

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2021-XXX**

### **A By-law to Designate 28 Boyd Street, Bobcaygeon in the City of Kawartha Lakes**

A By-law to designate 28 Boyd Street (Edgewood Dry Stone Wall), Bobcaygeon 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 28 Boyd Street, Bobcaygeon described further in Schedules A and B, 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-XXX.**

#### **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** 28 Boyd Street, Bobcaygeon is designated as being of cultural heritage value, as described further in Schedules A and B. 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 Schedules A and B 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 [redacted] day of [redacted], 2021.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A to By-law 2020-XXX**

Being a By-law to designate 28 Boyd Street, Bobcaygeon in the City of Kawartha Lakes as being of cultural heritage value or interest.

### **Section 1: Description of Property**

28 Boyd Street, Bobcaygeon

### **Section 2: Location of Property**

Located at the intersection of Boyd Street and County Road 36 in the Village of Bobcaygeon, City of Kawartha Lakes

### **Section 3: Legal Description and PIN**

LT 2 N/S SOUTH ST AKA BOYD ST PL 70; LT 3 N/S SOUTH ST AKA BOYD ST PL 70; LT 4 N/S SOUTH ST AKA BOYD ST PL 70; LT 5 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 1 N/S SOUTH ST AKA BOYD ST PL 70; PT LT 6 N/S SOUTH ST AKA BOYD ST PL 70 AS IN R426933; CITY OF KAWARTHA LAKES

PIN: 63129-0226

### **Section 4: Statement of Reasons for Designation**

28 Boyd Street has cultural heritage value as an excellent and unique example of a late nineteenth century dry stone wall. From an architectural and design standpoint, dry stone wall construction, which has been identified by UNESCO as intangible cultural heritage of global value, was used in some areas of Kawartha Lakes to construct farm and retaining walls in the late nineteenth century and the wall at 28 Boyd Street is an excellent, well-known example that still survives in a significant form. It demonstrates a high degree of technical merit through its successful use of this construction method. Historically, the wall, which was constructed around 1890 for W.T.C. Boyd, the son of lumber baron Mossom Boyd, as part of the landscaping of his Edgewood estate which once stood on this location, yields information about the Boyds and their influence on the key economic sectors in the village. It has direct historical associations with the Boyd family, specifically W.T.C. Boyd, who was a significant figure in late nineteenth and early twentieth century Bobcaygeon for his role in the Boyd family's various commercial ventures. It also yields information regarding the evolution of landscape design, particularly with regard to estates for wealthy business people, in Canada during this period which often emphasized local landscape elements and the picturesque. Contextually, it is a landmark in Bobcaygeon and is recognized throughout the community as an important historic structure.

### **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 property all demonstrate the high degree of technical achievement in the construction of the drystone wall on this property and its role as a unique and important construction type as recognized by UNESCO.

- Nineteenth-century dry stone wall
- Dry stone construction
- Double wall construction
- Limestone exterior walls
- Cope stones
- Interior hearting

## Historical and Associative Features

The historical features of this property yield information on its relationship to the Boyd family and wider trends in landscape design.

- Relationship of the wall to the Edgewood/Case Manor property

## Contextual Features

The contextual features of this property identify the property as a local landmark.

- Views to and from the wall along Boyd Street and from County Road 36

The modern long term care facility on this property and its associated features are not included as part of the heritage attributes of the property.

28 Boyd St.

