

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: September 5, 2023

SUBMITTED BY: Garrett Stevenson, Interim Planning Director, 519-741-2200 ext. 7070

PREPARED BY: Jessica Vieira, Heritage Planner, 519-741-2200 ext. 7041

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: August 11, 2023

REPORT NO.: DSD-2023-362

SUBJECT: Notice of Intention to Designate 35 & 43 Sheldon Avenue North Under Part IV of the Ontario Heritage Act

RECOMMENDATION:

That pursuant to Section 29 of the *Ontario Heritage Act*, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 35 & 43 Sheldon Avenue North as being of cultural heritage value or interest.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council direct the Clerk to publish a Notice of Intention to Designate the property municipally addressed as 35 & 43 Sheldon Avenue North under Part IV of the *Ontario Heritage Act*.
- The key finding of this report is that 35 & 43 Sheldon Avenue North possesses design/physical, historical/associative, and contextual value. It meets the criteria for designation under *Ontario Regulation 9/06* (amended by *Ontario Regulation 569/22*) and has been confirmed to be a significant cultural heritage resource.
- There are no financial implications.
- Community engagement included informing residents by posting this report with the agenda in advance of the Heritage Kitchener meeting, consulting and collaborating with the owner regarding the recommendations of the Heritage Impact Assessment (HIA), and consultation with Heritage Kitchener. In addition, should Council choose to give notice of its intention to designate, such notice will be served to the Owner and Ontario Heritage Trust, and published in the local newspaper.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is located on the south side of Sheldon Avenue North, in between the Edmund Road and Sheldon Avenue North intersection to the northeast and the King Street East and Sheldon Avenue North intersection to the southwest. The two buildings were constructed in the Tudor Revival architectural style c. 1936.

