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MARIAH BLAKE
Committee Coordinator, Legislated Services
Corporate Services Department
Kitchener City Hall, 2nd Floor
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Kitchener, ON N2G 4G7
Phone: 519-741-2200 ext. 7275
marilyn.mills@kitchener.ca

REGISTERED MAIL

July 19, 2024

Vanmar Developments 10 Duke GP Corp
145 Goddard Crescent
Cambridge ON
N3E 0B1

RECEIVED
2024/07/19
(YYYY/MM/DD)
Ontario Heritage Trust

Re: Designating By-law – 10 Duke Street West

Dear Property Owner:

This is to advise that the Council of the Corporation of the City of Kitchener, at its regular meeting held on July 15, 2024, passed By-law 2024-140, pursuant to Part IV of the *Ontario Heritage Act*, designating the property municipally known as 10 Duke Street West as being of historic and cultural heritage value or interest. A copy of the designating By-law is attached for your information, along with a copy of the Notice of Passing.

Any person who objects to this By-law may appeal to the Ontario Land Tribunal by notifying the Ontario Land Tribunal and the Clerk of the Corporation of the City of Kitchener in writing within 30 days after the publication of this notice. The last day to appeal is August 19, 2024. A notice of appeal must set out the objections to the By-law and the reasons in support of the objection, accompanied by the fee charged by the Ontario Land Tribunal.

If you have any questions or concerns, please contact Jessica Vieira, Heritage Planner at 519-741-2200 ext. 7291.

Yours truly,

A handwritten signature in black ink that reads "M. Blake".

Mariah Blake
Committee Coordinator

cc: Registrar, Ontario Heritage Trust
K. Hughes, Assistant City Solicitor
J. Vieira, Heritage Planner
(cc'd parties by email only)

BY-LAW NUMBER
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate the property
municipally addressed as 10 Duke Street
West, in the City of Kitchener as being of
historic and cultural heritage value or interest)

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. 0.18, authorizes the Council of a Municipality to enact by-laws to designate real property, including all of the buildings and structures thereon, or portions thereof, to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the City of Kitchener has received and considered the recommendations of its municipal heritage committee (Heritage Kitchener) regarding the designation of a property located at 10 Duke Street West, Kitchener (the “Property”);

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its Council Meeting held on April 8, 2024, to publish a Notice of Intention to designate the Property as being of cultural heritage value or interest pursuant to section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. O.18, and which resolution was confirmed by By-law No. 2024-084;

AND WHEREAS a copy of the Notice of Intent to Designate was served upon the registered owners of the Property and upon the Ontario Heritage Trust;

AND WHEREAS a copy of the Notice of Intent to Designate was published in the Waterloo Region Record, which is a newspaper having general circulation in the City of Kitchener on April 12, 2024, a copy of which is attached to this by-law as “Schedule A”;

AND WHEREAS no Notice of Objection to the proposed designation has been served upon the Clerk of the City of Kitchener;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. The building and property known as 10 Duke Street West, Kitchener, as more particularly described in Schedule, “B”, “C”, and “D” to this by-law are hereby designated as being of cultural value or interest under Part IV, section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. 0.18;
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the whole of the property described in Schedule “D” to this by-law with the Land Registry Office;
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the registered owners of the property described in Schedule “D” to this by-law and on the Ontario Heritage Trust; and,
4. The City Clerk is hereby authorized to publish a notice of this by-law in a newspaper having general circulation in the City of Kitchener.

PASSED at the Council Chambers in the City of Kitchener this 15th day of July, 2024.

Mayor

Clerk

SCHEDULE A
NOTICE OF INTENTION TO DESIGNATE
10 Duke Street West, KITCHENER



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESS(ES) IN THE PROVINCE OF ONTARIO

NOTICE OF INTENTION

TAKE NOTICE that the Council of the Corporation of the City of Kitchener intends to designate the following municipal addresses as being of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended.

10 Duke Street West

The property municipally addressed as 10 Duke Street West demonstrates design/physical, historical/associative and contextual value.

