

Phase I Heritage Impact Assessment

63 Courtland Avenue East,
City of Kitchener

Date:
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Prepared for:
Cantiro

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Acknowledgement of First Nations Territory, Traditions, and Cultural Heritage

This Heritage Impact Assessment acknowledges that the subject property located at 63 Courtland Avenue East, Kitchener is situated on land which is associated with the Haudenosaunee and Mississaugas of the Credit First Nation. These lands are acknowledged as part of the following treaty:

- The Simcoe Patent (Treaty 4) 1793; and
- Haldimand Treaty.

Executive Summary

MHBC was retained to undertake a Heritage Impact Assessment (HIA) for the property located **at 63 Courtland Avenue East, Kitchener hereinafter noted as the “subject property”**. This HIA is required given that the subject property is listed (non-designated) on the City of Kitchener’s *Municipal Heritage Register* under Section 27 of the *Ontario Heritage Act*. The purpose of this Heritage Impact Assessment is to evaluate whether or not the proposed demolition of portions of buildings on-site will result in adverse impacts to cultural heritage resources. The subject property currently includes three buildings (identified in this report as Buildings 1, 2, and 3) as well as surface parking. While some structures and building fabric located on-site demonstrate Cultural Heritage Value or Interest, others do not. This Heritage Impact Assessment concludes that the subject property meets 2 criteria under *Ontario Regulation 9/06* and is of Cultural Heritage Value or Interest. A Statement of Significance and list of heritage attributes is provided in Section 5.4 of this report.

The proposed development of the site is anticipated to occur over two phases.

Phase I:

Phase I includes the removal of Buildings 2 and 3 as well as portions of Building 1. Portions of Building 1 will be conserved over the long-term and incorporated into the future development of the site. Phase I includes the retention of additional bays of the building in the interim. These additional bays would be demolished during Phase II. The purpose of retaining these additional bays in the interim is to ensure that should the proposed development be delayed or relinquished, a viable building would remain.

Phase II:

Phase II includes the removal of a portion of Building 1 which is being retained in the interim only. It would also include retaining a portion of Building 1 which is of Cultural Heritage Value or Interest and integrating it into the development concept. Additional portions of Building 1 may be considered for removal in Phase II when additional information is available as it relates to the proposed development concept.

Summary of Phase I Impact Analysis:

The removal of Buildings 2 and 3 will result in negligible to minor adverse impacts. Overall, the proposed removal of portions of Building 1 (including the portions to be retained in the interim only) is considered a moderate adverse impact. The removal of

portions of Building 1 which are considered heritage attributes are limited to four bays **of windows at the east elevation of sections "A", "B"**.

Summary of Phase I Mitigation Recommendations:

The following is recommended in order to mitigate impacts of the proposed removal of portions of Building 1 and the entirety of Buildings 2 and 3 as described in this report:

- That Buildings 1 and 2 be documented with photographs to supplement the historic record;
- That a Mothball/Temporary Protection Plan be completed before demolition to ensure that the retained portion of Building 1 (including the portion being retained in the interim) is appropriately protected; and
- That a Phase II Heritage Impact Assessment be required in the future when more detailed information related to the proposed development of the site is available. This Phase II HIA would also address any further removals.

1.0 Description of Subject Property

1.1 Location

The subject property can be described as a 1.57 acre irregular-shaped lot located at the south side of Courtland Avenue East between Peter Street and Benton Street. The property includes three buildings as well as surface parking. Access to the site is provided at Courtland Avenue East as well as Martin Street.



Figure 1: Aerial photo noting the location of the subject property at 63 Courtland Avenue East, outlined in red. (Source: Niagara Region, accessed 2024)

1.2 Heritage Status

The property located at 63 Courtland Avenue East is currently listed (non-designated) on the City of Kitchener's *Municipal Heritage Register* (see Figure 2).

