

Staff Report



Development Services Department

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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: Deeksha Choudhry, Heritage Planner, 519-741-2200 ext. 7602

DATE OF REPORT: May 13, 2024

REPORT NO.: DSD-2024-242

SUBJECT: Notice of Intention to Designate 56 Duke Street West 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 56 Duke Street West 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 56 Duke Street West 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 April 2, 2024. On this meeting date, the Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 56 Duke Street West be recognized and designation pursued.
- The key finding of this report is that the property municipally addressed as 56 Duke Street West 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 with this recommendation.
- 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

BACKGROUND:

56 Duke Street West is a two-storey early 20th century building constructed in the Gothic architectural style. The building is situated on a 0.34 acre parcel of land located on the north side of Duke Street between Young Street and Ontario Street in the City Commercial Core Planning Community of the City of Kitchener within the Region of Waterloo (Figure 1). The principal resource that contributes to the heritage value is the presbytery.

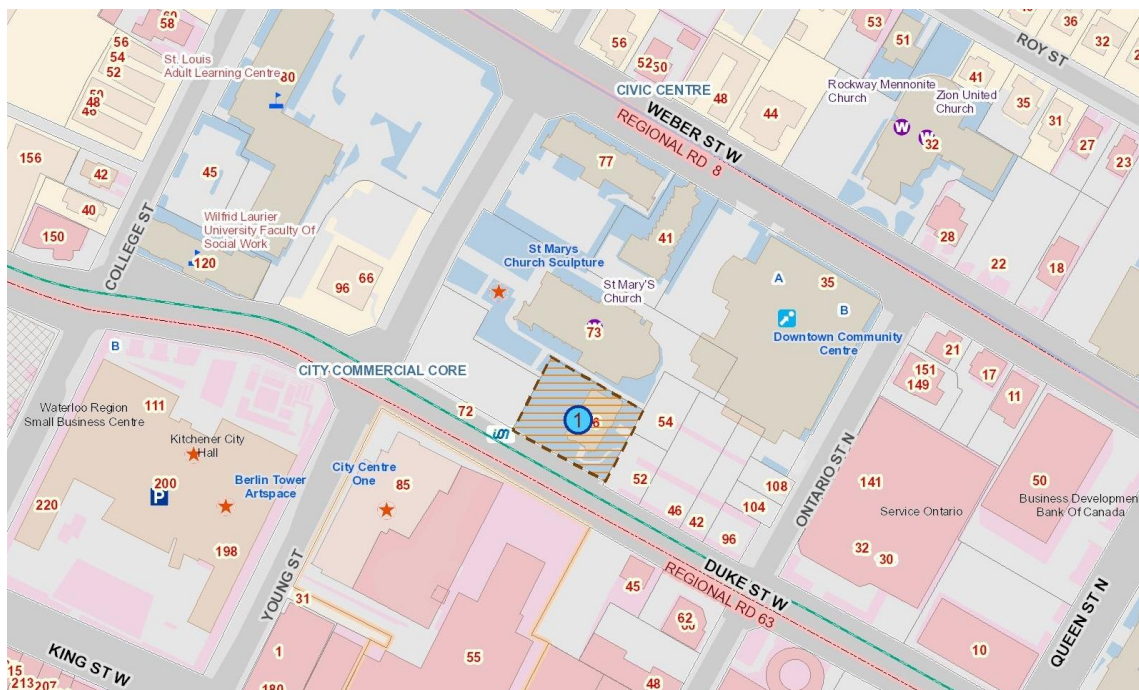


Figure 1. Location Map – 56 Duke Street West

A full assessment of 56 Duke Street West 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 April 2, 2024. On this meeting date, the Committee recommended that pursuant to Section 29 on the *Ontario Heritage Act*, the cultural heritage value or interest value of 56 Duke Street West 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 of 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 at the April 2, 2024 meeting were contacted via a second letter dated April 3, 2024, and invited to contact the City's Heritage Planner with any comments, questions, or concerns. No response from the property owners was received by Heritage Planning Staff.

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. Façade fronting onto 56 Duke Street West.

56 Duke Street West is recognized for its design/physical, historical/associative, and contextual values (Fig. 2). It satisfies five (5) of the nine criteria for designation under the 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.	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 contributes to an understanding of a community or culture.	No
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.	No

Design/Physical Value

The design and physical values relate to the notable, rare, and unique Gothic architectural style of the building. Construction of the building was completed in October 1922 at the cost of \$46,000 (Fig. 3). The building is two-and-a-half storeys in height, in good condition with many intact elements including but not limited to: flattened gothic arch windows openings, gothic pointed arch windows openings with tracery; round windows with quatrefoils; projecting porticos on two elevations of the building, and red brick construction. It is likely that the windows and roof of the building have been replaced. However, the original window openings remain. Furthermore, the round windows with quatrefoils and gothic pointed arch windows with tracery also maintain their original design.

