

Staff Report



Development Services Department

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REPORT TO: Heritage Kitchener

DATE OF MEETING: November 5, 2024

SUBMITTED BY: Garett Stevenson, Director of Development and Housing Approvals, 519-741-2200 ext. 7070

PREPARED BY: Deeksha Choudhry, Heritage Planner, 519-741-2200 ext. 7602

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: October 8, 2024

REPORT NO.: DSD-2024-385

SUBJECT: Notice of Intention to Designate 51 Breithaupt Street under Part IV of the Ontario Heritage Act

RECOMMENDATION:

That pursuant to Section 29 of the Ontario Heritage Act, the Clerk be directed to publish a Notice of Intention to Designate the property municipally addressed as 51 Breithaupt Street as being of cultural heritage value or interest.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council direct the Clerk to publish a Notice of Intention to Designate the property municipally addressed as 51 Breithaupt Street under Part IV of the *Ontario Heritage Act*.
- An updated Statement of Significance on the property's cultural heritage value was taken to the Heritage Kitchener Committee on June 11, 2024. On this meeting date, the Committee recommended that pursuant to Section 29 of the *Ontario Heritage Act*, the cultural heritage value or interest of 51 Breithaupt Street be recognized and designation pursued.
- The key finding of this report is that the property municipally addressed as 51 Breithaupt Street meets the criteria for designation under Ontario Regulation 9/06 (amended by Ontario Regulation 569/22) and has been confirmed to be a significant cultural heritage resource. The property is recognized for its design/physical, historical/associative, and contextual value.
- There are no financial implications with this recommendation.
- Community engagement included informing residents by posting this report with the agenda in advance of the Heritage Kitchener committee meeting, providing written correspondence to the property owner, and consulting with Heritage Kitchener. In addition, should Council choose to give notice of its intention to designate, such notice will be served to the Owner and the Ontario Heritage Trust.
- This report supports the delivery of core services.

BACKGROUND:

51 Breithaupt Street consists of a series of buildings built between 1903 and 1977. The buildings range in height from one storey to four storeys. The buildings are situated on a 2.18 acre parcel of land located on the north side of King Street West between Victoria Street North and Breithaupt Street in Mt. Hope Huron Park community of the City of Kitchener. The principal resource that contributes to the heritage value are the industrial buildings.



Figure 1. Location Map of 51 Breithaupt Street

A full assessment of 51 Breithaupt Street has been completed and included a field evaluation and detailed archival research. The findings concluded that the subject property meets the criteria for designation. An updated Statement of Significance on the property's cultural heritage value was taken to the Heritage Kitchener Committee on June 11, 2024. On this meeting date, the Committee recommended that pursuant to Section 29 on the *Ontario Heritage Act*, the cultural heritage value or interest value of 51 Breithaupt Street be recognized and designation pursued. This work was undertaken as part of the City of Kitchener Municipal Heritage Register (MHR) Review, initiated in February of 2023. The MHR Review is the City's response to amendments of the Ontario Heritage Act introduced in January of 2023 through Bill 23, the More Homes Built Faster Act. The City contacted owners of listed properties through an initial letter dated May 23, 2023, to inform them of this undertaking. The owners of this property were contacted via a second letter dated June 18, 2024, and invited to contact the City's Heritage Planner with any comments, questions, or concerns. No response from the property owners was received by Heritage Planning Staff.

Per standard procedure, should Council support the Notice of Intention to Designate, Owners will be contacted a third time through a Notice of Intention to Designate (NOID) Letter. An ad for the NOID will also be published in a newspaper. Once the letter is served and the ad posted, there will be a 30-day appeal period in which Owners may object to the designation.

REPORT:

Identifying and protecting cultural heritage resources within the City of Kitchener is an important part of planning for the future, and helping to guide change while conserving the buildings, structures, and landscapes that give the City of Kitchener its unique identity. The City plays a critical role in the conservation of cultural heritage resources. The designation of property under the *Ontario Heritage Act* is the main tool to provide long-term protection of cultural heritage resources for future generations. Designation recognizes the importance of a property to the local community; protects the property's cultural heritage value; encourages good stewardship and conservation; and promotes knowledge and understanding about the property. Designation not only publicly recognizes and promotes awareness, but it also provides a process for ensuring that changes to a property are appropriately managed and that these changes respect the property's cultural heritage value and interest.



Figure 2. Front Elevation of 51 Breithaupt Street

51 Breithaupt Street is recognized for its design/physical, significant historical/associative, and contextual values (Fig. 2). It satisfies five (5) of the nine criteria for designation under the Ontario Regulation 9/06 (amended by Ontario Regulation 569/22). A summary of the criteria that is met or not met is provided in the table below.

