

The Corporation of the City of Kawartha Lakes

By-Law 2018-____

A By-Law to Repeal and Replace By-Law 1993-12, Being a By-Law to designate 119 Irene Avenue, Sturgeon Point, 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 119 Irene Avenue, Sturgeon Point, 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

- 2.01 119 Irene Avenue, Sturgeon Point, 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 1993-12 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 119 Irene Avenue, Sturgeon Point, City of Kawartha Lakes, as being of cultural heritage value and interest.

Description of Property

The heavily wooded Sturgeon Point Union Church is located on the south west corner where Irene Avenue and 6th Street intersect.

Legal Description:

PLAN 73 LOT 3 PLAN 91 LOT 6;RP 57R9673 PART 1

PIN: 63145-0178

REASON FOR DESIGNATION

Architectural Design or Physical Value:

As one of the few octagonal structures in the City of Kawartha Lakes, the building is a unique architectural gem. The building is a unique post and beam structure with Georgia pine throughout the building and feature windows on seven sides. A central pillar supports the building's structure with secondary beams radiating upwards from this pillar to support the monumental octagonal sloping roof with a curved upper peak. A belfry tops the building and houses a bell that continues to be rung each Sunday for service.

Historical Significance:

Well recognized for its unique octagonal architecture, the Sturgeon Point Union Church was constructed in 1915. The funding to build the church came from the Flavelle family who were well known in Sturgeon Point and Lindsay both in business and social circles. The Flavells would often cottage at "the Point" with descendants still occupying one of the area's original family cottages. This unique wooden church replaced an earlier church that had been built on this site in 1888.

Contextual Value:

This independent church has been and continues to be a place of worship and special celebrations for the Sturgeon Point community for over 100 years, welcoming worshipers from all creeds.

ATTRIBUTES TO BE CONSERVED:

Exterior:

- Sets of 8 paned windows and two sets of double doors that provide natural light into the church
- Seven of the eight sides of the roof that feature two gabled dormers
- The cedar shake clad roof and Italianate belfry at the center of the octagonal structure
- Two right angle triangle beams are crossed to support the overhand of the eaves
- The Gothic style door knocker

Interior:

- Central pillar with secondary beams branching upwards to support beams along the ceiling
- The use of Georgian pine throughout the inside of the building
- Interior octagonal wood ceiling