

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-law to Designate 34-36 King Street East, Village of Omemee in the City of Kawartha Lakes

A By-law to designate 34-36 King Street East in the Village of Omemee 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 34-36 King Street East, Village of Omemee 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 34-36 King Street East, Village of Omemee 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 23rd day of July, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2024-XXX

Being a By-law to designate 34-36 King Street East, Village of Omemee in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

34-36 King Street East, Village of Omemee

Section 2: Location of Property

Located on the south side of King Street East between George Street South and Mill Street

Section 3: Legal Description

LT 9 S/S KING ST AND E/S STURGEON ST PL 109

Section 4: Location of Heritage Features

The primary heritage feature of the property is the late nineteenth century commercial building located on the north side of the property and constructed to the northern lot line.

Section 5: Statement of Reasons for Designation

Design and Physical Value

34-36 King Street has design and physical value as a representative example of an Italianate commercial building in Omemee and one of the oldest extant commercial buildings in the village. Constructed around 1863, it displays typical characteristics of the Italianate commercial style which was the most popular style for downtown commercial architecture in the second half of the nineteenth century, including three-storey brick construction with a flat roof; division into bays; pilasters; decorative brickwork and a retained Victorian storefront. It is an important example of a commercial building with a cast iron storefront.

Historical and Associative Value

34-36 King Street has historical and associative value in its historic role as a commercial building and general store. Often identified as McPherson's General Store, its second commercial iteration, it was originally constructed as a general store by William Beatty before being taken over by Thomas A. McPherson in 1883. McPherson's General Store, which operated until the second half of the twentieth century by McPherson and members of his family, grew to become a prominent and well-known business in Omemee and the surrounding area in the late nineteenth and early twentieth century. It has direct historical relationships with the historic commercial and economic development in Omemee, being constructed during a period of rapid economic development between about 1860 and 1880, and in its role as a general store, it provides information regarding the economic growth of the community throughout the second half of the nineteenth century.

Contextual Value

34-36 King Street East has contextual value as part of the historic streetscape of

downtown Omemee. It helps maintain and support the character of the commercial core of downtown Omemee as one of a range of nineteenth century commercial buildings extant along King Street East. While the majority of the commercial buildings in downtown Omemee predate 1900, it forms one of a small collection of commercial buildings that pre-date the early 1890s when several significant fires destroyed most of the downtown core and which are primarily located at the eastern end of the downtown. It is physically, visually and historically linked to its surroundings as part of the village's downtown streetscape.

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 representative example of an Italianate commercial building in downtown Omemee.

- Three-storey red brick construction
- Flat and sloped roof
- Brick cornice including:
 - Dog tooth coursing
- Pilasters
- Fenestration including:
 - Rectangular and rounded sash windows
 - Radiating and herringbone voussoirs
- Ground floor commercial unit including:
 - Cast iron storefront
 - Pilasters
 - Vegetal ornamentation
 - “Wm Helm Peterboro CW 1863” mark
 - Corinthian capitals
 - Storefront windows

- Recessed entrance

Historical and Associative Attributes

The historical and associative attributes of the property support its value in its association with the nineteenth century development of Omeme and its role in the community as a general store from the mid-nineteenth century.

- Association with the nineteenth century commercial development of Omeme
- Historic use as a general store
- Associations with William Beatty
- Associations with Thomas A. McPherson and his family

Contextual Attributes

The contextual attributes of the property support its value as a contributing feature to the downtown historic streetscape of Omeme.

- Orientation towards King Street East
- Construction to the north lot line
- Views of the property along King Street East
- Views of King Street East to the property
- Relationship to 24-26 King Street East, 25 King Street East, 30-32 King Street East, 45 King Street East and 46 King Street East