

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 10

DATE OF REPORT: October 13, 2023

REPORT NO.: DSD-2023-478

SUBJECT: Notice of Intention to Designate 149-151 Ontario Street 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 149-151 Ontario Street North as being of cultural heritage value or interest.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council pass a Notice of Intention to Designate 149-151 Ontario Street North under Part IV of the *Ontario Heritage Act*.
- The key finding of this report is that 149-151 Ontario Street North meets the criteria for designation under *Ontario Heritage Act* Regulation 9/06 (amended by 569/22) and has been confirmed to be a significant cultural heritage resource.
- There are no financial implications associated with this report.
- Community engagement included informing residents by posting this report with the agenda in advance of the Heritage Kitchener committee meeting, consulting and collaborating with the owner regarding the intention to designate, 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 the Ontario Heritage Trust, and published in the local newspaper.
- This report supports the delivery of core services.

BACKGROUND:

The property municipally addressed as 149-151 Ontario Street North is located on the east side of Ontario Street North between Weber Street West and Duke Street West.

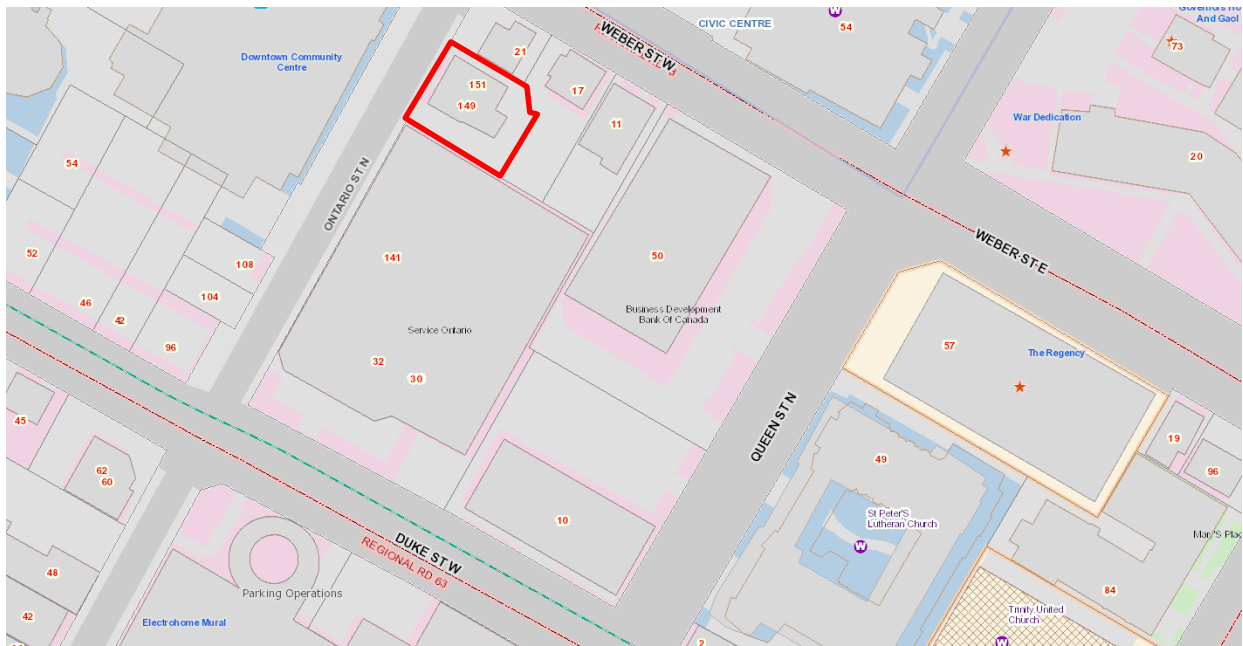


Figure 1: Location Map for 149-151 Ontario Street North

The subject property contains a two-storey, semi-detached brick building fronting onto Ontario Street North. The building was constructed c. 1876 in the Italianate architectural style with modest Georgian influences. The property is currently listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register.



Figure 2: 149-151 Ontario Street North (image source: HIA, 2023)

In 2019, the City of Kitchener Planning Division received a Site Plan application for the property municipally addressed as 149-151 Ontario Street North. Site Plan application SP19/137/O/GS proposed the development of a 17-storey mixed-use building with 126 units. The proposal contemplated the retention of a large portion of the existing building (primarily the front façade and side walls) in situ. The Heritage Kitchener committee reviewed the proposal and supporting Heritage Impact Assessment (HIA) prepared by LHC Heritage Planning & Archaeology Inc. (LHC) on May 7, 2019. The Heritage Committee at the time was generally supportive of the retention of the existing building as part of the redevelopment proposal. Site Plan application SP19/137/O/GS received conditional approval on April 8, 2020.

