

ONTARIO LAND TRIBUNAL

PROCEEDING COMMENCED UNDER subsection 17(40) of the *Planning Act*, R.S.O. 1990, c.P. 13 as amended.

Applicant and Appellant: 30 Duke Street Limited
Subject: Failure of Approval Authority to announce a decision respecting a Proposed Official Plan Amendment
Reference Number: OPA 20/005W/JVW
Property Address: 22 Weber Street W (22 Weber Street W.)
Municipality/UT: Kitchener/Waterloo
OLT Case No.: OLT-22-002377
OLT Lead Case No.: OLT-22-002377
OLT Case Name: 30 Duke Street Limited v. Kitchener (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Applicant and Appellant: 30 Duke Street Limited
Subject: Application to amend the Zoning By-law – Refusal or neglect to make a decision
Reference Number: 20/013/W/JVW
Property Address: 22 Weber Street W (22 Weber Street W.)
Municipality/UT: Kitchener/Waterloo
OLT Case No.: OLT-23-002378
Legacy Case No: PL210105
OLT Lead Case No.: OLT-22-002377
Legacy Lead Case No: PL210104

PROCEEDING COMMENCED UNDER subsections 42(6) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended.

Applicant and Appellant: 30 Duke Street Limited
Subject: Appeal of the Decision to Council to issue a permit with terms and conditions to (alter/erect/demolish/remove) a building or structure
Reference Number: HPA-2022-V-015
Property Address: 22 Weber Street W
Municipality/UT: Kitchener/Waterloo
OLT Case No.: OLT-22-004383
OLT Lead Case No.: OLT-22-002377
Legacy Lead Case No: PL210104

WITNESS STATEMENT OF DAN CURRIE, MA, MCIP, RPP, CAHP

QUALIFICATIONS

1. I am a Registered Professional Planner in the Province of Ontario, Member of the Canadian Institute of Planners, and have been practicing as a professional planner for over 27 years. I hold a Master's Degree in Planning from the University of Waterloo.
2. I am also a Member in good standing of the Canadian Association of Heritage Professionals.
3. I am a Partner at MacNaughton, Hermsen, Britton, Clarkson Planning Limited ("MHBC"), a consulting firm specializing in land use planning, urban design, cultural heritage planning and landscape architecture.
4. I have been employed at MHBC since 2009. Previous to that, I was employed in the municipal sector, most recently as the Director of Policy Planning at the City of Cambridge.
5. I have been qualified as an expert witness on heritage conservation matters before the Ontario Land Tribunal (and its predecessors, the Local Planning Appeal Tribunal and the Ontario Municipal Board) and before the Conservation Review Board.
6. My *curriculum vitae* and Acknowledgment of Expert's Duty are attached as **Attachment A** and **Attachment B**, respectively.
7. In preparing my Witness Statement, I have relied upon the various reports and materials submitted in support of the development including:

- a) Planning Act, R.S.O. 1990 c. P. 13;
- b) Provincial Planning Statement, 2024;
- c) Ontario Heritage Act, R.S.O. 1990, c. 0.18;
- d) Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest;
- e) Region of Waterloo Official Plan;
- f) InfoSheet #5 of the Ontario Heritage Toolkit (Ministry of Citizenship and Multiculturalism);
- g) City of Kitchener Official Plan;
- h) City of Kitchener Cultural Heritage Landscapes (2014);
- i) City of Kitchener Civic Centre Neighbourhood Heritage Conservation District Plan (August 2007);
- j) City of Kitchener Civic Centre Neighbourhood Heritage Conservation District Study Report (November 2006);
- k) Heritage Impact Assessment Report prepared by MHBC (November 2021);
- l) Site Plan prepared by +VG Architects (September 3 2025);
- m) Issues List contained in the Procedural Order;
- n) The Agreed Statement of Facts executed by myself, Deeksha Choudhry, and Sandro Bassanese; and
- o) Witness Statement of Andrea Sinclair.

RETAINER

- 8. MHBC was retained by 30 Duke Street Limited in May 2020 to provide cultural heritage planning services related to the proposed development located on the subject property at 22 Weber Street West in Kitchener (“Subject Lands”).
- 9. In particular, the purpose of the retainer was to prepare a Heritage Impact Assessment (“HIA”) provided as **Attachment C** to my Witness Statement. The purpose of the HIA is to evaluate the proposed development in terms of

potential impacts to cultural heritage resources on the subject property and adjacent lands, and to provide mitigation measures, where necessary.

10. The HIA was completed under my direction, and I was assisted by other members of the MHBC cultural heritage division.

ORGANIZATION AND SUMMARY OF THIS WITNESS STATEMENT

11. This Witness Statement consists of 5 parts.
12. **Part 1** is a brief overview of the subject lands including a description of its heritage status and the heritage status of surrounding lands.
13. **Part 2** is a summary of the applicable cultural heritage legislation, policies and guidelines. A summary of the Civic Centre Neighbourhood Heritage Conservation District Plan is provided since it is key to the conclusions and recommendations provided in the HIA.
14. **Part 3** is a summary of the main findings of the HIA.
15. **Part 4** is a response to the issues of the hearing as stated in the Procedural Order, as scoped by the Agreed Statement of Facts. This witness statement addresses the issues related to cultural heritage matters and responds to issues 1, 2 (b), 4, 6, 8, 10, 14, 15, 22, 26, 31, 33, 34, 35, 36, 37, 38, and 40.
16. **Part 5** provides my conclusions and opinion. My conclusions can be summarized as follows:
 - a) An HIA was required because the Subject Lands are located within the Civic Centre Neighbourhood Heritage Conservation District (“CCNHCD”

or “District”). The HIA was completed in accordance with the City of Kitchener Terms of Reference for Heritage Impact Assessments.

- b) The HIA concludes that:
- the proposed development will not result in the removal or alteration of any cultural heritage resources on the Subject Lands because the property is vacant, and the CCNHCD Plan identifies that the Subject Lands do not contain any cultural heritage resources;
 - the proposed development will not result in any adverse impacts on adjacent heritage resources due to obstruction of significant views, isolation, change in land use, or shadows, which are identified as potential sources of adverse impacts by the Province (i.e. InfoSheet #5 of the Ontario Heritage Toolkit); and
 - the proposed development is consistent with the applicable policies for new development contained within the CCNHCD Plan and meets the guidelines for new development within the CCNHCD Plan.
- c) The HIA identifies mitigation recommendations as it relates to construction activities and vibration monitoring to ensure that there would be no impacts to adjacent properties during construction.
- d) In my opinion, the proposed development will not result in impacts to adjacent and surrounding cultural heritage resources and the cultural heritage value and cultural heritage attributes of the CCNHCD will be conserved.
- e) Therefore, in my opinion the proposed applications to allow the proposed development are consistent with the cultural heritage policies of the PPS and conform to the cultural heritage policies of the Region of Waterloo Official Plan (“ROP”) and City of Kitchener Official Plan (“City

OP”).

PART 1: OVERVIEW OF SUBJECT LANDS

Heritage Status of the Subject Property

17. The lands are located at 22 Weber Street West (“Subject Property”). The Subject Property can be described as a rectangular-shaped lot fronting Weber Street West. It is currently vacant and does not include any buildings or structures and is currently used as a surface commercial parking lot.
18. The Subject Property is designated under Part V of the *Ontario Heritage Act* (“OHA”) as it is located within the boundary of the CCNHCD.
19. The CCNHCD categorizes properties into groups depending on the contribution existing buildings make to the character of the District. For example, properties in Group “A” contribute the most to the character of the Heritage Conservation District (“HCD”). The Subject Property is identified as belonging in Group “D”, which is stated in the CCNHCD Study (Section 3.2.) as: “Group D properties are of no heritage significance.”
20. The Subject Property is not designated under Part IV of the *Ontario Heritage Act* as an individually designated property.
21. The Subject Property is located adjacent (contiguous) to the properties located at 32 Weber Street West, 28 Weber Street West, 18 Weber Street West, 35 Roy Street, 31 Roy Street, 27 Roy Street, and 23 Roy Street which are all within the HCD and are therefore designated under Part V of the *Ontario Heritage Act*;

22. The Subject Property is not located adjacent to any property which is either listed or designated under Part IV of the *Ontario Heritage Act*;

Summary of the Proposed Development

23. The proposed development includes the construction of a new 19 storey multi-residential building (“Proposed Development”). The development concept is attached in the Witness Statement of Ms. Andrea Sinclair.
24. The proposed new building has a front yard setback of 0 metres after the road widening and a rear yard setback of 8 metres for the first storey and a 14 metre setback for the portions above the first storey.
25. Given that the Subject Property is currently vacant, the Proposed Development does not require the removal of any buildings.

Summary of the Heritage Permit Application Process

26. The HIA completed by MHBC was submitted as part of the Official Plan Amendment Application (“OPA Application”). At that time, the HIA evaluated potential impacts as a result of a new 15 storey building.
27. The OPA Application was appealed to the Ontario Land Tribunal (“Tribunal”) in January 2021 along with the Zoning By-Law Amendment Application (“ZBLA Application”)
28. The Heritage Impact Assessment was updated in November 2021 to reflect the updated design, which proposed 19 storeys.
29. MHBC provided a presentation to the City of Kitchener Municipal Heritage Advisory Committee on March 1, 2022.

30. A Heritage Permit Application, dated March 29, 2022, was submitted to the City of Kitchener. The Heritage Permit Application was refused and appealed to the Tribunal on August 24, 2022.
31. The hearing of the OPA, ZBLA and Heritage Permit has been scheduled in Phases. With the OPA and ZBLA proceeding in Phase 1 and the Heritage Permit proceeding in Phase 2.

PART 2: APPLICABLE CULTURAL HERITAGE POLICIES AND GUIDELINES

32. The legislation and policies that guide cultural heritage matters in general, such as the *Planning Act*, Provincial Planning Statement 2024 (“PPS”), ROP and City OP are described in section 2 of the HIA and are addressed in detail in Part 4 of this Witness Statement.
33. In addition to the general cultural heritage policy framework, the policies of the CCNHCD Plan provide the key policies and legislation which manage cultural heritage resources and new development along Weber Street within the context of the CCNHCD.

Civic Centre Neighbourhood Heritage Conservation District

34. The CCNHCD was approved in 2007 and the associated Heritage Conservation District Plan (“CCNHCD Plan”) was adopted at the same time.
35. The purpose of the CCNHCD Plan is described in section 1.2 of the document and can be summarized as: a policy framework to ensure that the heritage attributes and character of the neighbourhood can be conserved as the neighbourhood changes and evolves over time. To achieve this purpose, the Plan sets out, among other things:

- A heritage character statement explaining the cultural heritage value of the neighbourhood;
 - The goals, objectives and principles of the Plan;
 - Policies and guidelines for maintenance, alterations, additions and demolition of existing buildings and policies and guidelines for new construction and redevelopment;
 - Policies and guidelines for streets, parks and other public lands;
 - A list of alterations that are considered minor and do not require a permit; and
 - Implementation measures and recommendations.
36. The CCNHCD Plan identifies that not all properties contribute to the heritage character of the District that the Plan endeavors to conserve. As noted in paragraph 19 above, the Plan groups properties into four categories with Group A and Group B properties being the most important contributors to the character of the District. The CCNHCD Plan also identifies a number of properties with 20th century multi-storey residential buildings that are much different in form and character than the low-rise residential house form buildings that make up much of the District. As a result, not all parts of the CCNHCD Plan apply to all properties and the policies and guidelines vary depending on location and type of change that is proposed.
37. Section 4.2 of the CCNHCD Plan provides a review of land use designations and zoning within the HCD boundary. Throughout section 4.2, the CCNHCD Plan recognizes that growth and change are most likely to occur along the

edge of the HCD, such as Queen Street North, Victoria Street North, and Weber Street West. The Subject Property is located on Weber Street West along the edge of the HCD boundary where higher density developments are anticipated.

