

Report to/Rapport au :

**Ottawa Built Heritage Advisory Committee
Comité consultatif sur le patrimoine bâti d'Ottawa**

and / et

**Agriculture and Rural Affairs Committee
Comité d'agriculture et des affaires rurales**

and Council / et au Conseil

10 February 2012 / le 10 février 2012

Submitted by/Soumis par : Nancy Schepers, Deputy City Manager, Directrice municipale adjointe, Infrastructure Services and Community Sustainability, Services d'infrastructure et Viabilité des collectivités

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Osgoode (20)

Ref N°: ACS2012-ICS-PGM-0061

SUBJECT: DESIGNATION OF THE RUTHERFORD HOUSE, 4515 9TH LINE ROAD, UNDER PART IV OF THE ONTARIO HERITAGE ACT

OBJET : DÉSIGNATION DE LA MAISON RUTHERFORD, SITUÉE AU 4515, CHEMIN 9^E LINE, EN VERTU DE LA PARTIE IV DE LA *LOI SUR LE PATRIMOINE DE L'ONTARIO*

REPORT RECOMMENDATIONS

That the Ottawa Built Heritage Advisory Committee recommend that Agriculture and Rural Affairs Committee recommend that Council issue a notice of intention to designate the Rutherford House, 4515 9th Line Road, under Part IV of the *Ontario Heritage Act* as per the Statement of Cultural Heritage Value attached as Document 3.

RECOMMANDATIONS DU RAPPORT

Que le Comité consultatif sur le patrimoine bâti d'Ottawa recommande au Comité de l'agriculture et des affaires rurales de recommander à son tour au Conseil d'émettre un avis d'intention de désigner la maison Rutherford, située au 4515, chemin 9th Line, en vertu de la partie IV de la *Loi sur le patrimoine de l'Ontario*, conformément à la Déclaration de valeur sur le plan du patrimoine culturel, ci-jointe comme document 3.

BACKGROUND

The Rutherford House, 4515 9th Line Road is a one and one half storey stone house built circa 1855 and located in the former Township of Osgoode.

DISCUSSION

Ontario Heritage Act

Part IV of the *Ontario Heritage Act* provides municipalities with the authority to designate properties of cultural heritage value. The Ottawa Built Heritage Advisory Committee (OBHAC) considers the designation and then makes a recommendation to Agriculture and Rural Affairs Committee and City Council. Council's decision can be appealed. If an appeal is submitted, a Conservation Review Board hearing is held and its decision referred back to Council for its consideration. The Conservation Review Board decision is not binding on City Council.

City of Ottawa Official Plan

The Official Plan has heritage provisions in "Cultural Heritage Resources", Section 2.5.5.2 and 2.5.5.5. These policies provide for the identification and designation of individual buildings under Part IV of the *Ontario Heritage Act*:

2.5.5.2 "Individual buildings, structures and cultural heritage landscapes will be designated as properties of cultural heritage value under Part IV of the Heritage Act."

2.5.5.5 "The City will give immediate consideration to the designation of any cultural heritage resource under the Heritage Act if that resource is threatened with demolition."

Provincial Policy Statement

Section 2.6.1 of the Provincial Policy Statement (2005) contains the following policy regarding the protection of cultural heritage resources: "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

Ontario Regulation 09/06

Regulation 09/06 sets out criteria for designation under Part IV of the *Ontario Heritage Act*. It states that:

A property may be designated under Section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest ... These criteria are organized into three groups; design or physical value, historical or associative value and contextual value.

Research and review by staff has confirmed that the designation of the Rutherford House meets the intention of the above-noted policies.

The Rutherford House meets all three of the criteria under Regulation 09/06. The building has design value as an example of a 19th century stone house built from locally quarried stone and

contextual value for its farm setting. Rutherford House has historical value for its association with the Rutherford family, one of the pioneer families of Osgoode Township and as the childhood home of Alexander Cameron Rutherford, the first premier of Alberta.

RURAL IMPLICATIONS

The designation of this property under Part IV of the *Ontario Heritage Act* will ensure the long term protection and celebration of an important piece of Ottawa's rural heritage.

CONSULTATION

The property owner submitted the request to designate and is aware and supportive of the proposed designation.