The property was sold to new owners in 2021 and the new owners advanced the development proposal with some modifications to the approved design. Site Plan application SP22/041/O/ES proposes the construction of a 27-storey mixed-use building containing 206 dwelling units. The proposal retains portions of the existing building (primarily the front façade and side (south) façade) through selective demolition and adaptive reuse. A HIA update, prepared by LHC dated September 15, 2023 and revised October 12, 2023, has been submitted in support of the Site Plan application and to reflect the modifications to the original 2019 proposal.

The submission and approval of a HIA and Conservation Plan was made a condition of the approval of SP22/041/O/ES. In addition, the designation of 149-151 Ontario Street North has also been made a condition of approval. At this time, the City is pursuing the designation of 149-151 Ontario Street North through the Notice of Intention to Designate (NOID) process under Section 29 of the *Ontario Heritage Act*. Should Council choose to give its notice of intention to designate, the property owner will be required to submit heritage permit applications for any demolitions, alterations, or new construction proposed on the subject property. As such, the Heritage Kitchener committee will be provided opportunity to review and comment on such future applications.

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 recognizes and 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 149-151 Ontario Street North is recognized for its design/physical and historical/associative values. It satisfies two out of the nine criteria of *Ontario Regulation 9/06* (amended by 569/22), as assessed by LHC in **Table 1** below.

Based on this assessment, and meeting two of the criteria, the property is eligible for designation under Part IV of the *Ontario Heritage Act*.

Table 1: *Ontario Heritage Act* Regulation 9/06 Evaluation of 149-151 Ontario St N

Criteria	Criteria Met	Justification
1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method,	Yes	The semi-detached buff brick building was built c. 1876 and is an early example of a vernacular building showing Italianate and Georgian influences. Many of the original Italianate-influenced features remain intact including paired eave brackets, tall segmentally arched paired window openings, quoins, brick voussoirs with drip molds, and wide overhanging eaves. The limited Georgian architectural influences are found in the paired chimneys ends, gable roof and overall symmetrical plan.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit, or	No	The building does not display a high degree of craftsmanship or artistic merit. It was built using common methods and techniques for that time period.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	No	The building does not display a high degree of technical or scientific achievement. It was built using common building techniques for its time period and location.
4. The property has historical or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community,	Yes	The Property does not have a direct connection with a specific event, person, activity, organization or institution that is significant to a community. The Property is associated with the theme of industrialization in Kitchener throughout the late 19 th and 20 th century and the presence of multi-tenant dwellings. Many of the tenants associated with the Property worked

		in nearby industries which were important to the development of Kitchener and the downtown commercial core.
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, or	No	The Property does not appear to yield, or have the potential to yield, information that contributes to an understanding of a community. The Property has been covered with asphalt.
6. The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No	The builder is unknown.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area,	No	The Property is not important in defining, maintaining or supporting the character of the area. The surrounding context and its legibility as a residential house and/or as a small-scale commercial space has been lost. This section of Ontario Street North, and the majority of the surrounding block, are dominated by medium and large-scale commercial buildings. As a result of these changes the Property is more associated with the commercial core, in both zoning and location, than with residential use.
8. The property has contextual value because it is physical, functionally, visually, or historically linked to its surroundings, or	No	The Property is not physically, functionally or historically linked to its surroundings. The adjacent and surrounding residential dwellings which once lined the east side of Ontario Street North were all lost in the mid 20 th century.
9. The property has contextual value because it is a landmark.	No	The property is not a landmark.

(Source: HIA prepared by LHC, October 12, 2023)

Design/Physical Value

The property municipally addressed as 149-151 Ontario Street North demonstrates design or physical value as an early example of a late 19th century, semi-detached, vernacular brick building with both Italianate and modest Georgian influences. The building has many intact original elements including buff brick, a symmetrical plan with two bay windows, side

gable roof, brackets, brick quoining, brick voussoirs with drip molds, window sills with transoms, and two end chimneys.

Historical/Associative Value

The property municipally addressed as 149-151 Ontario Street North has historical and associative value because it is the last remaining example of a residential building in this section of Ontario Street North and is an example of a working-class residence.

Heritage Attributes

The heritage attributes supporting the cultural heritage value or interest of 149-151 Ontario Street North are represented in the c. 1876 two-storey, semi-detached brick building and include:

- Buff brick construction;
- Symmetrical plan with two bay windows;
- Side gable roof and overhanging eaves;
- Wood brackets;
- Brick quoining;
- Segmentally arched window openings;
- Brick voussoirs with drip mold;
- Front door openings with transoms; and
- Two brick chimneys.

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*

REVIEWED BY: Rosa Bustamante, Director of Planning

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

ATTACHMENTS:

Attachment A – Statement of Significance – 149-151 Ontario Street North