

**REPORT TO:** Heritage Kitchener

**DATE OF MEETING:** June 11, 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 10

**DATE OF REPORT:** May 13, 2024

**REPORT NO.:** DSD-2024-247

**SUBJECT:** *Notice of Intention to Designate 11-15 Pandora Avenue 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 11-15 Pandora Avenue North 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 11-15 Pandora Avenue North Under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance describing the cultural heritage value or interest of 11-15 Pandora Avenue North was taken to the Heritage Kitchener Committee on April 2, 2024. The Committee recommended that pursuant to Section 29 of the Ontario Heritage Act, the cultural heritage value or interest of 11-15 Pandora Avenue North 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 11-15 Pandora Avenue North meets three (3) 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 and historical/associative 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.

## BACKGROUND:

11-15 Pandora Avenue North is a two-storey 19<sup>th</sup> century building constructed in the Italianate architectural style. The building is situated on a 0.18-acre parcel of land located on the east side of Pandora Avenue North between Duke Street East and King Street East in the King East Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the residential building.



**Figure 1.0: Location Map of Subject Property (11-15 Pandora Avenue North)**

A full assessment of 11-15 Pandora Avenue North has been completed, including: field evaluation and archival research. The findings concluded that the subject property meets three (3) 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 April 2, 2024. The Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 11-15 Pandora Avenue North 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 11-15 Pandora Avenue North was contacted via second letter sent by mail dated April 9, 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.



**Figure 2.0: Current Front (West Façade) Elevation**

#### **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 conservation 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.

11-15 Pandora Avenue North is recognized for its design/physical and historical/associative, values. It satisfies three (3) of nine (9) criteria for designation under the *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.

<b>Criteria</b>	<b>Criteria Met (Yes/No)</b>
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>Yes</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>No</b>
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	<b>No</b>
9. The property has contextual value because it is a landmark.	<b>No</b>

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

### ***Design/Physical Value***

The design and physical value relate to the building and the Italianate architectural style. The building has many intact original elements in good condition.

#### **Front (West) Façade**

The current front of the building faces Pandora Avenue North. The building generally depicts an asymmetrical plan in a modified L-shape. The truncated hip roof features cross gables that contribute to the modified L-shape plan. The central hip roof leads to the rooftop clerestory windows. The roofline features moulded fascia, plain cornice, and panelled frieze with decorative paired brackets.

The front gable projects out and features a one-storey bay window on the main floor. The bay window displays a hip roof with decorative brackets and panelled frieze. Each bay contains an 8-pane segmentally arched wood window with brick voussoirs and stone sills. A group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills is featured on the second storey. A circular wood window with a decorative hood crown is in the upper gable end. The corners of the projecting front gable display brick quoins.



The modified L-shape features one bay with a hipped roof with a moulded fascia, plain cornice, and panelled frieze with decorative paired brackets. The first storey contains a wraparound porch constructed circa 2009-2011, which does not detract from the Italianate architectural style. The 1924 Fire Insurance Plan shows that the original porch was confined to the original front (south) façade. Both the first storey and the second storey display a segmentally arched 4/4 wood window with decorative hood crown and stone sill. The third storey is comprised of the hip roof leading to the rooftop clerestory windows. The third storey was rebuilt in 2022. The corners of this bay display brick quoins.

The side elevation of the cross gable features a moulded fascia, plain cornice, and panelled frieze with decorative paired brackets. The corners of this bay display brick quoins. There are no doors or windows on this elevation.

A 1.5-storey side-gable addition, originally the 'servant's quarters' is located on the north side of the projecting front gable. This addition was built as early as 1924. The yellow brick elevation facing Pandora Avenue North is setback approximately 3 metres from the projecting front gable. This elevation demonstrates a simple design with no ornate details. One four-pane segmentally arched wood window with stone sill is located on the upper half storey. A 1-storey addition, in front of the 1.5-storey side-gable addition, features a simple design with a shed roof, painted vertical board siding (possibly board and batten), a new front door, and three 1/1 windows.



**Figure 3.0: Detailing of truncated hip roof with cross gables; central hip roof that leads to the clerestory windows; moulded fascia, plain cornice, and panelled frieze with paired brackets; projecting centre bay on west elevation with bay window; double (suspected) yellow brick construction; corner brick quoins; segmentally hung wood windows with decorative hood crowns, and stone sills. (Google Streetview, 2020)**