Criteria	Criteria Met (Yes/No)
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, material, or construction method.	Yes
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No
3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.	No
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	Yes
5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	Yes
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	Yes
9. The property has contextual value because it is a landmark.	Yes

Design/Physical Value

51 Breithaupt Street has design/physical value as it is a representative example of the Industrial Vernacular architectural style. The first building on site was built for the Berlin Piano and Organ Company in 1891, which was later taken over by Foster-Armstrong and Co. This original three-storey building was demolished in 1955 to construct a more 'modern' building. The oldest building that remains on site was constructed in c. 1903 and housed the Merchants Rubber Company, founded by Jacob Kaufman and T.H. Reider. There have been many additions and numerous renovations over this site's 113 year history, with these additions and renovations being made in 1908, 1909, 1912, 1918, 1929-30, 1953, 1955, 1966, 1969, 199, 2000 and 2001.



Figure 3. 1908 Building at the corner of Breithaupt and Waterloo Street, with the one-storey 1909 addition, and then the four storey 1903 building.

The building at the corner of Breithaupt Street and Waterloo Street (Fig. 3) was built in 1908 in the Industrial Vernacular architectural style. It is three storeys in height, with a flat roof and is of buff white brick construction. There are concrete pilasters dividing the front façade into 3 bays and the side façade into 9 bays. Each bay contains two 6 over 6 double hung windows with concrete sills on each storey, except for the central bay on the main storey of this building. The windows on the third storey have brick lintels.

Next to the 1908 building is a 1909 building, with a modern addition that was completed in 2001. This building is one storey in the front and increases up to 3 storeys in the back. The front portion of this building still has the original window openings with the concrete lintels and sills, with a flat roof and wood post and beam brick wall bearing construction. Next to this building is the four (4) storey 1903 building, which is the oldest building on site. This building has brick buttresses which divides the front façade into four (4) bays. Each bay contains two 6 over 6 double hung windows with concrete lintels and sills on the upper two storeys, with an irregular fenestration pattern and a big main entrance on the lower two storeys. This building has a flat roof with a parapet which has decorative brickwork. Recessed behind this building is a five (5) storey brick tower with brick pilasters and 6 over 6 double hung windows with concrete sills and lintels.



Figure 4. 1908 Building of the Breithaupt Street complex.

The last building of the original complex was built in 1918, and is four (4) storeys in height (Fig 4). This building has a flat roof with a central tower which has decorative brick moulding. This building also has brick pilasters which divide the front façade in two five (5) bays. Each bay of the upper three storeys has a double 6 over 6 window with concrete lintels. Above the concrete lintels of each fifth storey window is decorative brick detailing. The building has two door openings on this façade, one in the centre, and one on the corner.

All these buildings have undergone many changes over the years, including additions and renovations, but they still maintain a lot of their original character and features.

Historical/Associative Value

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.

The Berlin Piano and Organ Company was formed in 1890 and the first building on site was constructed by Company. They were in business till 1904. The company was then taken over by the Foster-Armstrong. The site however, was taken over by the Merchants Rubber

Co. Ltd.

The Merchants Rubber Co. Ltd. was founded by Jacob Kaufman and T.H. Rieder in 1903. The Merchants Rubber Co. Ltd and its successors occupied the site from 1903 to 1981. Jacob Kaufman sold out to T.H. Rieder in 1906 and, along with the Berlin Rubber Co., became part of the Canadian Consolidated Rubber Co. in 1907. During World War I, the company employed as many as 526 people and produced approximately 15,000 shoes a day. In 1926, the Canadian Consolidated Rubber Co. became the Dominion Rubber Co. Ltd. Until 1969, these companies primarily produced footwear. In 1969, Dominion Rubber Co. Ltd. began to produce automobile parts.

This building was constructed at a time when Berlin was experiencing exponential economic growth and has the potential to yield an understanding of the economic development of Berlin at the turn of the 20th century. Today, this site is used by Google as their main headquarters in the Kitchener-Waterloo Area. As part of this adaptive re-use, certain changes were made to the building along with a new building on the neighboring property connecting with the existing buildings at 51 Breithaupt. However, this site still maintains its overall integrity and cultural heritage value.

Jacob S. Kaufman

Jacob S. Kaufman was born on July 15, 1847 on a farm near New Hamburg, Ontario. He was a prominent and influential businessman in Kitchener (then Berlin) who started his career in the lumber industry in Gadshill. He married Mary Ratz in 1877 and moved to Berlin where the larger community offered more economic opportunity. He built a mill manufacturing doors and window sashes, eventually incorporating his company as Jacob Kaufman Limited. In 1899, he encouraged George Schlee to organize The Berlin Rubber Company and was heavily involved financially. In 1903, Kaufman was also involved in the organization of the Merchants Rubber Company and was assisted in this venture by Talmon Henry Reider. Kaufman died in Kitchener on April 20, 1920.