Heritage Ottawa is aware of the proposed designation.

COMMENTS BY THE WARD COUNCILLOR

Councillor Doug Thompson is aware of the proposed designation.

LEGAL IMPLICATIONS:

There are no legal implications associated with this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications association with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACT

There are no accessibility implications associated with this report.

TECHNOLOGY IMPLICATIONS

There are no direct technical implications associated with this report.

CITY STRATEGIC PLAN

Long-Term Sustainability Goals : Culture and Identity : Health & Quality of Life

C1 Contribute to the improvement of quality of life

C3 Provide a compelling vibrant destination

HC4 Improve arts and heritage

APPLICATION PROCESS TIMELINE STATUS

N/A

SUPPORTING DOCUMENTATION

- Document 1 Location Map
- Document 2 Photos
- Document 3 Statement of Cultural Heritage Value
- Document 4 Heritage Survey and Evaluation Form

DISPOSITION

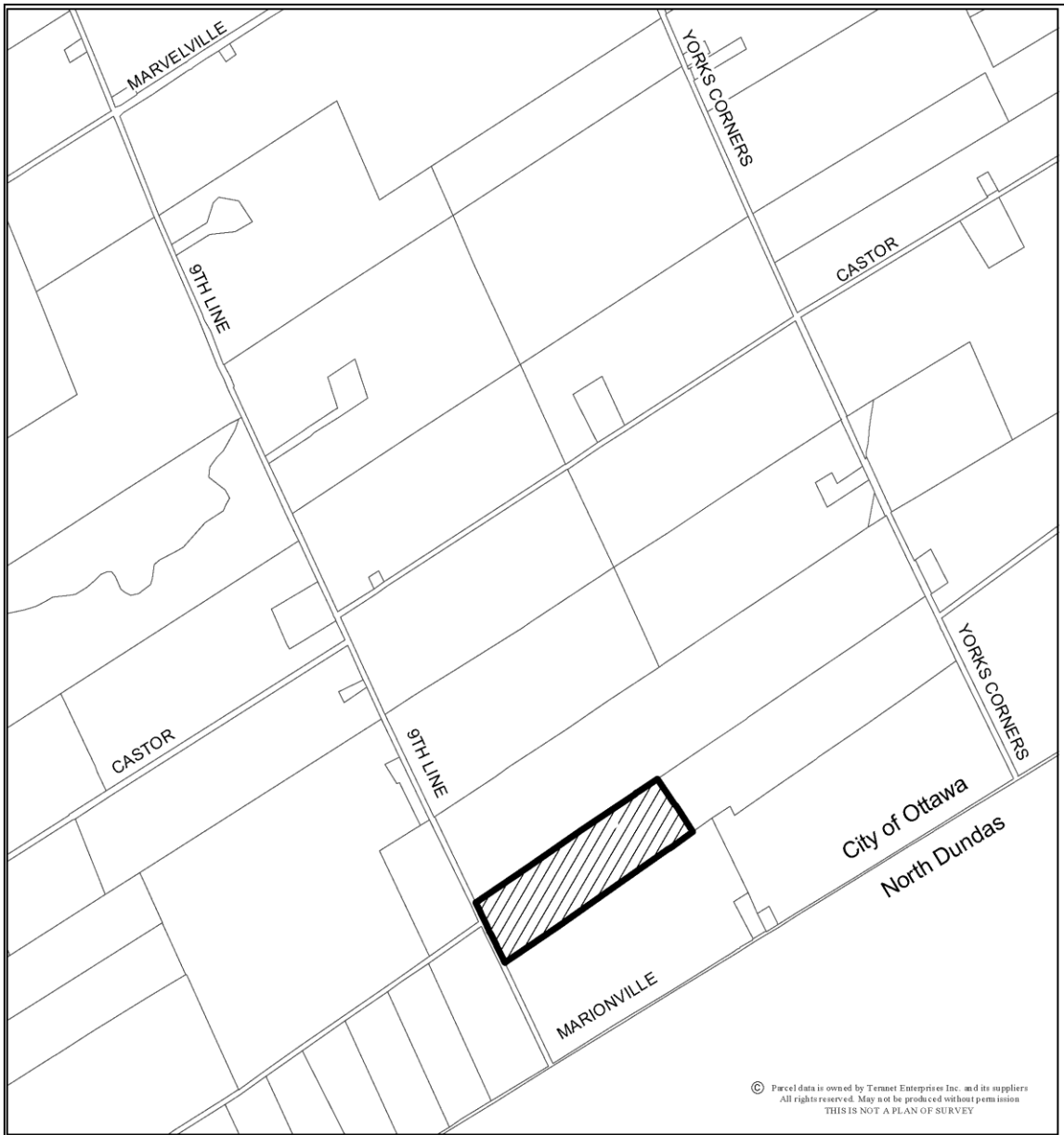
City Clerk and Solicitor Department, Legislative Services Branch to notify the property owner and the Ontario Heritage Trust (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of Council's decision to issue a notice of intention to designate the Rutherford House, 4515 9th Line Road.


