

# The Corporation of the City of Kawartha Lakes

## By-Law 2024-XXX

### A By-law to Designate 19-21 King Street East, Village of Omemee in the City of Kawartha Lakes

A By-law to designate 19-21 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 19-21 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** 19-21 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 24th day of September, 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 19-21 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**

19-21 King Street East, Village of Omemee

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

Located at the northeast corner of the intersection of King Street East and George Street North

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

**LOT 6N KING E GEORGE**

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

The primary heritage feature of the property is the historic mixed-use building facing onto King Street East and built to the southwest lot line of the property.

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

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

19-21 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 after 1891, 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 two-storey brick construction with a flat roof; an ornate cornice with decorative brickwork; and a retained Victorian storefront.

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

19-21 King Street East has historical and associative value as a long-standing pharmacy in Omemee, particularly as R.J. Mulligan's pharmacy and in its association with Mulligan, a prominent local businessman, politician and lay leader in the Methodist Church. Through its long-standing use, it yields information regarding the development of medical services in Omemee and the development of pharmacies in turn of the century communities. Constructed around 1891, it yields information regarding the reconstruction of Omemee after a series of fires in the early 1890s and the development of its businesses in the late nineteenth century. It has direct historical relationships with the history of commercial and economic development in Omemee as a well-known local business premise.

#### **Contextual Value**

19-21 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. It is one of a collection of late nineteenth century commercial buildings dating from the 1890s along the

street and forms part of the historic streetwall along the north side of King Street. 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 support the property's value as a representative example of late nineteenth century Italianate commercial architecture.

- Two-storey buff brick construction
- Flat roof
- Cornice with dog tooth coursing
- Fenestration including:
  - Sash windows
  - Voissoirs
  - Ground floor picture windows in storefront
- Signboard with cornice
- Victorian-style storefront with cornice
- Recessed entrance
- Set back residential portion including Classical entrance porch

### **Historical and Associative Attributes**

The historical and associative attributes support the property's value as a pharmacy and in its role as part of the history of commercial development and the post-1890 reconstruction of Omeme.

- Historic and continuing use as a pharmacy
- Historic association with local figures Thomas Matchett, William Higinbotham and R.J. Mulligan
- Relationship to the history of commercial development in Omeme

- Relationship to other buildings erected as part of the post-1890 reconstruction of Omeme

### **Contextual Attributes**

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

- Construction on the northwest corner of King Street East and George Street
- Construction to the lot line
- Views of the property along King Street East and George Street North
- Views from the property along King Street East and George Street North

Relationship to other Italianate commercial buildings in downtown Omeme