10 Duke Street West has design and physical value, being a representative example of the Colonial Revival architectural style for a commercial building. The subject property demonstrates historical and associative value due to its connection to the history of insurance in Kitchener and due to the original owner and use of the property. 10 Duke Street was the fifth office building in Kitchener of the Economical Mutual Fire Insurance Company. The decision to build on the subject property was led by the company's seventh president, Senator William D. Euler, a distinguished citizen of Waterloo County with a notable commercial and political career. The subject property also has the potential to contribute to an understanding of the community, as it is linked to the rapid expansion of the company which was a result of the rapid growth of the Canadian economy in the post-World War II era. The property is physically and visually linked to the streetscape in terms of scale and material. It supports and maintains the character of the streetscape and area. Due to its location on a corner lot on a prominent street, its distinctive Colonial Revival characteristics, and its main entrance fronting directly onto Duke Street West the building can also be classified as a landmark.

91 Madison Avenue South

The property municipally addressed as 91 Madison Avenue South demonstrates design/physical, historical/associative and contextual value.

The design value relates to the architecture of the religious building. The building is a unique example of the Byzantine and Colonial Revival architectural style in Kitchener and is in excellent condition. The historic and associative values due the original owners and use, as well as its connection to the theme of early Jewish settlement. The property is also capable of yielding an understanding how diversification of religion progressed within the community. The contextual values relate to the contribution that the religious building makes to the continuity and character of the Madison Avenue South streetscape and the Cedar Hill Neighbourhood Cultural Heritage Landscape (CHL). The building is also physically, visually, historically, and functionally linked to its surroundings as it remains in-situ and, though the congregation has changed, maintains its original use as a place of worship. With its distinctive architectural style and its location near the peak of one of the neighbourhoods distinctive rolling hills, 91 Madison Avenue South could also be classified as a neighbourhood landmark.

The full Statements of Significance, containing a list of the heritage attributes, is available in the Office of the City Clerk by contacting clerks@kitchener.ca during normal business hours. Any person may send by Registered Mail, or deliver to the Clerk of the City of Kitchener, notice of their objections to the proposed designation, together with a statement of the reasons for objection and all relevant facts, to be received by the Clerk no later than the 12th day of May, 2024. If a Notice of Objection is received, the matter will be referred to the Council of the Corporation of the City of Kitchener for consideration.

Dated at Kitchener the 12th day of April, 2024.

Amanda Fusco
Director of Legislated Services & City Clerk
City Hall, P.O. Box 1118
200 King Street West
Kitchener, Ontario N2G 4G7

SCHEDULE B
STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

10 Duke Street West, KITCHENER

Description of Cultural Heritage Resource

10 Duke Street West is a three-storey mid-20th century brick building built in the Colonial Revival architectural style. The building is situated on a 0.55-acre parcel of land located on the north side of Duke Street West between Ontario Street North and Queen Street North in the City Commercial Core Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the commercial building.

Heritage Value

10 Duke Street West is recognized for its significant design/physical, historical/associative, and contextual values.

Design/Physical Value

10 Duke Street West has design and physical value, being a representative example of the Colonial Revival architectural style for a commercial building. The building was constructed c. 1949 and features: rectangular plan; red flemish brick; eleven bays along the front Duke Street elevation and rear elevations, and six bays on the short elevations to the East and West separated by shallow brick columns with limestone capitals and base; segmentally flat window openings with brick voussoirs and stone sills; main entrance door with window surround, transom and entablature; limestone band between 2nd and 3rd and the parapet at the roof line.

Character defining interior elements are concentrated within the building core and include: the existing stair railings with black metal spindles and newel posts with brass railing; wall grilles; marble ceilings and walls within the main entrance lobby, two-toned terrazzo flooring with marble accents at thresholds, and ceramic tiles in washroom.

Historical/Associative Value

The subject property demonstrates historical and associative value due to its connection to the history of insurance in Kitchener and due to the original owner and use of the property. 10 Duke Street was the fifth office building in Kitchener of the Economical Mutual Fire Insurance Company.

The Economical Mutual Fire Insurance Company (now known as Economical Insurance) was founded in Berlin (now Kitchener) in 1971. The purpose of the company was to provide protection against the devastation and hardship caused by fire, lightening, and other natural disasters. 10 Duke Street was the fifth location of the Economical Mutual Fire Insurance Company in Kitchener, superseding the location at 16-20 Queen Street North as headquarters in 1949. The building operated as headquarters for 40 years, until 1989. The decision to build on the subject property was led by the company's seventh president, Senator William D. Euler.

