



## Municipal Heritage Committee Report

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**Report Number:** KLMHC2022-012

**Meeting Date:** February 3, 2022

**Title:** **Repeal and Replacement of Designating By-law – 50 Victoria Avenue North, Lindsay**

**Description:** Proposed repeal and replacement of the by-law designating 50 Victoria Avenue North, Lindsay under Part IV of the Ontario Heritage Act

**Author and Title:** Emily Turner, Economic Development Officer – Heritage Planning

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### Recommendation:

**That** Report KLMHC2022-012, **Repeal and Replacement of Designating By-law – 50 Victoria Avenue North, Lindsay**, be received; and

**That** Town of Lindsay By-law 2000-68 be repealed and replaced with the by-law attached as Appendix B to this report;

**That** this recommendation be forwarded to Council for approval.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

**Background:**

50 Victoria Avenue North in Lindsay is designated under Part IV of the Ontario Heritage Act by Town of Lindsay By-law 2000-68. This by-law predates amalgamation and the creation of the City of Kawartha Lakes. It is attached to this report as Appendix A. The property is designated because it contains the former Victoria County Jail, which has now been converted into the Old Gaol Museum and is run by the Victoria County Historical Society. The building is owned by the City of Kawartha Lakes.

In 2021, the demolition of the courtyard walls at 50 Victoria Avenue North was reviewed and approved by Council. At its meeting of August 10, 2021, Council adopted the following resolution:

**CR2021-366**

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

**That** Report ED2021-023, **Demolition of Courtyard Walls - 50 Victoria Avenue North, Lindsay**, be received;

**That** the demolition of the courtyard walls be approved;

**That** components of the wall be retained for historical recognition; and

**That** staff be directed to present a recommendation regarding the amendment of the designating by-law for the property by the end of Q1, 2022.

**Carried**

As part of the motion approving the demolition, staff were directed to prepare and present a recommendation regarding the amendment of the designating by-law. Staff are of the opinion that the by-law should be repealed and replaced in order to reflect the current condition of the property and to bring the by-law into compliance with the current requirements under the Ontario Heritage Act.

Prior to Council receiving the recommendation from staff and a new by-law for the property, a recommendation is required from the Municipal Heritage Committee. Staff have prepared a new by-law for the property for review. The new by-law is attached as Appendix B to this report.

## **Rationale:**

The amendments to the Ontario Heritage Act require councils to consider the amendment or repeal of a designating by-law when a full or partial demolition is approved. Specifically, this allows heritage attributes which are no longer extant to be removed from the by-law or for the designation to be repealed if the demolition renders the property without cultural heritage value. In the case of 50 Victoria Avenue North, the original designating by-law was created both prior to amalgamation and prior to the creation of criteria for designation and standards for designation by-laws which required them to include both a statement of significance and a list of heritage attributes. As a result, the existing by-law is inadequate to properly identify what makes the property significant and the approved demolition of the courtyard walls provide an opportunity to revisit the by-law to ensure it is accurate and conforms to current standards.

Staff are proposing to repeal and replace the by-law as opposed to amending it. The reason for this recommendation is because the original by-law was passed by the former Town of Lindsay and no longer reflects the by-law format used by the City of Kawartha Lakes. The adoption of a new by-law will allow for a clean by-law to be registered on title and guide the future development of the property. An updated City of Kawartha Lakes by-law, as opposed to a Town of Lindsay by-law, will also make any future amendments of the by-law easier.

## **Other Alternatives Considered:**

There are no recommended alternatives.

## **Financial/Operation Impacts:**

There are costs associated with the public notices for the adoption of the new by-law and its registration on title for the property. These are covered by the existing Heritage Planning budget.

As the building is City-owned, this by-law will help guide the future preservation and development of this site. It has been reviewed by the Manager of Building and Property who is responsible for this property.

## **Consultations:**

Manager, Building and Property

## **Attachments:**

### Appendix A – By-law 2000-68



Town-of-Lindsay-200  
0-068.pdf

### Appendix B – Proposed New By-law (50 Victoria Avenue North)



2022-XXX Designate  
50 Victoria Avenue North

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**Department Head:** Richard Holy, Director of Development Services