DRAFT REPORT:

Heritage Impact Assessment

97 Victoria Street North, Kitchener, Ontario

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Project # LHC0333

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REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix A. All comments regarding the condition of any buildings on the Property are based on a superficial visual inspection and are not a structural engineering assessment of the buildings unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated with any buildings on the property or the condition of any heritage attributes.

Concerning historical research, the purpose of this report is to evaluate the property for cultural heritage value or interest. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed, and analyzed is sufficient to conduct an evaluation using *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest*. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

The review of policy and legislation was limited to that information directly related to cultural heritage management and is not a comprehensive planning review. Additionally, soundscapes, cultural identity, and sense of place analyses were not integrated into this report.

Due to the ongoing COVID-19 pandemic, access to archives were limited.

Archaeological potential has not been assessed as part of this HIA. A separate archaeological assessment may be required as part of a complete application.

EXECUTIVE SUMMARY

The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results as well as limitations.

LHC was retained in August 2022 by Perimeter Development, on behalf of The Working Centre, to undertake a Heritage Impact Assessment for the redevelopment of the property located at 97 Victoria Street North in the City of Kitchener, in the Regional Municipality of Waterloo. The properties located at 83 and 87 Victoria Street North are also being included in the project; however, they are not listed on the City's municipal heritage register nor have they been flagged by the City for having potential cultural heritage value or interest. Accordingly, this HIA focusses on the Property municipally known as 97 Victoria Street North.

The Proponent is proposing to retain the extant structures located on 83 and 87 Victoria Street North and retain and add two additions to the structure at 97 Victoria Street North. The proposed additions include a one storey addition that will increase the building's height to three storeys, and a one storey addition that will attach to the southmost corner of the building's southwest elevation that will extend along the southeast Property line along Heit Lane. A Statement of Cultural Heritage Value or Interest and list of heritage attributes for the Property are provided in Section 6 of this HIA.

This HIA was prepared to outline heritage planning constraints, assess potential adverse impacts on the cultural heritage value and heritage attributes of the Property and its surrounding area, and identify mitigation measures and alternatives to avoid or lessen impacts. This HIA was undertaken in accordance with the recommended methodology outlined within the MCM's *Ontario Heritage Toolkit* and the City of Kitchener's *Heritage Impact Assessment Terms of Reference*.

In LHC's professional opinion, the Property municipally known as 97 Victoria Street North **meets** criteria 1i, 2i, 31, and 3ii of *O. Reg. 9/06* for its design and physical, historical and associative, and contextual values. Potential adverse impacts were identified for the Property's two storey height and six-over-six windows on the northwest (primary) façade.

Alternatives and mitigation measures to lessen or avoid these potential impacts were explored. It was determined that Option 3, retention of entire structure and integration into proposed development, is the preferred alternative. This Option is preferred because it allows for the alteration of the Property to meet the housing and service needs of The Working Centre while conserving the heritage attributes of the Property and mitigating the potential for adverse impacts to affect the Property, the adjacent property located at 70 Francis Street North and the adjacent Warehouse District CHL.

The City of Kitchener may require a Conservation Plan (CP) to guide project work. A CP is a document that details how a heritage resource will be conserved through site alteration. A CP typically includes descriptions of all repairs, stabilization, and preservation activities that are proposed to occur on a known heritage resource as well as long-range conservation, monitoring, and maintenance plans. In order to inform a more detailed CP, a comprehensive condition survey of the existing building should be undertaken. The City of Kitchener has a *Conservation Plan Terms of Reference* (2018).

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1 INTRODUCTION TO THE PROPERTY

LHC was retained in August 2022 by Perimeter Development, on behalf of the The Working Centre (**the "Proponent"**), to undertake a Heritage Impact Assessment (**HIA**) for the redevelopment of the property located at 97 Victoria Street North (**the "Property"**) in the City of Kitchener (**the "City"**), in the Regional Municipality of Waterloo (**the "Region"**). The properties located at 83 and 87 Victoria Street North are also being included in the project; however, they are not listed on the City's municipal heritage register nor have they been flagged by the City for having potential cultural heritage value or interest. Accordingly, this HIA focusses on the Property municipally known as 97 Victoria Street North.

The Proponent is proposing to retain the extant structures located on 83 and 87 Victoria Street North and retain and add two additions to the structure at 97 Victoria Street North. The proposed additions include a one storey addition that will increase the building's height to three storeys, and a one storey addition that will attach to the southmost corner of the building's southwest elevation that will extend along the southeast Property line along Heit Lane.

This HIA is being prepared to outline heritage planning constraints, assess potential adverse impacts on the cultural heritage value and heritage attributes of the Property and surrounding area, and identify mitigation measures and alternatives to avoid or lessen impacts. This HIA was undertaken in accordance with the recommended methodology outlined within the Ministry of Citizenship and Multiculturalism's (**MCM**) *Ontario Heritage Toolkit* and the City of Kitchener's *Heritage Impact Assessment Terms of Reference.*

1.1 Property Location

The Property is located at the address municipally known as 97 Victoria Street North and legally described as Plan 374 Lot 71. The Property is situated along the south edge of Victoria Street North and is located to the southwest of the Victoria Street North and Weber Street West junction, which is the intersection of two major arterial thoroughfares within the City.

1.2 Property Owner

The Property is owned by The Working Centre located at 58 Queen Street South, Kitchener, Ontario N2G 1V6, (519) 743-1151.

1.3 Property Description

The Property municipally known as 97 Victoria Street North is located in Ward 10 in the City of Kitchener, in the Region of Waterloo, Ontario. The Property's legal description is Plan 374, Lot 71. The Property is located on the south side of Victoria Street North, south of Breithaupt Street, west of Weber Street West, north of Heit Lane, and east of Duke Street West (Figure 1). The section of Victoria Street North that the Property is situated alongside comprises a two-way street consisting of two eastbound and two southbound lanes. The Property is situated within the Innovation District of Kitchener's Urban Growth Centre (Figure 2).

The Property follows an "L" shaped plan and is approximately 1,215.5 m^2 (0.12ha/0.30 acres) in size.[1] The site is currently occupied by a two-storey brick building fronting onto Victoria Street

[1] Information taken from City of Kitchener Interactive Map, 2017.

North. The building is generally rectangular in plan; however, there is a small, one-storey concrete block rear wing that branches off the southmost corner of the structure's southwest elevation. The Property's northwest (primary) and southeast elevations are narrowly setback from their respective property lines. The northeast and southwest side elevations are moderately setback, allowing for pedestrian traffic to access the building. The property is covered by engineered surfaces and has no landscaping. The property is zoned D-6 Arterial Commercial Zone and has two *Special Use Provisions for Specific Lands* (116U and 403U), one *Special Regulation Provision[s] for Specific Lands* (105R), and one *Holding Provision[s] for Specific Lands* (10H) under the City's By-law. See Section 3.3.2 for the definition and permitted uses associated with D-6 Zoning.

1.4 Property Heritage Status

97 Victoria Street North is *listed* as a non-designated property of cultural heritage value or interest on the *Municipal Heritage Register*; the property was added 6 May 2014.[2] A Statement of Significance (**SOS**) was created for 97 Victoria Street North at the time. The SOS notes that the building was built c. 1927 and originally served as an industrial building housing the Mitchell Button Company. The document titled *Statement of Significance 97 Victoria Street North* includes a description of the Property, a statement of heritage value or interest, heritage attributes, photographs, and the City of Kitchener Cultural Heritage Evaluation Form. The statement of heritage value or interest and heritage attributes states, verbatim:

> Heritage Value or Interest
>
> The design value relates to the architecture of the building. The house is a unique example of the Industrial Vernacular architectural style. The building is in good condition. The building is two storeys in height and features: flat roof with shaped parapet on the front façade; 3 by 9 bays; red, yellow and beige brick; shallow buttressing between the windows; original window openings with brick headers and concrete sills; and groups of three 6/ 6 windows on the front façade with brick headers and concrete sills.
>
> The contextual values relate to the contribution that the building makes to the continuity and character of the Victoria Street North streetscape and the warehouse district. The building is historically linked to its surroundings within the warehouse district.
>
> The historic and associative value relate to the original owner, original use and present owner. Walter Mitchell began manufacturing ivory buttons in 1914 (Moyer, 1979). W.E. Mitchell, Walter's son, took over the company in 1915 (Moyer, 1979). The company was known as the Mitchell Button Company. Dwindling supplies and foreign competition shifted the business from ivory to plastic under the direction of Lloyd G. E. Mitchell in 1945 (Moyer, 1979). The company started on Frederick Street in 1915, moved to Gaukel Street for a short period and then to the Victoria Street site around 1921 for 50 years (KW Record, 1958; KW Record, 1970). The company name changed to Mitchell Plastics.

[2] The *City of Kitchener Municipal Heritage Register* was last updated 24 October 2017.

Marshall Ariss joined the company in 1955 and lead the change from plastic buttons to plastic components for industries including IBM, Otis Elevator, International Harvester, Greb and Leigh (Moyer, 1979). Ariss is associated with the early plastics industry and has been honoured with membership in the Plastic Pioneers Club of Canada (Moyer, 1979).

The existing use of the building is for The Working Centre' s Worth a Second Look Furniture and Housewares store and St. John' s Kitchen. According to The Working Centre' s website: " The Working Centre was established in the spring of 1982 as a response to unemployment and poverty in downtown Kitchener. The Centre grew roots in the Kitchener downtown through the dedication of Joe and Stephanie Mancini, a young married couple who had just graduated from St. Jerome' s College at the University of Waterloo. They saw the potential for building a community of interest around responding to unemployment and poverty, developing social analysis and engaging in creative action."

Heritage Attributes:

The heritage value of 97 Victoria Street North resides in the following heritage attributes:

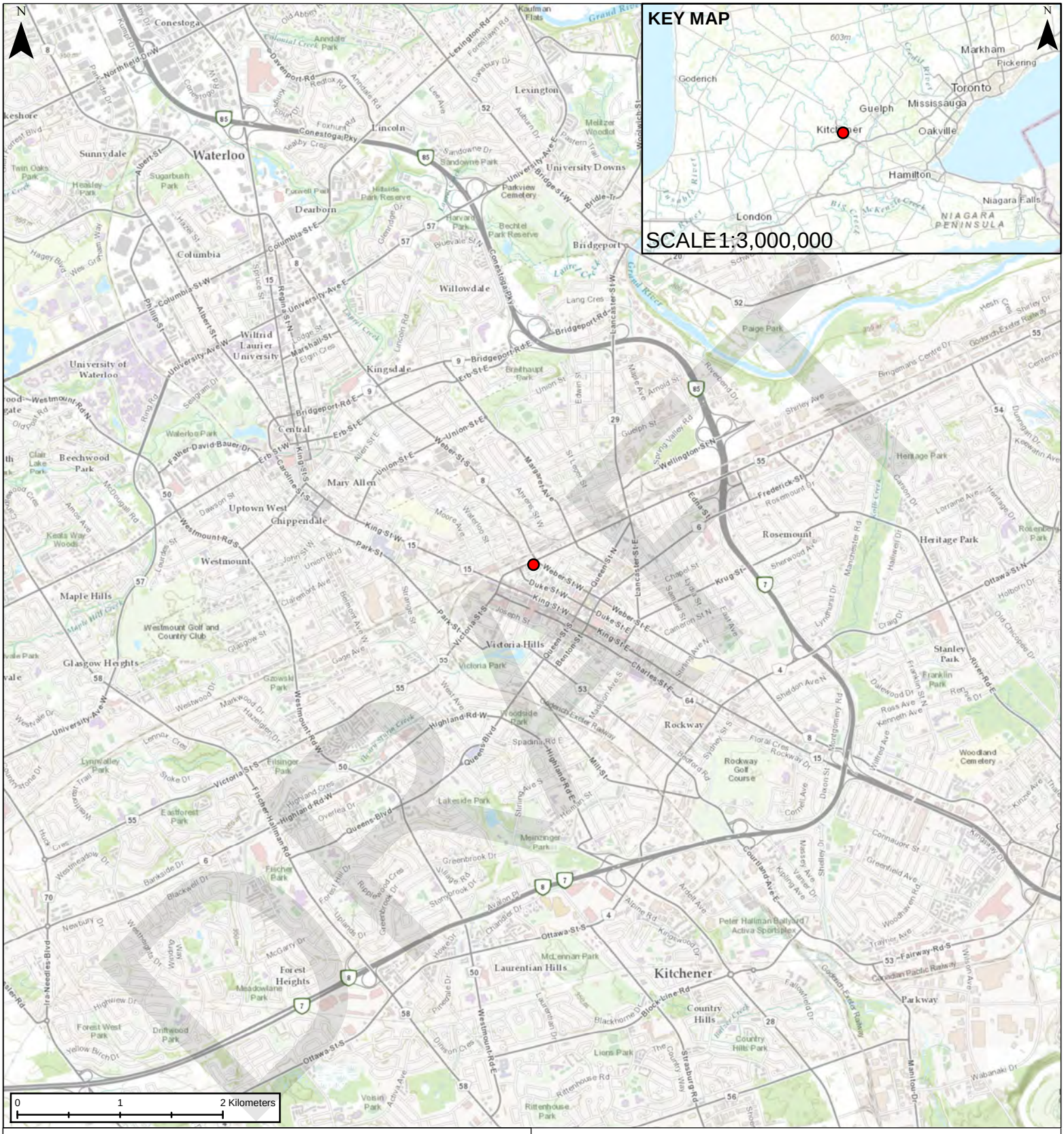
All elements related to the Industrial Vernacular architectural style of the building, including:

- Two storey height;
- Flat roof with shaped parapet on the front façade;
- 3 by 9 bays;
- Red, yellow and beige brick;
- Shallow buttressing between the windows;
- Original window openings with brick headers and concrete sills;
- and groups of three 6/ 6 windows on the front façade with brick headers and concrete sills.

All elements related to the contextual value, including:

- Location of the building and contribution that it makes to the continuity and character of the Victoria Street North streetscape and the warehouse district; and,
- The link to the surrounding warehouse district.[3]

[3] City of Kitchener Community Services Department, “Listing of Non-Designated Property of Cultural Heritage Value or Interest on the Municipal Heritage Register,” May 6, 2014, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=1313095&searchid=1776bd81-ecfc-4b97-a973-cc6bcb1cf560&dbid=0, 2-136 – 2-137



Legend

- Property

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS Community

TITLE
Location Plan

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

CONSULTANT
LHC

YYYY-MM-DD	2022-10-07
PREPARED	LHC
DESIGNED	JG
FIGURE #	1

Legend

Property

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. Service Layer Credits: Sources: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

TITLE
Current Conditions, 97 Victoria Street

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

CONSULTANT
LHC

YYYY-MM-DD	2022-10-07
PREPARED	LHC
DESIGNED	JG
FIGURE #	2

2 STUDY APPROACH

LHC follows a three-step approach to understanding and planning for cultural heritage resources based on the understanding, planning and intervening guidance from the Canada's Historic Places *Standards and Guidelines for the Conservation of Historic Places in Canada* and MCM's *Ontario Heritage Tool Kit*.[4] Understanding the cultural heritage resource involves:

1) Understanding the significance of the cultural heritage resource (known and potential) through research, consultation, and evaluation–when necessary.
2) Understanding the setting, context, and condition of the cultural heritage resource through research, site visit and analysis.
3) Understanding the heritage planning regulatory framework around the cultural heritage resource.

The impact assessment is guided by the *Ontario Heritage Tool Kit*, *Heritage Resources in the Land Use Planning Process, Information Sheet #5, Heritage Impact Assessments and Conservation Plans*. A description of the proposed development or site alteration, measurement of development or site impact and consideration of alternatives, mitigation and conservation methods are included as part of planning for the cultural heritage resource.[5] The HIA includes recommendations for design and heritage conservation to guide interventions to the Property.

2.1 City of Kitchener Heritage Impact Assessment Terms of Reference (2020)

The City's HIA ToR require an assessment to determine potential impacts to cultural heritage resources by proposed development. An HIA prepared for the City:

> …shall include an inventory of all cultural heritage resources within the planning application area. The study results in a report which identifies all known cultural heritage resources, evaluates the significance of the resources, and makes recommendations toward mitigative measures that would minimize negative impacts to those resources.

Requirements of an HIA submitted to the City include the following items listed in Table 1.

Table 1: City of Kitchener's Heritage Impact Assessment Terms of Reference Requirements

Requirement	Location
Present owner contact information for properties proposed for development and/or site alteration.	Found in Section 1.2 of this HIA.
A detailed site history to include a listing of owners from the Land Registry Office, and a history of the site use(s).	Found in Section 4 of this HIA.
A written description of the buildings, structures and landscape features on the subject properties including:	Found in Section 5 of this HIA.

[4] Canada's Historic Places, "Standards and Guidelines for the Conservation of Historic Places in Canada", 2010, 3; MCM, "Heritage Property Evaluation" Ontario Heritage Tool Kit, 2006, 18.
[5] MCM, "Heritage Resources in the Land Use Planning Process" Ontario Heritage Tool Kit, 2006

Requirement	Location
building elements, building materials, architectural and interior finishes, natural heritage elements, and landscaping. The description will also include a chronological history of the buildings' development, such as additions and demolitions.	
The report shall include a clear statement of the conclusions regarding the cultural heritage value and interest of the subject property as well as a bullet point list of heritage attributes. If applicable, the statement shall also address the value and significance of adjacent protected heritage property.	Found in Section 6 of this HIA
Documentation of the subject properties to include: current photographs of each elevation of the buildings, photographs of identified heritage attributes and a site plan drawn at an appropriate scale to understand the context of the buildings and site details. Documentation shall also include where available, current floor plans, and historical photos, drawings or other available and relevant archival material.	Found in Section 5 of this HIA.
An outline of the proposed repair, alteration or development, its context, and how it will impact the properties (subject property and if applicable adjacent protected heritage properties) including buildings, structures, and site details including landscaping. In particular, the potential visual and physical impact of the proposed work on the identified heritage attributes of the properties, shall be assessed. The Heritage Impact Assessment must consider potential negative impacts as identified in the Ministry of Tourism, Culture and Sport's Ontario Heritage Tool Kit. Negative impacts may include but are not limited to: repair/alterations that are not sympathetic or compatible with the cultural heritage resource; demolition of all or part of a cultural heritage resource; etc. The outline should also address the influence and potential impact of the development on the setting and character of the subject properties and adjacent protected heritage property.	Found in Section 7 and Section 8 of this HIA.
Options shall be provided that explain how the significant cultural heritage resources may be conserved. Methods of mitigation may include, but are not limited to, preservation/conservation in situ, adaptive re-use,	Found in Section 9 of this HIA.

Requirement	Location
integration of all or part of the heritage resource, relocation. Each mitigative measure should create a sympathetic context for the heritage resource.	
A summary of applicable heritage conservation principles and how they will be used must be included. Conservation principles may be found in online publications such as: the Standards and Guidelines for the Conservation of Historic Places in Canada (Parks Canada); Eight Guiding Principles in the Conservation of Built Heritage Properties (Ontario Ministry of Tourism, Culture and Sport); and the Ontario Heritage Tool Kit (Ontario Ministry of Tourism, Culture and Sport).	Found in Section 8 of this HIA.
Proposed repairs, alterations and demolitions must be justified and explained as to any loss of cultural heritage value and impact on the streetscape/neighbourhood context.	Found in Section 9 of this HIA.
Recommendations shall be as specific as possible, describing and illustrating locations, elevations, materials, landscaping, etc.	Found in Section 9 of this HIA.
The qualifications and background of the person(s) completing the Heritage Impact Assessment shall be included in the report. The author(s) must demonstrate a level of professional understanding and competence in the heritage conservation field of study.	Found in Appendix A of this HIA.
The report will also include a reference for any literature cited, and a list of people contacted during the study and referenced in the report.	Found in the References Section of this HIA
The summary statement should provide a full description of: • The significance and heritage attributes of the subject properties. • The identification of any impact the proposed repair, alteration or development will have on the heritage attributes of the subject properties, including adjacent protected heritage property.	Found in Section 10 of this HIA.

Requirement	Location
• An explanation of what conservation or mitigative measures, or alternative development, or site alteration approaches are recommended. • Clarification as to why specific conservation or mitigative measures, or alternative development or site alteration approaches are not appropriate.	
The consultant must write a recommendation as to whether the subject properties are worthy of listing or designation under the Ontario Heritage Act. Should the consultant not support heritage designation then it must be clearly stated as to why the subject property does not meet the criteria as stated in Regulation 9/06. The following questions must be answered in the mandatory recommendation of the report: 1. Do the properties meet the criteria for listing on the Municipal Heritage Register as a Non-Designated Property of Cultural Heritage Value or Interest? 2. Do the properties meet the criteria for heritage designation under Ontario Regulation 9/06 of the Ontario Heritage Act? Why or why not? 3. If the subject properties do not meet the criteria for heritage listing or designation then it must be clearly stated as to why they do not. 4. Regardless of the failure to meet criteria for heritage listing or designation, do the properties warrant conservation as per the definition in the Provincial Policy Statement? Why or why not?	Found in Section 6 of this HIA.

2.2 Legislative/Policy Review

The HIA includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy framework that applies to the Property. The impact assessment considers the proposed project against this framework.

2.3 Historic Research

Historical research was undertaken to outline the history and development of the Property and its broader community context. Primary historic material, including air photos and mapping, were obtained from:

- Library and Archives Canada;
- Department of National Defence;
- Ancestry;
- Waterloo Open Data;
- University of Waterloo's Geospatial Centre's Historical Map Collection; and,
- Kitchener Public Library.

Secondary research was compiled from sources such as: historical atlases, local histories, architectural reference texts, available online sources, and previous assessments. All sources and persons contacted in the preparation of this report are listed as footnotes and in the report's reference list.

2.4 Site Visit

A site visit was undertaken on 28 September 2022 by Lisa Coles and Christienne Uchiyama. The primary objective of the site visit was to document and gain an understanding of the Property and its surrounding context. The site visit included a documentation of the surrounding area, exterior views of the structure, and the structure's interior.

2.5 Impact Assessment

The MCM's *Information Sheet #5: Heritage Impact Assessments and Conservation Plans*[6] outlines seven potential negative impacts to be considered with any proposed development or property alteration. The impacts include, but are not limited to:

1) **Destruction** of any part of any significant heritage attribute or features;
2) **Alteration** that is not sympathetic or is incompatible, with the historic fabric and appearance;
3) **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
4) **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
5) **Direct or indirect obstruction** of significant views or vistas within, from, or built and natural features;
6) **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and

[6] MCM, "Heritage Impact Assessments and Conservation Plans, Info Sheet #5" in *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Queen's Printer for Ontario, 2006)

7) **Land disturbances** such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

The HIA includes a consideration of direct and indirect adverse impacts on adjacent properties with known or potential cultural heritage value or interest in Section 8.

3 POLICY FRAMEWORK

3.1 Provincial Planning Context

In Ontario, cultural heritage is considered a matter of provincial interest and cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Cultural heritage is established as a key provincial interest directly through the provisions of the *Planning Act,* the *OHA*, and the *PPS*. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established. What follows is an analysis of the applicable legislation and policy regarding the identification and evaluation of cultural heritage.

3.1.1 The Planning Act R.S.O. 1990, c.P.13

The Planning Act is the primary document for municipal and provincial land use planning in Ontario. This Act sets the context for provincial interest in heritage. It states under Part I (2, d):

> The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as…the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.[7]

Under Section 1 of *The Planning Act*:

> A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter...shall be consistent with [the *PPS*].[8]

Details about provincial interest as it relates to land use planning and development in the province are outlined in the *PPS* which makes the consideration of cultural heritage equal to all other considerations concerning planning and development within the province.

3.1.2 Provincial Policy Statement (2020)

The *PPS* provides further direction for municipalities regarding provincial requirements and sets the policy foundation for regulating the development and use of land in Ontario. Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the *PPS.* The Province deems cultural heritage and archaeological resources to provide important environmental, economic, and social benefits, and *PPS* directly addresses cultural heritage in Section 1.7.1e and Section 2.6.

[7] Province of Ontario, “Planning Act, R.S.O. 1990, c. P.13,” July 1, 2022, https://www.ontario.ca/laws/statute/90p13, Part I (2, d).
[8] Province of Ontario, “Planning Act,” Part I S.5.

Section 1.7 of the *PPS* regards long-term economic prosperity and promotes cultural heritage as a tool for economic prosperity. The relevant subsection states that long-term economic prosperity should be supported by:

> 1.7.1e encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Section 2.6 of the *PPS* articulates provincial policy regarding cultural heritage and archaeology. Subsection's state:

> 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
>
> 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
>
> 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
>
> 2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.
>
> 2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.[9]

The definition of significance in the *PPS* states that criteria for determining significance for cultural heritage resources are determined by the Province under the authority of the *OHA.*[10] The *PPS* makes the consideration of cultural heritage equal to all other considerations and recognizes that there are complex interrelationships among environmental, economic and social factors in land use planning. It is intended to be read in its entirety and relevant policies applied in each situation.

A HIA may be required by a municipality in response to Section 2.6.1 and 2.6.3 to conserve built heritage resources, cultural heritage landscapes, and the heritage attributes of a protected heritage property.

3.1.3 Ontario Heritage Act, R.S.O. 1990, c.O.18

The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of

[9] Province of Ontario, "Provincial Policy Statement," 2020, 29.
[10] Ibid. 51.

heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.[11]

Part I (2) of the *OHA* enables the Minister to determine policies, priorities, and programs for the conservation, protection, and preservation of the heritage of Ontario. The *OHA* and associated regulations establish the protection of cultural heritage resources as a key consideration in the land-use planning process, set minimum standards for the evaluation of heritage resources in the province, and give municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.[12] *O. Reg. 9/06* and *Ontario Regulation 10/06* (***O. Reg. 10/06***) outline criteria for determining cultural heritage value or interest and criteria for determining cultural heritage value or interest of provincial significance.

Individual heritage properties are designated by municipalities under Section 29, Part IV of the *OHA.* A municipality may list a property on a municipal heritage register under Section 27, Part IV of the *OHA.* A municipality may designate heritage conservation districts under Section 41, Part V of the *OHA.* An *OHA* designation applies to real property rather than individual structures.

Amendments to the *OHA* were announced by the Province under Bill 108: *More Homes, More Choices Act* and came into effect on July 1, 2021. Previously, municipal council's decision to protect a property determined to be significant under the *OHA* was final with appeals being taken to the Conservation Review Board, who played an advisory role. With Bill 108 proclaimed, decisions are appealable to the Ontario Land Tribunal for adjudication.

Sections 33 and 34 Part IV and Section 42 Part V of the *OHA* require owners of designated heritage properties to obtain a permit or approval in writing from a municipality/municipal council to alter, demolish or remove a structure from a designated heritage property. These sections also enable a municipality to require an applicant to provide information or material that council considers it may need to decide which may include a HIA.

3.1.4 Places to Grow Act, 2005, S.O. 2005

The *Places to Grow Act* guides growth in the province and was consolidated 1 June 2021. It is intended:

a) to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;

b) to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;

c) to enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across natural and municipal boundaries;

[11] Province of Ontario, "Ontario Heritage Act, R.S.O. 1990, c. O.18," last modified October 19, 2021, https://www.ontario.ca/laws/statute/90o18
[12] Ibid.

d) to ensure that a long-term vision and long-term goals guide decision-making about growth and provide for the co-ordination of growth policies among all levels of government.[13]

This act is administered by the Ministry of Infrastructure and enables decision making across municipal and regional boundaries for more efficient governance in the Greater Golden Horseshoe area.

3.1.5 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Property is located within the area regulated by *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (***the Growth Plan***) which came into effect on 16 May 2019 and was consolidated on 28 August 2020.

In Section 1.2.1, the *Growth Plan* states that its policies are based on key principles, which includes:

> Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.[14]

Section 4.1 Context, in the *Growth Plan* describes the area it covers as containing:

> …a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources.[15]

It describes cultural heritage resources as:

The *GGH* also contains important cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through development and site alteration. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live.[16]

Policies specific to cultural heritage resources are outlined in Section 4.2.7, as follows:

1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources; and,

[13] Province of Ontario, "Places to Grow Act, 2005, S.O. 2005, c. 13," last modified April 19, 2021, https://www.ontario.ca/laws/statute/05p13, 1.
[14] Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," last modified 2020, https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf, 6.
[15] Ibid. 39.
[16] Ibid. 39.

3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.[17]

Amendment 1 to *A Place to Grow* aligns the definitions of *A Place to Grow* with PPS 2020.

3.1.6 Municipal Act, 2001, S.O. 2001, c.25

The *Municipal Act* was consolidated on 11 April 2022 and enables municipalities to be responsible and accountable governments with their jurisdiction.[18] The *Municipal Act* authorizes powers and duties for providing good government and is administered by the Ministry of Municipal Affairs and Housing.