38. As described in Section 4.2.1 of the CCNHCD Plan, the Subject Property is located within an area identified as “High Density Commercial Residential”. The Plan notes that this is an area with no height restrictions and that, given the context of Weber Street, infill development could be compatible even if taller than 4-5 storeys.
39. The CCNHCD Plan provides both policies and guidelines. While not defined in any glossary or section of the CCNHCD Plan, a policy is typically understood to mean a rule which must be adhered to, whereas a guideline is a course of action which is encouraged.
40. Section 6.0 of the CCNHCD Plan identifies that there are several areas which have distinct character different than the low-rise residential character at the interior of the District. Further, that a higher density of new development is anticipated at the edges of the District. To ensure that future development is compatible with the District character, site-specific policies and guidelines are provided for these areas which are anticipated to accommodate new development of a higher density.
41. The CCNHCD Plan identifies four sub-areas: a) Victoria Street, b) Weber Street, c) Ellen Street East, and d) Margaret Avenue. The Subject Property is located within the Weber Street sub-area. Therefore, there are site specific policies and guidelines which apply to the Subject Property within the Weber Street area that are different than the policies and guidelines that apply to properties in the rest of the CCNHCD.

42. The policies and guidelines that apply to the Weber Street sub area are contained in Sections 3.3.5.2 and 6.9.4 respectively of the CCNHCD Plan. The policies and guidelines are reviewed in detail in Part 3 of this Witness Statement.

PART 3: MHBC HERITAGE IMPACT ASSESSMENT

43. The purpose of the HIA was to:
- a) assess the Proposed Development in terms of potential impacts to cultural heritage resources located on the Subject Property;
 - b) assess the Proposed Development in terms of potential impacts on adjacent lands which are included within the Civic Centre Neighbourhood Heritage Conservation District; and
 - c) assess the Proposed Development against the policies and guidelines of the CCNHCD Plan for new development.
44. The HIA was completed consistent with the City's Terms of Reference for HIAs as outlined in the City's OP.
45. The HIA is organized into nine sections. Section 1 provides an introduction to the report and describes the location and heritage status of the Subject Property and adjacent lands. Section 2 provides a summary of the policy and legislative framework applicable to cultural heritage matters and the HIA.
46. Section 3 provides a summary of the historical evolution and development of the property. A cultural heritage evaluation as per *O. Reg. 9/06* of the *Ontario Heritage Act* was not completed because the Subject Property is vacant and is recognized in the CCNHCD Study and CCNHCD Plan as not including resources of Cultural Heritage Value or Interest.

47. Section 4 provides a description of the Subject Property and also describes the surrounding context and the Weber Street streetscape.
48. Section 5 of the HIA provides a summary of the Proposed Development and Section 6 provides an assessment impacts anticipated as a result of the Proposed Development.
49. The method used for the assessment of impacts is described in Section 6.1 of the HIA. The HIA analyzes potential impacts based on:
 - a) the policies and guidelines of the CCNHCD Plan (section 6.3 of the HIA);
and
 - b) the guidance and criteria from Infosheet #5 of the Ontario Heritage Toolkit to assess the potential sources of impacts of a Proposed Development (section 6.4 of the HIA).

Consistency with the CCNHCD Plan

50. Section 6.3 of the HIA provides analysis of the Proposed Development against the policies and guidelines of the CCNHCD Plan. There are three policy sections that are the primary relevant policy framework:
 - Section 3.3.1 Development Pattern and Land Use
 - Section 3.3.5.2 Weber Street Area policies
 - Section 6.9.4 Weber Street Area design guidelines.
51. The HIA concludes that the Proposed Development is consistent with the applicable Development Pattern and Land Use policies in section 3.3.1 because:
 - The low density areas of the CCNHCD at the interior of the District will remain unchanged;

- The Proposed Development as a high density land use is located at the perimeter of the District along Weber Street;
- The front yard setbacks along Weber Street are highly variable and the proposed setback of the Proposed Development is compatible with those along Weber Street; and
- The Subject Property is vacant and does not include any existing heritage buildings which could be considered for adaptive re-use.

52. The HIA concludes that the Proposed Development is consistent with the applicable Weber Street Area policies in section 3.3.5.2 because:

- The proposed building will maintain the residential streetscape character and the proposed architectural design and details are compatible with Weber Street even though the proposed building is much taller than existing buildings.
- The Proposed Development is compatible with adjacent heritage resources on the street with respect to height, massing, built form and materials because:
 - The Subject Property is located in an area the CCNHCD Plan considers can accommodate tall buildings because of the existing context; and
 - Compatible is defined in the City OP as “land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable adverse effects, adverse environmental impacts or adverse impacts. Compatibility or compatible should not be narrowly interpreted to mean the ‘same as’ or even as being ‘similar to’.” In this regard, section 6.4 of the HIA demonstrates that there will be no adverse impacts on surrounding properties. Therefore the Proposed Development is compatible with adjacent heritage resources on the street.

- A shadow study has been completed and as described in the Witness Statement of Ms. Andrea Sinclair, the Proposed Development will not unreasonably impact access to sunlight for abutting, existing residential uses.

53. The HIA concludes that the Proposed Development implements the applicable Weber Street Area design guidelines in section 6.9.4 to the extent possible and meets the intent of the guidelines because:

- a) The proposed new building includes a large front entrance with glazing and masonry fronting Weber Street West. This front entrance has been emphasized at the pedestrian level through the use of a 2 storey podium.
- b) There is no consistent front yard setback along the north side of Weber Street West. The front yard setbacks range from 0 metre to approximately 9.5 metres. Nearly all of these are based on the setback from the existing property line without consideration of road widening as required by the ROP.

The front yard setback for the Proposed Development is 3.0 metres from the existing property line and would be 0.0 metres with consideration of the required road widening. While the proposed setback would locate the building closer to the street than the immediately adjacent neighbouring properties, the proposed setback is within the range of setbacks along Weber Street West.

- c) The proposed building façade includes, or could include, materials, colours, and architectural details that complement existing buildings on Weber Street. Currently, there is no consistent or cohesive design for the buildings along Weber Street. 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 and complement these adjacent buildings.

- d) The proposed new building has an entrance oriented to the street and the size, placement and proportion of window and door openings is compatible with other properties on Weber Street recognizing that there is no consistency among the existing buildings.
- e) The face of the tower of the proposed building has a stepback above the podium base. This minimizes “the perception of height and shadow impacts to pedestrians on the street and provide more visual continuity” as specified in the guideline. The front entrance has been emphasized through the design of the two storey podium. In my opinion, stepbacks to address shadow impacts on Weber Street are unnecessary since the building’s location on the north side of Weber Street will not result in shadow impacts to pedestrians and there is no existing visual continuity on Weber Street. Therefore, the proposed building design, including the height of the building at the street, will not add nor detract from the current lack of visual continuity.
- f) The proposed building meets the intent of the guideline recommending rear yard setbacks of 15 metres. While the ground floor of the building has a setback of only 8 metres, the tower has a 14 metre setback.
- g) The HIA concludes that the Proposed Development meets the design guideline that states:

“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.”

The HIA takes the approach that the Subject Property does not abut any residential property to the rear. Instead, the properties along the south side of Roy Street (which abut the Subject Property) are designated “Office Residential Conversion” as shown on Figure 4 of the CCNHCD Plan. Section 5.2.3 of the CCNHCD Study and section 13.1.2.7 of the City OP identify that the Office Residential designation is intended to be a buffer or transition between the higher density uses on Weber Street and the low rise residential areas that are in the interior of the CCNHCD. Therefore, it is reasonable to interpret that the intent of the guideline is to apply to the low rise residential area and the 45 degree angular plane should be measured from the limits of the properties in this designation. If so, the building meets this guideline as shown in Appendix B of the HIA.

Impacts on Adjacent Properties

54. Section 6.4 of the HIA provides an analysis of impacts on adjacent lands. This includes an analysis of potential impacts on properties located along Weber Street West as well as Roy Street within the CCNHCD.
55. Potential sources of adverse impacts on cultural heritage resources are outlined in InfoSheet #5 of the Ontario Heritage Toolkit (provided by the Ministry of Citizenship and Multiculturalism) and are limited to destruction, alteration, shadows, isolation, direct or indirect obstruction, a change in land use, and land disturbances.
56. The HIA concludes that there will be no impacts to adjacent and surrounding heritage resources because:

- a) No heritage resources will be demolished or altered.
 - b) The shadow study concludes that the proposed building will not result in excessive shadows and the shadows cast will not negatively impact heritage attributes of the HCD.
 - c) The Proposed Development will not result in the obstruction of significant views and does not result in the isolation of heritage resources from their context.
 - d) The Proposed Development does not result in a change of land use that negatively impacts heritage resources since the lands are already designated for high density residential development.
 - e) There is the potential for land disturbances due to vibrations during construction that could impact adjacent buildings. However, the HIA recommends vibration monitoring which would result in avoidance of any potential impacts.
57. The HIA concludes that the Proposed Development is consistent with the policies of the CCNHCD Plan and meets the intent of the guidelines. Even if the building did not strictly meet the the guideline in the CCNHCD Plan regarding the 45 degree angular plan for buildings higher than 5 storeys (which in my opinion it does), as shown in section 6.4 of the HIA, the Proposed Development would not result in adverse impacts to the District and its identified heritage attributes.
58. The CCNHCD includes a number of buildings which are taller than 5 storeys and therefore the addition of a new building in excess of 5 storeys is not new or unique for the District. Further, the CCNHCD Plan acknowledges that the Weber Street area is anticipated to have higher density developments and taller buildings. In my opinion, the proposed new building, while taller than existing buildings along Weber Street, is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan.

PART 3: RESPONSE TO ISSUES

59. This Witness Statement responds to the issues that are relevant to cultural heritage and have been scoped by the Agreed Statement of Facts.
60. As scoped by the Agreed Statement of Facts, this Witness Statement does not respond to some issues which may or may not be related to cultural heritage, but are not relevant to this hearing. This Witness Statement therefore responds to Issues 1, 2 (b), 4, 6, 8, 10, 14, 15, 22, 26, 31, 33, 34, 35, 36, 37, 38, and 40.

Issue #1: Do the proposed Official Plan and Zoning By-law amendment applications (the “proposed applications”) have sufficient regard to the matters of provincial interest listed in section 2 (d), (n), (p), and (r)?

61. Section 2 (d) of the *Planning Act* provides that “The Minister, the council of a municipality, a local board, a planning board and the Tribunal, 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.”
62. Matters related to the conservation of features of cultural or historical interest are legislated under the *Ontario Heritage Act*. The Subject Property and adjacent lands are protected under Part V of the *Ontario Heritage Act* as they are included within the CCNHCD. Due regard has been given to cultural heritage resources through the HIA which was undertaken by MHBC and submitted in support of required planning applications. The HIA has demonstrated that the Proposed Development is a) consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan, and b) does not

result in adverse impacts to the cultural heritage value and heritage attributes of the CCNHCD.

63. Therefore, in my opinion, the proposed applications have sufficient regard Section 2(d) of the Planning Act.

Issue #2 (b): Are the proposed Official Plan Amendment and Zoning By-law Amendment Applications (the proposed applications) consistent with the PPS 2024, including but limited to sections 2.1.3, 2.1.4, 2.1.6, 2.2.1, 2.3.1, 2.4.1, 2.4.2.3, 4.6.1, 4.6.3, 6.1.1, 6.1.5, 6.1.6, 6.1.7, 6.1.11, and 6.1.12?

