors, including French door windows
- Double French door entrance with transom and gable roofline