

REPORT TO: Heritage Kitchener

DATE OF MEETING: August 5, 2025

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

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

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: June 30, 2025

REPORT NO.: DSD-2025-324

SUBJECT: Heritage Permit Applications HPA-2025-V-00 & HPA-2025-V-00
11 Roy Street & 68 Queen Street North
Demolition of Two Single-Detached Buildings

RECOMMENDATION:

THAT pursuant to Section 42 of the *Ontario Heritage Act*, Heritage Permit Application HPA-2025-V-015 to permit the demolition of the single-detached building located on the property municipally addressed as 11 Roy Street be refused; and further

THAT pursuant to Section 42 of the *Ontario Heritage Act*, Heritage Permit Application HPA-2025-V-016 to permit the demolition of the single-detached building located on the property municipally addressed as 68 Queen Street North be refused.

REPORT HIGHLIGHTS:

- The purpose of this report is to recommend refusal of the proposed demolition of two designated heritage resources located within the Civic Centre Neighbourhood Heritage Conservation District, identified as Group A and Group B buildings. The two resources are municipally addressed as 11 Roy Street and 68 Queen Street North.
- The key finding of this report is that while redevelopment could be feasible on the subject land, from a heritage perspective there are issues with specifics of this development proposal. The proposed demolition will result in harmful and permanent impacts to two protected heritage resources, the surrounding streetscapes, and the overall Civic Centre Neighbourhood Heritage Conservation District as a whole. There is no demonstration within the submitted heritage permit application and supporting material that the proposal is consistent with any heritage planning policy framework, including the Heritage Ontario Act, Planning Act, Provincial Policy Statement, Kitchener Official Plan, or Civic Centre Neighbourhood Heritage Conservation District Plan. A comprehensive breadth of appropriate mitigation measures is not identified within the proposal to mitigate negative impacts.

- There are no financial implications associated with this report.
- Community engagement included consultation with the applicants and their retained architect and heritage professionals, as well as consultation with the Heritage Kitchener Committee.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

Heritage Permit Application HPA-2025-V-015 and HPA-2025-V-16 proposes the complete demolition of two protected heritage structures municipally addressed as 11 Roy Street and 68 Queen Street North. Both buildings are designated under Part V of the *Ontario Heritage Act*, being located within the Civic Centre Neighbourhood Heritage Conservation District and identified within the Civic Centre Neighbourhood Heritage Conservation District Plan as a Group B building and Group A building, respectively. The demolitions are being proposed in advance of a conceptual future redevelopment that includes some supportive housing units that has not received any planning or building approvals. The proposed demolition is not consistent with provincial and municipal policies, including the *Ontario Heritage Act*, *Planning Act*, Provincial Planning Statement, Kitchener Official Plan, and Civic Centre Neighbourhood Heritage Conservation District Plan, does not include full consideration of the adverse impacts that may occur, and does not consider sufficient mitigation measures. As such, Heritage Planning staff can not recommend approval of the submitted Heritage Permit Applications.

BACKGROUND:

The Development Services Department is in receipt of Heritage Permit Application HPA-2025-V-015 and HPA-2025-V-016 requesting permission to demolish the single-detached buildings located on a consolidated piece of land and municipally addressed as 11 Roy Street and 68 Queen Street North, respectively.

The subject lands are part of a consolidated parcel of land that also includes the property municipally addressed as 54 Queen Street North, commonly known as St. Andrew's Presbyterian Church. The whole parcel of land is approximately 1.4 acres in size and is bound by Weber Street West to the north, Queen Street North to the east, and Roy Street to the south (**Figure 1**). The parcel of land contains three individual structures – the three-storey place of worship (original buildings with additions), and the two single-detached former residential dwellings (one vacant and one used for office). The majority of the land is covered by asphalt parking, with minimal landscaping (**Figure 2** and **Figure 3**).

11 Roy Street is located on the south side of Roy Street, between Queen Street North and Young Street. It has been in the ownership of St. Andrews Presbyterian Church since 1982, when the estate was granted to its Trustees. 11 Roy Street has been vacant since 2018.

68 Queen Street North is a corner property located adjacent to 11 Roy Street, with frontage onto the south side of Roy Street and west side of Queen Street North. The property was transferred to St. Andrew's Presbyterian Church by its Board and Trustee's in 1989. 68 Queen Street North currently functions as an office space, with two law firms – Maple Cameron Law and Harper Shelly Law – leasing the space from St. Andrew's Presbyterian Church.