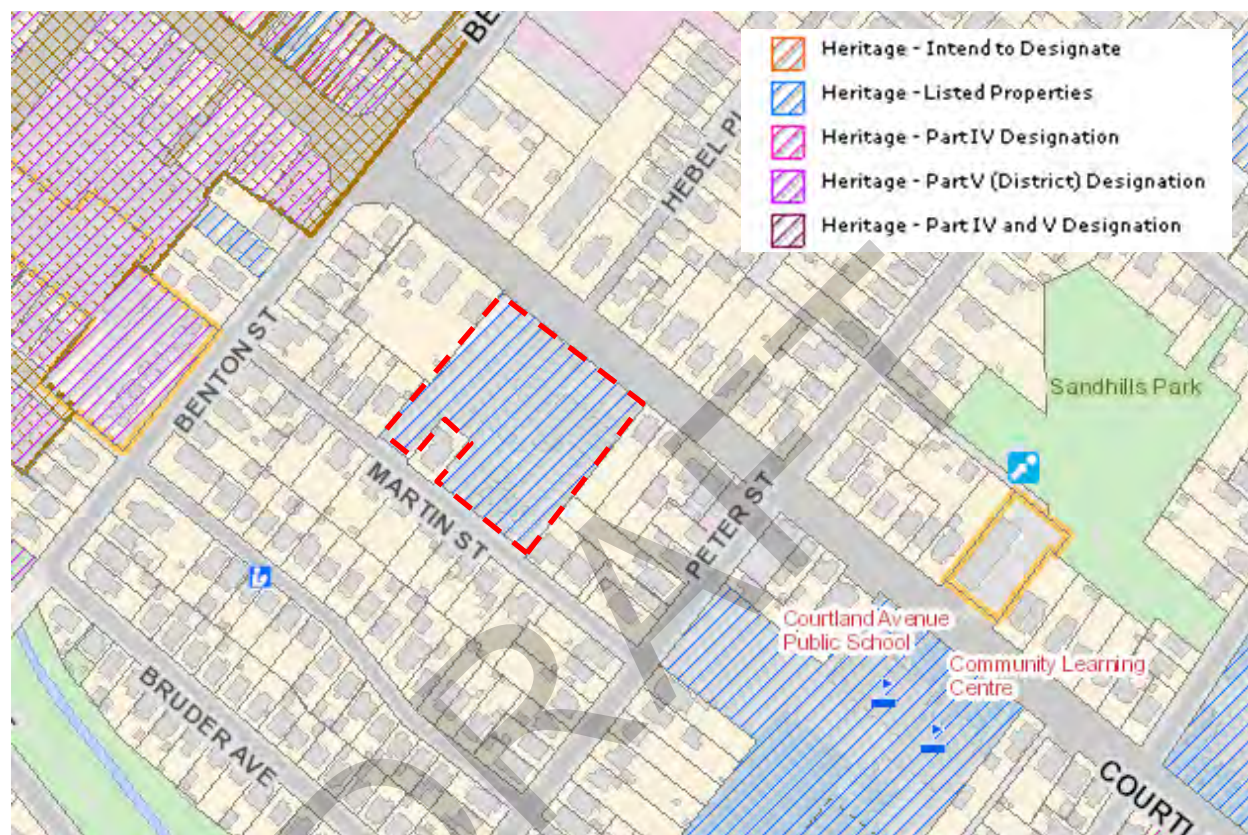


Figure 2: Excerpt of the City of Kitchener Interactive Map (Heritage Layer) noting the property at 63 Courtland Avenue East as "listed". Approximate boundary of the subject property outlined in red. (Source: City of Kitchener Interactive Map, accessed 2024).

2.0 Policy Context

2.1 The Planning Act and PPS 2024

The *Planning Act* makes a number of provisions regarding cultural heritage, either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. One of the intentions of *The Planning Act* is to “encourage the co-operation and co-ordination among the various interests”. Regarding cultural heritage, Subsection 2(d) of the Act provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Planning Statement, 2024* (PPS). The PPS “provides policy direction on matters of provincial interest related to land use planning and development.” When addressing cultural heritage planning, the PPS provides for the following:

4.6.1 Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.

4.6.3. Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.

The PPS defines the following terms:

Protected Heritage Property: means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

2.2 The Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O., 1990, c.O.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This Heritage Impact Assessment has been guided by the criteria provided with *Regulation 9/06* of the *Ontario Heritage Act*, as Amended in 2022 as per Bill 23 (Schedule 6). *Ontario Regulation 9/06* outlines the mechanism for determining cultural heritage value or interest. Here, a property must meet at least 2 of 9 criteria to be considered for designation under Part IV of the *Ontario Heritage Act*.

2.3 Region of Waterloo Official Plan

Chapter 3, Section 3.G of the Regional Official Plan provides policies regarding the conservation of cultural heritage resources which are related to the scope of this Heritage Impact Assessment. This includes the acknowledgement of cultural heritage resources as contributing to a unique sense of place, providing a means of defining and confirming a regional identity. The Regional Official Plan includes policies regarding the requirement of Heritage Impact Assessments and outlines their general requirements.

2.4 City of Kitchener Official Plan

Section 12 of the Kitchener Official Plan (2014) provides the following policies regarding the conservation of cultural heritage resources as it relates to the scope of this Heritage Impact Assessment as follows:

Objectives

12.1.1. To conserve the city's cultural heritage resources through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained. 12.1.2. To ensure that all development or redevelopment and site alteration is sensitive to and respects cultural heritage resources and that cultural heritage resources are conserved. 12.1.3. To increase public awareness and appreciation for cultural heritage resources through educational, promotional and incentive programs. 12.1.4. To lead the community by example with the identification, protection, use and/or management of cultural heritage resources owned and/or leased by the City.

Policies

12.C.1.4. The City acknowledges that not all of the city's cultural heritage resources have been identified as a cultural heritage resource as in Policy 12.C.1.3. Accordingly, a property does not have to be listed or designated to be considered as having cultural heritage value or interest. 12.C.1.5. Through the processing of applications submitted under the Planning Act, resources of potential cultural heritage value or interest will be identified, evaluated and considered for listing as a non-designated property of cultural heritage value or interest on the Municipal Heritage Register and/or designation under the Ontario Heritage Act.

