

The Corporation of the City of Kawartha Lakes

By-Law 2018-____

A By-Law to Repeal and Replace By-Law 2001-172 Being a By-Law to designate 15 Lindsay Street, Fenelon Falls 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 15 Lindsay Street, Fenelon Falls 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 Lindsay Street, Fenelon Falls, 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 2001-172 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 –

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

Description of Property

This old stone building is currently being operated as RWH Construction. The building is located south of the river which connects Lakes Sturgeon and Cameron, west of Clifton St., east of the Lindsay St. Bridge and south to the old Lindsay Light, Heat and Power Co. generating station.

Legal Description:

100 PT LOT 170 RP;57R8553 PARTS 1 TO 4

PIN# 63152-0107

REASON FOR DESIGNATION

Architectural Design or Physical Value:

This building has physical attributes which are noteworthy and worthy of preservation. It is the oldest stone house in the village of Fenelon Falls constructed of sedimentary limestone. The property's interior features a beautiful wooden staircase. The outer string of the staircase features a simplistic wave design with carefully preserved balusters, newel post, banister, and tread.

Historical Significance:

Constructed in 1860, this is the oldest stone building in the village of Fenelon Falls. It was built by R. C. Smith, who was influential in the Fenelon Falls community in the 1800's. The building was purchased in 1892 to serve as the office for Lindsay Light, Heat, and Power Co., the company that generated electricity at the waterside adjacent to the property. The building was the purchased in 1939 by Ontario Hydro for area office.

ATTRIBUTES TO BE CONSERVED:

- Original interior wooden staircase
- Original exterior sedimentary stone walls