

The Corporation of the City of Kawartha Lakes

By-Law 2021-103

A By-law to Designate 398 County Road 41, Geographic Township of Bexley in the City of Kawartha Lakes

A By-law to designate 398 County Road 41 (Bexley Methodist Church), Geographic Township of Bexley 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 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.
2. A Notice of Intention to Designate 398 County Road 41, Geographic Township of Bexley 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. Council has consulted with its Municipal Heritage Committee.
5. 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 2021-103.

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

2.01 398 County Road 41, Geographic Township of Bexley 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

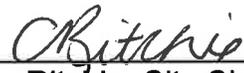
4.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.

4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 10 day of August, 2021.



Andy Letham, Mayor



Cathie Ritchie, City Clerk

Schedule A to By-law 2021-103

Being a By-law to designate 398 County Road 41, Geographic Township of Bexley in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

398 County Road 41, Geographic Township of Bexley

Section 2: Location of Property

Located at the southeast corner of the intersection of County Road 41 and North Mountain Road

Section 3: Legal Description and PIN

PT LT 9 CON 4 BEXLEY AS IN R309158; KAWARTHA LAKES

PIN: 63115-0101

Section 4: Statement of Reasons for Designation

398 County Road 41, also known as Bexley Methodist Church, has cultural heritage value as a representative example of a late nineteenth century Methodist church in Bexley Township. Constructed in 1884, the church is built in a simplified version of the Gothic Revival style, which was typical for rural Methodist churches from the second half of the nineteenth century. The church is built on a rectangular plan with a front entrance porch, wooden siding, a gable roof, and lancet windows with tracery which is representative of churches of this type. The church has historical value in that it yields information regarding the role of religion, and Methodism specifically, in Bexley Township in the late nineteenth century and the demographic settlement patterns of this area of the former Victoria County where Methodism was the largest denomination in the nineteenth century. The church has contextual value as part of the hamlet of Bexley. It contributes to the historic character of the rural hamlet which is comprised primarily of a collection of nineteenth century buildings centred on the intersection of County Road 41 and North Mountain Road. The church is also a local landmark, due to its prominent location at the centre of the hamlet and the only church building in the community.

Section 5: 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 properties make it a representative example of rural Methodist Church constructed in the late nineteenth century.

- Gable roof
- Wooden construction
- Rubble stone foundation
- Dutch lap siding
- Fenestration including:
 - Large lancet windows with tracery
 - Original glass
- Entrance porch including:
 - Doors
 - Gable roof

Historical and Associative Features

The historical features of the property yield information on the role of Methodism in Bexley Township in the late nineteenth century and the settlement patterns in the region.

- Relationship to Methodist church construction in the nineteenth century
- Relationship with early Bexley settlers

Contextual Features

The contextual features of the property identify it as a local landmark and as a character-defining feature of the hamlet of Bexley.

- Location in the hamlet of Bexley
- Views to and from the church along County Road 41 and North Mountain Road

Section 6: Areas of Cultural Heritage Value or Interest

The cultural heritage value or interest for this property comes from the nineteenth century church located on the northwest corner of the property. All of the heritage attributes of the property, with the exception of the identified views, are associated with this section of the property. The modern garage and addition are not included as heritage attributes of this property.