Amongst the many powers enabled by the *Municipal Act* is the power to create By-laws within the municipalities sphere of jurisdiction.[19] Under Section 11 (3) lower and upper tier municipalities are given the power to pass by-laws on matters including culture and heritage.[20] Enabling municipalities to adopt a by-law or a resolution by Council to protect heritage, which may include requirements for an HIA.

3.1.7 Provincial Planning Context Summary

In summary, cultural heritage resources are considered an essential part of the land use planning process with their own unique considerations. As the province, these policies and guidelines must be considered by the local planning context. In general, the province requires significant cultural heritage resources to be conserved.

Multiple layers of municipal legislation enable a municipality to require a HIA for alterations, demolition or removal of a building or structure from a listed or designated heritage property. These requirements support the conservation of cultural heritage resources in Ontario following provincial policy direction.

3.2 Regional Planning Context

3.2.1 Regional Municipality of Waterloo Official Plan (2015)

The *Regional Municipality of Waterloo Official Plan* (***WROP***) was approved with modifications by the Ontario Municipal Board on 18 June 2015 and is currently under review.[21] The *ROP* sets out policies to guide growth and land use within the Region in keeping with provincial policy.

Chapter 3 addresses cultural heritage policies, writing that:

> These resources provide an important means of defining and confirming a regional identity, enhancing the quality of life of the community, supporting social development and promoting economic prosperity. The Region is committed to the conservation of its cultural heritage. This responsibility is shared with the

[17] Province of Ontario, "A Place to Grow: Growth Plan for the Greater Golden Horseshoe," 2020, 47.
[18] Province of Ontario, "Municipal Act, 2001, S.O. 2001, c.25," last modified April 11, 2022, https://www.ontario.ca/laws/statute/01m25.
[19] Ibid. 11.
[20] Ibid. 11(3).
[21] Regional Municipality of Waterloo, "Regional Municipality of Waterloo Official Plan," last modified June 18, 2015,https://www.regionofwaterloo.ca/en/regional-government/land-use-planning.aspx

Federal and Provincial governments, Area Municipalities, other government agencies, the private sector, property owners and the community.[22]

Policies related to the Identification of Cultural Heritage Resources, Cultural Heritage Landscapes, Archaeology, Heritage Planning Advisory Committees, Cultural Heritage Impact Assessment, Conservation, Promotion and Research, and Scenic Roads are outlined by the *WROP.* Policies most relevant to the Property and proposed development have been included below in Table 2.

Table 2: Relevant Policies in the Regional Municipality of Waterloo's Official Plan

Policy	Policy Text
	Identification of Cultural Heritage Resources
3.G.1	The Region and Area Municipalities will ensure that *cultural heritage resources* are *conserved* using the provisions of the Heritage Act, the Planning Act, the Environmental Assessment Act, the Cemeteries Act and the Municipal Act.
3.G.3	Area Municipalities will identify cultural heritage resources by establishing and maintaining a register of properties that are of cultural heritage value or interest. Area Municipalities will include on their register properties designated under Part IV, V or VI of the Heritage Act, and will consider including, but not be limited to, the following additional cultural heritage resources of cultural heritage value or interest: a) properties that have heritage conservation easements or covenants registered against title; b) cultural heritage resources of Regional interest; and c) cultural heritage resources identified by the Grand River Conservation Authority and the Federal or Provincial governments.
	Cultural Heritage Landscapes
3.G.5	The Region will prepare and update a Regional Implementation Guideline for Cultural Heritage Landscape Conservation. This guideline will outline the framework for identifying Cultural Heritage Landscapes, including Cultural Heritage Landscapes of Regional interest, and for documenting each individual landscape through a Cultural Heritage Conservation Landscape Plan that includes: (a) a statement of significance; (b) a listing of the cultural heritage resources and attributes being conserved within the Cultural Heritage Landscape through the use of existing planning

[22] Regional Municipality of Waterloo, "Regional Municipality of Waterloo Official Plan," 2015, 48.

Policy	Policy Text
	tools, such as Heritage Act designations, listings on the Municipal Register, official plan policies, secondary plans and zoning bylaws; and (c) recommendations for additional conservation measures.
3.G.6	Area Municipalities will designate Cultural Heritage Landscapes in their official plans and establish associated policies to conserve these areas. The purpose of this designation is to conserve groupings of cultural heritage resources that together have greater heritage significance than their constituent elements or parts.
3.G.7	The Region will assist Area Municipalities with the preparation of Cultural Heritage Landscape Conservation Plans for Cultural Heritage Landscapes of Regional interest.
	Archaeology
3.G.8	The Region will prepare and update a Regional Archaeological Master Plan, an associated Regional Archaeological Implementation Guideline, and maps identifying *archaeological resources* and *areas* of *archaeological potential*. The Master Plan will provide detailed information on the variables used to determine areas of *archaeological potential* and define the archaeological review process.
3.G.9	During the review of *development applications* and/or *site plans*, the Region and/or Area Municipalities will require the owner/applicant to submit an archaeological assessment conducted by a licensed archaeologist in accordance with the provisions of the Regional Archaeological Implementation Guideline following the Ministry of Tourism and Culture's Standards and Guidelines, to the satisfaction of the Province, where *archaeological resources* and/or *areas of archaeological potential* have been identified in the Archaeological Master Plan.
3.G.10	Where an *archaeological assessment* identifies a *significant archaeological resource*, the Region or Area Municipality will require the owner/applicant to conserve the *significant archaeological resource* by: a) ensuring the site remains undeveloped and, wherever appropriate, designated as open space by the Area Municipality; or b) removing the *significant archaeological resource* from the site by a licensed archaeologist, prior to site grading or construction.
	Cultural Heritage Impact Assessment
3.G.13	Area Municipalities will establish policies in their official plans to require the submission of a *Cultural Heritage Impact Assessment* in support of a proposed *development* that includes or is adjacent to a designated property or includes a non-designated resource of cultural heritage value or interest listed on the Municipal Heritage Register.

Policy	Policy Text
3.G.14	Where a *Cultural Heritage Impact Assessment* required under Policy 3.G.13 relates to a *cultural heritage resource* of Regional interest, the Area Municipality will ensure that a copy of the assessment is circulated to the Region for review. In this situation, the *Cultural Heritage Impact Assessment* submitted by the owner/applicant will be completed to the satisfaction of both the Region and the Area Municipality.
3.G.15	Where a *development application* includes, or is adjacent to, a *cultural heritage resource* of Regional interest which is not listed on a Municipal Heritage Register, the owner/applicant will be required to submit a *Cultural Heritage Impact Assessment* to the satisfaction of the Region.
3.G.16	The Region will undertake a *Cultural Heritage Impact Assessment* and consult with the affected Area Municipality and the Regional Heritage Planning Advisory Committee prior to planning, designing or altering Regional buildings or *infrastructure* that may affect a *cultural heritage resource* listed on the region-wide inventory described in Policy 3.G.4. The *Cultural Heritage Impact Assessment* will be reviewed and approved in accordance with the policies in this Plan.
3.G.17	Cultural Heritage Impact Assessment will include, but not be limited to the following: a) historical research, site analysis and evaluation; b) identification of the significance and heritage attributes of the cultural heritage resource; c) description of the proposed development or site alteration; d) assessment of development or site alteration impacts; e) consideration of alternatives, mitigation and conservation methods; f) schedule and reporting structure for implementation and monitoring; and g) a summary statement and conservation recommendations.
3.G.18	Where a *Cultural Heritage Impact Assessment* required in this Plan relates to a *cultural heritage resource* of Regional interest, the conservation recommendations will, wherever feasible, aim to *conserve cultural heritage resources* intact by: a) recognizing and incorporating heritage resources and their surrounding context into the proposed development in a manner that does not compromise or destroy the heritage resource; b) protecting and stabilizing built heritage resources that may be underutilized, derelict, or vacant; and c) designing development to be physically and visually compatible with, and distinguishable from, the heritage resource.

Policy	Policy Text
3.G.19	Where it is not feasible to conserve a *cultural heritage resource* intact in accordance with Policy 3.G.18, the conservation recommendations will: a) promote the reuse or adaptive reuse of the resource, building, or building elements to preserve the resource and the handiwork of past artisans; and b) require the owner/applicant to provide measured drawings, a land use history, photographs and other available documentation of the cultural heritage resource in its surrounding context.
3.G.20	Cultural Heritage Impact Assessments may be scoped or waived by the Region or the Area Municipality as applicable.

3.2.2 Region of Waterloo Arts, Culture, and Heritage Master Plan (2002)

The *Region of Waterloo Arts, Culture, and Heritage Master Plan* (***Master Plan***) includes recommendations and implementation strategies for identification, protection, promotion, and investment cultural resources in the region. The *Master Plan* was created because:

> Arts, culture, and heritage initiatives make a significant contribution to the well-being and quality of life of the residents of Waterloo Region. They reflect and enhance the community's unique identity and diversity, contribute to economic vitality, and shape future growth. Accordingly, the Region of Waterloo, alone or in partnership, will identify, protect, promote, and invest in existing resources; implement strategies to support existing and additional arts, culture, and heritage initiatives; and ensure their long-term prosperity and sustainability.[23]

The goals of the *Master Plan* are to achieve the following: [24]

1. Community Identity and Character

Develop a stronger cultural heritage identity for the region, one that celebrates its diversity, the character of its multiple towns and cities and the differing traditions of their founders; its natural features; and the richness of its arts, culture and heritage assets.

2. Education and Awareness

Build a stronger foundation for arts, culture, and heritage within the community.

3. Coordination and Partnership Formation

Encourage a greater degree of collaboration across all sectors and disciplines.

4. Resources

[23] Region of Waterloo, "Arts, Culture and Heritage Master Plan," last modified October 2002, https://www.regionofwaterloo.ca/en/exploring-the-region/resources/Documents/artsmasterplan.pdf, I.
[24] Ibid. IV.

Support opportunities for the development and sustainability of existing arts, culture, and heritage organizations.

5. Accessibility

Maximize accessibility to arts, culture, and heritage opportunities and information.

The *Master Plan* provides guidance and direction for the region for protecting, identifying, and enhancing cultural heritage aspects for communities, and in serving as a primary document to help develop new policies and implementation strategies.

3.2.3 Regional Planning Context Summary

The Region has acknowledged the identification and conservation of cultural heritage resources is an important element of the land use planning process. Cultural heritage resources are viewed as important drivers for the Region's cultural and economic growth. The Region requires the completion of an HIA for proposed work on a listed property and assessment of archaeological potential. If the property is of Regional interest, a copy of the HIA must be submitted to the Region for review.

3.3 Local Planning Context

3.3.1 City of Kitchener Official Plan (2014)

The *City of Kitchener Official Plan* (***OP***) was approved with modifications by the Region on 19 November 2014 and was consolidated to 2019.[25] The *OP* guides growth, land use, and environmental protection for the City to 2031.[26]

Section 12 addresses cultural heritage policies which are of historical, cultural, social, economic, environmental, and educational value to the City.[27] Policies relevant to the Property and proposed development have been included below in Table 3.

Table 3: Relevant Policies in the City of Kitchener's Official Plan

Policy	Policy Text
	Objectives
12.1.1.	To *conserve* the *city's cultural heritage resources* through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained.
12.1.2.	To ensure that all development or redevelopment and site alteration is sensitive to and respects cultural heritage resources and that cultural heritage resources are conserved.

[25] City of Kitchener, "City of Kitchener Official Plan," last modified October 29, 2019, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_City_of_Kitchener_Official_Plan_2014.pdf, cover.
[26] Ibid. 1-1.
[27] Ibid. 12-1.

Policy	Policy Text
12.1.3.	To increase public awareness and appreciation for *cultural heritage resources* through educational, promotional and incentive programs.
12.1.4.	To lead the community by example with the identification, protection, use and/or management of *cultural heritage resources* owned and/or leased by the *City*.
	Policies
12.C.1.1.	The *City* will ensure that *cultural heritage resources* are *conserved* using the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremation Services Act and the Municipal Act.
12.C.1.3.	The *City* will develop, prioritize and maintain a list of *cultural heritage resources* which will include the following: a) properties listed as non-designated properties of cultural heritage value or interest on the *Municipal Heritage Register*; b) properties designated under Part IV and V of the Ontario Heritage Act; c) cultural heritage landscapes; and, d) heritage corridors. The list may also include *cultural heritage resources* identified in *Federal*, *Provincial* and *Regional* inventories and properties listed on the Heritage Kitchener Inventory of Historic Buildings until such time as these properties are re-evaluated and considered for listing on the *Municipal Heritage Register*.
12.C.1.4.	The *City* acknowledges that not all of the *city's cultural heritage resources* have been identified as a *cultural heritage resource* as in Policy 12.C.1.3. Accordingly, a property does not have to be listed or designated to be considered as having cultural heritage value or interest.
12.C.1.5.	Through the processing of applications submitted under the Planning Act, resources of potential cultural heritage value or interest will be identified, evaluated and considered for listing as a non-designated property of cultural heritage value or interest on the *Municipal Heritage Register* and/or designation under the Ontario Heritage Act.
12.C.1.7.	Properties that are of cultural heritage value or interest will be considered for designation under the Ontario Heritage Act. The cultural heritage value or interest associated with the *cultural heritage resource* will be evaluated based on the regulation in the Ontario Heritage Act which provides criteria for determining cultural heritage value or interest.
	Archaeology

Policy	Policy Text
12.C.1.17.	During the review of *development applications* or applications for *site alteration,* The *City* and/or the *Region* will require an owner/applicant to submit an archaeological assessment conducted by a licensed archaeologist in accordance with any applicable Regional or Provincial Standards and Guidelines, to the satisfaction of the *Province*, where *archaeological resources* and/or areas of archaeological potential have been identified in the Regional Archaeological Master Plan.
12.C.1.18.	Where an archaeological assessment identifies a *significant archaeological resource*, the *City* and/or the *Region* and the *Province* will require the owner/applicant to *conserve* the *significant archaeological resource* in accordance with Ministry approvals by: a) ensuring the site remains undeveloped and, wherever appropriate, designated as open space by the *City*; or, b) removing the *significant archaeological resource* from the site by a licensed archaeologist, prior to site grading or construction.
	Conservation Measures
12.C.1.19.	In addition to listing and designating properties under the Ontario Heritage Act, the *City* may use and adopt further measures to encourage the protection, maintenance and conservation of the *city's cultural heritage resources* including built heritage and significant *cultural heritage landscapes* and implement Cultural Heritage Resource Conservation Measures Policies in this Plan. These may include but are not limited to covenants and easements pursuant to the Ontario Heritage Act; by-laws and agreements pursuant to the Planning Act (*Zoning By-law*, demolition control, site plan control, *community improvement* provisions, provisions in a subdivision agreement); and by-laws and agreements pursuant to the Municipal Act (*Property Standards By-law*, tree by-law, sign by-law).
12.C.1.20.	The *City* will make decisions with respect to *cultural heritage resources* that are consistent with the policies of the Provincial Policy Statement, which require the *conservation* of *significant cultural heritage resources*. In addition, such decisions will be consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.
12.C.1.21.	All development, redevelopment and site alteration permitted by the land use designations and other policies of this Plan will conserve Kitchener's significant cultural heritage resources. The conservation of significant cultural heritage resources will be a requirement and/or condition in the processing and approval of applications submitted under the Planning Act.
12.C.1.22.	The *City* may require financial securities from the owner/applicant of an application submitted under the Planning Act, including applications for consent,

Policy	Policy Text
	site plan, draft plan of vacant land condominium and draft plan of subdivision, to ensure the *conservation* of the *city's cultural heritage resources* both during and after the *development* process.
	Heritage Impact Assessments and Heritage Conservation Plans
12.C.1.23.	The City will require the submission of a Heritage Impact Assessment and/or a Heritage Conservation Plan for development, redevelopment and site alteration that has the potential to impact a cultural heritage resource and is proposed: a) on or adjacent to a protected heritage property; b) on or *adjacent* to a *heritage corridor* in accordance with Policies 13.C.4.6 through 13.C.4.18 inclusive; c) on properties listed as non-designated properties of cultural heritage value or interest on the *Municipal Heritage Register*; d) on properties listed on the Heritage Kitchener Inventory of Historic Buildings; and/or, **1.** e) on or adjacent to an identified cultural heritage landscape.
12.C.1.24.	Where a *Heritage Impact Assessment* required under Policy 12.C.1.23 relates to a *cultural heritage resource* of Regional interest, the *City* will ensure that a copy of the assessment is circulated to the *Region* for review prior to final consideration by the *City*.
12.C.1.25.	A *Heritage Impact Assessment* and *Heritage Conservation Plan* required by the *City* must be prepared by a *qualified person* in accordance with the minimum requirements as outlined in the City of Kitchener's Terms of Reference for *Heritage Impact Assessments* and *Heritage Conservation Plans*.
12.C.1.26.	The contents of a *Heritage Impact Assessment* will be outlined in a Terms of Reference. In general, the contents of a *Heritage Impact Assessment* will include, but not be limited to, the following: a) historical research, site analysis and evaluation; b) identification of the significance and *heritage attributes* of the *cultural heritage resource*; c) description of the proposed development or *site alteration*; d) assessment of development or *site alteration* impact or potential *adverse impacts*; e) consideration of alternatives, mitigation and conservation methods;

Policy	Policy Text
	f) implementation and monitoring; and, 1. g) summary statement and conservation recommendations.
12.C.1.27.	Any conclusions and recommendations of the *Heritage Impact Assessment* and *Heritage Conservation Plan* approved by the *City* will be incorporated as mitigative and/or *conservation* measures into the plans for *development* or *redevelopment* and into the requirements and conditions of approval of any application submitted under the Planning Act.
12.C.1.28.	*Heritage Impact Assessment*s and *Heritage Conservation Plans* required by the *City* may be scoped or waived by the *City*, as deemed appropriate.
	Demolition/Damage of Cultural Heritage Resources
12.C.1.32.	Where a *cultural heritage resource* is proposed to be demolished, the *City* may require all or any part of the demolished *cultural heritage resource* to be given to the *City* for re-use, archival, display or commemorative purposes, at no cost to the *City*.
12.C.1.33.	In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a *significant cultural heritage resource* is proposed and permitted, the owner/applicant will be required to prepare and submit a thorough archival documentation, to the satisfaction of the *City*, prior to the issuance of an approval and/or permit.
12.C.1.34.	Where archival documentation is required to support the demolition, salvage, dismantling, relocation or irrevocable damage to a *significant cultural heritage resource*, such documentation must be prepared by a *qualified person* and must include the following: a) architectural measured drawings; b) a land use history; and, c) photographs, maps and other available material about the *cultural heritage resource* in its surrounding context. Archival documentation may be scoped or waived by the *City*, as deemed appropriate.
12.C.1.35.	In the event that demolition is proposed to a non-designated property of cultural heritage value or interest listed on the *Municipal Heritage Register*, the owner/applicant will be required to provide written notice to the *City* of the intent to demolish, 60 days prior to the date demolition is proposed. The significance of the *cultural heritage resource* will be evaluated and Council may use the 60 days

Policy	Policy Text
	to pursue designation of the *cultural heritage resource* under the Ontario Heritage Act.
12.C.1.36.	The *City* may give due consideration to designate under the Ontario Heritage Act any *cultural heritage resource* if that resource is threatened with demolition, significant alterations or other potentially *adverse impacts*.
	Design/Integration
12.C.1.46.	The *City* will prepare guidelines as part of the *Urban Design Manual* to address the *conservation* of *cultural heritage resources* in the *city* and to recognize the importance of the context in which the *cultural heritage resources* are located.
12.C.1.47.	The *City* may require architectural design guidelines to guide *development*, *redevelopment* and *site alteration* on, *adjacent* to, or in close proximity to properties designated under the Ontario Heritage Act or other *cultural heritage resources*.
12.C.1.48.	Signage on *protected heritage properties* will be *compatible* and complementary to the *heritage attributes* of the *protected heritage property* and in accordance with and consistent with good *conservation* practice.

3.3.2 City of Kitchener Zoning By-law 85-1 and 2019-051 (2019)

The City is currently reviewing its zoning and has two zoning by-laws in force: *Zoning By-law 85-1* and *Zoning By-law 2019-051. Zoning By-law 85-1* is consolidated to 29 March 2004 and applies to all properties in the City.[28] *Zoning By-law 2019-051* was approved by City Council on 29 April 2019 and is currently under appeal.[29] It is stage 1 of the City's zoning review and includes the

> …framework of the document, definitions, general regulations, parking requirements and every zoning section with the exception of residential and urban growth centre (downtown).[30]

The Property is not yet subject to *Zoning By-law 2019-051* and is currently subject to *Zoning By-law 85-1.* The Property is zoned D-6, which is known as *Arterial Commercial Zone*, which supports the uses identified in Table 4 below. This zoning classification does not have accompanying cultural heritage regulations. The Property is also subject to two *Special Use Provisions for Specific Lands* (116U and 403U), one *Special Regulation Provision[s] for Specific*

[28] City of Kitchener, "City of Kitchener Zoning By-law 85-1," last modified March 29, 2004, https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Sections//Section%201%20-%20General%20Scope.pdf, 1.
[29] City of Kitchener, "City of Kitchener Zoning By-law 2019-051," last modified April 29, 2019, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_CROZBY_Consolidated_Zoning_Bylaw_Council_Approved.pdf.
[30] City of Kitchener, "Zoning bylaw," Development and construction, last modified 2021, https://www.kitchener.ca/en/development-and-construction/zoning-bylaw.aspx.

Lands (105R), and one *Holding Provision[s] for Specific Lands* (10H). These additional provisions are defined in Table 5 below.

Table 4: Zoning By-law 85-1 Permitted Uses[31]

Permitted Use	Permitted Use	Permitted Use
Audio-Visual or Medical Laboratory	Beverage and Beverage-Making Equipment Sales	Building Material and Decorating Supply Sales
Canine or Feline Grooming or Training (By-law 93-129, S.9)	Carwash	Commercial Parking Facility
Commercial Recreation	Convenience Retail	Craftsman Shop
Day Care Facility	Educational Establishment	Financial Establishment
Funeral Home	Garden Centre and Nursery	Gas Station
Health Clinic	Health Office	Hotel
Office	Personal Services	Printing Establishment
Private Club or Lodge and Union Hall	Religious Institution	Repair Service
Restaurant	Sale of Pets and Pet Supplies (By-law 96-58, S.2)	Sale of Sporting Goods (By-law 98-136, S.1)
Sale or Rental of Furniture and Electric or Electronic Appliances or Electric or Electronic Equipment	Sale, Rental or Service of Business Machines and Office Supplies	Sale, Rental, Service, Storage or Repair of Motor Vehicles, Major Recreational Equipment and Parts and Accessories for Motor Vehicles or Major Recreational Equipment
Sale, Rental, Storage or Service of Tools and Industrial or Farm Equipment	Studio	Surveying, Planning, Engineering or Design Business (By-law 87-145, S.1)
Tradesman or Contractor's Establishment	Transportation Depot (By-law 93-129, S.9)	Veterinary Services
Warehouse	Wholesaling	

[31] City of Kitchener, "Section 17 Warehouse District Zone (D-6) Zoning By-law 85-1," last modified March 5, 2012, https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Sections//Section%2017%20-%20Warehouse%20District%20Zone%20(D-6).pdf, 1-2.

Table 5: Additional By-law Provisions that Apply to the Property

Provision	Description
Provision 116U, Special Use Provisions for Specific Lands	Notwithstanding Section 17.1 of this by-law, within the lands zoned D-6, described in the clauses listed below, commercial entertainment excluding amusement arcade, retail and multiple dwellings shall also be permitted only in the buildings existing on the day of the passing of By-law Number 92-232, and having a minimum facade height of 6.0 metres.[32]
Provision 403U, Special Use Provisions for Specific Lands	Notwithstanding Section 17.1 and Schedule 105 of Appendix D, subsection iii) of this By-law, within the lands zoned D-6 on Schedule 84 of Appendix "A", described as Part Lot 69, Lot 70 and Lot 71, Plan 374, a residential care facility shall be a permitted use and may be located on the ground floor.[33]
Provision 105R, Special Regulation Provisions for Specific Lands	Notwithstanding Sections 6.1.2(c) or 17.3 of this by-law, within the lands zoned D-6, described in clause (iv) below, the following special regulations shall apply: i) The maximum gross leasable commercial space for retail shall be 7,000 square metres with no single outlet exceeding 1,000 square metres. ii) The maximum gross floor area for office located within a building existing on the day of passing of By-law Number 92-232, which building has a minimum facade height of 6.0 metres, shall be 100 percent of the floor area of the building. iii) Residential use shall not be located on the ground floor, except for access. iv) Parking spaces shall be provided for uses located within buildings existing on the day of passing of By-law Number 92-232 in accordance with the requirements of Section 6.1.2(c) of this by-law or in the following quantities, whichever is the lesser:[34]

[32] City of Kitchener, "SPECIAL USE PROVISIONS FOR SPECIFIC LANDS: 116," last modified June 14, 2010, https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Appendix%20C%20-%20Special%20Use%20Provisions%20for%20Specific%20Lands//116U.pdf, 1.
[33] City of Kitchener, "SPECIAL USE PROVISIONS FOR SPECIFIC LANDS: 403," last modified June 14, 2010, https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Appendix%20C%20-%20Special%20Use%20Provisions%20for%20Specific%20Lands//403U.pdf, 1
[34] City of Kitchener, "SPECIAL REGULATION PROVISIONS FOR SPECIFIC LANDS 105," last modified December 12, 2016,https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Appendix%20D%20-%20Special%20Regulation%20Provisions%20for%20Specific%20Lands//105R.pdf, 1.

Provision	Description
	Provision redacted for Plan 374, Lot 71.
Provision 10H, Holding Provisions for Specific Lands	Multiple dwellings shall not be permitted until such time as the City is presented with documentation from the Ministry of the Environment advising that the Ministry is satisfied with respect to the potential adverse environmental conditions or constraints caused by adjacent industrial uses, transportation corridors and site decommissioning requirements; and the holding symbol affecting the particular lands affected has been removed by By-law.[35]

3.3.3 City of Kitchener Urban Design Manual

The City of Kitchener's Urban Design Manual was approved in 2019 for the purposes of establishing expectations, guiding, and deriving a vision for the City's design through considerations of city building, economic development, and sustainability. Section 1.8.2 entitled Cultural Heritage Resources contains several pertinent guidelines, as identified in Table 6 below:

Table 6: Pertinent guidelines from Section 1.2.8 of Kitchener's Urban Design Manual

Guideline #	Guideline
1.2.8 paragraph 1, 3	Conserve cultural heritage resources including buildings, views and vistas, structures, districts, streetscape and landscapes using the following strategies; Rehabilitation: repair or replace heritage attributes, construct compatible and reversible additions, integrate the cultural heritage resource or components of the cultural heritage resource into a new development, or adaptively reuse the cultural heritage resources.[36]
1.2.8 paragraph 5	New development on a site with a cultural heritage resource and additions to cultural heritage resources should integrate new, contrasting building materials in ways which respect the integrity of the cultural heritage resource. Conserve heritage value by being physically and visually compatible with, subordinate to, and distinguishable from the cultural heritage resource.

Section 5 of the City's Urban Design Manual provides additional guidelines relative to the downtown. Several Guideline sections including 5.2.7 Heritage Resources, 5.3.1 Built Form,

[35] City of Kitchener, "HOLDING PROVISIONS FOR SPECIFIC LANDS: 10," last modified June 14, 2010, https://app2.kitchener.ca/appdocs/Zonebylaw/PublishedCurrentText/Appendix%20F%20-%20Holding%20Provisions%20for%20Specific%20Lands//10H.pdf, 1.

[36] City of Kitchener, "Urban Design Manual: Part A Urban Structure & Built Form, City-Wide," last modified 2019, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_UDM_01_City_Wide_Design.pdf, 18

and 5.4.4 UGC3 Innovation District – a specific guideline area – each contain pertinent guidance, as identified in Table 7 below.

Table 7: Pertinent guidelines from Section 5.2.7, 5.3.1, and 5.4.4 of Kitchener's Urban Design Manual

Guideline #	Guideline
5.2.7	Conserving cultural and natural heritage resources within Kitchener's Downtown is of critical importance, as doing so gives variety to the urban fabric, perpetuates the cultural history of DTK and encourages exploration, sustainability, and a sense of living history.[37]
5.3.1 paragraph 4	Adaptive reuse of-- and additions to-- existing buildings should respect and enhance the established character of the building, its streetscape, and any surrounding open areas. This is the case regardless of a building's cultural heritage status.[38]
5.4.4 paragraph 2	The continued preservation and adaptive reuse of remaining historical buildings is critical to maintaining the character of the Innovation District, as is streetscape design and pedestrian and mid-block connections that improve the pedestrian network between these assets.[39]

3.3.4 City of Kitchener Warehouse District Cultural Heritage Landscape

The Kitchener Cultural Heritage Landscape Study (CHLS), published in December 2014, identifies that the Property resides immediately adjacent to the City's *Warehouse District*. Albeit not within the district, the Property's SOS acknowledges its connection and describes it as being a contributing piece.[40] The Warehouse District is bounded by Glasgow Street, Dominion Street, Breithaupt Street, Francis Street, Victoria Street, and Belmont Avenue and is recognized for its associations with Kitchener's industrial, urban, and transportation development (Figure 3). The CHLS identified that the Warehouse District has maintained its historical integrity and retains both cultural and community value, as described in Table 8 below.