64. Sections 4.6.1 and 4.6.3 of PPS apply to cultural heritage matters. Section 4.6.1 states, “Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.”
65. The Subject Property is considered protected heritage property under the definition of PPS since it is designated under Part V of the *Ontario Heritage Act* as part of the CCNHCD. The Subject Property is vacant and does not contain built heritage resources and is not on its own a cultural heritage landscape.
66. Section 4.6.3 of PPS 2024 states “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.”
67. The HIA concludes that the Proposed Development will not result in impacts to cultural heritage resources on or adjacent to the Subject Property. The HIA further concludes that the Proposed Development will not negatively impact the heritage attributes of the CCNHCD and is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan.

68. In my opinion, the Proposed Development is consistent with sections 4.6.1 and 4.6.3 of the PPS.

Issue #4: Do the proposed applications conform to the Region of Waterloo Official Plan Objective 3.8?

69. Objective 3.8 of the ROP reads as follows, “Support the conservation of cultural heritage resources.”
70. As previously indicated in this Witness Statement, the Subject Property is vacant and does not include any cultural heritage resources to be conserved. Given that the Proposed Development does not result in the demolition or alteration of any cultural heritage resources located within the CCNHCD, no cultural heritage resources will be removed. As demonstrated in the HIA, no adverse impacts to adjacent cultural heritage resources are anticipated beyond potential for vibration impacts which can be avoided through vibration monitoring. Furthermore, the HIA concluded that the Proposed Development will not negatively impact the heritage attributes of the CCHNCD.
71. In my opinion, the Proposed Development conforms to Objective 3.8 of the ROP.

Issue #6: Do the proposed applications conform to the Liveability in Waterloo Region policies in chapter 3 (3.A, 3.B, 3.C, 3.G.1, 3.G.6)?

72. The above-noted policies 3.A., 3.B, and 3.C are not related to cultural heritage and as a result, I do not provide a response to these issues in this Witness Statement. These policies are addressed in the Witness Statement of Ms. Andrea Sinclair.

73. Section 3.G.1 of the ROP is as follows, “The Region and Area Municipalities will ensure that cultural heritage resources are conserved using the provisions of the Heritage Act, the Planning Act, the Environmental Assessment Act, the Cemeteries Act, and the Municipal Act.”.
74. Given that the Subject Property is included within the CCNHCD, it is designated under Part V of the *Ontario Heritage Act*. The provisions of the *Ontario Heritage Act* identify that changes within HCDs are managed through the adoption of Heritage Conservation District Plans. As previously indicated in this Witness Statement and the HIA, the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan.
75. Section 3.G.6 of the ROP states, “Area Municipalities will designate Cultural Heritage Landscapes in their official plans and establish associated policies to conserve these areas. The purpose of this designation is to conserve groupings of cultural heritage resources that together have greater heritage significance than their constituent elements or parts.”
76. The City of Kitchener has designated significant cultural heritage landscapes in the City OP. Section 12.C.1.9 and Map 9 identify 20 significant cultural heritage landscapes in the City. The CCNHCD is not identified as one of the 20 significant cultural heritage landscapes.
77. Therefore, in my opinion the Proposed Development conforms to policies 3.G.1 and 3.G.6 of the ROP.

Issue #8: What consideration, if any, should be given to the following policies of OPA 6:

- a) Do the proposed applications conform to Policy 2.C.2.2. (f) and general objective bullet #8 (Chapter 2, page 3) regarding cultural heritage conservation?***

- b) Do the proposed applications conform to Policy 2.D.2.8, regarding the appropriate location of major intensification?***
- c) Do the proposed applications conform to Policy 2.F.3, regarding intensification on properties designated under the OHA?***
- d) Do the proposed applications conform to Policy 2.I.5.1, regarding exceeding intensification and density targets?***
- e) Do the proposed applications have sufficient regard to Objective 3.A., bullet 1, regarding supporting a range of housing?***

78. The applicability of ROPA 6 is addressed in the Witness Statement of Ms. Andrea Sinclair.

79. The only parts of Issue #8 which apply to cultural heritage are (a) and (c). As a result, I do not provide a response to (b), (d), or, e) in this Witness Statement. These policies are addressed in the Witness Statement of Ms. Andrea Sinclair.

80. Policy 2.C.2.2 (f) reads as follows, “Area municipalities will develop official plan policies and implementing zoning by-laws, and other planning documents or programs to ensure that development occurring within the Urban Area is planned and developed in a manner that (f) Conserves cultural heritage resources and supports the adaptive reuse of built heritage resources in accordance with the policies in Chapter 3”.

General Objective Bullet #8 reads as follows, “Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations, Metis, Inuit, and other Indigenous peoples.”

81. As previously indicated in this Witness Statement, the City has adopted the CCNHCD Plan which provides the policies and guidelines for change management and conservation of heritage resources within the CCNHCD. The

Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan and conserves identified heritage resources.

82. Policy 2.F.3 reads as follows, “Where development occurs on properties designated under the *Ontario Heritage Act*, the intensification targets in Table 3 are encouraged to be met through context-sensitive infill that conserves cultural heritage attributes. This development will consider Statements of Cultural Heritage Value and consistent with any applicable Heritage Conservation District Guidelines.”
83. The table (as per the policy noted above) supports a minimum intensification target of 60% and 31,660 minimum units within the built-up area between 2022 and 2051.
84. A Heritage Conservation District Plan does not set or manage density targets. Instead, it provides policies and guidelines related to the built form and design of new buildings. The Subject Property is located within a site-specific area in the CCNHCD Plan and the Plan provides policies and guidelines for development within this area. The HIA completed in support of the applications concludes that the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan and conserves identified cultural heritage resources.
85. Therefore, in my opinion, the Proposed Development conforms to policies 2.C.2.2(f), general objective bullet #8, and policy 2.F.3 of ROPA 6.

Issue #10: Do the proposed applications conform to the Housing policies in Section 4 (4.C.1.7, 4.C.1.8, 4.C.1.9, 4.C.1.13, and 4.C.1.19)?

86. Policies 4.C.1.7, 4.C.1.8, 4.C.1.9 and 4.C.1.19 are not related to cultural heritage. As a result, I do not provide a response to these issues in this Witness Statement. These issues are addressed in the Witness Statement of Ms. Andrea Sinclair.
87. The only sub-section of Section 4.C.1.13 of the City OP which is related to cultural heritage is (h), which reads as follows, “The City will work with the development industry and other community members to identify and encourage innovative housing types and designs in the city where such innovation would (h) conserve and/or enhance our cultural heritage resources”.
88. The HIA completed in support of the applications concludes that the proposed development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan and conserves identified cultural heritage resources.
89. Therefore, in my opinion, the Proposed Development conforms to policies 4.C.1.13 (h) of the City OP.

Issue #14: Do the proposed applications conform to the Cultural Heritage Resources objectives in Section 12 (12.1.2)?

90. Section 12.1.2 of the City OP identifies that it is an objective “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.”
91. The HIA completed in support of the applications concludes that the proposed development is consistent with the policies and meets the intent of the

guidelines of the CCNHCD Plan and conserves the attributes of the CCNHCD and identified cultural heritage resources.

92. Therefore, in my opinion, the proposed applications conform to section 12.1.2 of the City OP.

Issue #15: Do the proposed applications conform to the Cultural Heritage Resources policies in Section 12 (12.C.1.1, 12.C.1.10, 12.C.1.14, 12.C.1.19, 12.C.1.21, 12.C.1.23, 12.C.1.26, 12.C.1.27, and 12.C.1.29)?

93. Section 12.C.1.1 reads as follows, “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.”

94. As previously indicated in this Witness Statement, the property located at 22 Weber Street West is vacant and does not include any cultural heritage resources. Given that the Proposed Development is consistent with the policies of the CCNHCD Plan and no adverse impacts are anticipated beyond potential vibration impacts which can be avoided, the Proposed Development conserves cultural heritage resources within the CCNHCD.

95. Section 12.C.1.10 reads as follows, “The City will require the conservation of significant cultural heritage landscapes within the city.”

96. As described in paragraph 74, the City OP does not identify the CCNHCD as a significant cultural heritage landscape.

97. Section 12.C.1.14 reads as follows, “In evaluating the rationale for the designation of an area as a Heritage Conservation District, the City will prepare a Heritage Conservation District study in accordance with the Ontario

Heritage Act. The Study will be considered by Council and will form the basis for the preparation of a Heritage Conservation District Plan, which will contain policies and guidelines for the conservation of properties within the district. The policies and guidelines will serve to manage change including development or redevelopment and alterations, to be in keeping with the scale, form and heritage character of the properties in the district. The Heritage Conservation District Plan will be considered by Council for adoption together with designation of the Heritage Conservation District by by-law.”

98. The HIA evaluates whether or not the Proposed Development is consistent with the CCNHCD Plan. This includes policies and guidelines related to scale, form, and heritage character within the Weber Street site-specific area. The HIA concluded that the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan.
99. Section 12.C.1.19 reads as follows, “In addition to listing and designating properties under the Ontario Heritage Act, the City may use and adopt further measures to encourage the protection, maintenance, and conservation of the city’s cultural heritage resources including built heritage and significant cultural heritage landscapes and implement Cultural Heritage Resource Conservation Measures Policies in this Plan. These may include but are not limited to covenants and easements pursuant to the Ontario Heritage Act; by-laws and agreements pursuant to the Planning Act (Zoning By-law, demolition control, site plan control, community improvement provisions, provisions in a subdivision agreement); and by-laws and agreements pursuant to the Municipal Act (Property Standards By-law, tree by-law, sign by-law).”
100. The HIA acknowledges that the Subject Property is located within the CCNHCD and is designated under Part V of the *Ontario Heritage Act*. The Subject Property is not subject to any additional cultural heritage By-laws, including easements or covenants under the *Ontario Heritage Act*.

101. Section 12.C.1.21 reads as follows, “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.”
102. As described in this Witness Statement, an HIA was completed that concludes that the Proposed Development will conserve significant cultural heritage resources.
103. Section 12.C.1.23 reads as follows, “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.”
104. The HIA acknowledges that the Subject Property is designated under Part V of the *Ontario Heritage Act* and is located adjacent to other properties designated under Part V of the *Ontario Heritage Act* within the context of the CCNHCD. The Subject Property is not located adjacent to any properties which are listed or designated under Part IV of the *Ontario Heritage Act*. The HIA concludes

that the Proposed Development will not negatively impact adjacent or nearby heritage resources.

105. Section 12.C.1.26 reads as follows, “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.

106. The HIA refers to these Terms of Reference in Section 2.7 and includes all components listed above.

107. Section 12.C.1.27 reads as follows, “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.”

108. Section 7.0 of the HIA provides mitigation measures and recommends that vibration monitoring be undertaken during construction to ensure that no impacts occur during construction. If the proposed OPA and ZBLA are approved, the Proposed Development would require site plan approval. The

requirement for vibration monitoring can be implemented as a condition of site plan approval.

109. Section 12.C.1.29 reads as follows, “Where a Heritage Permit Application is required for a property designated under the Ontario Heritage Act, the owner/applicant will be required to submit supporting information in accordance with the City’s Heritage Permit Application submission requirements and guidelines such as:
- a) a detailed site plan drawn to scale with metric dimensions;
 - b) details of the work that is proposed to be completed including materials, samples, colours, and elevation drawings; and,
 - c) an explanation of the reason for the work that is proposed to be completed.”
110. The information required by policy 12.C.1.29 was included within the HIA and the heritage permit application.
111. In my opinion, for the reasons stated above, the Proposed Development conforms to the Cultural Heritage Resources policies in Section 12 of the City OP.

