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MARIAH BLAKE
Committee Coordinator, Legislated Services
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519-783-8999
mariah.blake@kitchener.ca

REGISTERED MAIL

January 24, 2025

K-W Working Centre for the Unemployed
58 Queen Street South
Kitchener ON N2G 1V6

RECEIVED
2025/01/24
(YYYY/MM/DD)
Ontario Heritage Trust

Re: Designating By-law – 44-54 Queen Street South

Dear Property Owner:

This is to advise that the Council of the Corporation of the City of Kitchener, at its regular meeting held on January 20, 2025, passed By-law 2025-003, pursuant to Part IV of the *Ontario Heritage Act*, designating the property municipally known as 44-54 Queen Street South 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 February 23, 2025. 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 Deeksha Choudhry, Heritage Planner at 519-783-8906.

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
D. Choudhry, 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 44-54 Queen Street
South, 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 44-54 Queen Street South, Kitchener (the "Property");

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its Council Meeting held on November 18, 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. 2024-196;

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 November 22, 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 44-54 Queen Street South, Kitchener, as more particularly described in Schedules "B", "C", "D" and 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 20th day of January, 2025

Mayor

Clerk

SCHEDULE A

NOTICE OF INTENTION TO DESIGNATE

44-54 Queen Street South, 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 address 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.

112 Margaret Avenue

112 Margaret Avenue is recognized for its design/physical, historical/associative, and contextual values. The apartment is a unique example of the vernacular architectural style with influence from both the gothic and art deco architectural styles. This blend of styles differentiates the building and the adjacent sister buildings from other low-rise apartments and structures within the area. The property has historical associative value due to the original owner and builder, Michael Kraus. He was a prominent member of the New Apostolic Church, being appointed District Apostle for Canada in 1958. Michael Kraus was also an entrepreneur, being the founder of Kraus Carpet Mills. At the time of his death in 2003, Kraus Carpet Mills was the largest Canadian-owned carpet manufacture. Michael Kraus contributed directly to the development of the built environment along Margaret Avenue and the city at large, having financed and built numerous dwellings and low-rise apartment buildings. The associative value of this property also lies with its architect, William H. E. Schmalz. Notable works of his include the 1922 Kitchener City Hall, the fourth office of the Economical Mutual Fire Insurance Company at 18-20 Queen Street North, and several churches. In addition to his career, Schmalz was an engaged citizen who served with distinction on the board of many local community groups, including the Waterloo Historical Society, the Chamber of Commerce, the Kitchener Parks Board, the K-W Hospital Board, and more. The contextual value of the property relates to the contribution that the apartment building makes to the continuity and character of the Margaret Avenue streetscape and the surrounding residential neighbourhood. The building is also physically, visually, historically, and functionally linked to its surroundings as it remains in-situ and maintains its original residential use. It retains a contextual relationship to the adjacent sister buildings which share a design and use.

148 Margaret Avenue

148 Margaret Avenue is recognized for its design/physical, historical/associative, and contextual values. The building is a unique and rare example of the Tudor Revival architectural style, being only one of five houses built in this style within the Region of Waterloo. The historic and associative value of the building relates to the original owner and builder, Michael Kraus. He was a prominent member of the New Apostolic Church, being appointed District Apostle for Canada in 1958. Michael Kraus was also an entrepreneur, being the founder of Kraus Carpet Mills. At the time of his death in 2003, Kraus Carpet Mills was the largest Canadian-owned carpet manufacture. Michael Kraus contributed directly to the development of the built environment along Margaret Avenue and the city at large, having financed and built numerous dwellings and low-rise apartment buildings. The contextual value of the property relates to the contribution that the building makes to the continuity and character of the Margaret Avenue streetscape and the surrounding residential neighbourhood. The building is also physically, visually, historically, and functionally linked to its surroundings as it remains in-situ and maintains its original residential use.