Table 8: Warehouse District Values

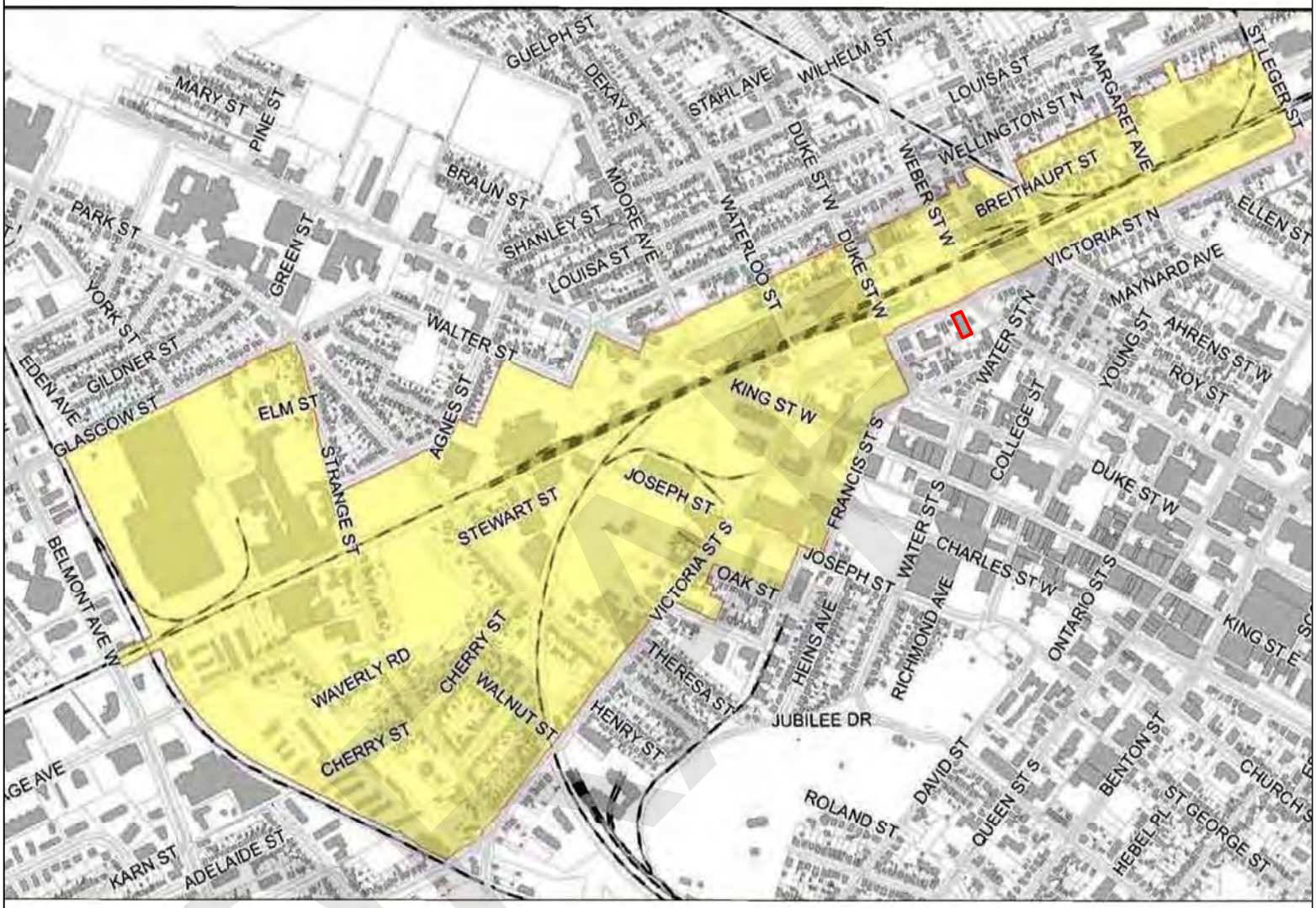
Value	Description
Historical Integrity	Has been used for the same purpose since the railway was originally established in 1856. Retains several factories and industrial buildings that date prior to 1912, when Kitchener was officially incorporated as a city.

[37] City of Kitchener, "Urban Design Manual: Part B Urban Structure & Built Form, Downtown," last modified 2019, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_UDM_05_Downtown.pdf, 6
[38] Ibid, 7
[39] City of Kitchener, "Urban Design Manual: Part B Urban Structure & Built Form, Downtown," last modified 2019, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_UDM_05_Downtown.pdf, 7
[40] City of Kitchener, "Cultural Heritage Landscapes," last modified December 2014, https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_CHL_Study_Report.pdf

Value	Description
Cultural Value	Explains the development history of Kitchener and is contextually important to surrounding neighbourhoods. Contains industrial buildings of the famous architect, Albert Kahn, and architectural design that will never be repeated again.
Community Value	A source of employment for many people living in Kitchener and the surrounding area.

3.3.5 Local Planning Context Summary

The City considers cultural heritage resources to be of value to the community and values them in the land use planning process. Through its *OP* policies, the City has committed to identifying and conserving cultural heritage resources including archaeological resources. An HIA is required when a proposed development is on or adjacent to a recognized heritage property. The City has adopted *Standards and Guidelines for the Conservation of Historic Places in Canada* and will reference them when assessing proposed developments.



0 265 530 Meters

Legend

Property

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. City of Kitchener, "Cultural Heritage Landscapes Appendix 6", December 2014.

TITLE
Cultural Heritge Landscapes, Warehouse District

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

CONSULTANT
LHC

YYYY-MM-DD	2022-10-07
PREPARED	LHC
DESIGNED	JG
FIGURE #	3

4 RESEARCH AND ANALYSIS

4.1 Early Indigenous History

4.1.1 Paleo Period (9500-8000 BCE)

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Wisconsin glacier.[41] During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was like the present-day sub-arctic and vegetation was dominated by spruce and pine forests.[42] The initial occupants of the province had distinctive stone tools. They were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) who lived in small groups and travelled over vast areas, possibly migrating hundreds of kilometres in a single year.[43]

4.1.2 Archaic Period (8000-1000 BCE)

During the Archaic archaeological period (8000-1000 BCE), the occupants of southern Ontario continued their migratory lifestyles, although living in larger groups and transitioning towards a preference for smaller territories of land – possibly remaining within specific watersheds. People refined their stone tools during this period and developed polished or ground stone tool technologies. Evidence of long-distance trade has been found on archaeological sites from the Middle and Later Archaic times including items such as copper from Lake Superior, and marine shells from the Gulf of Mexico.[44]

4.1.3 Woodland Period (1000 BCE – CE 1650)

The Woodland period in southern Ontario (1000 BCE – CE 1650) represents a marked change in subsistence patterns, burial customs, and tool technologies, as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BCE), Middle Woodland (400 BCE – CE 500) and Late Woodland (CE 500 - 1650).[45] The Early Woodland is defined by the introduction of clay pots which allowed for preservation and easier cooking.[46] During the Early and Middle Woodland, communities grew and were organized at a band level. Peoples continued to follow subsistence patterns focused on foraging and hunting.

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agricultural village-based communities during the Late Woodland. During this period people began cultivating maize in southern Ontario. The Late Woodland period is divided into three distinct stages: Early (CE 1000–1300); Middle (CE 1300–1400); and Late (CE 1400–1650).[47] The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded

[41] Christopher Ellis and D. Brian Deller, “Paleo-Indians,” in *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990), 37.
[42] EMCWTF, “Chapter 3: The First Nations,” in Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks (Toronto: TRCA, 2002). http://www.trca.on.ca/dotAsset/37523.pdf.
[43] Ibid.
[44] Ibid.
[45] Ibid.
[46] Ibid.
[47] Ibid.

village sites which included more and larger longhouses. By the 1500s, Iroquoian communities in southern Ontario – and more widely across northeastern North America –organized themselves politically into tribal confederacies. Communities south of Lake Ontario at this time included the Haudenosaunee Confederacy, made up of the Mohawks, Oneidas, Cayugas, Senecas, Onondagas, and Tuscarora, and groups including the Anishinaabe and Neutral (Attiwandaron).[48]

4.2 Seventeenth- and Eighteenth-Century Historic Context

French explorers and missionaries began arriving in southern Ontario during the first half of the 17th century, bringing with them diseases for which the Indigenous peoples had no immunity. Also contributing to the collapse and eventual dispersal of the Huron, Petun, and Attiwandaron, was the movement of the Haudenosaunee Confederacy from south of Lake Ontario. Between 1649 and 1655, the Haudenosaunee Confederacy waged military warfare on the Huron, Petun, and Attiwandaron, pushing them out of their villages and the general area.[49]

As the Haudenosaunee Confederacy moved across a large hunting territory in southern Ontario, they began to threaten communities further from Lake Ontario, specifically the Anishinaabe. The Anishinaabe had occasionally engaged in military conflict with the Haudenosaunee Confederacy over territories rich in resources and furs, as well as access to fur trade routes; but in the early 1690s, the Ojibway, Odawa and Potawatomi, allied as the Three Fires, initiated a series of offensive attacks on the Haudenosaunee Confederacy, eventually forcing them back to the south of Lake Ontario.[50]

Most of the Haudenosaunee Confederacy allied with the British during the American Revolution (1765 – 1783) with the promise that their land would be protected.[51] This promise was not kept, and Haudenosaunee Confederacy territory was ceded to the United States through the Treaty of Paris in 1783.[52] In compensation, Captain General Fedrick Haldimand granted the Haudenosaunee Confederacy 950,000 acres through the Haldimand Proclamation dated 25 October 1784 (Figure 4 and Figure 5). [53] The land grant has been in debate ever since and has been steadily reduced to 46,000 acres today.[54]

[48] Six Nations Elected Council, “Community Profile,” Six Nations of the Grand River, last modified 2013, http://www.sixnations.ca/CommunityProfile.htm; University of Waterloo, “Land acknowledgment,” Faculty Association, https://uwaterloo.ca/faculty-association/about/land-acknowledgement; Six Nations Tourism, “History,” https://www.sixnationstourism.ca/history/.
[49] Mississaugas of the Credit First Nation, “The History of the Mississaugas of the New Credit First Nation,” Mississaugas of the New Credit First Nation, last modified 2018, https://mncfn.ca/about-mncfn/community-profile/.
[50] Mississaugas of the Credit First Nation, “History”, 3-4.
[51] Cody Groat, “Six Nations of the Grand River,” The Canadian Encyclopedia, https://www.thecanadianencyclopedia.ca/en/article/six-nations-of-the-grand-river.
[52] Ibid.
[53] Six Nations of the Grand River Development Corporation, “History of Six Nations,” https://sndevcorp.ca/history-of-six-nations/.
[54] Six Nations Elected Council, “Community Profile,” Six Nations of the Grand River, last modified 2013.

Figure 4: Surveyor Thomas Ridout's map of the Haldimand Proclamation in 1821[55]

[55] Library and Archives Canada, "Plan shewing the Lands granted to the Six Nation Indians, situated on each side of the Grand River, or Ouse, commencing on Lake Erie, containing about 674,910 Acres. Thos. Ridout Surveyor General, survey Gen. Office York 2nd February 1821. [cartographic material]," 1821, Item ID Number 4129506. Library and Archives Canada: Ottawa, Ontario.

Figure 5: Haldimand Tract[56]

[56] Six Nations, “The Haldimand Treaty of 1784,” Lands and Resources, last modified 2008, http://www.sixnations.ca/LandsResources/HaldProc.htm.

4.3 Region of Waterloo

The Haldimand Proclamation was divided into six blocks by the Government of Upper Canada and sold to fund an annuity to the Six Nations people.[57] Block Two was sold to land speculator Colonel Richard Beasley in 1796 covering an area of 94,012 acres.[58] Beasley began to subdivide the land and sell plots to Pennsylvania Mennonites fleeing after the American Revolution, this portion numbering 63,000 acres and called the German Company Tract.[59] The German Company Tract was surveyed by government surveyor Augustus Jones in 1805.[60] The survey resulted in a closed Pennsylvania Mennonite community that did not include clergy, Crown, or Loyalist reserves and which was divided into equal 448-acre lots without lot and concession numbers.[61]

The German Company Tract was incorporated into Wellington District in 1816 and renamed Waterloo Township.[62] The Township grew quickly as it began a centre of German settlement in Upper Canada.[63] Boundaries were redrawn following the *Baldwin Municipal Act* of 1849 and the *Hinks Act* of 1852 creating the United Counties of Wellington, Waterloo, and Grey in 1849.[64] Waterloo County became independent in 1853 with Berlin as its seat.[65] The Region of Waterloo was established in 1973.[66]

4.4 City of Kitchener

A community began to form in the German Company Tract at what would become Kitchener, then known as Berlin, beginning with the settlement of a group of Pennsylvania Mennonites in 1807 including early families like the Schneiders and Ebys.[67] The Village of Berlin was established in the 1850s with most of its population of 700 working in agriculture.[68] A station on the Grand Trunk Railway was established at Berlin in 1856, linking the village to the rest of North America.[69] This coupled with access to inexpensive power from Niagara Falls lead to Berlin's industrial growth and nickname of "Busy Berlin" with a population of nearly 4,000 by

[57] Kenneth McLaughlin, "Kitchener-Waterloo," The Canadian Encyclopedia, last modified February 24, 2017, https://www.thecanadianencyclopedia.ca/en/article/kitchener-waterloo.
[58] Waterloo Region Museum, "History of Waterloo Township," https://www.waterlooregionmuseum.ca/en/collections-and-research/waterloo-township.aspx#note1.
[59] Ezra Elby, *A biographical history of Waterloo township and other townships of the county*, Volume 1, (Berlin, ON: Ezra Elby, 1895), 1 and 26.
[60] John English and Kenneth McLaughlin, *Kitchener: An Illustrated History, (*Toronto: Robin Bross Studio,1996), 19-20.
[61] English and McLaughlin, 19.
[62] McLaughlin, "Kitchener-Waterloo," The Canadian Encyclopedia, last modified February 24, 2017.
[63] Ibid.
[64] Ibid.
[65] Ibid.
[66] Ibid.
[67] Bill Moyer, *Kitchener: Yesterday Revisited An Illustrated History,* (Burlington, ON: Windsor Publications Canada Ltd., 1979), 1.
[68] McLaughlin, "Kitchener-Waterloo," The Canadian Encyclopedia, last modified February 24, 2017; Rych Mills, *Kitchener (Berlin) 1880 – 1960,* (Charleston, SC: Arcadia Publishing, 2002), 7.
[69] Mills, 7.

1890.[70] Berlin received city status in 1912 and operated as a multi-lingual city, mixing German and English.[71]

World War One brought change to Berlin with the city facing prejudice as Canada fought Germany.[72] Berlin voted to change its name to Kitchener in 1916 in response.[73] Despite slowed growth during the war years, Kitchener grew from 20,000 in 1920 to 30,000 in 1930 leading to a housing and industry boom following the Great Depression.[74] The city continued to grow through the 1900s, becoming Canada's fastest growing city in 1965.[75] Kitchener experienced economic turmoil in the 1990s as the recession closed many long standing industries and lead to a restricting of the city's economy and workforce.[76] Into the 2000s, the City has pushed for the reconstruction of Kitchener with increased post-secondary education and reuse of heritage properties.[77]

4.5 Property History

Pre-1900

A map that portrays the City's road and land parcel layout entitled *Map of Part of the Town of Berlin, Capital of the County of Waterloo* was drafted in 1853-1854 by George John Grange. Although the map does not identify the presence of structures on every lot, it shows many of Berlin's early commercial, civic, and institutional buildings including the railway station – which is located adjacent to the Property on lot 71 (also visible on the map) – as well as Town Hall, the Post Office, and the Courthouse and Jail (Figure 6).

A subsequent map produced in 1956 entitled *Plan and Lots Drawn from M. C. Scofield's Map of the Town of Berlin* reveals much of the same information as the 1853-1854 map identified above; however, there is evidence that several lots, specifically along the north side of Victoria Street, were subdivided (Figure 6).

The 1861 *Tremaine Map of Waterloo Township* yields little additional information specifically about the development status of the Property or neighbouring properties; however, it does begin to display emergent development that was occurring along the City's streets – most notably the downtown core of the City along King Street. Notably, the block that contains the Property has been given a shadow adjacent to the street, which may indicate the presence of buildings; however, the shadowing is located along Francis Street North, not Victoria Street (Figure 6).

Analysis from the 1861 *Tremaine Map* is mirrored within an 1875 artist rendering of Berlin that depicts a bird's eye view of the City's Core. Although the map is to be understood as an interpretation, it shows that the Property had not yet been developed. The map does display

[70] McLaughlin "Kitchener-Waterloo" The Canadian Encyclopedia, last modified February 24, 2017; Mills, 7
[71] Ibid.
[72] Mills, 7.
[73] Moyer, 56.
[74] Mills, 8.
[75] Moyer, 83.
[76] City of Kitchener, *Century Celebration: Kitchener marks 100 years as a city,* (Kitchener, ON: City of Kitchener, 2012), 97.
[77] Ibid. 108-109

several buildings along Francis Street North, indicating the presence of development directly adjacent to the Property (Figure 7).

The 1879 map entitled *Berlin* displays additional development within City's downtown area; however, additions solely display civic and institutional development. Notwithstanding, this map highlights that development concentric to the City's core was beginning to occur. No evidence suggests that the Property had been developed; however, development on nearby lots is displayed, including St. Jerome's College and a church located on Duke Street and Water Street, respectively.

1901-1950

By 1904, most properties in the vicinity of the Property had been developed aside from the Property itself. A Fire Insurance Plan identified that each property contiguous with 97 Victoria Street had been developed, typically with small one-and-a-half storey residences (barring the two-and-a-half storey structure located at 70 Francis Street North) (Figure 8).

A map developed as part of the *City Plan for Greater Berlin* in 1912 continues to lack any direct identification of development on the Property. The Property is identified as being within the 'Union Station Plaza', which comprised an area bound by the Grand Trunk Railway to the north, Weber Street to the east, Water Street and Francis Street to the south, and David Street (now Duke Street) to the west (Figure 6).

The Union Station Plaza development does not appear to ever have been implemented, as evidenced by the increased presence of development within the block where it was meant to be located. The 1916 topographic map of the area displays two buildings at the crux of Water Street and Francis Street, one building along Duke Street, and one building in the southwest corner of the Weber Street and Victoria Street intersection (Figure 9). Despite its proximity to the Property, the building at the Weber-Victoria junction is more likely to have been developed on 111 Weber Street. From the 1904 Fire Insurance Plan, it is known that most of the properties in the vicinity were developed, including 111 Weber Street (Figure 8).

Another topographic map from 1923 shows the same four buildings as the 1916 map. Although the Property remains to appear undeveloped, this map shows an increasing number of buildings in the vicinity which more closely aligns topographic mapping data with Fire Insurance Plan data (Figure 9).

The first evidence of development on the Property is found on the Fire Insurance Plan for the area from 1925. This plan identifies the presence of two small singe-storey structures located in the Property's southeast corner fronting onto Heit Lane. There is no indication that the industrial building had yet been erected (Figure 8).

Kitchener's downtown intensification is further evident in the 1929 topographic map of the city, which uses shading alongside roads to indicate the presence of development. This map shows that the stretch of the south edge of Victoria Street North between Duke Street to the west and Weber Street to the east is developed (Figure 9). The presence of the building on the Property is expected during this time, as city directories, along with a 1930 aerial photograph, suggest that the building was erected c. 1927 (Figure 10).

Subsequent topographic maps produced in 1936 and 1938 and an additional aerial photograph from 1945 depict much of the same information and offer no additional clues into the development of the Property (Figure 9 and Figure 10).

The first mapping resource that portrays the industrial building is the 1908 Fire Insurance Plan that was revised in 1947. This map depicts the Property directly abutting the property lines along Victoria Street North and Heit Lane (Figure 8).

1951-2000

Topographic maps developed in 1956, 1963, 1972, 1980, 1984, 1994, and 1998 also do not identify the presence of a building on the Property despite it being known that development had occurred. Notwithstanding the lack of specific evidence of development of the Property, clear alterations to Kitchener's downtown core occurred throughout this 50-year span (Figure 9 and Figure 11).

The most notable transformation that occurred is the locale of civic development. During the early phases of Kitchener's development, civic infrastructure and development was centred along King Street, typically between Young Street to the west and Lancaster Street to the east. Throughout the mid-20th century, new civic development was typically constructed along Weber Street, such as Kitchener's courthouse, developed in 1964 at 20 Weber Street East (Figure 11).

2001-present

Aerial photography of the Property from between 2001 and 2021 does not identify the presence of any evident modifications to the site (Figure 10).

4.5.1 97 Victoria Street North Property Ownership

The earliest indication of ownership of the Property municipally known as 97 Victoria Street North and legally described as Plan 374 Lot 71 from Land Registry documentation is from August 1905, when Marian Brauer (née Dopp) sold the lot to Sophia Roehr for $1,050.[78, 79] It is possible that the Property was sold to Brauer by Duncan Ferguson in 1872. Land Registry documents indicate that Ferguson sold the neighbouring lot (legally described as Plan 374 Lot 72) to Brauer in 1872 who then, along with the Property, sold it to Roehr in August of 1905.[80] Roehr, along with her husband Gustav who was later identified in registry documentation, received, and discharged several mortgages during their ownership of the Property and on 15 June 1916 sold it to Emanuel Hamel for $6,300.00.[81] Shortly after acquiring the Property, Hamel sold it again to Annie Duch on 16 June 1917 for $7,500.00 who in turn sold it to Lucinda Bauman on 15 July 1918 for $8,000.00.[82] On 21 August 1918, Bauman sold the Property to Carl G. Pritschau, a real estate broker, for the consideration of $1.00.[83] Shortly thereafter, Pritschau sold the lot to the Ontario Glove Company Ltd. for $6,000.00.[84] It is unclear as to if the Ontario

[78] Ancestry, "County of Waterloo, Division of Berlin Marriages," 1906.
[79] Land Registry Ontario, Waterloo (LRO 58), Plan 374, Lot 71, Instrument No. 19242
[80] LRO 58, Plan 374, Lot 72, Instrument No. 19261.
[81] LRO 58, Plan 374, Lot 71, Instrument No. 36216
[82] LRO 58, Plan 374, Lot 71, Instrument No. 36871, 38194
[83] LRO 58, Plan 374, Lot 71, Instrument No. 38388
[84] LRO 58, Plan 374, Lot 71, Instrument No. 38399

Glove Company had plans to develop the site, as the company had already been operating from 38 Benton Street – a lot located approximately 750 metres southeast of the Property. Shortly after acquiring the Property, the Ontario Glove Company would resell the Property back to Pritschau on 19 April 1920 for $7,500.00.[85]

The Property would once again change hands several times during the 1920's. On 2 September 1920, John H. Meyers purchased the Property from Pritschau for $10,000.[86] Meyers subsequently granted the lot to Carl Huether, the president of the Huether Brewery located at 476 King Street West, for the consideration of $1.00.[87] On 12 February 1923, Huether would once again sell the Property, this time to Charles A. Kern who was a manager at L McLain Company Limited, an aluminum ware manufacturer.[88] Kern would grant the Property to two different parties, first on 29 July 1924 to Ernest Denton – a photographer, and second on 8 May 1925 to M. B. Shantz – a real estate broker.[89] Denton would retain title until transferring ownership to his spouse, Louisa, on 30 June 1932.[90] Nearly 16-years later on 8 June 1948, Denton would grant ownership to Oliver E. Fries and Stanley Grundman, who owned Midtown Motors Limited.[91] Six-years later on 8 November 1954, Fries would grant the Property to the McCall Frontenac Oil Company for $27,000.00.[92] On 11 October 1955, McCall Frontenac granted the lot to Highway Realties Limited for $55,228.00 who then leased it back to McCall Frontenac for $110,388.44.[93] On 13 January 1981, Highway Realties granted the Property to Texaco Canada Inc. who later granted it to Paul D. and Celeste M. Fackoury on 30 April 1987 for the consideration of $186,400.00.[94]

Akin to Denton, Shantz also granted his property to a new owner: William E. Mitchell of the Mitchell Button Company which had been operating at 21 Gaukel Street until the acquisition of the Property on 14 April 1927.[95] Photographic evidence and tenancy documentation found in city directories suggests that Mitchell had the structure on the Property built shortly after taking lot ownership. Per the registry, it appears as though Mitchell, along with the Canada Permanent Trust Company, retained ownership of the Property and leased it to the Mitchell Button Company for $5,400.00 yearly.[96] In 1967, the Mitchell Button Company would retain ownership of the Property. The company would acquire several mortgages, most often from the Industrial Development Bank over the course of their ownership, including drafts for $19,000.00, $62,000.00, $90,000.00, and $70,000.00 in 1963, August 1967, February 1967, and 1969,

[85] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1919, LRO 58, Plan 374, Lot 71, Instrument No. 42061
[86] LRO 58, Plan 374, Lot 71, Instrument No. 43296
[87] LRO 58, Plan 374, Lot 71, Instrument No. 43297
[88] LRO 58, Plan 374, Lot 71, Instrument No. 48453
[89] LRO 58, Plan 374, Lot 71, Instrument No. 52432, 54120
[90] LRO 58, Plan 374, Lot 71, Instrument No. 68189
[91] LRO 58, Plan 374, Lot 71, Instrument No. 96423
[92] LRO 58, Plan 374, Lot 71, Instrument No. 122695
[93] LRO 58, Plan 374, Lot 71, Instrument No. 131694, 131695
[94] LRO 58, Plan 374, Lot 71, Instrument No. 696474, 894005
[95] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1926-1927, LRO 58, Plan 374, Lot 71, Instrument No. 58377
[96] LRO 58, Plan 374, Lot 71, Instrument No. 271598

respectively.[97] It is unclear as to how the Mitchell Button Company's tenure as property owner ended, as after a discharge of mortgage from 7 February 1973, no records are present on registry documentation.

A transcribed history of the Property legally known as Plan 374 Lot 71 can be found in Appendix D.

4.5.2 97 Victoria Street North Property Tenancy and Land Use

Contrasting Property ownership found on land registry documentation against Property tenancy found within City directories yields several discrepancies between who owned versus who occupied the site.

In many cases, ownership of the Property directly aligned with ownership of the adjacent property legally described as Plan 374 Lot 72. Development of this adjacent lot occurred before the development of the Property. This is evidenced in the City's 1907-1908 directory which identifies that 'Gustav Roehr' occupied the property municipally known as 111 Weber Street West.[98] It is possible that Roehr operated the Property as a boarding house, as was his noted occupation in subsequent city directories. Under Ernest Denton's ownership, 111 Weber Street West became known as 'Denton Apts', providing further evidence of the adjacent lot's residential use.[99]

The earliest indication of development and occupation of 97 Victoria Street North is found in the 1928-1929 City directory, which indicates that the Mitchell Button Company occupied the Property.[100] Occupation of the Mitchell Button Company can be triangulated and confirmed using both land registry documents, which established that the owner of the company, W. E. Mitchell was granted the site in 1927, and topographic maps of the City, whereby no structure is located on the Property in 1923, but in 1929, the entire block is denoted as being developed. An aerial photograph of the City from 1930 also shows the Property along with the building that currently occupies it. The Property is part of what the City of Kitchener's *Cultural Heritage Landscape* report defines as the 'Warehouse District'. The report makes note of Kitchener's rapid uptake of industrial trade that was an outcome of its position along the Grand Trunk Railway. Driving the City's emerging economy was a range of factories that were typically developed along the railway – the Warehouse District. Many of the buildings were erected between 1910 and 1920, with some having been developed earlier (such as the Kaufman Rubber Company in 1908) and some having been developed later such as the Mitchell Button Company, built c. 1927.[101] Accordingly, albeit contributory to its broader cultural landscape, the

[97] LRO 58, Plan 374, Lot 71, Instrument No. 272496, 359575, 392093, 415094
[98] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1907-1908
[99] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1924-1925
[100] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1928-1929
[101] City of Kitchener, "Cultural Heritage Landscapes." December 2014. https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_CHL_Study_Report.pdf

building located at 97 Victoria Street North was not an early rendition of Kitchener industrial vernacular building style.

City directories inform that the Mitchell Button Company Limited retained tenancy on the Property until 1969, undergoing two name changes across its 41-year tenure, first in 1964 when it was renamed 'Mitchell Plastics and Buttons Limited' and then again shortly thereafter in 1969 to 'Mitchell Plastics Limited'.[102] A second company called the 'Woeller Upholstering Company' also took occupancy in the building between 1932 and 1940.[103] By 1941, after renaming to 'Woeller-Bowsfield Upholstering Co' and moving to 27 Gaukel Street, Mitchell Button Company became the sole tenant once again. For the first 41-years of its developed existence, the Property supported an industrial use as it housed manufacturing companies.

