

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: August 6, 2024

SUBMITTED BY: Garett 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: July 10, 2024

REPORT NO.: DSD-2024-341

SUBJECT: Notice of Intention to Designate 1738 Trussler Road under Part IV of the Ontario Heritage Act

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 1738 Trussler Road 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 1738 Trussler Road under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance describing the cultural heritage value or interest of 1738 Trussler Road has been drafted by Heritage Planning staff.
- The key finding of this report is that 1738 Trussler Road 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 August 6, 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:

1738 Trussler Road is a one-and-one-half storey late 19th century brick farmhouse built in the Ontario Gothic Revival architectural style. The adjacent property with frontage on both

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

Huron Road and Trussler Road contains an agricultural landscape with outbuildings, which were historically associated with 1738 Trussler Road (the subject property). The subject property, which contains the farmhouse is situated on a 0.92-acre parcel of land located on while the adjacent property is situated on a 62.39-acre parcel of land. Both properties are located at the southeast corner of Trussler Road and Huron Road in the South Plains Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the farmhouse, and adjacent outbuildings, specifically the barn and driveshed.

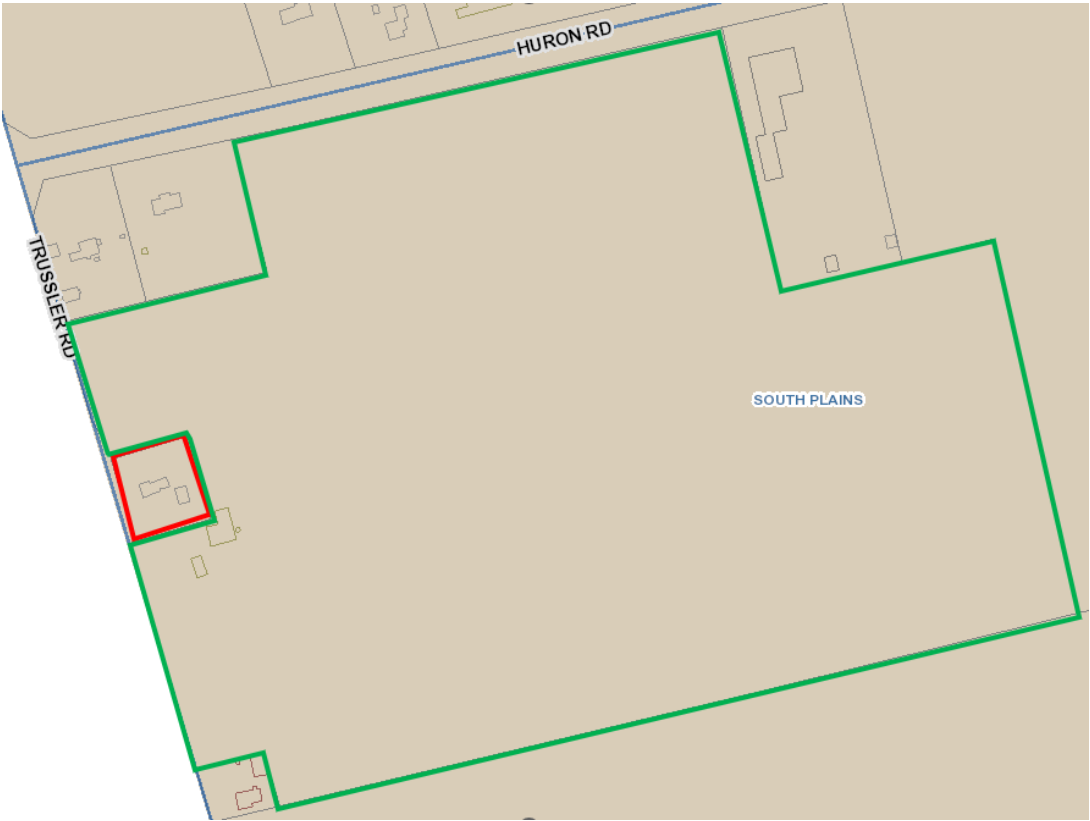


Figure 1.0: Location Map of Subject Property and adjacent property

- 1738 Trussler Road, GCT Pt Lt 149 RP 58R8498 Part 1
- Huron Road, Plan 585 Lots 18, 19, and 20 Part Lots 5, 6, 7, 8, 15, 16, and 21 SS Huron Road German Company Tract Part Lot 149

