

The Corporation of the City of Kawartha Lakes

By-Law 2023-XXX

A By-law to Designate 11 John Street, Town of Lindsay in the City of Kawartha Lakes

A By-law to designate 11 John Street 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 11 John Street, 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 11 John Street, 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 21st day of November, 2023.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2023-XXX

Being a By-law to designate 11 John Street, Town of Lindsay in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

11 John Street, Town of Lindsay

Section 2: Location of Property

Located on the south side of John Street between St. Paul Street and St. Patrick Street.

Section 3: Legal Description

LT 1 S/S JOHN ST, 2 S/S JOHN ST PL 26; LT 1-6 PL 59; PT LT 1 E/S ST. PAUL ST, 2 E/S ST. PAUL ST, 3 E/S ST. PAUL ST PL 26; PT LT 11 N/S QUEEN ST, 12 N/S QUEEN ST, 13 N/S QUEEN ST, 14 N/S QUEEN ST, 15 N/S QUEEN ST, 16 N/S QUEEN ST, 17 N/S QUEEN ST, 18 N/S QUEEN ST PL 15P PT 1 TO 3 57R3934; CITY OF KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage feature of the property is the late nineteenth century school which is located on the north side of the lot.

Section 5: Statement of Reasons for Designation

Design and Physical Value

11 John Street, also known as Queen Victoria Public School, has cultural heritage value as Lindsay's oldest operating school building. The building, which was constructed 1893 as a replacement for an older public school building serving the East Ward of Lindsay, demonstrates the transition occurring the late nineteenth century from Victorian to Beaux-Arts architecture in school buildings. The original section of the school includes features such as its jerkinhead roof, large sash windows with concrete lug sills, and brick coursing and cornices which show the shift from Victorian to Beaux Arts through an increased use of Classically-inspired design elements and massing. The building, when it was originally constructed, also contained a Smead-Dowd heating and ventilation system which was developed around the same period as the school was constructed and was, at the time, the premier system for heating and ventilation in public buildings. The system demonstrates the technical achievements in heating and ventilation systems occurring in the late nineteenth century and is the earliest known use of this system in Lindsay.

Historical and Associative Value

11 John Street has historical and associative value in its role as a local public school serving the historic East Ward of Lindsay. Opening in early 1894, the school was constructed as the first new elementary school forming part of a general upgrade of education facilities in Lindsay that began in the late nineteenth century and continued into the early twentieth century related to the expansion of the education system and growth in public school pupils. It yields

information regarding the development of education in Lindsay throughout the late nineteenth and early twentieth century in Lindsay as a long-standing public elementary school in the community, serving the suburban East Ward of the town.

Contextual Value

11 John Street has cultural heritage value as part of the historic landscape of Lindsay's historic East Ward which includes a substantial collection of late nineteenth and early twentieth century architecture. The area is primarily residential and the school contributes to its suburban character as the neighbourhood school which was constructed at around the same time as a substantial portion of the surrounding houses. The property is also a local landmark as a long-standing public school in Lindsay and the main institutional structure in Lindsay's historic East Ward.

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 a late nineteenth century school representing the transition from Victoria to Beaux-Arts educational architecture occurring around this period.

- Two storey red brick construction
- Rectangular plan
- Symmetrical massing of the original structure
- Jerkinhead roof
- Stone foundation
- Brick coursing
- Brick cornice
- Fenestration including:
 - Paired and single windows
 - Lug sills
 - Radiating voussoirs
- 1922 addition including:

- Banks of classroom windows
- Entrance with semi-circular transom
- Barrel Vaulted portico
- Lintels
- Lug sills
- Gable roof

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 late nineteenth 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 East Ward.

- Location at the south side of John Street
- Orientation towards John Street
- Views of the property from John Street, St. Paul Street and St. Patrick Street
- Views of the surrounding historic properties from the school and grounds