Issue #22: Do the requested site specific zoning regulations address compatibility between the proposed development, the existing community, and the planned function of the immediate area, including: adequate setbacks from existing low density uses, maximum building heights and step backs regulations to regulate built form, setbacks for surface parking facilities from the public realm, as well as setbacks and step backs from other properties? Do the requested site specific zoning regulations address adequate setbacks and driveway visibility triangles? Does the driveway width comply with zoning regulations and Regional Requirements for Access By-law and policy?

112. The above-noted issue is not specifically related to cultural heritage matters and is addressed in the Witness Statement of Ms. Andrea Sinclair. However, the HIA completed in support of the applications included an assessment of the potential impact of the Proposed Development including the height of the building and the building setback on cultural heritage resources and concluded that the Proposed Development would not result in impacts to heritage resources.

Issue #26: Does the proposed development achieve sufficient transition to the adjacent existing and planned built form of the adjacent properties? Is there a suitable transition in scale, massing, building height, building length and intensity through setbacks, step backs, landscaping and compatible architectural design/material selection?

113. The above-noted issue is not specifically related to cultural heritage and is addressed in the Witness Statement of Ms. Andrea Sinclair. However, building height and transition are matters that are included in the CCNHCD Plan and were assessed as part of the HIA. As noted in this Witness Statement, the HIA concluded that the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD.

114. Therefore, in my opinion, the Proposed Development does achieve a sufficient transition to adjacent properties in respect to policies and guidelines of the CCNHCD Plan that address these matters.

Issue #31: Is the proposed building height compatible and aligned with adjacent neighbouring properties?

115. As described in paragraph 52 above, the HIA has concluded that in respect to cultural heritage matters, the proposed building height is compatible with adjacent neighbouring properties.

Issue #33: Do the proposed applications respect the Major Transit Station Area guidelines, including but not limited to the following guidelines?

- a) Compatibility (section 0.2.2.6, p. 5, items 2 and 4)***
 - b) Cultural and Natural Heritage (section 02.2.7, p.5, item 1)***
 - c) Built Form (section 02.3.1, p.6, items 2 and 4)***
 - d) PARTS Central (section 02.4.2, p.12, item 7)***
116. The portion of section 02.2.7 of the Kitchener Urban Design Manual (above) which is related to cultural heritage is as follows, “Conserve and retain built forms that are representative of the established neighbourhood fabric and/or make positive contributions to the neighbourhood identity.”
117. The above-noted excerpt of the Kitchener Urban Design Manual references the conservation of built forms within established neighbourhoods. Given that the Subject Property is vacant and does not include any built heritage resources, the Proposed Development meets the intent of the direction provided in the Urban Design Manual.
118. Section 02.4.2 on page 12 states “Conserve and celebrate the areas’s cultural heritage assets, including listed and designated properties and cultural heritage landscapes and transportation corridors such as the Canadian National Railway line, the Iron Horse Trail and Jubilee Drive, Victoria Park and others.”
119. The subject lands are designated under Part V of the OHA. As described in the HIA, the Proposed Development conserves the cultural heritage value and

heritage attributes of the CCNHCD and therefore meets the intent of the Urban Design Manual.

Issue #34: Do the proposed applications respect the Tall Buildings guidelines, including but not limited to the following guidelines?

a) Relative Height, For towers adjacent to low-rise surrounding areas (p.6)

b) Compatibility (p.15)

c) Heritage, When a tall building is adjacent to a built heritage resource (p.16, items 1, 3, and 4)

120. The above-noted section of the City of Kitchener Urban Design Manual states the following (items 1, 3, and 4),

Item 1: “Design the base to respect the scale, setbacks, setbacks, proportions, visual relationship, topography, and materials specific to built heritage resources”

Item 3: “Provide additional tall building setbacks, setbacks and other appropriate Placement or design measures to respect the heritage setting and to protect or enhance view corridors;”

Item 4: “Conform with HCD Plans policies and guidelines.”

121. In response to Items 1 and 3, the proposed new building is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan, which outlines how new buildings will respect scale, setbacks, setbacks, proportions, visual relationships, and materials. Given that topography is not identified as a heritage attribute of the CCNHCD Plan, no policies or guidelines are provided for the conservation of any landforms. The proposed front and rear yard setbacks are consistent with the varied setbacks along Weber Street West and are appropriate for the context. The proportions of the building are

consistent with the policies of the CCNHCD Plan given that it includes a 2 storey podium;

122. The materials of the proposed new building are consistent with the policies and meet the intent of the guidelines of the CCNHCD Plan (Section 3.3.5.2 (b), and (d), Section 6.9.4). As stated in the HIA, the CCNHCD Plan identifies that materials for new buildings should be consistent with what is prevalent in its context. The Weber Street Area includes buildings that have a range of materials and colours and a range of architectural styles and respective construction dates. Materials include red brick, painted brick, and buff/yellow brick. Some 19th and early 20th century buildings have been altered to include stucco. The proposed new building includes red masonry and is therefore consistent with the direction provided in the CCNHCD Plan.
123. The CCNHCD Plan does not identify significant views or visual relationships within the Weber Street area which warrant conservation. However, the HIA addresses impacts related to obstruction and views of buildings along Weber Street West and concludes that the proposed building will not obstruct views of any building along the street and no adverse impacts are identified.
124. In response to Item 4, the HIA demonstrated that the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan.

Issue #35: Do the proposed applications respect the City-Wide guidelines, including but not limited to the following guidelines?

b) Cultural and Natural Heritage (section 01.2.8, p. 18 item 7)

125. Section 01.2.8, item 7 states “New development near cultural heritage resources is to be compatible, with a high level of urban design, particularly as it relates to views, streetscape character, and material selection.”
126. The HIA has concluded that the Proposed Development is compatible with surrounding cultural heritage resources and has a high level of urban design. The HIA also concluded that there is no impact on identified significant views and therefore, the Proposed Development meets the intent of the City’s guidelines.

Issue #36: Are the proposed applications consistent with the Heritage District Objective, Principles, and Policies in the HCD Plan (Section 3.1, 3.2, 3.3.3, and 3.5.2, Recommendation 4.2.1 on “High Density Commercial Residential Designation” and Bullets 2 and 7 of Guideline 6.9.4)?

127. The CCNHCD Plan provides goals and objectives for the overall District in Section 3.1. The Proposed Development is consistent with these goals and objectives.
128. The CCNHCD Plan provides principles in Section 3.2 which are related to the entirety of the District. The Proposed Development is consistent with these principles.
129. As scoped by the Agreed Statement of Facts, Section 3.3.3 of the CCNHCD Plan will not be addressed since these policies apply to the interior of the HCD and do not apply to the Subject Property. The Weber Street Area policies of section 3.3.5.2 apply to the Subject Property.
130. Section 4.2.1 of the CCNHCD Plan provides an overview of the High Density Commercial Residential Designation and does not provide any policies or

guidelines for new development. However, this section recognizes that “As the existing context of Weber Street contains a number of heritage buildings (churches, 4 storey apartment) that are taller than others in the district (with the exception of modern high rise apartments) and the opposing side of Weber Street is generally different in character than other boundary streets, infill development fronting on Weber Street could potentially be compatible even if taller than 4-5 storeys.”

131. In this section the Plan recommends:

- Zoning regulations and Special Provisions similar to those proposed for Victoria Street be considered;
- Angular plane zoning be considered for a section of the street where infill development may be most likely to occur; and
- Consider the transfer of density rights.

132. As noted in the introduction to section 4.2, these recommendations are aimed at the City. Ultimately, none of the above recommendations were implemented by the City by amending the applicable zoning bylaws and therefore these recommendations are not in force.

133. Guideline 6.9.4 refers to the Area Specific Design Guidelines that apply to the Weber Street sub area. As described in this Witness Statement the HIA assessed the Proposed Development against these guidelines (including bullets 2 and 7 of the guidelines) and concluded, for the reasons described above, that the Proposed Development meets the intent of these guidelines.

Issue #37: Are the proposed applications consistent with the Architectural Design Guidelines in the HCD Plan (Section 6.6 and 6.9.4)?

134. Section 6.6 of the CCNHCD Plan provides guidelines related to new residential buildings within the District. The introduction of Section 6.6

identifies that these guidelines are intended to apply to new residential buildings in the “residential core area”, rather than the Weber Street site-specific area. Therefore, Section 6.6 of the CCNHCD Plan does not apply to the Proposed Development.

135. Section 6.9.4 of the CCNHCD Plan provides guidelines for new development within the Weber Street site-specific area. In my opinion, the Proposed Development meets the intent of these guidelines. See paragraphs 53-58 of this Witness Statement which demonstrate how the Proposed Development meets the intent of these guidelines.

Issue #38: Does the proposed development provide a 45 degree angular plane measured from the rear property line to provide transition in scale from proposed development down to adjacent lands?

136. The guideline related to an angular plane is assessed in the HIA and described in paragraph 53 of this Witness Statement. In my opinion, the Proposed Development meets the intent of the angular plane guideline.
137. Even if the guideline is interpreted such that the Proposed Development does not meet the angular plane guideline, the HIA has concluded that the height of the proposed building would not introduce unacceptable impacts on adjacent cultural heritage resources and does not alter, destroy or impact the heritage attributes of the CCNHCD.

Issue #40: Do the proposed applications represent good planning and are they in the public interest?

138. In my opinion, the Proposed Development represents good cultural heritage planning because:
- a) it is consistent with the objectives of the CCNHCD Plan;

- b) no adverse impacts on adjacent cultural heritage resources are anticipated as a result of the Proposed Development with the exception of the potential for vibration impacts which can be avoided through vibration monitoring;
- c) the Proposed Development does not require the removal or alteration of any cultural heritage resources given that the Subject Property is currently vacant; and
- d) the Proposed Development will conserve the cultural heritage value and heritage attributes of the CCNHCD.

139. In my opinion, the Proposed Development is in the public interest in regard to cultural heritage matters since identified cultural heritage resources are conserved.

PART 5: CONCLUSION

140. The Subject Property located at 22 Weber Street West is within the boundary of the CCNHCD and is therefore designated under Part V of the *Ontario Heritage Act*.

141. A HIA was completed in accordance with the City of Kitchener Terms of Reference and the province's guidelines for such studies. The HIA concludes that the Proposed Development is consistent with the policies and meets the intent of the guidelines of the CCNHCD Plan, and the only anticipated impact is related to the potential for vibration impacts which can be avoided through vibration monitoring.

142. The HIA also concludes that the Proposed Development will not result in impacts to surrounding heritage resources identified in the CCNHCD Plan and will not impact the heritage value and heritage attributes of the District.

143. In my opinion, the cultural heritage value and the cultural heritage attributes of the CCNHCD will be conserved and will not be adversely impacted by the proposed new building. Therefore, the Proposed Development:

- a) has regard for matters of provincial interest;
- b) is consistent with the PPS, in particular section 4.6;
- c) conforms to the Region OP, in particular the cultural heritage policies of the ROP;
- d) conforms to the City OP, in particular the cultural heritage policies of the City OP; and
- e) is consistent with the objectives of the CCNHCD Plan;

144. The HIA identifies one mitigation measure related to vibration monitoring during construction activities. I recommend that this be implemented through the approval process of the heritage permit through conditions.