A full assessment of 1738 Trussler Road has been completed, including: field evaluation and archival research. The findings conclude 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 was presented to the Heritage Kitchener Committee on June 11, 2024. The Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 1738 Trussler Road should be confirmed by pursuing designation of the subject property under Part IV of the *Ontario Heritage Act*. This work was undertaken as part of the City’s Municipal Heritage Register (MHR) Review, initiated in February of 2023. 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*. Bill 200, the *Homeowner Protect Act, 2024*, extended the time municipalities have to designate properties listed on their MHRs

until December 31, 2026. The City contacted owners of listed properties through an initial letter dated May 23, 2023, to inform them of this undertaking. Owners of properties recommended for designation were contacted via a second letter. The property owner for 1738 Trussler Road was contacted via second letter sent by mail dated June 12, 2024. This letter was accompanied by the updated Statement of Significance and a *“Guide to Heritage Designation for Property Owners”* prepared in June 2023. The letter invited property owners to contact the City’s Senior Heritage Planner with any comments, questions, or concerns.

Per standard procedure, should Council support the Notice of Intention to Designate (NOID), the property owner will be contacted a third time through a letter advising of the City’s NOID. 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.



Figure 2.0: Front Elevation (West Façade)

REPORT:

Identifying and protecting cultural heritage resources within our City 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.

1738 Trussler Road 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.	Unknown
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 1.0: Criteria for Designation under *Ontario Regulation 9/06* (Amended by *Ontario Regulation 569/22*)

Design/Physical Value

The property demonstrates design/physical value as a representative example of a late-19th century brick farmhouse built in the Ontario Gothic Revival architectural style. The 1851 Manuscript Census suggests that a one-storey log structure was covered or replaced by the existing building. The building has many intact heritage attributes in good condition.

Front (West) Façade

The front façade faces Trussler Road and contains three bays. The building features: side-gable roof with a central Gothic dormer; buff (yellow) brick laid in the stretcher bond style; second floor pointed arch (lancet) door and door opening with brick hoodmould with corbel stops; central verandah on the first and second floor; second floor verandah features square newel posts with ball caps, and simple top and bottom rails with square balusters; first floor verandah features highly decorative posts and pilasters with scroll brackets and moulded frieze; front door with segmentally arched transom; two segmentally arched windows, window openings and storm windows with brick voussoirs and wood sills; and, fieldstone foundation.

Side (South) Façade

The side façade faces south and contains two bays plus a kitchen annex, which may have been original to the house. The first two bays feature: side-gable roof divided by a concrete block chimney; buff (yellow) brick construction; two 1/1 double hung flat head windows with segmentally arched window openings with brick voussoirs and wood sills on the second storey; two 2/2 double hung segmentally arched windows, window openings and storm windows with brick voussoirs and wood sills; and, a stone foundation. The kitchen annex features: cross-gable roof with a central Gothic dormer; buff (yellow) brick laid in the stretcher bond style; second floor pointed arch (lancet) window and window opening; first storey verandah with a hip roof and highly decorative posts pilasters with scroll brackets and moulded frieze; segmentally arched door and door opening with brick voussoirs; one 2/2 double hung segmentally arched window, window opening and storm window with brick voussoirs and wood sills; and, stone foundation. Another addition is in the rear but has limited visibility from the public realm.

Side (North) Façade

The side façade faces north and features: side-gable roof; two 1/1 double hung flat head windows with segmentally arched window openings with brick voussoirs and wood sills on the second storey; two 2/2 double hung segmentally arched windows, window openings and storm windows with brick voussoirs and wood sills; and, a stone foundation. The kitchen annex to the rear has limited visibility from the public realm.

Other Buildings

The original barn with gable roof, vertical board siding, original hardware and stone foundation is located south of the house on the adjacent property. A new garage was constructed in 1999 on the subject property that does not detract from the character of the farmhouse, barn or immediate surroundings.

Historical/Associative Value

The property municipally addressed as 1738 Trussler Road has historical/associative value due to its history and association with early settlement, Daniel and Jacob Erb, Joseph Bamburger, John Chapman, Reuben Eby, Simon Hallman, Ida Hallman, and the Trussler family.

Daniel and Jacob Erb sold the land to Joseph Bamburger in 1805 who then sold to John Chapman in 1848 (Shantz, 1980). John Chapman Sr., born in 1811, came to Canada from England in the mid-1840's with his wife Lydia and his two children. A third child, John Jr.,

was born in Upper Canada in 1846. The 1851 manuscript census indicates that the Chapman family resided in a one-storey log structure. It is assumed that the brick structure either replaced or covered the log structure. John Chapman sold the land to Reuben Eby in 1907 who then sold the land to Simon Hallman (b. August 28, 1886, d. May 21, 1976) in 1930 (Shantz, 1980). Simon married his wife, Ida Hallman (b. October 24, 1902, d. May 25, 1991), on December 18, 1929 (G. & J. Burmaster, personal communication, July 9, 2024). The lands passed to Ida in 1977 (G. & J. Burmaster, personal communication, July 9, 2024) and shortly thereafter Ida sold to Trussler Farms in 1977 (Shantz, 1980).

