

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: January 7, 2025

SUBMITTED BY: Garett Stevenson, Director of Development and Housing Approvals,
519-783-8922

PREPARED BY: Jessica Vieira, Heritage Planner, 519-783-8924

WARD(S) INVOLVED: Ward(s)

DATE OF REPORT: December 6, 2024

REPORT NO.: DSD-2025-013

SUBJECT: Notice of Intention to Designate 69 Agnes Street 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 69 Agnes Street 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 69 Agnes Street 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 November 5, 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 69 Agnes Street be recognized, and designation pursued.
- The key finding of this report is that the property municipally addressed as 69 Agnes Street 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 owners dated May 23, 2023 and November 6, 2024, 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:

69 Agnes Street is a two-storey institutional building constructed in the Art Deco architectural style. The building is situated on an irregularly shaped 1.15 acre parcel of land located on the east side of Agnes Street between Dominion Street and Park Street in the Cherry Hill 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.

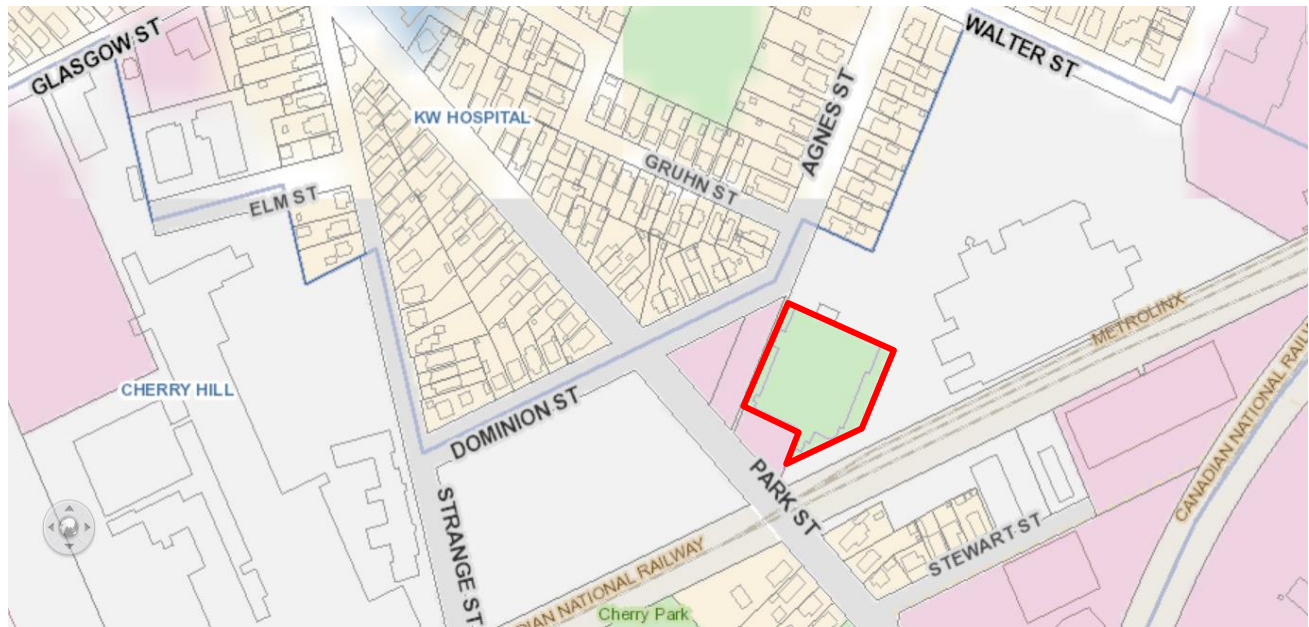


Figure 1: Location Map of Subject Property

A full assessment of 69 Agnes Street 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 November 5th, 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 69 Agnes Street 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*. Bill 200, the *Homeowners Protection Act, 2024*, extended the time municipalities have to designate properties listed on their municipal heritage registers until January 1, 2027. 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 in November 2024 were contacted via a second letter dated November 6th, 2024, and invited to contact the City's Heritage Planner with any comments, questions, or concerns. No response was received to either letter.

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.

69 Agnes Avenue is recognized for its design/physical, historical/associative, and contextual values. It satisfies five 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.	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.	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.	No
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



Figure 2: Front Façade of Subject Property



Figure 3: Close-up of Northern Section of Front Façade



Figure 4: Close up of Central Section of Front Façade

Design/Physical Value

The design value of the subject property relates to the architecture of the institutional building, specifically the red brick portion constructed in 1927 with some alterations that have occurred over a period of years. 69 Agnes Street is an example of the Vernacular architectural style with Art Deco influences. The building is in good condition and features: a two storey building with an asymmetrical composition; red brick construction; exposed concrete foundation, central two storey tower and smaller tower near south end of front façade; concrete banding below the parapet with concrete motifs; 4/4 and 1/1 windows arranged in groups of two, three, four, seven and eight with concrete sills; the north entrance features a one-storey glazed entranceway with terrazzo floor; and, the south entrance features an unclosed entranceway with roof. The influences of the Art Deco style can be seen in the streamline design of the building, repetition of elements, and the use of geometrical shapes broken up by ornamental motifs.