51 Breithaupt Street

51 Breithaupt Street is recognized for its design/physical, historical/associative, and contextual values. It is a representative example of the Industrial Vernacular architectural style. While all buildings on site have undergone alteration over the years, they maintain much of their original character and features. The site has significant historical and associative value for its original use and owner of the property – Merchants Rubber Co. Ltd, Berlin Piano and Organ Co, Jacob Kaufman, George Schlee, and Talmon Henry Reider. This site also has historical and associative value due to its contribution to the economic development of Kitchener (then Berlin) at the start of the 20th century. 51 Breithaupt Street has contextual value because it is important in maintaining and supporting the character of the area. The site is located within the Warehouse District Cultural Heritage Landscape, and near other industrial buildings that were built parallel to the Canadian National Railways tracks, and which were constructed as the City experienced exponential economic growth. Due to the complex's historical value and presence, it is very recognizable by the community and can be considered a local landmark.

53 Church Street

53 Church Street is recognized for its design/physical, historical/associative, and contextual values. 53 Church Street is a rare example of a late 19th century religious building, displaying Vernacular architecture with influences from the Romanesque Revival architectural style. The design/physical values relate to the design, composition, craftsmanship and details of the church with many intact heritage attributes in good condition. The property has historic/associative value given the use of the land, the various congregations that have occupied the land and building over time, and the architect and builder of the 1952 annex. The 1952 annex was designed by W.H.E. Schmalz, a local architect who contributed to the built environment of the area and an engaged citizen. The annex was constructed by Oscar Wiles and Sons Ltd., a local contractor known for building houses, churches, schools and factories in Kitchener. The contextual values relate to the contribution that the church makes to the continuity and character of the Church Street streetscape. The placement and massing blend with adjacent buildings and much of the building stock on both sides of Church Street, particularly in terms of setback and height.

44-54 Queen Street South

44-54 Queen is recognized for its design/physical, associative, and contextual values. It is an early representative example of the Classical Revival Architectural style located within the commercial downtown core of present-day Kitchener. Built c. 1904-1907, this building is likely to be one of the oldest commercial buildings in the City and still maintains most of its original elements, especially on the front façade. The building has associative value as it relates to the theme of early settlement and economic development of Berlin (present-day Kitchener). The intersection of Queen and King Street was one of the main commercial intersections when Berlin was being developed. Even though no prominent businesses operated out of this building, this building has always been used for commercial purposes and institutional purposes, contributing to the economic development and Berlin and then Kitchener since the town was first incorporated. The Euler Business College also operated out of this building for a number of years. The college was founded by William Daum Euler, who was a senator in the Canadian Parliament. 44-54 Queen Street South has contextual value because it is physically, functionally, visually and historically linked to its surroundings. The building exists in its original location within the downtown core. The property also has contextual value because it is important in defining, maintaining or supporting the character of the area.

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 22 day of December 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 22 day of November, 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

44-54 Queen Street South, KITCHENER

Description of Cultural Heritage Resource

44-54 Queen Street South is a 3-storey circa 1904-1907 brick commercial building built in the Classical Revival architectural style. The building is situated on a 0.19 acre parcel of land located on the west side of Queen Street South between King Street and Charles Street in the Commercial Core Area 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

44-54 Queen Street South is recognized for its design/physical and contextual values.

Design/Physical Value

The building is a early representative example of the Classic Revival architectural style located within the commercial downtown core of present-day Kitchener. Built c. 1904-1907, this building could most likely be one of the oldest buildings in the City. The building has a rectangular plan, a flat roof, is 3 storeys in height, and is in good condition.

Front (South) Façade

The ground-storey of the front façade is being used for commercial purposes and has been significantly altered. Above the ground storey, the second and third storey can be divided into three bays with four brick pilasters with stone capitals. Each bay includes four 2/2 awnings with fixed rectangular window pattern, two on each floor, with decorative stone label moulds and sills. Above the third storey windows and stone capitals are decorative alternative stepped brick courses. The building has a flat roof with a decorative brick pilasters and intricate brick blind arcade above the cornice.

