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Daphne Livingstone
Committee Administrator
Corporate Services Department
Kitchener City Hall, 2nd Floor
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Office of the City Clerk

October 9, 2013

Jim Leonard
Registrar, Ontario Heritage Trust
Heritage Programs and Operations
10 Adelaide Street East, Suite 302
Toronto ON M5C 1J3

ONTARIO HERITAGE TRUST

OCT 11 2013

RECEIVED

Dear Mr. Leonard:

Re: Designating By-law – 324 Old Huron Road

This is to advise that the Council of the Corporation of the City of Kitchener, at its regular meeting held on Monday, October 7, 2013, passed By-law 2013-114, pursuant to Part IV of the Ontario Heritage Act, designating the property municipally known as 324 Old Huron Road. A copy of the designating By-law is attached for your information, along with a copy of the Notice of Passing.

Yours truly,

Daphne Livingstone
Committee Administrator

cc: L. Bensason, Coordinator, Cultural Heritage Planning
J. Sheryer, Assistant City Solicitor

BY-LAW NUMBER

2013-114

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate property described as Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549 and municipally known as a portion of 324 Old Huron Road in the City of Kitchener as being of cultural heritage value or interest).

WHEREAS section 29 of the Ontario Heritage Act, R.S.O. 1990, c. O.18. authorizes the council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the City of Kitchener has received and considered the recommendations of its municipal heritage committee pertaining to this by-law, arising from Heritage Kitchener's meeting held the 3rd day of April 2012;

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its council meeting held the 14th day of May, 2012 to publish a Notice of Intention to Designate property described as Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549 and municipally known as a portion of 324 Old Huron Road in the City of Kitchener and such resolution was confirmed by By-law 2012-073 passed by the Council of The Corporation of the City of Kitchener at its council meeting held the 14th day of May, 2012;

AND WHEREAS the Council of The Corporation of the City of Kitchener has caused to be served on the owner of the land and premises described as Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549 municipally known as a portion of 324 Old Huron Road in the City of Kitchener, and upon the Ontario Heritage Trust, a Notice of Intention to designate as being of cultural heritage value or interest that part of the aforesaid real property more particularly hereinafter described, and has caused such notice to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "A";

AND WHEREAS no Notice of Objection to the proposed designation has been served upon the Clerk of the municipality;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

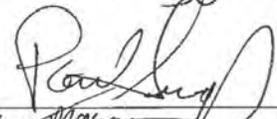
1. There is designated as being of cultural heritage value or interest the following heritage attributes of the property described as Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549 and municipally known as a portion of 324 Old Huron Road in the City of Kitchener:

Key attributes that express the design/physical value of the property including:

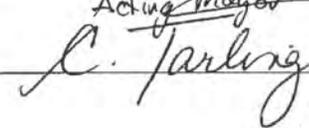
- all elements related to the construction and Georgian architectural style of the building, including:
 - all building elevations;
 - symmetrical façade;
 - stone construction, including random-coursed fieldstone walls;
 - door openings, including front door with transom;
 - window openings, including unusually small window openings;
 - vestiges of whitewash under rear porch wall;

- o roof and roofline (excluding rear shed dormer), including:
 - gable roof;
 - roof pitch; and
 - return eaves; and
 - o brick oven in former basement kitchen.
2. A statement explaining the property's cultural heritage value or interest is attached hereto as Schedule "B".
 3. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "C" attached hereto in the proper land registry office.
 4. 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 having general circulation in the municipality.

PASSED at the Council Chambers in the City of Kitchener this 30th day
of September, A.D. 2013.



Acting Mayor Mayor



Clerk



SCHEDULE "A"

Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549, municipally known as a portion of 324 Old Huron Road

Notice of Intention to Designate



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES ACT, THE FOLLOWING MUNICIPAL ADDRESS IN THE PROVINCE OF ONTARIO

NOTICE OF INTENTION

TAKE NOTICE that the Council of the Corporation of the City of Kitchener intends to designate the following municipal address as being of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended:

**324 Old Huron Road
Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549**

The property municipally addressed as 324 Old Huron Road contains a 1½ storey, 19th century stone cottage built in the Georgian architectural style and is located on the south side of Old Huron Road between Battler Road and Templewood Drive. The contextual value relates to the location of the stone cottage adjacent to the valley landscape overlooking Strasburg Creek. The associative and historic value relates to early settlement, the original owner of the property and the stone cottage building. Beginning with Jacob Wildfong in 1802, the property remained in the Wildfong family for 85 years until 1887, and the family is associated with early settlement of Biehn's Tract and Bechtel's Tract. The existing stone cottage building is likely the only remaining building dating from early settlement of the adjacent former hamlet of Strasburg.

The Full Statement of Significance, containing a list of the heritage attributes, is available in the Office of the City Clerk, 2nd Floor, Kitchener City Hall during normal business hours.

Any person may send by Registered Mail or deliver to the Clerk of the City of Kitchener, notice of his or her objections to the proposed designation, together with a statement of the reasons for the objection and all relevant facts, to be received by the Clerk not later than the 6th day of August, 2013. When a Notice of Objection has been received, the Council of the Corporation of the City of Kitchener will refer the matter to the Conservation Review Board (www.crb.gov.on.ca) for a hearing and report.