Planning and Growth Management Department to advertise the Notice of Intention to Designate according to the *Act* and subsequent Notice of the passage of the designation by-law.

Legal Services to prepare the designation by-law, submit it to City Council for enactment, serve the by-law and register it on title following passage by Council.

LOCATION MAP

DOCUMENT 1




Produced by Infrastructure Services
and Community Sustainability
Produit par le Services d'infrastructure
et Viabilité des collectivités

D09-01-NINT4515	12-0126-C
I:\CO\2012\Heritage\NinthLine4515	
2012 / 02 / 02	
REVISION DATE	DE RÉVISION


Location Map / Plan de révision
Heritage / Patrimoine
4515 NINTH LINE ROAD

Échelle
N.T.S.
Mètres



Scale
N.T.S.
Metres

PHOTOS

DOCUMENT 2



STATEMENT OF CULTURAL HERITAGE VALUE

DOCUMENT 3

**Statement of Cultural Heritage Value
Rutherford House, 4515 9th Line Road**

The Rutherford House, 4515 9th Line Road is an L-shaped, two storey stone farmhouse built circa 1855 in the former Township of Osgoode.

Heritage Value

The Rutherford House is significant for its design value as a 19th century farmhouse, and its historical value as the farmstead of a pioneer family in Osgoode.

The Rutherford House is an L-shaped one and one half storey house built circa 1855 of limestone quarried on the site. The gable roof, large windows, and heavy stone sills and lintels are typical of vernacular farm buildings of this period.

The Rutherford House has historical value for its association with the Rutherford family of Osgoode Township. The Rutherfords were an early pioneer family who emigrated from Scotland in 1839 and owned this property for three generations. This house is the second house on the property, replacing an earlier log house. The house also has historical value as the childhood home of Alexander Cameron Rutherford, the first premier of Alberta. Rutherford was born in this house and lived and worked in the Osgoode area until the 1890s when he moved west to the Northwest Territories. When Alberta became a province in 1905, Rutherford became the first premier. Rutherford was also instrumental in the creation of the University of Alberta and served as the Chancellor for over 30 years. Throughout his career, Rutherford maintained a connection with his home in Osgoode, returning frequently to visit his family.

Heritage Attributes:


The elements of the Rutherford House that embody its heritage value as an example of a mid-19th century farmhouse owned by a leading pioneer family include its:


- One and a half storey stone construction with gable roof
- Large rectangular windows with stone sills and lintels
- Dressed limestone cut in irregular shapes and laid in courses
- Covered porch on south façade with embossed tin roof in a maple leaf motif
- L-shaped covered porch at front of building
- Gable with pointed arch window opening on south façade
- Four stone chimneys


HERITAGE SURVEY AND EVALUATION FORM

DOCUMENT 4



HERITAGE SURVEY AND EVALUATION FORM				
Address	4515 9 th Line Road	Building name	Rutherford House	
Construction date	Circa 1855	Original owner	James and Elizabeth Rutherford	
				
PHASE ONE EVALUATION				
Potential significance	Considerable	Some	Limited	None
Design		2		
History	3			
Context		2		
Phase One Score	7/9			
Phase Two Classification	1	2	3	4

