

HERITAGE IMPACT **ASSESSMENT** **REPORT**

22 Weber Street West,
City of Kitchener

Date:
November, 2021

Prepared for:
30 Duke Street Limited

Prepared by:
**MacNaughton Hermsen Britton Clarkson
Planning Limited (MHBC)**

200-540 Bingemans Centre Drive
Kitchener, ON N2B 3X9

T: 519 576 3650

F: 519 576 0121

Our File: '1961 A'



MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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PROJECT PERSONNEL

Dan Currie, MA, MCIP, RPP, CAHP	<i>Managing Director of Cultural Heritage</i>	Senior Review
Vanessa Hicks, MA, CAHP	<i>Heritage Planner</i>	Research, Author

GLOSSARY OF ABBREVIATIONS

HIA	<i>Heritage Impact Assessment</i>
HCD	<i>Heritage Conservation District</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
MHSTCI	<i>Ministry of Heritage, Sport, Tourism and Culture Industries</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS 2020	<i>Provincial Policy Statement (2020)</i>

Acknowledgement of Indigenous Communities

This Heritage Impact Assessment acknowledges that the subject property located at 22 Weber Street West of the City of Kitchener, is situated territory of the Haudenosaunee, of the Haudenosaunee Confederacy. These lands are acknowledged as being associated with the following treaties:

- Treaty of the Haldimand Tract, Established 1793

This document takes into consideration the cultural heritage of Indigenous Communities, including their oral traditions and history when available and related to the scope of work.

EXECUTIVE SUMMARY

MHBC was retained by 30 Duke Street Ltd. to undertake a Heritage Impact Assessment (HIA) for the subject property located at 22 Weber Street West. The purpose of this Heritage Impact Assessment is to evaluate the proposed development in terms of potential impacts to cultural heritage resources and provide mitigation recommendations, where necessary.

The proposed development includes the construction of a 19 storey multiple residential building on a lot currently used as surface parking. The proposed new building does not include the demolition or alteration of any cultural heritage resources located on-site or adjacent. As the proposed new building is located within the Civic Centre Neighbourhood Heritage Conservation District, any new development is subject to the policies of the CCNHCD Plan.

SUMMARY OF IMPACT ANALYSIS:

The CCNHCD Plan recognizes that Weber Street is different from the interior of the district and sets forth policies for new development which are specific to this area. The Plan recognizes that Weber Street West is designated High Density Commercial Residential. The Plan allows for higher density developments provided that it a) does not result in the demolition of significant cultural heritage resources is and b) is compatible with the character of the streetscape.

This Heritage Impact Assessment has demonstrated that the character Weber Street West is varied and includes buildings of a higher scale than that of the interior of the district. The proposed new 19 storey residential building is taller than that of buildings located adjacent (contiguous), but maximises density while respecting adjacent cultural heritage resources and conforming to the policies of the HCD Plan.

The Heritage Conservation District Plan does not apply maximum height limits for development within the Weber Street Area. Instead the HCD Plan identifies a number of policies and guidelines that govern the development of new buildings. The proposed development is consistent with these policies and guidelines as follows:

- The proposed new building is contemporary in style and includes materials such as neutral toned masonry;
- The building includes a 2 story main entrance/podium which emphasizes the pedestrian scale;

- The contemporary design includes a symmetrical arrangement of square and rectangular shaped windows in a regularly established rhythm which will not detract from the buildings located adjacent at 18 Weber Street West and 28 Weber Street West; and
- The height of the proposed new building is within the 45 degree angular plane as per the analysis provided in Appendix B of this report.

The proposed development will not result in any adverse impacts related to obstruction, isolation, change in land use, or shadows. The proposed development is considered a neutral impact to adjacent heritage resources within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) located along Weber Street West and Roy Street.

There is potential for impacts to adjacent buildings as a result of construction activities. Mitigation recommendations for the proposed development are limited to monitoring potential vibration impacts, if necessary.

Note to the Reader: The purpose of this executive summary is to highlight key aspects of this report and therefore does not elaborate on other components. Please note that this report is intended to be read in its entirety in order to gain a full understanding of its contents.

1.0 INTRODUCTION

MHBC was retained by 30 Duke Street Limited to undertake a Heritage Impact Assessment (HIA) for the subject property located at 22 Weber Street West. The Heritage Impact Assessment is required by the City of Kitchener as the subject property is included within the boundary of the Civic Centre Neighbourhood Heritage Conservation District. The purpose of this Heritage Impact Assessment is to evaluate the proposed development in terms of potential impacts to cultural heritage resources, including adjacent properties within the Civic Centre Neighbourhood Heritage Conservation District. The subject property is currently used as surface parking and as such, this HIA is focused on potential impacts to adjacent lands and evaluates the proposal in the context of the policies for new buildings provided in the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) Plan.

This report has been prepared as input to the planning application and development proposal. The background information and research has provided direction on the redevelopment concept. This report evaluates the proposal in the context of the City's policy framework and Provincial policy.

1.1 LOCATION OF SUBJECT PROPERTY


The subject property is located at 22 Weber Street West and is situated on the north side of Weber Street West, between Queen Street North and Young Street (see below).



Aerial Photo
22 Weber Street West,
Kitchener, Ontario

Source: City of Kitchener 2018

LEGEND

 Subject Lands

DATE: February 27, 2019

SCALE 1 : 5,000

FILE: 1961A

DRN: LHB



K11061A.02 WEBER ST/ROY ST/ONTARIO ST AERIAL PHOTO 2018.DWG

 **PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**
200-540 HINDEMANS CENTRE DR. KITCHENER, ON. N0B 3W9
P: 519.576.2650 F: 519.596.0121 | WWW.MHBCPLAN.COM

1.2 HERITAGE STATUS

1.2.1 Subject Property: 22 Weber Street West

The property located at 22 Weber Street West is designated under Part V of the *Ontario Heritage Act* as it is located within the boundary of the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD). The CCNHCD Plan recognizes that this property is vacant, and does not include any features which contribute to the character of the HCD or the Weber Street West streetscape.

The CCNHCD Plan qualifies properties in terms of their cultural heritage value and classifies them in groups (i.e. "A", "B", "C", and "D"). The CCNHCD Plan does not assign a classification to the subject property as it does not include any cultural heritage resources. As such, the property has not been evaluated in this report under the criteria of *Ontario Regulation 9/06* for determining cultural heritage value or interest.

1.2.2 Adjacent Lands

The City of Kitchener Official Plan identifies that a Heritage Impact Assessment shall include consideration for cultural heritage resources on adjacent lands. The City of Kitchener Official Plan defines adjacent as follows:

Adjacent - lands, buildings and/or structures that are contiguous or that are directly opposite to other lands, buildings and/or structures, separated only by a laneway, municipal road or other right-of-way.

For the purpose of this Heritage Impact Assessment, the above-noted policies of the City of Kitchener Official Plan identify that the following properties are technically located adjacent to the proposed development and should be included in the scope of this report:

- 32 Weber Street West;
- 35 Roy Street;
- 31 Roy Street;
- 27 Roy Street;
- 23 Roy Street;
- 18 Weber Street West; and
- 28 Weber Street West.

The property located at 22 Weber Street West is located adjacent to the properties at 18 Weber Street West and 28 Weber Street West and shares a street frontage with these properties. As a result,

this forms the most direct relationship between any proposed new building and adjacent cultural heritage resources. Therefore, this HIA focuses on impacts to properties located at 28 Weber Street West, 18 Weber Street West, and provides an analysis of potential impacts to properties located on the south side of Roy Street.



Figure 1: Excerpt of the CCNHCD Figure 3 Map, Group A & B Properties. Location of subject property shaded in green. Properties located adjacent outlined with blue dashed line. (Source: CCNHCD Plan, Figure 3)

1.3 LAND USE AND ZONING

The subject lands are designated High Density Commercial Residential as per the Civic Centre Neighbourhood Secondary Plan (see Figure 2). This designation recognizes the proximity of the subject lands to downtown Kitchener (Urban Growth Centre) as well as the property's frontage on Weber Street, which is a Regional Arterial Road and has been designated as a Planned Transit Corridor.

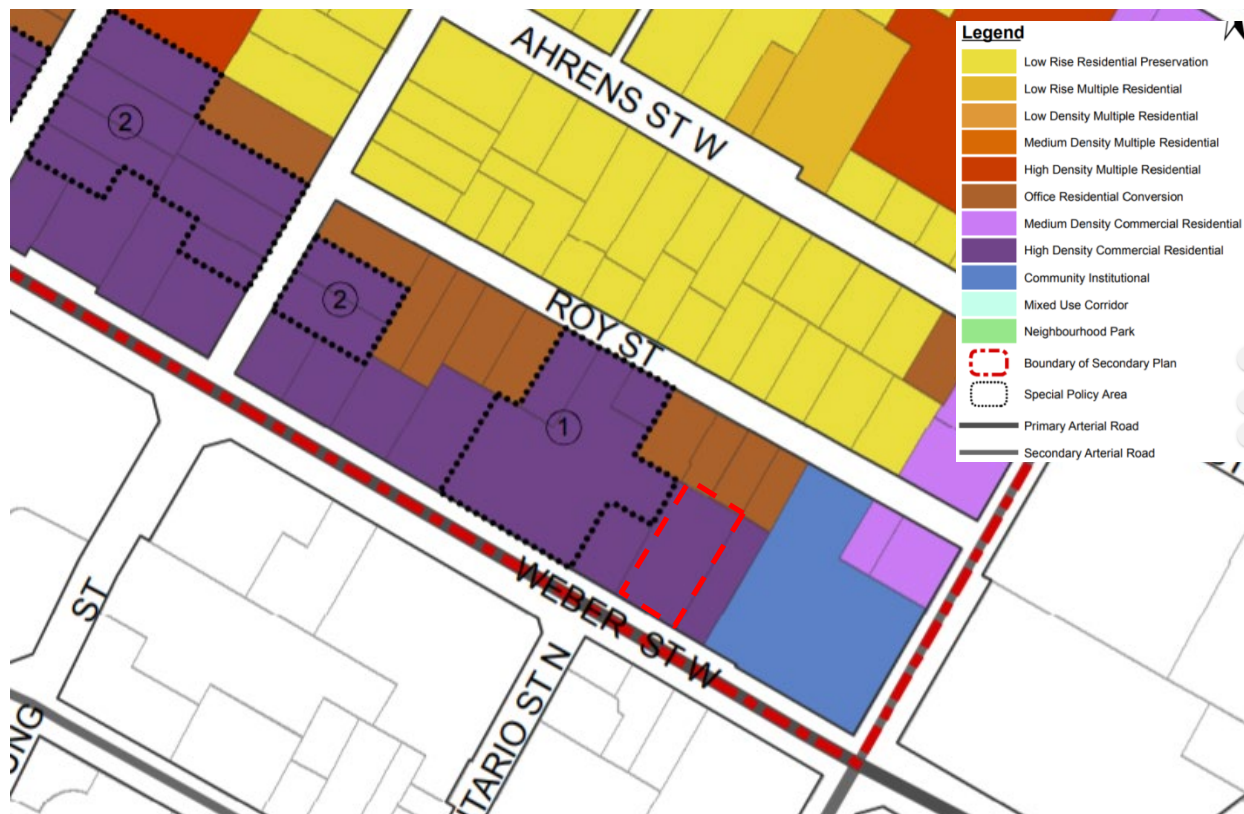


Figure 2: Excerpt of the Civic Centre Neighbourhood Secondary Plan, Map 9, noting the subject property as “High Density Commercial Residential”. Approximate location of subject lands noted in red. (Source: Kitchener Public Library)

The “High Density Commercial Residential” designation permits a range of residential, commercial and retail uses within free standing buildings or mixed use buildings. Official Plan policies provide for a maximum floor space ratio of 4.0 and permit high density residential development. Approved Official Plan policies have been implemented by the Commercial Residential 3 Zone (CR-3) of By-law 85-1.

The subject property backs onto lots on the south side of Roy Street. As shown in Figure 2, the lands on the south side of Roy Street are designated Office Residential Conversion. The Office Residential Conversion designation permits a range of residential uses and office commercial uses including private home day care, home business, and hospice. The intent of the Office Residential Conversion designation is to provide a transition from the high density development on Weber Street to the low-rise residential uses located internal to the Civic Centre Neighbourhood.

