

**REPORT TO:** Heritage Kitchener

**DATE OF MEETING:** June 11, 2024

**SUBMITTED BY:** Garrett Stevenson, Director of Development and Housing Approvals,  
519-741-2200 ext. 7070

**PREPARED BY:** Michelle Drake, Senior Heritage Planner, 519-741-2200 ext. 7839

**WARD(S) INVOLVED:** Ward 5

**DATE OF REPORT:** May 22, 2024

**REPORT NO.:** DSD-2024-261

**SUBJECT:** Notice of Intention to Designate 236 Gehl Place under Part IV of the  
Ontario Heritage Act

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## RECOMMENDATION:

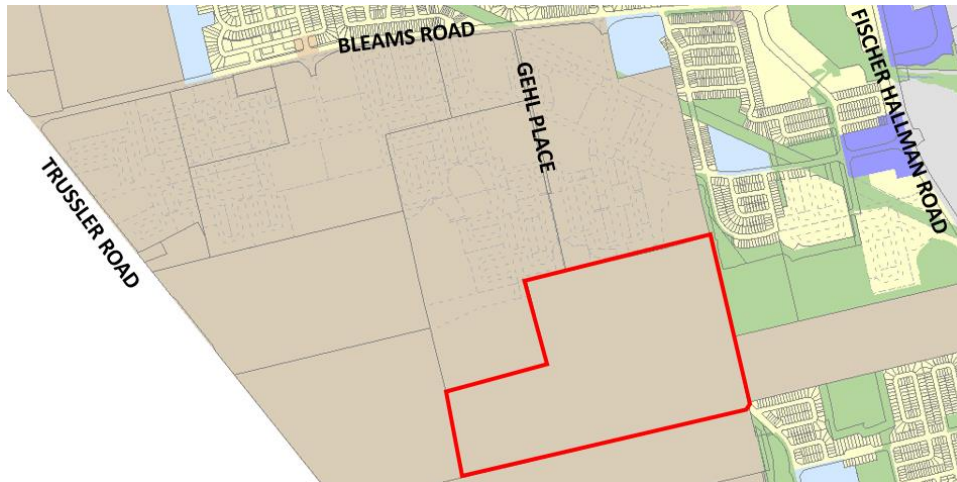
That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 236 Gehl Place as being of cultural heritage value or interest.

## REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council publish a Notice of Intention to Designate 236 Gehl Place Under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance describing the cultural heritage value or interest of 236 Gehl Place has been drafted by Heritage Planning staff.
- The key finding of this report is that 236 Gehl Place meets five (5) of nine (9) criteria for designation under *Ontario Heritage Act Regulation 9/06* (amended by *Ontario Regulation 569/22*) and has been confirmed to be a significant cultural heritage resource recognized for its design/physical, historical/associative, and contextual values.
- There are no financial implications.
- Community engagement included informing residents by posting this report with the agenda in advance of the Heritage Kitchener Committee meeting, providing written correspondence to the property owner, and consulting with Heritage Kitchener at their June 11, 2024 committee meeting. Should Council choose to give Notice of Intention to Designate, such notice shall be served to the property owner and the Ontario Heritage Trust.
- This report supports the delivery of core services.

## BACKGROUND:

236 Gehl Place is a two-storey mid 19<sup>th</sup> century log structure built in the Georgian architectural style. The building is situated on a 142.15 acre parcel of land located on the south side of Bleams Road between Trussler Road and Fischer Hallman Road in the Rosenberg Community Plan of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the log farmhouse.



**Figure 1.0: Location Map of Subject Property (236 Gehl Place)**

An assessment of 236 Gehl Place has been completed. The findings concluded that the subject property meets five (5) of nine (9) criteria for designation under *Ontario Heritage Act Regulation 9/06* (amended by *Ontario Regulation 569/22*). An updated Statement of Significance describing the property's cultural heritage value or interest has been drafted and will be presented to the City's Heritage Kitchener Committee on June 11, 2024. This work was undertaken for two reasons: (i) as a response to a Site Alteration Permit that requests permission to grade the subject property, which will require the log house to be relocated elsewhere on the subject property; and, (ii) as part of the City's Municipal Heritage Register (MHR) Review, initiated in February of 2023.

