

# The Corporation of the City of Kawartha Lakes

## By-Law 2024-XXX

### A By-law to Designate 24-26 King Street East, Village of Omemee in the City of Kawartha Lakes

A By-law to designate 24-26 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 24-26 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** 24-26 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 27th day of August, 2024.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A to By-law 2024-XXX**

Being a By-law to designate 24-26 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**

24-26 King Street East, Village of Omemee

### **Section 2: Location of Property**

Located on the southeast corner of the intersection of King Street East and George Street South.

### **Section 3: Legal Description**

LT 6 S/S KING ST AND E/S STURGEON ST PL 109; CITY OF KAWARTHA LAKES

### **Section 4: Location of Heritage Features**

The primary heritage feature of the property is the nineteenth century commercial building constructed to the north and west lot lines.

### **Section 5: Statement of Reasons for Designation**

#### **Design and Physical Value**

24-26 King Street has design and physical value as a unique example of a Victorian commercial building in Omemee and one of the oldest extant commercial buildings in the village. Constructed around 1868, it is primarily constructed in the Italianate commercial style, the most popular style for downtown commercial architecture in the second half of the nineteenth century but includes a unique gable roof with eyebrow dormers, an atypical feature for Italianate commercial architecture. Key architectural features from the Italianate style include its two-storey red brick construction, decorative brick coursing and division of the façade into bays by pilasters. It is one of only five downtown commercial buildings in Omemee that predate 1890.

#### **Historical and Associative Value**

24-26 King Street has historical and associative value in its historic role as a commercial building and general store. Often identified as McNeely's General Store, it was constructed as a general store by Isaac McNeely around 1868 and operated by him until his death in 1892. McNeely's General Store grew to become a prominent and well-known business in Omemee and the surrounding area in the late nineteenth and early twentieth century and McNeely a well-known and community-minded businessman. 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**

24-26 King Street East has contextual value as part of the historic streetscape of downtown Omeme. It helps maintain and support the character of the commercial core of downtown Omeme as one of a range of nineteenth century commercial buildings extant along King Street East. While the majority of the commercial buildings in downtown Omeme 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 the value of the property as a unique example of a Victorian commercial property in Omeme.

- Two-and-a-half storey red brick construction
- Flattened gable roof
- Eyebrow dormers
- Two-bay front elevation
- Three-bay side elevation
- Pilasters
- Dog-tooth coursing
- Stone corbels
- Fenestration including:
  - Rectangular upper storey windows
  - Rounded gable window
- Ground floor storefront including:
  - Picture windows
  - Recessed entrance

- Rear two-storey residential unit including:
  - Separate entrance
  - Fenestration
  - Flat roof
  - Entrance surround with overhang and brackets

### **Historical and Associative Attributes**

The historical and associative attributes of the property support its value in its association with the nineteenth century development of Omemeë and its role in the community as McNeely's General Store from the mid-nineteenth century.

- Association with the nineteenth century commercial development of Omemeë
- Historic use as a general store
- Associations with Isaac McNeely

### **Contextual Attributes**

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

- Orientation towards King Street East
- Construction to the north lot line
- Views of the property along King Street East and George Street South
- Views of King Street East and George Street South to the property
- Relationship to, 25 King Street East, 30-32 King Street East, 34-36 King Street East, 45 King Street East and 46 King Street East