

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: Jessica Vieira, Heritage Planner, 519-741-2200 ext. 7291

WARD(S) INVOLVED: Ward 4

DATE OF REPORT: October 10, 2023

REPORT NO.: DSD-2023-463

SUBJECT: Notice of Intention to Designate 40 Chapel Hill Drive 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 40 Chapel Hill Drive 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 40 Chapel Hill Drive 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, 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 40 Chapel Hill Drive be recognized, and designation pursued.
- The key finding of this report is that the property municipally addressed as 40 Chapel Hill Drive 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. The property is recognized for its design/physical, historical/associative, and contextual value.
- 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.

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

BACKGROUND:

The subject property is located on the east side of Chapel Hill Drive, between Caryndale Drive to the west and Evenstone Avenue to the east. The property contains a 20th century building constructed in the Modern architectural style. The building is situated on a 6.98-acre irregularly shaped parcel of land in the Doon South Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the institutional building, known as the Carmel New Church and School.

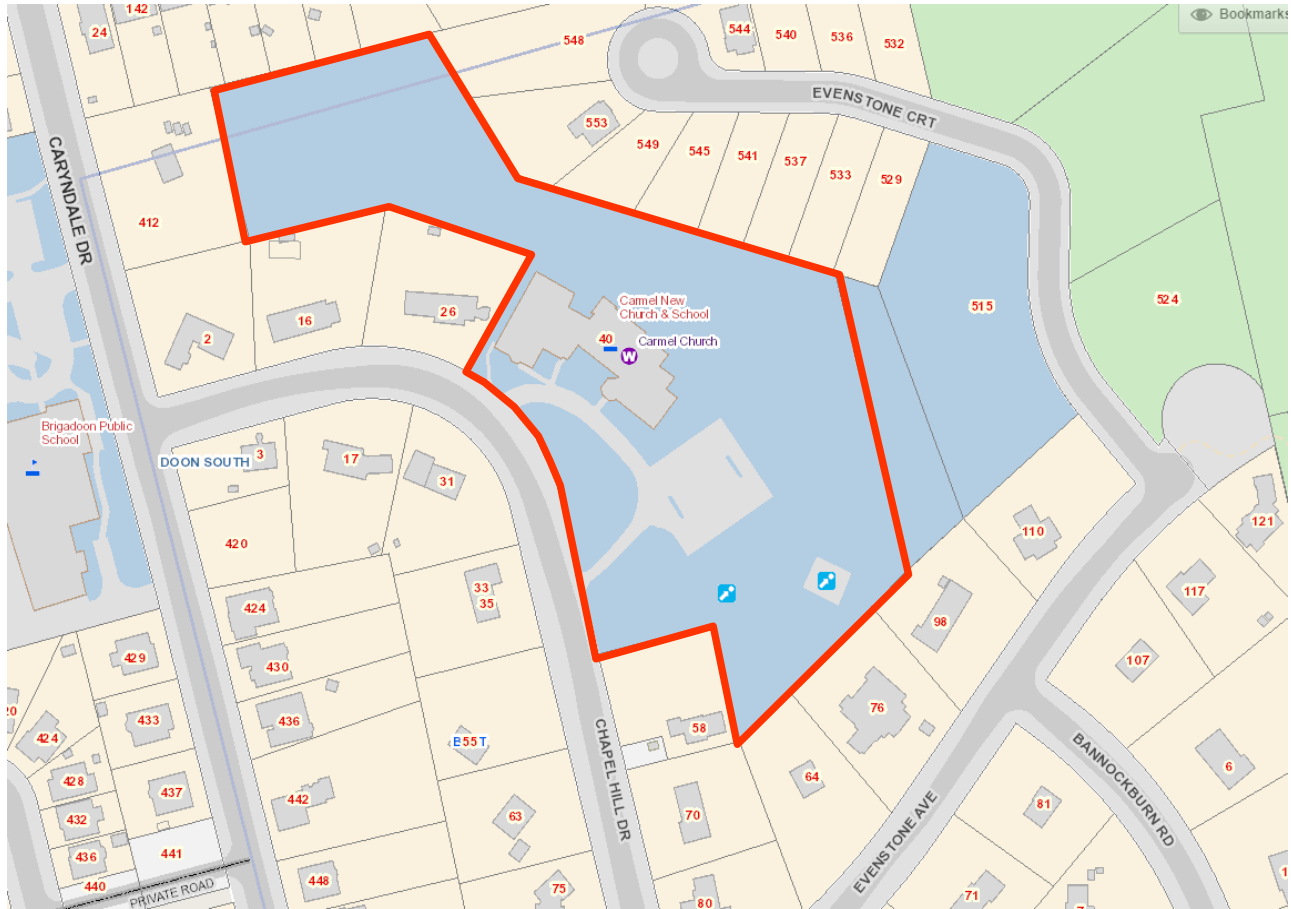


Figure 1: Location Map of Subject Property

A full assessment of 40 Chapel Hill Drive 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, 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 40 Chapel Hill Drive 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: View of Subject Property from 40 Chapel Hill Drive