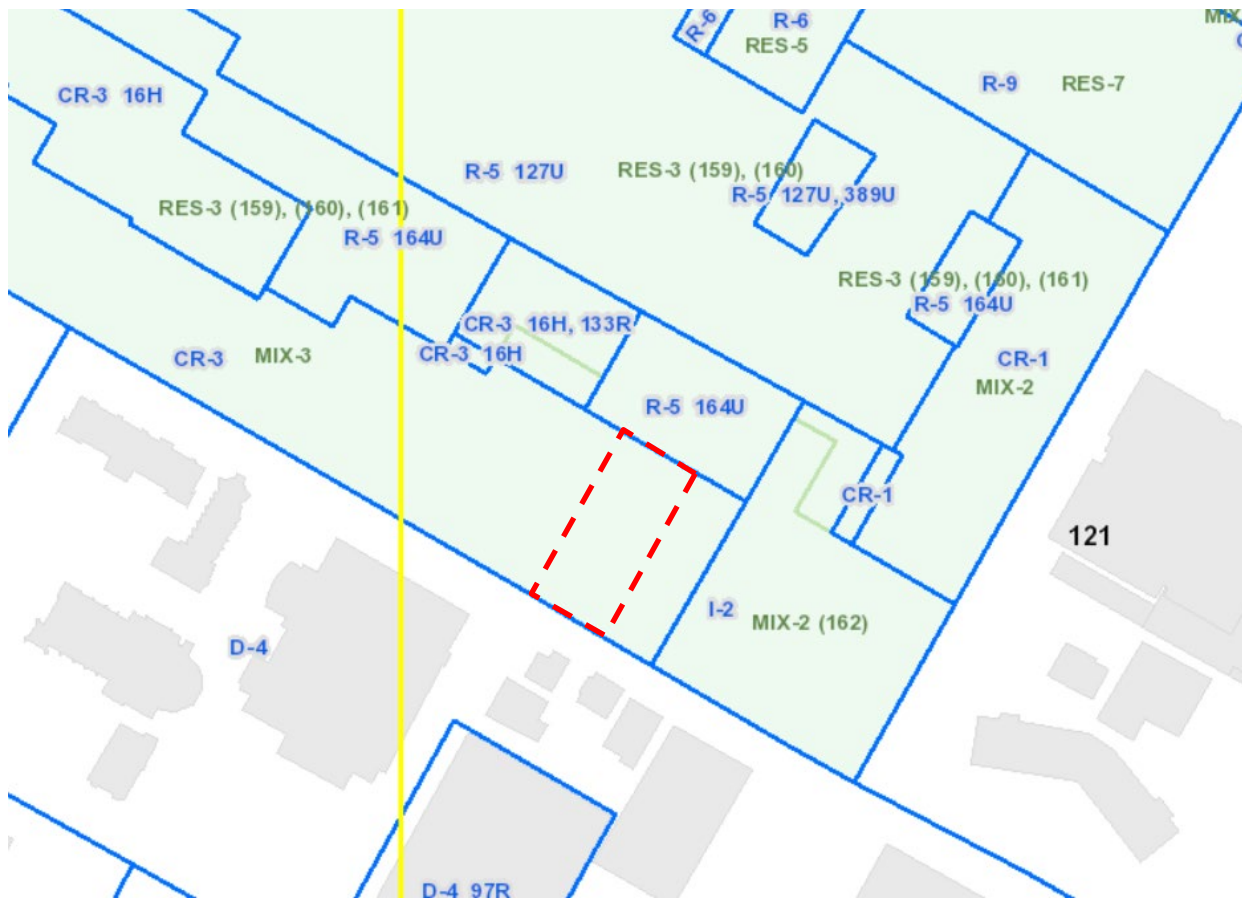


Figure 3: Excerpt of the City of Kitchener Interactive Map, Zoning layer, identifying the subject property within the Commercial-Residential 3 Zone. Approximate location of subject lands denoted in red. (Source: Kitchener Public Library)

2.0 POLICY & GUIDELINES

2.1 THE PLANNING ACT AND PPS 2020

The *Planning Act* makes a number of provisions respecting cultural heritage, either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of *The Planning Act* is to “encourage the co-operation and co-ordination among the various interests”. Regarding cultural heritage, Subsection 2(d) of the Act provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, ...

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2020* (PPS). The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. This provides a weighting and balancing of issues within the planning process. When addressing cultural heritage planning, the PPS provides for the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Significant: *e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for*

*determining cultural heritage value or interest are established
by the Province under the authority of the Ontario Heritage
Act.*

The subject property located at 22 Weber Street West is considered protected heritage property under Provincial Policy Statement as all lands within the boundary of the Civic Centre Neighbourhood Heritage Conservation District are designated under Part V of the *Ontario Heritage Act* and are considered significant cultural heritage resources.

2.2 ONTARIO HERITAGE ACT

The *Ontario Heritage Act*, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This HIA has been guided by the criteria provided with *Regulation 9/06* of the *Ontario Heritage Act* outlines the mechanism for determining cultural heritage value or interest.

The *Ontario Heritage Act* provides the framework of legislation for the designation of Heritage Conservation Districts. The *Ontario Heritage Act* also requires that all development within the heritage conservation district must be consistent with the heritage conservation district plan. Section 42 (1) of the *Ontario Heritage Act* prescribes that no owner of property in a designated Heritage Conservation District may alter any part of a property or erect or demolish a building without obtaining approval from the municipality by way of a heritage permit.

2.3 REGION OF WATERLOO OFFICIAL PLAN

Chapter 3, Section 3.G of the Regional Official Plan provides policies regarding the conservation of cultural heritage resources which are related to the scope of this Heritage Impact Assessment as follows:

3.G Cultural Heritage

Cultural heritage resources are the inheritance of natural and cultural assets that give people a sense of place, community and personal identity. Continuity with the past promotes creativity and cultural diversity. The region has a rich and diverse heritage, including distinctive cultures, traditions, festivals, artisans and craftspeople, landmarks, landscapes, properties, structures, burial sites, cemeteries, natural features and archaeological resources. These resources provide an

important means of defining and confirming a regional identity, enhancing the quality of life of the community, supporting social development and promoting economic prosperity. The Region is committed to the conservation of its cultural heritage. This responsibility is shared with the Federal and Provincial governments, Area Municipalities, other government agencies, the private sector, property owners and the community.

Cultural Heritage Impact Assessment

3.G.13 Area Municipalities will establish policies in their official plans to require the submission of a Cultural Heritage Impact Assessment in support of a proposed development that includes or is adjacent to a designated property, or includes a non-designated resource of cultural heritage value or interest listed on the Municipal Heritage Register.

3.G.14 Where a Cultural Heritage Impact Assessment required under Policy 3.G.13 relates to a cultural heritage resource of Regional interest, the Area Municipality will ensure that a copy of the assessment is circulated to the Region for review. In this situation, the Cultural Heritage Impact Assessment submitted by the owner/applicant will be completed to the satisfaction of both the Region and the Area Municipality.

3.G.15 Where a development application includes, or is adjacent to, a cultural heritage resource of Regional interest which is not listed on a Municipal Heritage Register, the owner/applicant will be required to submit a Cultural Heritage Impact Assessment to the satisfaction of the Region.

3.G.16 The Region will undertake a Cultural Heritage Impact Assessment and consult with the affected Area Municipality and the Regional Heritage Planning Advisory Committee prior to planning, designing or altering Regional buildings or infrastructure that may affect a cultural heritage resource listed on the region-wide inventory described in Policy 3.G.4. The Cultural Heritage Impact Assessment will be reviewed and approved in accordance with the policies in this Plan.

3.G.17 Cultural Heritage Impact Assessment will include, but not be limited to the following:

- (a) historical research, site analysis and evaluation;*
- (b) identification of the significance and heritage attributes of the cultural heritage resource;*
- (c) description of the proposed development or site alteration;*
- (d) assessment of development or site alteration impacts;*
- (e) consideration of alternatives, mitigation and conservation methods;*

- (f) schedule and reporting structure for implementation and monitoring; and*
- (g) a summary statement and conservation recommendations.*

2.4 CITY OF KITCHENER OFFICIAL PLAN

Section 12 of the Kitchener Official Plan (2014) provides the following policies regarding the conservation of cultural heritage resources as it relates to the scope of this Heritage Impact Assessment as follows:

Objectives

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.

12.1.3. To increase public awareness and appreciation for cultural heritage resources through educational, promotional and incentive programs.

12.1.4. To lead the community by example with the identification, protection, use and/or management of cultural heritage resources owned and/or leased by the City.

Policies

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 Cemeteries Act and the Municipal Act.

12.C.1.2. The City will establish and consult with a Municipal Heritage Committee (MHC) on matters relating to cultural heritage resources in accordance with provisions of the Ontario Heritage Act.

Heritage Conservation Districts

The following selection of policies of the City of Kitchener Official Plan provide direction regarding change management in a designated Heritage Conservation District.

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.

Design/Integration

12.C.1.46. The City will prepare guidelines as part of the Urban Design Manual to address the conservation of cultural heritage resources in the city and to recognize the importance of the context in which the cultural heritage resources are located.

12.C.1.47. The City may require architectural design guidelines to guide development, redevelopment and site alteration on, adjacent to, or in close proximity to properties designated under the Ontario Heritage Act or other cultural heritage resources.

2.5 CIVIC CENTRE NEIGHBOURHOOD HERITAGE CONSERVATION DISTRICT PLAN (2007)

The subject property located at 22 Weber Street West is located within the boundary of the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) Plan, which was designated in 2007 under Part V of the *Ontario Heritage Act*. Section 1.2 of the CCNHCD Plan identifies that its purpose is as follows,

...to protect, over the long term, areas that have important and/or identifiable historic and architectural resources.

While the subject property is vacant, any new construction must comply with the policies of the CCNHCD Plan. The purpose of policies for new development on vacant lands is to ensure that it is compatible with the character of the area and impacts to the District are minimized or avoided. The CCNHCD Plan recognizes that there are distinctly different areas within the HCD. One of these distinctly different areas identified in the HCD Plan includes Weber Street. The CCNHCD Plan provides policies specific to the Weber Street Corridor, which is recognized as being designated High Density Commercial Residential. Section 7.0 of this Heritage Impact Assessment analyzes the conformity of the proposed development with the applicable policies of the CCNHCD Plan, including Sections 3.3.5.2 and 6.9.4.

2.6 PARTS CENTRAL PLAN

This Heritage Impact Assessment acknowledges that the subject property located at 22 Weber Street West is included in lands identified in the PARTS Central Plan as Mixed Use Medium Density with policies and guidelines for transition between Weber Street and Roy Street. This Plan provides guidelines regarding appropriate development.

Section 7.0 of the PARTS Central Plan regarding Cultural Heritage Resources identifies the following as it relates to the scope of this HIA,

For development involving new building activity on or adjacent heritage property, the built form including scale, height, massing, architectural character and materials, should be compatible with the surrounding historic context. It is not expected that development replicate historical styles and decoration. However, new buildings must be able to demonstrate complementary proportions and massing in order to continue the rhythm of traditional façade or street patterns and provide for an appropriate transition where significantly higher densities are proposed.

Section 8.0 of the PARTS Central Plan identifies the following as it relates to cultural heritage and transitioning,

The conservation and integration of heritage buildings, structures and uses within a Heritage Conservation District should be achieved through appropriately scaled development that is sensitive to the built cultural heritage.

Where Medium Density Mixed Use land designation abuts low rise residential uses, the bulk of the massing in the Mixed use designation should abut the street thereby providing a maximum separation between the adjacent low density uses.

Given that the subject property is located within the Civic Centre Neighbourhood Heritage Conservation District Plan, this HIA refers to the policies provided therein as it relates to the proposed development. The PARTS Central Plan is not a Policy document and implementation will be the updated Secondary Plans which are under review.

2.7 CITY OF KITCHENER TERMS OF REFERENCE, HERITAGE IMPACT ASSESSMENTS

The City of Kitchener Official Plan provides the following as it relates to the requirements for Heritage Impact Assessments:

Heritage Impact Assessments and Heritage Conservation Plans

12.C.1.23. The City will require the submission of a Heritage Impact Assessment and/or a Heritage Conservation Plan for development, redevelopment and site alteration that has the potential to impact a cultural heritage resource and is proposed:

- a) on or adjacent to a protected heritage property;*
- b) on or adjacent to a heritage corridor in accordance with Policies 13.C.4.6 through 13.C.4.18 inclusive;*
- c) on properties listed as non-designated properties of cultural heritage value or interest on the Municipal Heritage Register;*
- d) on properties listed on the Heritage Kitchener Inventory of Historic Buildings; and/or,*
- e) on or adjacent to an identified cultural heritage landscape.*

12.C.1.24. Where a Heritage Impact Assessment required under Policy 12.C.1.23 relates to a cultural heritage resource of Regional interest, the City will ensure that a copy of the assessment is circulated to the Region for review prior to final consideration by the City.

12.C.1.25. A Heritage Impact Assessment and Heritage Conservation Plan required by the City must be prepared by a qualified person in accordance with the minimum requirements as outlined in the City of Kitchener's Terms of Reference for Heritage Impact Assessments and Heritage Conservation Plans.

12.C.1.26. The contents of a Heritage Impact Assessment will be outlined in a Terms of Reference. In general, the contents of a Heritage Impact Assessment will include, but not be limited to, the following:

- a) historical research, site analysis and evaluation;*

- b) identification of the significance and heritage attributes of the cultural heritage resource;*
- c) description of the proposed development or site alteration;*
- d) assessment of development or site alteration impact or potential adverse impacts;*
- e) consideration of alternatives, mitigation and conservation methods;*
- f) implementation and monitoring; and,*
- g) summary statement and conservation recommendations.*

12.C.1.27. Any conclusions and recommendations of the Heritage Impact Assessment and Heritage Conservation Plan approved by the City will be incorporated as mitigative and/or conservation measures into the plans for development or redevelopment and into the requirements and conditions of approval of any application submitted under the Planning Act.

12.C.1.28. Heritage Impact Assessments and Heritage Conservation Plans required by the City may be scoped or waived by the City, as deemed appropriate.