Side (North) Façade

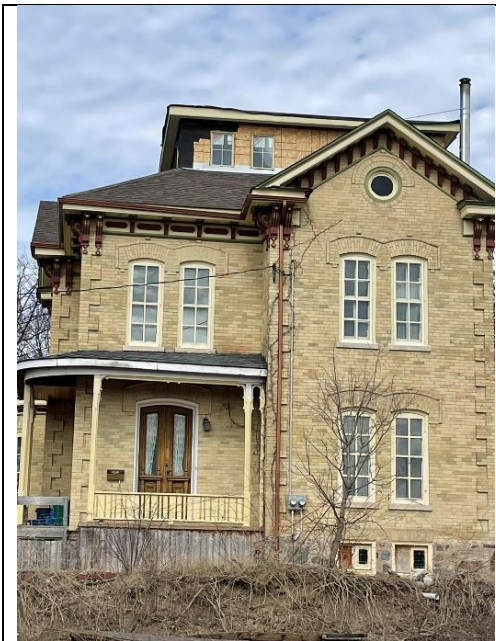
The north façade was originally the rear of the house. This elevation features the 1.5 storey side gable addition that originally served as the ‘servant’s quarters.’ This addition was built as early as 1924. This elevation demonstrates a simple design with no ornate details. A chimney stack is visible on the hip roof of the main building.

Side (South) Façade

The original front of the building faced King Street East. At present, this façade faces a vacant lot municipally addressed as 656 King Street East. The building’s roof is cross gabled with a central hip roof leading to the rooftop clerestory windows. The roofline features moulded fascia, plain cornice, and paneled frieze with decorative paired brackets.

The side gable projects out and features a group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills on both the first and second storey. A circular wood window with a decorative hood crown is in the upper gable end. The corners of the projecting front gable display brick quoins.

The recessed bay to the left of the projecting side gable features the main entrance to the building with a wraparound porch constructed circa 2009-2011, which does not detract from the Italianate architectural style. The single segmentally arched door with decorative hood crown features two elongated windows with etched and bevelled lite and wood paneling below on the first storey. A group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills is featured on the second storey. The corners of the projecting side gable display brick quoins.



**Figure 4.0: Side Elevation (South Façade) (originally the front elevation off of King Street East) (City of Kitchener, 2024)**



**Detailing of original front entrance (City of Kitchener, 2024)**

### Rear (East) Facade

The current rear elevation was originally the east side elevation. At present, the east elevation is not visible from the public realm. According to a 1996 Local Architectural Conservancy Advisory Committee Heritage Property Report (Bensason, 1996), this elevation consisted of three bays. The left bay contained a bricked-in segmentally arched window opening. Dividing the left and centre bay was a chimney projection that ended at the fascia. The centre bay displayed a segmentally arched 1/1 wood window followed by a pair of segmentally arched 4/4 wood windows on the first storey. The second storey displayed a segmentally arched 1/1 wood window followed by a pair of segmentally arched 1/1 wood windows. The third bay contained an entrance porch with door that projects from the main structure, and a 4/4 wood window. The upper half storey contained a 1/1 segmentally arched wood window. These heritage attributes may still exist.

Bensason (1996) also identified notable interior heritage attributes including: a flying wood (probably pine) staircase which winds from the main floor to the attic; the original main front entrance carved wood doors with original hardware, etched and bevelled glass lites; original bay window on Pandora Avenue North elevation; pine board floors; and, 12- and 14-foot ceilings with detailed plaster work and centrepiece in the living room. These heritage attributes may still exist.

### ***Historical/Associative Value***

The property municipally addressed as 11-15 Pandora Avenue North has historical/associative value due to history and association with early settlement; prominent pioneer Mennonite families – the Ebys and the Erbs – including Bishop Benjamin Eby, Rev. Moses Erb, and Menno Erb; and early industries including Erb & Co. Glove Works, Brown & Erb, and the Huck Glove Company Limited (Bensason, 1996).

Bishop Benjamin Eby and his wife Marie (nee Brubacher) bought Lot 2, G.C.T. when they came to Canada in 1807. The first building on the property was a log house that stood west of the First Mennonite Church where Bishop Eby was a spiritual leader, teacher and first preacher. By 1830, he had built a frame house. A fine lawn surrounded the frame house with a spacious verandah between the house and King Street. There was also a large barn and a cider mill operated by Ely Eby, son of Bishop Eby (Stroh, 1931). Over the years, Bishop Eby and his descendants sold off parcels of Lot 2.

One parcel of Lot 2 was purchased by Rev. Moses Erb in 1862 from the executors of Rev. Christian Erb, son of Bishop Eby. Moses Erb was born in Waterloo County in 1821. He was an ordained Mennonite minister for the Martin and Bloomingdale fields of labour. He married Susannah Rosenberger in 1841 and they moved to the “Bishop Eby Farm” in 1860 when he was placed on the Berlin Circuit. They moved along with their children Menno, Aaron, and Moses.

