

The Corporation of the City of Kawartha Lakes

By-Law 2024-XXX

A By-law to Designate 37 King Street East, Village of Omemee in the City of Kawartha Lakes

A By-law to designate 37 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 37 King Street East 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 37 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 30th day of April, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk

Schedule A to By-law 2024-XXX

Being a By-law to designate 37 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

37 King Street East, Village of Omemee

Section 2: Location of Property

Located on the north side of King Street between George Street North and Colborne Street

Section 3: Legal Description

LT 11 N/S KING ST AND W/S STURGEON ST PL 109; PT BLK 16 PL 109 AS IN R167853; KAWARTHA LAKES

Section 4: Location of Heritage Features

The primary heritage feature of the property is the late nineteenth century commercial block which is located on the south side of the property facing King Street East.

Section 5: Statement of Reasons for Designation

Design and Physical Value

37 King Street East has design and physical value as a representative example of a Second Empire style commercial building in Omemee. The style, which was popular at the end of the nineteenth century, is relatively rare in Kawartha Lakes, although there are several extant examples in Omemee. The subject property, constructed between 1891 and 1892, is a good example of the style and demonstrates its key features including the characteristic mansard roof, ornate dormer windows, decorative brickwork and pilasters. It is representative of the execution of this style in Omemee in the early 1890s when the commercial core of the village underwent a period of reconstruction after a series of devastating fires. 37 King Street East forms part of the commercial block known municipally as 31-37 King Street East.

Historic and Associative Value

37 King Street East has historical and associative value as the Williamson and Ivory Block. Constructed between 1890 and 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 home to two important local businesses in the late nineteenth century: Williamson's Harness and Shoe Store and Thomas Ivory and Sons General Store. Through these businesses, it provides information regarding the economic growth of the community throughout the second half of the nineteenth century.

Contextual Value

31-35 King Street East has contextual value as part of the historic streetscape of downtown Omeme. It helps maintain and supports the character of the commercial core of downtown Omeme as one of a range of late nineteenth century commercial buildings extant along King Street East. It is one of a collection of Second Empire style 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. 37 King Street East forms part of the commercial block known municipally as 31-37 King Street East and is physically attached to the other portion of the building addressed as 31-35 King Street East.

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 a Second Empire style commercial property in Omeme.

- Two-and-a-half storey buff brick construction
- Mansard roof including:
 - Dormer windows
 - Decorative woodwork
 - Brackets
- Decorative brickwork
- Pilasters
- Brackets
- Wide eaves
- Fenestration including:
 - Rounded sash windows
 - Transoms
- Residential entrances

- Surviving Victorian storefront

Historical and Associative Attributes

The historical and associative attributes of the property support its value as an important space for local businesses as a longstanding commercial property and in its role as part of the history of commercial development and the post-1890 reconstruction of Omamee.

- Former use as Williamson's Harness and Shoe Shop and T. Ivory & Sons General Store
- Relationship to the history of commercial development in Omamee
- Relationship to other buildings erected as part of the post-1890 reconstruction of Omamee

Contextual Attributes

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

- Construction to the lot line
- Views of the property along King Street East
- Views from the property along King Street East
- Relationship to other Second Empire style buildings in downtown Omamee