

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: May 7, 2024

SUBMITTED BY: Garrett Stevenson, Director of Development and Housing Approvals,
519-741-2200 ext. 7070

PREPARED BY: Michelle Drake, Senior Heritage Planner, 519-741-2200 ext. 7839

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: April 12, 2024

REPORT NO.: DSD-2024-195

SUBJECT: *Notice of Intention to Designate 131 Victoria Street South 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 131 Victoria Street South as being of cultural heritage value or interest.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council publish a Notice of Intention to Designate 131 Victoria Street South Under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance describing the cultural heritage value or interest of 131 Victoria Street South was taken to the Heritage Kitchener Committee on March 5, 2024. The Committee recommended that pursuant to Section 29 of the Ontario Heritage Act, the cultural heritage value or interest of 131 Victoria Street South should be confirmed by pursuing designation of the property under Part IV of the Ontario Heritage Act.
- The key finding of this report is that 131 Victoria Street South meets seven (7) of nine (9) criteria for designation under *Ontario Heritage Act Regulation 9/06* (amended by Ontario Regulation 569/22) and has been confirmed to be a significant cultural heritage resource recognized for its design/physical, historical/associative, and contextual values.
- 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. Should Council choose to give Notice of Intention to Designate, such notice shall be served on the property 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:

131 Victoria Street South is an early 20th century building displaying a modest vernacular example of the Ukrainian Baroque architectural style with influences from the Byzantine architectural style. The building is situated on a 0.22-acre parcel of land located on the east side of Victoria Street South between Theresa Street and Michael Street in the Victoria Park Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the main church building. The property is located adjacent to the Victoria Park Area Heritage Conservation District, which contains the circa 1952 church rectory (49 Michael Street) and 1972 parish centre (15 Michael Street).



Figure 1: Location Map of Subject Property (131 Victoria Street South, Ukrainian Catholic Church of the Transfiguration)

A full assessment of 131 Victoria Street South has been completed, including: field evaluation and archival research. The findings concluded that the subject property meets seven (7) of nine (9) criteria for designation under Ontario Heritage Act Regulation 9/06 (amended by Ontario Regulation 569/22). An updated Statement of Significance describing the property's cultural heritage value or interest was presented to the Heritage Kitchener Committee on March 5, 2024. The Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 131 Victoria Street South should be confirmed by pursuing designation of the subject property under Part IV of the *Ontario Heritage Act*. This work was undertaken as part of the City's 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. The property owner for 131 Victoria Street South was contacted via second letter sent by mail dated March 13, 2024. This letter was accompanied by the updated Statement of Significance and a "Guide to Heritage Designation for Property Owners" prepared in June 2023. The letter invited property owners to contact the City's Senior Heritage Planner with any comments, questions, or concerns.

Per standard procedure, should Council support the Notice of Intention to Designate (NOID), the property owner will be contacted a third time through a letter advising of the City's NOID. An ad for the NOID will be published in a newspaper. Once the letter is served on the property owner and the Ontario Heritage Trust, and the newspaper ad is posted, there will be a 30-day appeal period in which the property owner may object to the designation.

REPORT:

Identifying and protecting cultural heritage resources within our City 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 or interest; 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 or interest.



Figure 2: Front Elevation (West Façade) of the Subject Property – 131 Victoria Street South (Ukrainian Catholic Church of the Transfiguration)

131 Victoria Street South is recognized for its design/physical, historical/associative, contextual, and social values. It satisfies seven (7) of nine (9) criteria for designation under Ontario Heritage Act Regulation 9/06 (amended by Ontario Regulation 569/22). A summary of the criteria that is or is 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.	No
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

Table 1: Criteria for Designation under Ontario Regulation 9/06 (Amended by Ontario Regulation 569/22)

Design / Physical Value

The property municipally addressed as 131 Victoria Street South demonstrates design/physical value as a rare and unique example of an early 20th century religious building displaying a modest vernacular example of the Ukrainian Baroque architectural style with influences from the Byzantine architectural style. The building has many intact heritage attributes in good condition including: clerestory windows, bronze pear-shaped dome, rooftop cupola topped by a cross; front hipped gable roof; cross plan; red brick construction; brick dentils below the eaves; round window with stained glass; semi-circular window openings displaying paintings; semi-circular window openings with modest tracery, consisting of a plain circle with two rounded lancet lights under the main arch; brick voussoirs with drip molds; stone sills; semi-circular double front door entrance with stone surround; rose window; and, a 1926 stone datestone. Various additions have been added to the church building (1938, 1947, 2015) and adjacent to the building (1952, 1955, 1971-72).

