

The Corporation of the City of Kawartha Lakes

By-Law 2022-XXX

A By-law to Designate 15 Dodd Street, Village of Fenelon Falls in the City of Kawartha Lakes

A By-law to designate 15 Dodd Street in the Village of Fenelon Falls 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 15 Dodd Street, Village of Fenelon Falls 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 15 Dodd Street, Village of Fenelon Falls 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 on the date it is finally passed.

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

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2022-XXX

Being a By-law to designate 15 Dodd Street, Village of Fenelon Falls in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

15 Dodd Street, Village of Fenelon Falls

Section 2: Location of Property

Located on the south side of Dodd Street and north of Louisa Street.

Section 3: Legal Description and PIN

PT LT 13 N/S LOUISA ST PL 17 FENELON PT 1, 57R2322

PIN: 63157-0338 (LT)

Section 4: Location of Heritage Features

The primary heritage feature of the property, the house, is located on the north side of the property facing Dodd Street.

Section 5: Statement of Reasons for Designation

Design and Physical Value

The property is a representative example of a Regency-style cottage in Fenelon Falls. Constructed around 1873 as a private residence, the house displays the key architectural characteristics of this style which was at the height of its popularity in Ontario in the early nineteenth century but remained a well-used residential style until the end of the century. These features include its hipped roof, square plan, one-storey elevation, central entrances on both the front and rear of the building, and the French doors on the rear of the house. It is also one of only a few examples of this style in the community as it was not used as extensively in Kawartha Lakes as in other parts of the province.

Historical and Associative Value

15 Dodd Street has historical and associative value as a former cottage hospital which operated in Fenelon Falls beginning around 1895 and in its association with prominent local doctor Archibald Wilson. The property was originally constructed as a residential dwelling but was rented by Wilson from its owner to use as a subscription-based hospital catering primarily to men working in the village from out of town. It yields information on the development of medical care in small town Ontario in the late nineteenth century. Wilson himself was also a prominent and well-known local doctor with a large and respected practice in the village and involvement in a wide range of community organizations.

Contextual Value

15 Dodd Street has contextual value as a contributing property to Dodd Street and the surrounding neighbourhood which can be identified as a mature residential neighbourhood which has evolved organically from the nineteenth century. The area in which 15 Dodd Street is located is comprised of single

family residential properties of approximately one to two storeys on mid-sized lots which range in age from Victorian to modern. 15 Dodd Street fits within this pattern of development and helps contribute to the overall character and feel of the neighbourhood.

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 Attributes

The following attributes support the value of the house as a representative example of a late nineteenth-century Regency cottage in Fenelon Falls.

- One-storey construction
- Centre hall plan
- Hipped roof
- Central front entrance including:
 - Sidelights
 - Fanlight transom
 - Surround
- Rubble stone chimney
- Rear central entrance including:
 - Sidelights
 - Transom
 - Surround
- French doors
- Flooring
- Decorative registers

Historical and Associative Attributes

The historical and associative attributes support the value of the property as a cottage hospital in late nineteenth century Fenelon Falls.

- Use as a cottage hospital
- Relationship to Dr. Archibald Wilson and local medical practice

Contextual Attributes

The contextual attributes support the value of the property as a contributing feature to the mature residential neighbourhood in which it is located.

- Location of the house on a mid-sized landscaped lot
- Views of the property to and from Dodd Street