Figure 1: Location Map with Subject Parcel of Land Outlined in Red.



Figure 2: Aerial View of Subject Parcel of Land Showing Existing Conditions of Site. Buildings Proposed for Demolition Identified by Dashed Line.



Figure 3: Asphalt Parking on the Parcel of Land

The parcel of land is designated as Strategic Growth Area A within the City of Kitchener Official Plan and is located just outside the boundary of the Urban Growth Centre. It is within a Protected Major Transit Station Area (PMTSA). It is zoned as Strategic Growth Area 2 (SGA-2) under Zoning By-law 2019-051. Within the Civic Centre District Heritage Conservation District Plan, it holds split designation, with the majority of the lands including the portion the Church is on being designated Community Institutional and the portions that 11 Roy Street and 68 Queen Street are on being designated Medium Density Commercial Residential.

Heritage Value

Both 11 Roy Street and 68 Queen Street North are designated under Part V of the *Ontario Heritage Act*, being located within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD).

The CCNHCD is an important historical residential neighbourhood with links to several key periods in the development of the City of Kitchener. There is a significant concentration of recognizable architectural styles and features within the buildings of the CCNHCD, and many are associated with historically important industrialists and community leaders. As a result of both the built environment and the landscape within the CCNHCD, it possesses a

distinct character. Per the CCNHCD Plan, key heritage attributes of the district include a wealth of well maintained, finely detailed buildings from the late 1800s and early 1900s that are largely intact; a number of unique buildings, including churches and commercial buildings, which provide distinctive landmarks within and at the edges of the District; and a significant range of recognizable architectural styles and features including attic gable roofs, decorative trim, brick construction, porches and other details, associated with the era in which they were developed.

It should also be noted that, per the 2014 Kitchener Cultural Heritage Landscape Study approved by Council in 2015, the Civic Centre Neighbourhood HCD is also identified as a cultural heritage landscape.

The CCNHCD Plan categorizes the building stock of the CCNHCD into four different groups depending on their built form, physical condition, and heritage integrity. The Groups range from A, being the highest group, to D, being those properties which are not recognizable or distinct architectural styles, do not exhibit standards of construction prevalent during the development era of the district, are in poor condition, and which may not contribute significantly to the heritage environment of the CCNHCD overall. 11 Roy is identified as being a Group B building, meaning it is a fine example of a defined architectural style. 68 Queen Street North is identified as being a Group A building, meaning it is a very fine example of a defined architectural style.

The first subject property (11 Roy Street) is a one-and-a-half storey single detached dwelling, constructed as a residential home in the Berlin vernacular style with craftsman influences. These influences can be seen in elements such as the medium-pitch side-gabled roof with wide eave overhangs, full-width porch with doubled and tripled square porch columns, brick piers and shingle-clad balustrade, the grouped windows, and the shingled gable ends. In addition, the property is associated with the St. Andrew's Presbyterian Church, specifically the community outreach services which the Church provides. 11 Roy Street had for several years operated as the SOLO House, used first for a Vietnamese refugee family and then later the Family and Children's Services of Waterloo Region. Finally, the property possesses contextual value given that it is located in situ, maintains its historical, physical, and visual links to its surroundings, and continues to support the character of both the Roy Street streetscape and the Civic Centre Neighbourhood HCD as a whole.



Figure 4: Photograph of Front Façade of 11 Roy Street.



Figure 5: Photographs of East and West Side Façades of 11 Roy Street.

The second subject property (68 Queen Street North) is a two-and-a-half-storey single-detached dwelling, constructed as a residential home in the Classic Revival architectural style. This can be seen in proportioning and balance of the massing of the building as well as its front facing gable, repetitive fenestration with large windows, and the inclusion of classical elements like the dentils around the roofline and the portico with doric columns flanking the front entrance. The building may have been designed by W.H.E Schmalz, a prolific local architect. Notable works he completed include the 1922 Kitchener City Hall (in conjunction with B.A. Jones through their firm Schmalz & Jones, dissolved in 1926), the fourth office of the Economical Mutual Fire Insurance Company at 16-20 Queen Street North (in conjunction with Charles Knechtel), the War Memorial Cenotaph, alterations to the Waterloo County Gaol, and several churches which remain at the time of this report in 2024. Through his work Schmalz contributed to the existing appearance of Kitchener's built landscape. In addition to his prolific architectural career, W.H.E.Schmalz was an engaged citizen who served with distinction on the board of many local community groups and held much interest in the City's history and development. Finally, the property possesses contextual value given that it is located in situ, maintains its historical, physical, and visual links to its surroundings, and continues to support the character of both the Queen Street North and Roy Street streetscape and the Civic Centre Neighbourhood HCD overall.

