

# The Corporation of the City of Kawartha Lakes

## By-Law 2018-170

### **A By-Law to Repeal and Replace By-Law 1984-34, Being a By-Law to designate 29 Russell Street East, 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 29 Russell Street East, 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 2018-170.**

#### **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 29 Russell Street East, 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 1984-34 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 2018-170**

Being a By-law to designate 29 Russell Street East, Lindsay, City of Kawartha Lakes, as being of cultural heritage value and interest.

### **Description of Property**

St. Mary's Catholic Church is a large red brick church situated on the south east corner of Russell Street East and St. Lawrence Street.

Legal Description:

PL 1 LTS 7 TO 10 S OF RUSSEL;LTS 3 & 4 E ST LAWRENCE LTS;3 & 4 W HURON PT LTS 7 TO 10;N GLENELG E AM140

PIN: 63229-0178

### **REASON FOR DESIGNATION**

Architectural Design or Physical Value:

The defining feature of the church is the cross and spire which were erected on top of the church's Gothic bell tower in 1890. Renovations to the church took place in 1894 in order to expand the church. The building has now become a landmark within Lindsay. The red bricks that were originally used to construct the church were manufactured by Patrick Curtain in Lindsay. However these were painted and then painstakingly replaced with current red brickwork. This Church is a fine example of Gothic architecture from this time. Although the stunning interior has Gothic overtones, it reflects the Arts and Crafts influence of William Morrison, the father of the Arts and Crafts movement of England. Two stained glass windows were installed in 1902 and remain in their original form visible from inside the church on either side of the sanctuary. In 1913 a pipe organ with Gothic wood paneling was installed and remains in the church. The central altar depicts the Last Supper. This matches the donated alters which frame either side of the main altar.

Historical Significance:

As the oldest church in Lindsay, St. Mary's Catholic Church is an important landmark. The land where the church currently sits was given to the church in 1854. Originally designed by Charles McCarthy, the church did not have a convent until 1858. The original church structure is still attached to the south side of the building. Over the years the striking interior of the church has been painstakingly cared for and restored.

**ATTRIBUTES TO BE CONSERVED:**

- The red brick cladding, stone, wood and metal trim
- Pointed arched glass windows with decorative wood trimming with arched stone lintels adorning the front façade of the church

- Pointed arched front entrances that are accompanied by wood paneled doors and a similar window motif as other façade windows
- Bell tower which features three bells constructed in 1894
- Cross and spire
- Additional spires are present on either side of the bell tower
- Stained glass windows
- Interior wall and ceiling panels, frescos and decorative borders
- Original Gothic style church pews
- Central Gothic style altar and built-in shrines