

The Corporation of the City of Kawartha Lakes

By-Law 2018-____

A By-law to Designate 15 Cluxton Street, Kinmount, 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 15 Cluxton Street, Kinmount, 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-__.

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 15 Cluxton Street, Kinmount, City of Kawartha Lakes, otherwise known as the Kinmount United Church, 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

By-law read a first, second and third time, and finally passed, this 17 day of July, 2018.

Schedule A to By-law 2018 –

Being a By-law to designate 15 Cluxton Street, Kinmount, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

15 Cluxton Street, Kinmount, City of Kawartha Lakes

Legal Description:

PT LT 3 N/S CLUXTON ST PL 105 PT 2, 57R8981; KAWARTHA LAKES

PIN: 63120-0484 (LT)

REASON FOR DESIGNATION

Architectural Design or Physical Value:

The building was constructed by volunteers using a balloon framing technique with materials from the local sawmill. The stone foundation was laid in place in 1866 and the beam and wood flooring were installed in 1867. The bell tower and church bell were donated by Mr. John Hunter (considered to be the founder of Kinmount) in 1907 and the stained glass windows were donated circa 1923. The interior wall finishing includes unique wainscoting and the metal ceiling is reportedly preserved under the current acoustic-tile drop ceiling. Original pendant globe light fixtures are still in place.

Historical Significance:

The building was constructed as a Presbyterian Church of Scotland (circa 1867). Prior to construction of the church, religious services were held in private homes. Until the early 1880's the Anglicans, Methodists and Baptists also made use of the church for their services. In addition the church served as the first school in Kinmount. Over the years the church was also used for concerts, political debates, community meetings and council meetings. The building is the oldest publicly used building and the first place of worship in the community. The church continues to operate as an important place of religious practice and community participation in Kinmount.

Contextual Value:

The building is located at the top of East Hill and is considered a landmark to many in the community.

Attributes To Be Conserved:

- The building structure and façade including pitched roof structure, bell tower and front entrance
- Original stone foundations and foundation walls
- Original supporting beam
- Some interior components including the original wood floors, wainscoting, stained glass windows, and original metal ceiling.