William D. Euler was a distinguished citizen of Waterloo County. He taught public school for six years, established a business college, and acquired an interest in the Kitchener News Record before eventually becoming president of the company. He also had an active and distinguished political career, beginning as Berlin Alderman, being appointment Mayor of Berlin from 1913-1914, and then becoming Member of Parliament in 1917 and successfully remained in this role through seven consecutive general elections. He was appointed Minister of National Revenue, Minister of Trade and Commerce, and then to the Senate of Canada in 1935. In 1961 he became the first Chancellor of Waterloo Lutheran University (now Wilfrid Laurier University).

The subject property also has the potential to contribute to an understanding of the community, as it is linked to the rapid expansion of the company which was a result of the rapid growth of the Canadian economy in the post-World War II era. Its operations also yield information related to business operations within the City during this era.

Contextual Value

The building is located in-situ, in a prominent location on the north side of Duke Street West between Ontario Street to the west and Queen Street North to the east. The property is physically and visually linked to the streetscape in terms of scale and material. It supports and maintains the character of the streetscape and area, being located within the City Commercial Core and in proximity to a number of other historic commercial buildings, including 16-20 Queen Street North which is the fourth office of the Economic Mutual Fire Insurance Company. Due to its location on a corner lot on a prominent street, its distinctive Colonial Revival characteristics, and its main entrance fronting directly onto Duke Street West the building can also be classified as a landmark.

SCHEDULE C

DESCRIPTION OF HERITAGE ATTRIBUTES

10 Duke Street West, KITCHENER

Description of the Heritage Attributes

The heritage value of 10 Duke Street West resides in the following attributes identified below:

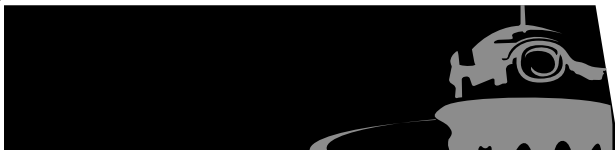
- Exterior elements related to the Colonial Revival architectural style of the building, including:
 - Red Flemish brick;
 - Rectangular plan;
 - 11 bays along Duke Street and 6 bays along Queen Street;
 - Segmentally flat windows openings with brick voussoirs;
 - 8/12 windows with limestone sills;
 - Main entrance door with door surround, transom and entablature;
 - The limestone band between 2nd and 3d floors; and
 - The parapet along the roofline.
- Interior elements including:
 - Brass elements: Stair railings, newel post caps and wall grilles; and,
 - Roman Travertine tile in vestibule entrance and lobby.
- Elements related to the contextual value of the subject property and its status as a landmark, including:
 - Prominent location at the intersection of Duke Street West and Queen Street North;
 - Balanced front and side façades; and
 - The massing of the building fronting onto both Duke Street West and Queen Street North.

SCHEDULE D

LEGAL DESCRIPTION

Part of Lots 1 to 3, Plan 396 being Part 1 on Reference Plan 58R-20701, City of Kitchener,
Regional Municipality of Waterloo

Being all of PIN 22316-0252 (LT)



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESS(ES) IN THE PROVINCE OF ONTARIO

NOTICE OF PASSING HERITAGE DESIGNATION BY-LAW

TAKE NOTICE that the Council of the Corporation of the City of Kitchener passed By-law No. 2024-140 designating the property municipally known as 10 Duke Street West and By-law No. 2024-141 designating the property municipally known as 60 Victoria Street North as being of cultural heritage value or interest under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended.

AND TAKE FURTHER NOTICE that any person who objects to this By-law may appeal to the Ontario Land Tribunal by notifying the Ontario Land Tribunal and the Clerk of the Corporation of the City of Kitchener in writing within 30 days after the publication of this notice. The last day to appeal is August 19th, 2024. A notice of appeal must set out the objections to the By-law and the reasons in support of the objection, accompanied by the fee charged by the Ontario Land Tribunal.

Dated at Kitchener the 19th day of July 2024

Amanda Fusco
Director of Legislated Services
& City Clerk
City Hall, P.O. Box 1118
200 King Street West
Kitchener, Ontario N2G 4G7