Dated at the City of Kitchener, February 26, 2025

Dan Currie, MA, MCIP RPP CAHP

A

Attachment A: Curriculum vitae

Education

University of Waterloo
Masters of Arts (Planning)

University of Waterloo
Bachelor of Environmental Studies

University of Saskatchewan
Bachelor of Arts (Art History)

Professional Associations

Registered Professional Planner

Full Member, Canadian Institute of Planners (CIP)

Full Member, Ontario Professional Planners Institute (OPPI)

Professional Member, Canadian Association of Heritage Professionals

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www.mhbcplan.com

Dan Currie

BA, BES, 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.

Selected Project Experience

Heritage Conservation District Studies and Plans

- Streetsville Heritage Conservation District Plan (underway)
- Amherstburg Heritage Conservation District Plan (underway)
- Melville Street Heritage Conservation District Plan (underway)
- Stouffville Heritage Conservation District Plan (2022)
- Alton Heritage Conservation District Study, Caledon (2021)
- Port Stanley Heritage Conservation District Plan (2021)
- Port Credit Heritage Conservation District Plan, Mississauga (2018)
- Town of Cobourg Heritage Conservation District Plan updates (2016)
- Rondeau Heritage Conservation District Plan, Chatham Kent (2016)
- Barriefield Heritage Conservation District Plan Update, Kingston (2015)
- Victoria Square Heritage Conservation District Study, Markham (2015)
- Bala Heritage Conservation District Study and Plan, Township of Muskoka Lakes (2015)
- Brooklyn and College Hill Heritage Conservation District Plan, Guelph (2014)
- Garden District Heritage Conservation District Study and Plan, Toronto (2014)
- Downtown Meaford Heritage Conservation District Study and Plan (2013)

Heritage Master Plans and Management Plans

- City of Guelph Cultural Heritage Action Plan (2020)
- Town of Cobourg Heritage Master Plan (2016)
- Burlington Heights Heritage Lands Management Plan (2016)
- City of London Western Counties Cultural Heritage Plan (2014)



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

Cultural Heritage Evaluations

- Township of Tiny Heritage Register Review (on going)
- City of Barrie Heritage Register Review (2024)
- Aurora Heritage Register Review (2022)
- MacDonald Mowatt House, University of Toronto (2020)
- Designation of Main Street Presbyterian Church, Town of Erin (2019)
- Designation of St. Johns Anglican Church, Norwich (2019)
- Cultural Heritage Landscape evaluation, former Burlingham Farmstead, Prince Edward County (2018)
- City of Kitchener Heritage Property Inventory Update (2016)
- Niagara Parks Commission Queen Victoria Park Cultural Heritage Evaluation (2016)

Heritage Impact Assessments

- Redevelopment of former amusement park, Boblo Island (2022)
- Mount Pleasant Islamic Centre, Brampton (2020)
- Demolition of former farmhouse at 10536 McCowan Road, Markham (2020)
- Redevelopment of former Goldie and McCullough factory, Cambridge (2019)
- Redevelopment of historic Waterloo Post Office (2019)
- Redevelopment of former industrial facility, 57 Lakeport Road, Port Dalhousie (2018)
- Redevelopment of former Brick Brewery, Waterloo (2016)
- Homer Watson House Heritage Impact Assessment, Kitchener (2016)
- Expansion of Schneider Haus National Historic Site, Kitchener (2016)
- Heritage Impact Assessment for Pier 8, Hamilton (2015)
- Redevelopment of former American Standard factory, Cambridge (2014)

Heritage Assessments for Infrastructure Projects and Environmental Assessments

- Edgerton Bridge Assessment, Scugog (2024)
- Heritage and Cultural Heritage Landscape Assessment of Twenty Mile Creek Arch Bridge, Town of Lincoln (2021)
- Heritage Evaluation of Deer River, Burnt Dam and MacIntosh Bridges, Peterborough County (2021)
- Heritage Assessment of 10 Bridges within Rockcliffe Special Policy Area, Toronto (2019)
- Blenheim Road Realignment Collector Road EA, Cambridge (2014)
- Badley Bridge EA, Elora (2014)
- Black Bridge Road EA, Cambridge (2013)

Conservation Plans

- Conservation Plan for Log house, Burgetz Ave., Kitchener (2020)
- Conservation and Construction Protection Plan - 54 Margaret Avenue, Kitchener (2019)
- Black Bridge Strategic Conservation Plan, Cambridge (2013)

Tribunal Hearings:

- Redevelopment 18 Portland Street, Toronto (OLT) (2023)
- Redevelopment 292 Main Street, Grimsby (OLT) (2023)
- Redevelopment 1919 to 1949 Devonshire Court, Windsor (OLT) (2023)
- Redevelopment 9 Dee Road, Queenston (OLT) (2023)
- Redevelopment 18314 Hurontario Street, Caledon Village (OLT) (2023)
- Redevelopment 217 King Street S, Waterloo (OLT) (2022)
- Redevelopment 147 Main Street, Grimsby (OLT) (2022)
- Redevelopment of 12 Pearl Street, Burlington (OLT) (2021)

- Designation of 30 Ontario Street, St. Catharines (CRB) (2021)
- Designation of 27 Prideaux Street, Niagara on the Lake (CRB) (2021)
- Redevelopment of Langmaids Island, Lake of Bays (LPAT) (2021)
- Redevelopment of property at 64 Grand Ave., Cambridge (LPAT) (2019)
- Youngblood subdivision, Elora (LPAT) (2019)
- Demolition 174 St. Paul Street (Collingwood Heritage District) (LPAT) (2019)
- Port Credit Heritage Conservation District (LPAT) (2018)
- Brooklyn and College Hill HCD Plan (OMB) (2015)
- Rondeau HCD Plan (OMB) (2015)
- Designation of 108 Moore Street, Bradford (CRB) (2015)
- Downtown Meaford HCD Plan (OMB) (2014)

Master Plans, Growth Management Strategies and Policy Studies

- Township of West Lincoln East Smithville Secondary Plan (2022)
- Town of Frontenac Islands Maryville Secondary Plan (2021)
- Niagara-on-the-Lake Corridor Design Guidelines (2016)
- Cambridge West Master Environmental Servicing Plan (2013)
- Meadowlands Conservation Area Management Plan (2013)
- Township of Tiny Residential Land Use Study (2012)
- Port Severn Settlement Area Boundary Review (2012)
- Ministry of the Environment Review of the D-Series Land Use Guidelines (2012)
- Ministry of Infrastructure Review of Performance Indicators for the Growth Plan (2011)
- Township of West Lincoln Intensification Study and Employment Land Strategy (2011)
- City of Kawartha Lakes Growth Management Strategy (2010)

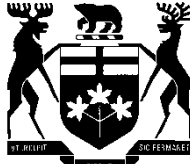
Development Planning

Provide consulting services for municipal and private sector clients for:

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

B

Attachment B: Acknowledgement of Expert's Duty



Ontario
Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

Acknowledgment Of Expert's Duty

| OLT Case Number | Municipality |
|---|---------------------|
| OLT-22-002377 OLT-23-00002378 OLT-22-004383 | City of Kitchener |

1. My name is Dan Currie (*name*)
I live at the City of Kitchener (*municipality*)
in the Regional Municipality of Waterloo (*county or region*)
in the Province of Ontario (*province*)
2. I have been engaged by or on behalf of 30 Duke Street Limited to provide evidence in relation to the above-noted Ontario Land Tribunal ('Tribunal') proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise;
 - c. to provide such additional assistance as the Tribunal may reasonably require, to determine a matter in issue; and
 - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date: November 29, 2024

.....
Signature

C

Attachment C: Cultural Heritage Impact Assessment

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
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Our File: '1961 A'



MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

DATE

November, 2021

PREPARED FOR

30 Duke Street Ltd.

PREPARED BY

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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 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

LEGEND
 Subject Lands

DATE: February 27, 2019

SCALE 1 : 5,000

FILE: 1961A

DRN: LHB



KL001422-0000-0100-0000-0000-0000-0000

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
200-340 BROADMAN CENTRE DR. KITCHENER, ON. N0B 3W9
P: 019.576.2600 F: 019.584.0121 | WWW.MHBCPLAN.COM

Source: City of Kitchener 2018

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.

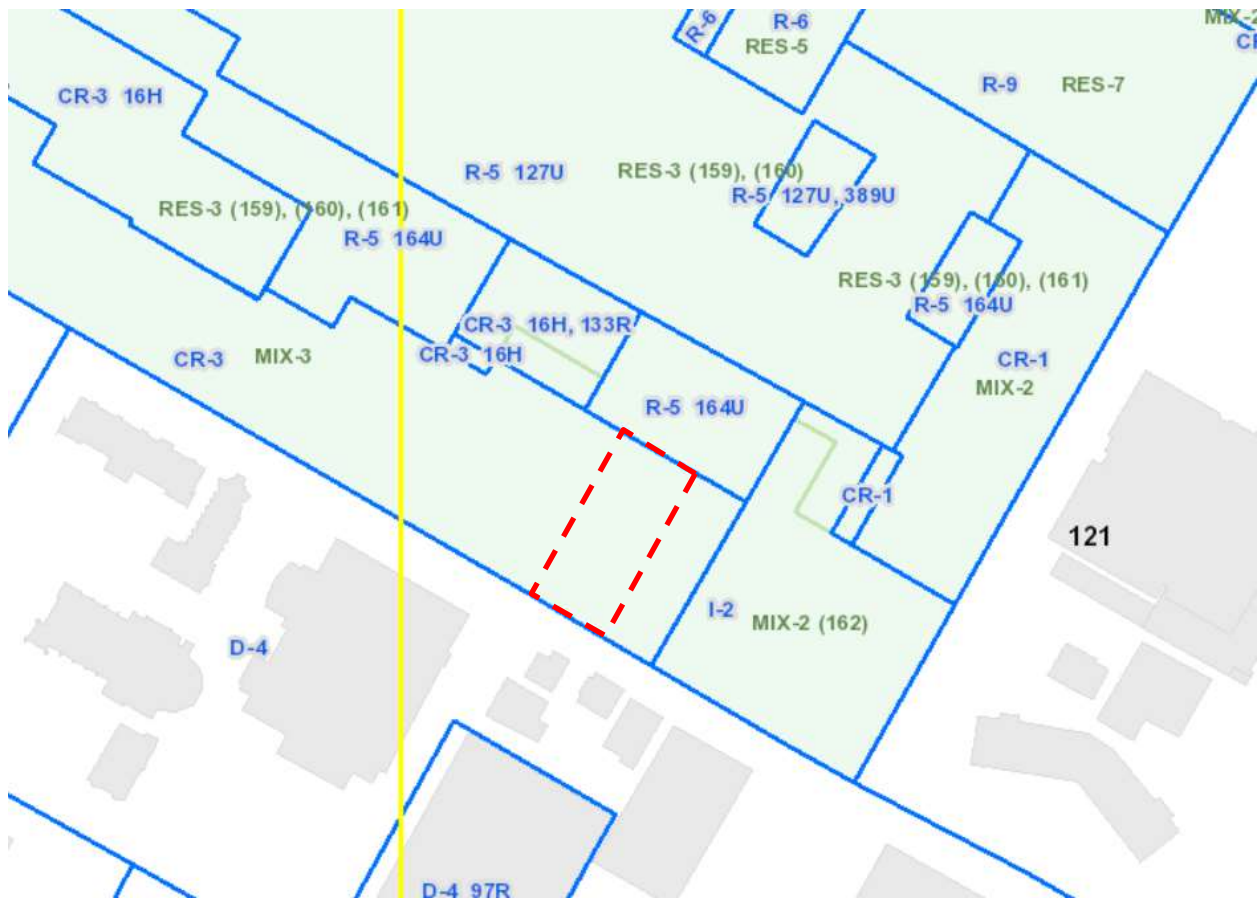


Figure 3: Excerpt of the City of Kitchener Interactive Map, Zoning layer, identifying the subject property within the Commercial-Residential 3 Zone. Approximate location of subject lands denoted in red. (Source: Kitchener Public Library)

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.

