

David and Nancy Ashley

November 8, 2024

City of Kitchener
200 King Street West
City Hall, Council Chambers 2nd Floor
Kitchener, ON, N2G 4G7

Attention of City Council

Subject: 115 Lancaster Street East/58-60 Ellen

(slide both properties)

Good evening and thank-you. The Applicant is requesting permission to add a three story addition to the existing six-plex thereby doubling it's size to eleven units. This property is of special interest to the City and is defined by the City as a "gateway property" to the Civic Centre Heritage District (CCHD). Because properties in the CCHD are governed by the Heritage Act changes to the exterior must comply with Civic Centre Heritage District Conservation Plan (CCHDCP). This plan was drafted by the Heritage Committee, registered with the province and submitted into by-law. They are in part as follows: (slides CCHDCP) (click)

CCHDCP 3.3.2. (a) "Minor exterior alterations and additions to single detached dwellings shall be permitted provided such alterations are not within any front or side yard (Section 131.2.1 of the Municipal Plan)."

CCHDCP 3.3.2 (d) "Additions shall be subordinate to the original structure." (click)

CCHDCP 6.5.1 "Additions should be located away from principal facade(s) of heritage properties, preferably at the rear of the building (click) (slide Lancaster facade)

When asked whether he would be doubling the size of the existing building the applicant's architect stated that the addition would be only one-third that of the original building. I believe this statement was inaccurate. I believe the original structure and additon to be closer to 2500 square feet each.

In the architects own original Heritage Impact Assessment "heritage properties are identified as either A or B (very fine and fine)". The City in it's own HIA claims that this entire property is designated A however this is incorrect. It is only 115 Lancaster, the front facade which is identified as A (very fine). (click) (Slide Ellen Street facade)

On the Ellen Street facade the City has allowed previous owners to pave over the yard to accommodate parking across the entire perimeter. As well they have allowed infill in the form of an addition to close in the north-west corner which was inconsistent with the footprint of the house.

On several occasions over the past years I have expressed my concerns through email and again at the Committee of Adjustments meeting.

Minor variances were requested as follows::

- a **front yard setback** 0m rather than the required 3m,
- easterly side yard setback** of 3.5m rather than the required 4.5m
- rear yard set back** of 4m rather than the required 7.5m.

These variances were obtained with the understanding that the southerly side facade facing Frederick was in fact the front facade. This would then default the northerly side yard to be a rear yard. Despite all these inconsistencies as well as a petition from immediate neighbours the variances were approved.

(click) (Slide Site Plan) The city has later gone on to create a new site plan with the old variances. According to Deeksha this is now a “rear interior side yard” addition and I am told what is an interior side lot line is now a “rear interior side lot line”. There is no such thing.

At the meeting for Heritage Application the architect has himself stated, “there is no rear yard” and yet with no rear yard and without knowing the actual square footage, approval was given for a 2500 square foot hardy board addition with vinyl windows which comes fifteen feet into the front yard and on top of it all it is being added to the “very fine” facade known as Lancaster. This is nothing more than a City backed renovation further permitting the destruction of a heritage building.

References

https://www.kitchener.ca/en/resourcesGeneral/Documents/DSD_PLAN_Heritage_Plan_Civic_Centre.pdf

[Municipal tax grants for heritage properties | ontario.ca](http://Municipal_tax_grants_for_heritage_properties|ontario.ca)

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