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Office of the City Clerk

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SEP - 8 2004

CONSERVATION REVIEW
BOARD

Waterloo

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Corporate Services Department
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REGISTERED MAIL

2004-08-30

Ms. Rita Caldrone
Ontario Heritage Foundation
C/o Ministry of Culture
400 University Avenue, 4th Floor
Toronto ON M7A 2R9

Dear Ms. Caldarone:

Re: NOTICE OF PASSING – 120 DUKE STREET WEST, KITCHENER

This is to advise that the Council of the Corporation of the City of Kitchener, at its meeting of 2004-05-03, passed By-law 2004-81, pursuant to Part IV of the Ontario Heritage Act, amending the designation the property municipally know as 120 Duke Street West, (formerly 100 Duke Street West) Kitchener. A copy of the by-law amending the designation is attached for your information.

Yours truly,

Dianne H. Gilchrist
Supervisor, Legislated Services

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9/8/04
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BY-LAW NUMBER 2004-81

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 93-43 of The Corporation of the City of Kitchener which designated buildings at the property formerly known as 100 Duke Street West as having historic and architectural value).

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the *Interpretation Act*, R.S.O. 1990, c.I.11 states where power is conferred to make by-laws it includes power to alter or revoke the same from time to time;

AND WHEREAS By-law 93-43 designated a portion of the property formerly municipally known as 100 Duke Street West in the City of Kitchener as being of historic and architectural value;

AND WHEREAS it is acknowledged that the legal description of land formerly known as 100 Duke Street West contained in By-law 93-43 included the description of land on which the 1909 building was situated now having an address of 45 College Street as well as the description of land on which the 1907 building is located now having an address of 120 Duke Street West;

AND WHEREAS the 1909 Building was destroyed by a fire on November 30th, 2003;

AND WHEREAS it is deemed necessary and expedient to amend By-law 93-43 to remove the designation from the destroyed 1909 building located at the new municipal address of 45 College Street so that the designating by-law applies only to the remaining 1907 building located at the new municipal address of 120 Duke Street West;

AND WHEREAS the Council of The Corporation of the City of Kitchener has caused to be served on the owner of the lands and premises formerly known municipally as 100 Duke Street

West and now known as 45 College Street and 120 Duke Street West in the City of Kitchener, and upon the Ontario Heritage Foundation, a Notice of Intention to Amend the By-law Designating the property as being of historic and architectural value and has caused such Notice of Intention to Amend to be published in a newspaper having general circulation in the municipality;

AND WHEREAS no Notice of Objection to the proposed amendment has been served upon the Clerk of the Municipality;

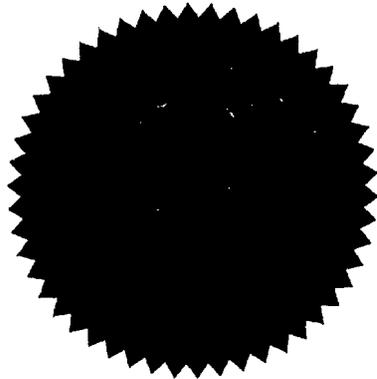
NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. By-law 93-43 is hereby amended by deleting the legal description set out in Schedule "A" and substituting therefor the following, namely:
"Part of Lots 5 and 6, North of Duke Street and East of College Street, A.C. Weber's Survey, Registered Plan 401, City of Kitchener, Regional Municipality of Waterloo, designated as Parts 9 and 10 on Reference Plan 58R-11292 being all of the lands in PIN 22317-0083 (LT)."
2. By-law 93-43 is hereby amended by deleting section 1 and substituting the following:
"There is designated as being of historical and architectural value that part of the aforesaid real property formerly municipally known as 100 Duke Street West and now municipally known as 120 Duke Street West, which pertains to the exterior elevations, roof and roofline of the building constructed in 1907 (save and except that portion of the north east elevation to which the 1964 addition is attached). The building constructed in 1907 and located at 120 Duke Street West is shown on Schedule "B" attached hereto.
3. The reasons for designation included with By-law 93-43 are hereby replaced with the new reasons for designation attached as Schedule "A" hereto. These new reasons for designation only apply to the building constructed in 1907 and located on property now

known as 120 Duke Street West, as the building constructed in 1909 and located at 45 College Street has been destroyed.

