

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-law to Designate 317 Kent Street West, Town of Lindsay in the City of Kawartha Lakes

A By-law to designate 317 Kent Street West 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 317 Kent Street West, 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

2.01 317 Kent Street West, 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 317 Kent Street West, Town of Lindsay in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

317 Kent Street West, Town of Lindsay

Section 2: Location of Property

Located at the southwest corner of Kent Street West and Angeline Street South.

Section 3: Legal Description

PT E1/2 LT 20 CON 4 OPS PT 1, 2, 3 57R8586; S/T R389432; S/T INTEREST IN R421686; KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage feature of the property is the house which is located to the rear of the property facing Angeline Street South.

Section 5: Statement of Reasons for Designation

Design and Physical Value

317 Kent Street West has design and physical value as a representative example of a Gothic Revival residential property in Kawartha Lakes. Constructed around the mid-1860s, the property displays key characteristics of this domestic architectural style including its steeply pitched roofs, decorative bargeboards, polychromatic brickwork, stacked chimneys, rounded windows and wide verandah. It is one of the largest examples of this style of architecture within Lindsay and demonstrates a high degree of craftsmanship through its extant decorative elements.

Historical and Associative Value

317 Kent Street West has historical and associative value through its associations with the Matthews family, specifically father and son George and Albert Matthews, the elder of which owned the property from 1876 to 1899. George Matthews was a local businessman who established a highly successful meat packing business in Lindsay in 1868 which would eventually grow into a national enterprise. Albert, one of his ten children, became Lieutenant-Governor of Ontario between 1937 and 1946, becoming the province's longest serving Lieutenant Governor. Both father and son were heavily involved in the Baptist Church and, through them, the property yields significant information regarding the growth and development of the Baptists in Lindsay and on a more national level. The property also has direct associations with the lumber industry in Lindsay through its subsequent owner, James Peel, the early twentieth century owner of the Gull River Lumber Company.

Contextual Value

317 Kent Street West has contextual value as a local landmark. Originally constructed as a farmhouse in rural Ops Township, the property has since been

absorbed into the urban fabric of the west side of Lindsay and has lost much of its original context. However, it remains a very well-known and easily recognized structure in Lindsay for its distinctive architecture and prominent location at the southwest corner of the intersection of Kent Street West and Angeline Street South.

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 example of a mid-nineteenth century Gothic Revival farmhouse.

- Two-and-a-half storey construction
- Limestone foundation
- Gable roof
- Bays with gables
- Double stacked chimneys
- Red brick construction
- Polychromatic brickwork including:
 - Window hoods
 - Quoins
 - Pillars
- Fenestration including:
 - Sash windows
 - Rounded arch windows
 - Window hoods
 - Oval windows
- Decorative bargeboard
- Wide verandah including:
 - Brick knee walls
 - Pillars
 - Brackets
 - Stairs
 - Pediment
- Upper storey sunroom including windows
- Entrance with transom

Historical and Associative Attributes

The historical and associative attributes support the value of the property in its connections to several prominent Lindsay citizens who owned the house in the late nineteenth and early twentieth century.

- Association to George Matthews, Albert Edward Matthews and the George Matthews Company

- Association with James Peel and the Gull River Lumber Company
- Association with the Baptist Church in Lindsay and Ontario more broadly

Contextual Attributes

The contextual attributes support the value of the property as a local landmark.

- Location at the intersection of Kent Street West and Angeline Street South
- Orientation towards Angeline Street South
- Wide lawns
- Views of the property from Angeline Street South, Kent Street West, and surrounding properties
- Views of Angeline Street South, Kent Street West and surrounding properties from the property