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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
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mariah.blake@kitchener.ca

REGISTERED MAIL

January 24, 2025

Margaret-Benton Properties (Kitchener)
50 King Street East
Hamilton ON L8N 1A6

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

Re: Designating By-law – 112 Margaret Avenue

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 2025-006, pursuant to Part IV of the *Ontario Heritage Act*, designating the property municipally known as 112 Margaret Avenue 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 Jessica Vieira, Heritage Planner at 519-783-8924.

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 112 Margaret
Avenue, 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 112 Margaret Avenue, 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 112 Margaret Avenue, 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 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 112 Margaret Avenue, Kitchener, as more particularly described in Schedules "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 20th day of January, 2025.

Mayor

Clerk

SCHEDULE A
NOTICE OF INTENTION TO DESIGNATE
112 Margaret Avenue, 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 16-20 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

112 Margaret Avenue, KITCHENER

Description of Cultural Heritage Resource

112 Margaret Avenue is a three storey mid-20th century brick apartment constructed in the Vernacular architectural style with Gothic and Art Deco influences. It is one of three apartment buildings located adjacently and designed in this style, though each is located on its own independent lot. 112 Margaret Avenue is situated on a 0.14 acre parcel of land located on the east side of Margaret Avenue between Breithaupt Street and Wellington Street in the Mt. Hope Huron Park Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the apartment building.

Heritage Value

112 Margaret Avenue is recognized for its design/physical, historic/associative, and contextual values.

Design / Physical Value

The design value relates to the architecture of the apartment building. The building is a unique example of the vernacular architectural style with influence from both the gothic and art deco architectural styles and is in good condition. This blend of styles differentiates 112 Margaret Avenue and its adjacent sister buildings from other low-rise apartment buildings and structures in the area. The building features: hipped roof; symmetrical full height central projecting gable bay at entrance; red-yellow brick; double window with one fixed pane and one single hung; stone sill and decorative stone accents surrounding window openings; gothic shaped double wood doors with glazing and rusticated stone quoin surround; and, rusticated stone foundation. The gothic influences can be seen in the pointed arch of the roof line, emphasis on vertical height, and arched entrance with decorative surround while art deco influences can be seen in the repeated geometric detailing, symmetrical design, and craftsmanship of the structure.

The apartment buildings located at 100 Margaret Avenue, 104-106 Margaret Avenue, and 112 Margaret Avenue share a design. However, while 100 Margaret Avenue and 104-106 Margaret Avenue are twin buildings, there are minor differences with the features and appearance of 112 Margaret Avenue.

Front Façade

The front façade of the building is symmetrical in its design and massing. It can be divided into three sections; the northern-most and southern-most sections are recessed back from the central section and are larger in width. All sections contain three double windows with one fixed paned and one single hung. The windows have decorative stone accents and rusticated stone sills. The projecting central section contains the front entrance with gothic shaped double wood doors and rusticated stone quoin surround. There is rusticated stone foundation on each side.

Historical and Associative Value

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, first joining in 1932 and then being ordained into the ministry one year later. In 1955 he was ordained as an apostle and three years later, in 1958, was appointed District Apostle for Canada.

His impact on the global growth of the New Apostolic Church was so significant that, at his funeral, Chief Apostle Richard Fehr compared it to the missionary work of Paul the Apostle of biblical times. In addition to his minister work, Michael Kraus was an entrepreneur. He founded Kraus Carpet Mills in 1959, and Strudex Fibres in 1971. At the time of his death in 2003, Kraus Carpet Mills was the largest Canadian-owned carpet manufacture. According to his obituary “his tireless work and inspiring leadership had an enduring impact on the business and church communities that he served with distinction” (Floor Daily, 2014).

Michael Kraus also contributed directly to the development of the built environment along Margaret Avenue, having financed and built several buildings along the street including the New Apostolic Church at 160 Margaret, a single-detached residential dwelling constructed in the tudor revival style at 148 Margaret Avenue, and three apartment buildings constructed in the vernacular architectural style located at 100-112 Margaret Avenue.