- 4. The City Solicitor is hereby authorized to cause a copy of this By-law to be registered on title against the whole of the property municipally known as 120 Duke Street West and more particularly described as Part of Lots 5 and 6, North of Duke Street and East of College Street, A.C. Weber's Survey, Registered Plan 401, City of Kitchener, Regional Municipality of Waterloo, designated as Parts 9 and 10 on Reference Plan 58R-11292, being all of PIN 22317-0083.
- 5. The City Solicitor is hereby authorized to cause the original designating by-law 93-43 to be removed from title of the property now known as 45 College Street.
- 6. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owners of the aforesaid properties and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in a newspaper having general circulation in the community.

PASSED at the Council Chambers in the City of Kitchener this 3rd day of May, 2004



Carl J. Ze...
Mayor

Janet Bell...
Deputy Clerk

SCHEDULE "A"

REASONS FOR DESIGNATION

120 Duke Street West (St. Jerome's College/High School)

On the basis of historical and architectural merits, it is recommended that the building located at 120 Duke Street West which was built in 1907 and is commonly known as the former St. Jerome's College or St. Jerome's High School, be designated under Part IV of the Ontario Heritage Act.

Architecturally, the building makes an important contribution to the streetscape and is considered to be a well preserved and representative example of the Neo-Classical style, not overly common in the City of Kitchener. St. Jerome's is generally recognized as an important City landmark.

Historically, St. Jerome's is considered to be of significance to the City of Kitchener. The roots of St. Jerome's College stretch back to 1857 in the Region of Waterloo. The Duke Street building dates from an early period in the development of the City of Kitchener and is a well preserved example and illustration of Kitchener's social and cultural history. The College is associated with numerous persons who are recognized as having made significant contributions to Berlin/Kitchener's social, cultural, political, economic, technological, and physical development. The bronze statue of Father Louis Funcken (the Founder of St. Jerome's College) and young Reinhold Lang (a student), now located in front of St. Mary's Roman Catholic Church in close proximity to the Duke Street building, was designed by the internationally known sculpture Raphael Zaccagnini. St. Jerome's, first as a college and later as a high school, is recognized as the foundation of Catholic education in the Twin Cities and the Region. In its early years, St. Jerome's students came from all areas of Canada, South America, Europe and the United States. It was one of the largest educational institutions in the area and boasts many distinguished alumni.

It is intended that only the following exterior features on the 1907 building will be designated; all elevations with the exception of the interface areas (interface refers to the north east corner of the 1907 structure where a portion of the elevation has been removed to accommodate the 1964 addition); roof and roofline; entablature with bracketed cornice and simple frieze separating the third and attic storey; stone pilasters with ionic capitals on the south, east and west elevations; pedimented central pavilion on the south elevation with its monumental coupled columns and entrance with stone voussoir treatment; wood and bevelled glass doors of the entrances with pressed ceilings on the south elevation (tympanum of the pediment once had 4 light circular windows and was made of brick); Windows: First storey – all rectangular round headed 1/1 wooden sash windows detailed with moulded brick label moulds and stone key stones on the south, east and west elevations together with stone lintels on all elevations; Second and third storeys – rectangular shape 4/6 windows, wooden sash; stone sills and lintels, 3 have decorated hood moulds, 6 sets of 3 with 4/6 on the south; chapel windows on the second storey south and north elevations consisting of a single pane depicting religious scenes over stained glass lozenges; Attic storey – square 4 light windows with stone sills and lintels; red brick walls; stone foundation with ribbon mortar joints; rusticated raised basement and ground storey.