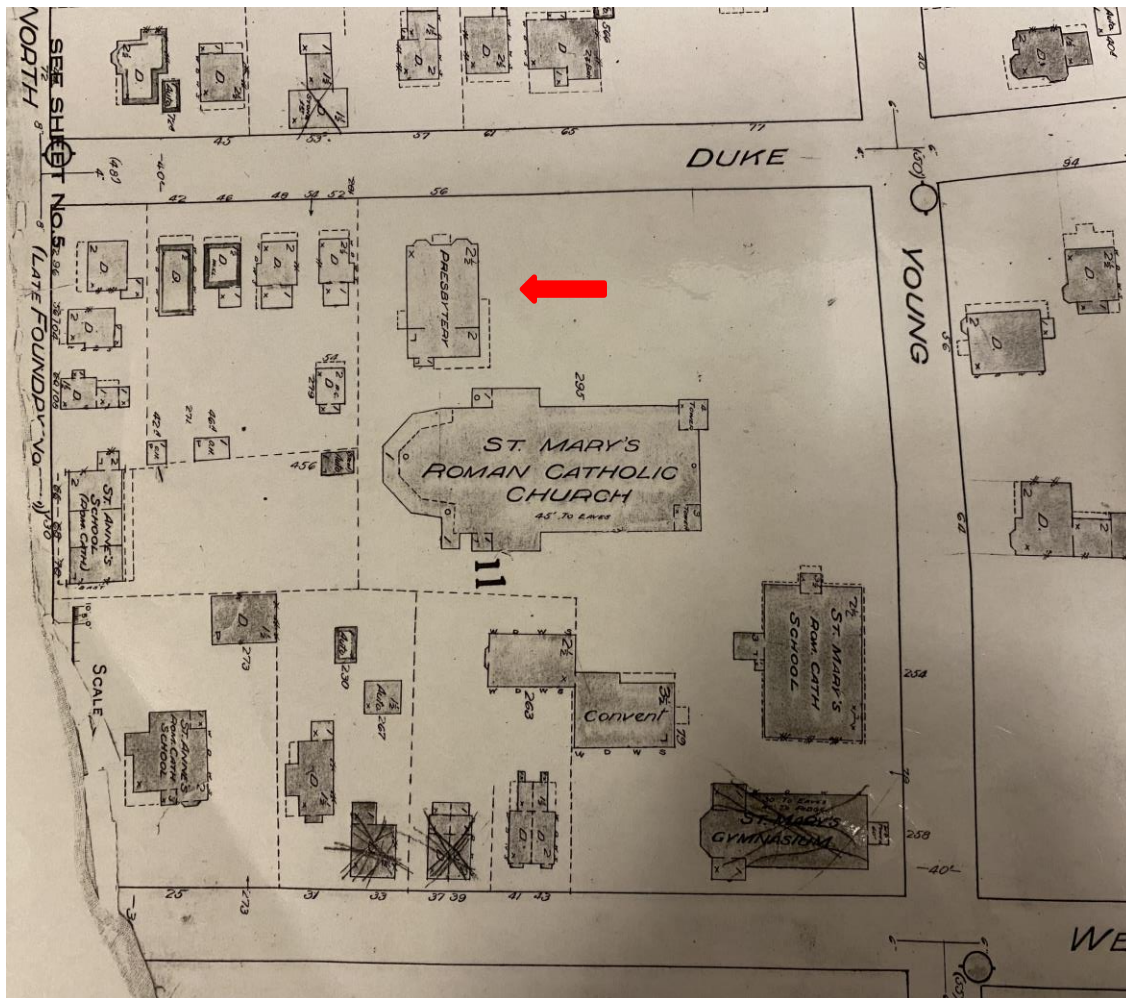


Figure 3. 1924 Fire Insurance Maps showing the Presbytery.

Historic/Associative Value

The historic and associative values relate to the original owner and use of the property and buildings and the contribution they made to the history of Berlin (now Kitchener). The original owner of the property was St. Mary's Roman Catholic Church and the original use of the property was a presbytery. The building also has associative value for being designed by Charles Knechtel, a prominent architect in Berlin (now Kitchener) for more than 40 years.

Charles Knechtel was a prominent architect in the Region of Waterloo at the turn of the 20th century, having worked on more than 100 buildings including commercial offices, factories, and private residences as far away as Galt.

Contextual Value

The contextual value of 56 Duke Street West relates to the physical, historical, functional and visual links to the building's surroundings. The building is located on the block bounded by Duke Street West, Young Street, Weber Street West and Ontario Street, and is related to the St. Mary's Roman Catholic Church.

Heritage Attributes

The heritage attributes of 56 Duke Street West resides in the following heritage attributes:

- All elements related to the construction and architectural style of the building, including:
 - The location, massing and scale of the building;
 - all elevations of the building;
 - The roofline, including wall dormers;
 - red brick construction;
 - paired two storey projecting bays on front elevation;
 - all windows openings and decorative details, including:
 - flattened gothic arch windows;
 - segmental window openings with false wood shaping;
 - gothic pointed arch windows with tracery;
 - round windows with quatrefoils;
 - dentils on the dropped cornice; and,
 - all door openings, including transom and sidelights
- All elements related to the contextual value of the building;
 - The original location of the building on Duke Street West and its contribution to the Duke Street West Streetscape.

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 January 16, 2024.

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*
- Municipal Heritage Register Review Project – April 2024 Update (DSD-2024-131)

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

ATTACHMENTS:

Attachment A – Updated Statement of Significance for 56 Duke Street West