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RECEIVED
2023/07/14
(YYYY/MM/DD)
Ontario Heritage Trust

Mariah Blake
Committee Administrator
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 ext. 7277
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July 14, 2023

A/Provincial Heritage Registrar, Ontario Heritage Act
Ontario Heritage Trust
10 Adelaide Street East
Toronto ON M5C 1J3

Re: Designating By-law – 73 Shanley Street

This is to advise that the Council of the Corporation of the City of Kitchener at its regular meeting held on June 26, 2023 passed By-law 2023-086, pursuant to Part IV of *the Ontario Heritage Act*, designating the property municipally known as 73 Shanley Street 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.

Yours truly,

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

Mariah Blake
Committee Administrator

cc via email: Deeksha Choudhry, Heritage Planner

Properties

PIN22318 - 0029 LT

DescriptionPT LT 411 PL 376 KITCHENER AS IN 1278876; KITCHENER

Address73 SHANLEY STREET
KITCHENER

Applicant(s)

This Order/By-law affects the selected PINs.

NameTHE CORPORATION OF THE CITY OF KITCHENER

Address for Service200 King Street West
PO Box 1118
Kitchener, Ontario
N2G 4G7

This document is being authorized by a municipal corporation BERRY VRBANOVIC, MAYOR and AMANDA FUSCO, CLERK.
This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-law See Schedules.

Signed By

Whitney Charlene Kleine

200 King St. W.
Kitchener
N2G 4G7

acting for
Applicant(s)

Signed2023 07 06

Tel519-741-2268

Fax519-741-2702

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

CITY OF KITCHENER

200 King St. W.
Kitchener
N2G 4G7

2023 07 06

Tel519-741-2268

Fax519-741-2702

Fees/Taxes/Payment

Statutory Registration Fee\$69.00

Total Paid\$69.00

BY-LAW NUMBER 2023-086

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate the property
municipally known as 73 Shanley Street, 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 73 Shanley Street, Kitchener (the "Property");

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its Council Meeting held on May 8, 2023, to publish a Notice of Intention to designate the property described as 73 Shanley Street, Kitchener 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. 2021-059;

AND WHEREAS a copy of the Notice of Intent to Designate was served upon the registered owners of 73 Shanley Street, Kitchener 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 May 12, 2023, a copy of which is attached to this by-law as "Schedule A";

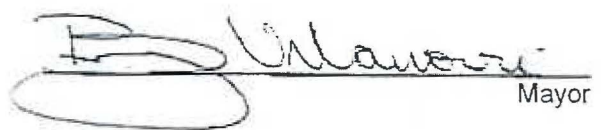
AND WHEREAS no Notice of Objection to the proposed designation has been served upon the Clerk of the City of Kitchener;

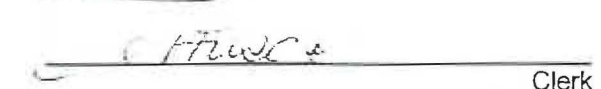
NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. The building and property known as 73 Shanley Street, Kitchener, as more particularly described in Schedule "B" and "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. O.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 26th day of June, 2023.



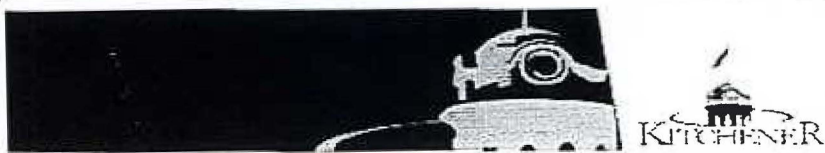

Mayor


Clerk

SCHEDULE A

NOTICE OF INTENTION TO DESIGNATE

73 SHANLEY STREET, 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.

181 Frederick Street

The property municipally addressed as 181 Frederick Street, also known as the "Snider House" demonstrates design/physical, historical/associative and contextual values.

The exterior of the Snider House has design value as a representation of the Craftsman style of architecture in the City of Kitchener which displays a high degree of craftsmanship and artistic merit. The building was built circa 1910, and is one of the last remaining Craftsman houses on Frederick Street.

The historic/associative values of the property relates to its owners, specifically Elias Weber Bingeman Snider (E.W.B. Snider) who lived in this house from 1919 until 1921. He was best known for bringing hydroelectricity to the area and originating the present hydropower system in Ontario.

The property has contextual value as being the original location along Frederick Street as part of the Craftsman Homes that were originally built in Frederick Street between 1900 and 1910.

73 Shanley Street

The property municipally addressed as 73 Shanley Street demonstrates design/physical, historic/associative and contextual values.

The exterior of the property has design value as a representative example of an early 20th century single-detached dwelling constructed with influences from the Queen Anne Revival architectural style. The building was built circa 1905 and is in excellent condition and displays a high degree of craftsmanship with many intact original elements. There is a unique and original one-storey extension on the east side of the property that served as a grocer's store.

The historic and associative value relates to the historical ownership of the property as well as its potential to yield an understanding of the changing scale of neighbourhoods that the City experienced with the introduction of motor vehicles and urbanization.

The contextual value of the subject property relates to its location within the Mt Hope/Breithaupt Neighbourhood and Mt Hope/Breithaupt Neighbourhood Cultural Heritage Landscape. This is an early and significant residential neighbourhood established in the late 1800's, with many buildings original to the area remaining.

The full Statements of Significance, containing a list of the heritage attributes, are 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 designations, together with a statement of the reasons for objection and all relevant facts, to be received by the Clerk not later than 11th day of June, 2023. If a Notice of Objection is received, the Council of the Corporation of the City of Kitchener will refer the matter to the Conservation Review Board (<https://www.opes.gov.on.ca/Home/Agency/434>) for a hearing and report.