Dated at Kitchener the 5th day of July, 2013.

Christine Tirling
Director of Legislated Services
& City Clerk
City Hall, P.O. Box 1118
200 King Street West
Kitchener, Ontario N2G 4G7

SCHEDULE "B"

Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549, municipally known as a portion of 324 Old Huron Road

Statement of Cultural Heritage Value or Interest

Municipal Address: A portion of 324 Old Huron Road, Kitchener

Legal Description: Part of Lot 11 Biehn's Tract Part, Part 1 of Reference Plan 58R-17549

Year Built: c. 1851

Architectural Style: Georgian

Original Owner: Jacob Wildfong

Original Use: Residential

Condition: Good

Description of Historic Place

The property features a 1 ½ storey mid 19th century stone cottage built in the Georgian architectural style. The building is situated on a 15.73 acre parcel of land located on the south side of Old Huron Road between Templewood Drive and Battler Road in the Brigadoon Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the stone cottage building.

Heritage Value

The property is recognized for its design, physical, contextual, historical and associative values.

The design and physical values relate to the Georgian architectural style that is in good condition with many intact original elements. The stone cottage building features: a symmetrical façade; stone construction, including random-coursed fieldstone walls; door openings, including front door with transom; window openings, including unusually small window openings; vestiges of whitewash under rear porch wall; roof and roofline, including gable roof, roof pitch and return eaves (excluding rear shed dormer); outdoor cellar entrance; and, brick oven in former basement kitchen.

The contextual value relates to the location of the stone cottage building adjacent to the valley landscape. The stone cottage building takes advantage of the valley edge overlooking Strasburg Creek. The location once provided functional needs (e.g. proximity to water) and now provides views to the valley landscape.

The associative and historic values relate to early settlement, the original owner of the property and the stone cottage building. The Wildfong family is associated with early settlement of Biehn's Tract and Bechtel's Tract. In 1802, Jacob Wildfong travelled to the area along with the Bechtels, the Biehns, the Kinzies, and George Clemens (Bloomfield, 2006; Steckle, 1965). Jacob Wildfong owned 309 acres of property within Biehn's Tract in 1802 (Bloomfield, 2006). According to the 1851 census, an earlier house (possibly log) existed on the property but by the 1861 census the current stone house existed on the property (Lythgoe, 2012). By 1823, Joseph Wildfong, son of Jacob, owned 171 acres of property within Biehn's Tract (BT11) (Bloomfield, 2006; Scott, 2011). Jacob resided on the property with his first wife Christina Groh and his second wife Elizabeth Stryker (Shantz, 1980). The farm was later taken over by one of Joseph's sons, Amos

Wildfong (Shantz, 1980). The earlier house was replaced in the 1850s with the existing stone cottage building (Lythgoe, 2012; Scott, 2011). The property remained in the Wildfong family for 85 years until 1887 (Bloomfield, 2006; Scott, 2011). The existing stone cottage building is likely the only remaining building dating from early settlement of the adjacent former hamlet of Strasburg (Scott, 2011).

Heritage Attributes

The heritage value of the property resides in the following heritage attributes:

All elements related to the construction and Georgian architectural style of the building, including:

- o all building elevations;
- o symmetrical façade;
- o stone construction, including random-coursed fieldstone walls;
- o door openings, including front door with transom;
- o window openings, including unusually small window openings;
- o vestiges of whitewash under rear porch wall;
- o roof and roofline (excluding rear shed dormer), including:
 - gable roof;
 - roof pitch; and
 - return eaves; and,
- o brick oven in former basement kitchen.

References

Bloomfield, E. (2006). *Waterloo Township through Two Centuries*. St. Jacobs Printery Ltd.: St. Jacobs, Ontario.

Lythgoe, D. (2012). Individual Report for Joseph Wildfong. Waterloo Region Generations. <http://generations.regionofwaterloo.ca/index.php>

Scott, O. (2011, March 16). Draft Heritage Impact Assessment 324 Old Huron Road, Kitchener, ON. Guelph, ON: The Landplan Collaborative Ltd.

Shantz, C. (1980, July). 324 Huron Road.

Steckle, J. (1965). John Steckle Recollects. *Waterloo Historical Society*, 53: 47-52.

SCHEDULE "C"

**Legal Description for the relevant portion of
324 Old Huron Road**

Part of Lot 11 Biehn's Tract, Part 1 of Reference Plan 58R-17549.

Being all of PIN 22722-1653 (LT).

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESS(ES) IN THE PROVINCE OF ONTARIO

NOTICE OF PASSING

TAKE NOTICE that the Council of the Corporation of the City of Kitchener passed By-law No. 2013-114 designating the property municipally known as 324 Old Huron Road as being of cultural heritage value or interest under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended.

Dated at Kitchener the 11th day of October, 2013

Christine Tarling
Director of Legislated Services
& City Clerk
City Hall, P.O. Box 1118
200 King Street West
Kitchener, Ontario N2G 4G7

Two Column display ad,
Friday October 19, 2013
The Record Insert: Section A (Front); or,
Section B (Local); or,
Section D (Life).