The oldest son of Rev. Erb and Susannah was Menno Erb (b. 1842, d. 1906). He married Lydia Bricker and together they had four children – Malinda, Ephraim, Maggie and Edward. Menno became a large landowner when he bought the “Bishop Eby Farm” from his father in 1867. He continued to operate the cider mill, with a large orchard being located between the farm buildings and the Mennonite Meeting House and cemetery (Stroh, 1931). The Berliner Journal of October 31, 1878 noted that “*Menno Erb had built*

*for \$2500 on King Street end of town, a two storey brick house in the Italianate style.” The house originally faced King Street (264 King Street).*

Menno Erb was the head of M. Erb & Co. Glove Works on King Street and the largest shareholder in Erb Glove. He was also in partnership with C.F. Brown – ‘Brown & Erb’ – one of the finest and most prominent furniture houses in the country. In the 1860s, Brown & Erb commenced the manufacture of gloves. Menno Erb was a member of the Town Council in 1868 and 1871. Menno Erb and his family sold the building in 1881 when they moved to the corner of Foundry (Ontario) and Weber Streets. After his death in 1906 a foreman, Joseph Huck, bought Brown & Erb and established the Huck Glove Company Limited. And the furniture business became Quality Mattress located at 87 King Street West.

Over the years the house was owned by various families including, but not limited to, Moses Betzner, Samuel Brubacher, Bennie Persin, Henry Knell William Smyth, Carl Pritschau, Christian Huehn, James Bowers, Joseph Payne, Charles Miehm, Milton Huehn, and Ivan & Doris Gascho.

### ***Heritage Attributes***

The heritage value of 11-15 Pandora Avenue North resides in the following heritage attributes:

- asymmetrical plan in a modified L-shape;
- two storey height plus attic;
- truncated hip roof with cross gables;
- central hip roof that leads to the clerestory windows;
- moulded fascia, plain cornice, and panelled frieze with paired brackets;
- segmentally arched door features two elongated windows with etched bevelled lites and wood panelling as well as a decorative hood crown;
- projecting centre bay on west elevation with bay window;
- 1.5 storey addition (original use was the servant quarters);
- double (suspected) yellow brick construction;
- corner brick quoins;
- segmentally hung wood windows with decorative hood crowns, or brick voussoirs, and stone sills; and,
- rubble stone foundation.
- the current front façade faces Pandora Avenue North and features four irregular bays:
  - an asymmetrical plan in a modified L-shape;
  - a truncated hip roof with cross gables that contribute to the modified L-shape plan;
  - a central hip roof that leads to the rooftop clerestory windows;
  - the roofline features moulded fascia, plain cornice, and panelled frieze with decorative paired brackets;
  - the front gable projects out and features a one-storey bay window on the main floor;



- the bay window displays a hip roof with decorative brackets and panelled frieze;
  - each bay contains an 8-pane segmentally arched wood window with brick voussoirs and stone sills;
  - a group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills are featured on the second storey;
  - a circular wood window with a decorative hood crown is in the upper gable end;
  - the corners of the projecting front gable display brick quoins;
- the modified L-shape features one bay with a hipped roof with a moulded fascia, plain cornice, and panelled frieze with decorative paired brackets;
  - the first storey contains a wraparound porch (c. 2009-2011);
  - both the first storey and the second storey display a segmentally arched 4/4 wood window with decorative hood crown and stone sill;
  - the third storey is comprised of the hip roof leading to the rooftop clerestory windows;
  - the corners of this bay display brick quoins;
- the side elevation of the cross gable features a moulded fascia, plain cornice, and panelled frieze with decorative paired brackets;
- the corners of this bay display brick quoins;
- a 1.5-storey side-gable addition;
  - the yellow brick elevation facing Pandora Avenue North is setback approximately 3 metres from the projecting front gable;
  - this elevation demonstrates a simple design with no ornate details;
  - one four-pane segmentally arched wood window with stone sill is located on the upper half storey;
- a 1-storey addition, in front of the 1.5-storey side-gable addition, features a simple design with a shed roof, painted vertical board siding (possibly board and batten), a new front door, and three 1/1 windows.
- the north façade features a 1.5 storey side gable addition;
  - this elevation demonstrates a simple design with no ornate details;
  - a chimney stack is visible on the hip roof of the main building;
- the south façade was once the original front of the building and it features:
  - a cross-gabled roof with a central hip roof leading to the rooftop clerestory windows;
  - moulded fascia, plain cornice, and paneled frieze with decorative paired brackets;
  - the side gable projects out and features:
    - a group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills on both the first and second storey;
    - a circular wood window with a decorative hood crown in the upper gable end;
    - the corners of the projecting front gable display brick quoins;
  - a recessed bay to the left of the projecting side gable features the main entrance to the building with a wraparound porch (c. 2009-2011);

- the single segmentally arched door with decorative hood crown features two elongated windows with etched and bevelled lite and wood paneling below on the first storey;
- a group of two segmentally arched 4/4 wood windows with decorative hood crowns and stone sills is featured on the second storey;
- the corners of the projecting side gable display brick quoins.

## **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 April 9, 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 – February 2024 Update (DSD-2024-056)

- Municipal Heritage Register Review – March 2024 Update (DSD-2024-093)
- Municipal Heritage Register Review – April 2024 Update (DSD-2024-131)
- 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 11-15 Pandora Avenue North