Heritage Planning staff visited the site on March 27, 2024 with representatives from Schlegel Urban Developments (property owner), GSP group (planning consultant), and Anderson Wellsman Architects Incorporated (heritage architect). During the site visit, Heritage Planning staff had the opportunity to walk around the exterior of the building and enter the interior of the building, including the additions but excluding the attic. The purpose of the site visit was to confirm the City's interest in this built heritage resource and to scope a Heritage Impact Assessment (HIA) Terms of Reference for the Site Alteration Permit.

Development Services Department report DSD-2024-243 responded to a *Notice of Intention to Demolish (Partial)* the three additions to the log house and, in summary, recommended that the notice be allowed to run its course to permit the demolition of the additions. However, Heritage Planning staff raised concerns that allowing the notice period to run its course without an approved "*Demolition, Stabilization and Temporary Protection Plan including a structural assessment, risk management plan, a hoarding and construction plan, and a vibration monitoring plan*" may result in negative impacts to the

structural integrity and/or the heritage attributes of the original log house. As a result, Heritage Planning staff plan to continue working with the property up until the June 11, 2024 Heritage Kitchener committee meeting with the hope being that Heritage Planning staff will be able to provide a verbal update to Heritage Kitchener that addresses any outstanding concerns regarding the potential negative impacts of the demolition of the additions to the structural integrity and/or heritage attributes of the original log house.

The MHR Review is the City's response to amendments to the *Ontario Heritage Act* introduced in January of 2023 through Bill 23, the *More Homes Built Faster Act*. The City contacted owners of listed properties through an initial letter dated May 23, 2023, to inform them of this undertaking. As part of this process, Heritage Planning staff had intended to bring forward a *Notice of Intention to Designate* (NOID) the subject property before December 31, 2024. Due to the submission of the Site Alteration Permit (SAP), Heritage Planning staff believe that it is necessary to move forward with a NOID. The NOID will provide Heritage Planning staff, Heritage Kitchener and Council with the standard tools to address the relocation of the log house elsewhere on the subject property to facilitate the SAP, and address the short-, medium-, and long-term conservation of the log house as part of the SAP and future applications made under the *Ontario Planning Act*.

Should Council support the Notice of Intention to Designate (NOID), the property owner will be contacted a second time through a letter advising of the City's NOID. In addition, an ad for the NOID will be published in a newspaper. Once the letter is served on the property owner and the Ontario Heritage Trust, and the newspaper ad is posted, there will be a 30-day appeal period in which the property owner may object to the designation.

## **REPORT:**

Identifying and protecting cultural heritage resources within the City of Kitchener is an important part of planning for the future, and helping to guide change while conserving the buildings, structures, and landscapes that give the City of Kitchener its unique identity. The City plays a critical role in the conservation of cultural heritage resources. The designation of property under the *Ontario Heritage Act* is the main tool to provide long-term conservation of cultural heritage resources for future generations. Designation recognizes the importance of a property to the local community; protects the property's cultural heritage value or interest; encourages good stewardship and conservation; and, promotes knowledge and understanding about the property. Designation not only publicly recognizes and promotes awareness, but it also provides a process for ensuring that changes to a property are appropriately managed and that these changes respect the property's cultural heritage value or interest.

