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In the matter of the Ontario Heritage Act,
R.S.O. 1990, Chapter 0.18
in the matter of the property known as

13 Stuart Street

in the City of Guelph,
in the Province of Ontario

ONTARIO HERITAGE TRUST
DEC 01 2017
RECEIVED

Notice of the Passing of Designation By-law

TO: **Ontario Heritage Trust**
The Ontario Heritage Centre
10 Adelaide St. East
Toronto, ON M5C 1J3

Take notice that the Council of the Corporation of the City of Guelph has passed By-law Number (2017)-20227 to designate portions of the property known as 13 Stuart Street as being of cultural heritage value or interest under Part IV, Sec. 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

Dated at Guelph, Ontario, this 30th day of November, 2017.

Stephen O'Brien,
City Clerk
City Hall,
1 Carden St.
Guelph, ON N1H 3A1

City Hall
1 Carden St
Guelph, ON
Canada
N1H 3A1

T 519-822-1260
TTY 519-826-9771

guelph.ca

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2017)-20227

A by-law to designate portions of the building and property municipally known as 13 Stuart Street and legally described as Lots 6, 7, 8, 13, 14 & 15, Plan 235; Guelph, as being a property of cultural heritage value or interest.

WHEREAS the *Ontario Heritage Act, R.S.O. 1990, Chapter 0.18*, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, or portions thereon, to be of cultural heritage value or interest; and

WHEREAS on 25 May 2017 the Council of the Corporation of the City of Guelph has caused to be served upon the owners of the lands and premises known as 13 Stuart Street, and upon the Ontario Heritage Trust, notice of intention to designate portions of the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality;

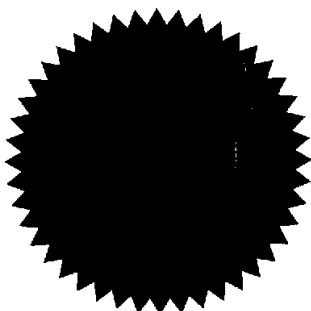
WHEREAS the cultural heritage value or interest of the property is set out in Schedule "A" hereto; and

WHEREAS one notice of objection to the said property designation was served upon the clerk of the municipality which was subsequently withdrawn by the objector;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH, ENACTS AS FOLLOWS:

1. Portions of the building and property known as 13 Stuart Street, as described in Schedule "B" to this By-law, are designated as being of cultural heritage value or interest under Part IV, Sec. 29 of the *Ontario Heritage Act, R.S.O. 1990, Chapter 0.18*.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "C" to this By-law in the proper Land Registry Office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owners of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Guelph.

PASSED this TWENTY-SEVENTH day of November 2017.




CAM GUTHRIE – MAYOR


STEPHEN O'BRIEN – CITY CLERK

SCHEDULE A
By-law Number (2017)-20227

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST:

13 STUART STREET, GUELPH

13 Stuart Street is worthy of designation under Part IV of the Ontario Heritage Act as it meets three of the prescribed criteria for determining cultural heritage value or interest according to Ontario Regulation 9/06 made under the Ontario Heritage Act. The heritage attributes of 13 Stuart Street display: design or physical value, historical or associative value and contextual value.

The property in question was part of lands purchased from the Reverend Arthur Palmer in 1875 by lawyer and former City of Guelph Mayor Archibald H. Macdonald. The original house at 13 Stuart Street was built in 1891 for Frank Hall (a Guelph lawyer and merchant) as a two-storey, white brick home with Italianate styling. In 1904, the subject property was purchased by Arthur Cutten for his family. Arthur Cutten was a Guelphite of renown who became a New York stock broker, successful commodities speculator and multi-millionaire before the stock market crash of 1929.

The house became known as "Tranquille," with the Cutten family patriarch, prominent Guelph lawyer Walter Hoyt Cutten, and his wife Annie, residing at 13 Stuart Street until his death in 1915. Arthur Cutten's siblings Constance, Lenora, Harry and William H. Cutten all lived in the house. Lois and Ralph Cutten were the last Cutten family members to live in the house in the mid-1960s.

Alterations to the house made by the Cutten family include the addition of the two-storey front verandah that extends over the driveway in a porte-cochère, an enclosed sunporch on the southeast side and a large two-storey addition to the rear of the house. Sometime before 1911 a detached, brick coach house/garage was added with a greenhouse on the side of the garage facing Stuart Street. The property backs onto what is now St. George's Park and beyond the original metal fence and gates are mature trees that date from the Cutten family residency from 1904 to the 1960s.

SCHEDULE B
By-law Number (2017)-20227

DESCRIPTION OF HERITAGE ATTRIBUTES

13 STUART STREET, GUELPH

The following elements of the property at 13 Stuart Street should be considered heritage attributes in a designation under Part IV of the Ontario Heritage Act:

House

- form and massing of roof and exterior brick walls of the house
- brick chimneys on side elevations
- wood soffits and brackets
- window and door openings
- all original wood doors, windows of the house (principle sash and storm sash) and associated trim and hardware
- porte-cochère and two-storey front verandah
- enclosed sunporch on east elevation

Garage

- form and massing of hip roof, front and rear dormers, and exterior brick walls of the detached garage
- original window and door openings of the detached garage
- all original wood nine and 12-pane windows of the detached garage and associated trim and hardware

Grounds

- metal fence along frontage
- context and relationship of the house, front fence, driveway, detached garage and mature trees on the property associated with the Cutten's designed landscape

It is intended that non-original features may be returned to documented earlier designs or to their documented original without requiring City Council permission for an alteration to the designation.

SCHEDULE C
By-law Number (2017)-20227

LEGAL DESCRIPTION:

13 STUART STREET, GUELPH

The property known as 13 Stuart Street is legally described as Lots 6, 7, 8, 13, 14 and 15, Plan 235; City of Guelph.