3.0 BACKGROUND

RESEARCH AND HISTORICAL CONTEXT

3.1 CIVIC CENTRE NEIGHBOURHOOD

The Civic Centre Neighbourhood was developed in the 19th and 20th centuries as a residential area adjacent to Kitchener's former industrial core located south of the railway, providing homes for those who owned or work for businesses/factories in the area.

The earliest residential buildings date from the 1850s, with the majority constructed between 1880 and 1915. The area developed slowly, experiencing significant infill in the late 1920s. The construction of apartment buildings dotted the neighbourhood beginning in the 1960s. The neighbourhood reflects the long development of the area from the 1850s to the recent past with a variety of housing styles.

According to the 1853-1854 Map of Berlin surveyed by M.C. Schofield, the subject lands were part of a large vacant parcel of land extending north towards what is now Margaret Avenue (See Figure 4).



Figure 4: Detail of M.C. Schofield map of Berlin, 1853. Approximate location of subject lands denoted in red. (Source: Kitchener Public Library)

According to the 1875 Bird's Eye View map, the context of the subject lands had changed considerably from 1853. New buildings are noted along Weber Street West, and Ahrens Street was extended towards Queen Street North. Some of the buildings noted on this map at the north side of Weber Street West, west of Queen Street North were demolished at some point to facilitate the construction of existing buildings, including the existing St. Andrew's Presbyterian Church at 54 Queen Street North. The building noted on the subject lands was likely the house constructed for Charles H. Ahrens.

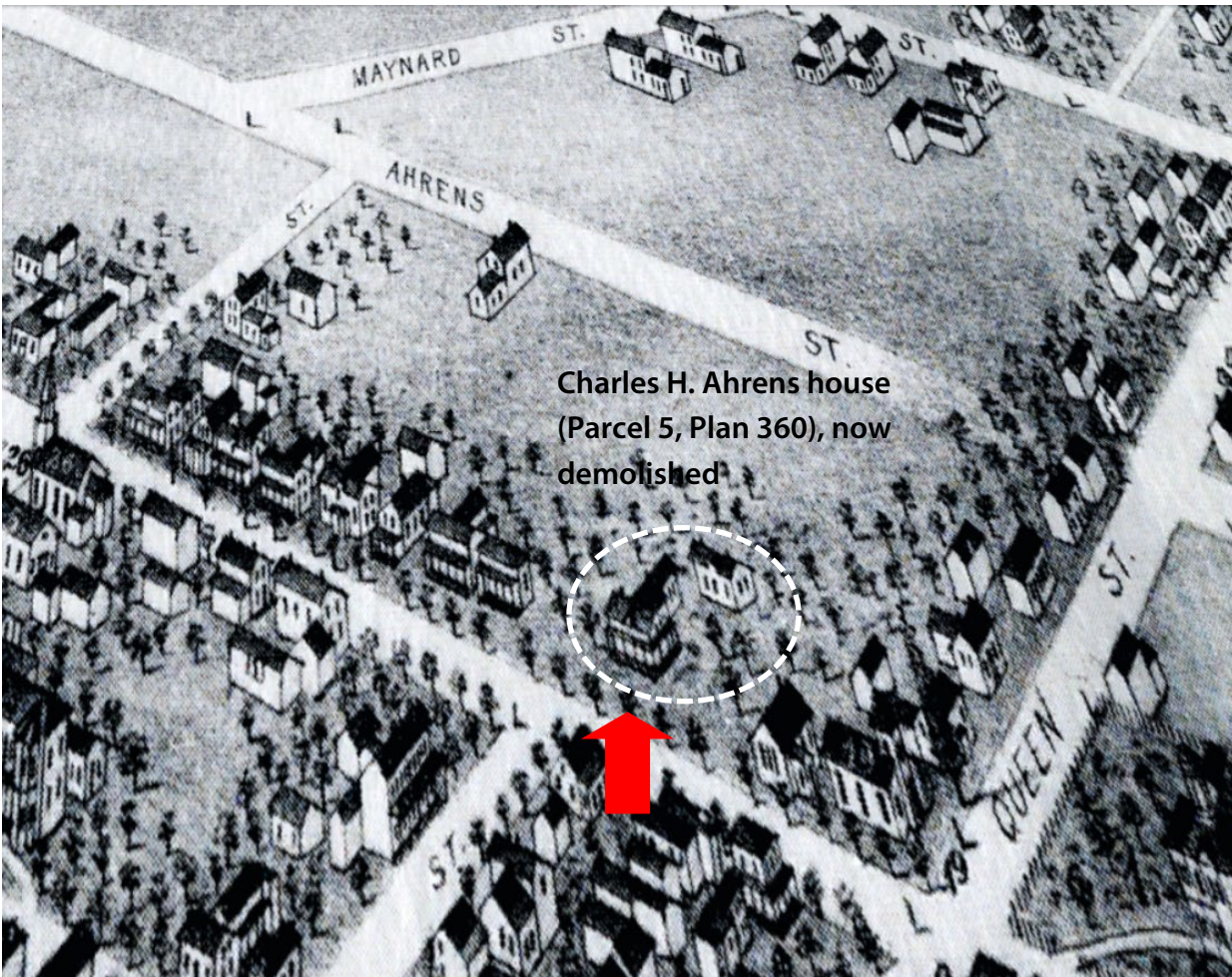


Figure 5: Detail of the 1875 Bird's Eye View map of Berlin. Approximate location of subject lands noted in red. (Source: Kitchener Public Library)

According to the 1879 map, the context of the subject property is confirmed as Parcel 5 of Ahrens Survey, which was registered in the later half of the 19th century by Charles H. Ahrens. The 1879 map indicates that St. Andrew's Presbyterian Church had been constructed at the north-west corner of Queen Street North and Weber Street West. The subject property is noted as including a building owned by Mrs. Ahrens¹ (widow of Charles H. Ahrens).

According to land registry records, the Executors of Mrs. Ahrens sold to George Potter in 1906. The descendants of Potter sold to James K. Sims and Albert W. Boos "as Trustees" (likely for the church) in 1956. The legal description of the property refers to Instrument No. 917350, when the property was sold by Marathon Realty Co. in 1987. At this time, the property was valued at \$550,000.00.

The CCNHCD study identifies that the existing building located at 18 Weber Street West (adjacent to the subject lands) was constructed for Herbert J. Bowman in 1896 (on Parcel 4 of Ahrens survey).

¹ Also spelled "Aherns"

This property is noted as being vacant on the 1879 map (See Figure 6). The existing building located at 28 Weber Street West (adjacent property to the west of the subject lands) was constructed in the 1870s for John Moffatt (Parcel 6, Ahrens Survey). This building is clearly visible on the map below, west of Parcel 5. The CCNHCD Study identifies that the Zion Evangelical Church was not constructed until 1893.

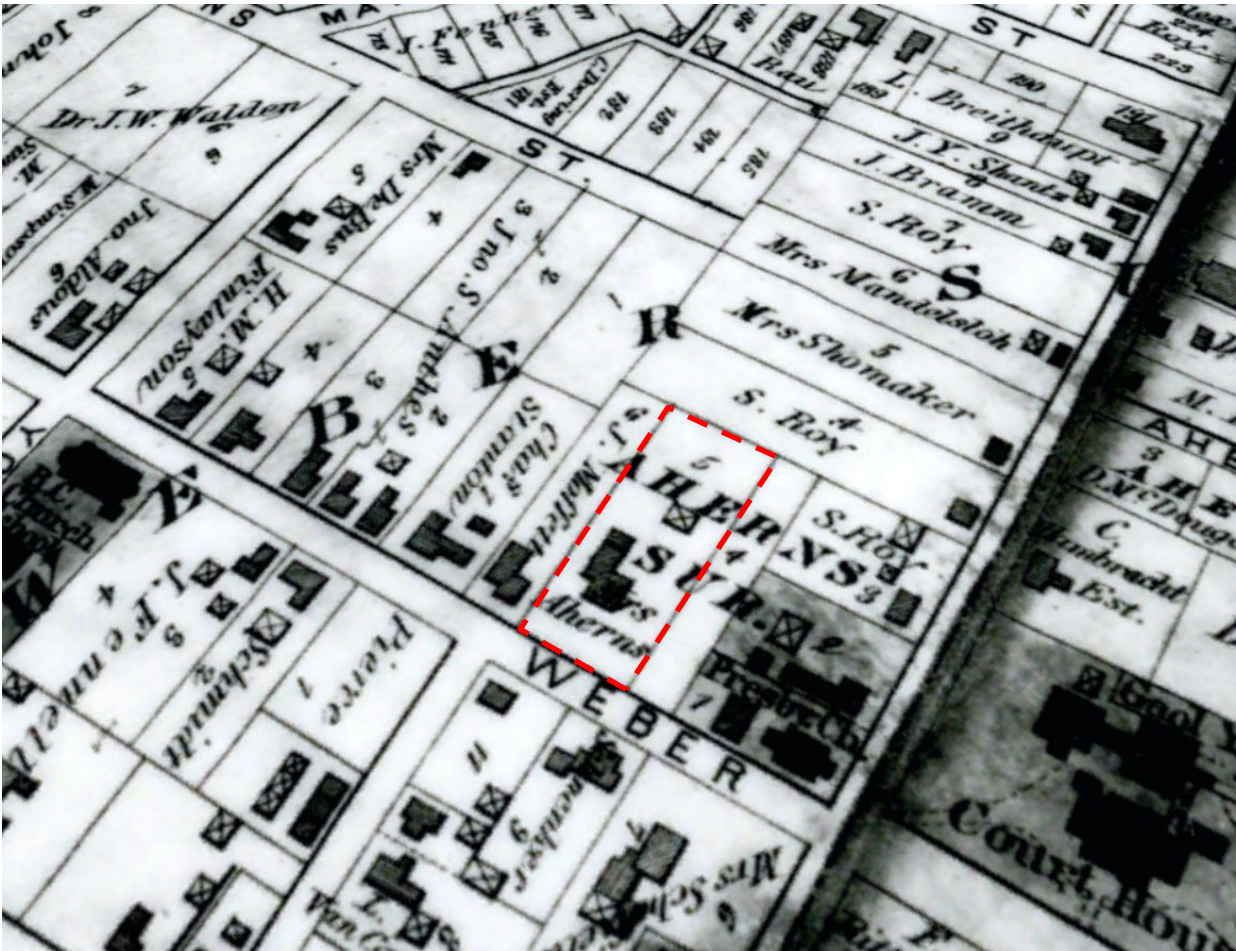


Figure 6: Detail of the 1879 Bird's Eye View map of Berlin. Approximate location of subject lands denoted in red. (Source: Kitchener Public Library)

The 1955 aerial photograph does not clearly depict the features of Weber Street West, or the subject property. The north side of Weber Street appears to include buildings and mature trees in the context of the subject lands, suggesting that it was not yet used for surface parking.



Figure 7: Excerpt of the 1955 aerial photograph of Kitchener, Ontario. Approximate location of subject lands denoted in red. (Source: University of Waterloo)

The aerial photograph shown in Figure 8 indicates that by 1997 the property was used for surface parking and all buildings had been demolished. The Civic Centre Neighbourhood was designated in 2007 and all properties within the boundary of the HCD were designated under Part V of the *Ontario Heritage Act*.



Figure 8: Excerpt of the 1997 aerial photograph of Kitchener, Ontario. Approximate location of subject lands denoted in red. (Source: City of Kitchener Interactive Map)

4.0 DETAILED DESCRIPTION OF POTENTIAL CULTURAL HERITAGE RESOURCES

4.1 DESCRIPTION OF LANDSCAPE AND SURROUNDING CONTEXT

The Civic Centre Neighbourhood Heritage Conservation District Plan states that the Civic Centre Neighbourhood is characterized by mature trees along boulevards and linear streets with consistent building setbacks. Laneways are found throughout the District, which reflect the historic pattern of movement. Yards are well maintained and often display plantings, trees, fences, and hedges. Public parks are dotted throughout the CCNHCD, including Hibner Park and Civic Centre Park, both of which are located west of the subject lands (CCNHCD Plan, 2007).

The District contains a range of architectural styles, reflecting the development of the area beginning in the mid. 19th century. The neighbourhood includes buildings in the vernacular style of architecture, reflecting local influences and materials. Overall, the landscape and setting contribute to tell the story of Kitchener's growth at the turn of the 19th century and the development of local industry (CCNHCD Plan, 2007).

The CCNHCD Study and Plan recognize that the District is made-up of different areas which have unique character. These areas are located at the perimeter of the District and are intended to incorporate higher density developments along Victoria Street and Weber Street, for example. The following (Section 4.2) provides a description of the character of Weber Street.

4.2 DESCRIPTION OF THE WEBER STREET STREETScape

The existing built form of Weber Street West (within the CCNHCD boundary) is a result of its evolution over time. Weber Street West includes 19th century residential buildings as well as 20th century developments. The 19th century buildings were formerly surrounded by landscaped open space, which has, in some cases, been converted to large areas of surface parking. Weber Street has been widened and as a result, does not reflect the same intimate streetscape as that of the residential streets at the interior of the district.

