

The Corporation of the City of Kawartha Lakes

By-Law 2018-167

A By-Law to Repeal and Replace By-Law 1981-46, Being a By-Law to designate 45 Russell 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 45 Russell 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 2018-167.

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 45 Russell 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 1981-46 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 2018-167

Being a By-law to designate 45 Russell Street West, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

St. Paul's Anglican Church is located on Russell Street West between Cambridge Street South and William Street South.

Legal Description:

PLAN TOWN PLOT LOTS 7 AND 8;S RUSSELL ST PT LOTS 7 AND 8;N
GLENELG ST AND RP 57R10037;PARTS 1 3 5 7 AND 9

PIN: 63228-0059

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The church was constructed in Arts and Crafts style with Gothic overtures, which was common in the 19th century for Canadian churches. The church features a tower with a gable on each of the four sides and the spire which is topped with a finial. The bell tower in conjunction with the spire rises 130 feet above ground level. Pointed arched windows and entranceways continue to contribute to the Gothic influences of the church's style. Facing the sanctuary, there are five memorial stained glass windows situated on the west side as well as three on the south side (the reredos) and six on the east side. A triptych stained glass window (three windows designed to illustrate one subject) is located on the north exposure. All stained glass windows contain a significant bible verse and a dedication panel. These windows all contribute to the church's beauty. The building and the tower are both supported by a number of buttresses that are in an early Gothic style.

Historical Significance:

Well-known Lindsay citizen Adam Huspeth donated the land to build the church when it became evident that a new building and site was needed for the growing congregation of St. Paul's Anglican Church. The cornerstone was laid on Dominion Day (July, 1st) 1885 and opening services were held on November 15, 1885. The designers of the church were Stewart and Denison of Toronto, and the contractors were McNeely and Walters of Lindsay.

ATTRIBUTES TO BE CONSERVED:

Exterior:

- Bell tower featuring Gothic gable along its four sides
- Gothic Spire
- Decorative iron finials

- Carved limestone decoration throughout the building's exterior
- Gothic lancet pointed arched windows along the church's front façade
- Pointed arched entranceway
- Three paneled double doors in vaulted Gothic style
- Triplet window on the front façade
- Small rose windows
- Quatrefoil windows near the church's roof
- Original hammer beam vaulted ceiling
- Quatrefoil post and beam wooden arches
- Gothic wooden pews

Interior:

- Triptych stain glassed Atonement Windows on the north side of the church
- 5 stain glassed windows on the west side of the church and 6 stain glassed windows on the east side of the church
- Three stain glassed Sanctuary Windows featuring *The Good Sheppard*, *Saint John* and *Saint Paul*