Front (West) Façade

The front of the building faces Victoria Street South and is comprised of three bays including a centre projecting bay. The most prominent feature of the building is the bronze pear-shaped dome with rooftop cupola topped by a cross. The centre bay features brick dentils

at the roofline, a large round stained-glass window with brick surround, a semi-circular stone door surround, and paneled double doors with a decorative semi-circular transom. The end bays each feature semi-circular window openings, brick voussoirs with drip molds, and stone sills. The windows in these openings have been removed and replaced with Byzantine paintings. The left bay (when looking at the front of the building) also features a 1926 stone datestone. The current exterior stairs were constructed in 1993 and provide access from the north and south. These stairs feature four brick piers of varying heights with stone caps. Between each brick pier is an angel stone wall capped with concrete. Two brick piers with concrete caps have been added to the front of the building along with an angel stone wall capped with concrete. The centre bay of the angel stone wall displays a cross. Four additional brick piers create a brick and iron fence that extends south along the property line (parallel to Victoria Street).

A portion of the cross-building plan on the south side also faces Victoria Street South. This section of the building was constructed in 1938 as the original church rectory. This elevation is setback approximately 11.5 metres (52.2 feet) from the front façade and is two storeys high. This elevation features a rose window, two 1/1 hung windows with flat lintels and stone sills on the first storey, two 1/1 hung windows with semi-circular lintels and stone sills on the second story (these windows appear to be altered with exterior trim or storm windows displaying flat lintels), a slightly inset semi-circular wood door with brick voussoirs, two lights flanking the door, the municipal address “131” above the door, and concrete stairs with a metal hand railing. A rusticated stone foundation is partially exposed above ground.

An alteration to the cross-building plan on the north side also faces Victoria Street South. This section has been altered twice. First, in 1947, when the original building was lengthened by 20 feet, and again, in 2015. As it exists today, this elevation is a new addition with a flat roof constructed in 2015. It appears that windows from the original building were salvaged and reused in the addition. The addition features a semi-circular window opening with decorative transom, brick voussoirs with drip molds, and stone sills. Beneath the main window is a square window that matches other basement windows around the building. This square window has no brick voussoir but it does have a stone sill. This window opening is cut into a portion of the partially exposed parged concrete foundation as well as the red brick. The red brick is not original and not an exact match to the original.

Side (North) Façade

The north side façade features three bays; however, used to feature four bays. This section has been altered twice. First, in 1938, when the building was lengthened by 20 feet, and in 2015 with a building addition that increased the height and depth of the building. The fourth bay was covered by the 2015 building addition. Each bay features a large semi-circular window opening with modest tracery, consisting of a plain circle with two rounded lancet lights under the main arch with brick voussoirs and drip molds along with a stone sill. Beneath two of the bays is a square window opening with what appears to be a non-original window with no voussoirs and a stone sill. These window openings cut into a portion of the partially exposed rusticated stone foundation as well as the red brick. Beneath one of the windows is a modern metal man door. The primary building material is brick. The eaves, soffits and fascia are plain apart from a discrete bracket at the southwest corner of the roofline.

The side gable of the north side façade was altered by the 2015 building addition which increased the height of the gable and extended the depth of the cross gable on the north along with a square addition with a flat roof. The side gable of the north façade features a single bay with a round rose decorative detail and a large semi-circular window opening with modest tracery, consisting of a plain circle with two rounded lancet lights under the main arch with brick voussoirs and drip molds along with a stone sill. Two modern lights flank the window. The foundation is parged concrete. The flat roof addition is red brick with no other significant architectural features.

Side (South) Façade

The south side façade features three bays. Each bay features a large semi-circular window with modest tracery, consisting of a plain circle with two rounded lancet lights under the main arch with brick voussoirs and drip molds along with a stone sill. Beneath two of the windows is a square window opening with what appears to be a non-original window with no voussoirs and a stone sill. These window openings cut into a portion of the partially exposed rusticated stone foundation as well as the red brick. The primary building material is red brick. The eaves, soffits and fascia are plain apart from a discrete bracket at the southwest corner of the roofline.

The side gable of the south side façade features two bays divided by a chimney that extends above the roofline. The two bays are not symmetrical. Each bay of the first storey displays two 1/1 hung windows with a flat lintel and a stone sill. The second storey displays three windows of different size but similar style. The style again is 1/1 hung windows with a flat lintel and a stone sill. The third storey is symmetrical with two 1/1 hung windows with a flat lintel and a stone sill. The rusticated stone foundation is partially exposed above ground.