Design or Physical Value	prepared by Lesley Collins month/year January 2012
Architecture (style, building type, expression, material, construction method)	
<p>The Rutherford House, 4515 9th Line Road, is a one and one half storey stone house built in phases beginning in 1857. The original house was an L-shaped building with gable roof and an L-shaped porch at the front. The building was constructed from limestone quarried from the Rutherford property. Historic photos show that the roof of the original portion could have been cedar shingles; it has since been replaced with a standing seam metal roof. The building has projecting returned eaves and moulded soffits. The window openings are large and rectangular with stone sills and lintels. In 1886, a one and one half storey gable roofed addition was added to the rear of the building. The addition is also built from locally quarried dressed limestone cut in irregular shapes and laid in courses. There is a single gable on the south façade with a pointed arch window opening. There is also a long covered porch on the south façade with an original tin roof with a stamped maple leaf motif. The tin shingles from the main roof of the addition have been removed.</p>  <p>Some of the original details on the building have been lost including the original windows, and some of the porch details. The replacement windows are in keeping with the original 6/6 single hung style. Historic photos exist of the building in the late 19th and early 20th centuries.</p>	
Craftsmanship/Artistic merit	
The building is a typical stone building of this era.	
Technical/Scientific merit	
N/A	
Summary	
The Rutherford House is a representative example of a typical mid 19 th century stone farmhouse in the Ottawa area.	
Sources	
Blumenson, John. <u>Ontario Architecture: A Guide to Architectural styles 1784 to present.</u> Fitzhenry and Whiteside, 1990. Rutherford family photo album. Photos scanned by property owner John Koeniger.	
prepared by Lesley Collins	

Historical and Associative Value	month/year January 2012
Date of construction (factual/estimated)	Circa 1857
Themes/Events/Persons/Institutions	
<p>The Rutherford House was constructed circa 1857 as the second house on the Rutherford property. The house was built and owned by James Rutherford and Elizabeth Cameron Rutherford. The Rutherford family immigrated to Canada from Scotland in 1855 with their four eldest children, Grace, Peter, Donald and James. Two more children, Alexander Cameron Rutherford and Jesse Elizabeth Rutherford were born in Canada. They settled on this farm and built a log house upon arrival in 1855. Family history indicates that the log house was replaced by the current two storey stone house in 1857. This house was built by James Rutherford and his sons using limestone quarried from the Rutherford property as was typical of the time. An addition was added to the building in 1886.</p> <p>The Rutherford family was a prominent pioneer family in the Osgoode area and remained on this property for three generations, until 1976. Daniel Rutherford and his wife Grace Stewart remained on the farm to take care of Daniel's parents. Their children, Laura and James remained on the farm until their deaths in the 1970s.</p> <p>The descendents of James and Elizabeth went on to become local farmers, business people, and lawyers. The family was a prominent farming family in Osgoode Township, and James Rutherford was involved in the community as a trustee and chairman of the school board. The Rutherfords were also a religious family, as strong members of the Osgoode Baptist Church and sent at least one of their children away to Toronto's Woodstock College, a Baptist boarding school.</p> <p>James and Elizabeth Rutherford and as a number of their descendents are buried at the Ormond Cemetery in Osgoode.</p> <p>The most notable child of James and Elizabeth Rutherford was Alexander Cameron Rutherford, the first premier of Alberta and the founder of the University of Alberta.</p> <p><u>Dr. Alexander Cameron Rutherford</u></p> <p>Dr. Alexander Cameron Rutherford was the first Rutherford child to be born in Canada. Born on February 2, 1857, Alexander attended the S.S. Number 12 in Osgoode, also known as the "Scotch School" and the "Metcalfe Grammar School" followed by the Baptist Woodstock College in Southern Ontario. After returning to Osgoode Township, Rutherford trained at the Ottawa Normal School and then returned to the Osgoode area to teach at S.S. School #12, located approximately two miles from the family homestead. In 1877, Alexander moved to Montreal to attend McGill and graduated with a Bachelor of Arts and a Bachelor of Civil Law in 1881. He then returned to Ottawa where he articulated with the law firm of Scott, McTavish and McCracken and was called to the Ontario Bar in 1885. He began to practice with the firm of Hodgins, Kidd and Rutherford in Ottawa specializing in cases before the Dominion Supreme Court. He soon moved to Kemptville where he practised until the mid 1890s.</p>  <p>Rutherford married Martha "Mattie" Birkett in Ottawa in 1888 and they had three children, Cecil Alexander Cameron, Hazel Elizabeth and Marjorie Cameron Rutherford (died at age 2). In 1895, shortly after rail service to Strathcona was established in</p>	