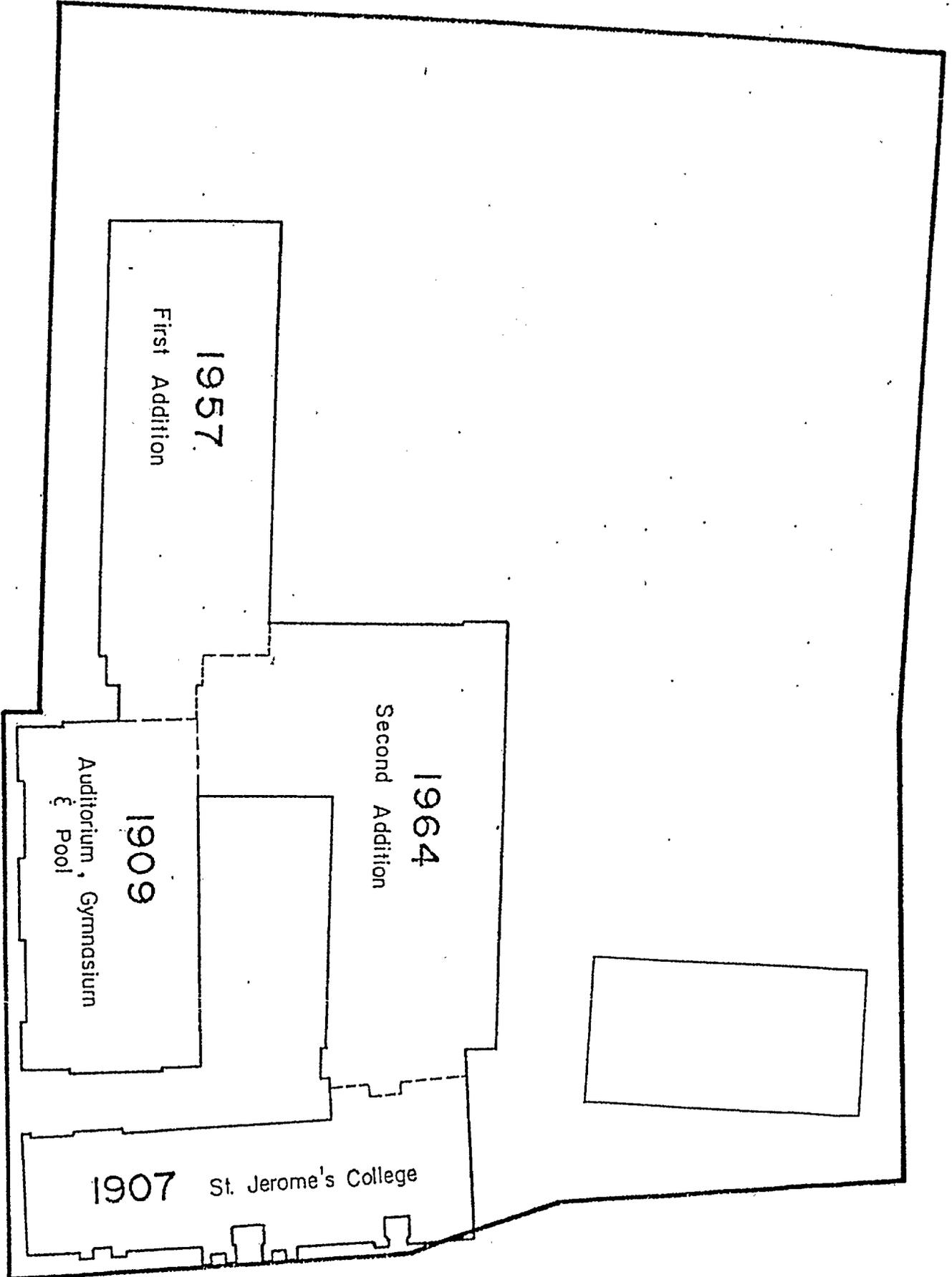
WEBER STREET W.

YOUNG STREET

STREET

COLLEGE STREET

STREET



STREET