Rear (East) Facade

The rear of the church is an addition that was built in 1947 to lengthen the church and hall by 20 feet. As it exists today, the end gable at the rear of the building is comprised of three unseparated bays. The third storey of the centre bay features a semi-circular window opening with brick voussoir, drip mold and stone sill. It appears that the original windows have been removed and replaced with Byzantine paintings. The second story features semi-circular window openings with brick voussoirs, drip molds and stone sills. These window openings also contain Byzantine paintings. Beneath each of the second storey windows are square window openings with no voussoirs or sills. These window openings cut into a portion of the partially exposed foundation as well as the red brick.

The rear façade was altered again in 2015 with a building addition that increased the height of the gable and extended the depth of the cross gable. This addition features a new barrier-free building entrance. The entrance is covered by a small gable roof with supports that lead to modern doors made with metal and glass. The red brick is not original and not an exact match to the original.

Interior

The interior of the church was painted in 1949 by a St. Catherine's artist Mr. L. Scott Young who was unable to complete the project due to his unexpected death (Wynnyckyj, 1987). The project was finished by an unknown artist in 1951 (Wynnyckyj, 1987). Major renovations to the interior of the church were initiated in 1977, including: refurbishing the walls, pews, and woodwork; replacing the altars; installing a 15-foot-high wood iconostasis - a lattice

screened between the nave and the sanctuary - covered by 18 painted icons in the Byzantine style (Wynnyckyj, 1987). Another project to paint the interior of the church in the Byzantine style began in 1983 and was completed in 1986 (Wynnyckyj, 1987).

Historical / Associative Value

The subject property has historical and associative value due to its history and association with Ukrainian immigrants, Kitchener's industrial history; the Ukrainian Catholic Church of the Transfiguration and Mykola Bibniak.

In the early 1900s immigrants from Ukraine started to arrive and sponsor Masses in the Eastern Rite at local Roman Catholic churches. They were drawn to the area by the industrial activity (Gesza, 2010), especially the rubber, machinery and tannery industries (Hamara, 1987). Many worked for prominent industries such as the Huck Glove Factory, the Lang Tannery, and the Kaufman Rubber Company. The parish beginning's date to the early 1920s when five Ukrainian families broke away from the local chapter of the Ukrainian Labor and Farm Temple Association (ULFTA) (Hamara, 1987). At the same time, other Ukrainians in the ULFTA became trade union activists in Kitchener's rubber, machinery and tannery industries (Hamara, 1987). By 1922, the non-communists in the community (Hamara, 1987) organized their own parish and in 1924 named it The Church of the Transfiguration of Our Lord Jesus Christ (Wynnyckyj, 1987). Land to construct the church was acquired in 1925 for a cost of \$1,160.00 (Wynnyckyj, 1987). Mr. Zomer who lived at the corner of Victoria Street and Oak Street acquired a mortgage (Gesza, 2020). These immigrants completed the construction of the church building in 1926 for a cost of \$11,400.00 (Wynnyckyj, 1987). The cornerstone was laid on December 5, 1926 and blessed by His Excellency, Bishop Nykyta Budka, the first bishop for the Ukrainian Catholics in Canada (Wynnyckyj, 1987).

In the beginning, Mass was performed by visiting priests from larger centres such as Toronto or Brantford. In 1938, the parish built an addition at the cost of \$3,635.00 to the church to serve as a rectory, which ultimately attracted the first resident priest – Father Charny (Wynnyckyj, 1987). The home adjacent to the church building was purchased in 1952 to house the members of the order of Sister Servants of Mary Immaculate (Wynnyckyj, 1987).

The church building was a focal point for Ukrainians. In the 1940s, at least 52 families lived within a 5-block radius of the church building (Gesza, 2010). The hall beneath the church hosted numerous activities such as dances, concerts, performances, English language instruction, etc. (Gesza, 2010).

By the end of 1977, significant interior heritage attributes – the iconostas- were added to the interior of the church building. The iconostas were 12-feet high and carved in wood by V. Barach. Within each of the iconostas, 18 icons were painted by Mykola Bidniak. Mykola lost his hands as a teenager and went on to learn how to paint with his mouth (K-W Record, 1979). He studied at the Ontario College of Art and in 1978 he was commissioned to “write” 18 Byzantine icons at a cost of \$20,000 (K-W Record, 1979). Bidniak's icons are fine examples of the inspiration and challenge of the iconographer's art (The Ukrainian Catholic Church of the Transfiguration, date unknown). Additional wall paintings were added in 1949 by Mr. L. Scott Young (Wynnyckyj, 1987). Young was a church mural artist who painted more than three dozen churches in Canada (Unknown, 1994). Today, his artwork is only present in four churches, including the Ukrainian Catholic Church of the Transfiguration

(Unknown, 1994). Additional icons were painted on the walls and ceilings in 1984 by Rev. Theodore Koufos, a Toronto-based Greek orthodox priest.