236 Gehl Place is recognized for its design/physical, historical/associative, and contextual values. It satisfies five (5) of nine (9) criteria for designation under the *Ontario Heritage Act Regulation 9/06* (amended by *Ontario Regulation 569/22*). A summary of the criteria that is or is not met is provided in the table below.

| Criteria  | Criteria Met (Yes/No) |
|---|-----------------------|
| 1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, material, or construction method.  | Yes                   |
| 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.  | No                    |
| 3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.  | No                    |
| 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. | Yes                   |
| 5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.                           | Yes                   |
| 6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.   | No                    |
| 7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.   | Yes                   |
| 8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.  | Yes                   |
| 9. The property has contextual value because it is a landmark.  | No                    |

**Table 1: Criteria for Designation under *Ontario Regulation 9/06* (Amended by *Ontario Regulation 569/22*)**



**Figure 2.0: Front (South Elevation) Façade of 236 Gehl Place**

### ***Design/Physical Value***

The design and physical values relate to the architectural style, building materials, and construction methods. The structure is a substantial two-storey log farmhouse built in the Georgian architectural style (see Figure 2.0). The use of logs is a rare and early example

of a building material and construction method. The original log house generally depicts a rectangular plan with a side gable roofline. The principal building material is the logs with chinking up to the roofline and then vertical plank boards in the gable ends. The log house is in good condition.

According to an Architectural Analysis (Ryan, 1991):

- The facades are very simple and unadorned: only brown painted eave lines and window trim provide decorative emphasis.
- There was once a veranda with shed roof spanning the entire south side of the house.
- The original windows were 6/6 double hung sash.
- Originally the house had return eaves.

#### Front (South Elevation) Façade

The front façade displays a slightly off-centre (towards the right/east) front door with wood trim. A 2/2 flat headed double hung wood window with a wood sill is located on each side of the front door. A two-storey basic porch was a later addition. The shed roof dormer was added to facilitate access to the upper porch.

#### Side (East Elevation) Façade

The side façade displays a symmetrical façade with a central chimney built of yellow brick flanked by windows on both sides at the basement level and on the first- and second storey. The basement windows are flat headed rectangular windows with wood sills. Some of the basement windows, which may be original, feature three-lites. The first storey features two 2/2 flat headed double hung wood windows with wood sills. The second-storey window openings are slightly smaller given the gable roof design and appear to be original; however, the one opening contains a flat-headed 1/1 hung window with wood sill, while the other opening is missing the window and currently covered by plywood.

#### Side (West Elevation) Façade

The side façade displays a symmetrical façade. The two basement windows are flat headed rectangular windows with wood trim and sills. Some of the basement windows, which may be original, feature three-lites. The first-storey features two 2/2 flat headed double hung wood windows with wood sills. The second-storey window openings are slightly smaller given the gable roof design and appear to be original; however, the two openings contain a flat-headed 1/1 hung window with wood sill.

#### Rear (North Elevation) Façade

The rear façade is obstructed by three later additions.

### ***Historical/Associative Value***

The historic and associative values relate to the direct association with agricultural, early pioneers, the original and later property owners, and the properties contribution to the understanding of the pioneer settlers.

The historical/associative value of 236 Gehl Place was evaluated and described in *The Built Heritage and Cultural Landscape Background Study* prepared as part of the *Southwest Kitchener Urban Areas Study*. This study concluded that:

The log house was likely built by William Gehl, who acquired G.C.T. Lot 142 after the death of the previous owner, William Meyer, in 1860. Meyer had purchased G.C.T. Lot 142 in 1847 and at the time already owned G.C.T. Lot 141. Gehl gave his surname to the lane leading from Bleams Road to his farm. Based on the 1861 Tremaine Map and the 1861 Census, it is believed that William Gehl died soon after acquiring the land and building the log house because the map shows Margaret Gehl, William Gehl's wife, as the owner of the property, and the census omits William Gehl among the seven family members with children ranging in age from 10 to 26. William Gehl's will suggests that William placed a great deal of faith in his wife's abilities as he left her 166 acres on G.C.T. Lots 141 and 142 to use and manage as she thinks proper and all the stock and farming materials and house furniture. In 1861, Margaret and her family were living in what was described as a two-storey log house. Margaret retained the property for only a brief period and then sold to George Israel, and it remained in the Israel family until 1966. The property was owned by the Henhoeffter family circa 1974 for several decades (at least until 2011) before it was bought by the current owner.