Despite Mitchell Plastics and Buttons retaining ownership of the Property as indicated on land registry documentation, the site remained vacant between 1970 and 1971 when the company moved to a new lot in 1970 located at 11 Hoffman Street.[104]

In 1972, a company called 'Marian Household Centre' took partial tenancy of the Property, with other sections remaining vacant.[105] Over the years, the Property supported as little as one and as many as seven tenants/uses. Some of the longest standing tenants were 'Marian Household Centre' (1972-1980)[106], 'Dumont Press Graphix Limited' (1973-1988)[107], 'Schattens Canada Limited' (1975-1981)[108], 'Elsworthy Cabinets' (1977-1997)[109], 'St Vincent de Paul [The Society of, later Thrift Store]' (1982-2009)[110], and 'Business Cards Tomorrow' (1989-2009)[111]. The current tenants, 'Worth a Second Look Furniture and Housewares', 'The Working Centre', and 'St. John's Kitchen' were first identified in the 2006, 2007, and 2010 city directories, respectively.[112] Tenancy since 1971 has therefore typically comprised commercial uses. For a complete, year-over-year listing of tenants for 97 Victoria Street North between 1926-1927 to 2014, refer to Appendix C.

4.5.3 The Working Centre

Currently, the Property is owned by The Working Centre. The Working Centre was first opened by Joe and Stephanie Mancini in 1982 in response to unemployment and poverty in downtown Kitchener. As The Working Centre grew, with support from Margaret Nally and Patrice Rietzel of

[102] Kitchener-Waterloo City Directories Miscellaneous, Business, Alphabetical and Street. Vernon Directories Limited. Hamilton, On. for the Year 1964; Kitchener-Waterloo Directory. Vernon Directories Limited. Hamilton, On. for the Year 1969
[103] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1932 through 1940
[104] Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory for the Year 1971
[105] Kitchener-Waterloo Directory. Vernon Directories Limited. Hamilton, On. for the Year 1972
[106] Ibid. for the Year 1972-1980
[107] Ibid. for the Year 1973-1988
[108] Ibid. for the Year 1975-1981
[109] Cities of Kitchener-Waterloo Directory. Vernon Directories Limited. Hamilton, On. for the year 1977-1997
[110] Ibid. for the Year 1982-2009
[111] Ibid. for the year 1988-2009
[112] Ibid. for the year 2006; 2007; 2010

Global Community Centre, it arranged a board of directors that continue to guide its ongoing development.[113] Per The Working Centre's website, their primary goal is to:

> …give people access to tools to create their own work combined with continuous ways of learning and co-operating. The Working Centre organizes its projects into six areas; the Job Search Resource Centre, St. John's Kitchen, Community Tools, Access to Technology, Affordable Supportive Housing and the Waterloo School for Community Development.[114]

Over the course of its 40-years existence, The Working Centre has been able to network with other not-for-profit organizations such as St. John's Kitchen which opened in 1985. Since then, a primary care clinic, dental clinic, nurses, and outreach workers have all joined The Working Centre's ecosystem.[115]

For their work with The Working Centre, Joe and Stephanie Mancini were awarded with the Benemerenti Medal and Papal Honour in 2014, the Order of Canada in 2016, and honorary Doctorates from the University of Waterloo in 2019.[116]

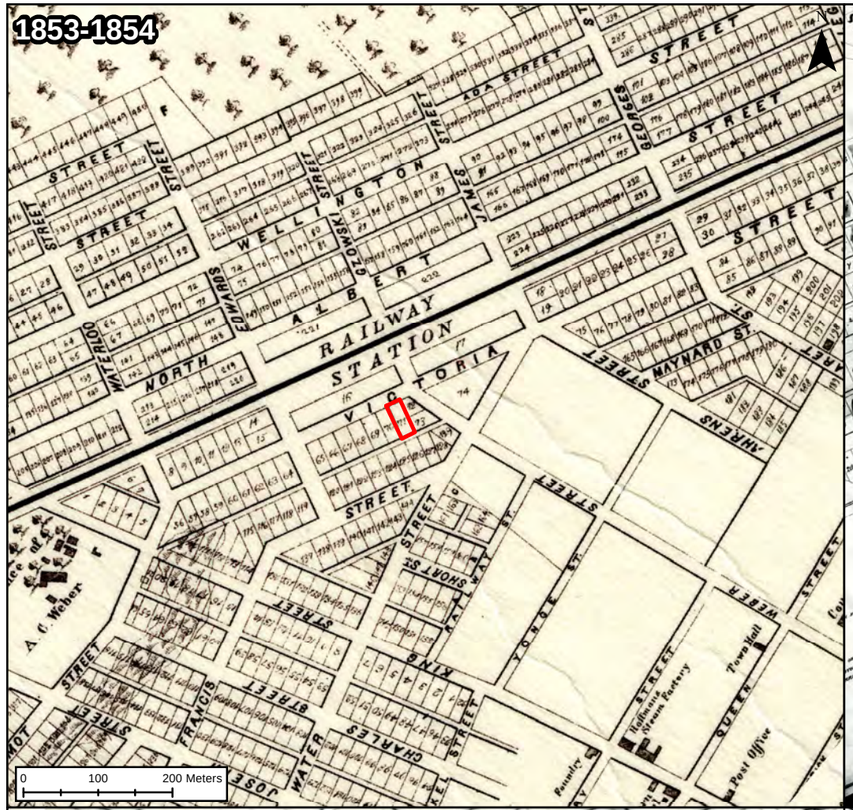
The Working Centre operates a number of properties in the City of Kitchener and has a history of managing and adapting existing and heritage buildings in a sympathetic manner, regularly applying the principle of minimum intervention as a pragmatic and sensitive approach to working with their properties. In addition to the listed property at 97 Victoria Street North, the group is headquartered in a listed property at 58 Queen Street South and provides services out of a listed property at 115 Water Street North; the latter of property successfully underwent a sympathetic alteration in 2019-2020 to provide additional capacity for transitional housing, harm reduction, and health care services (Photo 1 to Photo 3).

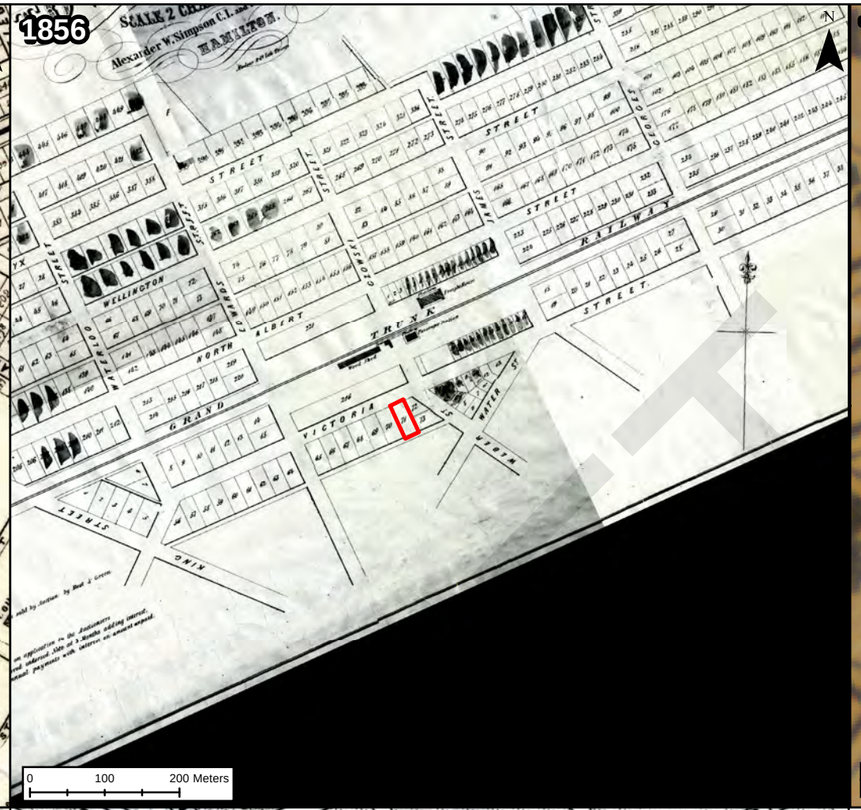
[113] The Working Centre, "About Us," n.d.
[114] The Working Centre, p. 4
[115] University of Waterloo, "The Working Centre's founders receive honorary doctorates," 2019.
[116] University of Waterloo

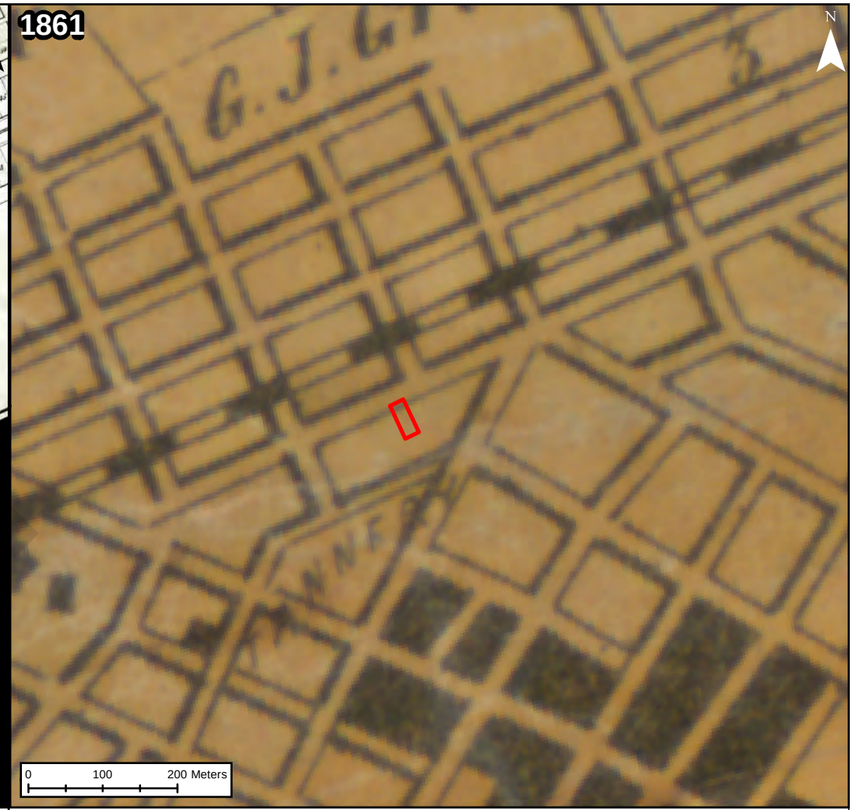
Photo 1: Water Street House at 115 Water Street North

Photo 2: Detail showing transition between original building at 115 Water Street North (right) and two-storey addition (left) constructed in 2020

Photo 3: Detail of materials, original yellow brick (left) and faux yellow brick finish (left). The result is an addition that is compatible with the earlier structure, and distinguishable as a modern addition







Legend

Property

TITLE
1853-1854, 1856, 1861, 1879, and 1912 Historic Maps Showing the Property

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Schofield, M.C., "Map of part of the Town of Berlin, Capital of the County of Waterloo C.W.", (https://uwaterloo.ca/library/geospatial/collections/maps-and-atlases/waterloo-region-historical-maps: accessed September 27, 2022), University of Waterloo Geospatial Centre, scale 1:6,336, Buffalo: Compton & Gibson, 1853-1854.
2. Simpson, A.W., "Plan of Lots Drawn from M.C. Schofields Map of the Town of Berlin", (https://uwaterloo.ca/library/geospatial/collections/maps-and-atlases/waterloo-region-historical-maps: accessed September 27, 2022), University of Waterloo Geospatial Centre, scale 1:1,584, Toronto: Maclear & Co., 1856.
3. Geo. R. & G.M. Tremaine, "Tremaine's Map of the County of Waterloo, Canada West", (https://www.arcgis.com/apps/webappviewer/index.html?id=8cc6be34f6b54992b27da17467492d2f: accessed September 27, 2022), Ontario Historical County Maps, scale 1:39,600, Toronto: Geo. R. & G.M. Tremaine, 1861.
4. Author unknown, "Berlin", (https://uwaterloo.ca/library/geospatial/collections/maps-and-atlases/waterloo-region-historical-maps: accessed September 27, 2022), University of Waterloo Geospatial Centre, scale 1:11,880, 1879.
5. City of Berlin, "City Plan for Greater Berlin Canada Showing Waterloo", (https://uwaterloo.ca/library/geospatial/collections/maps-and-atlases/waterloo-region-historical-maps: accessed September 27, 2022), University of Waterloo Geospatial Centre, scale 1:800, Toronto: n.a., 1912.

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DESIGNED	JG
FIGURE #	6

Legend

Property

NOTE(S)

1. All locations are approximate.

REFERENCE(S)

1. Brosius M., "Berlin", (https://uwaterloo.ca/library/geospatial/collections/maps-and-atlases/waterloo-region-historical-maps: accessed September 27, 2022), University of Waterloo Geospatial Centre, Madison, Wis: J.J. Stoner, 1875.

TITLE
1875 Birds Eye View Showing the Property

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

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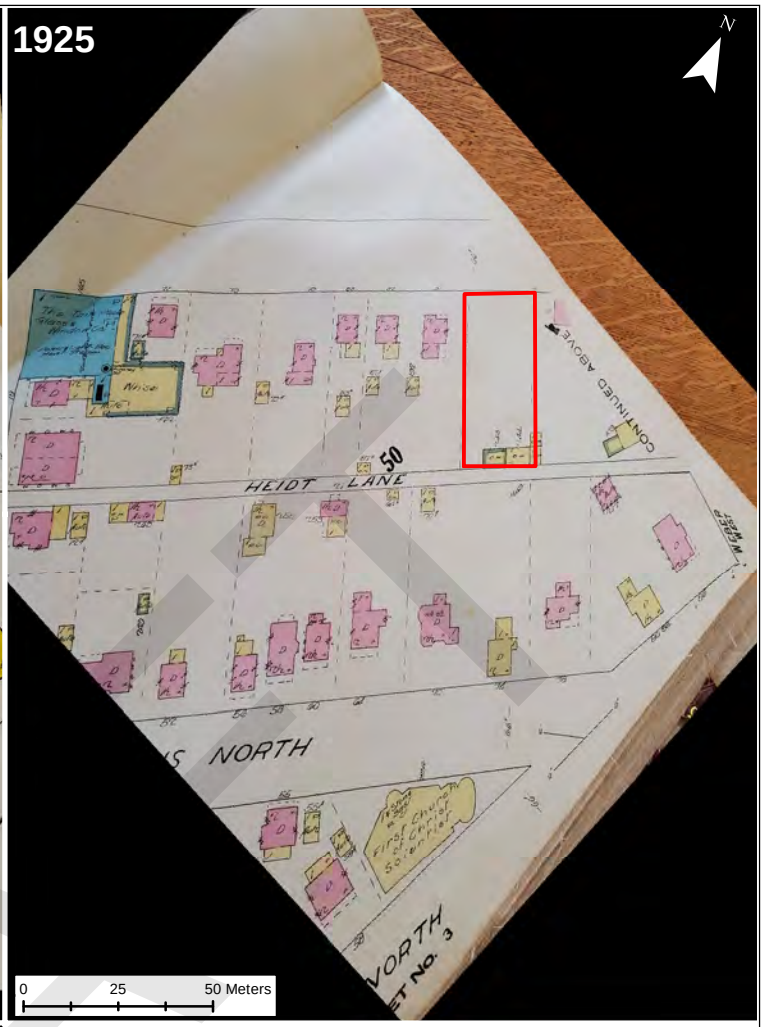
FIGURE #	7



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Property

TITLE
1904, 1925, and 1947 Fire Insurance Plans Showing the Property

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. Chas E. Goad, "Kitchener Berlin", Kitchener Public Library's Grace Schmidt Room, scale 1:600, Toronto & Montreal: Chas E. Goad, 1894 rev. 1904.
2. Underwriters Survey Bureau Limited, "Insurance Plan of the City of Kitchener, Ontario", Kitchener Public Library's Grace Schmidt Room, Toronto & Montreal: Underwriters Survey Bureau Limited, 1925.
3. Underwriters Survey Bureau Limited, "Insurance Plan of the City of Kitchener, Ont.", Kitchener Public Library's Grace Schmidt Room, microfiche, Toronto & Montreal: Underwriters Survey Bureau Limited, 1947.

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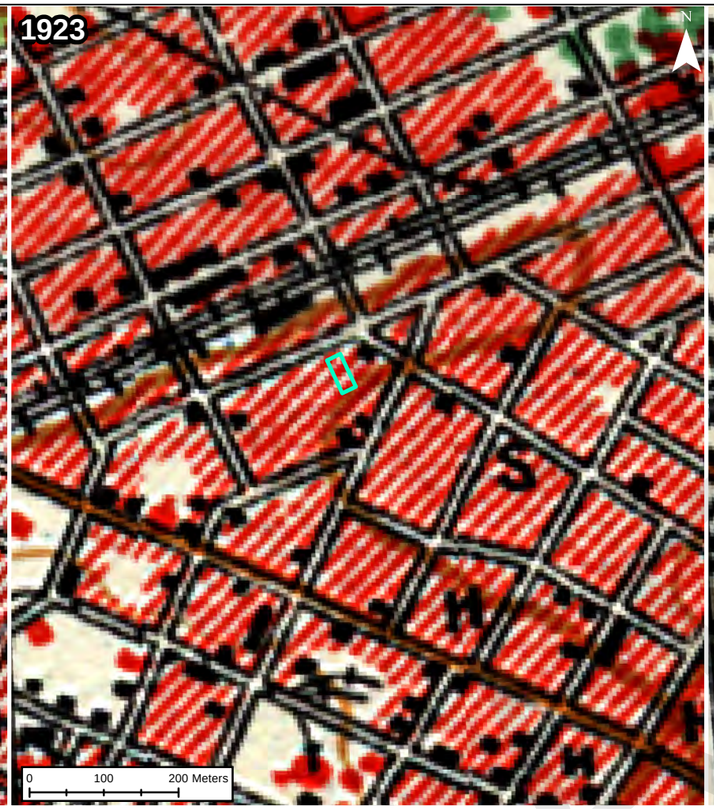
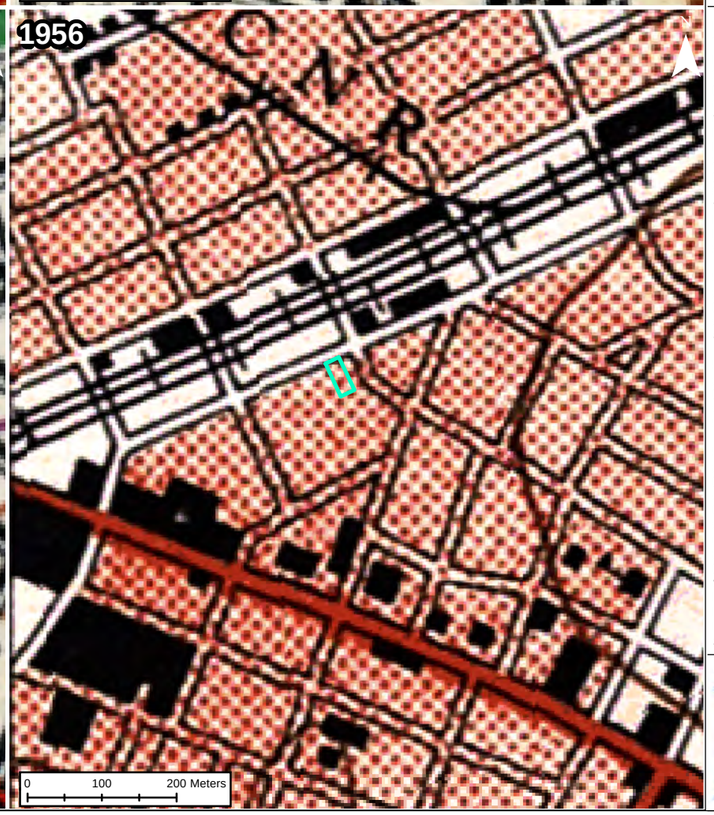
FIGURE #	8





TITLE
1916, 1923, 1929, 1936, 1938, and 1956 Topographic Maps Showing the Property

CLIENT
Perimeter Development

PROJECT PROJECT NO. LHC0333
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

Legend

Property

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. Department of Militia and Defence, "Ontario, Galt Sheet", (http://geo2.scholarsportal.info/#r/details/_uri@=564032357&_add:true: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, scale 1:63,360, Ottawa: Department of Militia and Defence, 1916.
2. Department of National Defence, "Ontario, Galt Sheet", (http://geo2.scholarsportal.info/#r/details/_uri@=564032357&_add:true: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, scale 1:63,360, Ottawa: Department of National Defence, 1923.
3. Department of National Defence, Geographical Section General Staff "Ontario, Galt Sheet", (http://geo2.scholarsportal.info/#r/details/_uri@=564032357&_add:true: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, scale 1:63,360, Ottawa: Department of National Defence, 1929.
4. Department of National Defence, Geographical Section General Staff "Galt, Ontario", (http://geo2.scholarsportal.info/#r/details/_uri@=564032357&_add:true: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, scale 1:63,360, Ottawa: Department of National Defence, 1936.
5. Department of National Defence, Geographical Section General Staff "Galt, Ontario", (http://geo2.scholarsportal.info/#r/details/_uri@=564032357&_add:true: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, scale 1:63,360, Ottawa: Department of National Defence, 1938.
6. Army Survey Establishment, R.C.E. "Galt, Ontario", (http://geo2.scholarsportal.info/#r/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8 west half, third edition, scale 1:50,000, Ottawa: Department of National Defence, 1956.

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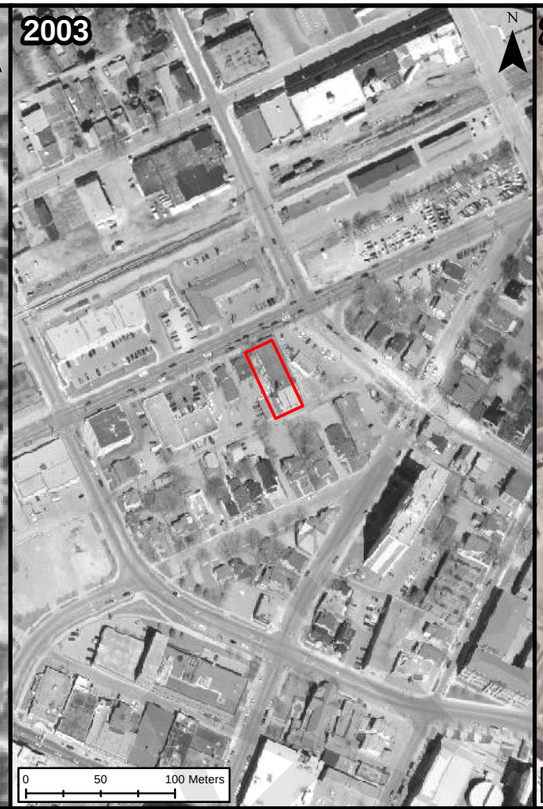
FIGURE #	9



TITLE
1930, 1945, 2003, 2006, 2009, 2012, 2017, and 2021 Aerial Photographs Showing the Property

CLIENT
Perimeter Development

PROJECT
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

PROJECT NO. LHC0333

Legend

Property

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. University of Waterloo, "Photo IM30, 1930 Photo", (https://lib.uwaterloo.ca/locations/umd/project/IM30.html: accessed September 27, 2022), 1930.
2. University of Waterloo, "Photo IM30, 1945 Photo", (https://lib.uwaterloo.ca/locations/umd/project/IM30.html: accessed September 27, 2022), 1945.
3. Kitchener OnPoint Map Viewer, "2003 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).
4. Kitchener OnPoint Map Viewer, "2006 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).
5. Kitchener OnPoint Map Viewer, "2009 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).
6. Kitchener OnPoint Map Viewer, "2012 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).
7. Kitchener OnPoint Map Viewer, "2017 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).
8. Kitchener OnPoint Map Viewer, "2021 Aerial Imagery", (https://maps.kitchener.ca/OnPointExternal/RMap/Default.aspx: accessed October 6, 2022).

