

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

(Being a by-law to designate the property
municipally addressed as 91 Madison Avenue
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 91 Madison Avenue South, 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 a Notice of Objection to the Notice of Intention to Designate was served on the Clerk of the City of Kitchener by the owner of the Property within the timeline set out in the Ontario Heritage Act;

AND WHEREAS City Council considered said Notice of Objection at their meeting of June 24, 2024, and resolved not to withdraw the Notice of Intention to Designate for the Property within the timeline set out in the Ontario Heritage Act;

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

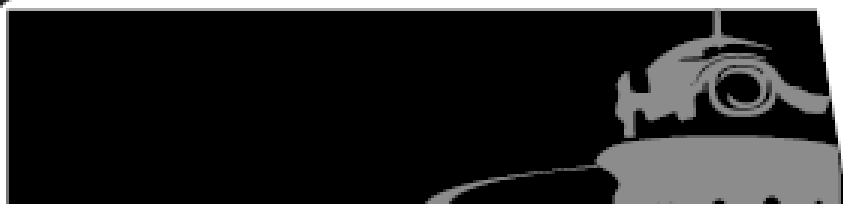
1. The building and property known as 91 Madison Avenue South, Kitchener, as more particularly described in Schedules "B" "C", and "D" to this by-law are hereby designated as being of cultural value or interest under Part IV, section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. 0.18;
2. The City 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 24th day of June
, 2024.

Mayor

Clerk

SCHEDULE A
NOTICE OF INTENTION TO DESIGNATE
91 Madison Avenue 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 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

91 Madison Avenue South, KITCHENER

Description of Cultural Heritage Resource

91 Madison Avenue South is located on the southwest corner of the Joseph Street and Victoria Street South intersection. It is a four-storey early 20th century brick building constructed in the Berlin Industrial Vernacular architectural style and situated on 2.51 acres of land in the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value of the property is the building.

Heritage Value

91 Madison Avenue South is recognized for its significant design/physical, historical/associative, and contextual values.

Design/Physical 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.

91 Madison Avenue South is one of the only examples of the Byzantine architectural style within the City of Kitchener or the Region of Waterloo, the other being 131 Victoria Street South (currently the Ukrainian Catholic Church of the Transfiguration). 91 Madison Avenue South is characterized by features such as a rectangular plan; flat roof with dome shaped parapet and concrete coping; multi-colour brick; pilasters; semi-circular features including decorative brick work and windows; semi-circular multi-pane hung windows with brick or concrete headers and concrete sills; square windows with concrete sills; concrete cornice; decorative brick and concrete details; double 8-panel door with semi-circular transom; double eight-panel doors; and concrete foundation.

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 each delineated by two pilasters that extend from the raised concrete foundation and beyond the roofline, capped with concrete detailing. The two sections also each contain a third pilaster in the centre above a ground-level door set into the raised concrete foundation. The central pilaster extends approximately three-quarters of the way up the façade and is decorated with further concrete detailing.

The central section contains a set of concrete stairs that lead up to double eight-panel wood doors topped with a semi-circular transom window with stained glass panes and a voussoir. The doors are framed by a semi-circular multi-pane window on each side with decorative concrete headers and sills. The second storey is comprised of two rectangular multi-paned windows with concrete headers and sills and a central arched concrete section that contains the symbol of the church.

Side Façades

The north and south side façades possess five pilasters that divide the wall into five bays. The first western-most bay contains four; one square, two semi-arched, and one rectangular. The other four bays contain three windows, one rectangular and two long and semi-arched. The south façade has more of the raised concrete foundation exposed due to the slope of the land, and eight rectangular multi-paned windows are set into it.

Modifications

The Star of David on the front façade has been replaced by the logo of the Crkva Božje Church of God.