### ***Contextual Value***

The subject property has contextual value because it maintains and supports the rural character of the area, especially the rural lands to the south located outside of the City Urban Area. In addition, the subject property is physically, visually, and historically linked to its surroundings. 236 Gehl Place was the first of three farms that existed along Gehl Place. It is the only remaining farm on Gehl Place. The log house sits at the end of Gehl Place and looks south over acres of agricultural fields.

### ***Heritage Attributes***

The heritage value of 236 Gehl Place resides in the following heritage attributes:

- a substantial two-storey log farmhouse built in the Georgian architectural style;
- the original log house generally depicts a rectangular plan with a side gable roofline;
- the principal building material is the logs with chinking up to the roofline and then vertical plank boards in the gable ends;
  - Front (South Elevation) Façade:
    - all door and window openings;
    - a slightly off-centre (towards the right/east) front door with wood trim;
    - 2/2 flat headed double hung wood windows with a wood sills located on each side of the front door;
  - Side (East Elevation) Façade:
    - a symmetrical façade with a central chimney built of yellow brick flanked by windows on both sides at the basement level and on the first- and second storey;
    - all window openings;
    - the three-lite rectangular basement windows with flat heads and wood sills;
    - the two 2/2 flat headed double hung wood windows with wood sills.
  - Side (West Elevation) Façade:
    - a symmetrical façade;
    - all window openings;
    - the three-lite rectangular basement windows with flat heads and wood sills;

- the two 2/2 flat headed double hung wood windows with wood sills;
- Rear (North Elevation) Façade:
  - to be included once the building additions have been removed and the façade is visible.

## **STRATEGIC PLAN ALIGNMENT:**

This report supports the delivery of core services.

## **FINANCIAL IMPLICATIONS:**

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

## **COMMUNITY ENGAGEMENT:**

INFORM – This report has been posted to the City’s website with the agenda in advance of the Heritage Kitchener committee meeting.

CONSULT– Property owners were invited to consult via a letter dated May 23, 2023.

Section 29(2) of the *Ontario Heritage Act* requires Council to consult with the Municipal Heritage Committee (Heritage Kitchener) before giving *Notice of Intention to Designate* (NOID) a property. Heritage Kitchener will be consulted via circulation and consideration of this report (see INFORM above). Members of the community will be informed via circulation of this report to Heritage Kitchener and via formal consideration by Council. Should Council choose to proceed with a NOID, such notice will be served on the property owner, the Ontario Heritage Trust, and published in the local newspaper (The Record). Once notice has been served, the property owner has the right of appeal to the Ontario Land Tribunal (OLT). Should Council decide not to proceed with a NOID then the building will remain on the City’s Municipal Heritage Register (MHR) until January 1, 2025, after which it will be removed in accordance with the legislative changes enacted by Bill 23. Once removed from the MHR, it cannot be re-listed on the MHR for five (5) years (i.e., January 1, 2030).

## **PREVIOUS REPORTS/AUTHORITIES:**

- *Ontario Heritage Act, 2022*
- *Ontario Regulation 9/06 (Amended by Ontario Regulation 569/22)*
- Bill 23 – Municipal Heritage Register Review (DSD-2023-225)
- Municipal Heritage Register Review – August 2023 Update (DSD-2023-309)
- Municipal Heritage Register Review – January 2024 Update (DSD-2024-022)
- Municipal Heritage Register Review – February 2024 Update (DSD-2024-056)
- Municipal Heritage Register Review – March 2024 Update (DSD-2024-093)
- Municipal Heritage Register Review – April 2024 Update (DSD-2024-131)
- Municipal Heritage Register Review – May 2024 Update (DSD-2024-194)

- Notice of Intention to Demolish (Partial) – Demolition of Building Additions c. 1860 Log House with c. 1920-1930 Addition and c. 1960 Additions 236 Gehl Place – DSD-2024-243

**APPROVED BY:** Justin Readman, General Manager, Development Services Department

**ATTACHMENTS:** Attachment A – Draft Statement of Significance for 236 Gehl Place