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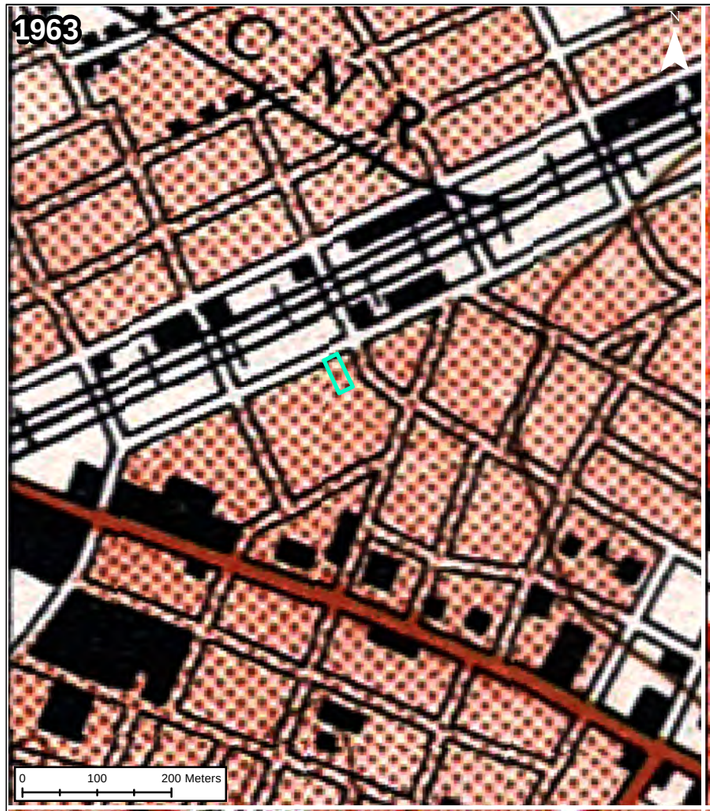
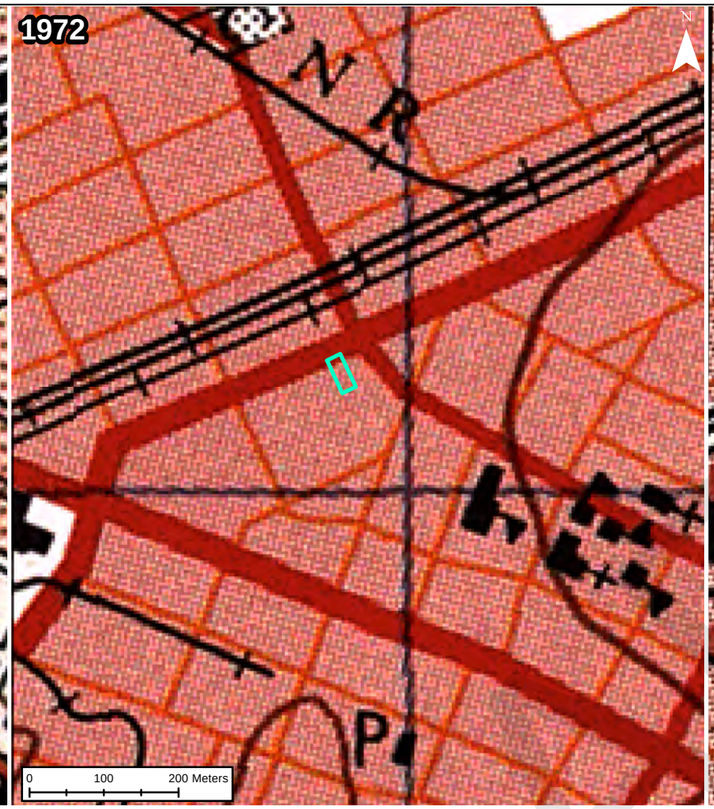
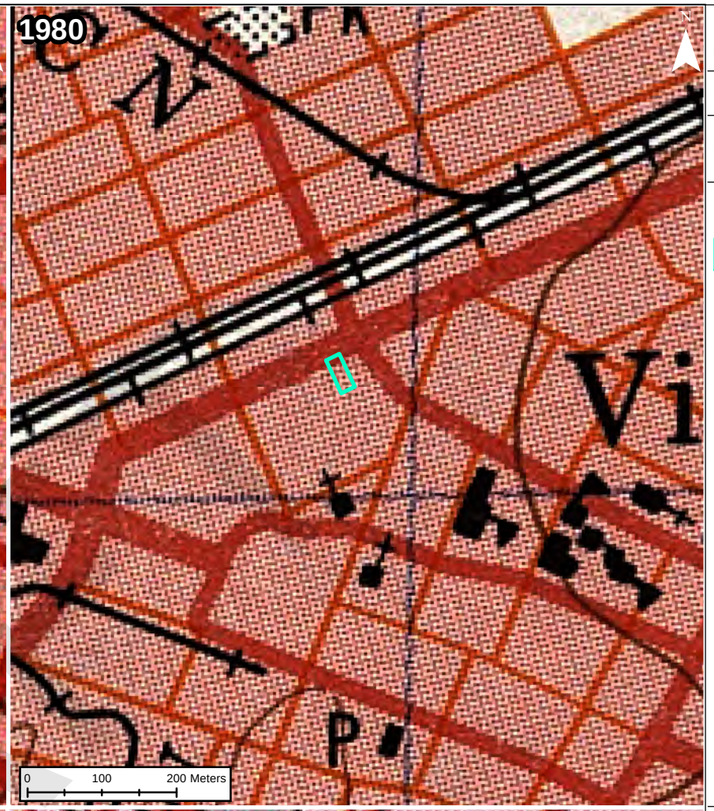
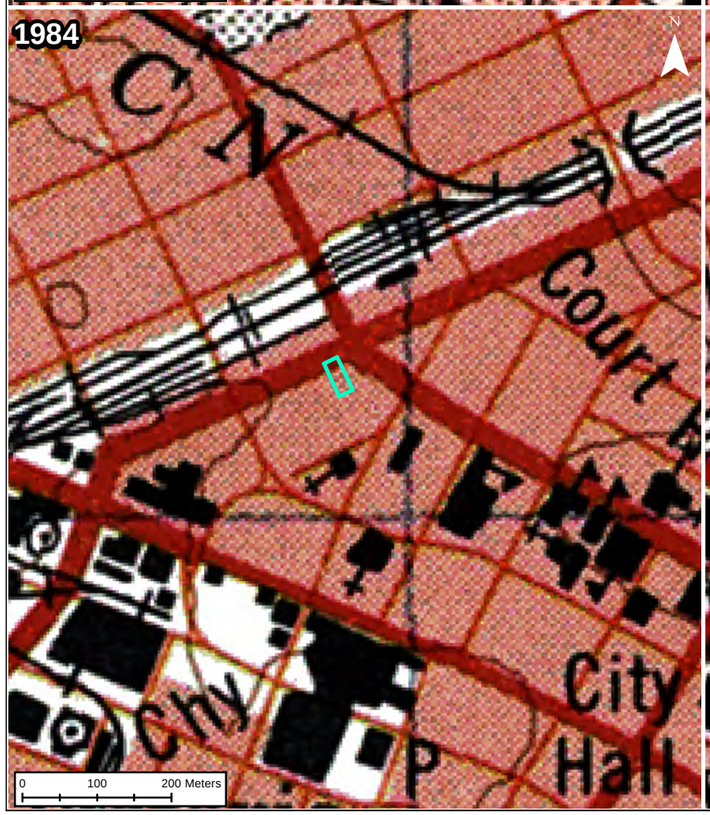
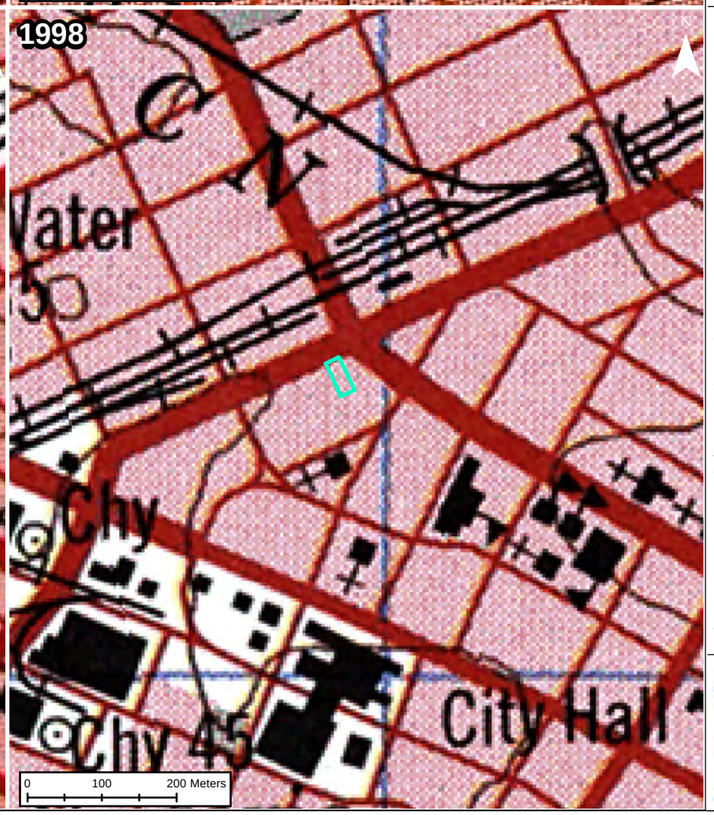
DESIGNED	JG
FIGURE #	10











TITLE
1963, 1972, 1980, 1984, 1994, and 1998 Topographic Maps Showing the Property

CLIENT
Perimeter Development

PROJECT PROJECT NO. LHC0333
Heritage Impact Assessment 97 Victoria Street North, Kitchener, Ontario

Legend

Property

NOTE(S)
1. All locations are approximate.

REFERENCE(S)
1. Army Survey Establishment, R.C.E., "Galt, Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8 west half, edition 4, scale 1:50,000, Ottawa: Army Survey Establishment, 1963.
2. Department of Energy, Mines, and Resources, Surveys and Mapping Branch, "Galt, Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, edition 5, scale 1:50,000, Ottawa: Department of Energy, Mines, and Resources, 1972.
3. Department of Energy, Mines, and Resources, Surveys and Mapping Branch, "Cambridge Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, edition 6, scale 1:50,000, Ottawa: Department of Energy, Mines, and Resources, 1980.
4. Department of Energy, Mines, and Resources, Surveys and Mapping Branch, "Cambridge Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, edition 7, scale 1:50,000, Ottawa: Department of Energy, Mines, and Resources, 1984.
5. Department of Energy, Mines, and Resources, The Canada Centre for Mapping, "Cambridge Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, edition 8, scale 1:50,000, Ottawa: Department of Energy, Mines, and Resources, 1994.
6. Natural Resources Canada, The Centre for Topographic Mapping, "Cambridge Ontario", (http://geo2.scholarsportal.info/#/search/_queries@=topographic;&fields@=;&sort=relevance&limit=entitled: accessed September 27, 2022), scanned and georeferenced as part of the Ontario Council of University Libraries (OCUL) Historical Topographic Map Digitization Project, sheet 40 P/8, edition 9, scale 1:50,000, Ottawa: Natural Resources Canada, 1998.

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FIGURE #	11

5 ASSESSMENT OF EXISTING CONDITIONS

5.1 97 Victoria Street North Exterior

The property municipally known as 97 Victoria Street North is a two-storey "L" shaped building on a concrete foundation with three additions (Photo 4 through Photo 7). The main building is two-storeys in height and measures approximately 15.0 metres (m) wide by 35.3 m deep. The primary, northwest elevation is divided into three distinct bays by four shallow buttresses. Both the southwest and northeast elevation are divided into seven bays. A large chimney was erected in the main building's southwest corner. The first addition was attached to the east section of the main building's southeast (rear) elevation. This addition matched the two-storey height and general rhythm of the main structure, adding three bays along the building's northeast elevation and two along the southeast elevation (Photo 8 and Photo 9). Three distinct elements distinguish this building section as an addition. First, one of the three bays added along the northeast elevation does not match the width of the others; second, the roofing material is different from that of the main building and there is a distinctive parapet that is no longer situated along the roof's edge; and third, the yellow brick is slightly different in colour from the main building. Another addition was added to the building's southeast elevation, this time situated towards the westmost section. This addition is also two-storeys in height and shares the matching fenestration rhythm found along the main building; however, it comprises a different brick colour and is not arranged into bays using shallow buttresses (Photo 7). A third, single storey addition was later added and branched off the southwest elevation of the previous addition. This later addition is constructed of concrete block and gave the property its current 'L' shape (Photo 9). The first storey of the building serves a retail and community outreach use, and the second storey comprises a dining hall and St. John's kitchen.

The building has a flat roof and is constructed of stretcher bond brick that is red along the building's primary, northwest elevation and yellow along all other elevations. The building is typically divided into distinct bays by shallow buttresses found along all elevations; however, this rhythm is interrupted along the southmost portion of the southwest elevation because of the addition. The primary, northwest elevation is symmetrical, with buttressing located at the edges of the building as well as two additional buttresses that are evenly set along the façade which creates three bays. The middle bay comprises a large, centre-set entrance along the first storey, and a former window bay that has been infilled and clad in painted vertical siding within the second storey. The bays that flank the centre both have three side-by-side double hung, six-over-six windows that align with the door opening on the first storey and infilled window bay on the second storey. The primary elevation also has a decorative parapet. The symmetrical pattern of buttresses and window openings continues along the building's southwest and northeast elevations. Many of the window bays on secondary elevations have been infilled and clad in vertical siding, with new windows having been installed in several locations. The rear, southeast elevation follows a similar architectural language as the other elevations; however, it is asymmetrical. It has two buttresses that are offset towards the east portion of the elevation and has windows of various size.

The first storey of the building can be accessed from two locations along the Property's southwest elevation. The first access point is located within the fourth bay and the second is located towards the south corner set within the Property's second addition (Photo 7). The

second storey of the Property is accessed via a door located in the seventh bay along northeast elevation (Photo 5).

The windows set within the northwest elevation have concrete sills along their bottom edges and flat-headed, soldier course brick along their top edges. The windows extend the entire width of the bays that are formed by the buttresses. As described, the general window pattern along the northeast and southwest elevations corresponds to that of the northwest elevation; however, the window selection varies. Fixed-pane, double-hung, and smaller side-by-side double-hung windows were observed on both elevations. The Southeast elevation comprises three double-hung windows located along the building's second storey.

Neither natural heritage elements nor landscaped features are present on the Property.

Photo 4: View south showing the Property's northwest (primary) and northeast elevations

Photo 5: View west showing the Property's northeast elevation

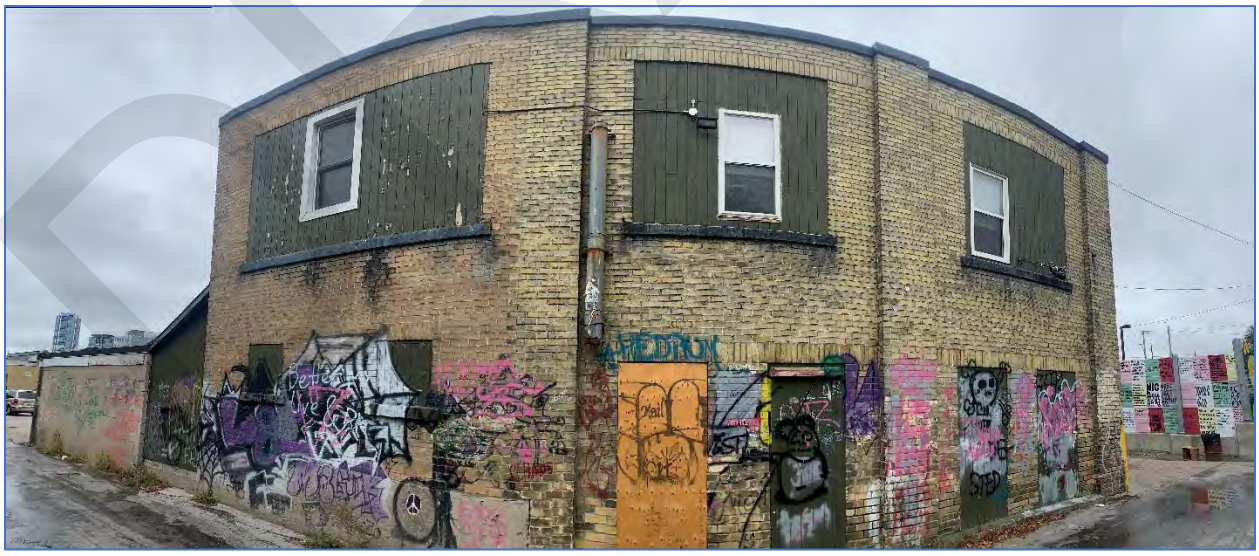

Photo 6: Panoramic view northwest showing the Property's southeast elevation

Photo 7: View northeast showing the Property's southwest elevation

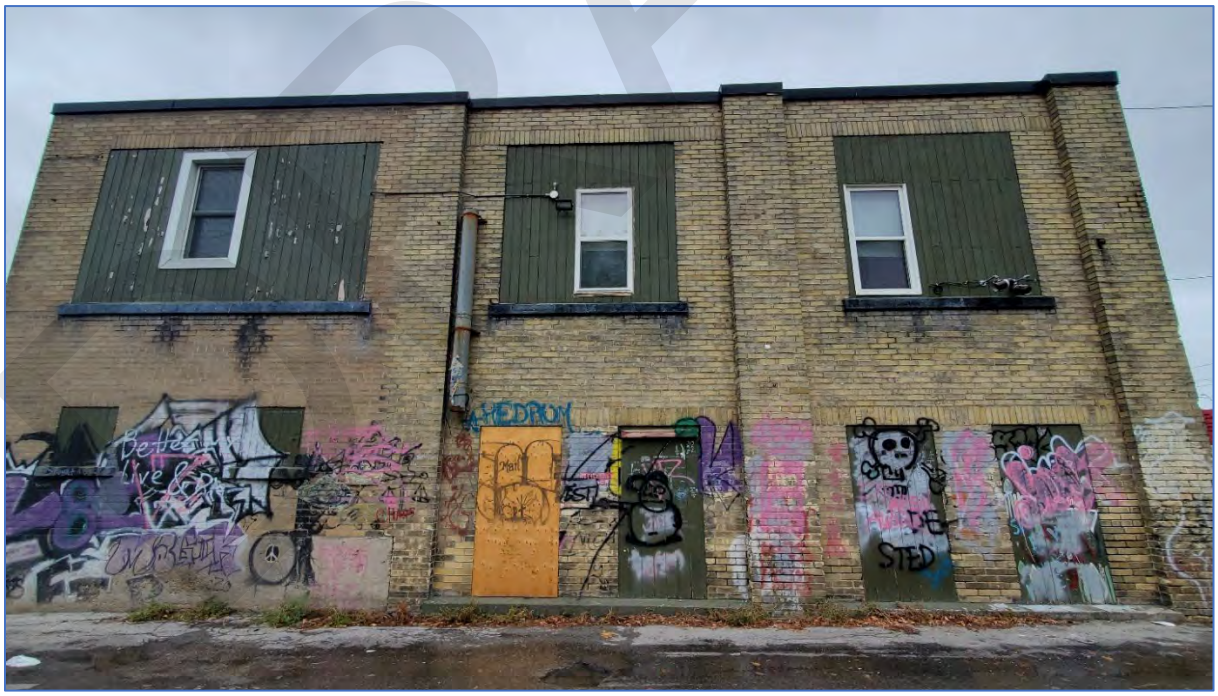

Photo 8: View northwest of the Property's southeast elevation. The addition on the right follows the same rhythm of bays and buttresses found along the other elevations. The addition to the left is void of buttresses and is a distinctly different colour

Photo 9: View north showing the single storey addition that branches off the southwest elevation of the previous addition

5.2 97 Victoria Street North Interior

5.2.1 Worth a Second Look (First Storey)

The first storey of the building is “L” shaped in plan and comprises *Worth a Second Look* along with supporting storage space (Figure 12). Despite the building’s main entrance fronting onto Victoria Street North, access to the first storey is provided along the southwest elevation. Upon entrance, the first floor is a large, open room that has polished concrete floors, gypsum clad walls, and a gypsum clad ceiling (Photo 10). Typically, the wallboard has been painted white; however, the windowsills have been painted blue. Along the ceiling, the building’s structural beams are visible, but they have been covered in wallboard. Structural, mechanical, electrical, and plumbing systems are all visible and are typically painted white to match the walls and ceiling (Photo 11).

The materiality used in the main, *Worth a Second Look*, room typically remains congruent when moving towards the structure’s storage areas located at the rear of the building. In addition to the floor typically remaining polished concrete, the walls and ceilings are also typically clad in painted gypsum wallboard (Photo 12 and Photo 13). In certain areas, the material use is changed. For instance, some walls comprise painted brick and the flooring in several areas is composed of tile (Photo 14 and Photo 15).

Figure 12: Current Worth a Second Look floor plan (first floor)

Photo 10: View north upon entering the first storey of the building

Photo 11: View southeast showing the building's structural, mechanical, electrical, and plumbing systems

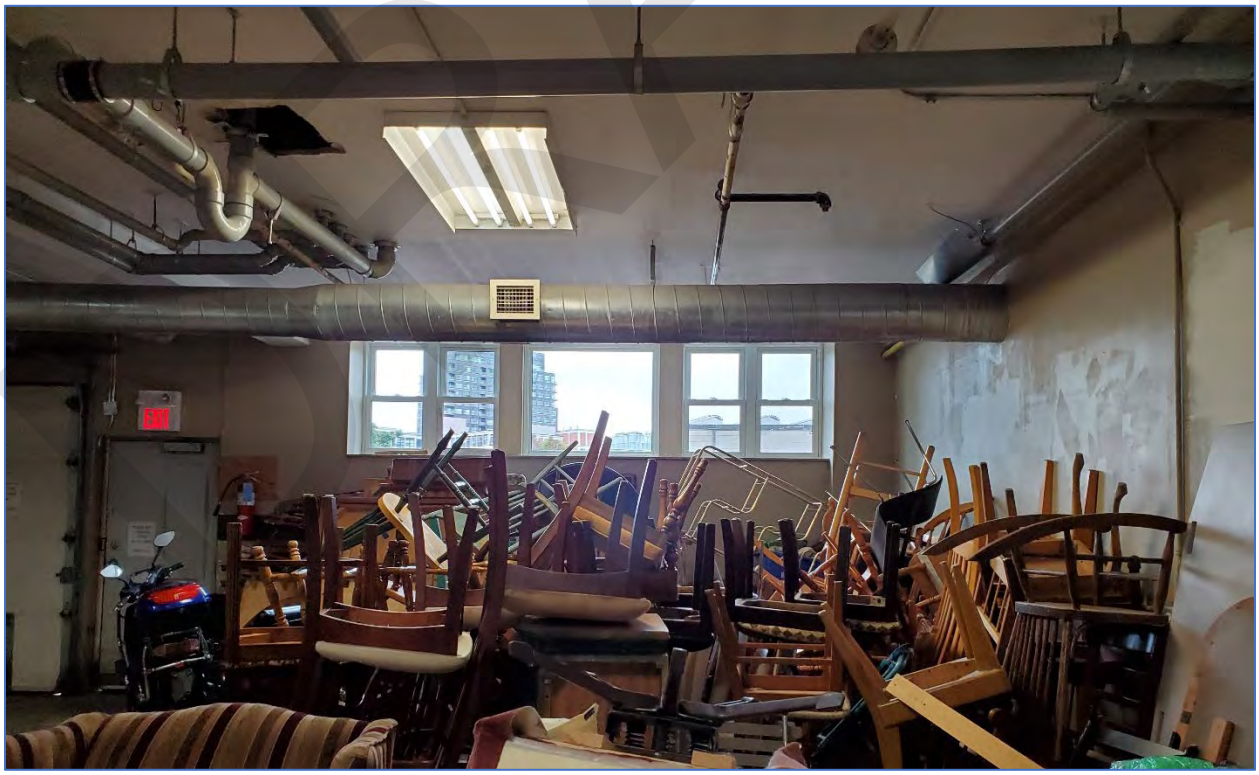

Photo 12: View southwest showing material use towards the rear of the first floor

Photo 13: View showing the material use towards the rear of the first floor

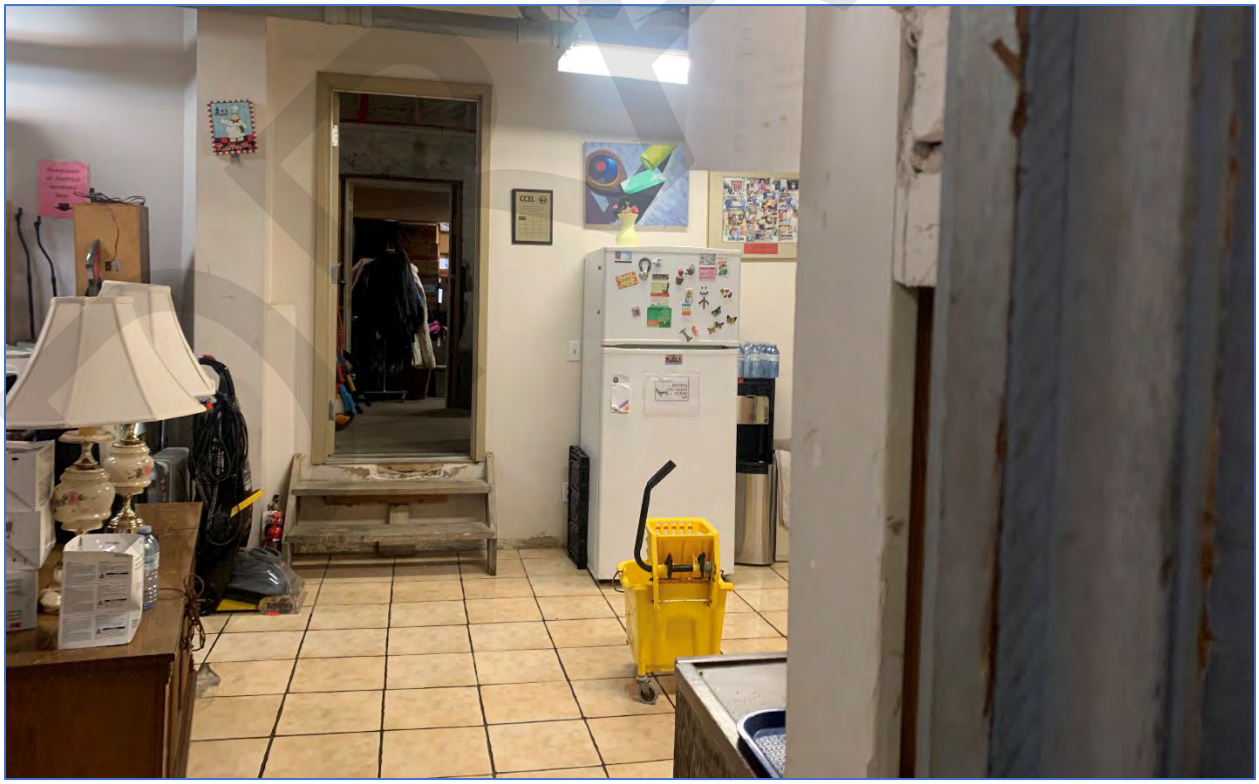

Photo 14: View showing a tiled floor area

Photo 15: View showing painted brick walls

5.2.2 St. John's Kitchen and Safe Supply Clinic (Second Storey)

The second storey of the building is rectangular in plan and comprises St. John's Kitchen and the Safe Supply Clinic (Figure 13). The second storey of the building is accessed from the building's northeast elevation. The entrance provides access to a foyer area that has a tiled floor and walls that are typically clad in gypsum and painted yellow but with some exposed brick (Photo 16). A vinyl-clad, metal staircase is located to the right upon entrance that provides access to the second floor. Akin to the foyer, the walls surrounding the staircase are yellow-painted gypsum (Photo 17). The second floor also has a tiled floor throughout and walls and ceiling that are clad completely in gypsum. The walls are typically painted yellow, green, blue, or red. Like the first floor, Mechanical, electrical, and plumbing systems are all visible and are typically painted white (Photo 18).

Directly ahead of the top of the stairs is the Safe Supply Clinic which is a separate suite within the building. Aside from this suite, the rest of the floor is generally open space. A hallway that extends lengthwise through the building provides access to the different rooms, including St. John's Kitchen located towards the northwest elevation of the building (Photo 19).

The safe supply clinic was not accessed during the site visit.

Figure 13: Current St. John's Kitchen floor plan (second floor)

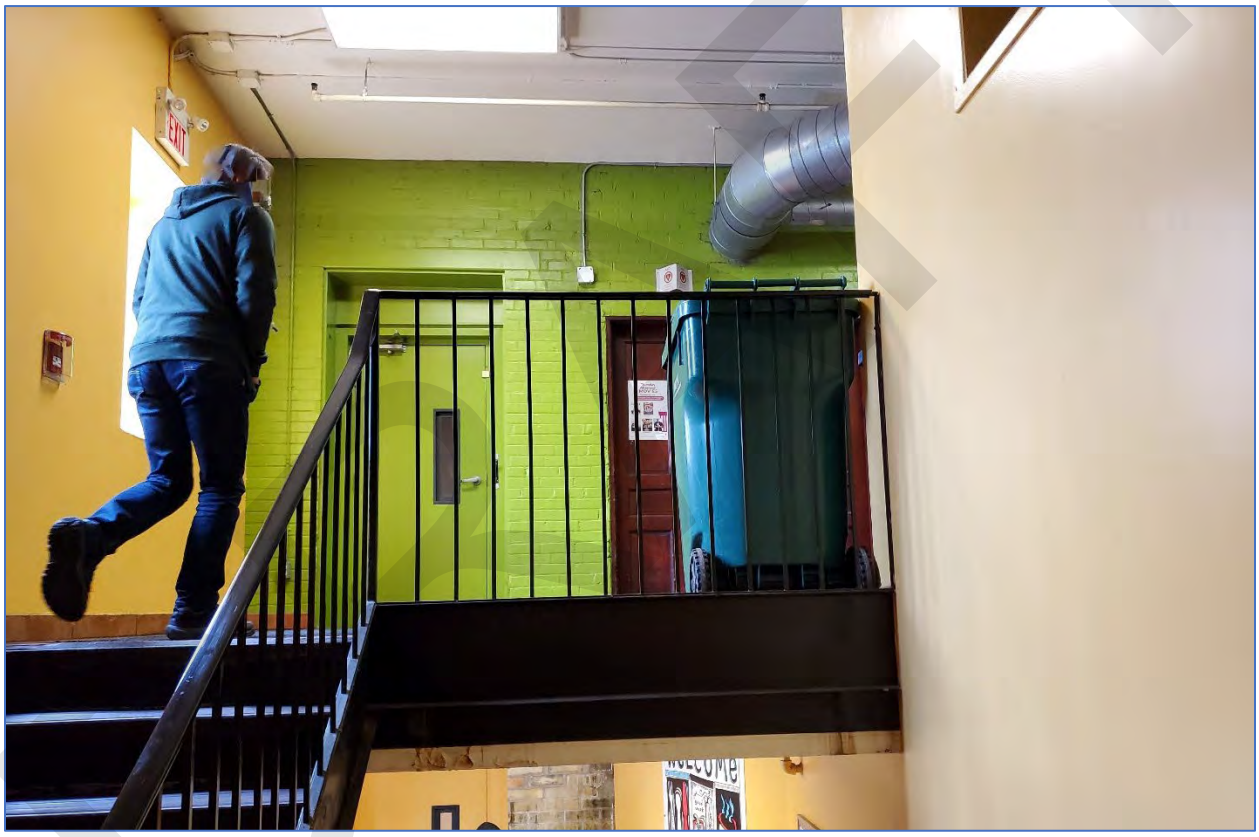

Photo 16: View southeast showing the foyer and stairs

Photo 17: View northwest showing the staircase providing second floor access

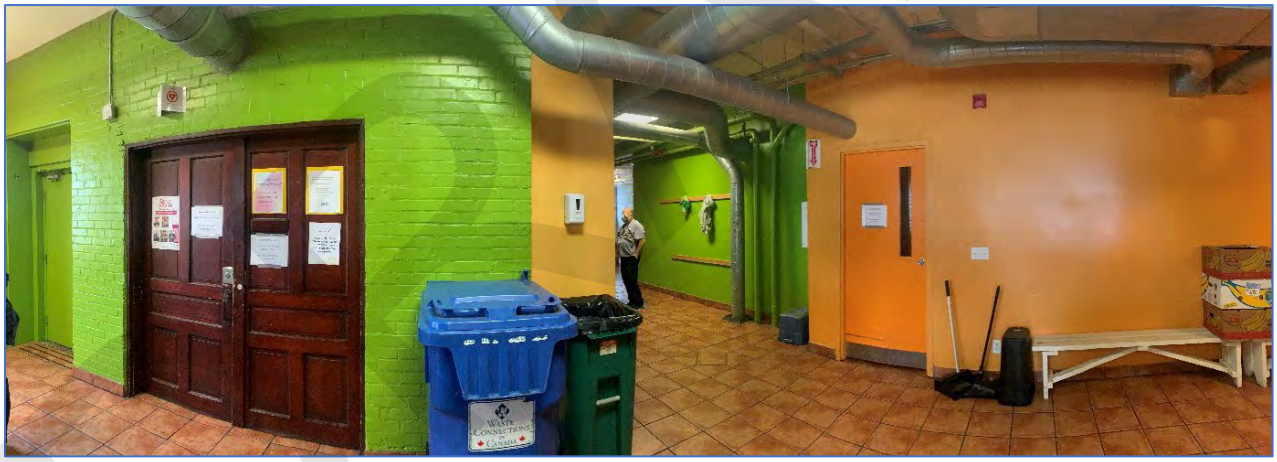

Photo 18: Panoramic view showing the second floor of the building

Photo 19: View showing St. John's kitchen (right) and an open hallway (left)

5.2.3 Community Outreach (Rear Wing Addition)

The community outreach wing of the building was not accessed during the site visit.