Section 6.7.1 of the CCNHCD Plan (Case Studies) identifies 68 Queen Street North as a preferred example of a commercial building conversion, where the exterior has been preserved and maintained or reasonable alterations and additions to the rear have been completed so the building may largely retain its original appearance and continue to contribute to the character of the street.



Figure 6: Photograph of Front Facade of 68 Queen Street North.



Figure 7: Photographs of North and South Side Façades of 68 Queen Street North.

Process

Heritage Planning staff were contacted on September 20th, 2023 by Facet Design (Steve Burrows Architect) on behalf of St. Andrew's Presbyterian inquiring about demolition of 11 Roy Street. Heritage Planning staff indicated that the property was designated under Part V of the *Ontario Heritage Act* and that they would not be in support of demolition. Retention and integration of the existing structure into any potential redevelopment plans was strongly encouraged. Further conversations with Heritage Planning staff and other City staff regarding demolition occurred over the remainder of 2023 and into 2024.

On behalf of the Owners, MHBC Planning submitted the heritage permit applications to the City on May 2nd, 2025. The applications to demolish the heritage buildings were made under Section 42 of the *Ontario Heritage Act*, as they are Part V Designated. A Heritage Impact Assessment dated May 2nd, 2025, and prepared by MHBC Planning, formed part of the submission. Heritage Planning staff reviewed the application and provided comments related to concerns for the overall application and the Heritage Impact Assessment (HIA) on June 2nd, 2025. A meeting with City staff, the applicant's heritage consultants and the applicant's retained architect was held on June 3rd, 2025. A revised HIA was submitted on June 24th, 2025. A Notice of Receipt for both heritage permit applications was issued on July 14, 2025.

REPORT:

Proposal

Heritage Permit Application HPA-2025-V-015 and Heritage Permit Application HPA-2025-V-016 are proposing the complete demolition of the two protected heritage resources located on the properties municipally addressed as 11 Roy Street and 68 Queen Street North, respectively.

The conceptual plan for the potential redevelopment is a 6-storey mixed-use building with some supportive housing units, intended to include units for multigeneration families with adult children with disabilities, as well as some affordable housing units. The majority of the conceptual building is proposed to front onto Roy Street, with some frontage along Queen Street North. A design for the new building has not been proposed which incorporates the existing heritage homes in this location through means such as enveloping or stilting or adaptive reuse. Enveloping and stilting requires careful architectural designs which accommodate existing structures. The first approach involves developing a new structure around an existing one with limited setbacks, while the second involves a new structure over an existing one using linear supporting elements such as columns, beams, or cantilevers. Adaptive reuse would involve repurposing the two existing structures in a way that could be complementary to the intended redevelopment – for example, constructing dwelling units in a new building behind and adjacent to the existing structures while using the spaces for the proposed amenity and creative uses.

[illegible]

Figure 8: Conceptual Site Plan of Possible Future Redevelopment.

Draft Heritage Impact Assessment

A Heritage Impact Assessment (HIA) dated May 2nd, 2025 and revised June 24th, 2025, has been prepared by retained heritage consultants from MHBC Planning. The purpose of this HIA was to assess the proposed demolition against existing policy frameworks, determine what impacts to known cultural heritage resources may occur as a result, identify the most appropriate approach and make recommendations towards mitigative measures.

