

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2025-XXX**

### **A By-law to Designate 19 Third Street, Village of Sturgeon Point in the City of Kawartha Lakes**

A By-law to designate 19 Third Street in the Village of Sturgeon Point 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 Third Street, Village of Sturgeon Point 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 2025-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 Third Street, Village of Sturgeon Point 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 XXX day of XXX, 2025.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A to By-law 2025-XXX**

Being a By-law to designate 19 Third Street, Village of Sturgeon Point in the City of Kawartha Lakes as being of cultural heritage value or interest.

### **Section 1: Description of Property**

19 Third Street, Village of Sturgeon Point

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

Located on the west side of Third Street.

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

FENELON CON 10 PT LOT 10 AND; PLAN 73 LOTS 78 AND 85

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

The primary heritage feature of the property is the historic cottage located on the eastern half of the property accessed from Third Street.

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

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

19 Third Street has design and physical value as a unique and early example of a late nineteenth century summer cottage in Kawartha Lakes. Constructed in 1887, the cottage is one of the original summer residences in Sturgeon Point and is visually and architecturally distinct from the surrounding cottages through its unique architectural forms, small size, and Victorian and Rustic influences. The structure, with a steeply pitched roof, octagonal bay, and frame construction, is believed to have been based on the form of a tent and reflects the broader trend towards rustic design in cottage architecture that sought to integrate buildings with their surrounding environment.

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

19 Third Street has historical and associative value in its association with Lindsay artist and early Sturgeon Point cottager, W.A. Goodwin who used the property as his summer residence for most of his life. Goodwin, who is believed to have both designed and built the cottage also known as Cherry Tree Lodge, was an important commercial decorator in late nineteenth and early twentieth century Lindsay, as well as an artist and countercultural thinker in Kawartha Lakes. His painting and sketches are important depictions of life in Kawartha Lakes at the turn of the twentieth century, showing primarily scenes relating to nature and the burgeoning summer recreation industry in the region. Although not well recognized after his death in 1940, Goodwin's art has recently re-emerged and been recognized for its insight into life in the region during his lifetime. The property also yields information regarding the development of Sturgeon Point as a cottage community in the late nineteenth and early twentieth century.

#### **Contextual Value**

19 Third Street has contextual value as a contributing feature to the historic character of Sturgeon Point as a recreational cottage community. Through its

history and architecture, it supports and maintain the character of the community as a summer cottage community dating from the late nineteenth and early twentieth century. It is one of a collection of the original generation of summer cottages at Sturgeon Point and is historically linked to its surroundings as part of the historic landscape of the community. The cottage is a well-known local landmark, since the time of its construction and has gained increasing recognition over the past decade with the re-emergence of Goodwin's art into the public sphere.

## **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 unique and early example of a summer cottage in Sturgeon Point.

- One-storey frame construction
- Steeply pitched gable roof
- Hexagonal eastern elevation
- Vertical and herringbone external wooden cladding
- Shingled gable
- Scalloped gingerbread
- Fenestration including:
  - Sash windows with divided lower sash
  - Coloured glass transoms
- Entrance including:
  - Screen door

### **Historical and Associative Attributes**

The historical and associative attributes of the property support its value in its association with W.A. Goodwin

- Association with W.A. Goodwin
- Name "Cherry Tree Lodge"

- Historic and continuing use as a summer cottage

**Contextual Attributes**

The contextual attributes support the value of the property as a contributing feature of the historic summer cottage community landscape of Sturgeon Point and as a local landmark.

- Location on a through lot between Third Street and Fourth Street
- Setback of cottage from Third Street
- Placement amongst mature trees
- Views of the cottage from Third and Fourth Streets as part of the cottage landscape of the community