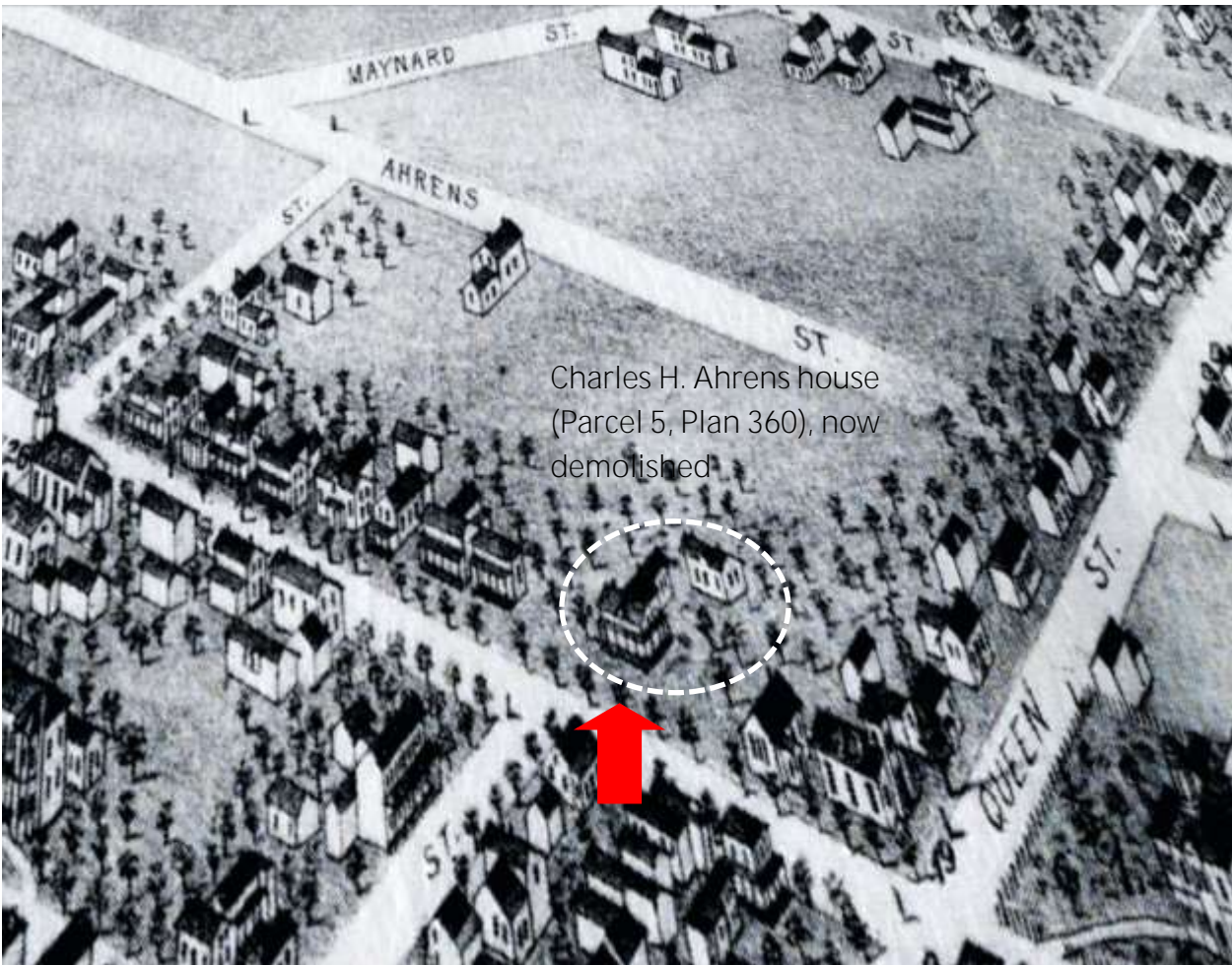


Figure 5: Detail of the 1875 Bird's Eye View map of Berlin. Approximate location of subject lands noted in red. (Source: Kitchener Public Library)

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 X – 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 10 – 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 11: Three-Dimensional Aerial Photo noting the location of the subject property in red (Source: Google Maps, accessed 2020)



Figure 12 – View of subject property looking north-west from the north side of Weber Street West (Source: MHBC, 2020)



Figure 13 – 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 14 – 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 approximately 15.9 metres.

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

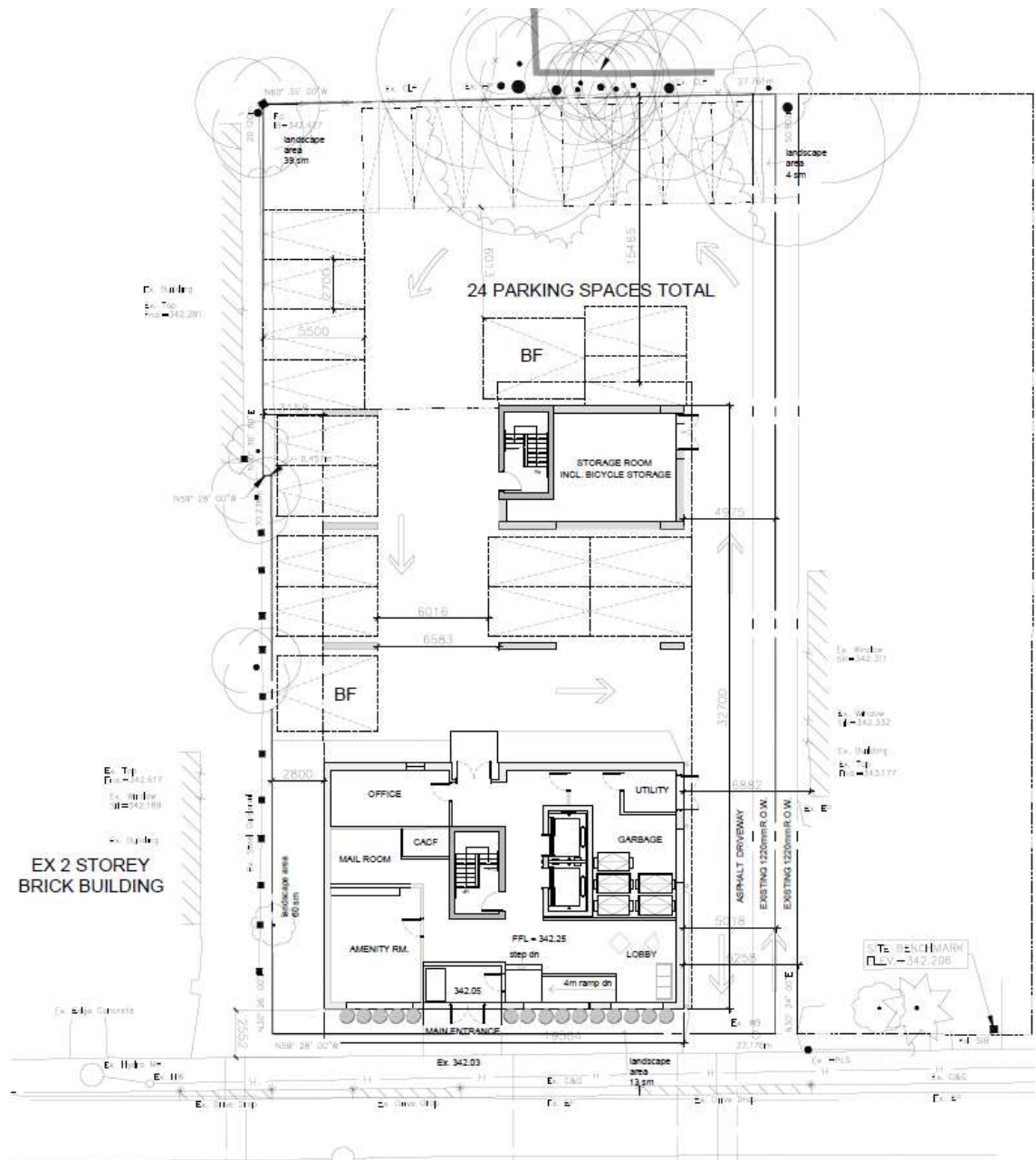


Figure 15 – Proposed Site Plan. (Source: +VH Architects, The Ventin Group Ltd., 2021)



Figure 16 – Rendering of proposed development looking north towards front elevation (Source: +VH Architects, The Ventin Group Ltd., 2021)



Figure 17 –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 previous located on the subject property was demolished prior to 1997 and its setbacks are unknown. However, the proposed 2.5 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 an 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 18 – 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 15.9 metres.

- *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 19 & 20 – (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 | No. | No. | No. |
| Alteration | No. | No. | No. |
| 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 | No. | No | No |
| 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 | No. | No. | No. |
| 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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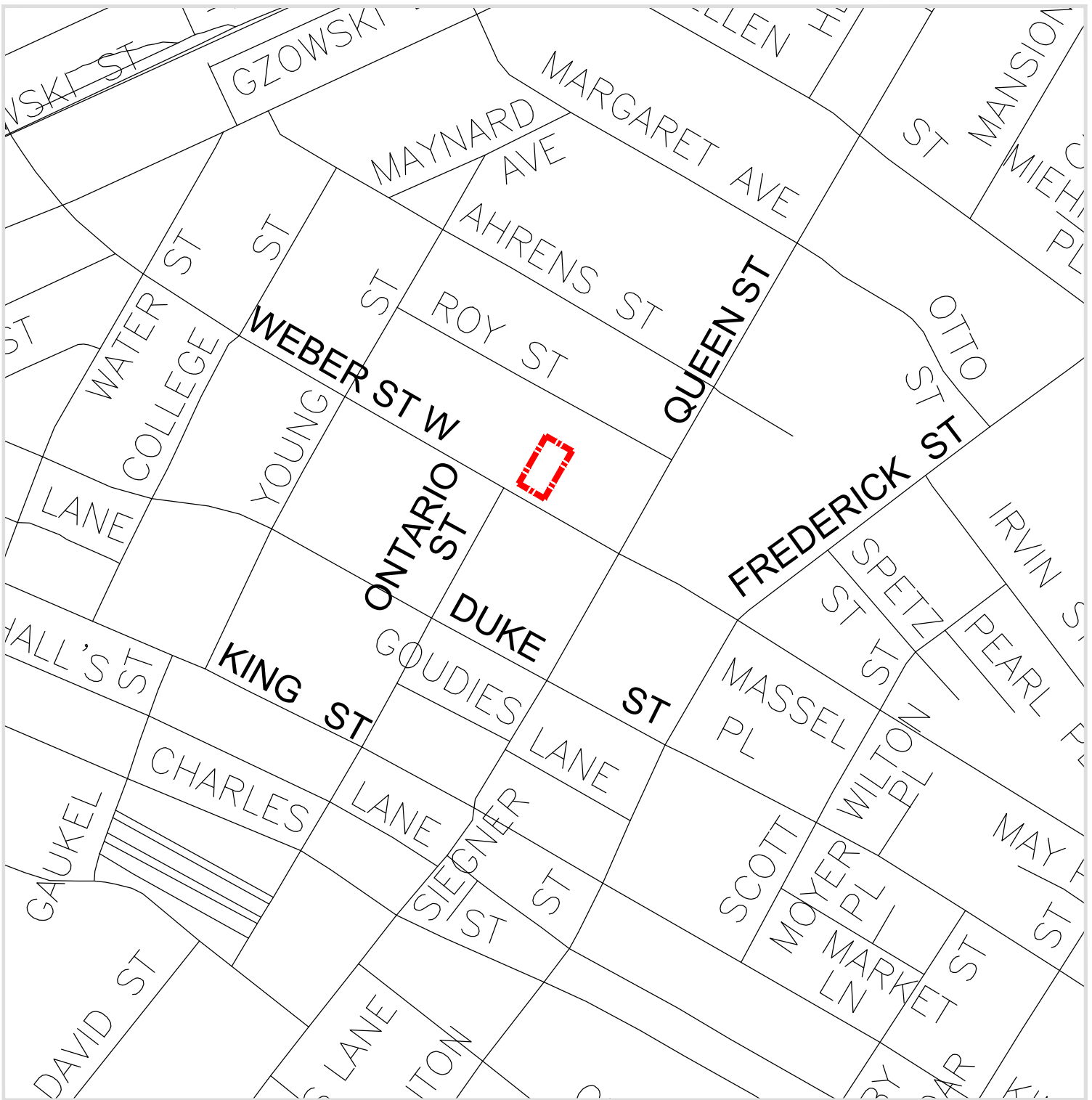
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Uttley, W.V. (Ben), *A History of Kitchener, Ontario*. The Chronicle Press: Kitchener, 1937.

