

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

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

### **A By-law to Repeal and Replace Town of Lindsay By-law 2000-068, Designating 50 Victoria Avenue North, Town of Lindsay in the City of Kawartha Lakes**

A By-law to repeal and replace Town of Lindsay By-law 2000-068 which designates 50 Victoria Avenue North in the Town of Lindsay 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 31 of the Ontario Heritage Act, R.S.O. 1990, provides that the Council of a municipality may repeal a by-law passed under Section 29 of the Act designating a property within the boundaries of the municipality at Council's initiative.
2. A Notice of Intention to Repeal By-law 2000-068 designating 50 Victoria Avenue North, Town of Lindsay has been given in accordance with Section 31 of the Ontario Heritage Act.
3. No objection to the proposed repeal of the designating by-law has been served on the Clerk of the City.
4. 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.
5. A Notice of Intention to Designate 50 Victoria Avenue North, Town of Lindsay described further in Schedule A, has been given in accordance with Section 29 of the Ontario Heritage Act.
6. No objection to the proposed designation has been served on the Clerk of the City.
7. Council has consulted with its Municipal Heritage Committee.
8. 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 2022-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** 50 Victoria Avenue North, Town of Lindsay is designated as being of cultural heritage value, as described further in Schedule A. This designation shall not preclude alterations to 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 intention to designate in a newspaper with general circulation in the municipality.

### **Section 5.00: Repeals**

- 5.01 **Repeal**: By-law 2000-068 is repealed.

By-law read a first, second and third time, and finally passed, this XXX day of XXX, 2022.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A to By-law 2022-XXX**

Being a By-law to repeal and replace By-law 2000-068, designating 50 Victoria Avenue North, Town of Lindsay in the City of Kawartha Lakes as being of cultural heritage value or interest.

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

50 Victoria Avenue North, Lindsay

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

Located on the southeast corner of the intersection of Victoria Avenue North and Colborne Street West.

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

LT 11 N/S FRANCIS ST, 12 N/S FRANCIS ST, 13 N/S FRANCIS ST PL TOWN PLOT; KAWARTHA LAKES

PIN: 63221-0150

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

The primary heritage feature of the property is the former nineteenth century jail building which is located on the west side of the property facing Victoria Avenue North.

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

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

50 Victoria Avenue North has design and physical value as an excellent and representative example of a mid-nineteenth century jail constructed in the Romanesque Revival style. This style, which was widely used in public buildings, including correctional facilities, across North America in the mid- to late-nineteenth century, is characterized by its use of heavy masonry including rough faced stone, rounded arches, deep window and door openings, compact and block plans, and a massive and imposing appearance. The former jail includes many of these key features, including its bands of large round arched windows on the west elevation and recessed central entrance. The property is representative of the use of this style in correctional facilities in Ontario in the mid-nineteenth century. It is also unique as the primary correctional facility in the former Victoria County and the largest historic jail in the municipality.

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

50 Victoria Avenue North has historical and associated value as the former Victoria County jail. Constructed in 1863, the building was designed by noted Toronto architecture William G. Storm whose firm, Cumberland and Storm, was one of the most prominent architectural firms in nineteenth century Ontario and designed a significant number of institutional buildings, including jails, throughout the province. The building was constructed when Victoria County separated from Peterborough County to become its own municipality and the new jail was

intended to bring the judicial centre of the county into Lindsay, as opposed to Peterborough. The building served continuously as a correctional facility until 2003 with the construction of the Central East Correctional Facility. It yields information regarding the history of criminal justice and incarceration in both the former Town of Lindsay and Victoria County as well as the role of Lindsay more broadly as a regional administrative centre beginning in the mid-nineteenth century.

### **Contextual Value**

50 Victoria Avenue North has contextual value as a local landmark. The jail is known and recognized throughout the community as the former provincial jail. It is situated at a prominent location at the intersection of Victoria Avenue North and Colborne Street West. The property is historically and visually linked to its surroundings on the block which contain the former Victoria County Courthouse, now used as the City of Kawartha Lakes City Hall, and the former Land Registry Office. These three buildings formed a key administrative and legal centre in the former Victoria County and retain their visual coherence through their historic architectural forms and continued use as important community institutions.

### **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 Features**

The architectural features of this property are demonstrative of the Romanesque Revival style used in the building and its role as a representative example of a Romanesque Revival correctional facility.

- Three-storey stone construction
- Cut stone construction with rough facing
- Symmetrical massing
- Projecting front bays
- Hipped and gable roofs
- Stone chimneys
- Parapet walls
- Quoins
- Stone coursing
- Cornice
- Fenestration including:
  - Round headed windows
  - Square headed windows
  - Grouped windows on the west elevation

- Voussoirs
  - Lintels
  - Lug sills
  - Quoins
  - Grills
  - Deeply set sash windows
- Central entrance including:
  - Ashlar surround
  - Rounded arch
  - Moulded impost
  - Stairs
  - Wooden door with diagonal boards, handle, windows and hinges

### **Historical and Associative Features**

The historical features of the property relate to its historical role as the Victoria County jail and yield information on the history of justice and incarceration in the region.

- Former use as a jail
- Association with the foundation of the County of Victoria
- Association with the criminal justice system
- Relationship to the former Victoria County Courthouse and Land Registry Office

### **Contextual Features**

The contextual features of the property identify it as a local landmark and establish its relationship to the other historic buildings in the City Hall precinct.

- Views to and from the jail along Victoria Avenue North, Colborne Street West, and Francis Street
- Contextual relationship to the former Victoria County Courthouse and Land Registry Office