

# Staff Report



Development Services Department

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**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:** Raida Chowdhury, Student Planner, 519-741-2200 ext. 7078

**WARD(S) INVOLVED:** Ward 10

**DATE OF REPORT:** October 10, 2023

**REPORT NO.:** DSD-2023-479

**SUBJECT:** Notice of Intention to Designate 4 King Street East/1 Queen Street North 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 4 King Street East/1 Queen Street 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 4 King Street East/1 Queen Street North 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 August 1<sup>st</sup>, 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 4 King Street East/1 Queen Street North be recognized, and designation pursued.
- The key finding of this report is that 4 King Street East/1 Queen 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.
- Community engagement included informing residents by posting this report with the agenda in advance of the Heritage Kitchener meeting 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:

4 King Street East / 1 Queen Street North is a 19th century commercial building built in the Italianate architectural style. The building is situated on a 0.46 acre parcel of land located on the north east corner of King Street East and Queen Street North in the City of Kitchener within the Region of Waterloo. The subject property is located in the Downtown Cultural Heritage Landscape, and is listed on the Municipal Heritage Register as a non-designated property of heritage value or interest.

A Heritage Impact Assessment (HIA) and Conservation Plan (CP), both prepared by MHBC Planning in 2017, were submitted to support the redevelopment of the subject property and adjacent properties. The proposed redevelopment included alterations to the ground floor commercial storefronts, west façade (Queen Street), south façade (King Street), as well as the interior. The HIA concluded that the subject property is a significant cultural heritage resource and meets the criteria for designation under Part IV of the *Ontario Heritage Act*. As of 2023, the redevelopment of the subject property has been completed, and the rehabilitation work included improvements to the structural integrity of the building, repairs to the masonry, and updates to the egress. Additions to modernize the building such as an elevator and washroom were included. The exterior was finished with various elements appropriate to the style of the building, including trim, decorative moulding, and cornices.

