

The Corporation of the City of Kawartha Lakes

By-Law 2023-XXX

A By-law to Designate 65 Sussex Street North, Town of Lindsay in the City of Kawartha Lakes

A By-law to designate 65 Sussex Street 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 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 65 Sussex Street North, Town of Lindsay described further in Schedule A, has been given in accordance with Section 29 of the Ontario Heritage Act.
3. Objections received to the proposed designation have been received and reviewed by Council.
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 2023-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 65 Sussex Street North, Town of Lindsay 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, 2023.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2023-XXX

Being a By-law to designate 65 Sussex Street North, Town of Lindsay in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

65 Sussex Street North, Town of Lindsay

Section 2: Location of Property

Located on the west side of Sussex Street North between Francis Street and Colborne Street West.

Section 3: Legal Description

PT LT 4 PL 148 AS IN TL31034 EXCEPT R304408; PT LT 17 N/S FRANCIS ST, 18 N/S FRANCIS ST, 19 N/S FRANCIS ST PL TOWN PLOT AS IN TL2915 EXCEPT R304408; KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage feature of the property is the early twentieth century school which is located on the east side of the lot.

Section 5: Statement of Reasons for Designation

Design and Physical Value

65 Sussex Street North has cultural heritage value as a representative example of Beaux-Arts educational architecture in Lindsay. The building, which was constructed between 1910 and 1911 as a replacement for the older north ward public school, demonstrates the key characteristics of Beaux-Arts educational design as executed in urban areas, including symmetrical massing with a central hall, large banks of windows on upper and lower storeys, heavy cornices and Classical design elements. The school is particularly notable for its Classical entrance surround with oversized Corinthian columns and highly formalized symmetry which is unique amongst early twentieth century schools in Lindsay. The school is also demonstrative of trends in educational architecture which developed and matured in the late nineteenth and early twentieth century emphasizing new ideas regarding hygiene, ventilation, and safety incorporated into school design.

Historical and Associative Value

65 Sussex Street North has historical and associative value in its role as a local public school. Opening in 1911, the school was constructed as part of a general upgrade of educational facilities in Lindsay in the early twentieth century as part of an expansion of the education system and growth in public school pupils. It yields information regarding the development of education in Lindsay throughout the twentieth century. The building is also believed to reflect the work of Toronto-area architect James Ellis who designed and executed a substantial number of educational facilities in the Beaux-Arts throughout the late nineteenth and early twentieth century, including in central and eastern Ontario.

Contextual Value

65 Sussex Street North has cultural heritage value as part of the historic landscape of the northern part of Lindsay which includes a substantial collection of architecture dating from the late nineteenth and early twentieth century. The majority of the architecture in this area is residential and the school is the primary institutional feature in the area, supporting its character as a residential area of the community. The property is also a local landmark as a longstanding public school in the north ward of Lindsay.

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 design and physical attributes support the value of the property as an representative example of an early twentieth century Beaux-Arts school in Lindsay.

- Two-storey red brick construction
- T-shaped plan
- Symmetrical massing
- Projecting front bay including:
 - Central entrance with double doors
 - Rounded transom
 - Oriel window
 - Corinthian columns
 - Raised brickwork
 - Quoins
- Flat roof
- Chimney
- Parapet
- Cornice and entablature
- Coursing
- Rusticated foundation
- Quoins
- Fenestration including:
 - Banks of classroom windows
 - Rounded windows
 - Basement windows
 - Radiating polychromatic voussoirs
 - Lintels
 - Lugsills
- Entrances including:
 - Double doors

- Rounded transoms
 - Overhangs
 - Brackets
- Polychromatic decorative elements

Historical and Associative Attributes

The historical and associative attributes support the historical value of the property as a local public school which has remained in operation since the early twentieth century.

- Association with the history of education in Lindsay

Contextual Attributes

The contextual attributes of the property support the value of the property a local landmark and contributing feature to the historic suburban landscape of Lindsay's historic North Ward.

- Location on Sussex Street North between Colborne Street West and Francis Street
- Orientation towards Sussex Street North
- Views of the property from Sussex Street North, Colborne Street West and Francis Street
- Views of the surrounding historic properties from the school and grounds