Talmon Henry Reider

Talmon Henry Reider was born in New Hamburg, Ontario on August 10, 1878. In 1899, he was the bookkeeper and minor shareholder of the newly formed Berlin Rubber Company, and in 1903, was appointed as the general manager by Jacob Kaufman for the newly formed Merchants Rubber Company. In 1907, these two companies merged with the Canadian Consolidated Rubber Company, leading to Reider, who was then the vice-president and director, to control five (5) rubber footwear factories. In 1912-1913, he negotiated the purchase of the property and the building of the Dominion Tire Company (later Uniroyal), and in 1917, he became the president of the largest rubber company in Canada. However, he would only work there for 2 years, resigning in 1919 and accepting the position of president for Ames-Holden-McCready Ltd. Reider died on April 15, 1922.

Contextual Value

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. The buildings remain in their original locations,

along with many of the original industrial sites nearby. The complex is also located within the Warehouse District Cultural Heritage Landscape, which includes other industrial buildings that were built as Berlin and then Kitchener experienced exponential economic growth and are reflective of that growth. Due to the complex's historical value and presence, it is very recognizable by the community and can be considered a local landmark.

Heritage Attributes

The heritage value of 51 Breithaupt Street resides in the following heritage attributes:

- All elements related to the construction and Industrial Vernacular architectural style of all the original remaining buildings, including:
 - All facades of the three-storey 1908 building at the corner of Breithaupt and Waterloo Streets:
 - Location, massing and orientation of this building;
 - Flat roof;
 - Buff brick construction, including brick buttresses and decorative brick details;
 - Concrete pilasters;
 - Window openings, brick lintels and concrete sills;
 - Appearance and style of the 6/6 double hung windows;
 - Portions of the facades of the 1909 building with the original Industrial Vernacular architectural style construction, which is one-storey in the front and three storeys at the rear:
 - The location, massing and orientation of this building;
 - Appearance and style of the 6-paned windows with concrete sills and headers;
 - Buff brick construction, including brick pilasters; and
 - Flat roof;
 - All facades of the original four-storey 1903 building, excluding the modern addition:
 - The location, massing and orientation of the building;
 - Buff brick construction;
 - Flat roof with parapet which has brick detailing;
 - Appearance and style of the 6/6 double hung windows with concrete headers;
 - Brick buttresses;
 - Recessed brick tower with brick pilasters and single 6/6 double hung windows on each storey.
 - All facades of the four-storey 1918 building, excluding the modern addition:
 - The location, massing and orientation of the building;
 - Central tower with decorative brick moulding;
 - Brick buttresses;
 - Appearance and style of the 6/6 double hung windows with concrete headers and sills;
 - Decorative brick mouldings above the fourth-storey concrete headers;
 - Flat roof.
 - Rooflines of all the buildings.

- All other elements related to the Industrial Vernacular architectural style of these buildings.
- All elements related to the contextual value of the buildings, including:
 - Original location on Breithaupt Street and its contribution to the landscape of Breithaupt Street.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Heritage Kitchener committee meeting.

CONSULT– Heritage Planning staff have consulted with the Heritage Kitchener committee regarding designation under the *Ontario Heritage Act*. Property owners were invited to consult via two separate letters dated May 23, 2023 and January 16, 2024.

Section 29(2) of the *Ontario Heritage Act* requires Council to consult with the Municipal Heritage Committee (Heritage Kitchener) before giving notice of its intention to designate a property. Heritage Kitchener will be consulted via circulation and consideration of this report (see INFORM above). Members of the community will be informed via circulation of this report to Heritage Kitchener and via formal consideration by Council. In addition, should Council choose to give notice of its intention to designate, such notice will be served on the property owner and the Ontario Heritage Trust, and published in the local newspaper (The Record). Once notice has been served, the owner has the right of appeal to the Ontario Land Tribunal. It should be noted that should Council decide not to proceed with a Notice of Intention to Designate, that the building will remain on the City’s Municipal Heritage Register until January 1, 2027, after which it will be removed according to the changes enacted by Bill 23. Once removed, it cannot re-listed on the Register again for five (5) years, i.e. January 1, 2032.

PREVIOUS REPORTS/AUTHORITIES:

- *Ontario Heritage Act, 2022*
- Municipal Heritage Register Review Project – June 2024 Update – DSD-2024-250

APPROVED BY: Justin Readman, General Manager, Development Services Department

ATTACHMENTS:

Attachment A – Statement of Significance – 51 Breithaupt Street