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

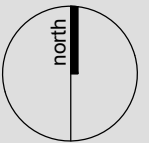
LEGEND
 Subject Lands

DATE: February 27, 2019

SCALE 1 : 5,000

FILE: 1961A

DRN: LHB

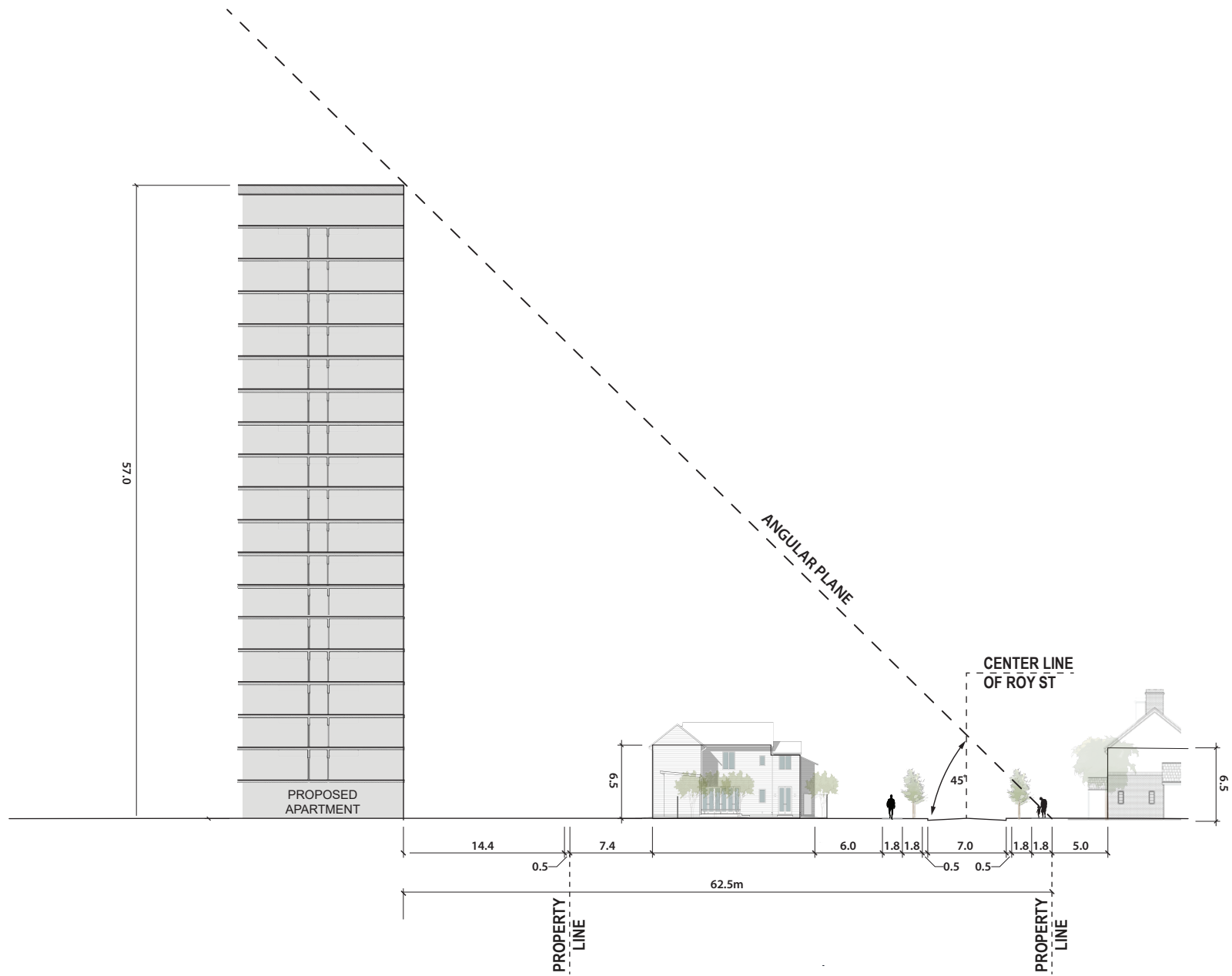


K\1961A-22 WEBER ST\REPORT\LOCATION PLAN
 FEBRUARY 27 2019.DWG

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

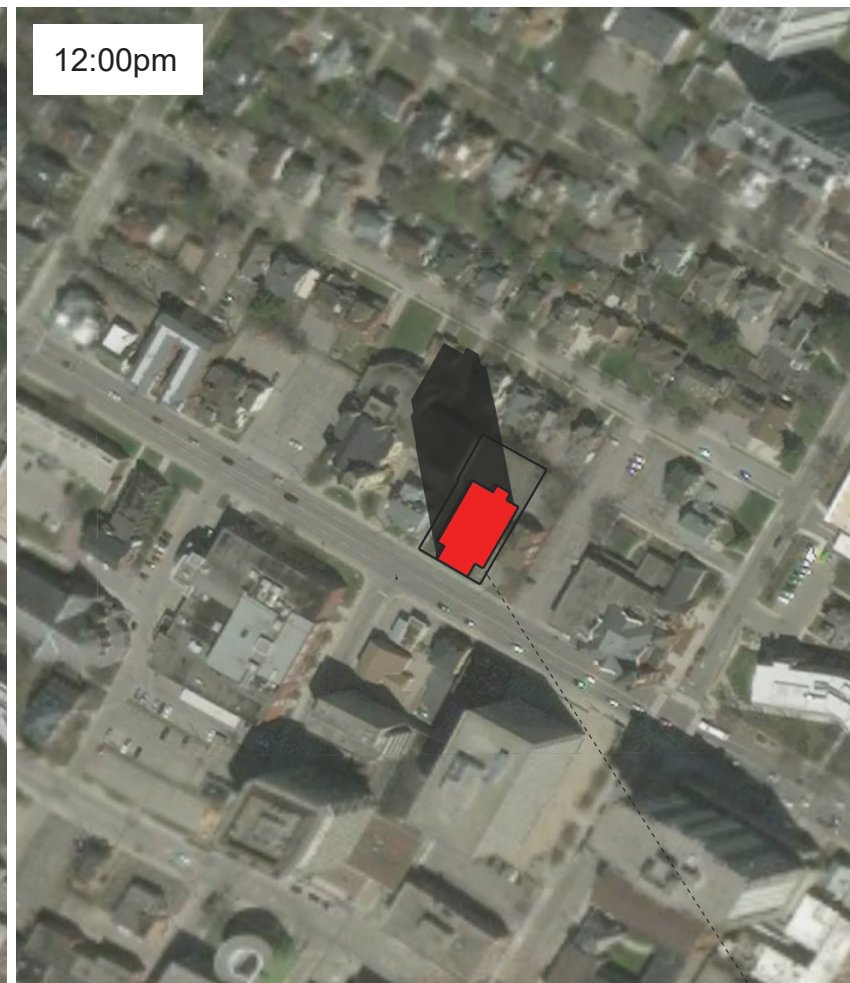


APPENDIX C – SHADOW STUDY

Shadow Study

Spring Shadows - March 21

LEGEND

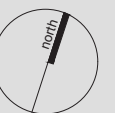


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

SCALE: N.T.S

K:\1961A-22 Weber St



Shadow Study

Summer Shadows - June 21

LEGEND

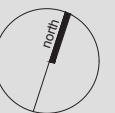


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

SCALE: N.T.S

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Shadow Study

Autumn Shadows - September 21

LEGEND

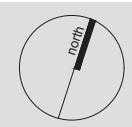


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

SCALE: N.T.S

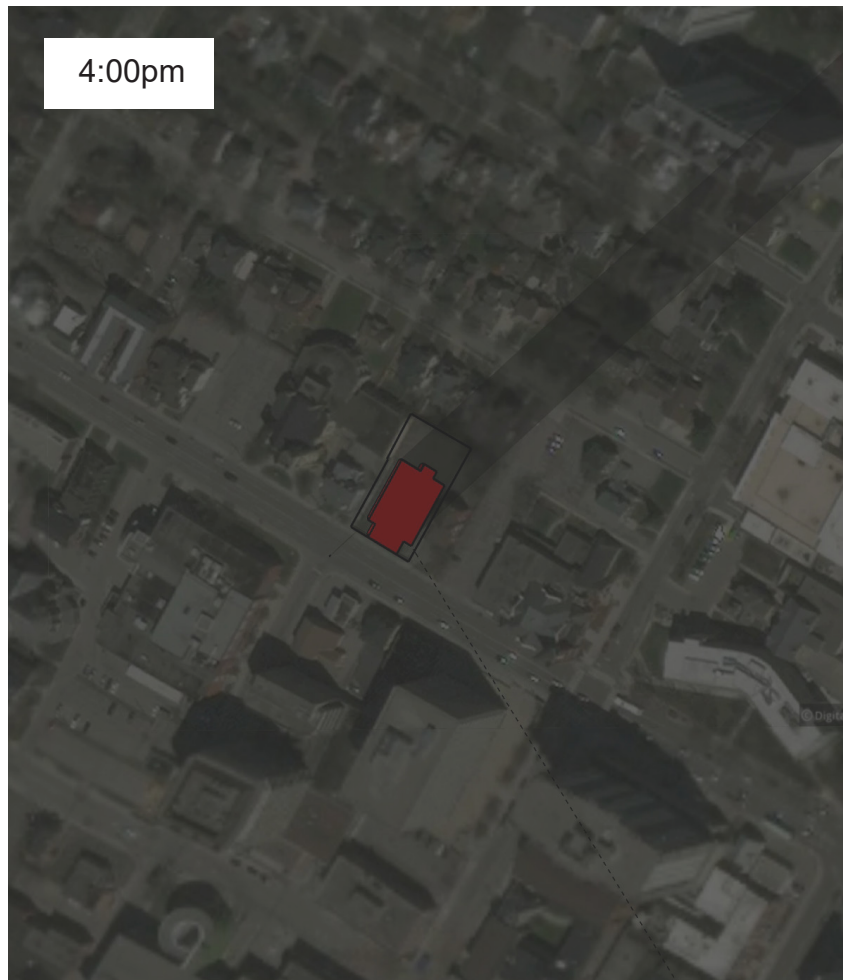
K:\1961A-22 Weber St



Shadow Study

Winter Shadows - December 21

LEGEND

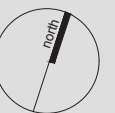


Sources: Trimble Sketch-Up 2018

OCTOBER 13, 2021

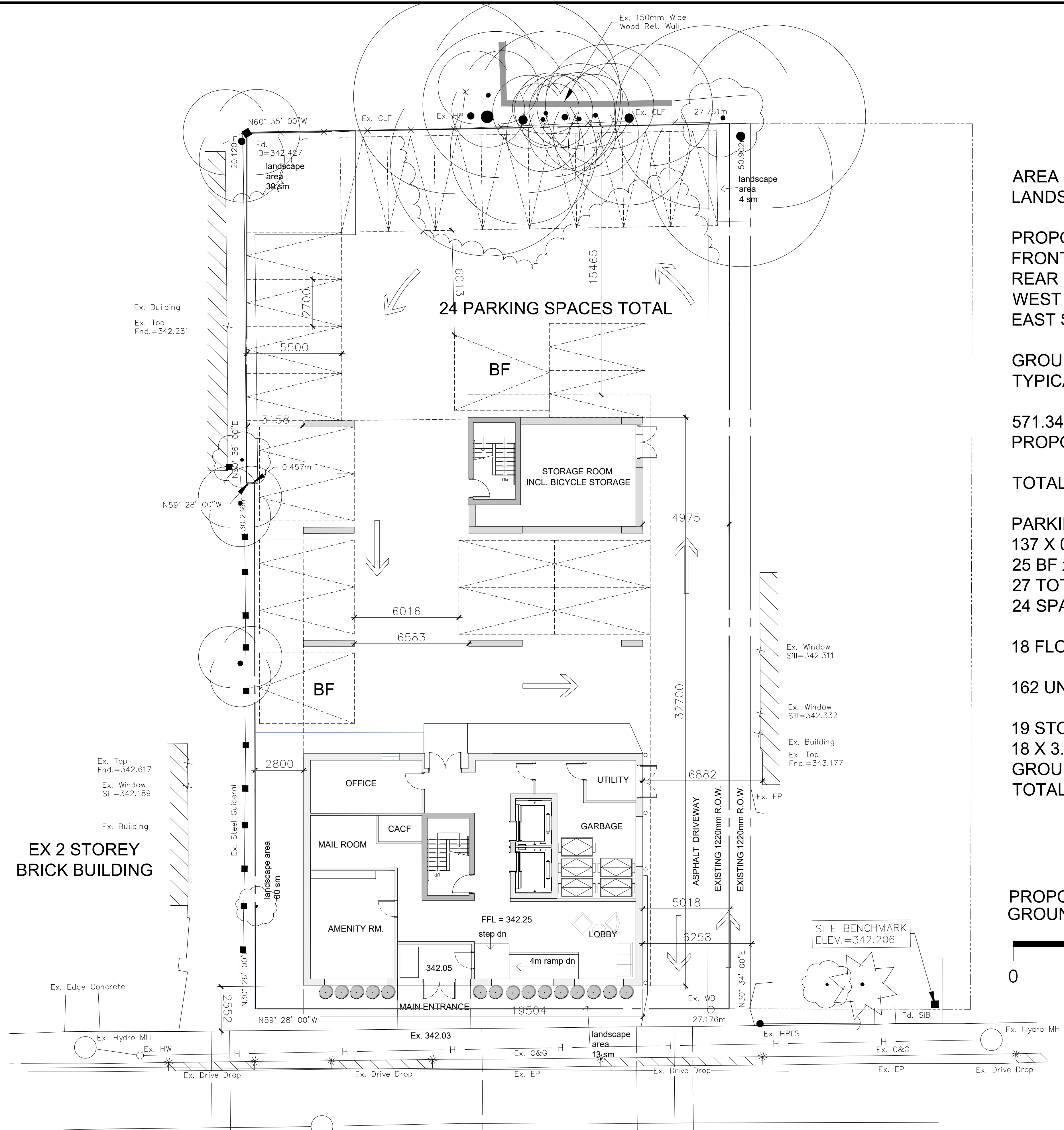
SCALE: N.T.S

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APPENDIX D – SITE PLAN & RENDERINGS

| REVISIONS | | |
|-----------|------|------------|
| NO. | DATE | PARTICULAR |
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AREA OF SITE 1392 SM
 LANDSCAPED AREA 116 SM = 8.33%

PROPOSED SETBACKS
 FRONT 2.5M
 REAR 15M
 WEST SIDE 2.8M
 EAST SIDE 5M

GROUND FLOOR AREA 256.87 SM
 TYPICAL FLOOR AREA 571.34 SM

571.34 X 18 STORIES = 10855.5 SM
 PROPOSED FSR = 7.79

TOTAL PROPOSED = 162 UNITS

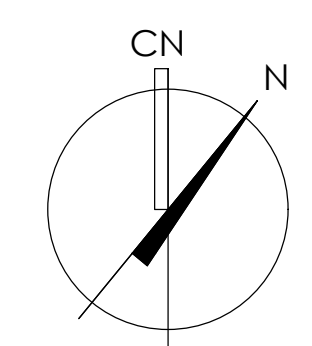
PARKING REQUIREMENTS
 137 X 0.165 = 22.6 SPACES SMALL UNITS
 25 BF X 0.165 = 4.125 SPACES
 27 TOTAL PARKING SPACES CALCULATED
 24 SPACES PROPOSED

18 FLOORS WITH 9 UNITS EACH = 162 UNITS TOTAL

162 UNITS X 0.15 = 25 BF UNITS REQUIRED PER OBC

19 STOREYS INCLUDING GROUND FLOOR