5.3 Surrounding Context

The Property is located in the Innovation District of Kitchener's Urban Growth Centre, which as described in Section 15 of Kitchener's *OP*, is "…characterized by many large, old industrial buildings which have already been converted or have the potential for conversion to loft style office and residential uses and other viable uses."[117] The Property is located between two of the City's Heritage Conservation Districts (HCD), namely the Victoria Park HCD designated under by-law 96-91 and the Civic Centre HCD designated under by-law 2008-039. The Property is located approximately 90 metres from the CN rail tracks and approximately 550 metres from Victoria Park.

[117] City of Kitchener, "City of Kitchener Official Plan," 2019, 15-12.

The topography of the surrounding site is relatively flat with a slight downward slope towards Duke Street. Vegetation along the section of Victoria Street North that the Property is situated is sparse, with few properties having grass, trees, or other landscaped features.

Observed land uses in the surrounding area include a mixture of residential, commercial, and industrial. The buildings within the Property's immediate vicinity are typically low-rise, and generally do not exceed two-storeys in height. Victoria Street North is a two-way street with four lanes of traffic, sidewalks, and streetlights on both sides of the street. Heit Lane, situated to the rear of the Property, is a two-way, one lane street with no sidewalks or streetlights.

The Property is located within Kitchener's Warehouse District Cultural Heritage Landscape (CHL). Recognized as a regionally significant cultural heritage resource, the Warehouse District CHL (identified as L-COM-1) extends along the CN Rail line and is bounded by Glasgow Street, Dominion Street, Breithaupt Street, Francis Street, Victoria Street, and Belmont Street.[118, 119] The Warehouse District is contextually important to the development history of Kitchener as an industrial manufacturing centre during the late 19th and early 20th centuries. Supporting facilities including factories, warehouses for department stores, commercial enterprises, and residences for workers were established in the district. Within the Warehouse District, factory complexes, including the Kaufman Rubber Company building designed in 1908 by Albert Kahn (1869-1942), still stand. Residential neighbourhoods, typically constructed of brick masonry, in the immediate vicinity housed the workers of this industrial and commercial area.[120]

5.4 Adjacent Heritage Properties

The City defines adjacent as:

> …lands, buildings and/or structures that are contiguous or that are directly opposite to other lands, buildings and/or structures, separated only by a laneway, municipal road or other right-of-way.

Using this definition, the Property is adjacent to one heritage property located at 70 Francis Street North which is a late 19th century Queen Anne style residence that is recognized for its design, physical, and contextual values (Photo 20 and Photo 21). The City's *Statement of Significance* for the property states:

> The building is an excellent example of the Queen Anne architectural style. The building is in good condition with many intact original elements. The building features an asymmetrical plan; buff brick; rock-faced stone foundation; steeply pitched gable roof; projecting two storey bay with gambrel roof on south elevation; fan brackets with ornamental pendants; frieze board with simple dentillated trim; turret with steeply pitched polygonal roof; front door with raised panels, and a single light with beveled glass, three sidelights with beveled glass, and a transom with beveled glass; semi circular openings with radiating

[118] Region of Waterloo. "Regional Implementation Guideline Conserving Regionally Significant Cultural Heritage Resources". 2018, 4.
[119] City of Kitchener. "Cultural Heritage Landscapes Data Sheets". 2014 December, 24.
[120] City of Kitchener. "Cultural Heritage Landscapes Data Sheets".

voussoirs and moulded brick trim; 1/1 double hung windows with concrete sills; and, front porch.[121]

Photo 20: View north showing 70 Francis Street North's primary elevation

Photo 21: View northwest showing 70 Francis Street North's southeast and northeast elevations

[121] City of Kitchener, "DTS-09-053," 7 April 2009. https://lf.kitchener.ca/WebLinkExt/PDF/3wqyhqn1h3kw5yn2de11nzmt/3/DTS-09-053%20-%20Listing%20of%20Non-Designated%20Property%20of%20Cultural%20Heritage.pdf

6 EVALUATION

6.1 Ontario Regulation 9/06 Evaluation

The Property located at 97 Victoria Street North was evaluated against *O. Reg 9/06* under the *OHA* using research and analysis presented in Section 4 and 5 of this HIA. The results of the evaluation are presented in Table 9.

Table 9: *O. Reg. 9/06* Evaluation for 97 Victoria Street North

Criteria	Criteria Met	Justification
1. The property has design value or physical value because it,		
i. is a rare, unique, representative, or early example of a style, type, expression, material, or construction method,	Yes	The Property is a representative example of a building developed using the industrial vernacular architectural style. The building on the Property was erected c. 1927 to serve an industrial purpose for the Mitchell Button Company who occupied the site for over four decades. Although the Property is a later addition to Kitchener's Warehouse District CHL, it nonetheless is a representative example of Kitchener's early 20th century industrial core. The Property's symmetry, decorative parapet over its primary façade, shallow buttressing, and rectangular shape are representative aspects that reflect this building style.
ii. displays a high degree of craftsmanship or artistic merit, or	No	The Property does not display a high degree of craftsmanship or artistic merit. Despite being a representative example of the industrial architectural style that was common in Kitchener in the early 20th century, the building exhibits vernacular and simple building methods common at the time of construction.
iii. demonstrates a high degree of technical or scientific achievement.	No	The Property does not demonstrate a high degree of technical or scientific achievement. It was constructed using common building methods at the time of construction.

Criteria	Criteria Met	Justification
2. The property has historical or associative value because it,		
i. has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community,	Yes	The Property has direct associations with Walter Mitchell and his company called the 'Mitchell Button Company' which operated within Kitchener for nearly 55 years. By direct extension of the Property's manufacturing use, the Property is directly connected with the theme of the City's industrial expansion that occurred throughout the early 20th century.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	No	The Property does not yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No	The Property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to the community. The industrial vernacular building was built using common materials and methods at the time of construction. The Property's architect and/or general contractor are unknown.
3. The property has contextual value because it,		
i. is important in defining, maintaining, or supporting the character of an area,	Yes	The Property is important in defining, maintaining, and supporting the character of the area. The Property is a former industrial building that contributes to the City's 'Warehouse District' CHL. This area is defined by its industrial commercial development that occurred during the early 20th century and the concurrently built industrial vernacular structures. Because the Property was developed as an industrial building that was architecturally similar to other industrial properties within

Criteria	Criteria Met	Justification
		the Warehouse District, it helps to define its neighbourhood. In addition, the Property acts as a visual gateway into the Warehouse District because of its position at the edge of the district.
ii. is physical, functionally, visually, or historically linked to its surroundings, or	Yes	The Property is functionally and historically linked to its immediate surroundings. In addition to its presence among the greater Warehouse District CHL that creates a link, the Property is directly adjacent to the City's primary rail junction. This connection is important because the Warehouse District's growth and development is connected to the ability for manufactured goods to be transported via the railway. Accordingly, the Property is directly connected to the neighbouring railway. In addition, the Property is among the first within the Warehouse District CHL that is seen by eastbound rail and vehicular traffic. Accordingly, it is a symbolic gateway into Kitchener's Warehouse District.
iii. is a landmark.	No	The Property is not a landmark. The MCM defines 'landmark' as …a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous… The Property does not meet this criterion.

6.2 Additional Considerations

In order to understand the uniqueness and representative value of the physical features of 97 Victoria Street North as well as thematic associations outlined in the existing SOS, a comparative analysis of buildings of similar style, material, age, and massing within the Warehouse District was explored. Information was extracted from the City's municipal heritage

register, existing SOS documents prepared by the City, and the 2014 Cultural Heritage Landscapes report. Table 10 below displays other properties found within the 'Warehouse District' that have been described as being built in the industrial vernacular architectural style. Note that this comparison is not a comprehensive list of Kitchener's industrial vernacular properties.

Table 10: Comparative Examples of Industrial Vernacular Architecture in Kitchener's Warehouse District

Municipal Address	Year Built	Heritage Attributes
111 Ahrens Street West[122]	1887	All elements related to the construction and Industrial Vernacular architectural style of the building, including: • roof and roofline, including: flat roof; parapet wall; • door openings; • window openings, including: tripled 6/6 double hung windows per bay; stone headers and sills; • yellow brick construction; • stone foundation (original building); • concrete foundation (later buildings); • shallow buttressing between windows; • decorative cornice; o sign banding; and, • chimney.
113-151 Charles Street[123]	c. 1896	All elements related to the design and physical value, including: • Complex of industrial vernacular buildings spanning the turn- of-the-20th century; • Breezeways interconnecting buildings;

[122] City of Kitchener Development and Technical Services, "Listing of Non-Designated Property of Cultural Heritage Value or Interest on the MHR," January 5, 2009, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=980089&searchid=3f27fa99-22c1-4b0e-b538-65db618b4c75&dbid=0, 6-8

[123] City of Kitchener Community Services Department, "Municipal Heritage Register Listings," May 5, 2015, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=1371069&page=66&searchid=77bd49d5-a435-41f5-af84-d4d89b5aadb2, 1-66 – 1-73

Municipal Address	Year Built	Heritage Attributes
		• Painted signage on the exterior walls; Former administration and production buildings at the corner of Charles and Francis; • Former beam and storage house; Former leach house along Joseph Street; • Decorative brickwork; Lionhead tie roads; Segmentally arched windows with wood sashes and stone sills; • Generous floor to ceiling heights; • Wooden beams and flooring; Wooden staircases; Exposed structural columns and mechanical systems; • Freight elevators with wooden gates; and, • Metal fire separation doors with original weights and pulleys
283 Duke Street West[124]	1896; 1936; 1939	All elements related to the Industrial Vernacular architectural style of the buildings, including: • varied rooflines, including flat roof and low pitch side gable roof; off-white brick (now painted); • original windows, including 6/ 6 windows paired in each bay and ribbon of three 6/ 6 windows in each bay; • original window openings, including flat head and segmentally arched openings with original wood sills or concrete sills; • slight brick work under the eaves; shallow buttressing; and entrance on

[124] City of Kitchener Community Services Department, "Properties of Cultural Heritage Value or Interest on the Municipal Heritage Register," June 3, 2014, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=1320201&searchid=b55a70ee-6ee0-49c4-a1f9-a01bf0c04283&dbid=0, 8-17 – 8-18

Municipal Address	Year Built	Heritage Attributes
		Duke Street West marked by simple projecting pilaster. All elements related to the contextual value, including: • Location of the buildings and contribution they make to the continuity and character of the Duke Street West and Breithaupt Street streetscapes; • Proximity to the rail line; and, • Presence as a neighbourhood landmark.
72 Victoria Street South[125]	1903	All elements related to the construction and architectural style of the building, including: • all elevations of the building and additions; • red and yellow brick walls; • brick pilasters that separate the bays; • roof and roofline, including; flat roof; brick corbelling at the roofline; • window openings; • concrete sills and lintels; • brick voussoirs; • main entrance portico, including: Doric columns; Brick voussoirs; Semi-elliptical opening; rounded concrete steps; • tie rods and anchors; • yellow brick chimney; and • chimney clean out. All elements relate to the interior of the building, including:

[125] City of Kitchener Community Services Department, "Listing on the Municipal Heritage Registe," March 6, 2012, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=1180948&searchid=83d53c31-2c2b-418b-b60c-021b037427de&dbid=0, 3-17 – 3-20

Municipal Address	Year Built	Heritage Attributes
		• exposed heavy timber (post and beam} construction with 4-way steel post caps and metal stirrups, timber capital and support members; • original hardwood and concrete floors; • concrete and brick walls; • original wood ceilings; • original window on interior wall located at the ground floor loading entrance; • original freight elevator; • column base with concrete casings in basement; • original metal door and hardware in basement leading to storage units; • exposed cast iron sprinkler system; and, • interior foundation wall in basement.
130 Weber Street West[126]	c. 1919 (original), 1946 (rebuild)	All elements related to the Industrial Vernacular architectural style with subtle Art Deco influences, including: • flat roof; • concrete • floral motifs and banding; • original window openings either with concrete sill or concrete window surround; • angled corner with entrance facing intersection; and, • concrete door surround.

[126] City of Kitchener Community Services Department, "Listing of Non-Designated Properties of Cultural Heritage Value or Interest on the Municipal Heritage Register," June 3, 2014, https://lf.kitchener.ca/WebLinkExt/DocView.aspx?id=1320202&searchid=fd7d7a9f-e842-4b9d-a46d-1cabecac0483&dbid=0, 9-139 – 9-145

Municipal Address	Year Built	Heritage Attributes
		All elements related to the contextual value, including: • Location of the house and contribution that it makes to the continuity and character of the Breithaupt Street and Weber Street West streetscapes.

When directly contrasting the structure located at 97 Victoria Street North with other early 20th century industrial vernacular buildings, it becomes clear that it is not an early or unique example of the architectural style. Other industrial vernacular buildings, including several identified above, where constructed approximately 30-years prior to the Property.

6.3 Summary of Evaluation

In LHC's professional opinion, the property municipally known as 97 Victoria Street North meets criteria 1i, 2i, 31, and 3ii of *O. Reg. 9/06* for its design and physical, historical and associative, and contextual values.

6.4 Proposed Statement of Cultural Heritage Value or Interest

6.4.1 Statement of Cultural Heritage Value or Interest

The property municipally known as 97 Victoria Street North has design and physical values because it is a representative example of an industrial building having been developed in the industrial vernacular architectural style; historical and associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community; and contextual value because it is important in defining, maintaining, or supporting the character of an area and because it is physical, functionally, visually, or historically linked to its surroundings.

The building located at 97 Victoria Street North was built c. 1927 as an industrial warehouse for the Mitchell Button Company and has continued to serve as an industrial and/or commercial building until present day. The building is recognized as a contributing industrial property that supports the character of the City of Kitchener's *Warehouse District* cultural heritage landscape. The building was erected in the industrial vernacular architectural style that was common in Kitchener during the early 20th century. Architectural elements that define this style that are present on the property include its symmetry, flat roof with shaped parapet on the front façade, shallow buttressing, use of red, yellow, and beige bricks, and 6/6 windows.

6.4.2 Heritage Attributes

All elements related to the Industrial Vernacular architectural style of the building, including:

- Two storey height;
- Symmetrical northwest (primary) façade;

- Flat roof with shaped parapet on the northwest (primary) façade;
- Shallow buttresses that define distinct bays along each of the building's elevations.
- Brick construction comprising red, yellow, and beige brick;
- Original window openings with soldier course brick headers and concrete sills;
- Six-over-six windows on the northwest (primary) façade; and,
- Chimney set in stretcher bonded, yellow brick with concrete banding.

All elements related to the contextual value, including:

- Location of the building and contribution that it makes to the continuity and character of the Victoria Street North streetscape and the Warehouse District; and,
- The link to the surrounding Warehouse District.

7 DESCRIPTION OF THE PROPOSED DEVELOPMENT

7.1 Massing, Access, and Setbacks

The proposed new development seeks to retain the extant structures located on 83 and 87 Victoria Street North and retain and add two additions to the building listed on the City's municipal heritage register located at 97 Victoria Street North. The first proposed addition is the inclusion of a third storey that will increase the building's height, and the second proposed addition is a single storey wing that will attach to the extant building's southwest elevation that will extend along the southeast Property line along Heit Lane (Figure 14 and Figure 15). The proposed development will permit the construction of a mixed use residential, commercial, and institutional building totalling a gross floor area of 2,639 m^2 comprising 2,082 m^2 of residential, support services, and common area space and 557 m^2 of space dedicated to an updated St. John's Kitchen.

The overall massing of the site is expected to increase as a result of the proposed development, mostly because of the proposed alterations to the building located at 97 Victoria Street North. The addition of a third storey (plus a mechanical penthouse situated towards the southern edge of the roof) and the addition of a new southwest wing will increase the amount of land that is developed and increase the height of the Property. Notwithstanding, the proposed southwest wing will be largely obscured from view from Victoria Street North because it will be situated behind the extant buildings located at 87 and 83 Victoria Street North. The proposed changes will not impact the Property's extant setback distances. The front (northwest) and rear (southeast) elevations will have a shallow setback, and the northeast and southwest elevations will be deeper, allowing for pedestrian and vehicular access. For pedestrian traffic, the site will be accessible from the space between 83 and 87 Victoria Street North, the space between 91 and 97 Victoria Street North, and form the driveway situated in the Property's southwest corner along Heit Lane. Vehicular access is provided via Heit Lane located to the Property's rear. Two dedicated staff parking spaces, one standard and one accessible, are located adjacent to the proposed southwest wing and are accessed via an approximately 6.3 metre wide and 17.5 metre long driveway. Six additional parking spaces, five standard and one accessible, are located in a small parking lot on the south side of Heit Lane that is adjacent to 97 Victoria Street North. In addition to parking areas, an approximately 28.5-metre-long loading bay is situated along the proposed southwest addition and is accessible via Heit Lane (Figure 16).

Figure 14: Rendering looking east showing the third-storey addition to the Property

Figure 15: Rendering looking east showing the single-storey southwest wing addition to the Property

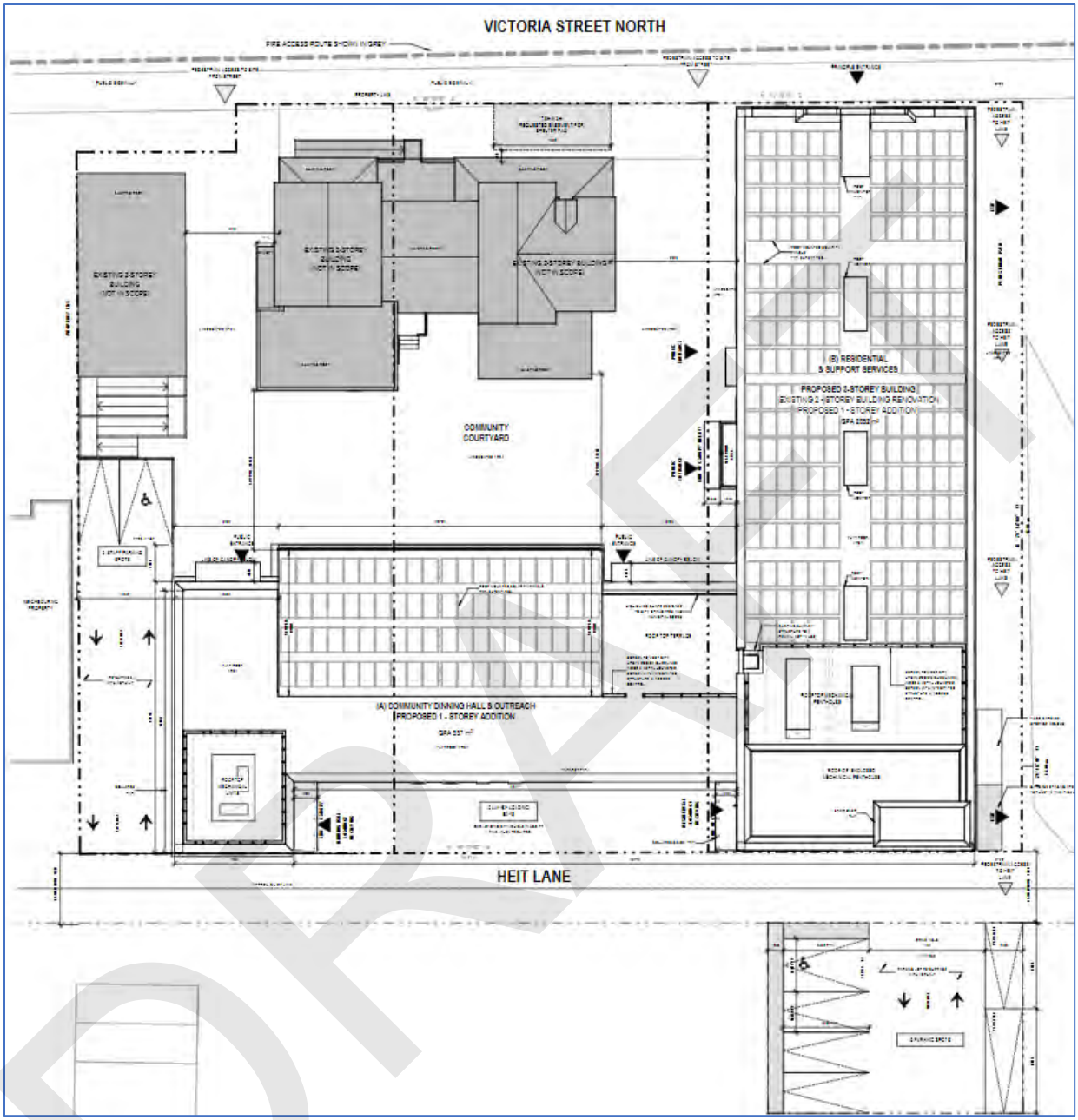

Figure 16: Site plan showing the proposed redevelopment

7.2 Architectural Design

Several alterations will be made the to the listed heritage property located at 97 Victoria Street North. First is the replacement of all extant windows with contemporary counterparts. The purpose for this proposed alteration is twofold. First, the Owner is seeking to create a net-zero building. Accordingly, the proposed windows reduce the total glazed area, increase opaque/insulated area, and minimize mullion thermal breaks. Second, to allow for the maximum capacity of residential units, two units per structural bay is optimal. At present, there is one window per structural bay. An additional consideration was the ceiling height within the

structure. To allow passage of the updated building systems, the ceiling must be dropped. The extant window openings are too tall and would conflict with this requirement. Due to the unit requirements and building systems considerations, therefore, the extant window design requires alterations. The project architect, bnkc, considered several window alternatives for the proposed design (Figure 17). Ultimately, it was decided to divide the extant window bays in two. The proposed new windows comprise a metallic frame, inset into the existing window openings found along each elevation, with two individual windows (Figure 18 and Figure 19).

Second, the extant community outreach wing that branches off the Property's southwest corner will be removed to allow for the construction of a new, larger southwest wing. The proposed southwest wing will be clad in several materials. The primary, northwest elevation will comprise a 20.5 metre curtain wall with 2.3 metre curtain wall returns on either side. Flanking the curtain wall, and also on the northwest elevation, is an approximately 6.5 metre wall section to the west and approximately 8.5 metre wall to the east. Both of these wall sections will be clad in metal panelling (Figure 20). The southwest and southeast elevation will be clad in brick masonry.

The roof of the proposed southwest wing is typically flat; however, a section of the roof is raised, creating a clerestory, and sloped upwards at 12 degrees. The sloped roof follows the dimensions of the 20.5 metre curtain wall situated along the northwest elevation of the proposed southwest wing. The highest point of the sloped roof is at the terminus of the curtain wall, and the lowest point is near the centre of the southwest wing. The upper portion of the curtain wall is proposed to have horizontally strung wooden louvres (Figure 21). Internally, the proposed southwest addition comprises exposed mass timber framing (Figure 22 and Figure 23).

Third, a third-storey addition will be added to the extant building. The addition will be consistent in shape and size to the first two storeys and will remain similar in height (at 3.8 metres) to the 3.7 metre first storey and 4.1 metre second storey. The third storey addition is proposed to be clad in metal panelling and will have the same window style that has been proposed for the rest of the building. Along the building's primary, northwest elevation, the decorative parapet will remain, and the northwest wall of the third storey will be narrowly setback to accommodate the attribute. In addition, the northwest facing section of the setback will have a raised parapet. To create a visual buffer between the two storey heritage resource and proposed third storey, a narrow metal band circumnavigates the connection between the second and third storeys. Moreover, the structure's chimney will be incorporated into the addition, with the third storey addition wrapping around the detail. The roof of the third storey will typically be clad in photovoltaic panels towards the northwest elevation and will have the building's main mechanical penthouse situated towards the rear, southeast elevation. The mechanical penthouse will be clad in metal paneling and will add an addition 2.7 metres of height the structure. The structure will continue to have a flat roof (Figure 14).

Fourth, the extant entrance centrally located along the building's southwest elevation will be redesigned and will protrude from the face of the building by just over 1.0 metre. The redesigned entrance will typically comprise glass, but metal panelling sections will be included between the first and second storey and at the top of the second storey (Figure 24).

Residential House Existing Facade:

BACKPAN

Dimension and Pattern / Metal Panel or Backpan vs. Energy Efficiency

EVALUATION CRITERIA:

- ENERGY EFFICIENCY - REDUCED GLAZING AREA & INCREASE OPQUE AREAS/INSULATION FOR NET ZERO CARBON GOALS

- MINIMIZE MULLION THERMAL BREAKS

- ALLOW FOR INTERIOR UNIT LAYOUT THAT SUPPORTS 2 UNITS PER STRUCTURAL BAY EXPRESSED ON THE EXTERIOR ELEVATION. THIS ALLOWS FOR 22 UNITS PER FLOOR.

