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IN THE MATTER OF THE ONTARIO HERITAGE ACT,
R.S.O. 1990, CHAPTER 0.18
AND IN THE MATTER OF THE PROPERTY KNOWN AS

99 Maltby Rd W

IN THE CITY OF GUELPH,
IN THE PROVINCE OF ONTARIO.

NOTICE OF PASSING OF DESIGNATION BY-LAW

TO: Ontario Heritage Trust
The Ontario Heritage Centre
10 Adelaide Street East
Toronto, ON M5C 1J3
registrar@heritagetrust.on.ca
Attention: Provincial Heritage Registrar

RECEIVED
2025/06/19
(YYYY/MM/DD)
Ontario Heritage Trust

Notice of passing of designation by-law

In the matter of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 in the City of Guelph, in the Province of Ontario.

Take notice that the Council of the Corporation of the City of Guelph has passed By-law Number (2025)-21081 dated June 10, 2025 to designate portions of the property known as 99 Maltby Rd W 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.

As per Section 29 (Subsection 11) of Part IV of the Ontario Heritage Act, any person who objects to the by-law may appeal to the Ontario Land Tribunal by giving the Tribunal and the City Clerk (within 30 days after the date the notice of the bylaw passing is published) a notice of appeal setting out the objection to the bylaw and the reasons in support of the objection accompanied by the fee charged by the Tribunal.

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Designation By-law may be made by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting City of Guelph as the Approval Authority, or by mail to 1 Carden Street, **no later than 4:00 p.m. on July 18, 2025**. The filing of an appeal after 4:00 p.m., in person or electronically, will be deemed to have been received the next business day. **The appeal fee can be paid online through e-file or by credit card/certified cheque/money order** to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website

at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to clerks@guelph.ca.

Stephen O'Brien
City Clerk
City Hall
1 Carden Street
Guelph, ON N1H 3A1
519-837-5603
clerks@guelph.ca

Notice Date: June 19, 2025

The Corporation of the City of Guelph

By-law Number (2025) – 21081

A by-law to designate portions of the buildings and property known municipally as 99 Maltby Road West and described legally as PT Lot 15, Concession 7, Township OF PUSLINCH PT 1, 61R20183, City of 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 March 27, 2025 the Council of the Corporation of the City of Guelph has caused to be served upon the owners of the lands and premises known municipally as 99 Maltby Road West and legally as PT Lot 15, Concession 7, Township OF PUSLINCH PT 1, 61R20183, City of Guelph., 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;

And whereas the cultural heritage value or interest of the property is set out in Schedule 1 hereto;

And whereas no notice of objection to the said property designation was served upon the clerk of the municipality;

The Council of the Corporation of the City of Guelph enacts as follows:

1. Portions of the buildings and property known as 99 Maltby Road West, as described in Schedule 2 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 3 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 tenth day of June, 2025.

Schedules:

Schedule 1: Statement of Cultural Heritage Value or Interest – 99 Maltby Road West

Schedule 2: Description of Heritage Attributes – 99 Maltby Road West

Schedule 3: Legal Description - 99 Maltby Road West

Cam Guthrie, Mayor

Stephen O'Brien, City Clerk

By-law Number (2025) – 21081

Schedule 1: Statement of Cultural Heritage Value or Interest: 99 Maltby Road West

Statement of Significance

This property meets six of the nine criteria outlined in Ontario Regulation 9/06, including design/physical value, historical/associative value, and contextual value. It is therefore recommended that the property be designated under Part IV, section 29 of the Ontario Heritage Act.

Design/Physical Value

99 Maltby Road West meets criterion 1 because it is a rare, early, and representative example of a vernacular stone farmhouse. Constructed in the early 1840's, the house is one of the few remaining stone structures built in the Township of Puslinch in the first half of the nineteenth century.

Historical Associative Value

99 Maltby Road West meets criterion 4 because it has direct associations with the settlement of Puslinch Township and the Scott family, an important settler family of Puslinch Township that occupied the property as early as 1837. Specifically, the property is associated with James Scott, who was deputy reeve and reeve for the Township of Puslinch, a member of the Township of Puslinch Council, and Councillor and County Commissioner for Wellington County Council.

99 Maltby Road West meets criterion 5 because of its historical connection to the Puslinch agricultural community and proximity to the City of Guelph. First settled by the Todds and Scotts in 1837, the well-reputed Southdown sheep farm remained in the care of the Scott family for three generations, and continued to operate as a farm until the early 1990's.

Contextual Value

99 Maltby Road West meets criterion 7 because it is important in defining, maintaining, and supporting the historical character of the Maltby Road streetscape and as a vestige of the early farming landscapes of the Township of Puslinch and what is now the City of Guelph.

99 Maltby Road West meets criterion 8 because it is physically and historically linked to its surroundings and other built heritage resources in the cultural heritage landscape around Gordon Street and Maltby Road West. The property is physically linked to its surroundings because the stone farmhouse is composed of stone extracted from the surrounding fields. The property is historically linked to its

surroundings because the stone farmhouse is a vestige of the early agricultural landscape of Puslinch Township.

The subject property meets Criterion 9 as the Scott farmhouse at 99 Maltby Road West sits in its original location fronting the Scott family farmstead and as a link to the early farming landscape of Puslinch Township and what is now the City of Guelph. The 1.5 storey side gable roof building form of the Scott farmhouse has become a landmark within the Maltby Road West streetscape.