Side (East) Façade

The east façade is a blank façade and does not contain any windows.

Rear (North) Façade

The rear façade has been extensively altered. The main storey of the building has been parged with cement with altered door openings. The second and third storey contain six awnings over fixed windows on each storey with concrete headers.

Side (West) Façade

There are no notable features on the west façade as it is adjoined to the neighboring building.

Associative Value

The building has associative value with the theme of early settlement and economic development of Berlin (present-day Kitchener). The intersection of Queen and King Street was one of the main commercial intersections when Berlin was being developed. Even though no prominent businesses operated out of this building, this building has always been used for commercial purposes and institutional purposes, contributing to the economic development and Berlin and then Kitchener since the town was first incorporated.

The Euler Business College also operated out of this building for a number of years. The college was founded by William Daum Euler, who was a senator in the Canadian Parliament. He was born in Conestogo in the Township of Woolwich in 1875 and attended the Berlin High School between 1891 and 1893. He then became a teacher and taught at the Suddaby High School for a number of years before opening a successful business college. He also served as mayor of Berlin (present-day Kitchener) from 1914 to 1917. He then went on to become a member of the Canadian Parliament in 1917, after being elected to the House of Commons. As a Liberal MP, he held many positions including but not limited to the Member of the Privy Council, Minister of Customs and Excise, Minister of National Revenue and Minister of Trade and Commerce. In 1940, he was appointed to the Senate by Prime Minister William Lyon Mackenzie. Euler was also the first Chancellor of Waterloo Lutheran University (now known as Wilfrid Laurier University). He died in 1961.

Contextual Value

44-54 Queen Street South has contextual value because it is physically, functionally, visually and historically linked to its surroundings. The building exists in its original location within the downtown core. The property also has contextual value because it is important in defining, maintaining or supporting the character of the area. The building contributes to the visual and architectural continuity of the streetscape, and forms part of the historic Downtown. The building is located on Queen Street South, which served as an important historic transportation route and continues to serve as an important transportation route into the Downtown.

Other Values

Economic Value

Even though no notable businesses have operated out of this building, this building does contribute to the economic development of Berlin and Kitchener. Located on the main economic intersection of Berlin, where the first buildings of present-day downtown core were built, this building contributes to how Kitchener has developed over time.

SCHEDULE C

DESCRIPTION OF HERITAGE ATTRIBUTES

44-54 Queen Street South, KITCHENER

Description of the Heritage Attributes

The heritage attributes of 44-54 Queen Street South resides in the following heritage attributes:

- All elements related to the construction and Classical Revival architectural style (excluding the front façade of the ground storey) of the building including:
 - Location, orientation and massing of the building;
 - Rectangular Plan;
 - Flat roof and roofline;
 - Brick construction with stone accents;
 - Window openings on the front façade with stone label moulds and sills, and window openings on the rear facade,
 - Brick pilasters with stone capitals;
 - Alternating stepped brick courses;
 - Projecting cornice; and
 - Brick pilasters and intricate brick blind arcade above the cornice.
- All elements related to the contextual value of the building, including:
Its original location on Queen Street South and its contribution to the Queen Street South commercial streetscape.

SCHEDULE D

LEGAL DESCRIPTION

44-54 Queen Street South, KITCHENER

PT LT 5-6 PL 391 KITCHENER PT 1, 2 & 4, 58R4401, S/T & T/W 943861; KITCHENER

Being all of PIN 22427-0069 (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-LAWS

TAKE NOTICE that the Council of the Corporation of the City of Kitchener passed the following by-laws designating the properties as being of cultural heritage value or interest under the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended.

- By-law 2025-002 107 Courtland Avenue East
- By-law 2025-003 44-54 Queen Street South
- By-law 2025-004 51 Breithaupt Street
- By-law 2025-006 112 Margaret Avenue
- By-law 2025-007 148 Margaret Avenue

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 February 23, 2025. 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 24th day of January, 2025.

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