- ALLOW FOR NARROW OPERABLE WINDOW TO SERVE EACH UNIT

- CEILING HEIGHT REQUIRMENTS FOR ENERGY EFFICIENT MECH SYSTEMS - NET ZERO CARBON DESIGN GOALS

WINDOW 1

Least Energy Efficient

WINDOW 2

More Energy Efficient

WINDOW 3

Most Energy Efficient - A, B

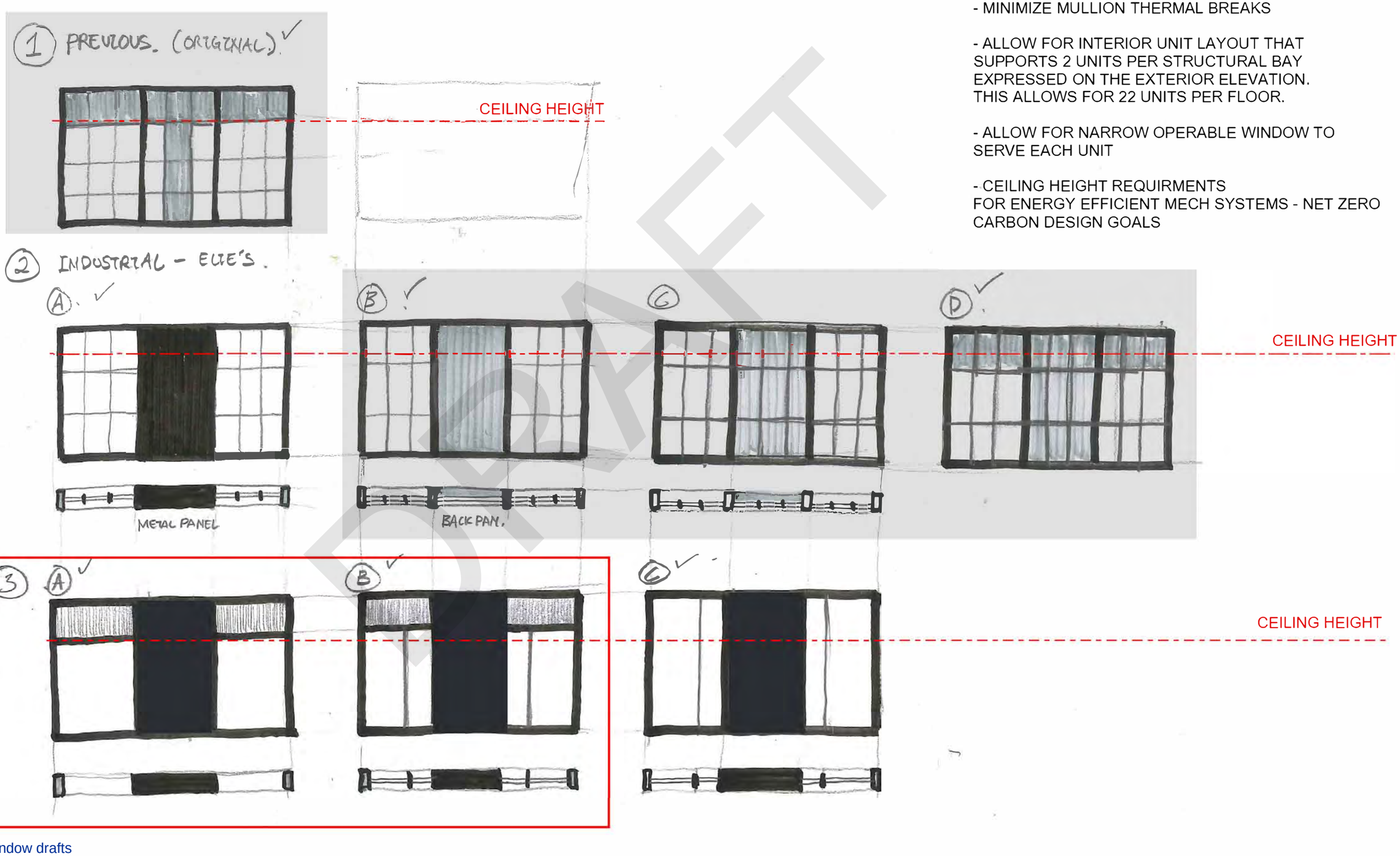

Figure 17: Architect's window drafts

Figure 18: Rendering of the northwest and northeast elevations showing the proposed windows

Figure 19: Rendering of the northwest and southwest elevations showing the proposed windows

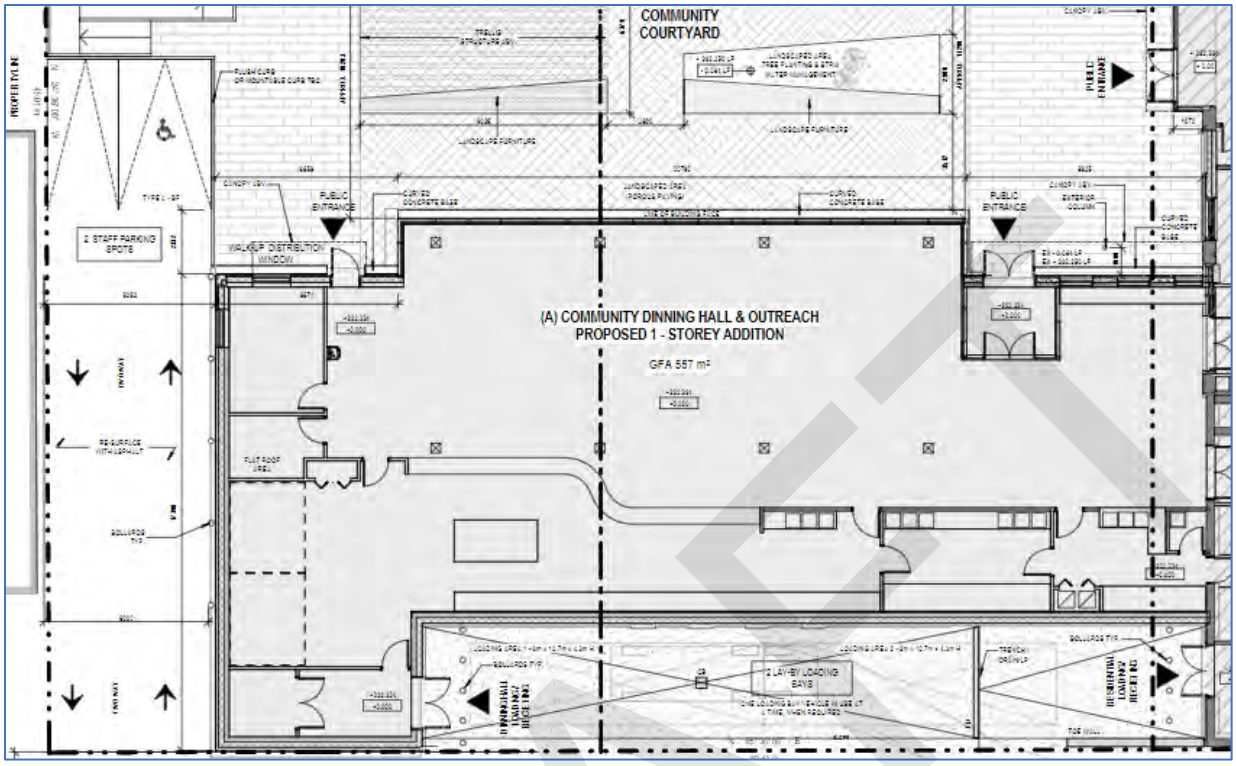

Figure 20: Floor plan of the proposed southwest wing

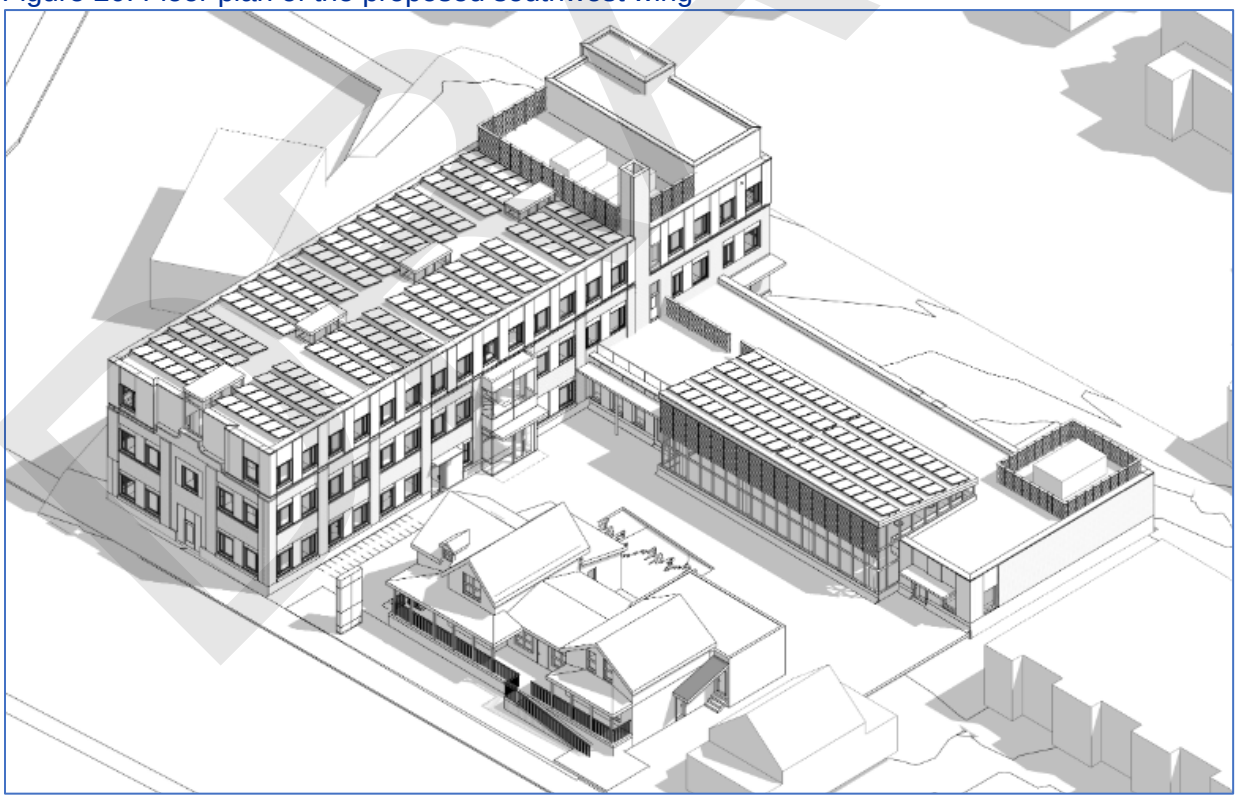

Figure 21: Axonometric rendering of the proposed development showing the southwest wing's sloped roof

Figure 22: Internal rendering looking northeast within the proposed southwest wing

Figure 23: Internal rendering looking west within the proposed southwest wing

Figure 24: View of the proposed entrance on the southwest elevation

7.3 Description of Alteration to Heritage Resources

The proposed development will impact two of the Property's heritage attributes identified in Section 6.4.2. First, adding a third storey to the building on the Property will change the identified 'two storey height' attribute. Second, all extant windows will be removed from the building and will be replaced with contemporary counterparts. The proposed new windows are not the 6/6 style that is historically accurate for the Property and the greater Warehouse District within which it is located.

8 IMPACT OF DEVELOPMENT ON HERITAGE ATTRIBUTES

8.1 Potential Impacts to 97 Victoria Street North

The MCM's *Info Sheet #5 Heritage Impact Assessments and Conservation Plans* outlines seven potential negative impacts to be considered with any proposed development or site alteration. The impacts include:

1. **Destruction** of any part of any significant heritage attribute or features;
2. **Alteration** that is not sympathetic or is incompatible, with the historic fabric and appearance;
3. **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
4. **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
5. **Direct or indirect obstruction** of significant views or vistas within, from, or built and natural features;
6. **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and
7. **Land disturbances** such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

The Property located at 97 Victoria Street North was found to meet *O. Reg. 9/06* and a list of heritage attributes was prepared for the Property. Table 11 below considers potential negative impacts identified by the MCM in relation to the identified heritage attributes.

Table 11: Impact assessment for the identified heritage attributes on 97 Victoria Street North

Heritage Attributes	Potential Impact	Type of Impact	Discussion
Two storey height	Yes	Alteration	The proposed development proposes to add an additional storey to the extant two storey building which will make it three storeys in height. The proposed third storey will be 3.8 metres in height, which is consistent with the first storey (3.7 metres) and second storey (4.1 metres). In addition to the third storey addition, a mechanical penthouse will also be added to the building. The mechanical penthouse will add an additional 2.7 metres of height to the Property; however, it is located

Heritage Attributes	Potential Impact	Type of Impact	Discussion
			towards the southmost section of the building's roof.
Symmetrical northwest (primary) façade	No	None	Although the northwest (primary) façade of the Property is being altered through the addition of a third storey and the replacement of its windows, the symmetry of the façade will remain unchanged.
Flat roof with shaped parapet on the northwest (primary) façade	No	None	Although the proposed third storey will alter the extant roof of the building on the Property, it will continue to have a flat roof. The shaped parapet will also remain as-is. The section of the proposed third storey that is located to the rear of the parapet is setback from the wall face of the extant building, allowing the parapet to remain a prominent feature of the building.
Shallow buttresses that define distinct bays along each of the buildings' elevations.	No	None	The proposed development will not impact the bays that are divided by the shallow buttressing along the elevations. Modifications to the extant two-storey building are not anticipated to impact the arrangement and/or rhythm of the elevations.
Brick construction comprising red, yellow, and beige brick	No	None	The brick masonry that currently comprises the building's cladding will be largely unaffected as a result of the proposed development.
Original window openings with soldier course brick headers and concrete sills	No	None	The extant window openings along with their soldier course brick headers and concrete sills will be unaffected as a result of the proposed development.
Six-over-six windows on the	Yes	Alteration	All extant windows, including former windows that have been covered or infilled, will be removed and replaced

Heritage Attributes	Potential Impact	Type of Impact	Discussion
northwest (primary) façade			with contemporary counterparts including the six-over-six windows currently observed on the building's northwest (primary) elevation. Each extant window bay will be infilled with two separate window sections. Both window sections comprise two glazed sections divided by a metallic mullion. The project architect, considered several window alternatives for the proposed redevelopment. Ultimately, due to the internal room layout, privacy and sustainability concerns, the proposed window design was selected.
Chimney set in stretcher bonded, yellow brick with concrete banding	No	None	The chimney is currently obscured from view from the public realm from most angles. Accordingly, despite the third storey addition building around the chimney, it will not have a significant impact on the attribute.
Location of the building and contribution that it makes to the continuity and character of the Victoria Street North streetscape and the Warehouse District	No	None	The location of the building will not be impacted, and the building will continue to support the character of the Warehouse District.
The link to the surrounding Warehouse District	No	None	The character of the building will be unaffected, and the building will continue to support the character of the Warehouse District.

8.2 Potential Impacts to Adjacent Property at 70 Francis Street North

The seven potential impacts identified within the MCM's *Info Sheet #5 Heritage Impact Assessments and Conservation Plans* were also considered for the adjacent property listed on the City's municipal heritage register located at 70 Francis Street North (Table 12). The identified heritage attributes were taken from the City of Kitchener's Statement of Significance for the property.[127]

Table 12: Impact assessment for the identified heritage attributes on 70 Francis Street North

Heritage Attributes	Potential Impact	Type of Impact	Discussion
Irregular building plan	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Buff brick laid in common bond	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Rock-faced stone foundation	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Projecting two storey bay on south elevation with gambrel roof	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Modified gable roof	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.

[127] City of Kitchener, "DTS-09-053," 7 April 2009. https://lf.kitchener.ca/WebLinkExt/PDF/3wqyhqn1h3kw5yn2de11nzmt/3/DTS-09-053%20-%20Listing%20of%20Non-Designated%20Property%20of%20Cultural%20Heritage.pdf

Heritage Attributes	Potential Impact	Type of Impact	Discussion
Octagonal tower with an eight-sided conical roof	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Plain fascia, moulded soffit, and frieze with dentils and mouldings	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Windows and window openings, such as the 1/1 windows with flat rusticated lintels, the large first floor windows with half-round transoms. The 1/1 round topped windows with decorative surrounds and keystone, the three part oriel window; the three section window with a two section elliptical-arch transom and brick label and, the two storey bay window with a bracketed pediment gable above	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.
Main entrance door with single light, sidelights with and transom with beveled glass	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.

Heritage Attributes	Potential Impact	Type of Impact	Discussion
Verandah	No	None	The proposed development at 97 Victoria Street North is not anticipated to have any negative impacts on the property located at 70 Francis Street North.

8.3 Potential Impacts to the Warehouse District Cultural Heritage Landscape

Potential impacts to the City's Warehouse District CHL are identified in Table 13, below. Appendix six of the CHL report indicates that the Warehouse District has historical integrity and that it retains both cultural and community value. The CHL report identifies several criteria for each of these three specific categories. The proposed alterations to the Property are measured against these criteria below.

Table 13: Impact assessment for city's Warehouse District Cultural Heritage Landscape

CHL Attribute	Impact	Discussion
Historical Integrity		
Land Use – Continuity of Use	No	The proposed development will not alter the land use of the Property or any neighbouring properties within the Warehouse District.
Built Elements – Original Groupings and Associated Sites	No	The proposed development will not alter the grouping of sites within the Warehouse District.
View that Reflects Landscape Character from Historic Photos	No	The character of the Warehouse District as it appears in historic photos will be minimally impacted because of the proposed alterations.
Designed Landscapes that Have Restoration Potential	No	The proposed development will not impose or destroy landscapes that have restoration potential.
Cultural Value		
Design Value – Rareness or Uniqueness	No	The proposed development will not impact the rareness or uniqueness of the Property.

CHL Attribute	Impact	Discussion
Design Value – Aesthetic/Scenic Reasons	No	The proposed development will have minimal impact on the aesthetic and/or scenic value of the Warehouse District.
Design Value – High Degree Technical/Scientific Interest	No	The proposed development will have minimal impact on the technical and/or scientific interest of the Warehouse District.
Historic Value – Historic Understanding of Area	No	The proposed development will have minimal impact on the historic understanding and legibility of the Warehouse District.
Historic Value – Direct Association with a Theme Event or Person	No	The proposed development will not impact the associative value that the Property or Warehouse District has.
Historic Value – Work of Landscape Architect, Architect or Other Designer	No	The architect of the building on the Property was not identified and the architectural value of the building is being largely retained.
Contextual Value – Important in Defining the Character of Area	No	The proposed development will not impact the Property's ability to help define the character of the Warehouse District.
Contextual Value – Historically, Physically, Functionally or Visually Linked to Surroundings	No	The proposed development will not alter the Property's historical, physical, functional, or visual link to the Warehouse District.
Community Value		
Community Story – Tells Story of Area	No	The proposed development will not impact the Property's ability to contribute to the story of the Warehouse District.
Community Image Identified with Kitchener's Provincial/ National Reputation	No	The proposed development will not impact the City's reputation or any contributing elements thereof.
Genus Loci	No	The proposed development will not impact the sense of place that the Property contributes to the Warehouse District.

CHL Attribute	Impact	Discussion
Planning – Identified Through Other Planning Initiatives	No	The proposed development will help the City achieve other planning objectives such as the provision of housing.

8.4 Summary of Applicable Heritage Conservation Principles

8.4.1 Standard and Guidelines for the Conservation of Historic Places in Canada

Per the *Standards and Guidelines for the Conservation of Historic Places in Canada* (S&G), the proposal is a rehabilitation project, which is defined as "the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value."[128] Rehabilitation should be considered as the primary treatment when:

a) Repair or replacement of deteriorated features is necessary;

b) Alterations or additions to the historic place are planned for a new or continued use; and,

c) Depiction during a particular period in its history is not appropriate.

The S&Gs provide nine general standards along with three additional standards specific to rehabilitation projects. Table 14 below reviews the proposal's compliance with each pertinent standard.

[128] Canada's Historic Places. "Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Edition." Canada's Historic Places. Her Majesty the Queen in Right of Canada, 2010. 17

Table 14: Compliance with the Standards and Guidelines

Criteria	Criteria Met	Justification
Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character defining elements. Do not move a part of an historic place if its current location is a character-defining element.	Yes	In the context of this project, this criterion is met. The Property's character defining elements are proposed to be retained with minor modifications.
Conserve changes to an historic place that, over time, have become character-defining elements in their own right.	Yes	In the context of this project, this criterion is met. The defined heritage attributes took into consideration the cultural heritage value or interest of the main building as well as its two additions. All defined attributes are being proposed to be retained with minor modifications.
Conserve heritage value by adopting an approach calling for minimal intervention.	Yes	In the context of this project, this criterion is met. Although changes that will alter the Property's scale and massing are proposed, the proposed changes are not anticipated to reduce its cultural value or interest.
Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.	Yes	In the context of this project, this criterion is met. Both proposed additions to the Property are distinguishable from the extant building and are products of their time.
Find a use for an historic place that requires minimal or no change to its character-defining elements.	Yes	In the context of this project, this criterion is met. The Property's use will remain largely the same, with the addition of residential suites. The necessary alterations will have minimal overall impact on the Property's character defining elements.
Protect and, if necessary, stabilize an historic place until any subsequent intervention is	n/a	The management of archaeological resources has not been considered as part of this HIA.

Criteria	Criteria Met	Justification
undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.		
Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.	Yes	In the context of this project, this criterion is met. Interventions surrounding the Property's character defining elements are proposed to be cautiously applied.
Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.	Yes	In the context of this project, this criterion is met. Character defining elements that have been altered, including the window bays, are proposed to be repaired and replaced as part of the project.
Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.	Yes	In the context of this project, this criterion is met. Proposed interventions for character-defining elements will be compatible with the Property.
Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new	Yes	In the context of this project, this criterion is met. Although replacement of certain character-defining elements is proposed, such interventions will be compatible with the Property and will not impose negative consequences on its heritage value.

Criteria	Criteria Met	Justification
elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.		
Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place	Yes	In the context of this project, this criterion is met. Proposed additions and alterations to the Property are compatible with, subordinate to, and distinguishable from the extant building.
Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.	Yes	In the context of this project, this criterion is met. Alterations to the building's identified heritage attributes are reversible.

8.4.2 Eight Guiding Principles in the Conservation of Historic Properties

To help guide heritage conservation within Ontario, the MCM has defined eight principles to be considered when undertaking projects. Table 15 below assesses the proposal's compliance with all eight principles.

Table 15: Compliance with the Eight Guiding Principles

Criteria	Criteria Met	Justification
Respect for documentary evidence	n/a	The proponent is not proposing to restore the Property to a known former state.
Respect for the original location	Yes	This criterion is met. The building on the Property will remain *in situ* through redevelopment.

Criteria	Criteria Met	Justification
Respect for historical material	Yes	In the context of this project, this criterion is met. Minimal alterations are proposed to be made to the elevations of the existing structure. The proposed new windows are not historically accurate; however, given the proposed internal layout of the structure and the owner's desire to create an environmentally conscious product, the proposed alterations will have little overall impact.
Respect for original fabric	Yes	In the context of this project, this criterion in met. Repair work and alterations proposed for the existing building are proposed to be completed with like materials that are compliant.
Respect for the building's history	n/a	The proponent is not proposing to restore the Property to a known former state.
Reversibility	Yes	In the context of this project, this criterion is met. Alterations to the building's identified heritage attributes are reversible.
Legibility	Yes	In the context of this project, this criterion is met. Both proposed additions to the Property are distinguishable from the extant building and are products of their time.
Maintenance	n/a	This criterion is beyond the scope of this HIA.

8.5 Summary of Potential Impacts

Potential impacts related to the proposed development were explored above in Table 11. Potential adverse impacts were identified for the building's two storey height and it's six-over-six windows on the northwest (primary) façade. No adverse impacts were identified for the adjacent heritage property listed on Kitchener's municipal heritage register located at 70 Francis Street North or the broader Warehouse District CHL. In addition, the proposed alterations to the Property are in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Table 14) and the *Eight Guiding Principles in the Conservation of Historic Properties* (Table 15). To help mitigate the potential impact to the identified heritage attributes, mitigation measures are outlined in Section 9 below.

9 CONSIDERED MITIGATION AND CONSERVATION STRATEGIES

9.1 Considered Options

The following range of possible development alternatives was explored. All options have been considered in relation to the applicable planning framework outlined in Section 3 of this HIA. The options have considered existing conditions. The preferred option is identified.

9.1.1 Option 1: On-site Retention in Current Use

This option would leave the Property as is and the existing building would remain *in situ*. As the Property is currently being used for commercial purposes, either the same or another commercial enterprise would retain the current use of the building.

The 'do nothing' option would not result in any direct impacts on the heritage attributes of the Property, or the adjacent heritage property located at 70 Francis Street as there would be no changes made. However, in the context of the needs of this site, retention *in situ* is not a viable option.

9.1.2 Option 2: On-site Retention in Alternate Use

This option would leave the existing building *in situ*; however, the building would be used in a different way. Based on the observed existing conditions, the building could support a variety of uses. This option would not result in any direct impacts on the heritage attributes of the Property or the adjacent heritage property located at 70 Francis Street as there would be no changes made

An alternate use could result in direct impacts to the Property as renovations are undertaken to allow for the reuse. Because the building has had numerous owners and tenants throughout its commissioned life, modifications are likely to have already occurred to both internal and external elements of the building. At present, internal modifications pose little risk to the Property's heritage attributes because all attributes are external.

In the context of proposed redevelopment of this site, on-site retention in alternate use is not a viable option as it does not address the needs of this site related to housing and services.

9.1.3 Option 3: Retention of Entire Structure and Integration into Proposed Development

This option would see the retention of the building located at 97 Victoria Street North and its integration into the new development per the proposal.

During the design phase, architectural detailing and material selection can help mitigate potential adverse impacts. This option would not result in any significant adverse impacts on the heritage attributes of the Property or adjacent heritage properties as the design and changes would be managed with heritage conservation in mind.

9.1.4 Option 4: Demolish Existing Structure and Redevelop

This option would seek to demolish the existing building while being designed to avoid impacts on the adjacent heritage properties.

Based on the foregoing research and analysis, 97 Victoria Street North meets the criteria established in *O. Reg. 9/06*. Its removal would therefore result in an adverse impact on the cultural heritage value or interest of the Property and the loss of all heritage attributes. Furthermore, the loss of the building at 97 Victoria Street North would have an adverse impact on the Warehouse District CHL.

9.2 Preferred Option

Option 3, retention of entire structure and integration into proposed development, is the preferred option. This Option is preferred because it allows for the alteration of the Property to meet the housing and service needs of The Working Centre while conserving the heritage attributes of the Property and mitigating the potential for adverse impacts to affect the Property, the adjacent property located at 70 Francis Street North, and the adjacent Warehouse District CHL.

9.3 Mitigation Measures

As outlined in Table 11, potential adverse impacts were identified for the following heritage attributes:

- Two storey height; and,
- Six-over-six windows on the northwest (primary) façade.

Mitigation measures are required to ensure the conservation of these heritage attributes.

Both proposed additions – the third storey and the new wing situated towards the south of the Property's west elevation – will connect directly to the structure's extant masonry. Detailed design and construction of this addition should involve or be overseen by a qualified professional with experience working on brick masonry heritage buildings.

In addition, it is recommended that the project team, in consultation with the City of Kitchener, review alternatives to replacement of the six-over-six windows on the northwest (primary) façade. Previous recommendations suggested that if retention of the windows on the primary façade is not feasible, replacement windows should mimic the existing windows to the extent possible. It is recommended that the replacements be planned and overseen by a qualified professional with experience working on masonry buildings to lessen potential for unanticipated impacts on the brick surrounding the openings.

To minimize the potential for unintended impacts resulting from project construction, a conservation plan (CP) – prepared by a qualified heritage professional – is recommended to be developed for this project. A CP is a document that details how a heritage resource will be conserved through site alteration. A CP typically includes descriptions of all repairs, stabilization, and preservation activities that are proposed to occur on a known heritage resource as well as long-range conservation, monitoring, and maintenance plan. In order to inform a more detailed CP, a comprehensive condition survey of the existing building should be undertaken. The CP should include guidance for any immediate interventions required prior to removals and construction, guidance for stabilization during removals and construction, and

guidance for repairs and long-term maintenance following construction of the new development. The City of Kitchener has a *Conservation Plan Terms of Reference* (2018).

10 CONCLUSION AND RECOMMENDATIONS

LHC was retained in August 2022 by Perimeter Development, on behalf of The Working Centre, to undertake a Heritage Impact Assessment for the redevelopment of the property located at 97 Victoria Street North in the City of Kitchener, in the Regional Municipality of Waterloo. The properties located at 83 and 87 Victoria Street North are also being included in the project; however, they are not listed on the City's municipal heritage register nor have they been flagged by the City for having potential cultural heritage value or interest. Accordingly, this HIA focusses on the Property municipally known as 97 Victoria Street North.

The Proponent is proposing to retain the extant structures located on 83 and 87 Victoria Street North and retain and add two additions to the structure at 97 Victoria Street North. The proposed additions include a one storey addition that will increase the building's height to three storeys, and a one storey addition that will attach to the southmost corner of the building's southwest elevation that will extend along the southeast Property line along Heit Lane. A Statement of Cultural Heritage Value or Interest and list of heritage attributes for the Property are provided in Section 6 of this HIA.

This HIA was prepared to outline heritage planning constraints, assess potential adverse impacts on the cultural heritage value and heritage attributes of the Property and its surrounding area, and identify mitigation measures and alternatives to avoid or lessen impacts. This HIA was undertaken in accordance with the recommended methodology outlined within the MCM's *Ontario Heritage Toolkit* and the City of Kitchener's *Heritage Impact Assessment Terms of Reference*.

In LHC's professional opinion, the Property municipally known as 97 Victoria Street North **meets** criteria 1i, 2i, 31, and 3ii of *O. Reg. 9/06* for its design and physical, historical and associative, and contextual values. Potential adverse impacts were identified for the Property's two storey height and six-over-six windows on the northwest (primary) façade.

Alternatives and mitigation measures to lessen or avoid these potential impacts were explored. It was determined that Option 3, retention of entire structure and integration into proposed development, is the preferred alternative. This Option is preferred because it allows for the alteration of the Property to meet the housing and service needs of The Working Centre while conserving the heritage attributes of the Property and mitigating the potential for adverse impacts to affect the Property, the adjacent property located at 70 Francis Street North and the adjacent Warehouse District CHL.

The City may require a Conservation Plan (CP) for this project. A CP is a document that details how a heritage resource will be conserved through site alteration. A CP typically includes descriptions of all repairs, stabilization, and preservation activities that are proposed to occur on a known heritage resource as well as long-range conservation, monitoring, and maintenance plans. In order to inform a more detailed CP, a comprehensive condition survey of the existing building should be undertaken. The City of Kitchener has a *Conservation Plan Terms of Reference* (2018).

11 SIGNATURES

Please contact the undersigned should you require any clarification or if additional information is identified that might have an influence on the findings of this report.

Christienne Uchiyama, MA, CAHP
Principal, Manager Heritage Consulting Services

REFERENCES

Policy and Legislation Resources

Canada's Historic Places. "Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Edition." Canada's Historic Places. Her Majesty the Queen in Right of Canada, 2010. Accessed March 11, 2021, https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf.

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APPENDIX A Project Personnel

Christienne Uchiyama, MA CAHP – Principal, LHC

Christienne Uchiyama MA CAHP is Principal and Manager - Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with two decades of experience working on heritage aspects of planning and development projects. She is currently President of the Board of Directors of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Since 2003 Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario and New Brunswick, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 300 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

Ben Daub, MA, BAT (Hons.) – Heritage Planner

Ben Daub joined LHC in May 2022 as a junior heritage planner as he worked towards completing his master's degree in urban planning at the University of Waterloo. In addition to his now completed master's degree, Ben also holds a Bachelor of Applied Technology in Architecture – Project and Facility Management from Conestoga College. Through his education, Ben has gained a detailed understanding of the built environment at a range of geographic- and site-based scales. Professionally, Ben has gained experience working in the heritage planning domain over his time with LHC where he has written heritage impact assessments, cultural heritage evaluation reports, and official plan amendments. In addition, Ben has previous experience working in real estate development and facility management. In academic settings, Ben has also held various research and teaching assistant positions, enabling him to hone his research capacities.