The historic and associative value of the building lays with its architect as well, William Herbert Eugene Schmalz. A native of Berlin (now Kitchener) and the son of former Mayor W.H. Schmalz, W.H.E. Schmalz had an active career within the area which spanned from 1914 until after 1960. Notable works he completed include the 1922 Kitchener City Hall (in conjunction with B.A. Jones through their firm Schmalz & Jones, dissolved in 1926), the fourth office of the Economical Mutual Fire Insurance Company at 16-20 Queen Street North (in conjunction with Charles Knechtel), the War Memorial Cenotaph, alterations to the Waterloo County Gaol, and several churches which remain at the time of this report in 2024. Through his work Schmalz contributed to the existing appearance of Kitchener’s built landscape. In addition to his prolific architectural career, W.H.E. Schmalz was an engaged citizen who served with distinction on the board of many local community groups and held much interest in the City’s history and development. He was President of the Ontario Pioneer Community Foundation from 1956-57 and aided in the planning, development, and operation of Doon Pioneer Village. He also acted as president of the Waterloo Historical Society, and further was a frequent contributor to its annual volumes. It has been noted that much of the strength and success of the Waterloo Historical Society can be attributed to the determination and enthusiasm of its founding members, including W.H. Breithaupt Peter Fisher, Mabel Dunham, and W.H.E. Schmalz. He also held office in, or was a long-time member of, the Chamber of Commerce, the Kitchener Parks Board, the K-W Hospital Board, the Kiwanis Club, the Kitchener Musical Society, the Kitchener Young Men’s Club, the Kitchener Racing Canoe Club and the Lutheran Church.

Contextual Value

The contextual values relate to the contribution that the apartment building makes to the continuity and character of the Margaret Avenue streetscape and the surrounding residential neighbourhood. The property is located within the Warehouse District Cultural Heritage Landscape, a geographical area which encompasses a number of remaining historical industrial factories. In relation to this are the residential neighbourhoods which immediately surround the historic factories, which are comprised of mostly-brick homes in which the workers lived.

The property is also adjacent to the Mt Hope/Breithaupt Neighbourhood Cultural Heritage Landscape, which contains an approximately 630 metre length of Margaret Avenue. The Mt Hope/Breithaupt area is a stable residential neighbourhood which contains all amenities or services an integrated community might require. It is characterized by features such as roads set at angles or parallel to the Grand Trunk Rail Line, gentle

topography, an inventory of mature trees, and small to medium sized residential dwellings that demonstrate a variety of different detailing but are consistent in their scale and spacing, yielding an overall cohesive and complimentary composition. The setbacks, scale, orientation, materials used, and design of 112 Margaret Avenue is consistent with that seen in adjacent or surrounding residential properties, and the presence of mature trees in the front yard further contribute to maintaining the character of the streetscape.

The building is also physically, visually, historically, and functionally linked to its surroundings as it remains in-situ and maintains its original residential use.

SCHEDULE C

DESCRIPTION OF HERITAGE ATTRIBUTES

112 Margaret Avenue, KITCHENER

Heritage Attributes

The heritage value of 112 Margaret Avenue resides in the following attributes:

- All elements related to the Vernacular architectural style with Gothic and Art Deco influences, including:
 - Scale and massing of the building;
 - hipped roof;
 - angled wall corners of the front façade;
 - symmetrical full height central projecting gable bay at entrance;
 - red-yellow-brown brick construction;
 - window openings;
 - stone sill and decorative stone accents surrounding window openings;
 - front door opening and front Gothic shaped double wood doors with glazing;
 - rusticated stone quoin surround; and
 - rusticated stone foundation.

- All elements related to the contextual value, including:
 - Location of the house and contribution that it makes to the continuity and character of the Margaret Avenue streetscape;
 - Orientation towards Margaret Street; and
 - Relationship to the neighbouring 100 Margaret Avenue and 104-106 Margaret Avenue as being of similar construction date and style.

SCHEDULE D

LEGAL DESCRIPTION

112 Margaret Avenue, KITCHENER

PT LT 3-4 PL 34 KITCHENER AS IN 805526 ; S/T & T/W 805526; KITCHENER

Being all of PIN 22321-0009 (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