

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-law to Designate 1473 Highway 7A, Geographic Township of Manvers in the City of Kawartha Lakes

A By-law to designate 1473 Highway 7A in the Geographic Township of Manvers 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 1473 Highway 7A, Geographic Township of Manvers 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 2024-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 1473 Highway 7A, Geographic Township of Manvers 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 30th day of January, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2024-XXX

Being a By-law to designate 1473 Highway 7A, Geographic Township of Manvers in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

1473 Highway 7A, Geographic Township of Manvers

Section 2: Location of Property

Located in the hamlet of Bethany on the north side of Highway 7A.

Section 3: Legal Description

LT 4 N/S KING ST PL 5 MANVERS; PT LT 5 N/S KING ST PL 5 MANVERS AS IN MV10945

Section 4: Location of Heritage Features

The primary heritage feature of the property is the historic general store located on the south side of the property.

Section 5: Statement of Reasons for Designation

Design and Physical Value

1473 Highway 7A is a representative, but rare, example of false façade commercial architecture in Bethany. Constructed in 1859, the property displays key characteristics of a false façade commercial building, an ubiquitous mid-nineteenth century vernacular building type which is typified by the use of a large false façade, often including decorative elements, covering a plain, vernacular building to the rear to lend an air of permanence and size to an otherwise non-descript building. 1473 Highway 7A is one of the few buildings of this type remaining extant in Bethany, and in Kawartha Lakes more generally, where the majority of these early commercial structures were replaced in the late nineteenth century with larger brick buildings in the Italianate style.

Historical and Associative Value

1473 Highway 7A has historical and associative value as the Bethany General Store and a key commercial establishment in downtown Bethany. It has direct historical associations with the commercial development of Bethany in the mid-nineteenth century after the arrival of the railway in 1856 when the community grew up as the major settlement, commercial and service hub for the surrounding rural agricultural area. In its historic and continuing role as the Bethany General Store, it yields information regarding the role of the general store in nineteenth century Ontario communities and has direct associations with prominent local citizen Alfred Ryley who established the store and also served as the first Clerk of Manvers Township and held the position for forty-five years.

Contextual Value

1473 Highway 7A has contextual value as a defining feature of downtown Bethany and a local landmark. The property is a defining feature of the historic

streetscape of Highway 7A which forms the commercial core of the hamlet and supports and maintains its historic small town character as a key nineteenth-century commercial building. The building is also a local landmark for its longstanding presence in the community and continuous operation as a general store since 1859. It is Bethany's primary retail establishment.

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 representative, but rare, example of a false front commercial building in Kawartha Lakes.

- One-and-a-half storey frame construction
- One storey east elevation addition
- Gable roof
- Horizontal weatherboard-style cladding
- Stepped false façade including:
 - One and two-storey facades
 - Cornice
 - Decorative brackets
- Ground floor storefront with recessed entrance
- Entrance porch including:
 - Sloped roof
 - Columns
- Fenestration including:
 - Storefront windows
 - Upper storey sash window

Historical and Associative Attributes

The historical and associative attributes support the value of the property as a longstanding general store with important historical connections to the development of Bethany in the mid-nineteenth century and with its original owner, Alfred Ryley.

- Continuous use as a general store
- Historical association with Alfred Ryley and the Ryley family

Contextual Attributes

The contextual attributes support the value of the property as a local landmark and contributing feature to the historic commercial streetscape of Bethany along the Highway 7A corridor.

- Location of the property in downtown Bethany
- Construction to the front lot line
- Views of the property from Highway 7A and George Street
- Views of downtown Bethany from the property
- Relationship to extant historic commercial buildings in Bethany