Historical/Associative Value

The historic and associative values of 91 Madison Avenue South relate to the original owners and use and connects to the theme of early Jewish settlement within the City. Early Jewish settlement in what was then-Berlin (now Kitchener) involved minimal organized religion. By 1907, ten families had joined to form an Orthodox synagogue, with sermons being hosted in the home of one of the members. In the 1920s, a second wave of European immigrants swelled the Jewish population from 298 in 1921 to 411 ten years later, and a number of them settled in the Cedar Hill neighbourhood. The property for Kitchener's first synagogue, the Beth Jacob Synagogue, was purchased from Jacob Cohen on Albert Street (now Madison Avenue) in 1923. Part of the reason Kitchener was a draw was a commonality in language; many of them spoke Yiddish, which was close to the German used by many of the City's other residents at that time. The synagogue opened in 1924 under the guidance of Rabbi Levine and 61 founding members, whose names were inscribed on a plaque inside the building. The names of the four founders originally on stones along the front of the building (Jack Davis, Wolfe Feldman, Samuel Florence and Max Migdal) have since been removed, and replaced by similar blank stones.

The property can also provide an understanding of how the diversification of religion progressed within the City in the early twentieth century. 91 Madison Avenue was the first synagogue within Berlin, and was established during a time period when the predominant faith present in the City was Christianity. When a new synagogue was built, the building was sold in 1963 to the Zion Mennonite Brethren Church. Since 1963, the building has been occupied by various religious groups, including: Zion Mennonite Brethren Church; Our Lady of the Immaculate Conception Roman Catholic Church; Romanian Church of God; Grace Presbyterian Fellowship. In 2024, it is the home of the Crkva Božje International Church of God.

Contextual Value

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 Cedar Hill Neighbourhood CHL is home to a mix of residential and institutional uses and is characterized by the elevated topography, narrow street widths, and dramatically long views. Like surrounding buildings, the 91 Madison Avenue is set back a modest distance from the streetline, with stairs leading to its entrance to accommodate for the sloped ground. The building is also of a size and scale reflective of the surrounding area.

91 Madison Avenue is also physically, visually, historically, and functionally linked to its surroundings. It remains in-situ, maintain its relationship and orientation towards the

street and the topography of the area. Though the congregation has changed, the building also maintains its original use as a place of worship, therefore maintaining its historic function within the neighbourhood.

With its distinctive architectural style and its location near the peak of one of the neighbourhoods large rolling hills, 91 Madison Avenue South is an easily recognizable building and can be classified as a neighbourhood landmark.

SCHEDULE C

DESCRIPTION OF HERITAGE ATTRIBUTES

91 Madison Avenue South, KITCHENER

Description of the Heritage Attributes

The heritage attributes supporting the cultural heritage value or interest of 91 Madison Avenue South are as follows:

- Exterior attributes related to the Byzantine and Colonial Revival architectural style of the building including:
 - rectangular plan;
 - flat roof with shaped parapet, concrete coping and cornice;
 - multi-colour brick;
 - four concrete blocks on front of church;
 - doors and multi-paned hung windows on basement level, fixed windows of glass blocks beneath stairway;
 - brick pilasters with concrete coping;
 - false buttresses with concrete coping on sides;
 - square windows above arched windows on sides;
 - semi-circular features including decorative brick work and windows;
 - windows and window openings, including:
 - semi-circular multi-pane hung windows with brick or concrete headers and concrete sills;
 - square windows with concrete sills;
 - circular windows with stained glass.
 - concrete cornice;
 - decorative brick and concrete details;
 - doors and door openings, including double paneled door with semi-circular transom; and
 - concrete foundation.
- Elements that relate to the buildings contextual value and its contribution to the Cedar Hill Neighbourhood Cultural Heritage Landscape, including:
 - Original location of the church at the top of the hill; and
 - Orientation of the building toward Madison Avenue

SCHEDULE D

LEGAL DESCRIPTION

PT LT 6-7 PL 390 KITCHENER PTS 2 TO 4, 58R10159; KITCHENER

Being all of PIN 22504-0010 (LT)