

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-Law to Designate 11 Victoria Avenue North, Town of Lindsay in the City of Kawartha Lakes

A By-Law to designate 11 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 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 Victoria Avenue North, Town of Lindsay 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 11 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 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 May, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2024-XXX

Being a By-law to designate 11 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

11 Victoria Avenue North, Town of Lindsay

Section 2: Location of Property

Located on the north west corner of the intersection of Victoria Avenue North and Peel Street

Section 3: Legal Description

PT LT 14 N/S PEEL ST, 15 N/S PEEL ST PL TOWN PLOT AS IN R175362;
KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage feature of the property is the house which is located approximately in the middle of the lot.

Section 5: Statement of Reasons for Designation

Design and Physical Value

11 Victoria Avenue North has design and physical value as a unique example of a late Victoria residential property in Lindsay erected in the High Victorian Gothic style. Constructed in the late 1880s, the property is one of the largest and most ornate surviving examples of this type of domestic architecture in Lindsay. The property is demonstrative of the ornate and eclectic High Victorian architectural style that was regularly employed in domestic design in the latter decades of the nineteenth century that drew on the Gothic Revival style to create ornate and decorative buildings. The subject property includes a range of eclectic architectural elements, including the asymmetrical massing, brick coursing, pointed arches, ornate entrance porch, and distinctive corner tower with gable peaks, that speak to its origins within this stylistic type.

Historical and Associative Value

11 Victoria Avenue North has historical and associative value through its direct historical connections with Richard Sylvester, its first owner and an extremely influential and successful businessman in late nineteenth and early twentieth century Lindsay. Sylvester, who lived in the property with his family from the late 1880s when it was constructed to his death in 1919, was the founder and owner of the Sylvester Manufacturing Company, a large Lindsay employer that developed and made farm equipment. They were early manufacturers of important turn of the century agricultural equipment, including twine binders, seed drills, and cultivators. Sylvester is also notable as the creator of the Sylvester Auto-Thresher, an early self-propelled precursor to the modern combine.

Contextual Value

11 Victoria Avenue North has contextual value as a contributing feature to the historic residential neighbourhood to the north of Kent Street West. The area in which the subject property is located contains a wide variety of late nineteenth and early twentieth century residential properties, beginning at Peel Street and continuing north. These properties are representative of the historic development of Lindsay during this period and together form a cohesive historic residential landscape. The property is also directly connected to its neighbour to the south, Victoria Park and the Lindsay Armoury, which were originally connected to this property. The property is a local landmark as one of Lindsay's most recognizable late nineteenth century mansions and for its prominent location adjacent to Victoria Park.

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 of the property support its value as a unique example of late Victorian Gothic Revival residential architecture in Lindsay.

- Three storey buff brick construction
- Hipped roof including:
 - Polychromatic slate shingles
 - Soffits
 - Fascia
- Bays with gable roofs
- Octagonal corner tower including:
 - Octagonal roof
 - Peaked gables
 - Decorative woodwork
 - Iron cresting
- Fenestration including:
 - Sash windows
 - Third storey lancet windows with decorative woodwork
 - Bay window
 - Dormers with decorative woodworks
- Contrasting coursing
- Decorative brickwork including:
 - Dogtooth coursing
 - Pointed window hoods
 - Radiating voussoirs with keystones
- Rusticated foundation
- Entrance porch
- Decorative bargeboard

- Brackets
- Drop finials
- Chimneys
- Mature trees

Historical and Associative Attributes

The historical and associative attributes of the property support its relationship to Lindsay businessman Richard Sylvester and his family.

- Relationship to Richard Sylvester
- Relationship to Victoria Park and the Lindsay Armoury

Contextual Attributes

The contextual attributes of the property support its value as a contributing feature of the mature historic neighbourhood north of Kent Street West and as a local landmark.

- Location at the intersection of Peel Street and Victoria Avenue North
- Views of the property from Victoria Avenue North, Peel Street, Victoria Park, the Lindsay Armoury and Kent Street West
- Views of Victoria Avenue North, Peel Street, Victoria Park, the Lindsay Armoury and Kent Street West from the property