The HIA concludes that the proposed demolition of 11 Roy Street and 68 Queen Street North will result in major impacts of destruction, minor impact of isolation of the heritage structure municipally addressed as 54 Queen Street North (St. Andrew's Church), and minor adverse impacts to the Roy Street and Queen Street North streetscapes. Some consideration was given to alternative development options, including retaining all existing built features in-situ and integrating into the development, removing just 11 Roy Street and integrating 68 Queen Street North into the development, and relocating 68 Queen Street North. The HIA identifies that none of these approaches are feasible due to financial cost. It does identify that all alternatives would result in better outcomes for cultural heritage resources. To mitigate some of the adverse impacts, the HIA suggests that a Salvage and Documentation Plan be prepared and that a Phase II HIA be completed to analyze the design of the proposed new building for impacts to adjacent heritage resources and conformity with the policies and guidelines of the CCNHCD Plan.

A Structural Assessment Report has not yet been completed for either of the buildings. The HIA submitted as part of the heritage permit applications package identifies that an appraisal report entitled "Hypothetical Short Narrative Appraisal of a Commercial Residential for 11 Roy Street, Kitchener, Ontario" was completed about seven years ago by Musso Appraisals & Consulting Inc for the first subject property, and that this report identified the building to be in average or dated condition with a complete renovation estimated to be between \$78,000-\$177,500. A copy of the assessment report has not been provided to City staff. Staff understand that no assessment has yet to be completed for 68 Queen Street North.

Heritage Planning Policy Framework

Ontario Heritage Act

The *Ontario Heritage Act* (OHA) is the legislation within Ontario which provides the province and municipalities tools and authority to identify, evaluate, and protect properties of cultural heritage value or interest, recognizing the significance of such site to our communities.

Section 41.1 (5) of the OHA establishes the required contents of a Heritage Conservation District Plan, identifying that it must include both a statement of the objectives to be achieved in designating the area as an HCD and policy statements intended to achieve the stated objectives and manage change within the HCD. Objectives of the CCNHCD Plan are identified in the section of this staff report titled *Civic Centre Neighbourhood Heritage Conservation District Plan.* Heritage Planning staff would note here however that said objectives speak against demolition.

Section 41.2 (1) of the OHA states that "*Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not, (a) carry out any public work in the district that is contrary to the objectives set out in*

the plan; or (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.”

It should also be noted that Section 41.2(2) states that, in the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict.

Section 42(1) of the OHA states that no owner of property situated within a heritage conservation district that has been designated by a municipality shall demolish or remove any building or structure on the property or permit the demolition or removal of a building or structure on the property.

The Planning Act

Section 2 of the Planning Act identifies matters of provincial interest to be considered by authorities during the land use planning process. Section 2(d) specifically includes the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest as being one such matter of provincial interest.

Section 3 of the Planning Act requires that decisions of Council “*subject to a regulation made under subsection (6.1), shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision*” and “*shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.*”

Provincial Planning Statement

The 2024 Provincial Planning Statement (PPS) provides policy direction within the province of Ontario on land use planning and development, addressing issues including but not limited to the efficient use and management of land and infrastructure, the provision of sufficient housing to meet changing needs, and conserving cultural heritage and archaeological resources. The PPS recognizes the complex inter-relationships among environmental, economic, and social factors in land use planning and is intended to provide a comprehensive, integrated, and long-term approach to planning which recognizes the links among the different policy areas.

Policy 4.6.1 the PPS states that “*Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*”. It defines protected heritage property as follows:

“Means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.”

Under the definition of the PPS, 11 Roy Street and 68 Queen Street North are considered protected heritage property. The PPS also provides the following definition of conserved:

“Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.”

Built heritage resources are defined as follows:

“Means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community.”

11 Roy Street and 68 Queen Street North meet the definition of built heritage resources. Per the first sentence of the definition of conserved, the cultural heritage value or interest of built heritage resources is to be retained. Demolition would not allow for retention of the cultural heritage value or interest of the two structures. It should also be noted that the HIA submitted as part of these heritage permit applications is in its draft stage.

The PPS recognizes and acknowledges Official Plans as being the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated, and long-term planning.

Kitchener Official Plan

The Kitchener Official Plan (KOP) provides the long-term vision for land use planning and development within the City. It includes policies for heritage conservation, identifying the importance of cultural heritage resources to Kitchener. Some objectives within the KOP which relate to heritage conservation are as follows:

- 11.1.3. *To create a built environment of human scale that respects and enhances cultural heritage resources, natural heritage features, community character and streetscape.*
- 12.1.1. *To conserve the city’s cultural heritage resources through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained.*
- 12.1.2. *To ensure that all development or redevelopment and site alteration is sensitive to and respects cultural heritage resources and that cultural heritage resources are conserved.*

Section 11 of the KOP includes policies which require new developments to be designed in a manner which conserves cultural heritage landscapes. As identified in the section of this staff report titled **Heritage Value**, the subject land is located within the Civic Centre Neighbourhood Heritage Conservation District Cultural Heritage Landscape.