The addition of 20th century buildings having a range of uses including residential, institutional and commercial transformed this area from primarily residential to that of mixed-use. As a result, the existing built form of Weber Street West includes a range of architectural styles, scale/heights, and setbacks and there is no consistent built form. The late 19th and early 20th century buildings (i.e. adjacent churches and residential buildings at 18 Weber Street West and 28 Weber Street West) are constructed of masonry in a range of colours. These buildings share a commonality in terms of materials and continue to support the overall varied nature of the streetscape in terms of its built form.

The south side of Weber Street West is designated as part of Downtown Kitchener and as a result, includes higher density contemporary developments than that of the north side, which includes a range of low to medium density buildings.



Figure 9 – View of Weber Street West, looking east from Ontario Street North (Source: MHBC, 2020)



Figure 10 – View of Weber Street West, looking west near intersection of Weber Street West and Ontario Street North (Source: MHBC, 2020)

The CCNHCD HCD Study acknowledges that the context of Weber Street is distinctly different than that of any other area. Section 4.6 of the Study provides the following description of Weber Street,

CCNHCD Study, Section 4.6, Streets and Lanes,

Weber Street, particularly in proximity to Victoria Street, contains many buildings of the same character as Victoria Street. Traffic is not as fast paced on Weber Street, and is not as heavy as on Victoria. There are also no boulevards on Weber Street, and the street is noticeably devoid of street trees. Although the absence of trees and grassed boulevards sets the street apart from the interior of the district, both Weber and Water Streets differ from Victoria in terms of scale and intimacy. The vast expanse of pavement on Victoria Street creates a hostile environment for pedestrians, whereas Water and Weber Streets maintain a more pedestrian scale. The remainder of the streets in the study area often have an intimate, residential feeling to them. Many of them are tree-lined, and have a distinctively picturesque quality about them. An absence of street trees is perhaps most noticeable along the northern portion of Queen Street, as well as on Water and College Streets.

Section 3.3.5.2 of the CCNHCD Plan also describes the Weber Street Area as including heritage buildings which are generally larger than the rest of the District. The HCD Plan also recognizes that the streetscape includes two churches, small scale apartments (3-4 storeys), and a number of other larger residences that have been converted to multiple residential units or office/commercial uses.



Figure 11 – View of Weber Street West looking west from Ontario Street North (west of the subject property) (Source: MHBC, 2020)

While the CCNHCD Study identifies that Weber Street is distinctly different than that of the interior of the District, Section 7.1 provides the reasons for which Weber Street was included in the boundary. This includes a) the presence of a number of “well-preserved, finely detailed buildings”, and b) that nearly half of the oldest buildings in the neighbourhood (constructed prior to 1879) are located on Weber Street.

4.3 DESCRIPTION OF 22 WEBER STREET WEST

The subject property located at 22 Weber Street West is currently used for surface parking and does not include any built features. Section 2.4 of the CCNHCD Plan does not identify that the subject lands includes any cultural heritage resources or features which are part of the architecture, streetscape, or historical associations of the overall District.

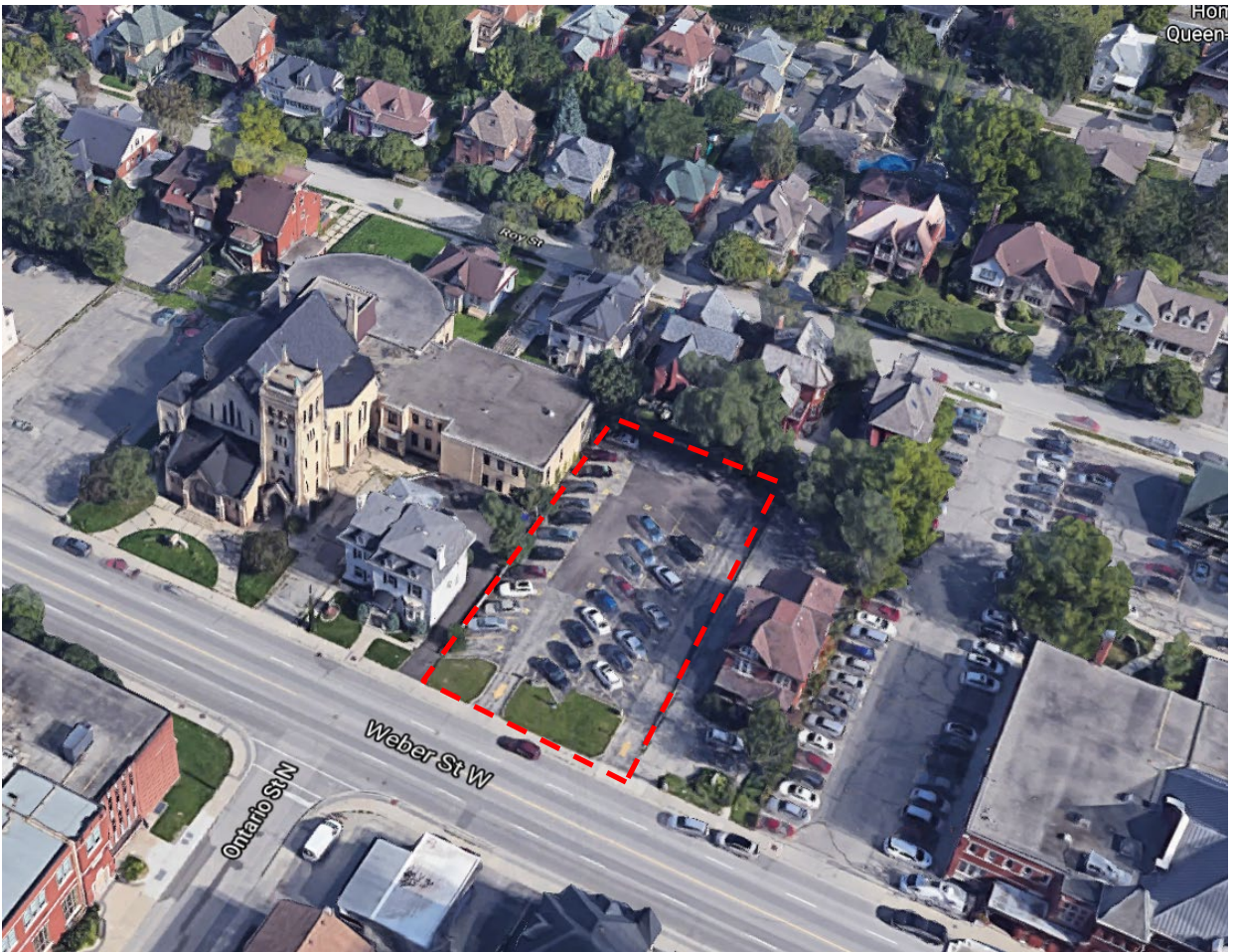


Figure 12: Three-Dimensional Aerial Photo noting the location of the subject property in red (Source: Google Maps, accessed 2020)



Figure 13 – View of subject property looking north-west from the north side of Weber Street West (Source: MHBC, 2020)



Figure 14 – View of subject property looking north-west from the south side of Weber Street West. Location of subject property noted with red arrow. (Source: MHBC, 2020)



Figure 15 – View of subject property at 22 Weber Street West looking north-east from south side of Weber Street West. Location of subject property noted with red arrow. (Source: MHBC, 2020)


4.4 DESCRIPTION OF ADJACENT LANDS

As noted in Section 1.2.2 of this report, the following properties are located adjacent (contiguous) to the proposed development:

- 35 Roy Street;
- 31 Roy Street;
- 27 Roy Street;
- 23 Roy Street;
- 32 Weber Street West;
- 18 Weber Street West (2 ½ storey vernacular, constructed 1896 by H. J. Bowman); and
- 28 Weber Street West (built 1877 by John Moffat).

4.4.1 Weber Street West

As noted previously in this report, the built form of Weber Street West streetscape varies in terms of architectural styles, materials, and setbacks.

Address	Description	Photograph
32 Weber Street West	The property at 32 Weber Street West shares a portion of its east property line with the subject property. The property at 32 Weber Street includes the former Zion United Church. This building is noted in the CCNHCD Plan as a Gothic church constructed in 1893 (Group "B").	

28 Weber Street West The property at 28 Weber Street West shares its entire east property line with the subject property. The CCNHCD Plan identifies this as a 2 ½ storey 2nd Empire Building constructed in 1877 by John Moffat (Group “B”).



18 Weber Street West The property at 18 Weber Street West shares its entire west property line with the subject property. The CCNHCD Plan identifies the existing building as 2 ½ storeys, Vernacular, Constructed 1896 for H.J. Bowman.



4.4.2 Roy Street

Roy Street is divided into a north and south side. The north side of the street is designated low density residential, and the south side of the street is designated Residential Office Conversion. The residential office conversion at the south side of the street serves as a buffer between the High Density Commercial Residential designation and the Low Density residential designation. The built form of Roy Street is much more consistent than that of Weber Street West, having a narrow street, consistent heights, styles, setbacks, materials, and mature trees along the boulevard.

Address	Description	Photograph
35 Roy Street	<p>The south-east corner of the property at 35 Roy Street is located adjacent to the subject property.</p> <p>The property at 35 Roy Street is noted in the CCNHCD Plan as a 2 ½ storey vernacular building constructed c. 1900 (Group “B”).</p>	
31 Roy Street	<p>The rear property line at 31 Roy Street is contiguous with the subject property. The CCNHCD Plan identifies the building as a 2 ½ storey Queen Anne dwelling constructed c. 1895 (Group “A”).</p>	
27 Roy Street	<p>The rear property line at 27 Roy Street is contiguous with the subject property. The CCNHCD Plan identifies the building as a 2 storey Vernacular dwelling constructed c. 1895 (Group “B”).</p>	

23 Roy Street The south-west corner of the property at 23 Roy Street is located adjacent to the subject property.
The property at 23 Roy Street is noted in the CCNHCD Plan as a 2 ½ storey Queen Anne building constructed c. 1896 (Group "B").



5.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development of the subject property can be described as the construction of a new nineteen (19) storey multiple residential building having 162 total units with a Floor Space Ratio (FSR) of 7.79. The proposed development includes 24 parking spaces at grade and is a total of 58.6 metres in height. Narrow laneways on either side of the building provide access to parking towards the rear of the lot.

The proposed design is contemporary and includes a range of materials including masonry and glazing with neutral tones. The design includes various sizes of rectangular and square shaped windows and balconies in with a consistent rhythm.

The building proposes a shallow front yard setback, with a generous rear yard setback of at least 15.0 metres.

The proposed development requires variances to allow for a FSR of 7.79 whereas 4.0 is permitted.

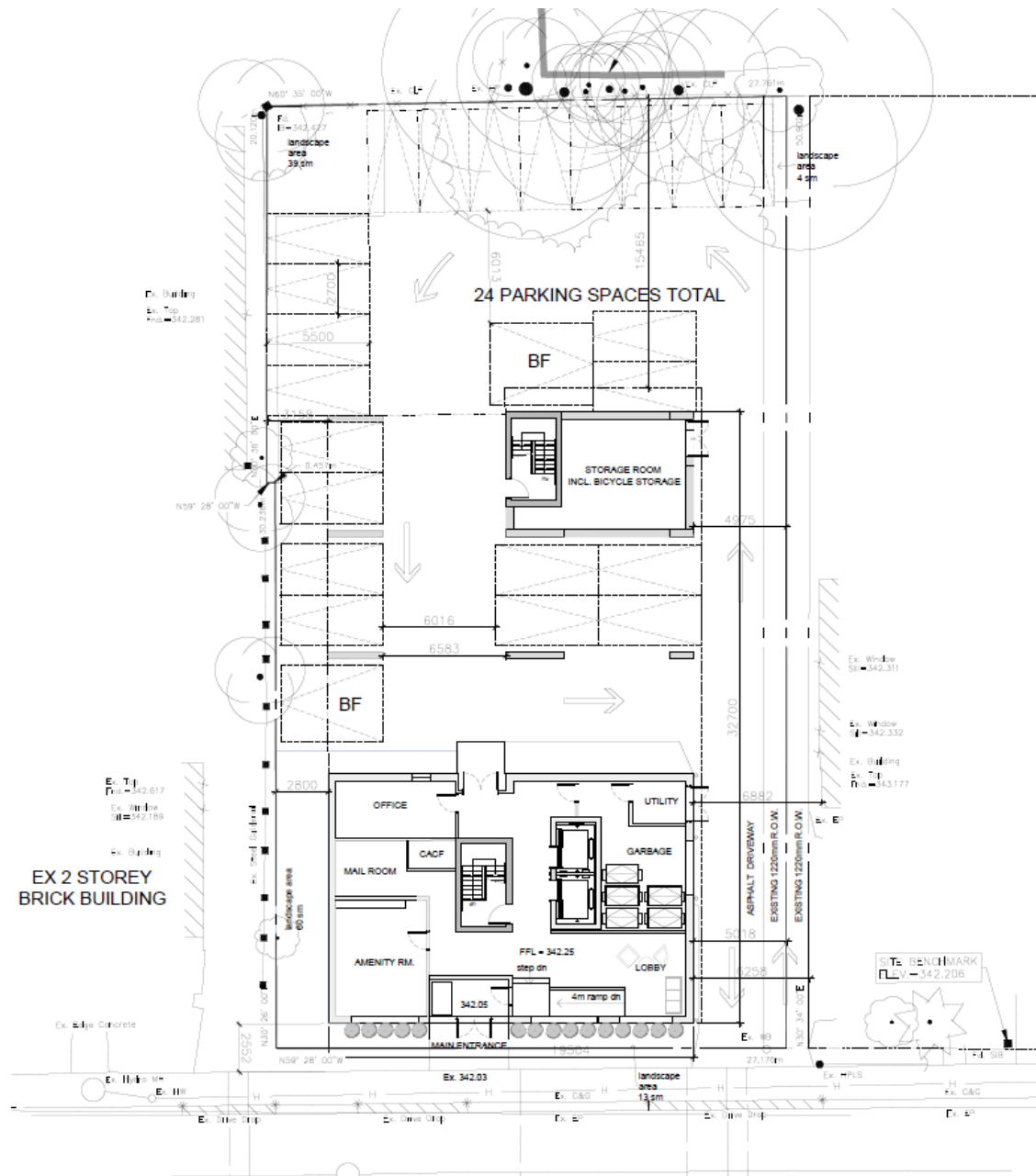


Figure 16 – Proposed Site Plan. (Source: +VH Architects, The Ventin Group Ltd., 2021)