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

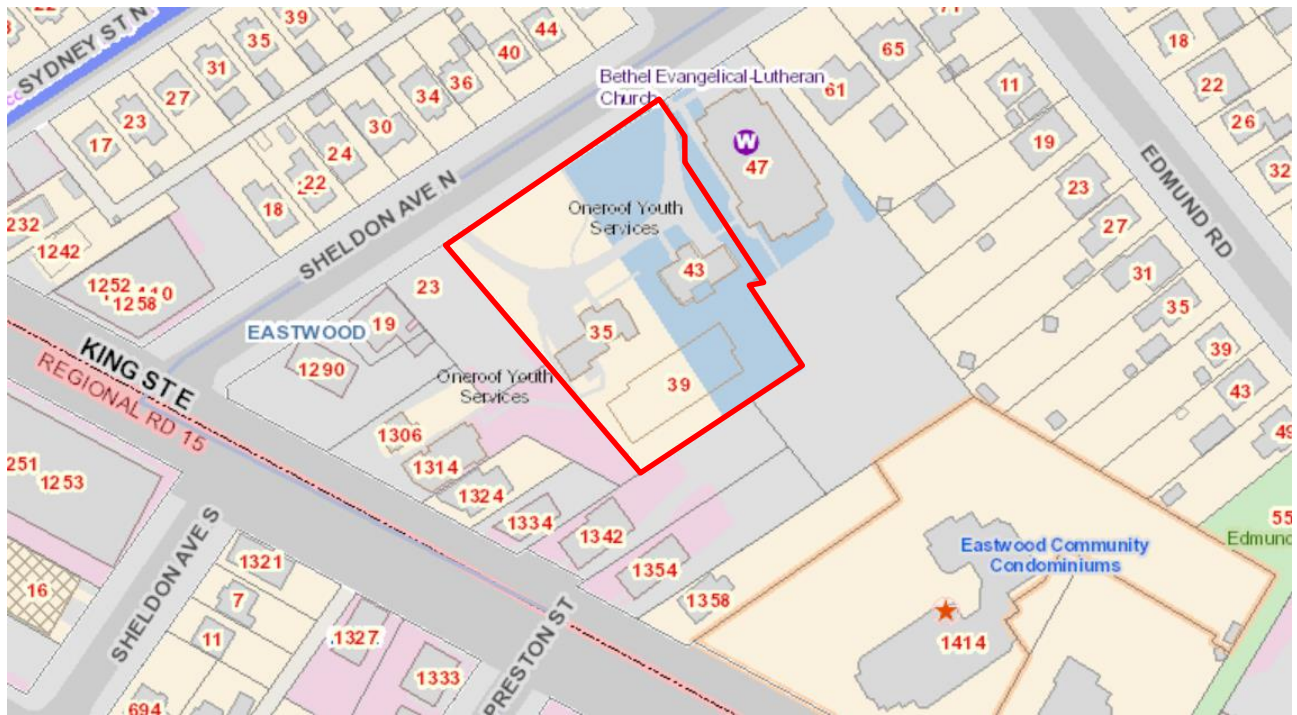


Figure 1: Location Map of Subject Property

The submission and approval of a Heritage Impact Assessment (HIA) was made a requirement of a Site Plan Application that was submitted to the City in 2020 for 35 & 43 Sheldon Avenue North (SP20/057/S/GS). Though the property was not listed as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register, its assessment was required as it was identified on the Kitchener Heritage Inventory. The site plan proposed the construction of a three-storey building in the rear yards of 35 & 43 Sheldon Avenue North. The new building in addition to the two original buildings on site function as a residential care facility known as oneROOF Youth Services.

The resulting HIA was dated April 21, 2021 and prepared by CHC Ltd. It was presented to the Heritage Kitchener Committee on May 4, 2021. Approval of the HIA was given by the Director of Planning on July 6, 2021.

The HIA confirmed that the existing buildings on 35 & 43 Sheldon Avenue North meets six out of nine criteria under *Ontario Regulation 9/06* (amended by *Ontario Regulation 569/22*) and would be eligible for designation under Part IV of the *Ontario Heritage Act*. The owner agreed to allow the City to pursue designation of the property as a condition of site plan approval.

REPORT:

Identifying and protecting cultural heritage resources within the City of Kitchener is an important part of planning for the future, and helping to guide change while conserving the buildings, structures, and landscapes that give our City its unique identity. The City plays a critical role in the conservation of cultural heritage resources. The designation of property under the *Ontario Heritage Act* is the main tool to provide long-term protection of cultural heritage resources for future generations. Designation recognizes the importance of a property to the local community; protects the property's cultural heritage value; encourages

good stewardship and conservation; and promotes knowledge and understanding about the property. Designation not only publicly recognized the promotes awareness, it also provides a process for ensuring that changes to a property are appropriately managed and that these changes respect the property's cultural heritage value and interest.

The property municipally addressed as 35 & 43 Sheldon Avenue North is recognized for its design/physical, historical/associative, and contextual values. It satisfies six out of nine criteria. The evaluation, as included in the HIA, has been summarized in the table below.

Table 1: Designation Criteria Met

1. Have design value or physical value because they		
i)	Are rare, unique, representative, or early examples of a style, type, expression, material, or construction method	Yes
ii)	Display a high degree of craftsmanship or artistic merit, or	Yes
iii)	Demonstrate a high degree of technical or scientific achievement	No
2. Have historical value or associative value because they		
i)	Have direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community	Yes
ii)	Yield or have the potential to yield information that contributes to an understanding of a community or culture, or	No
iii)	Demonstrate or reflect the work or ideas of an architect, artist, building, designer, or theorist who is significant to a community	Yes
3. Have contextual value because they		
i)	Are important in defining, maintain, or supporting the character of an area	Yes
ii)	Are physically, functionally, visually, or historically linked to their surroundings, or	Yes
iii)	Are landmarks	No

Design/Physical Value

The existing buildings are representative examples of the Tudor Revival Style, which was a style popular in the 1920's and 1930's. The buildings are in good condition with many intact original elements. They have an irregular but geometric floorplan and feature the following:

- Steeply pitched roofs with cross gables;
- Large brick chimneys;
- Overhanging second floors with eave returns and finial details;
- Stone lower floors and lintels and timber and stucco upper floors;
- Multi-paned, leaded glass sashes and bay windows; and
- Front doors with side and top lights.

The symmetrical and complimentary design of both the landscaping and the structures themselves are also a unique characteristic of the subject property. Further, the buildings display a high degree of craftsmanship and artistic merit in their stonework, leaded-glass windows, and landscaping.