Contextual Value

The contextual values relate to how the property helps to maintain and support the rural character of the area. The farmhouse remains on its original location. A board and batten front gable garage contributes to the character of the property along with the cedar hedges delineating three sides of the property. The farmhouse is visually and historically linked to its surroundings, especially the adjacent property where the original barn and driveshed still stand. The adjacent property is addressed off Huron Road (outlined in green on page 1) and legally described as Plan 585 Lots 18, 19, and 20 Part Lots 5, 6, 7, 8, 15, 16, and 21 SS Huron Road German Company Tract Part Lot 149.

Heritage Attributes

The heritage value of 1738 Trussler Road resides in the following heritage attributes:

- All elements related to the design/physical value of the brick house built in the Ontario Gothic Revival architectural style, including:
 - one-and-one-half storey height;
 - rectangular plan with rear kitchen annex;
 - front façade with three bays;
 - side façade with two bays and rear kitchen annex;
 - side-gable roof and kitchen annex both with a central Gothic dormer;
 - buff (yellow) brick laid in the stretcher bond style;
 - half storey pointed arch (lancet) door and door opening with brick hoodmould with corbel stops;
 - half story pointed arch (lancet) window and window opening with hoodmould with corbel stops;
 - central verandah on the first and half storey;
 - half storey verandah features square newel posts with ball caps, and simple top and bottom rails with square balusters;
 - first storey verandah features highly decorative posts and pilasters with scroll brackets and moulded frieze;
 - first storey verandah on the kitchen annex with a hip roof and highly decorative posts pilasters with scroll brackets and moulded frieze;
 - front door with segmentally arched transom;
 - 2/2 double hung segmentally arched windows, window openings and storm windows with brick voussoirs and wood sills;
 - 1/1 double hung flat head windows, window openings and storm windows with brick voussoirs and wood sills; and,
 - fieldstone foundation.

- All elements related to the contextual value of the subject property, including:
 - the setback from Trussler Road to the front façade of the brick house;
 - the orientation of the front façade of the brick house facing Trussler Road; and,
 - the original location of the brick house.

References

Burmester, G. (2008). *Municipal Heritage Register – Written Response Form*. City of Kitchener: Kitchener, ON.

Google Earth (10.49.0.0 Multi-threaded) (2024). *1738 Trussler Road*. [online]. Available from: <https://earth.google.com/web/search/1738+Trussler+Road,+Kitchener,+ON/@43.37547624,-80.51422149,338.67885546a,51.50655924d,35y,-86.22925247h,52.68870417t,360r/data=CowBGmISXAolMHg4ODJjMGE0MjRjMmUzYW M5OjB4ZmMwMzQ5ZWZmMGI0MjU2YxnpMYCmFLBFQCFfoFoz6CBUwCohMTczOCBUcnVzc2xlcjBSb2FkLCBLaXRjaGVuZXIsIE9OGAlgASImCiQJzSfvEzqxRUAR1ArBVcuwRU AZxz6yPdEgVMAh4T0Pa3AhVMA> [Accessed 2024, April 5].

Hallman, J. (1991). *Hallman Family History in Canada*. Mrs. Joan Hallman: Kitchener, ON.

Shantz, C. (1980). *1738 Trussler Road*. City of Kitchener: Kitchener, ON.

Simpson, S. (1981). *1738 Trussler Road*. City of Kitchener: Kitchener, ON.

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– Heritage Planning staff have consulted with the Heritage Kitchener committee regarding designation under the *Ontario Heritage Act*. Property owners were invited to consult via two separate letters dated May 23, 2023 and June 12, 2024. Heritage Planning staff corresponded by email and met in-person at the subject property with the property owners on July 9, 2024. The property owners expressed support for the proposed designation.

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. 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, 2027, after which it will be removed in accordance with the legislative changes enacted by Bill 200. Once removed from the MHR, it cannot be re-listed on the MHR for five (5) years (i.e., January 1, 2032).

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)
- *Bill 200, Homeowners Protection Act, 2024*
- Municipal Heritage Register Review – June 2024 Update (DSD-2024-250)

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

ATTACHMENTS:

Attachment A – Statement of Significance for 1738 Trussler Road