- *11.C.1.35. New development or redevelopment in a cultural heritage landscape will: a) Support, maintain and enhance the major characteristics and attributes of the cultural heritage landscape further defined in the City's 2014 City of Kitchener Cultural Heritage Landscapes; b) Support the adaptive reuse of existing buildings; c) Be compatible with the existing neighbourhood, including but not limited to the streetscape and the built form; and, d) Respond to the design, massing and materials of the adjacent and surrounding buildings.*

Section 12 of the KOP is concentrated on cultural heritage resources. The following cultural heritage policies should be noted.

- *12.C.1.1. The City will ensure that cultural heritage resources are conserved using the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremation Services Act and the Municipal Act.*
- *12.C.1.16. It is the intent that the features which give the area its distinctive character and contribute to the area's merit as a Heritage Conservation District will be conserved through the adoption by by-law of a Heritage Conservation District Plan.*
- *12.C.1.20. The City will make decisions with respect to cultural heritage resources that are consistent with the policies of the Provincial Policy Statement, which require the conservation of significant cultural heritage resources. In addition, such decisions will be consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.*
- *12.C.1.21. All development, redevelopment and site alteration permitted by the land use designations and other policies of this Plan will conserve Kitchener's significant cultural heritage resources. The conservation of significant cultural heritage resources will be a requirement and/or condition in the processing and approval of applications submitted under the Planning Act.*

Within the KOP, conserved is defined as *the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a heritage conservation plan, archeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.* This definition does not include consideration of demolition.

As the subject land is within a Strategic Growth Area and a Protected Major Transit Station Area, the objectives and policies of Section 15 of the KOP also apply. Of particular note is the following.

- *15.2.6. To conserve our cultural heritage resources and ensure new development and redevelopment is sensitive to, enhances and reflects our past.*
- *15.D.2.8. In a Heritage Conservation District, where there is a conflict between the policies in this land use designation and the Heritage Conservation District Plan, the Heritage Conservation District Plan will prevail.*

- *15.D.2.29. All development or redevelopment will embrace, celebrate and conserve the Cultural Heritage Resources in the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas, and will be subject to the Cultural Heritage Resources Policies in Section 12 and subject to any other supporting documents, adopted by Council, including Heritage Conservation District Plans.*

Civic Centre Neighbourhood Heritage Conservation District Plan

The Civic Centre Neighbourhood Heritage Conservation District Plan (CCNHCD Plan) came into effect in 2008 through By-law No. 2008-38. It contains policies and guidelines intended to manage change within the CCNHCD, including demolitions.

Sections 3.1 and 3.2 of the CCNHCD Plan lay out the goals, objectives, and principals of the CCNHCD as a whole. These are the foundational components which inform the policies and guidelines within it, and which demonstrate that the value of the heritage conservation district lies not just in its individual parts but in the sum of its entirety. Relevant goals and principles are as follows:

- *Recognize, protect, enhance and appreciate the Civic Centre Neighbourhood's cultural heritage resources, including buildings, landscapes and historical connections, and value their contribution to the community by (...) encouraging the retention, conservation and adaptation of the District's heritage buildings and attributes, as described in the Study and Plan, rather than their demolition and replacement; providing guidance for change so that the essential architectural and streetscape character of the District is maintained and, wherever possible, enhanced.*
- *Avoid the destruction and/or inappropriate alteration of the existing building stock, materials and details by (...) strongly discouraging the demolition of heritage buildings and the removal or alteration of distinctive architectural details.*
- *Maintain and Repair - All buildings require some continuous methods of conservation as they are exposed to the constant deteriorating effects of weather and wear from use. Owners are encouraged to undertake appropriate repair and maintenance activities of heritage properties. Plans for alterations and restoration should also consider the amount and type of maintenance that will be required.*
- *Find a Viable Social or Economic Use - Buildings that are vacant or under-utilized come to be perceived as undeserving of care and maintenance regardless of architectural or historic merit. City Council and staff should actively encourage and support appropriate forms of adaptive reuse when necessary to preserve heritage properties.*

Section 3.3.4 of CCNHCD Plan speaks specifically to demolition within the HCD. It acknowledges that there are certain situations where demolition may be necessary, such as when partial destruction of a resource has occurred due to a catastrophic event, severe structural instability, or occasionally redevelopment that is in keeping with appropriate City policies. It also lays out the following policies.