By-law Number (2025) – 21081

Schedule 2: Description of Heritage Attributes: 99 Maltby Road West

The following elements of the property at 99 Maltby Road West should be considered as heritage attributes in a designation under Part IV, Section 29 of the Ontario Heritage Act:

- Original 1.5-storey building form and gable roof massing of the 1840s farmhouse
- Original exterior limestone walls including original limestone quoins (corner stones)
- Shape and location of window openings including (see Attachment-2 for reference images):
 - The two small rectangular openings in the gable of the south façade facing Maltby Road West
 - The first storey rectangular window opening on the northernmost portion of the east façade
 - The small rectangular window opening in the gable of the north façade
- The first storey rectangular window opening on the southernmost portion of the west façade.

The following elements of the property are not considered to be heritage attributes of the property:

- Existing window frames, panes, doors, and hardware
- Chimneys
- The inset rectangular picture window on the first storey of the east façade
- The inset rectangular window on the first storey of the north façade
- The inset entrance opening on the south façade
- The one storey tail and garage portion of the residence (including all window and door openings)
- Vegetation, fields, and topography surrounding the residence

This designation will not prevent the severance of the area noted in the plan below. Creation of adjacent lots will be permitted where it is demonstrated that the heritage attributes of the protected heritage property will be conserved, as per Official Plan policy 4.8.4.1., and in alignment with Clair Maltby Secondary Plan Policy 11.3.9.4.

Original Window Openings, 99 Maltby Road West

Figure 1: Two small rectangular window openings in the gable of the south wall. Photo provided by property owners, 2024.



Figure 2: Location of the first storey rectangular window opening on the northernmost portion of the east wall. Photo provided by property owners, 2024.



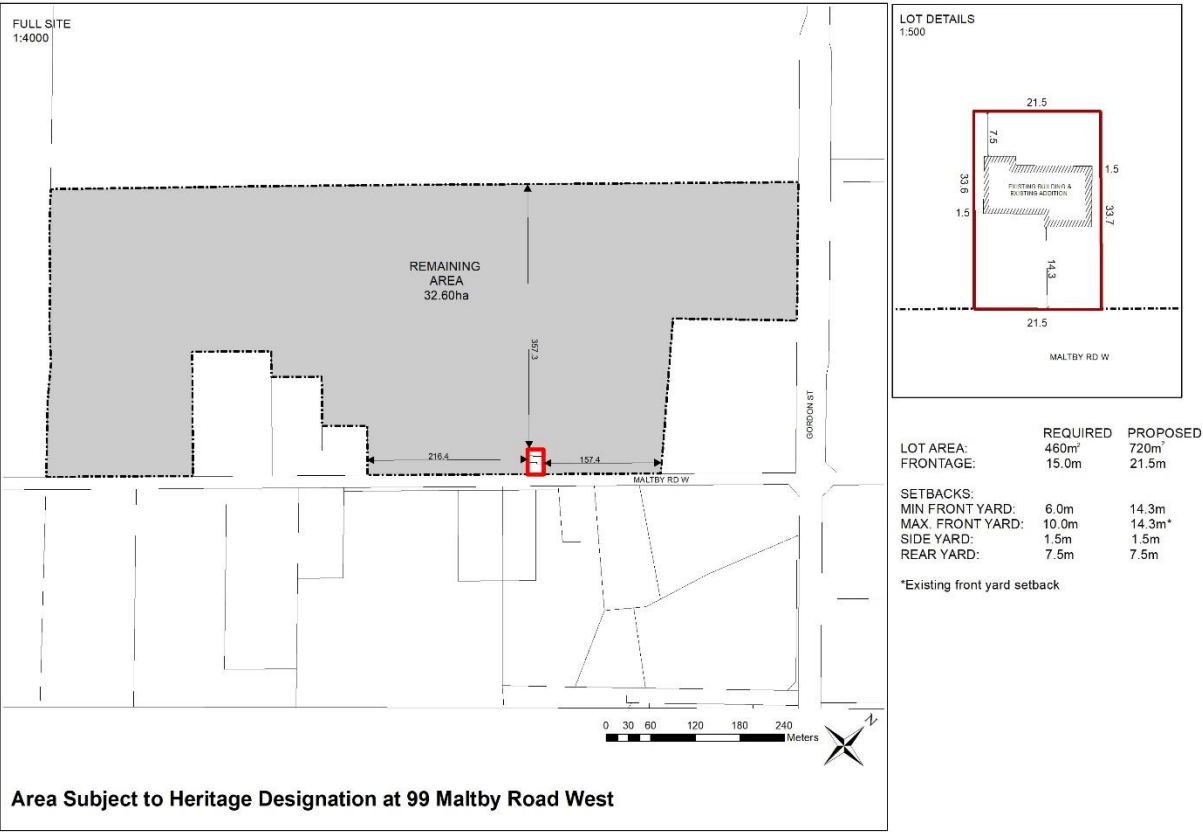
Figure 3: Location of the small rectangular window opening in the gable of the north wall. Photo provided by property owners, 2024.



Figure 4: Location of the first storey rectangular window opening on the southernmost portion of the west wall. Photo provided by property owners, 2024.



Sketch showing area subject to heritage designation, 99 Maltby Road West



By-law Number (2025) – 21081

Schedule 3: Legal Description: 99 Maltby Road West

The property known as 99 Maltby Road West is legally described as PT Lot 15, Concession 7, Township OF PUSLINCH PT 1, 61R20183, City of Guelph.