Contextual Value

The contextual value of the property relates to its location and proximity to the church rectory, parish centre, on-site park and local industries.

The home adjacent to the church building was purchased in 1952 to house the members of the order of Sister Servants of Mary Immaculate (Wynncyckyj, 1987). In more recent years, this home has served as the church rectory. This home is designated under Part V of the Ontario Heritage Act as it is located within the Victoria Park Area Heritage Conservation District.

Lands for the parish centre, the Ukrainian Catholic Centre at 15 Michael Street, were purchased in 1963 for the sum of \$19,500.00 (Wynncyckyj, 1987) and the building was constructed in 1971-1972 to provide the congregation with a large, combined auditorium-gymnasium and some classroom space (K-W Record, 1972). The cornerstone was laid in November 1971 along with the burial of a time capsule (K-W Record, 1972). The opening ceremonies were held in May of 1972 and participants included Most Rev. Isidore Borecky (Ukrainian bishop of Eastern Canada), Rev. Russel Chyz (parish priest), and an official opening by Donna Sawicky (Miss Canada) (K-W Record, 1972a; K-W Record, 1972b).

In 2010, the parish planned the installation of a park on the south side of the church building to include an open wrought iron gate and walkways leading to a granite monument and landscaped with flowers, trees and benches (Gesza, 2010).

Social Value

The social value of the property relates to the parish, church building, rectory and parish centre.

The parish and church building were the original focal point of the Ukrainian community. The church building not only held worship services but also dances, concerts, dance and theatrical performances, choir practices and English language classes (Gesza, 2010).

In 1971, the parish held its first annual East Egg Festival sponsored by the Ukrainian Catholic Women's League (Denney, 1986). This tradition continued for at least 21 years (Koza, 1992).

Heritage Attributes

All elements related to the construction and modest vernacular example of the Ukrainian Baroque architectural style with influences from the Byzantine architectural style, including:

- Cross-building plan;
- front hipped gable roofline with plain eaves, soffits and fascia as well as discrete brackets;

- red brick laid in a running bond, including brick dentils at the roofline on the front (west) elevation;
- rusticated stone foundation;
- the number, placement and details of bays on each elevation;
- clerestory windows below bronze pear-shaped dome with rooftop cupola topped by a cross;
- windows and window openings, including:
 - the large round stained-glass window with brick surround;
 - semi-circular windows with modest tracery, consisting of a plain circle with two rounded lancet lights under the main arch with brick voussoirs and drip molds along with a stone sill;
 - semi-circular window openings featuring brick voussoirs with drip molds and stone sills;
 - semi-circular window openings featuring decorative paintings;
 - the rose window;
 - 1/1 hung windows with flat lintels and stone sills;
 - 1/1 hung windows with semi-circular lintels and stone sills;
 - Square window openings with flat lintels and stone sills;
- doors and door openings, including:
 - a semi-circular stone door surround displaying double paneled wood doors with modest tracery, consisting of a plain circle with two rounded lancet lights;
 - semi-circular wood door with brick voussoirs, two lights flanking the door, the municipal address “131” above the door, rusticated stone stairs with metal/iron hand railing;
- 1926 datestone; and,
- round rose decorative detail.

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 March 13, 2024.

Section 29(2) of the *Ontario Heritage Act* requires Council to consult with the Municipal Heritage Committee (Heritage Kitchener) before giving Notice of Intention to Designate (NOID) 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. Should Council choose to proceed with a NOID, such notice will be served on the property owner, the Ontario Heritage Trust, and published in the local newspaper (The Record). Once notice has been served, the property owner has the right of appeal to the Ontario Land Tribunal (OLT). Should Council decide not to proceed with a NOID then the building will remain on the City's Municipal Heritage Register (MHR) until January 1, 2025, after which it will be removed in accordance with the legislative changes enacted by Bill 23. Once removed from the MHR, it cannot be re-listed on the MHR for five (5) years (i.e., January 1, 2030).

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act, 2022*
- *Ontario Regulation 9/06 (Amended by Ontario Regulation 569/22)*
- Bill 23 – Municipal Heritage Register Review (DSD-2023-225)
- Municipal Heritage Register Review – August 2023 Update (DSD-2023-309)
- Municipal Heritage Register Review – January 2024 Update (DSD-2024-022)
- Municipal Heritage Register Review – May 2024 Update (DSD-2024-194)

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

ATTACHMENTS:

Attachment A – Statement of Significance for 131 Victoria Street South