

**REPORT TO:** Heritage Kitchener

**DATE OF MEETING:** November 7, 2023

**SUBMITTED BY:** Garrett Stevenson, Manager of Development Review, 519-741-2200 ext. 7070

**PREPARED BY:** Victoria Grohn, Heritage Planner, 519-741-2200 ext. 7041

**WARD(S) INVOLVED:** Ward 9

**DATE OF REPORT:** October 5, 2023

**REPORT NO.:** DSD-2023-458

**SUBJECT:** Notice of Intention to Designate 58 Queen Street South under Part IV of the Ontario Heritage Act

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## RECOMMENDATION:

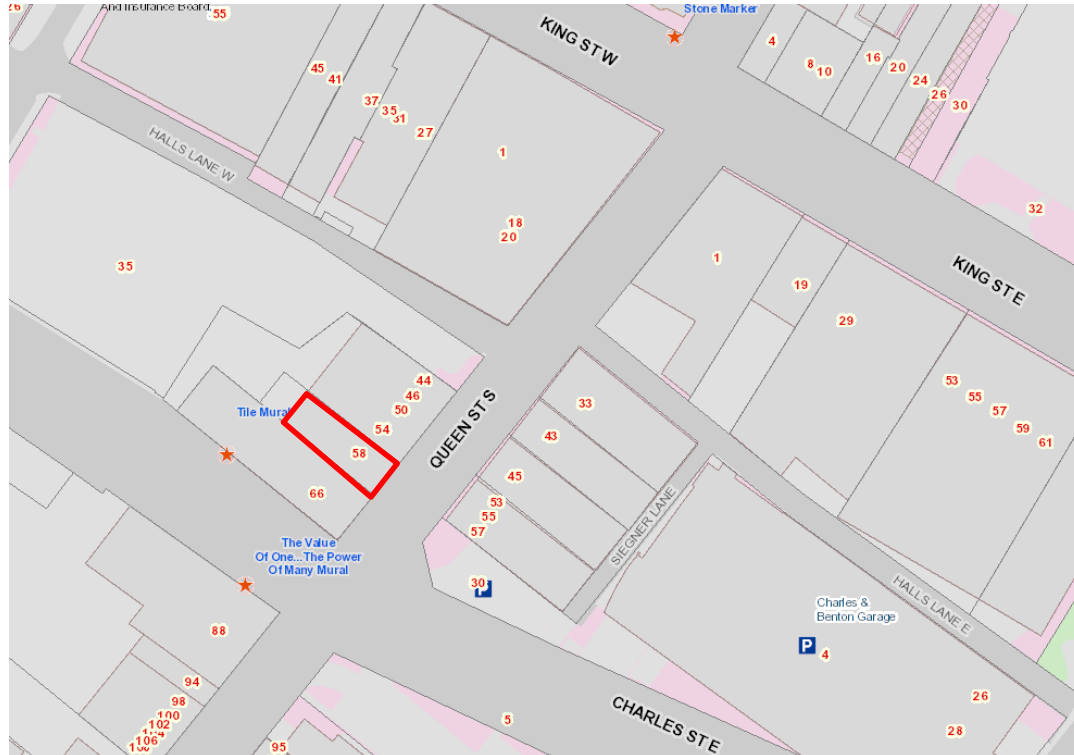
That pursuant to Section 29 of the *Ontario Heritage Act*, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 58 Queen Street South as being of cultural heritage value or interest.

## 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 58 Queen Street South under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance on the property's cultural heritage value was taken to the Heritage Kitchener Committee on June 6, 2023. On this meeting date, the Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 58 Queen Street South be recognized and designation pursued.
- The key finding of this report is that the property municipally addressed as 58 Queen Street South 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 committee meeting, providing written correspondence to the property owner, and consulting 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 the Ontario Heritage Trust.
- This report supports the delivery of core services.

## BACKGROUND:

The subject property is located on the west side of Queen Street South between King Street West and Charles Street East.