1891 with the completion of the Calgary and Edmonton Railway, Rutherford and his family moved to Strathcona (now Edmonton), N.W.T. Rutherford practiced law in Strathcona independently until 1900 when he joined the firm of Jamieson and Mode. Rutherford ran unsuccessfully for the Legislative Assembly of the Northwest Territories in the District of Strathcona in 1896 and 1898. Rutherford ran again in 1902 and was successful and became Speaker of the Assembly in 1903.

In August of 1905, Rutherford was elected as the first president of the Alberta Liberal Association and on September 1, 1905 Alberta became a province. On November 9, 1905, Rutherford led the Liberals to a twenty-three to two victory in Alberta's first provincial election and became Alberta's first premier. In his role as the premier, Rutherford also became Minister of Education and Provincial Treasurer.

Rutherford was a strong supporter of higher education, and is recognized as the father of the University of Alberta. In April 1906, Rutherford introduced the University Bill which paved the way for the opening of the U of A in 1908 in Rutherford's own riding of Strathcona. Rutherford's tenure as premier ended in 1910 when he was ousted as leader of his party over a railway contract. Rutherford sat as a backbencher until 1913 when he retired from politics and returned to his law practice. Rutherford retained his role as Chancellor of the University of Alberta until his death in 1941.

It is clear that Rutherford maintained a connection with his home in Ontario, as there are records of his frequent returns to Osgoode including a Christmas spent at the family home in Kemptville in 1899, a family visit in 1904 and a speech given at the Metcalfe Fair in 1909.

Community History

The Rutherford House is located in Ormond, in former Osgoode Township and on the border with Winchester County. Osgoode Township was acquired by the British in the 1780s but it was not until 1827 that the first settlers, the McDonnell and York families, arrived. Early settlers came to the area for its good farm land and large forests. Many of the early settlers were from Ireland and the Scottish Highlands. Further settlement in the township followed the construction of the Rideau Canal and the railway through Osgoode. The Rutherford Family was one of the pioneer families in Osgoode Township, arriving in 1855.

Designer/Architect


No architect. Vernacular building, built by the family using stone quarried from the farm property.

Summary

The Rutherford house is associated with one of the pioneering farm families in Osgoode Township and was the childhood home of Alberta's first premier, Alexander Cameron Rutherford.

Sources

Rutherford, W. "Descendents and Ancestors of James Rutherford and Elizabeth Cameron from 1698-2010" Rutherford Research, Alberta 2010.
 Osgoode Historical Society. Rutherford Family Files.
 Osgoode Historical Society. "Pioneer Families of Osgoode Township. 2nd Ed." 2010.
 Babcock, D.R. A Gentleman of Strathcona: Alexander Cameron Rutherford. University of Calgary Press. 1989.

Legislative Assembly of Alberta. "The Honourable Alexander C. Rutherford, 1905-10" http://www.assembly.ab.ca/lao/library/premiers/rutherfo.htm University of Alberta. University of Alberta Centennial Project 2008. http://www.ualbertacentennial.ca/ Atlas of Alberta Railways. http://railways.library.ualberta.ca	
Contextual Value	prepared by Lesley Collins
	month/year November 2011
	
Community Character	
The Rutherford House, 4515 9 th Line Road is located in Ormond, formerly part of Osgoode Township, near the boundary with Winchester County. The building is located on a large farm property. The area is dominated by agricultural land uses.	
Context/Links to Surroundings	
The Rutherford House is representative of the early settlement of Osgoode Township in the 19th Century. It is representative of the pioneer farmsteads typical of this area.	
Landmark	
The Rutherford House is set very far back from the street and is not a landmark.	
Summary	
The Rutherford House at 4515 9 th Line Road is a good example of the farmhouses and properties that were typical of Osgoode Township in the 19 th century and the agricultural land use is compatible with the surrounding uses.	