- *(a) The demolition of heritage buildings in the District is strongly discouraged.*




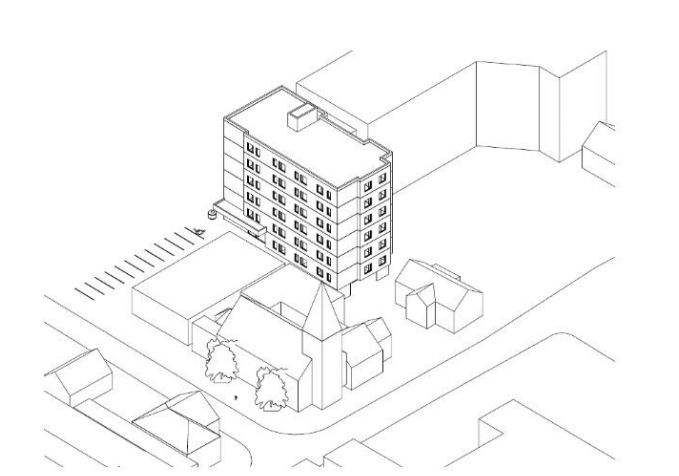
- (b) Any proposal to demolish a heritage building or portion of a heritage building that is visible from the street or other public space within the District shall require a heritage permit from the municipality.
- (c) Where demolition of a heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition.
- (d) In situations where demolition is approved by Council, written and / or photographic documentation of any notable architectural features and construction techniques may be required to create a record of the building and its components.
- (e) Reclamation of suitable building materials such as windows, doors, moldings, columns, bricks, etc. for potential reuse in a new building on the site or as replacement components for other buildings in the neighbourhood which require repair and restoration over time is strongly encouraged if demolition is approved for any heritage buildings in the District.

Heritage Conservation and Affordable Housing

It is understood that the conceptual future development is intended to include supportive dwelling units for families with adult-children with disabilities, and will include some affordable housing. Heritage planning staff are not in objection to the proposed use of the redevelopment, and heritage policies do not regulate use. Objection stems from the conceptual design of the redevelopment, which has been created in a manner that proposes demolition of protected heritage resources.

There are several examples of affordable housing developments that have been undertaken while also appropriately conserving heritage resources within the City of Kitchener alone.

Photograph	Address	Details
	307 Queen Street South, Kitchener (Bread and Roses Co-Operative Homes)	<ul style="list-style-type: none"> • Part IV Designated • 66 affordable units (21 in retained heritage building)

	<p>25 Joseph Street (Historic Victoria Public School)</p>	<ul style="list-style-type: none"> • Part IV Designated • 100 subsidized units
	<p>35 & 40 Sheldon Avenue North (oneROOF Youth Services)</p>	<ul style="list-style-type: none"> • Part IV Designated • 44 affordable units • Approved 2021
	<p>825 King Street West (St Mark's Place)</p>	<ul style="list-style-type: none"> • Heritage Kitchener Inventory • 43 affordable units • Approved 2021
	<p>137 Queen Street South / 15 Church Street (Historic St. Pauls)</p>	<ul style="list-style-type: none"> • Part V Designated • 21 affordable units • Conditional approval 2023

	49 Queen Street North (St. Peters Church – Magnolia Apartments)	<ul style="list-style-type: none"> • Listed on Municipal Heritage Register • 41 affordable units • Approved 2023
	97 Victoria Street North	<ul style="list-style-type: none"> • Part IV Designated • 44 affordable units • Approved 2024

There are further examples within the City of Kitchener where heritage resources have been retained, incorporated, and adaptively re-used in new housing developments of various scales, from additions which add a modest number of new units to large developments.

Heritage Planning Comments

Heritage Planning staff are not in support of Heritage Permit Application HPA-2025-V-015 to demolish the designated structure on 11 Roy Street. Heritage Planning staff are not in support of Heritage Permit Application HPA-2025-V-016 to demolish the designated heritage resource on 68 Queen Street North. In review the two applications, the following should be noted.