Figure 17 – Rendering of proposed development looking north towards front elevation (Source: +VH Architects, The Ventin Group Ltd., 2021)



Figure 18 –Detail of proposed front elevation (Source: +VH Architects, The Ventin Group Ltd., 2020)

6.0 IMPACT ANALYSIS

6.1 INTRODUCTION

The following provides a list of potential sources of adverse impacts to cultural heritage resources which are identified in the Ontario Heritage Toolkit:

- **Destruction:** of any, or part of any *significant heritage attributes* or features;
- **Alteration:** that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- **Shadows:** created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;
- **Isolation:** of a *heritage attribute* from its surrounding environment, context or a significant relationship;
- **Direct or Indirect Obstruction:** of significant views or vistas within, from, or of built and natural features;
- **A change in land use:** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- **Land disturbances:** such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

The following sub-sections of this report provide an analysis of the impacts which may occur as a result of a proposed development. The following impact analysis is organized into two main sections. This includes a) whether or not the proposed development is in conformity with the policies of the HCD Plan regarding new development in the Weber Street area, and b) potential impacts on adjacent properties as per the list of potential sources of impacts outlined by the MHSTCI Ontario Heritage Toolkit (provided above).

6.2 CCNHCD PLAN POLICY INTRODUCTION

The CCNHCD Plan provides policies intended to guide change within the heritage conservation district. These policies include those which conserve cultural heritage resources, and those which guide compatible new development. The CCNHCD Plan provides policies specific to the Weber

Street Corridor, which is recognized as being designated High Density Commercial Residential and different than the balance of the district. The CCNHCD Plan provides guidelines for new development along Weber Street. The following provides an analysis of impacts as a result of the proposed new 19 storey building and addresses the policies provided in the CCNHCD Plan.

6.3 IMPACT ANALYSIS: 22 WEBER STREET WEST

The following analysis of impacts addresses Policies provided in the Civic Centre Neighbourhood Heritage Conservation District Plan. This includes Sections 3.3.1 regarding development pattern and land use, Section 3.3.5.2 regarding policies specific to the Weber Street Area as well as Section 6.9.4 which provides specific design guidelines for new development. The following sub-sections have been organized into a) general policies of the CCNHCD Plan that apply to all development, and b) policies that apply to development in the Weber Street Area.

6.3.1 CCNHCD Plan Policies that Apply to all Development

Section 3.3 of the CCNHCD Plan provides policies for conservation and change management. This includes (but is not limited to) policies related to the construction of new buildings and demolition of existing buildings.

Section 3.3.1 of the CCNHCD Plan provides a response to the following policies regarding development pattern and land use.

3.3.1 Development Pattern and Land Use

The vast majority of the Civic Centre Neighbourhood was originally developed as single family residential. Despite the fact that pockets of it have since been redeveloped for high-density apartment buildings, or converted to office or commercial uses, it remains a neighborhood of primarily original detached housing, 2 to 2-1/2 storeys in height on lots of sufficiently generous size that parking and driveways are generally to the side of dwellings. Setbacks of original heritage buildings are relatively uniform at the individual street level, as are building height and scale. To maintain the general consistency of the land uses and development pattern in the District, the following policies are proposed.

Policies:

(a) Maintain the residential amenity and human scale of the Civic Centre Neighbourhood by ensuring that the low density residential land use character remains dominant;

The areas of the CCNHCD which are identified as being characterized as low density residential at the interior of the District will remain unchanged. The proposed development is located at the perimeter of the District.

(b) New land uses in the interior of the neighbourhood that are out of keeping with the general residential character of the District, or would have a negative impact on it, are discouraged;

This policy does not apply to the proposed development as the subject property is not located in the interior of the District.

(c) Higher intensity uses or redevelopment opportunities should be focused at the perimeter, or outside of, the District primarily in appropriate locations in the Victoria Street Mixed Use Corridor or Weber Street;

The proposed development is located at the perimeter of the District, along Weber Street which is recognized as an area designated as High Density Commercial Residential in the HCD Plan. The proposed development is therefore consistent with this policy of the CCHNCD Plan regarding development pattern and land use.

(d) Where new uses or intensification is proposed, adaptive reuse of the existing heritage building stock should be considered wherever feasible;

This policy does not apply as the subject property is currently surface parking and does not include any existing heritage buildings which could be considered for adaptive re-use.

(e) For all areas designated as Low Rise Residential Preservation, Low Rise Multiple Residential and Low Density Multiple Residential, severances which would create new lots are strongly discouraged, unless the resulting properties are of similar size and depth to existing adjacent lots;

This policy does not apply to the proposed development as it is not located in an area designated low rise residential and does not require a severance.

(f) Where original detached residential buildings are lost due to unfortunate circumstances such as severe structural instability, fire or other reasons, the setback of replacement buildings should be the same as or close to the same as the original building;

The building previously located on the subject property was demolished prior to 1997 and its setbacks are unknown. However, the proposed 0.8 metre front yard setback of the new building is compatible with the setbacks of existing buildings located adjacent (i.e. at 18 Weber Street West and 28 Weber Street West) and is consistent with the varied setbacks which are established as part of the streetscape along the north side of Weber Street West. As noted previously in this report, the setbacks along Weber Street West vary greatly and there is no consistent setback along the street.

(g) Parking for new or replacement dwellings is to be located in driveways at the side of the dwelling or in garages at the rear of the main building whenever possible. New attached garages extending beyond the front of the dwelling are discouraged;

The proposed new building includes access to parking provided at the rear via laneways at the side of the building. Parking areas do not extend beyond the front of the building.

(h) Existing laneways are to be maintained to provide access to properties and to retain the historical development pattern of the neighborhood.

This policy does not apply as the subject property does not include any existing laneways which are important to the historical development pattern of the neighbourhood.

6.3.2 Weber Street Area Specific Policies

The CCNHCD Plan provides policies regarding site specific areas for the entirety of Weber Street West within the CCNHCD boundary. The following provides a review of how the proposed development is in conformity with the policies of the CCNHCD for the Weber Street area.

3.3.5.2 Weber Street Area

Weber Street contains nearly half of the oldest buildings in the Civic Centre Neighbourhood, making it one of the most important streets in the District from an architectural and historic perspective. The size and scale of heritage buildings on Weber Street is generally larger than the rest of the District, and includes two churches, small scale apartments (3 – 4 storeys) and a number of other larger residences that have been converted to multiple residential units or office/commercial uses. The Municipal Plan designates most of the street as High Density

Commercial Residential, with the designation extending slightly in some areas. The following policies are to apply to the whole of Weber Street within the District as well as to those sections of the High Density Commercial Residential designation that extend into the District on College and Young Streets.

Policies:

(a) The protection and retention of existing heritage buildings and their architectural features is strongly encouraged.

This policy does not apply as the subject property is surface parking and does not include any heritage buildings or features.

(b) Maintain residential streetscape character through the use of appropriate built form, materials, roof pitches, architectural design and details particularly at the interface between Weber Street and the interior of the neighbourhood;

The north side of Weber Street West is characterised by uses ranging from residential, institutional, and mixed-use. It includes two large places of worship and their associated surface parking lots and purpose-built multiple residential buildings. Remaining single detached dwellings have been converted to multiple residential dwellings or non-residential uses. As a result, the character and built form of the Weber Street area is different than the rest of the District. The use of the proposed building as a multiple residential building is consistent with the other uses on the street. The building setback from the street, the location of parking at the rear, and the building materials are consistent with the existing character, albeit at nineteen stories the building is taller than the others in the Weber Street area.

(c) Adaptive reuse of existing buildings should be given priority over redevelopment. Flexibility in Municipal Plan policies and zoning regulations is encouraged where necessary to accommodate appropriate adaptive reuse options.

This policy does not apply to the redevelopment of the subject property as there is no existing heritage building located on-site which could be considered for adaptive re-use.

(d) Where redevelopment is proposed on vacant or underutilized sites, new development shall be sensitive to and compatible with adjacent heritage resources on the street with respect to height, massing, built form and materials.



Figure 19 – View of higher density development and contemporary buildings located south-east of the subject property near the intersection of Queen Street and Weber Street (Source: MHBC, 2019)

The Heritage Conservation District Plan considers that tall buildings may be developed within the Weber Street Area, consistent with the Secondary Plan policies and Zoning By-law which identify this area is for high density mixed use. Taller, higher density buildings can be “compatible” with lower density developments. Compatible is not intended to mean “same as”, but whether or not a taller building can co-exist with lower density developments without adverse impacts. Whether or not a new development is compatible or not is determined by the policies provided in the CCNHCD Plan. The proposed new building which is 19 storeys is of a higher density than the adjacent cultural heritage resources at 18 Weber Street West and 28 Weber Street West. The CCNHCD Plan recognizes that the character of Weber Street is different than that of the interior of the District and includes higher density developments. Further, that “...infill development fronting on Weber could potentially be compatible even if taller than 4-5 storeys.” (Section 4.2.1 of the CCNHCD Plan). The proposed new building meets the policies of the CCNHCD Plan as it is a) it is located at the perimeter of the District, where higher density developments are anticipated b) is consistent with the 45 degree angular plane policy and does not result in impacts related to shadowing on rear yards. Further analysis regarding the angular plane analysis and shadows is provided in the following sections of this report.

(e) Any buildings proposed over 5 storeys in height may be required to undertake shadow studies where they abut existing residential uses, to demonstrate that they will not unreasonably impact on access to sunlight in rear yard amenity areas.

The shadow study provided in Appendix C of this report demonstrates that shadows will be cast onto abutting lands to the north. The shadows during the spring and summer are primarily cast on the adjacent Office Residential lands on the south side of Roy Street, with minimal shadows extending to the front yards of the low rise residential areas of the District during the Spring to Fall seasons. More extensive shadows will be cast during the winter season when the sun is low in the sky. Given that the tower is narrow, the shadowing on front yards on the north side of Roy Street does not last for more than a few hours. The heritage attributes are not negatively impacted and shadows do not unreasonably impact on access to sunlight in rear yard amenity areas of the residential designated lands.

(f) Design guidelines provided in Section 6.9.2 of this Plan will be used to review and evaluate proposals for major alterations, additions or new buildings to ensure that new development is compatible with the adjacent context.

The following provides a review of the design guidelines provided in Section 6.9.2 of the CCNHCD Plan as it relates to the proposed development.

6.9 SITE / AREA SPECIFIC DESIGN GUIDELINES

There are several sites, as previously identified in the policies and implementation sections of this report, that have a distinct character and/or some development expectation or potential over the long term. To ensure that future development, should it occur, is compatible with the District, the following guidelines should be considered during the building and site design in these areas.

6.9.4 Weber Street

• Any infill development on Weber Street should maintain a strong relationship to the street at the lower levels (2 to 4 storeys) with respect to built form and use.

The proposed development includes a large front entrance with glazing and masonry facing Weber Street West. This front entrance has been emphasized at the pedestrian level through the use of a 2-storey masonry podium (See Figure 17).

- ***Setbacks of new development should be consistent with adjacent buildings. Where significantly different setbacks exist on either side, the new building should be aligned with the building that is most similar to the predominant setback on the street.***

There is no consistent front yard setback along the north side of Weber Street West. The existing building at 18 Weber Street West is setback approximately 12 metres from the street. The building at 28 Weber Street W is setback approximately 8.6 metres from the street. The proposed new building has a shallow front yard setback, which respects the two varying setbacks of these adjacent buildings and is consistent with the character of Weber Street West.

- ***Building facades at the street level should incorporate architectural detail, similar materials and colours, and consistency with the vertical and horizontal proportions or rhythm of adjacent / nearby buildings on the street to establish a cohesive streetscape.***

Weber Street West includes a range of materials, colours, and architectural styles indicative of their period of construction. Therefore, there is no consistent or dominant design standard. The two buildings located adjacent to the subject property at 18 Weber Street West and 28 Weber Street West are of the Vernacular and Second Empire architectural styles and are constructed of brick. The proposed building includes neutral shades of masonry, including red brick masonry above the podium which will reflect the adjacent buildings constructed of masonry.