 18 X 3.0M FLOOR TO FLOOR = 54M HEIGHT
 GROUND FLOOR HEIGHT = 4.6m
 TOTAL BUILDING HEIGHT = 58.6m

PROPOSED SITE PLAN
 GROUND FLOOR AREA 256.87 SM = 2,880 SQ. FT.



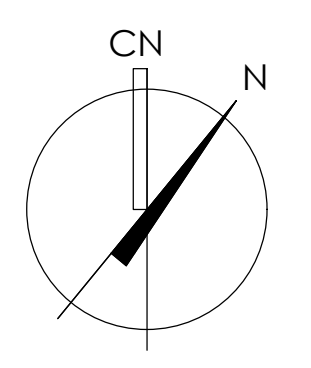
PROPOSED MULTI-RESIDENTIAL DEVELOPEMENT
 22 WEBER ST W, KITCHENER, ONTARIO
 SEPTEMBER 23, 2021

File Name: K:\Projects\Brantford\22 Weber St - Daniel\210707 Drawings\22Weber Plans July 14.2021.dwg
 Plot Date: Sep 23, 2021 12:23pm by: aboudsaa

| REVISIONS | | |
|-----------|----------|----------------------|
| NO. | DATE | PARTICULAR |
| 1 | 20.07.08 | ISSUED FOR OPA / IFC |
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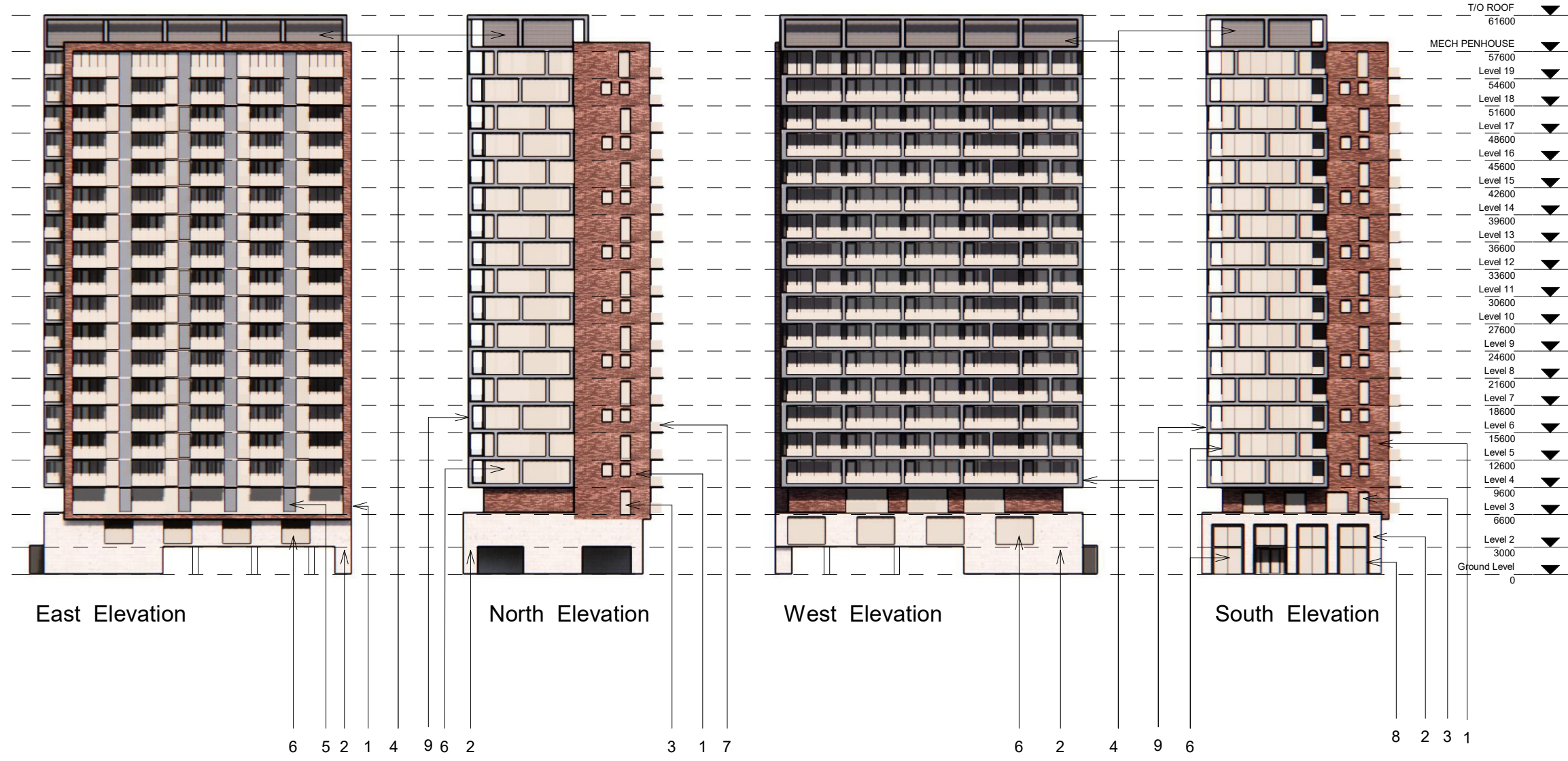
PROPOSED TYPICAL FLOOR PLAN
 FLOOR AREA 571.34sm = 6190 SQ. FT.



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

Filename: \\TVG-Share\Drawings\21\Weber St - Daniel\2107\Drawings\21Weber-Plans-July-14-20.org
 Plot Date: Sep 23, 2021 3:24pm by: aboudeau

| Revision Schedule | | |
|-------------------|------|-----|
| Particular | Date | No. |
| | | |



Client:
Owner

Project:
0001
Project Name

Enter address here

| MATERIAL LEGEND | |
|--|---|
| 1 Mixed Red Brick | 5 Glass spandrel panels |
| 2 White stone cladding - Flamed finish | 6 Clear Curtain wall glazing with Clear anodized aluminium frames |
| 3 Clear Glass Punched Openings with Clear anodized aluminum frames | 7 Clear glass balcony guard |
| 4 Mechanical louvers | 8 Black stone - Smoothe finish |
| | 9 Clear anodized aluminum panels |

VG ARCHITECTS
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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,
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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

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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

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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.

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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