Front Façade

The front façade of the building is asymmetrical in its design and massing, though many of the architectural features make use of symmetry and repetition. There are two projecting towers which vertically divide the building into three major sections; the first section is north of the first tower, the central section is between the two towers, and the third section is to the south of the second tower.

The northern end section can be further divided vertically into five parts. The first four are comprised 4/4 and 1/1 windows arranged into groups of three or four, with the ground floor windows having concrete sills and being separated from the second-storey windows by

decorative panels above. There is a parapet with two concrete motifs and concrete banding, and the roofline is flat and staggered. A one-storey glass vestibule projects out from the northern end sections and abuts the first tower. Above the glass vestibule there is a group of seven windows with a concrete sill.

The first tower is greater in height than the adjacent sections, with a flat concrete roof. It contains a group of three-by-three 1/1 windows, the bottom row is capped by a concrete sill, and the top row is crowned with vertical cladding.

The central recessed section can be vertically divided into six parts, five of which are comprised of groups of three 4/4 and 1/1 windows. As with the northern end section, the ground floor windows have concrete sills and there are decorative panels underneath the second-floor windows. The parapet in this section possesses the same concrete banding and one concrete motif, and the roofline again has some variation in its height. There is a one-storey brick addition that abuts the first tower, and it contains two groups of two 1/1 windows with concrete sills on the front and one group of two 1/1 windows on the side.

The second tower is similar in appearance to the first, possessing the same grouping of three-by-three 1/1 windows with the bottom row having a concrete sill. The second tower lacks the vertical cladding that can be found in the first tower and contains one window of glass blocks on the ground floor.

The southern end section of the 1927 portion of the building contains a covered entranceway with a flat roof on the ground floor, and a single group of eight windows with concrete sill on the second. The parapet contains the concrete banding but no additional motifs.

Modifications

The two towers, as well as the vestibule, 1-storey ground floor addition, and roof over the second entrance do not appear to be original to the building but instead were added on sometime after the 1955 fire. Exact construction dates for these components are unknown, though a building map from 1976 shows they were present. The additions utilize the same red brick and similar groupings of windows, making them compatible with the design of the original building. Other modifications include alterations to some windows, and the removal of a third central entranceway, the removal of the "Granite Club" sign that was embedded into the parapet, and changes to the decorative panels on the front façade.

Historical/Associative Value

The subject property has historic and associative value due to the original landowner and historic tenants as well as its association with the sport of curling and badminton with the Region. It also has the potential to contribute to an understanding of the development and progression of sports and sport associations / clubs within Kitchener and Waterloo.

The sport of curling has a long history within Kitchener, with the first games being played on a rink at the corner of Gaukel and Charles Street in the early 1880's. After an initial joint venture between curling clubs from Waterloo and Kitchener failed in the mid 1920's, the Athletic Association of Kitchener and Waterloo was incorporated on August 20th, 1927. They purchased the site on Agnes Street from Kaufman Rubber Co. Ontario Ltd. in September 1927 for \$2, 500. Three additional land purchases were made by the group

over the next several years to form the current holdings. The original building that was constructed on the land contained five curling ices, a dining room and kitchen, a board room, locker room, furnace room, ice equipment room, and was reported to have cost over \$32,000. The K-W Granite Club official opened its doors on December 30th, 1927. In 1928 the first addition – a one-storey wooden structure – was added to the south side of the building. The addition houses more changing rooms, toilet facilities, and an expanded kitchen.

In 1931 another addition was added to accommodate the badminton club. This addition provided five badminton courts, a lounge, and locker rooms and later a dining room. The sport of badminton dates to the 1920's in Kitchener, with the first reported game being played in the Kitchener Park Pavilion. The Granite Badminton Club was officially established in 1931, after two years of discussion with the Athletic Association of Kitchener and Waterloo. Though the badminton club experienced some difficulties with funding over the years, it was only ever formally closed once for a period of time during the Second World War. In 2023, the Granite Badminton assumed ownership of 69 Agnes Street, purchasing the building the club had operated out of for over 80 years.

Both the curling section and badminton section of the club has played host to provincial, national, and world competition, and have boasted members who won titles at national championships. Canadian badminton championships were held at the club in 1957 and 1966, while the curling section has hosted numerous provincial championships as well as national events (the Brier 1962 and 1989, the Canadian Mixed 1969 and 1975, World Junior Championship 1980). As such the building is associated with the history of both sports at both a national and international scale.

On May 8, 1955, a fire broke out which destroyed a large portion of the 69 Agnes, gutting the badminton section and causing damage to the north-east corner of the curling section. 44 days after this disaster, plans were approved for the rebuilding process.