Figure 2: Streetview of 35 & 43 Sheldon Avenue North



Figure 3: Front elevation of 35 Sheldon Avenue North



Figure 4: West elevation of 35 Sheldon Avenue North



Figure 5: East elevation of 35 Sheldon Avenue North



Figure 6: Rear elevation of 35 Sheldon Avenue North



Figure 7: Front elevation of 43 Sheldon Avenue North



Figure 8: West Elevation of 43 Sheldon Avenue North



Figure 9: Rear elevation of 43 Sheldon Avenue North



Figure 10: East elevation of 43 Sheldon Avenue North

Historical/Associative Value

The historic and associative value of the subject property relates to the ownership of the home as well as the architect who designed the buildings. 35 & 43 Sheldon Avenue North were constructed by Barney Joseph and Irving Somer, uncle and nephew. Both were prominent merchants within the community. In 1910 Joseph founded Joseph & Company Inc., a scrap business that is still in operation. The current generation of leadership are relations to Barney Joseph. Irving Somer established a clothing store in downtown Kitchener. Originally named the Ref Front Department Store Ltd., its name was later changed to Somer's.

Other notable owners of the two properties include Edith Macintosh, who purchased 35 Sheldon in 1970, and Egbert Seegmiller, who purchased 43 Sheldon in 1951. Edith Macintosh was Kitchener's second female councillor, the City's first and to date only female mayor, and was the first female member of the University of Waterloo's Board of Governors. Between 1972-1974 she also held the title of Regional Councillor. She gained the title "Crusader for Day Care" by organizing a committee to lobby for working mothers and sole-support parents in need of childcare and can be credited for the establishment of four of the current regional children's centre. Egbert Seegmiller was co-founder of E&E Seegmiller Contractors. E&E remains a privately held company, employing between 200 and 500 workers depending on the construction season.

Local architect Charles Knechtel was retained in 1936 by the original owners of 35 & 43 Sheldon Avenue North to design the mirror-image houses on the two lots. Knechtel established his office within the City in 1895 and practiced until 1930. Notable work of his includes the original comfort station and pavilion in Victoria Park, Berlin's Carnegie Library, as well as work to Victoria Public School (25 Joseph Street).

Contextual Value

The contextual value of the subject property relates to the contributions the buildings make to the continuity and character of the Sheldon Avenue North streetscape. The buildings are located in-situ and as such are historically linked to their surroundings. Further, with consideration to the history of the buildings construction – being developed as one by and uncle and nephew and hence possessing symmetry in their design – 35 & 43 Sheldon Avenue North also have contextual value in relation to one another.

Heritage Attributes

The HIA has identified the following as being heritage attributes of the buildings:

- "Tudor Revival" style cottages with
 - cross gables
 - steeply pitched roofs
 - overhanging upper floors with eave returns and finial details
 - random-coursed "Credit Valley" stone lower floors and lintels
 - half-timbered with stucco infill upper floors
 - multi-paned windows, 8/12 wood sashes
 - bay windows, leaded-glass sashes
 - gable windows, leaded glass sashes

- panelled front doors and doorcases with side and top lights
- massive brick chimneys
- Symmetrical front yard landscapes with
 - Common circular drive
 - Bordering Privet hedges
 - Cast concrete walkways leading from the street to the front doors of both houses
 - Mature deciduous trees
 - Cast concrete fountain with floral motif impressions

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

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

CONSULT and COLLABORATE – Heritage Planning staff have consulted and collaborated with the applicant and owner regarding implementation of the recommendations of the HIA, including designation under the *Ontario Heritage Act*. The owner has confirmed their support for designation subject to consideration by Heritage Kitchener and Council.

Section 29(2) of the *Ontario Heritage Act* requires Council to consult with the Municipal Heritage Committee (Heritage Kitchener) before giving notice of its intention to designate a property. Heritage Kitchener will be consulted via circulation and consideration of this report (see INFORM above). Members of the community will be informed via circulation of this report to Heritage Kitchener and via formal consideration by Council. In addition, should Council choose to give notice of its intention to designate, such notice will be served on the property owner and the Ontario Heritage Trust, and published in the local newspaper (The Record). Once notice has been served, the owner has the right of appeal to the Ontario Land Tribunal.

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act, 2022*
- *Memo - 35 & 43 Sheldon Avenue North Draft Heritage Impact Assessment (May 4, 2021)*

APPROVED BY: Justin Readman, General Manager, Development Services