- All applicable provincial and municipal policies require the conservation of heritage properties. This includes the *Ontario Heritage Act*, the *Planning Act*, the Provincial Planning Statement, the Kitchener Official Plan, and the Civic Centre Neighbourhood Heritage Conservation District Plan. This proposal to demolish 11 Roy Street and 68 Queen Street North will result in the irrevocable loss of designated heritage properties and is not consistent with such policies.
- The protection of the CCNHCD's building stock, and avoidance of destruction, are express objectives of the CCNHCD Plan. The policies of the CCNHCD Plan aim to achieve these objectives, which is a statutory requirement identified by the OHA. In this case, Heritage Planning staff are of the opinion that the proposed demolition intended to facilitate a redevelopment directly contravenes stated objectives and policies, does not treat conservation as a guiding and directive principle, and fails to demonstrate an integrated approach to design and execution as required by the heritage planning framework.

- Supported demolition of contributing properties are limited by specific parameters set out in the CCNHCD Plan. At the time of this report, Heritage Planning staff are of the opinion that these parameters do not apply to the two subject properties.
- Further, it is the opinion of Heritage Planning staff that supporting documentation demonstrating appropriate reasoning for demolition has not been provided, as required by Policy 3.3.4 (c) of the CCNHCD Plan. Further commentary outlining staffs concerns with the supporting documentation is provided in additional points within this section of the report.
- Heritage Planning staff are of the opinion that a balance of heritage conservation and development interests can be achieved on the subject properties without the complete demolition of two protected resources. The purpose of heritage conservation is not to stall growth and development, but to manage it in such a way that our existing and limited heritage resources are protected at the same time. This means that, when developing with a heritage resource, more careful and creative design may be required then what is demanded by properties within the City that do not contain heritage resources.
- The proposed redevelopment proposal is not under any planning application and has not been approved. Staff have been working with the Applicant on the proposed redevelopment. Staff are also concerned about the potential loss of the existing heritage resources without a replacement building ever being constructed.
- Approval of the demolition of 11 Roy Street and 68 Queen Street North may set a precedent for further demolitions of contributing properties within the Civic Centre Neighbourhood Heritage Conservation District, or of other designated heritage buildings within the City. It may also set a precedent for demolition by neglect (11 Roy), where the intentional or unintentional deterioration of a building becomes a justification for demolition of a heritage resource. This may weaken the express intent and authority of the CCNHCD Plan and the City's broader heritage policy framework.
- Heritage conservation can be achieved at the same time as affordable housing development. Examples which balance both planning objectives are included in the section of this staff report titled ***Heritage Conservation and Affordable Housing***. Staff are willing to explore alternatives, zoning amendments or minor variances, off-site parking arrangement, and/or alternative design solutions to permit a redevelopment of a similar scale while retaining the existing built cultural heritage resources.
- A large portion of the consolidated parcel of land is asphalt parking lot. The conceptual plan proposes to locate a new 6-storey building where two of the three existing designated structures already stand, while maintaining much of the surface parking space.
- No evidence has been provided to the City that either 11 Roy Street or 68 Queen Street North are structurally unsound.
 - A site visit conducted from the street by City staff identified no major cracking or other notable damages on the exterior of 11 Roy Street. Some of the

shingles on the side gables may need to be replaced, and it is assumed that interior renovations and potentially new fixtures would be needed for the property to once again be habitable. The lower windows and the covered porch were boarded up sometime between 2020 and 2021.