69 Agnes Street has additional cultural heritage value due to the architect of the original building, the contractor who constructed the original building, and the architect of the major renovation that occurred after the fire in 1955.

The original 1927 structure and the additions that were added between 1928 and 1952 were designed by Bernal Ambrose Jones. A native of Toronto, Jones moved to Kitchener in 1922 where he worked with Kitchener local and architect William Herbert Eugene Schmalz, establishing the firm of Schmalz & Jones Architects. It is likely the two met during their time at the Toronto firm of Darling & Pearson, where Jones worked as a draftsman and Schmalz served an apprenticeship. Their first notable work together was the 1923 Beaux-Arts Kitchener City Hall, later demolished in 1973 except for the clock tower and cupola, which stand in Victoria Park as of the date of 2024. In 1926 Schmalz & Jones Architects was disbanded and Jones commenced work under his own name. He is responsible for the design of several important or prominent buildings within Kitchener, including the 1932 Public Utilities Building (former), Church of the Good Shepherd, Olivet Evangelical United Brethren Church (now the Rockway Mennonite Church), St. John's Roman Catholic Church, and St. Mark's Lutheran Church. He was also greatly involved in the undertaking of a building programme for Freeport Hospital, initiated by the Board of Directors of the Waterloo County Health Association which was incorporated in 1920 to

manage and operate the sanatorium. He provided his architectural services to the Board, and designed the main treatment building (1929-1930), portions of the Nurses Residence (1933, 1940), and the new Medical Superintendent Residence (1938-1939).

The 1927 was built by the Dunker Brothers (William, Albert, and Frederick), who inherited the Dunker Construction company (established 1887) from their father Henry Dunker. Dunker Construction was a well known and respected local building company that was in operation until 1974. The company was responsible for the construction or alteration of several notable buildings within Kitchener, including Berlins #2 Fire Hall (1913), alterations to the Kitchener Auditorium (1927-28), the Registry Theatre (1938-39), and the first K-W Rotary Crippled Childrens Centre on King Street (1957-58). Dunker Construction also aided in the advancement of construction machinery within the area – the 1937 Dunker Steam Shovel was used to excavate the million-gallon reservoir for the Kitchener Water Commission at Lakeside Park. This was the former Shoemaker Pumping Station (now Greenbrook Pumping Station in 2024), which was the first water pumping station in Kitchener. In addition to operating Dunker Construction, the brothers were active participants in the community. William Dunker, president of Dunker Construction, also served on the Kitchener Planning Board and Kitchener Relief Board. His brother Albert, president of Dunker Investments Ltd and Chairman of the Board of Directions for Dunker Construction, was Chairman of the Kitchener Water Commission for 18 years, and a member for over 26.

The rebuilding of 69 Agnes Street after the 1955 fire was overseen by the local architecture firm of Jenkins and Wright. Established in 1945, Jenkins and Wright are known for work such as the 1952 restoration of 'Woodside', the home on William Lyon Mackenzie King located on Welling Street North within the City, as well as the Memorial Auditorium.

Contextual Value

69 Agnes Street is physically, visually, historically, and functionally linked to its surrounding. The building remains in-situ and maintains its original institutional use as a recreational complex, though in 2023 it was purchased by the K-W Badminton Club. The K-W Badminton Club had leased space from and operated within the building for over 80 years.

Social Value

69 Agnes Street has social value to the surrounding community as well as the City of Kitchener and Region of Waterloo as a whole. Recreational facilities such as 69 Agnes Street provides a space that supports better mental and physical health, as it enables social interactions to occur and connections to be built. It also provides opportunities for different fitness activities.

Heritage Attributes

The heritage value of 69 Agnes Street resides in the following attributes:

- All elements related to the Art Deco architectural style, including:
 - two storey asymmetrical massing and composition;
 - red brick construction;

- central two-storey tower and smaller tower near south end of front façade;
 - concrete banding below the parapet with concrete motifs;
 - fenestration pattern and window openings with concrete sills;
 - decorative paneling between the first and second storey windows;
 - the appearance of 4/4 multi-pane and/or single-hung windows
 - the north entrance featuring a one-storey glazed entranceway with terrazzo floor; and,
 - the south entrance featuring an unclosed entranceway with roof.
- All elements related to the contextual value, including:
 - Location and orientation of the buildings along Agnes Street.

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 November 6th, 2024. As discussed in the Background section of this report, no response from the Owner was received.

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, 2027, after which it will be removed according to the changes enacted by Bill 23 and Bill 200. Once removed, it cannot be re-listed on the Register again for five (5) years, i.e. January 1, 2032.

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act, 2022*
- Municipal Heritage Register Review – November 2024 Update (DSD-2024-444)

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

ATTACHMENTS: Attachment A – Statement of Significance for 69 Agnes Street.