- ***New development shall have entrances oriented to the street.***

The 2 storey podium and main entrance is oriented south towards Weber Street West.

- ***Size, placement and proportion of window and door openings for new buildings or additions should be generally consistent with those on other buildings along the street.***

There is no consistent design in terms of placement and proportion of window and door openings along Weber Street West. The design of the new building includes a square and rectangular shaped contemporary windows with a consistent rhythm and is compatible with the streetscape.

- ***Any new buildings taller than 3 to 4 storeys should incorporate some form of height transition or setbacks to minimize the perception of height and shadow impacts to pedestrians on the***

street and provide more visual continuity. Stepbacks should be a minimum of 2 metres to provide for useable outdoor terraces for the upper levels.

This front entrance has been emphasized at the pedestrian level through the use of a 2-storey masonry podium. The proposed design is such that the majority of the building mass is pushed towards Weber Street West in order to conform to the 45 degree angular plane policy (see below for further analysis).

• Any buildings taller than 5 storeys abutting a residential property to the rear should be constructed within a 45 degree angular plane where feasible, starting from the rear property line, to minimize visual impacts on adjacent property owners.

Section 4.2.1 of the CCNHCD Plan regarding Land Use Designations and Zoning identifies that the High Density Commercial Residential designation along Weber Street has the potential to be in conflict with the intent of the HCD Plan in terms of height and density. The rear of the subject lands abut properties that are designated Office Residential Conversion. The subject lands do not abut the Low Rise Residential designated areas that make up the interior of the Heritage District. Section 5.2.3 of the HCD Study as well as the policies of the Secondary Plan identify that the Office Residential Conversion lands are intended to provide a buffer and transition between the higher density uses on Weber Street and the low rise residential areas in the Heritage District. The intent of the angular plane guideline is to ensure that tall buildings don't negatively impact the character of low rise residential properties and jeopardize their continued residential use. The proposed development meets the 45 degree angular plane guideline when measured from the edge of the Low Rise Residential properties on Roy Street (See angular plane analysis provided in Appendix B of this report).

CCN HCD Study 5.2.3 Land Use Designations and Zoning

The Office-Residential Conversion designation is intended to preserve existing structures and to serve as a transition area between the higher intensity uses along Weber and Queen Street and the Low Rise Residential – Preservation designation.

An angular plane analysis measures the angular plane beginning at the north side of Roy Street rather than the south side in order to account for the south side of Roy Street which is designated Office Residential Conversion and is considered a buffer zone between the High Density Commercial Residential Area and the Low Density

Residential Areas. The angular plane analysis identifies that the proposed new 19 storey building is within the permitted range of the 45 degree angular plane.

• To minimize impacts on properties to the rear of or flanking Weber Street, a rear yard setback of 15 metres should be maintained for new buildings as well as additions where feasible.

The proposed new building has a rear yard setback of approximately 15.9 metres. The draft site specific zoning proposes a minimum rear yard of 15 metres consistent with the above recommendation.

• Locate loading, garbage and other service elements (HVAC, meters, etc.) away from the front façade so they do not have a negative visual impact on the street or new building / addition.

Loading, garbage, and other services are located away from the front façade towards the rear of the lot.

6.4 IMPACT ANALYSIS: ADJACENT LANDS

The following provides an analysis of potential impacts as a result of the proposed development on adjacent lands. This includes the adjacent properties located along Weber Street West and Roy Street. Potential sources of impacts include those listed in Section 7.1 of this report. Policies provided in the CCNHCD Plan regarding the impact of proposed new buildings on adjacent lands were addressed in the previous section of this report (i.e. related to angular plane analyses, shadow studies, etc.).

The following analysis of the above-noted policies is divided into two sections regarding adjacent properties located along a) Weber Street West and b) Roy Street.

6.4.1 WEBER STREET WEST

The proposed new building will not result in the destruction or alteration of any heritage buildings or features located adjacent, including the buildings located at 18 Street West and 28 Weber Street West. As noted previously in this report, shadows as a result of the proposed new building will not impact any heritage resources located along Weber Street West. The proposed new building will not result in the isolation of any heritage attributes as the subject property is currently vacant and therefore does not include any features which would have a relationship to any adjacent property. The proposed new building includes side yard setbacks at the east and west property lines which

provide generous space between the proposed new building and the existing building at 28 Weber Street West. As a result, the proposed side yard setbacks will allow the side elevations of the buildings at 18 Weber Street West and 28 Weber Street West to continue to be visible from the public realm (See Figures 19 & 20). These elevations may be obstructed for a short period of time as one traverse Weber Street West, but will be visible again as one passes the proposed new building in either direction. This is consistent with the character of the street due to varied setbacks and is not anticipated to result in adverse impacts to the character of Weber Street West.



Figures 20 & 21 – (left) View of subject property with east elevation of 28 Weber Street West noted in red, (right) View of subject property with west elevation of 18 Weber Street West noted in red, (Source: MHBC, 2020)

No adverse impacts are anticipated in terms of changes in land use as it will remain residential while accommodating higher densities permitted by the Municipal Plan and Zoning By-law. There is potential for land disturbances as a result of construction activities at 22 Weber Street West on adjacent heritage buildings on Weber Street West which require mitigation recommendations.

6.4.2 IMPACT ANALYSIS: ROY STREET

The proposed new 19 story building will result in shadows cast to the north. As a result, shadows will be cast on the rear yard of properties located at 35 Roy Street, 31 Roy Street, 27 Roy Street and 23 Roy Street mid-day throughout the year. These shadows will not result in adverse impacts to any cultural heritage attributes.

The proposed new building will not result in the isolation of any heritage features as the subject property is vacant. Land use will remain residential and will not result in adverse impacts. There is

potential for land disturbances as a result of construction activities at 22 Weber Street West on adjacent heritage buildings on Roy Street which require mitigation recommendations.

6.5 SUMMARY OF IMPACT ANALYSIS

The following provides a summary of the impact analysis as it relates to a) conformity with the policies of the CCNHCD Plan regarding new development, and development within the Weber Street policy area, and b) impacts to adjacent heritage resources.

6.5.1 Conformity with the Policies of the CCNHCD Plan

The impact analysis provided in the previous sections of this report have highlighted that the intent of policies provided in the CCNHCD Plan is to provide policies for change management and the conservation of cultural heritage resources. The CCNHCD Plan identifies that there are situations where higher density new developments may be considered. The CCNHCD Plan identifies that higher density developments should be located in specific areas of the District, including Weber Street as it is located at the perimeter and is designated High Density Commercial Residential. Further, the CCNHCD Plan identifies that the character of Weber Street is different than that of the interior of the District and could incorporate new development of higher densities provided that it does not result in the demolition of existing heritage buildings and is complementary in terms of scale, massing, setbacks, design, etc. The analysis provided in Section 6.0 of this report demonstrates that the proposed new 19 storey multi-residential building is consistent with policies in Section 3.3.1 of the CCNHCD Plan regarding development pattern and land use as the site is considered vacant and underutilized. The CCNHCD Plan does not regulate height. Instead, it indicates that new buildings along Weber Street should be sensitive to, and compatible with adjacent heritage resources. The proposed new building which is 19 storeys is compatible with the existing built form of Weber Street West in terms of scale and massing as a) it is located at the perimeter of the District, where higher density developments are anticipated b) it will not result in disrupting any consistent building height, as the Weber Street West streetscape varies considerably and is located within close proximity to higher intensity land uses in the Downtown. The proposed development is also consistent with the specific design guidelines for new buildings provided in Section 6.9.2 of the CCNHCD Plan including the requirement for buildings to comply with a 45 degree angular plane in order to provide a transition between higher density developments along Weber Street West and the low rise residential areas at the interior of the District.

6.5.2 Impacts to Adjacent Heritage Resources

The proposed development will not result in impacts to adjacent heritage resources. No heritage resources will be demolished, or altered and will not result in impacts related to shadows,

obstruction, or land use. Existing churches located along Weber Street North, including the St. Andrew's Presbyterian Church at 54 Queen Street North and the Zion United Church at 32 Weber Street West will remain prominently visible along the Weber Street West streetscape. There is potential for land disturbances regarding vibration impacts during construction activities which can be avoided by vibration monitoring.

Potential Impacts:	28 Weber Street	18 Weber Street	Roy Street
Destruction	<i>No.</i>	<i>No.</i>	<i>No.</i>
Alteration	<i>No.</i>	<i>No.</i>	<i>No.</i>
Shadows	<i>No. Shadows cast to the north-west are minimal and will not result in adverse impacts.</i>	<i>No. Shadows cast to the north-east are minimal and will not result in adverse impacts.</i>	<i>No. Shadows cast to the north during mid-day, and will not result in adverse impacts.</i>
Isolation	<i>No.</i>	<i>No</i>	<i>No</i>
Obstruction	<i>No. The proposed development will not obstruct the building at 28 Weber Street West, including the east façade.</i>	<i>No. The proposed development will not obstruct the building at 18 Weber Street West, including the west façade.</i>	<i>No. The buildings are not visible from Weber Street West.</i>
Change in Land Use	<i>No.</i>	<i>No.</i>	<i>No.</i>
Land Disturbances	<i>Potential for vibration impacts – mitigation may be required.</i>	<i>Potential for vibration impacts – mitigation may be required.</i>	<i>Potential for vibration impacts – mitigation may be required.</i>

7.0 MITIGATION AND CONSERVATION RECOMMENDATIONS

7.1 ALTERNATIVE DEVELOPMENT OPTIONS

The following sub-sections of this report provide recommendations regarding alternative development approaches as it relates to the proposed development.

7.1.1 'Do Nothing' Alternative

The do nothing alternative would result in no development on the lands. This would have no impact on heritage resources as the property is vacant. It is important to note that Section 7.4.4 of the CCNHCD Plan identifies that paved parking areas have the potential to detract from the character of the District. The image provided in Section 7.4.4 which demonstrates this specifically uses the existing parking area at 22 Weber Street West as an example. The Plan identifies that areas such as this should be screened from view with landscaping (low hedges or fencing) and that permeable types of paving are preferred in order to minimize impacts to the streetscape. Therefore, the 'do nothing' approach would result in a site which has been identified in the CCNHCD Plan as having potential for improvement in order to meet the policies and guidelines regarding vehicle parking.

7.1.2 Redevelop Site with Decreased Height and Density

This alternative would result in a new multiple-residential building with fewer storeys and less height. This alternative would conform to the existing 4.0 FSR. This alternative would not result in less impact to heritage resources since a 19 storey building complies with policies of the Heritage Conservation District regarding height – i.e. the 45 degree angular plane. If the lower height was

accommodated by constructing a wider building, there may be increased impact due to reduction in the rear yard setback.

7.1.3 Redevelop Site with Increased Density

This alternative would result in constructing a new multiple-residential building with increased height. A building constructed in excess of 19 storeys would not comply with the 45 degree angular plane guideline.

7.1.4 Redevelop Site with Alternative Designs & Materials

This option includes the construction of an alternative design of a building while achieving the same FSR. This option would require a larger lot and the acquisition of adjacent properties, such as those located at 18 Weber Street West and 28 Weber Street West. The demolition of these two buildings to allow for a larger building footprint would decrease the building height and FSR while maximizing density. This option would result in significant adverse impacts as the buildings located at 28 Weber Street West and 18 Weber Street West are identified as important cultural heritage resources in the CCNHCD Plan.

7.2 MITIGATION RECOMMENDATIONS

Mitigation recommendations as it relates to identified impacts are limited to *potential* land disturbances as a result of construction activities. These potential impacts to adjacent buildings can be avoided through vibration monitoring. It is recommended that the proposed development include an inspection of the adjacent properties located at 18 Weber Street West and 28 Weber Street West prior and post construction activities.

8.0 CONCLUSIONS & RECOMMENDATIONS

The proposed development includes the construction of a 19 storey multiple residential building on a lot currently used as surface parking. The proposed new building does not include the demolition or alteration of any cultural heritage resources located on-site or adjacent. As the proposed new building is located within the Civic Centre Neighbourhood Heritage Conservation District and is designated under Part V of the *Ontario Heritage Act*, any new development is subject to the policies of the CCNHCD Plan.

The CCNHCD Plan recognizes that Weber Street is different from the interior of the district and sets forth policies for new development which are specific to this area. The Plan recognizes that Weber Street West is designated High Density Commercial Residential and that higher density developments can be considered provided that it does not result in the demolition of significant cultural heritage resources and is compatible with the character of the streetscape.

This Heritage Impact Assessment has demonstrated that Weber Street West is characterized by a range of architectural styles, materials, colours, setbacks, and buildings of a higher scale than that of the interior of the district. The proposed new 19 storey residential building is taller than adjacent buildings, but maximises density while respecting adjacent cultural heritage resources. The proposed new building is contemporary in style and includes materials such as neutral toned masonry. The building includes a 2 story main entrance/podium which emphasizes the pedestrian scale. The contemporary design includes a symmetrical arrangement of square and rectangular shaped windows in a regularly established rhythm which will not detract from the buildings located adjacent at 18 Weber Street West and 28 Weber Street West.