Figure 4: Western Portion of the Building Encompassing the New Addition and School



Figure 3: Eastern Portion of the Building Encompassing the Chapel

40 Chapel Hill Drive is recognized for its design/physical, historical/associative, and contextual values. It satisfies eight of the nine criteria for designation under Ontario Regulation 9/06 (amended by Ontario Regulation 569/22). A summary of the criteria that is met or not met is provided in the table below.

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.	Yes
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 contributes to an understanding of a community or culture.	Yes
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.	Yes
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	Yes
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	Yes
9. The property has contextual value because it is a landmark.	Yes

Design / Physical Value

The design and physical value of 40 Chapel Hill Drive resides in its Modern architectural style, laid out in an irregular floor plan and utilizing a mix of natural building materials including stone, vertical wood siding and wood shingles. Geometric elements such as octagonal entranceways, a pyramidal steeple, corner clerestory windows, and stained-glass windows are also incorporated throughout the design. Within the 52nd Volume of the Waterloo Historical Society (1963), the following commentary is offered on symbolic nature of the architecture of 40 Chapel Hill Drive:

“The new Church, like the old is based, architecturally, on certain symbols. Both are four-square as was the holy city of Jerusalem. The building materials are primarily stone and wood – materials of construction mentioned so frequently in the Bible. The chancel has three levels as does the roof, with the tower being the highest level. These are based on symbols because of the believe that the Bible itself has a symbolic or internal sense.”

Historical / Associative Value

The historical and associative value of 40 Chapel Hill relates to the original owners and use of the property and building. The building was constructed by the Carmel Church of New Jerusalem, who remain the owners to date. The building has always been used as a church and this remains one of its dual uses, with the secondary use being a school. The Carmel Church of the New Jerusalem is a society of the New Church, which is a Christian denomination that follows the theological writings and interpretations of famous 18th century Swedish scientist, philosopher, and theologian Emanuel Swedenborg. Such sects can be referred to as Swedenborgians. The Pennsylvania groups of Swedenborgian were one of the principal sources of immigration to Waterloo County, and later enabled the emergency of the Berlin Association in the middle of the nineteenth century. The Swedenborgians in Kitchener had at one point constituted the largest and most significant Swedenborgian community in Canada. Notable residents which were part of this group included Christian Enslin, Adam Ruby Sr, Charles A. Ahrens, and William Benton.

The property also provides some insight into patterns of growth and development within the area. The subject property was located within an independent and self-sufficient church community known as Caryndale. Urbanization and a growing population led to the community's eventual annexation into Kitchener in the 1970's.

The associative value of the Carmel New Church also relates to the architect of the building, John Lingwood. A prolific local architect in the mid-20th century, Lingwood's architectural firm completed more than 700 projects in its lifetime, with a large portion of the work being within the Waterloo Region. These projects ranged in function, scale, and style and included modest homes, university buildings, civic buildings, and churches. Some of his more significant work beyond the Carmel New Church includes the TD Bank at the intersection of King and Francis Street and the former provincial courthouse at the intersection of Frederick and Lancaster Street within the downtown area. Lingwood contributed to the existing appearance of Kitchener and the larger Regions built landscape.

Contextual Value

The contextual value of 40 Chapel Hill Drive relates to its importance in maintaining the character of the church-centred community formerly known as Caryndale. Though the area's title has changed from community to neighbourhood and it has grown significantly through the construction of new subdivisions as well as infill development, the predominant residential use of the area remains. The subject property and the surrounding area have been identified as being a Cultural Heritage Landscape (CHL) by the City of Kitchener Cultural Heritage Landscape Study approved by Council in 2015.

Heritage Attributes

The heritage value of 40 Chapel Hill Drive resides in the following attributes identified below.

- All elements related to the construction and Modern architectural style of the building, including:
 - an irregular floor plan and massing;
 - natural building materials such as stone, vertical wood siding and wood shingles;
 - geometric elements such as octagonal entranceways;
 - pyramidal steeple and irregularly pitched roof;
 - flat roof with raised secondary level;
 - corner clerestory windows; and,
 - stained glass windows.

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*
- August Kitchener Municipal Heritage Register Review Update (DSD-2023-309)

REVIEWED BY: Rosa Bustamante, Director of Planning

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

ATTACHMENTS:

Attachment A – Statement of Significance for 40 Chapel Hill Drive