Dated at Kitchener the 12th day of May, 2023.

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

73 SHANLEY STREET, KITCHENER

Description of the Property

The subject property municipally is addressed as 73 Shanley Street in the City of Kitchener within the Region of Waterloo and the Province of Ontario. It is located on the east corner of the Shanley Street and Moore Avenue intersection, within the area known as the Mount Hope / Breithaupt Neighbourhood.

The subject property includes a two-storey single-detached residential dwelling with a one-storey wing attached to the east façade. The wing currently functions as its own self-contained unit. The lot is approximately 0.10 acres in size and possesses several mature trees of varying species. The principal resource that contributes to the heritage value is the building.

Statement of Cultural Heritage Value or Interest

The subject property demonstrates design/physical, historical/associative, and contextual values.

Design/Physical Value

The subject property demonstrates design/physical value as a representative example of an early 20th century single-detached dwelling constructed with influences from the Queen Anne Revival architectural style. Built c. 1905, the home is two-storeys in height with a one-storey wing along the eastern side. This wing is a distinguishing and unique feature of the property and was built during the original construction period of the dwelling. The home also features steeply pitched and irregular rooflines, cornices, gables, tall rectangular windows with soldier course, two balconies, a wraparound veranda with decorative posts, railings, and brackets, and rusticated stone foundation. These detailed elements indicate a high degree of craftsmanship.

Many of the features of the building are original and in good condition. This includes the posts and railing system of the porch, a few windows and window openings on the front, side, and rear facades, the two front porch doors and door openings, and the decorative brackets and sun-detailing on the north-façade balcony.

Historical/Associative Values

The property demonstrates significant historical/associative value due to its historical ownership and its potential to yield an understanding of the changing scale of City neighbourhoods experienced since the early 20th century.

The dwelling was constructed and owned by David Mather, who was a carpenter within Kitchener. At some point in time between 1905 and 1919 he began operating as a grocer out of the one-storey east wing on his home. In addition, David Mather contributed to the community by acting as the first Chairman of the Organization Committee for the Twin City Trades and Labor Council. Established December 1, 1901, the intention of the Trades and Labour Council was to focus the otherwise disparate interests of skilled workers divided into separate craft unions. During the initial period after its establishment the Labor Council met the 2nd and 4th Monday of every month in what was T&L Hall, located at 28 King Street West.

Prior to the introduction of motor vehicles, local grocers were a common element to neighbourhoods. With mobility dependent on more limited modes of transport, communities were highly compact and were an intermingling of residences, workplaces, and businesses. Small local groceries contributed towards communities such as the Mt Hope/Breithaupt Neighbourhood operating in an almost fully self-contained manner. Further to this practical purpose, the local grocer stores also sometimes acted as a social hub; with the advent of the radio in the 1920's they were a common place to go to hear of news or sporting events. It was not until the first half of the twentieth century that big box stores and supermarkets began to supersede these local stores. As ownership and use of motor vehicles increased the city was transformed. Automobiles provided greater mobility and access to citizens, which allowed urban boundaries to be pushed outward and erased the necessity or decreased the demand for neighbourhoods to be centrally organized and self-sufficient.

Contextual Values

The contextual value of the subject property relates to its location within the Mt Hope/Breithaupt Neighbourhood and Mt Hope/Breithaupt Neighbourhood Cultural Heritage Landscape. This is an early and significant residential neighbourhood established in the late 1800's, with many buildings original to the area remaining. These buildings are of recognizable architectural styles and possess specific features typical of the era in which they were constructed. This original-period architecture in conjunction with the mature landscaping lend to a strong visual coherence and create a distinct character for the area. 73 Shanley Street is located in-situ and supports the continuous residential uses as well as the character of the neighbourhood.

SCHEDULE C

DESCRIPTION OF HERITAGE ATTRIBUTES

73 SHANLEY STREET, KITCHENER

Description of the Heritage Attributes

The heritage attributes supporting the cultural heritage value or interest of 73 Shanley Street are represented in the dwelling on the lot, built c. 1905 in the Queen Anne Revival architectural style.

The heritage value of 73 Shanley Street resides in the following heritage attributes:

- All elements related to the Queen Anne architecture of the building on all façades, including:
 - Two-and-a-half storey massing;
 - Steeply pitched roof and irregular rooflines;
 - Red brick walls;
 - All window and door openings;
 - Soldier course heading above openings;
 - Cornices;
 - Cedar gable-ends;
 - Wraparound veranda with decorative posts and railing system and above balcony;
 - Decorative brackets supporting verandah roof;
 - North-façade balcony with decorative brackets and sun-detailing; and
 - Rusticated stone foundation
- The following heritage elements related to the former grocer's store:
 - One-storey massing;
 - The red brick of the rear and side façades;
 - Decorative brackets below the faux gable roof above the main entrance to the former grocer's store; and
 - All window and door openings.
- The contextual value relating to:
 - The location of the dwelling and former grocer's store on the property relative to Shanley Street and Moore Avenue and within the Mt Hope/Breithaupt Neighbourhood

SCHEDULE D

LEGAL DESCRIPTION

Part Lot 411, Plan 376, Kitchener as in 1278876; City of Kitchener, Regional
Municipality of Waterloo

Being all of PIN 22318-0029 (LT)



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER 0.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESSES IN THE PROVINCE OF ONTARIO

NOTICE OF PASSING

TAKE NOTICE that the Council of the Corporation of the City of Kitchener passed By-law No. 2023-084 designating the property municipally known as 181 Frederick Street, By-law No. 2023-085 designating the property municipally known as 369 Frederick Street, and By-law No. 2023-086 designating the property municipally known as 73 Shanley Street as being of cultural heritage value or interest under the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, as amended.

Dated at Kitchener the 14th day of July, 2023

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