

# The Corporation of the City of Kawartha Lakes

## By-Law 2021-XXX

### A By-law to Designate 1480 Highway 7A, Geographic Township of Manvers in the City of Kawartha Lakes

A By-law to designate 1480 Highway 7A in the Geographic Township of Manvers 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 1480 Highway 7A, Geographic Township of Manvers 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-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** 1480 Highway 7A, Geographic Township of Manvers 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 thirty (30) days after the publication of the notice of designation in a newspaper with general circulation in the municipality.

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

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A to By-law 2021-XXX**

Being a By-law to designate 1480 Highway 7A, Geographic Township of Manvers in the City of Kawartha Lakes as being of cultural heritage value or interest.

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

1480 Highway 7A, Geographic Township of Manvers

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

Located in the village of Bethany on the south side of Highway 7A

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

PT LT 3 S/S KING ST AND E/S JOHN ST AND N/S QUEEN ST PL 5 MANVERS AS IN MV81929; S/T INTEREST IN MV81929; KAWARTHA LAKES

PIN: 63266-0326

### **Section 4: Location of Heritage Features**

The primary heritage feature of the property, the former post office building, is located in approximately the centre of the lot facing Highway 7A.

### **Section 5: Statement of Reasons for Designation**

#### **Design and Physical Value**

1480 Highway 7A has design and physical value as a late nineteenth century vernacular commercial building and the former post office in Bethany. Constructed in 1875, the building has architectural value as a representative and rare example of a surviving false façade vernacular commercial structure in Kawartha Lakes. The building is one of three false façade buildings in Bethany and one of only a few commercial buildings in the village to have survived the 1911 fire which destroyed much of the community's commercial core. The false façade covers a one storey gable front building. The property also shows a high degree of craftsmanship in its Queen Anne-style front porch, a later addition, which includes turned columns and ornate spindlework.

#### **Historical and Associative Value**

1480 Highway 7A has historical and associative value in its former roles as both a grain office for the Midland Railway and as the former Bethany Post office. The building was first constructed as a grain office for the railway, which was a key economic driver in mid-nineteenth century Bethany and the subject property yields information about the role of the railway in the growth of the community. It was converted into a post office in 1938 and, in that role, was an important community and communications hub for Bethany and the surrounding rural area. In its role as the post office, it yields information regarding the history of communications in the community.

#### **Contextual Value**

1480 Highway 7A has contextual value as part of the historic commercial core of

downtown Bethany. The property helps maintain the small town commercial character of this area of Highway 7A and helps to differentiate the main street of the community from the surrounding residential areas of the village and the rural agricultural landscape of Manvers Township. It is historically linked to other historic commercial properties on the main street through its usage. It is also a well-known local landmark which is recognized both in the community and outside of it.

## **Section 6: 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 Value**

The architectural features of this property exemplify it as a representative and rare example of a false façade commercial building in downtown Bethany and provide information on its evolution from grain office to post office from the nineteenth to twentieth centuries.

- One and a half storey construction
- Gable roof
- Fenestration including:
  - Picture window
- Offset entrance
- False façade
- Front porch including:
  - Turned columns
  - Spindlework
  - Brackets
  - Cut woodwork
- Interior wall and ceiling cladding

### **Historical and Associative Value**

The historical feature of the property yield information on the development of Bethany including the role of the railway in the growth of the village and the importance of the post office in rural communities.

- Former use as grain office and post office
- Association with the Midland Railway and railway history of Bethany
- Association with MPP Josiah Preston
- Mailboxes

### **Contextual Value**

The contextual features of the property maintain and support the commercial character of the main street of Bethany (Highway 7A) and reinforce the status of this property as a local landmark.

- Relationship to the surrounding historic commercial core of Bethany
- Status as a local landmark
- Views to and from the property along Highway 7A and Ski Hill Road