The proposed development will not result in any adverse impacts related to obstruction, isolation, change in land use, or shadows. The proposed development is considered a neutral impact to adjacent heritage resources within the Civic Centre Neighbourhood Heritage Conservation District (CCNHCD) located along Weber Street West and Roy Street.

There is potential for impacts to adjacent buildings as a result of construction activities. Mitigation recommendations for the proposed development are limited to monitoring vibration impacts during construction.

Respectfully submitted,



Dan Currie, MA, MCIP, RPP, CAHP
MHBC, Partner



Vanessa Hicks, MA, CAHP
MHBC, Heritage Planner

9.0 WORKS CONSULTED

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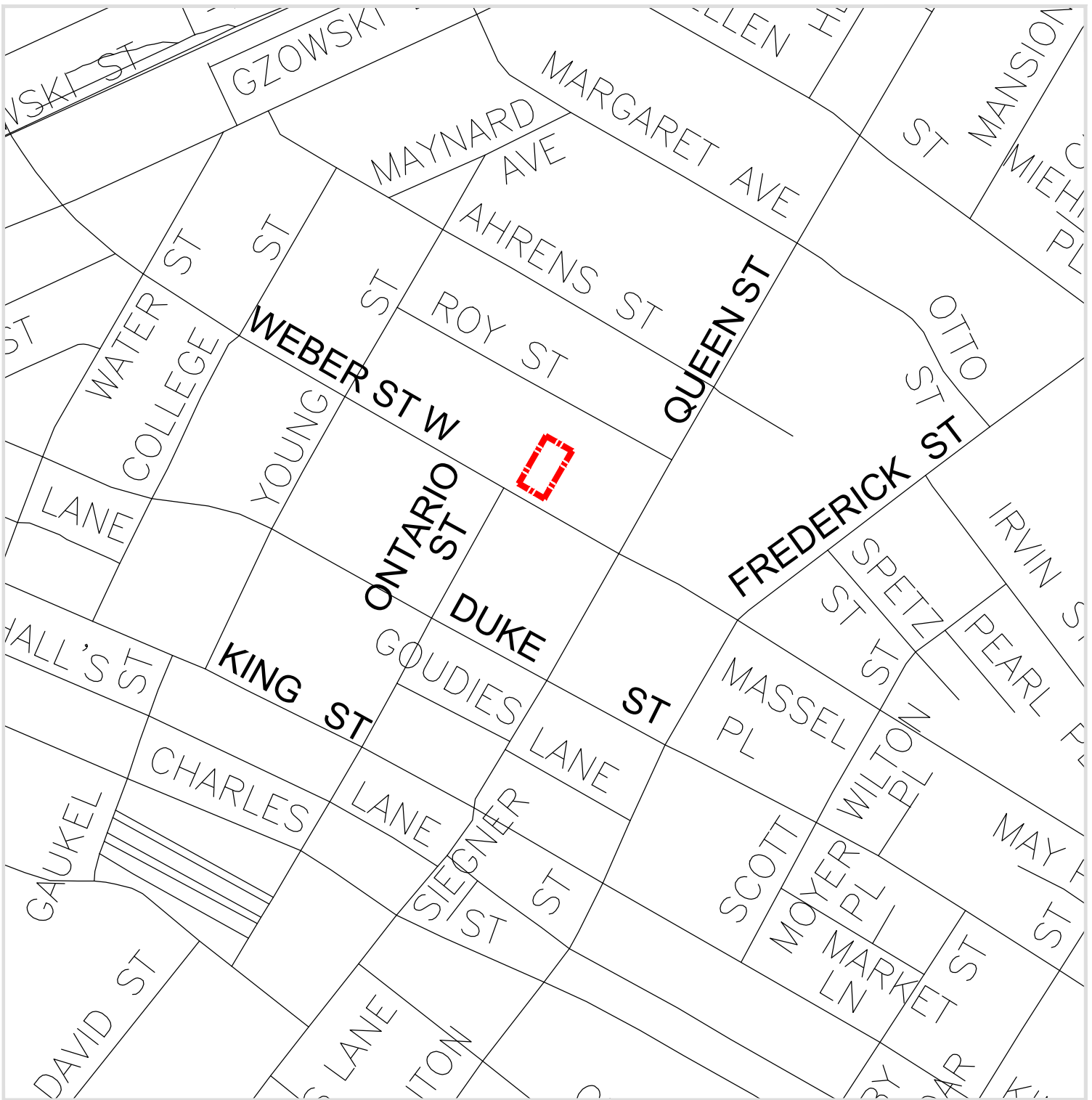
n/a. *Busy Berlin*, Jubilee Souvenir. 1897.

Ontario Ministry of Culture. *Ontario Heritage Tool Kit: Heritage Resources in the Land Use Planning Process, InfoSheet #2, Cultural Heritage Landscapes*. Queens Printer for Ontario, 2006.

Uttley, W.V. (Ben), *A History of Kitchener, Ontario*. The Chronicle Press: Kitchener, 1937.


W. V. Uttley and Gerald Noonan. *A History of Kitchener*, Wilfrid Laurier University Press, 1975.

APPENDIX A – LOCATION MAP



Location Plan
22 Weber Street West,
Kitchener, Ontario

LEGEND

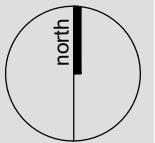
 Subject Lands

DATE: February 27, 2019

SCALE 1 : 5,000

FILE: 1961A

DRN: LHB

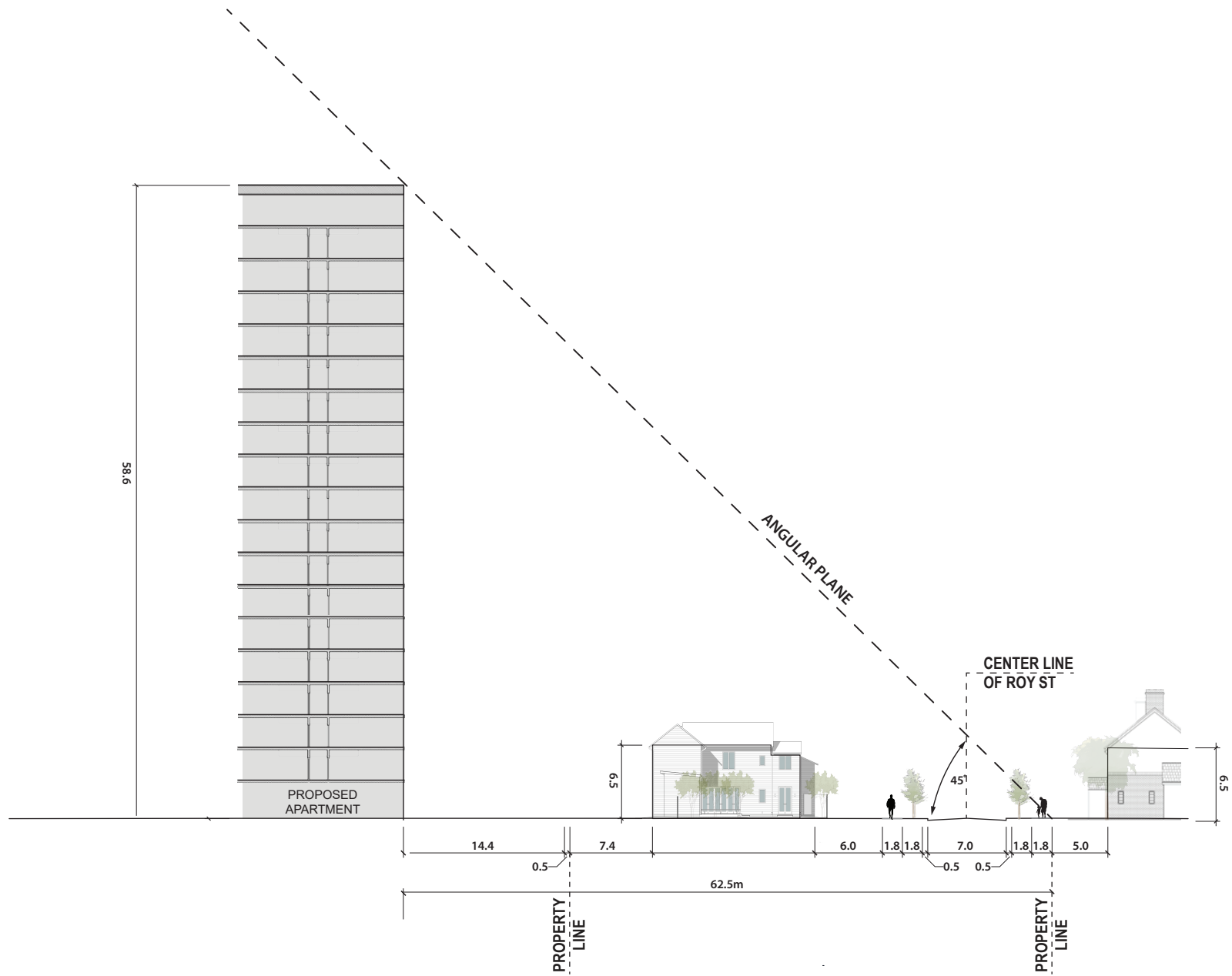


K\1961A-22 WEBER ST\REPORT\LOCATION PLAN
 FEBRUARY 27 2019.DWG

MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE

200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

APPENDIX B – ANGULAR PLANE ANALYSIS



ANGULAR PLANE ANALYSIS

22 WEBER ST WEST
KITCHENER, ON

19 STOREYS

DATE: Oct 2021

SCALE: NTS

FILE: 1961A

DRN: CH



APPENDIX C – SHADOW STUDY

Shadow Study

Spring Shadows - March 21

LEGEND

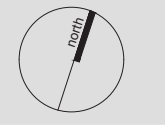


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

SCALE: N.T.S

K:\1961A-22 Weber St



Shadow Study

Summer Shadows - June 21

LEGEND

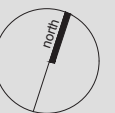


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

SCALE: N.T.S

K:\1961A-22 Weber St



Shadow Study

Autumn Shadows - September 21

LEGEND

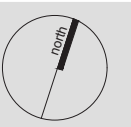


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

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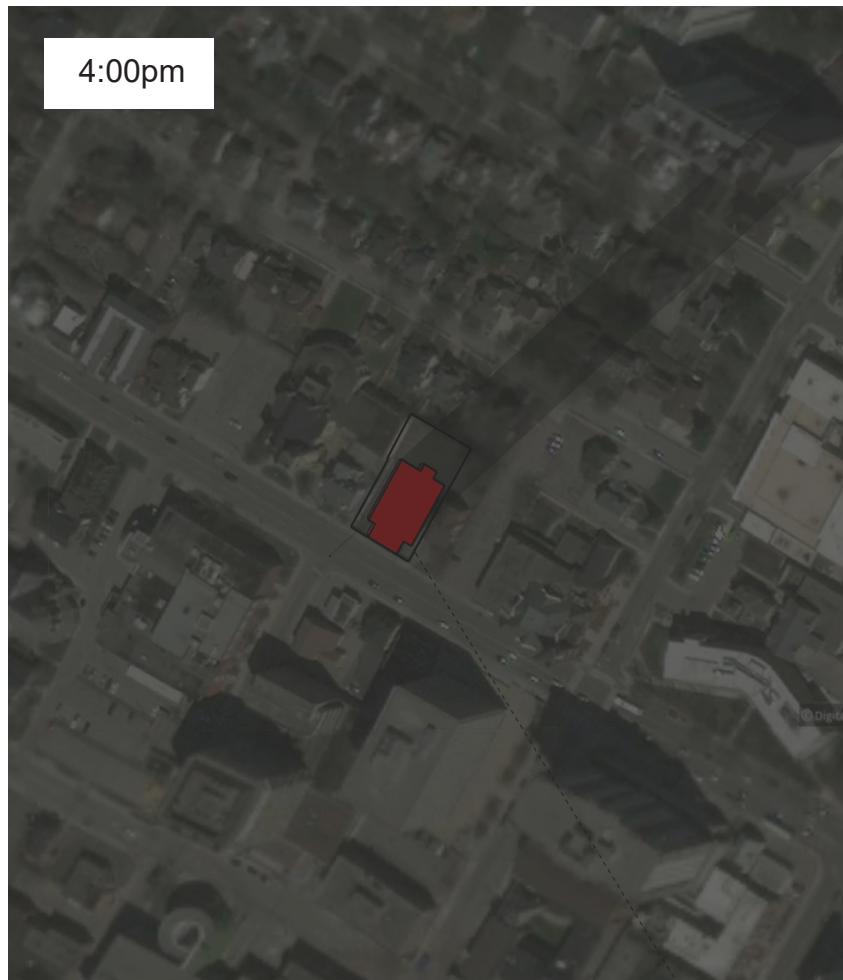
K:\1961A-22 Weber St