- 68 Queen Street North appears to be in good condition and is being actively used as office space. A site visit conducted from the street by City staff identified no obvious cracks in the exterior, or other areas of damage or disrepair.
- The draft Heritage Impact Assessment submitted as part of the application does not explicitly recommend demolition. As such, no qualified heritage professional has identified being in support of these proposals.
- Heritage Planning staff are in agreement with the submitted draft Heritage Impact Assessment conclusion that the proposed demolitions, if approved and proceed, will result in major adverse impacts to 11 Roy Street and 68 Queen Street North.
- Heritage Planning staff are not in agreement with the submitted draft Heritage Impact Assessment conclusion that the demolition of 11 Roy Street and 68 Queen Street North will have only a minor adverse impact to Roy Street and Queen Street North streetscapes. Given that the demolitions will result in irreversible and permanent change and include the loss of original heritage fabric that composes part of the streetscapes, the impact will be at a minimum moderate.
 - The HIA states that the streetscape of Queen Street North is predominately institutional and identifies several buildings including the Kitchener Public Library and County of Waterloo Courthouse as examples. Both these buildings are located on the east side of Queen Street North and outside the boundaries of the Civic Centre Neighbourhood Heritage Conservation District. The east side of Queen Street is not included as part of the CCNHCD until north of Ellen Street East. Queen Street North, within the boundaries of the CCNHCD, contains a mix of building typologies including low-rise single-detached buildings originally constructed for residential purposes, a few modern high-rise apartment buildings, and another Place of Worship (church).
 - The HIA states that 11 Roy Street is sympathetic infill from 1923-1924, and as it does not date to the original period of construction for the streetscape its removal will result in only a minor impact. 48% of the buildings along Roy Street were constructed in the late 1800's. The remaining 52% were constructed in the early 1900's, in or around the same time as 11 Roy Street.
- In Heritage Planning staff opinion, the full extent of the adverse impact of destruction is not appropriately considered within the Heritage Impact Assessment. The HIA does not clearly provide commentary on the severity and irreversibility of the impact, the length of time in which the impact would persist (indefinitely), the range and spatial distribution of the impact (affecting both the immediate area and the CCNHCD overall), and the rate of change.

- Further to this concern, Heritage Planning staff would also note that the HIA does not include consideration of impacts to the Civic Centre Neighbourhood Heritage Conservation District as a whole. The contextual value and the significance of 11 Roy Street and 68 Queen Street North are not limited to only adjacent properties and two streetscapes. Rather, the buildings within are part of a collective whole which forms the Heritage Conservation District, and consideration is required of the impact to the grouping overall in addition to the singular components.
- Heritage Planning staff would also note that very little information or explanation has been provided in the HIA to justify why alternative development options would not be feasible, beyond statements referencing financial constraints.
- Our cultural heritage resources are a representation of Kitchener's collective past, and provides opportunities for understanding past events and trends, fostering a holist identity, and creating a distinct sense of place. Heritage conservation can further advance environmental objectives by conserving embodied carbon, reducing material consumption, and diverting waste from landfills. Economically our heritage resources are capable of stimulating commercial and tourism activities or creating specialized industries. There are numerous, recognizable benefits to protecting cultural heritage resources that go beyond the aesthetic value. As such, it should be emphasised that heritage conservation within the City of Kitchener is an important part of planning for both current and future generations.

Should Heritage Kitchener or Council wish to approve the demolition of either or both properties, it should be noted that the approval of an application under the *Ontario Heritage Act* is not a waiver of any of the provisions of any by-law of the City of Kitchener or legislation, including, but not limited to, the requirements of the Ontario Building Code and Kitchener's Zoning By-law. Redevelopment of the subject properties, including the design and construction of a new building, will require an additional Heritage Permit Application and the consent of Council under the Ontario Heritage Act. Heritage Planning staff are not opposed to exploring intensification options on the subject lands and would be in support of the proposed housing use. However, from a heritage perspective, intensification which demands demolition cannot be supported. Intensification options should retain and incorporate the buildings, with preference being first to maintaining them in-situ and second to relocating them on site. Flexibility or compromise on other planning aspects, such as height, parking, or built form, could be explored to achieve both retention and redevelopment.

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 council / committee meeting.

CONSULT – Heritage Kitchener will be consulted regarding the Heritage Permit Applications.

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act*, R.S.O 1990
- *Planning Act*, R.S.O 1990
- Provincial Planning Statement, 2024
- City of Kitchener Official Plan, 2014
- Civic Centre Neighbourhood Heritage Conservation District Plan, 2007

REVIEWED BY: Sandro Bassanese, Manager of Site Plan

APPROVED BY: Justin Readman, General Manager, Development Services

ATTACHMENTS:

Attachment A – Heritage Permit Application HPA-2025-V-015 (11 Roy Street)

Attachment B – Heritage Permit Application HPA-2025-V-016 (68 Queen Street North)

Attachment C – Draft Heritage Impact Assessment, MHBC Planning, June 24, 2025