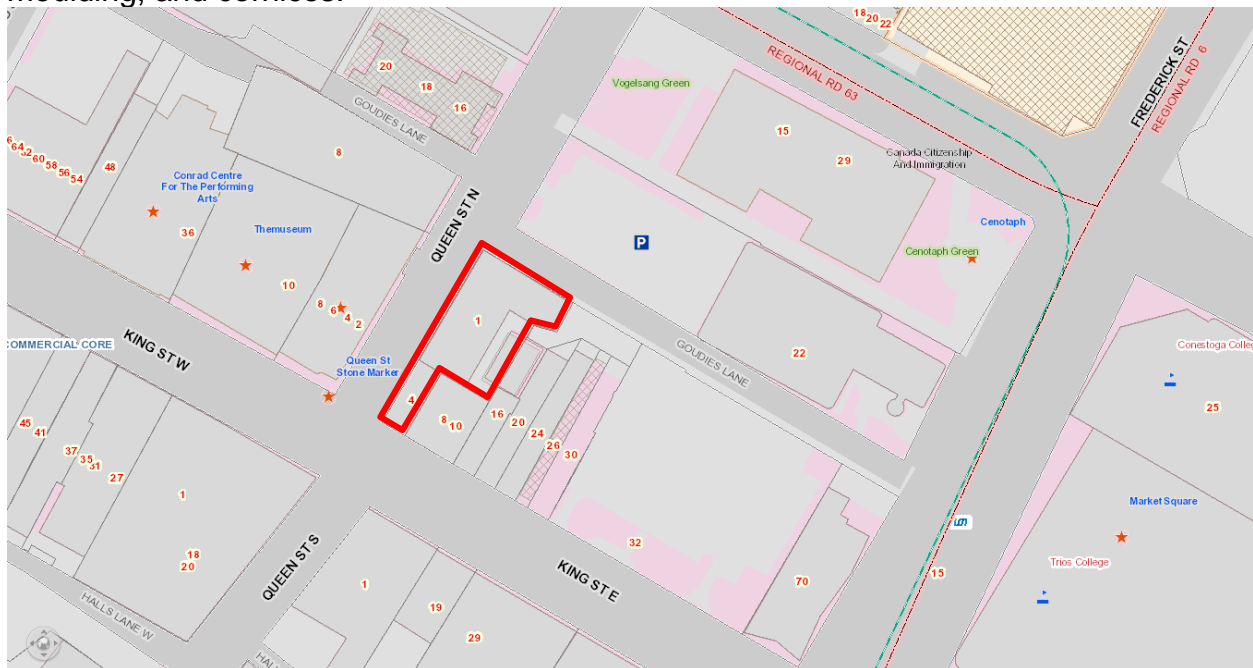


Figure 1: Location Map for 4 King Street East/1 Queen Street North



**Figure 2: 4 King Street East/1 Queen Street North After Restoration**



**Figure 3: 4 King Street East/1 Queen Street North Before Restoration**

A full assessment of 4 King Street East/1 Queen Street North 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 August 1<sup>st</sup>, 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 4 King Street East/1 Queen Street North 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 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 1 Queen Street North is recognized for its design/physical, historical/associative, contextual, and economic values. It satisfies 5 out of the 9 criteria of *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.	Yes
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No
3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.	No
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.	Yes
5. The property has historical or associative value because it yields, or has the potential to yield, information that	Yes

contributes to an understanding of a community or culture.	
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 values relate to the Italianate architectural style that is in good condition with many intact original elements. The building features: yellow brick construction; individual facades, including some original main street storefronts; simple cornice with single wood brackets; and semi-circular window openings with brick voussoirs. The building has been painted white.

#### **South (Front) Façade**

The existing building is 3 storeys in height and constructed of brick with a flat roof. The ground floor contains a commercial unit and the upper storeys contain two full 6/6 semi-circular hung windows with brick voussoirs and one partial 6/6 semi-circular window that it shares with 8-10 King Street East on each storey. At the top of this façade, there is a cornice with decorative brackets and decorative brick work that extends throughout the façade. The cornice and the brackets used to be red but have since been painted black.

#### **West (Side) Façade**

This façade extends along Queen Street North and has a similar fenestration pattern as the front façade. The façade contains commercial stores at the ground level, with 15 windows on each storey. These windows are 6/6 semi-circular hung windows with brick voussoirs and sills. At the top of this façade is the cornice with decorative brackets and decorative brickwork.

#### **North (Rear) Façade**

The façade has been altered. The façade did not have any window openings or door openings and was a blank façade. Since then, the window has been altered with window openings on each storey.

Although there have been several alterations to the building over the years, including the alterations that had to be made because of a fire, the building still maintains some of its original elements and is still representative of its Italianate architectural style and retains its heritage integrity.

## **Historical/Associative Value**

The historical and associative values relate to the original owner and use of the building. The original owner of the building was Louis Breithaupt while the original use of the building was a hotel – the American Hotel. The American Hotel was built by Louis Breithaupt in 1862-1863 for \$9000.00. It is estimated that the building has served as a hotel for approximately 100 years. The building is the oldest commercial building in the City. Louis Breithaupt was a prominent business in Berlin as well as a former mayor, and his contributions to the development of Berlin form an integral chapter in Berlin's commercial and industrial development.

## **Contextual Value**

This building has contextual value as being built in the downtown commercial core of Berlin, before it became Kitchener, and is a part of a group of buildings that were built at a time when industrial and commercial development in Berlin (now Kitchener) was happening. Today, these buildings are located in the downtown commercial core of Kitchener, and greatly contribute to the character of the area. The building is in its original location, and maintains historical and visual links to its surroundings. Furthermore, this building is the oldest commercial building in the City and located a prominent intersection in the downtown city core, contributing to its contextual value.

## **Other Values**

### **Economic Value**

The existing building has economic value as being representative of a building with a history that contributes to the economic development that was taking initially in Berlin, and then in Kitchener in the late 19<sup>th</sup> and early 20<sup>th</sup> century.

### **Heritage Attributes**

The heritage value of 4 King Street East/1 Queen Street North resides in the following heritage attributes:

- All elements related to the construction and Italianate architectural style of the building, including:
  - yellow brick construction;
  - individual front, rear, and west facades on the second and third storey, except for the east facade;
  - roof and roofline;
  - Decorative brickwork around the single wood brackets;
  - simple cornice with single wood brackets; and,
  - semi-circular window openings with brick voussoirs and sills on the front and west (Queen Street) facade;
- All contextual elements related to the building including:
  - Its original location on Queen Street South streetscape and its contribution to the Kitchener 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 council / committee meeting.

CONSULT AND COLLABORATE – 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.

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 – Updated Statement of Significance for 4 King Street East/1 Queen Street East