Shadow Study

Winter Shadows - December 21

LEGEND

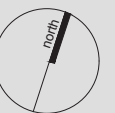


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

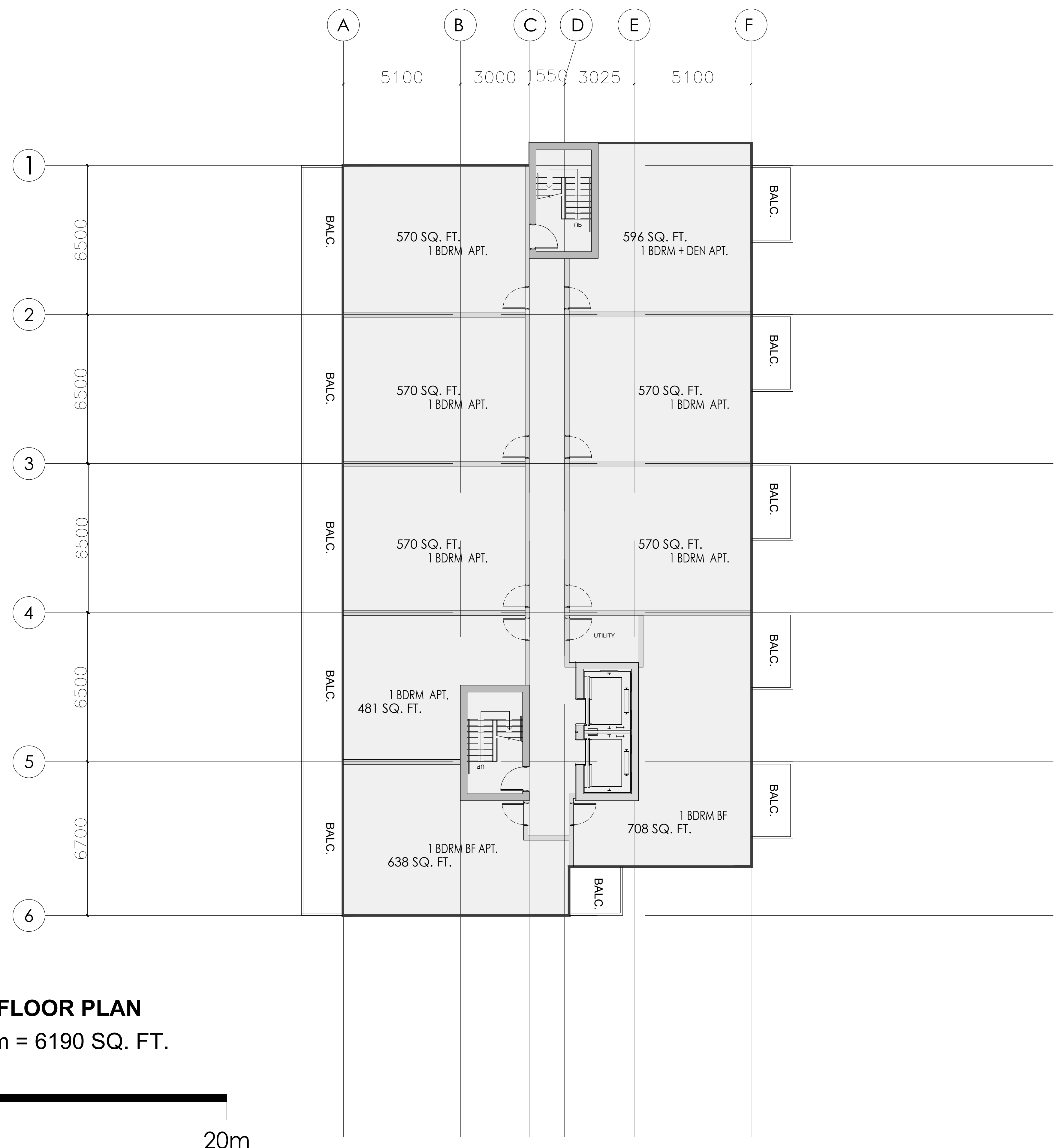
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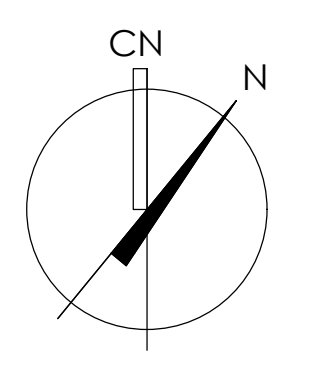


APPENDIX D – SITE PLAN & RENDERINGS

REVISIONS		
NO.	DATE	PARTICULAR
1	20.07.08	ISSUED FOR OPA / J.C.



PROPOSED TYPICAL FLOOR PLAN
 FLOOR AREA 571.34sm = 6190 SQ. FT.



PROPOSED MULTI-RESIDENTIAL DEVELOPEMENT
 22 WEBER ST. W., KITCHENER, ONTARIO
 SEPTEMBER 23, 2021

+VG ARCHITECTS
 THE VENTIN GROUP LTD

50 Dalhousie Street
 Brantford, Ontario, Canada
 N3T 2H8
 T: 519.754.1652
 www.plusvg.com

Filename: \A:\VC\Brantford\22 Weber St - Daniel\2107\Drawings\22Weber-Plans-July14-20.org
 Plot Date: Sep 23, 2021 3:24pm by: aboudeau

APPENDIX E – CURRICULUM VITAE



CURRICULUMVITAE

Dan Currie, MA, MCIP, RPP, CAHP

Dan Currie, a Partner and Managing Director of MHBC's Cultural Heritage Division, joined MHBC Planning in 2009, after having worked in various positions in the public sector since 1997. Dan provides a variety of planning services for public and private sector clients including a wide range of cultural heritage policy and planning work including strategic planning, heritage policy, heritage conservation district studies and plans, heritage master plans, cultural heritage evaluations, heritage impact assessments and cultural heritage landscape studies.

EDUCATION

2006

Masters of Arts (Planning)
University of Waterloo

1998

Bachelor of Environmental Studies
University of Waterloo

1998

Bachelor of Arts (Art History)
University of Saskatchewan

PROFESSIONAL ASSOCIATIONS

Full Member, Canadian Institute of Planners

Full Member, Ontario Professional Planners Institute

Professional Member, Canadian Association of Heritage Professionals

SELECTED PROJECT EXPERIENCE

Heritage Conservation District Studies and Plans

Alton Heritage Conservation District Study, Caledon (underway)

Port Stanley Heritage Conservation District Plan (underway)

Port Credit Heritage Conservation District Plan, Mississauga

Town of Cobourg Heritage Conservation District Plan updates

Rondeau Heritage Conservation District Study & Plan, Chatham Kent,

Barriefield Heritage Conservation District Plan Update, Kingston

Victoria Square Heritage Conservation District Study, Markham

Bala Heritage Conservation District Study and Plan, Township of Muskoka Lakes

Downtown Meaford Heritage Conservation District Study and Plan

Brooklyn and College Hill Heritage Conservation District Plan, Guelph

Garden District Heritage Conservation District Study and Plan, Toronto

Heritage Master Plans and Management Plans

City of Guelph Cultural Heritage Action Plan

Town of Cobourg Heritage Master Plan

Burlington Heights Heritage Lands Management Plan

City of London Western Counties Cultural Heritage Plan

Cultural Heritage Evaluations

MacDonald Mowatt House, University of Toronto

CONTACT

540 Bingemans Centre Drive,
Suite 200
Kitchener, ON N2B 3X9
T 519 576 3650 x 744
F 519 576 0121
dcurrie@mhbcplan.com
www.mhbcplan.com

CURRICULUMVITAE

Dan Currie, MA, MCIP, RPP, CAHP

City of Kitchener Heritage Property Inventory Update
Niagara Parks Commission Queen Victoria Park Cultural Heritage Evaluation
Designation of Main Street Presbyterian Church, Town of Erin
Designation of St Johns Anglican Church, Norwich
Cultural Heritage Landscape evaluation, former Burlingham Farmstead, Prince Edward County

Heritage Impact Assessments

Heritage Impact Assessment for Pier 8, Hamilton
Homer Watson House Heritage Impact Assessment, Kitchener
Expansion of Schneider Haus National Historic Site, Kitchener
Redevelopment of former industrial facility, 57 Lakeport Road, Port Dalhousie
Redevelopment of former amusement park, Boblo Island
Redevelopment of historic Waterloo Post Office
Redevelopment of former Brick Brewery, Waterloo
Redevelopment of former American Standard factory, Cambridge
Redevelopment of former Goldie and McCullough factory, Cambridge
Mount Pleasant Islamic Centre, Brampton
Demolition of former farmhouse at 10536 McCowan Road, Markham

Heritage Assessments for Infrastructure Projects and Environmental Assessments

Heritage Assessment of 10 Bridges within Rockcliffe Special Policy Area, Toronto
Blenheim Road Realignment Collector Road EA, Cambridge
Badley Bridge EA, Elora
Black Bridge Road EA, Cambridge
Heritage and Cultural Heritage Landscape Assessment of Twenty Mile Creek Arch Bridge, Town of Lincoln
Heritage Evaluation of Deer River, Girven, Burnt Dam and MacIntosh Bridges, Peterborough County

Conservation Plans

Black Bridge Strategic Conservation Plan, Cambridge
Conservation Plan for Log house, Beurgetz Ave, Kitchener
Conservation and Construction Protection Plan - 54 Margaret Avenue, Kitchener

CONTACT

540 Bingemans Centre Drive,
Suite 200
Kitchener, ON N2B 3X9
T 519 576 3650 x 744
F 519 576 0121
dcurrie@mhbcplan.com
www.mhbcplan.com

CURRICULUMVITAE

Dan Currie, MA, MCIP, RPP, CAHP

Tribunal Hearings: Local Planning Appeal Tribunal & Conservation Review Board

- Port Credit Heritage Conservation District (LPAT)
- Demolition 174 St Paul Street (Collingwood Heritage District) (LPAT)
- Brooklyn and College Hill HCD Plan (LPAT)
- Rondeau HCD Plan (LPAT)
- Designation of 108 Moore Street, Bradford (CRB)
- Redevelopment of property at 64 Grand Ave, Cambridge (LPAT)
- Youngblood subdivision, Elora (LPAT)
- Designation of St Johns Church, Norwich (CRB - underway)

MASTER PLANS, GROWTH MANAGEMENT STRATEGIES AND POLICY STUDIES

- Township of West Lincoln East Smithville Secondary Plan
- Town of Frontenac Islands Marysville Secondary Plan
- Niagara-on-the-Lake Corridor Design Guidelines
- Cambridge West Master Environmental Servicing Plan
- Township of West Lincoln Settlement Area Expansion Analysis
- Ministry of Infrastructure Review of Performance Indicators for the Growth Plan
- Township of Tiny Residential Land Use Study
- Port Severn Settlement Area Boundary Review
- City of Cambridge Green Building Policy
- Township of West Lincoln Intensification Study & Employment Land Strategy
- Ministry of the Environment Review of the D-Series Land Use Guidelines
- Meadowlands Conservation Area Management Plan
- City of Cambridge Trails Master Plan
- City of Kawartha Lakes Growth Management Strategy

DEVELOPMENT PLANNING

Provide consulting services and prepare planning applications for private sector clients for:

- Draft plans of subdivision
- Consent
- Official Plan Amendment
- Zoning By-law Amendment
- Minor Variance
- Site Plan

CONTACT

540 Bingemans Centre Drive,
 Suite 200
 Kitchener, ON N2B 3X9
 T 519 576 3650 x 744
 F 519 576 0121
 dcurrie@mhbcpplan.com
 www.mhbcpplan.com



CURRICULUMVITAE

Vanessa Hicks, M.A., C.A.H.P.

Associate

EDUCATION

2016

Master of Arts in Planning,
specializing in Heritage
Planning
*University of Waterloo,
School of Planning*

2010

Bachelor of Arts (Honours)
in Historical/Industrial
Archaeology
Wilfrid Laurier University

CREDENTIALS

Canadian Association of
Heritage Professionals (full
member)

Vanessa Hicks is a Senior Heritage Planner and Associate with MHBC. Vanessa joined the firm after having gained experience as a Manager of Heritage Planning in the public realm where she was responsible for working with Heritage Advisory Committees in managing heritage resources, Heritage Conservation Districts, designations, special events and heritage projects.

Vanessa is a full member of the Canadian Association of Heritage Professionals (CAHP) and graduated from the University of Waterloo with a Masters Degree in Planning, specializing in heritage planning and conservation. Vanessa provides a variety of research and report writing services for public and private sector clients. She has experience in historical research, inventory work, evaluation and analysis on a variety of projects, including Heritage Conservation Districts (HCDs), Heritage Impact Assessments (HIAs), Cultural Heritage Evaluation Reports (CHERs), Conservation Plans (CPs), Documentation and Salvage Reports, and Commemoration Projects (i.e. plaques).

PROFESSIONAL EXPERIENCE

June 2016 - Present Cultural Heritage Specialist/ Heritage Planner
MacNaughton Hermsen Britton Clarkson Planning Ltd.

2012 - 2016 Program Manager, Heritage Planning
Town of Aurora

May 2012 - October 2012 Heritage Planning Assistant
Town of Grimsby

2007 - 2010 Archaeologist
Archaeological Research Associates Ltd.

CONTACT

540 Bingham Centre Drive,
Suite 200
Kitchener, ON N2B 3X9
T 519 576 3650 x 728
F 519 576 0121
vhicks@mhbcplan.com
www.mhbcplan.com



MHBC
P L A N N I N G
U R B A N D E S I G N
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A R C H I T E C T U R E