

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-law to Designate 1884 Pigeon Lake Road, Geographic Township of Emily in the City of Kawartha Lakes

A By-law to designate 1884 Pigeon Lake Road in the Geographic Township of Emily 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 1884 Pigeon Lake Road, Geographic Township of Emily 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 1884 Pigeon Lake Road, Geographic Township of Emily 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 27th day of August, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2024-XXX

Being a By-law to designate 1884 Pigeon Lake Road, Geographic Township of Emily in the City of Kawartha Lakes as being of cultural heritage value or interest.

Section 1: Description of Property

1884 Pigeon Lake Road, Geographic Township of Emily

Section 2: Location of Property

Located in rural Emily Township on the south side of Pigeon Lake Road

Section 3: Legal Description

CON 11 PT LOT 19

Section 4: Location of Heritage Features

The two primary built heritage features of the property are the historic house and barn which are located on the north side of the property in close proximity to Pigeon Lake Road. Landscape heritage features, including the internal layout of the property's historic fields, are located throughout the property.

Section 5: Statement of Reasons for Designation

Design and Physical Value

1884 Pigeon Lake Road has design and physical value as a representative example of a nineteenth century rural farm in Emily Township and as evolved cultural heritage landscape. First settled by non-Indigenous settlers in 1825, the property typifies the 100-acre parcels granted to settlers in the township throughout the first half of the nineteenth century, retaining its lot layout from the time of its land grant. Although it was extensively reforested in the late twentieth century, the property retains key features of a historic farmstead, including cleared property, an early twentieth century farmhouse, and historic barn. The house is an important example of a concrete block Edwardian Classical house in Emily Township, while the barn demonstrates the evolution of agricultural structures by the turn of the twentieth century.

Historical and Associative Value

1884 Pigeon Land Road has historic and associative value through its pattern of settlement throughout the nineteenth and early twentieth century. First settled by non-Indigenous settlers in 1825, it was originally occupied by John Collins, who arrived in Emily Township as part of the Peter Robinson settlement and subsequently by other Irish Catholic settlers and families who arrived in Emily Township throughout the nineteenth century and occupied the property into the twentieth century. Through this pattern of settlement, the property yields information regarding Irish Catholic settlement in northern Emily Township throughout the nineteenth century, its impact on the landscape and the demographics of the community.

Contextual Value

1884 Pigeon Lake Road has contextual value as a contributing feature to the

historic, rural agricultural landscape of Emily Township. The property, which was first settled by non-Indigenous people in 1825, is located in Emily Township's rural area which is characterized by farmland, forest, wetlands and historic agricultural buildings and itself supports these land uses across approximately 100 acres of property. In general, the historic survey patterns in this area have been retained, as have a variety of built and natural features that reinforce the area's rural character. Although the subject property has been extensively replanted since it was originally cleared for agricultural purposes, the continued existence of its historic residential and agricultural structures, as well as cleared areas support its continuing value as a former agricultural property and a supporting feature in the wider landscape.

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 its value as an nineteenth century evolved agricultural landscape, as well as the value of the house as a representative example concrete block Edwardian Classical architecture and the value of the barn as a turn of the century agricultural building.

Property

- Lot configuration
- Presence and relationship of house, barn, cleared areas, woodland, and wetlands
- Frontage onto Pigeon Lake Road
- Remaining evidence of field configuration
- Views within the property of elements including the house, barn, cleared areas, woodland, and wetlands

House – Exterior

- Two-and-a-half storey concrete block construction
- Rock face concrete blocks with tooled edges
- Hipped roof
- Dormers
- Panel faced concrete blocks

- Inset entrance porch and balcony including:
 - Square columns
 - Concrete piers
 - Entablature
 - Balustrade
- Fenestration including:
 - Sash windows with fixed multi-pane top sash
 - Grouped and single windows
 - Dormer windows
 - Concrete lintels
 - Lug sills
- Entrance and door

House – Interior

- Two-storey centre hall plan
- Staircases
- Wood flooring
- Trim
- Moulding
- Decorative grates

Barn

- Gambrel roof
- Timber frame construction including:
 - Squared posts
 - Squared beams
 - Round beams
 - Knee braces

- Ladders
- Sawn lumber granary
- Barn doors
- Vertical plank cladding
- Wide plank flooring
- Concrete stables including:
 - Doors
 - Fenestration

Historical and Associative Value

The historical and associative attributes of the property support its value in showing the pattern of settlement of Irish Catholic families in northern Emily Township throughout the nineteenth and early twentieth century.

- Associations with the Robinson settlement
- Associations with additional waves of Irish settlement in Emily Township
- Local family histories associated with the property through the Collins, Brennan, Crowley and Twomey families
- Remaining evidence of field configuration
- Presence and relationship of house, barn, cleared areas, woodland, and wetlands

Contextual Value

The contextual attributes of the property support its value as a contributing feature to the historic agricultural landscape of rural Emily Township.

- Location along Pigeon Lake Road
- Frontage onto Pigeon Lake
- Proximity to rural lots of a similar age and size
- Views of the property from Pigeon Lake Road
- Internal relationship of typical rural farmstead landscape features including house, barn, cleared areas and woodland