**Figure 1: Location Map**

A full assessment of 58 Queen Street South has been completed and included a field evaluation and detailed archival research. The findings concluded that the subject property meets the criteria for designation. An updated Statement of Significance on the property's cultural heritage value was taken to the Heritage Kitchener Committee on June 6, 2023. On this meeting date, the Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 58 Queen Street South be recognized and designation pursued. This work was undertaken as part of the City of Kitchener Municipal Heritage Register (MHR) Review, initiated in February of 2023. The MHR Review is the City's response to amendments to the Ontario Heritage Act introduced in January of 2023 through Bill 23, the *More Homes Built Faster Act*. The City contacted owners of listed properties through an initial letter dated May 23, 2023, to inform them of this undertaking. Owners of properties recommended for designation were contacted via a second letter dated August 25, 2023, and invited to contact the City's Heritage Planner with any comments, questions, or concerns. Per standard procedure, should Council support the Notice of Intention to Designate, Owners will be contacted a third time through a Notice of Intention to Designate (NOID) Letter. An ad for the NOID will also be published in a newspaper. Once the letter is served and the ad posted, there will be a 30-day appeal period in which Owners may object to the designation.

## REPORT:

Identifying and protecting cultural heritage resources within the City of Kitchener is an important part of planning for the future, and helping to guide change while conserving the buildings, structures, and landscapes that give the City of Kitchener its unique identity. The City plays a critical role in the conservation of cultural heritage resources. The designation of property under the *Ontario Heritage Act* is the main tool to provide long-term 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 recognizes and promotes awareness, but it also provides a process for ensuring that changes to a property are appropriately managed and that these changes respect the property's cultural heritage value and interest.



**Figure 2: Front Façade of 58 Queen Street South**

The property municipally addressed as 58 Queen Street South contains a three-storey late 19<sup>th</sup> century building constructed in the Renaissance Revival architectural style. The subject property is recognized for its design/physical, historical/associative and contextual values. It satisfies four out of the nine criteria for designation under Ontario Regulation 9/06 (amended by Ontario Regulation 569/22).

Criteria	Criteria Met (Yes/No)
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, material, or construction method.	<b>Yes</b>
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	<b>No</b>

3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.	<b>No</b>
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	<b>Yes</b>
5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	<b>No</b>
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	<b>No</b>
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	<b>Yes</b>
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	<b>Yes</b>
9. The property has contextual value because it is a landmark.	<b>No</b>

### Design/Physical Value

The design and physical value of 58 Queen Street South relates to the building being a representative example of the Renaissance Revival architectural style that is in good condition with many in-tact original elements. While the front (east) façade of the building is largely in-tact (save and except for the recently replaced windows), the rear (west) façade has been extensively altered since it was first constructed.

### Historical/Associative Value

The historical and associative value of 58 Queen Street South relates to the original owner and use of the property, as well as the contribution made to the history of Kitchener's development.

The building has direct associations with John Fennell, a hardware company merchant and founding president of the Kitchener Board of Trade and founding organizer of the Economical Mutual Fire Insurance Company.

The building has direct associations with Carl N. Weber, a hardware company owner, long-time member and president of the Kitchener Board of Trade, and director for Canada Trust, the Equitable Life Insurance Company, and the Economical Mutual Fire Insurance Company.

The existing use of the building is for The Working Centre, an organization established as a response to the unemployment and poverty in downtown Kitchener.

### Contextual Value

The contextual value of 58 Queen Street South relates to its contribution to a collection of buildings constructed during the industrial and commercial development of Kitchener. The building on the subject property is in its original location and maintains historical and visual links to its surroundings.

### Heritage Attributes

The heritage value of 58 Queen Street South resides in the following heritage attributes:

- All elements related to the construction and Renaissance Revival architectural style of the building, including:
  - A rectangular plan;
  - Flat roof;
  - Brick construction;
  - Decorative brick buttresses;
  - Decorative brick work; and
  - Window openings with stone headers and sills; and
- All contextual elements related to the building, including:
  - Its original location on the Queen Street South streetscape and its contribution to Kitchener's downtown commercial area.

### **STRATEGIC PLAN ALIGNMENT:**

This report supports the delivery of core services.

### **FINANCIAL IMPLICATIONS:**

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

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

### **COMMUNITY ENGAGEMENT:**

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

CONSULT– Heritage Planning staff have consulted with the Heritage Kitchener committee regarding designation under the *Ontario Heritage Act*. Property owners were invited to consult via two separate letters dated May 23, 2023 and August 25, 2023.

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. It should be noted that should Council decide not to proceed with a Notice of Intention to Designate, that the building will remain on the City's Municipal Heritage Register until January 1, 2025, after which it will be removed according to the changes enacted by Bill 23. Once removed, it cannot re-listed on the Register again for five (5) years, i.e. January 1, 2030.

**PREVIOUS REPORTS/AUTHORITIES:**

- *Ontario Heritage Act, 2022*

**REVIEWED BY:** Rosa Bustamante, Director of Planning

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

**ATTACHMENTS:**

Attachment A – Statement of Significance for 58 Queen Street South