Lisa Coles, MPl – Heritage Planner

Lisa Coles is a Heritage Planner with LHC. She holds a Master of Arts in Planning from the University of Waterloo, a Graduate Certificate in Museum Management & Curatorship from Fleming College, and a B.A. (Hons) in History and French from the University of Windsor. Lisa has over five years of heritage sector experience through various positions in museums and public sector heritage planning. She is excited to have the opportunity to work in all aspects of the heritage field and to build on her previous experience as part of the LHC team.

Jordan Greene, BA (Hons.) – Mapping Technician

Jordan Greene is a mapping technician with LHC. She holds a Bachelor of Arts in Geography with a Certificate in Geographic Information Science (GIS) and a Certificate in Urban Planning Studies from Queen's University. Jordan joined the LHC team shortly after graduating and during her time at the firm has contributed to over 100 technical studies. Jordan has completed mapping for projects including, but not limited to, cultural heritage assessments and evaluations, archaeological assessments, environmental assessments, hearings, and conservation studies. In addition to project mapping Jordan has also begun to develop interactive maps and tools that will contribute to LHC's internal data management. She has also taken on the role of Health and Safety representative for the firm. Between graduation and beginning work with LHC her GIS experience allowed her the opportunity to briefly volunteer as a research assistant contributing to the study of the extent of the suburban population in America with Dr. David Gordon. Jordan is excited to continue her work with LHC to further develop her GIS skills and learn more about the fields of heritage and archaeology.

APPENDIX B Glossary

Definitions are based on the Ontario Heritage Act, (**OHA**), the Provincial Policy Statement (**PPS**), Regional Municipality of Waterloo Official Plan (**ROP**), and the City of Kitchener Official Plan (**OP**).

Adjacent Lands means those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan. (*PPS*).

Adjacent means lands, buildings and/or structures that are contiguous or that are directly opposite to other lands, buildings and/or structures, separated only by a laneway, municipal road or other right-of-way. (*OP*).

Alter means to change in any manner and includes to restore, renovate, repair, or disturb and "alteration" has a corresponding meaning ("transformer", "transformation") (*OHA*).

Archaeological assessment means the combined background research and field study of a property evaluated as moderate to high on Archaeological Potential Maps approved by the *Province* that identify the presence of and interpretation of the *archaeological resources* on the property, and make recommendations for the mitigation of the impacts on the resources. Archaeological assessments must be undertaken by a Provincially licensed archaeologist, in accordance with reporting guidelines established by the Provincial Government and must address the entire area of the *development application*. (*ROP*).

Archaeological potential means the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the *Province*, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act. (*ROP*).

Archaeological resources includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act. (*ROP*).

Archaeological Resources includes artifacts, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act. (*OP*).

Built heritage resources means one or more *significant* buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to the community. These resources may be identified through designation or *heritage conservation* easement under the Ontario Heritage Act, or listed by local, regional, provincial or federal jurisdictions. (*ROP*).

Built Heritage Resource means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or listed by included on local, *Regional*, *Provincial* and/or *Federal* registers. (*OP*).

Community Character refers to identifiable pockets of the urban fabric with distinctive physical attributes. These attributes include but are not limited to development patterns, scale of the built environment, architectural vernacular of existing buildings and structures, *cultural heritage resources* and *community infrastructure*. Community character is a reflection of community image, identity and *sense of place* and may also reflect cultural and social values. Cultivating community character is intended to foster community pride. (*OP*).

Conserve/conserved means the identification, protection, use and/or management of cultural heritage and *archaeological resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment. (*ROP*).

Conserve/Conserved/Conservation means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a *heritage conservation plan,* archeological assessment, and/or *heritage impact assessment*. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (*OP*).

Compatibility/Compatible means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable *adverse effects*, *adverse environmental impacts* or *adverse impacts*. Compatibility or compatible should not be narrowly interpreted to mean "the same as" or even as "being similar to". (*OP*).

Contiguous means lands that are situated in sufficiently close proximity such that *development* or *site alteration* could reasonably be expected to produce one or more of the following impacts: alterations to existing hydrological or hydrogeological regimes; clearing of existing vegetation; erosion and sedimentation; or producing a substantial disruption of existing natural *linkages* or the habitat of a significant species. (*ROP*).

Culture/Cultural is the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only *arts* and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs. (*OP*).

Cultural Heritage Impact Assessment means a study to determine if *cultural heritage resources* will be negatively impacted by a proposed *development* or *site alteration*. It can also demonstrate how the *cultural heritage resource* will be *conserved* in the context of

redevelopment or *site alteration*. Mitigative or avoidance measures or alternative *development* approaches may also be recommended. (*ROP*).

Cultural heritage landscape means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a *significant* type of heritage form, distinctive from that of its constituent elements or parts. (*ROP*).

Cultural Heritage Landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, *heritage conservation districts* designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities. (*OP*).

Cultural heritage resources are the physical remains and the intangible cultural traditions of past human activities. These include, but are not limited to:

- buildings (residential, commercial, institutional, industrial and agricultural);
- cultural heritage landscapes (designed, organic/evolved);
- structures (water tower; bridge, fence and dam);
- monuments (cenotaph, statue and cairn);
- archaeological resources;
- cemeteries;
- scenic roads;
- vistas/viewsheds;
- culturally significant natural features (tree and landform);
- movable objects (archival records and artifacts); and
- cultural traditions (language, stories, music, dance, food, celebrations, art and crafts). (*ROP*).

Cultural Heritage Resources means includes buildings, structures and properties designated under the Ontario Heritage Act or listed on the *Municipal Heritage Register*, properties on the Heritage Kitchener Inventory of Historic Buildings, *built heritage resources* and *cultural heritage landscapes* as defined in the Provincial Policy Statement. (*OP*).

Development means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act. (*ROP*).

Development means the creation of a new lot, a change in land use, the construction of buildings and structures or an addition or alteration to a building or structure that substantially increases the size or usability of the site, requiring approval under the Planning Act, but does not include:

a) activities that create or maintain *infrastructure* authorized under an *environmental assessment* process; and,

b) works subject to the Drainage Act. (*OP*).

Heritage Attributes means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g., significant views or vistas to or from a protected heritage property). (*PPS*).

Heritage Corridors means streets or *multi-use pathways* which because of their unique structural, topographic and visual characteristics, as well as abutting vegetation, built environment and cultural landscape, historical significance or location within a *Heritage Conservation District* are recognized as a *cultural heritage resource* and are intended to be *conserved*. (*OP*).

Heritage Attributes means the principle features or elements that contribute to a *cultural heritage resource*'s cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant *views or vistas* to or from a *cultural heritage resource*. (*OP*).

Heritage Conservation District means a geographic area primarily made up of a group of buildings, streets and open spaces which collectively contribute to the cultural heritage value or interest of the area. (*OP*).

Heritage Conservation District Plan means a document that provides policies and guidelines to assist in the protection and enhancement of the cultural heritage values of the district. The document includes a statement of objectives, a statement of the district's cultural heritage value or interest, a description of the district's *heritage attributes*, policies, guidelines and procedures for achieving stated objectives and managing future change, and a description of external alterations or classes of external alterations that are of minor nature that an owner can carry out without obtaining a permit. (*OP*).

Heritage Conservation Plan means a document that details how a *cultural heritage resource* can be conserved. The conservation plan may be supplemental to a *heritage impact assessment* but is typically a separate document. The recommendations of the plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures. (*OP*).

Heritage Impact Assessment means a document comprising text and graphic material including plans, drawings, photographs that contains the results of historical research, field work, survey, analysis, and description(s) of *cultural heritage resources* together with a description of the process and procedures in deriving potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A heritage impact assessment may include an archaeological assessment where appropriate. (*OP*).

Identify/Identified (in regard to cultural heritage landscapes) means designate for the purposes of the Regional Official Plan. (*OP*).

Municipal Heritage Register means a register maintained by the City of Kitchener, in accordance with the Ontario Heritage Act, which includes *protected heritage properties* and properties listed as a non-designated property of cultural heritage value or interest. (*OP*).

Property means real property and includes all buildings and structures thereon. (*OHA*).

Protected Heritage Property means property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement under Parts II or IV of the Ontario Heritage Act;. property identified by *the Province* and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites. (*OP*).

Qualified Person for the purposes of cultural heritage resources, means an individual including a professional engineer, architect, archaeologist, etc., having relevant, recent experience in the conservation of cultural heritage resources. (*OP*).

Significant means in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act. (*PPS*).

APPENDIX C City Directory Records

Sources:

1927-1929: Vernon's City of Kitchener and Town of Waterloo Street, Alphabetical, Business and Miscellaneous Directory. Vernon and Sons Publishing. Hamilton, On.

1929-1938: Vernon's City of Kitchener and Town of Waterloo Miscellaneous, Alphabetical, Street and Business Directory. Vernon and Sons Publishing. Hamilton, On.

1939-1947: Vernon's City of Kitchener and Town of Waterloo Miscellaneous, Business, Alphabetical and Street Directory. Vernon Directories Limited. Hamilton, On.

1948-1966: Kitchener-Waterloo City Directories Miscellaneous, Business, Alphabetical and Street. Vernon Directories Limited. Hamilton, On.

1967-76: Kitchener-Waterloo Directory. Vernon Directories Limited. Hamilton, ON.

1977-2014: Cities of Kitchener-Waterloo Directory. Vernon Directories Limited. Hamilton, On.

Address	People
1926-1927 City Directory	
N/A	N/A
1928-1929 City Directory	
97 Victoria Street	Mitchell Button Co Ltd
1929 City Directory	
97 Victoria Street	Mitchell Button Co Ltd
1930 City Directory	
97 Victoria Street	Mitchell, Button Co Ltd
1931 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd
1932 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd Woeller Upholstering Co
1933 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd Woeller Upholstering Co
1934 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd

Address	People
	Woeller Upholstering Co
1935 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd Woeller Upholstering Co
1936 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd Woeller Upholstering Co
1938 City Directory	
97 Victoria Street	Mitchell Button Co, Ltd Woeller Upholstering Co
1940 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd Vacant
1941 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd Vacant
1942 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd
1943 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd
1944 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd
1945 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd
1946 City Directory	
97 Victoria Street North	Mitchell Button Co, Ltd
1947 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1948 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1949 City Directory	

Address	People
97 Victoria Street North	Mitchell Button Co Ltd
1950 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1951 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1955	
97 Victoria Street North	Mitchell Button Co Ltd
1960 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1963 City Directory	
97 Victoria Street North	Mitchell Button Co Ltd
1964 City Directory	
97 Victoria Street North	Mitchell Plastics & Buttons Ltd
1965 City Directory	
97 Victoria Street North	Mitchell Plastics & Buttons Ltd
1966 City Directory	
97 Victoria Street North	Mitchell Plastics & Buttons Ltd
1967 City Directory	
97 Victoria Street North	Mitchell Plastics & Buttons Ltd
1968 City Directory	
97 Victoria Street North	Mitchell Plastics & Buttons Ltd
1969 City Directory	
97 Victoria Street North	Mitchell Plastics Ltd
1970 City Directory	
97 Victoria Street North	Vacant
1971 City Directory	
97 Victoria Street North	Vacant
1972 City Directory	
97 Victoria Street North	Vacant Marian Household Centre
1973 City Directory	

Address	People
97 Victoria Street North	Dumont Press Graphix Ltd Donut Man Marian Household Centre
1974 City Directory	
97 Victoria Street North	Dumont Press Graphix Ltd Donut Man Marian Household Centre
1975-1976 City Directory	
97 Victoria Street North	Dumont Press Graphix Ltd Donut Man Marian Household Centre Moir Press Schattens Canada Ltd
1977 City Directory	
97 Victoria Street North	Project Release Project Coming Together Marian Household Centre Schattens Canada Ltd Warehouse Vacant Dumont Press Graphix Ltd Elsworthy Cabinets
1978 City Directory	
97 Victoria Street North	Vacant Marian Household Centre Schattens Canada Ltd Warehouse Resource Centre Dumont Press Graphix Ltd Elsworthy Cabinets
1979 City Directory	
97 Victoria Street North	Eulenberg Audio Developments

Address	People
	Marian Household Centre Schattens Canada Ltd Warehouse Dumont Press Graphix Ltd Elsworthy Cabinets
1980 City Directory	
97 Victoria Street North	Vacant Marian Household Centre Schattens Canada Ltd Sound Audio Symposium Ont Ltd Warehouse Between the lines Publishing Co Dumont Press Graphix Ltd Elsworthy Cabinets
1981 City Directory	
97 Victoria Street North	Vacant Vacant Schattens Canada Ltd Sound Audio Symposium Ont Ltd Warehouse Between the lines Publishing Co Dumont Press Graphix Ltd Elsworthy Cabinets
1982 City Directory	
97 Victoria Street North	St Vincent de Paul Crown Acoustics Warehouse Dumont Press Graphix Ltd Elsworthy Cabinets
1983 City Directory	
97 Victoria Street North	St Vincent de Paul Crown Acoustics Ltd

Address	People
	Warehouse Dumont Press Graphix Ltd Elsworthy Cabinets
1984 City Directory	
97 Victoria Street North	Society of St Vincent de Paul Tandy Crown Ltd Dumont Press Graphix Ltd Elsworthy Cabinets
1985 City Directory[129]	
97 Victoria Street North	Society of St Vincent de Paul Tannoy North American Ink Dumont Press Graphix Ltd Elsworthy Cabinets
1986 City Directory	
97 Victoria Street North	Society of St Vincent de Paul Tannoy North American Ink Dumont Press Graphix Ltd Elsworthy Cabinets
1987 City Directory	
97 Victoria Street North	Society of St Vincent de Paul Tannoy North American Ink Dumont Press Graphix Ltd Elsworthy Cabinets
1988 City Directory	
97 Victoria Street North	Society of St Vincent de Paul Tannoy North American Ink Dumont Press Graphix Ltd Elsworthy Cabinets

[129] An inventory of Kitchener's industrial buildings entitled "An Inventory of Industrial Buildings of Architectural/Historical Significance in the City of Kitchener" compiled by James Campbell, Malcolm Horne, and Diane Kolaritsch identified that a company called A & G Mechanical Contractors Ltd. owned the Property; however, no evidence suggests that they occupied the lot.

Address	People
1989 City Directory	
97 Victoria Street North	Society of St Vincent de Paul Business Cards Tomorrow K W Community Media Project Elsworthy Cabinets
1990 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow K W Community Media Project Elsworthy Cabinets
1991 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow K W Community Media Project Elsworthy Cabinets Sound on Sound Recording Studio
1992 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow K W Community Media Project Elsworthy Cabinets Sound on Sound Recording Studio
1993 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Dumont Group Photography Elsworthy Cabinets Sound on Sound Recording Studio
1994 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Dumont Group Photography

Address	People
	Elsworthy Cabinets
	Sound on Sound Recording Studio
1995 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Dumont Group Photography
	Elsworthy Cabinets
	Sound on Sound Recording Studio
1996 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Dumont Group Photography
	Elsworthy Cabinets
1997 City Directory	
97 Victoria Street North	Evans M
	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Aikido & Ki – Kitchener Waterloo
	Elsworthy Cabinets
1998 City Directory	
97 Victoria Street North	Evans M
	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Aikido & Ki – Kitchener Waterloo
1999 City Directory	
97 Victoria Street North	Evans M
	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Aikido & Ki – Kitchener Waterloo
2000 City Directory	
97 Victoria Street North	Evans M
	St Vincent De Paul Thrift Shop

Address	People
	Business Cards Tomorrow Aikido & Ki – Kitchener Waterloo
2001 City Directory	
97 Victoria Street North	No Return St Vincent De Paul Thrift Shop Business Cards Tomorrow Aikido & Ki – Kitchener Waterloo
2002 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography
2003 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography
2004 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography
2005 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography
2006 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography Worth a Second Look Furniture and Housewares
2007 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop Business Cards Tomorrow Mode Photography

Address	People
	Worth a Second Look Furniture and Housewares
	The Working Centre
2008 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Mode Photography
	Worth a Second Look Furniture and Housewares
	The Working Centre
2009 City Directory	
97 Victoria Street North	St Vincent De Paul Thrift Shop
	Business Cards Tomorrow
	Mode Photography
	Worth a Second Look Furniture and Housewares
	The Working Centre
2010 City Directory	
97 Victoria Street North	Psychiatric Outreach Project
	St John's Kitchen
	The Working Centre
	Worth a Second Look Furniture and Housewares
2011 City Directory	
97 Victoria Street North	Psychiatric Outreach Project
	St John's Kitchen
	The Working Centre
	Worth a Second Look Furniture and Housewares
2012 City Directory	
97 Victoria Street North	Psychiatric Outreach Project
	St John's Kitchen
	The Working Centre
	Worth a Second Look Furniture and Housewares
2013 City Directory	
97 Victoria Street North	Mode Photography
	Psychiatric Outreach Project

Address	People
	St John's Kitchen The Working Centre Worth a Second Look Furniture and Housewares
2014 City Directory	
97 Victoria Street North	Mode Photography Psychiatric Outreach Project St John's Kitchen The Working Centre Worth a Second Look Furniture and Housewares

APPENDIX D Land Registry Records[130]

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
19242	B sale	21 August 1905	23 August 1905	Marian Brauer Widow	Sophia Roehr	1050.00	Lot no 71 et al XX recitals
19243	Mortgage	22 August 1905	23 August 1905	Sophia Roehr et vir	Marian Brauer	200.00	Mortgage
19608	Mortgage	20 November 1905	3 December 1905	Sophia & Gustav Roehr	The Lower Erie XX	2600.00	Lot et at XX
19763	D of M	8 December 1905	3 February 1906	Maria Brauer	Sophia Roehr		Lot A3697 & 19273
22791	Mortgage	7 February 1908	21 February 1908	Sophia & Gustav Roehr	Henry Bauer	337.00	Lot et al-Subj. to mtge
29160	Mortgage	25 November 1912	25 November 1912	Sophia & Gustav Roehr	John M. Schneider	2500.00	Lot et al-Subj. to mtge
29161	D of M	12 November 1912	25 November 1912	Henry Bauer	Sophia & Gustav Roehr		XX 22791

[130] Note that in some cases data on LRO documentation is illegible. Items that were unable to be ascertained are marked with 'XX'.

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
29210	D of M	2 December 1912	6 December 1912	The XX Co	Sophia & Gustav Roehr		XX 1960X
30196	Mortgage	25 May 1913	30 May 1913	Sophia & Gustav Roehr	Simon R. Snyder	XX	Lot et al-Subj. to mtge
34775	D of M	4 December 1915	6 December 1915	John M. Schneider	Sophia Roehr		Lot et al XX
34776	D of M	4 December 1915	6 December 1915	Simon R. Snyder	Sophia Roehr		Lot et al XX
34777	Mortgage	4 December 1915	6 December 1915	Sophia & Gustav Roehr	John M. Schneider		Lot et al XX
36216	XX	15 June 1916	13 December 1916	Sophia & Gustav Roehr	Emmanuel Hamel & Harvey XX	6300.00	A54 Lot et al subj. to mtge XX
36871	B Sale	29 December 1916	16 June 1917	Emmanuel Hamel	Annie Duch	7500.00	A54 Lot et al subj. to mtge XX
36872	Mortgage	29 December 1916	16 June 1917	Annie XX Duch	Emmanuel Hamel	2300.00	A54 Lot et al subj. to mtge XX
38194	B Sale	12 July 1918	15 July 1918	Annie Duch XX	Lucinda Bauman	8000.00	Lot et al subj. to mtge

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
38387	D of M	19 August 1918	21 August 1918	Emmanuel Hamel	Annie XX Duch		A54 XX 6872
38388	B Sale	19 August 1918	21 August 1918	Lucinda Bauman	Carl G. Pritschau	1.00	Lot et al
38399	B Sale	19 August 1918	21 August 1918	Carl G. Pritschau xx	The Ontario Glove Co. Ltd.	6000.00	Lot et al subj to mtge 34777
38400	Mortgage	19 August 1918	21 August 1918	The Ontario Glove Co. Ltd.	Carl G. Pritschau	1500.00	Lot et al subj to mtge 34777
38403	XX	XX	XX	Carl G. Pritschau	John XX	1500.00	A56 XX
42061	B Sale	17 April 1920	19 April 1920	The Ontario Glove Co. Ltd.	Carl G. Pritschau	7500.00	A59 Lot et al subj to mtge
42062	Mortgage	17 April 1920	19 April 1920	Carl G. Pritschau	The Ontario Glove Co. Ltd.	2500.00	XX
43296	XX	14 April 1920	2 September 1920	Carl G. Pritschau	John H. Meyers	10000	Lot et al
43297	XX	31 August 1920	2 September 1920	John H. Meyers	Carl Huether	1.00	Lot et al
46198	Grant	24 February 1922	29 March 1922	The Trusts & Guarantee Coy. Ltd. Committee Est. Carl G. Pritschau an absentee	Carl Huether	1.00	Lot et al

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
48453	Grant	7 February 1923	12 February 1923	Carl Huether et ux	Charles A. Kern	10500.00	Lot et al-Subj. to mtge
49244	Mortgage	1 February 1923	25 May 1923	Charles A. Kern et ux	John M. Schneider	4500.00	Lot et al.
52431	P. D. of M.	12 June 1924	29 July 1924	John M. Schneider	Charles A. Kern	1.00	Lot (See A64 No. 49244)
52432	Grant	31 October 1923	29 July 1924	Charles A. Kern et ux	Ernest Denton	1.00	Right of way et al
54120	Grant	17 October 1924	8 May 1925	Charles A. Kern et ux	M. B. Shantz	1.00	Lot et al & right of way
58377	Grant	6 April 1927	14 April 1927	M. B. Shantz et ux	William E. Mitchell	2000.00	Lot et al & right of way
60572	Mortgage	21 May 1928	23 May 1928	Ernest Denton et ux	The London Life Insurance Co	5400.00	Pt Lot-Right of way over
68189	Grant	23 June 1932	30 June 1932	Ernest Denton et ux	Louisa Denton	1.00	Right of way et al
96116	Grant	27 April 1948	7 May 1948	William E. Mitchell	William E. & S. Ethel Mitchell, joint tenants	1.00	Lot et al with XX to right of way
96423	Grant	10 January 1946	8 June 1948	Louisa Denton	Oliver E. Fries & Stanley Grundman	9250.00	Right of way et al XX
96426	Grant	5 May 1947	8 June 1948	Stanley Grundman	Oliver E. Fries (individual ½ XX)	1.00	Right of way et al XX

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
96448	Mortgage	9 June 1948	10 June 1948	Oliver E. Fries	John A. & Alfred Schmalz	6500.00	Right of way et al
97568	Mortgage	7 September 1948	15 October 1948	Oliver E. Fries	Herbert M. Fries	4000.00	Right of way et al
97947	Certificate of XX	30 November 1948	30 November 1948	Eleanor Fries	Oliver E. & Herbert M. Fries, John A. & Alfred Schmalz		Right of way et al
97948	Certificate of XX	30 November 1948	30 November 1948	Eleanor Fries	Oliver E. & Herbert M. Fries		Right of way et al
102969	XX mtge	15 May 1950	25 May 1950	The London Life Insurance Co	John A. Schmalz	1629.97	XX 60572
1138	Dep	11 July 1950	11 July 1950	By Eleanor Fries XX title			For lot et al.
104044	Mortgage	22 August 1950	30 August 1950	Oliver E. Fries	Eleanor Fries	1.00	Right of way et al. XX
121635	XX	20 August 1954	20 August 1954	Eleanor Fries	Oliver E. Fries, John A. Schmalz		Right of way etc. vacate 77947
121636	XX	20 August 1954	20 August 1954	Eleanor Fries	Oliver E. Fries & Herbert M. Fries		Right of way etc. vacate 77948
122695	Grant	22 July 1954	8 November 1954	Oliver E. Fries	McCall Frontenac Oil Company Ltd.	27000.00	Right of way etc.

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
122696	D of M	30 September 1954	8 November 1954	John A. Schmalz	Oliver E. Fries		Lot 86448
122697	D of M	30 September 1954	8 November 1954	John A. Schmalz	Oliver E. Fries		Lot 60572 - 102969
122698	D of M	25 October 1954	8 November 1954	Eleanor F. Bicketz	Oliver E. Fries		Lot 104044
122699	D of M Bond	23 July 1954	8 August 1954	Herbert M. Fries	Oliver E. Fries		Lot 97568
130802	Mtge	15 September 1955	20 September 1955	McCall Frontenac Oil Co Ltd.	Montreal Trust Co	1.00	Right of way etc. XX 130802
131693	Release and recon	28 September 1955	11 October 1955	Montreal Trust Co Toronto	McCall Frontenac Oil Co Ltd.	ADLR	Right of way etc. covenants recited
131694	Grant	1 October 1955	11 October 1955	McCall Frontenac Oil Co Ltd.	Highway Realties Ltd.	55228.00	Right of way etc.
131695	Lease	1 October 1955	11 October 1955	Highway Realties Ltd.	McCall Frontenac Oil Co Ltd.	110388.44	Right of way etc. covenants recited
242391	Deposit	2 August 1962	2 August 1962	Estate tax comment of estate of William E. Mitchell			Dep lot re 96116

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
271598	Lease	6 February 1964	21 February 1964	Canada Permanent Trust Co. (formerly Canada Permanent Toronto General Trust Company) & Lloyd G. E. Mitchell ex of William E. Mitchell	Mitchell Plastics & Buttons Limited	Yearly 5400.00	Lot etc.
272496	Mtge of XX	6 December 1963	11 March 1964	Mitchell Plastics & Buttons Limited	Industrial Development Bank	19000	Lot etc. comments re: 96116
272698	Deposit	13 March 1964	16 March 1964	Comment to transfer of property of estate of Sarah E. Mitchell			Dep. lot etc. comment
276694	Comment	15 May 1964	21 May 1964	Treasurer of Ontario	William E, Mitchell		G. R. lot etc. re 96116
353758	Dis of mtge	11 August 1967	18 August 1967	Industrial Development Bank	Mitchell Plastics & Buttons Limited		272496
359575	Mtge	8 August 1967	7 November 1967	Mitchell Plastics & Buttons Limited	Industrial Development Bank	62000.00	Lot etc.
361170	Grant	26 September 1967	30 November 1967	Canada Permanent Trust Company (formerly Canada Permanent Toronto General Trust Company) & Lloyd	Mitchell Plastics & Buttons Ltd.	2.00	Recitals with duty to XX Lot etc.

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
				G. E. Mitchell ex of William E. Mitchell & Bessie E. & William E. Mitchell			
361171	Mtge	2 November 1967	20 November 1967	Mitchell Plastics & Buttons Ltd.	Canada Permanent Trust Company (formerly Canada Permanent Toronto General Trust Company) ex of William E. Mitchell	2000.00	With XX Lot etc.
362460	XX postponing mtge	17 November 1967	15 December 1967	Industrial Development Bank	Canada Permanent Trust Co. & Lloyd G. E. Mitchell ex of William E. Mitchell	1.00	Postpone 357575 with Lot etc.
392093	Mtge	18 February 1967	26 February 1967	Mitchell Plastics & Buttons Ltd.	Industrial Development Bank	90000.00	Lot etc. and r of way
395544	D of M	13 April 1968	17 April 1969	Industrial Development Bank	Mitchell Plastics & Buttons Ltd.		359575
415094	Mtge	16 November 1969	12 December 1969	Mitchell Plastics & Buttons Ltd.	Industrial Development Bank	70000.00	

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
418547	D of M	3 February 1970	10 February 1970	Industrial Development Bank	Mitchell Plastics & Buttons Ltd.		Mtge 392093
423481	Grant	18 February 1970	1 May 1970	Mitchell Plastics & Buttons Ltd.	Julius Feder, In Trust	1.00	A lot etc. together with rt-of-way
425618	Grant	23 February 1970	3 June 1970	Julius Feder, In Trust	A & G Mechanical Contractors Ltd.	2.00	Lot etc. recitals
425681	D of M	28 May 1970	4 June 1970	Industrial Development Bank	Mitchell Plastics & Buttons Ltd.		Lot etc. (#415074) Discharge 415074 Mtge 361171
477429	D of M	25 August 1972	8 September 1972	Industrial Development Bank	Mitchell Plastics & Buttons Ltd.		
487521	D of M	7 February 1973	14 February 1973	Canada Permanent Trust Co.	Mitchell Plastics & Buttons Ltd.		
696474	G		13 January 1981	Highway Realties Limited	Texaco Canada Inc	1.00	Lots 72 & 73 To-g with a right-of-way over E'ly 5' lot 71 Subj to right-of-way
894005	Grant		30 April 1987	Texaco Canada Inc.	Fackoury, Paul D. Fackoury, Celeste M.	186400.00	Pt. Lot Re: Right of Way, See Lot 72

No.	Inst.	ITS Date	Date of Registry	Grantor	Grantee	Consideration	Remarks
894006	Mortgage		30 April 1987	Fackoury, Paul D. Fackoury, Celeste M.	Royal Trust Corporation of Canada	60000.00	Pt. Lot Re: Right of Way, See Lot 72