12.C.1.21. All development, redevelopment and site alteration permitted by the land use designations and other policies of this Plan will conserve **Kitchener's significant cultural heritage resources. The conservation of significant cultural heritage resources will be a requirement and/or condition in the processing and approval of applications submitted under the Planning Act.**

Heritage Impact Assessments and Heritage Conservation Plans

12.C.1.23. The City will require the submission of a Heritage Impact Assessment and/or a Heritage Conservation Plan for development, redevelopment and site alteration that has the potential to impact a cultural heritage resource and is proposed:

- a) on or adjacent to a protected heritage property;*
- b) on or adjacent to a heritage corridor in accordance with Policies 13.C.4.6 through 13.C.4.18 inclusive;*
- c) on properties listed as non-designated properties of cultural heritage value or interest on the Municipal Heritage Register;*
- d) on properties listed on the Heritage Kitchener Inventory of Historic Buildings; and/or,*
- e) on or adjacent to an identified cultural heritage landscape.*

*12.C.1.25. A Heritage Impact Assessment and Heritage Conservation Plan required by the City must be prepared by a qualified person in accordance **with the minimum requirements as outlined in the City of Kitchener's Terms of Reference for Heritage Impact Assessments and Heritage Conservation Plans.***

12.C.1.26. The contents of a Heritage Impact Assessment will be outlined in a Terms of Reference. In general, the contents of a Heritage Impact Assessment will include, but not be limited to, the following:

- a) historical research, site analysis and evaluation;*
- b) identification of the significance and heritage attributes of the cultural heritage resource;*
- c) description of the proposed development or site alteration;*
- d) assessment of development or site alteration impact or potential adverse impacts;*
- e) consideration of alternatives, mitigation and conservation methods;*
- f) implementation and monitoring; and,*

g) summary statement and conservation recommendations.

Demolition/Damage of Cultural Heritage Resources

12.C.1.32. Where a cultural heritage resource is proposed to be demolished, the City may require all or any part of the demolished cultural heritage resource to be given to the City for re-use, archival, display or commemorative purposes, at no cost to the City.

12.C.1.33. In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a significant cultural heritage resource is proposed and permitted, the owner/applicant will be required to prepare and submit a thorough archival documentation, to the satisfaction of the City, prior to the issuance of an approval and/or permit.

12.C.1.34. Where archival documentation is required to support the demolition, salvage, dismantling, relocation or irrevocable damage to a significant cultural heritage resource, such documentation must be prepared by a qualified person and must include the following:

- a) architectural measured drawings;*
- b) a land use history; and,*
- c) photographs, maps and other available material about the cultural heritage resource in its surrounding context. Archival documentation may be scoped or waived by the City, as deemed appropriate.*

3.0 Historical Overview

3.1 Indigenous Communities History

First Nations history in Southwestern Ontario can be described as having three distinct periods. These being the Paleo-Indian, Archaic, and Woodland periods. The Paleo-Indian period in Waterloo Region was marked by big game hunters following glacial spill-ways as early as 13,000 B.C. By 8,600 B.P., glacial ice had receded to the extent that access to all of Southwestern Ontario was possible. Paleo-Indian groups were scattered at this time, as was their nomadic nature. The Archaic Period saw an increase in the number and variety of settlements which were located near waterways and hunting land. The Woodland Period saw the introduction of horticulture and an increasingly sedentary way of life (Region of Waterloo, 1989).

3.2 County of Waterloo, Waterloo Township

The subject lands are located in the former Waterloo Township where Euro-Canadian settlement commenced in the late eighteenth century. In 1784, General Haldimand, then Governor of Quebec, acquired six miles of land on each side of the Grand River from the Six Nations (Bloomfield; 19: 2006). This tract of land was granted to the Six Nations by the British in recognition of their support during the American Revolution. The land was later divided into four blocks; Block 2 later became Waterloo Township.

Brant and the Six Nations drew up a deed for sale of Block 2 in November 1796. The deed was recorded at Newark (Niagara on the Lake) and in February 1798 the title was registered and a Crown Grant was drawn for this block (McLaughlin, 21: 2007). The buyer was Colonel Richard Beasley, a Loyalist from New York, who had arrived in Canada in 1777. Beasley bought the 93,160 acres of land along with his business partners, James Wilson and Jean-Baptiste Rousseaux (Bloomfield, 20: 2006). The land was then surveyed by Richard Cockrell who divided the township into upper and lower blocks (Hayes 3, 1997). At this time, German Mennonite farmers from Pennsylvania were scouting out farmland in the area. Several of them went back to Pennsylvania and returned with their families the following year to buy and settle the land (Hayes, 5: 1997).

In order to raise the £10,000 needed to purchase their prospective land holdings, the Pennsylvanian farmers, led by Sam Bricker and Daniel Erb, established an association to acquire the approximately 60,000 acres, later known as the German Company Tract (GCT). The deed for the land was finally granted to the German Company and its shareholders on 24 July 1805 (Eby, N-3: 1978).

After the arrival of the GCT shareholders, settlement in the GCT slowed. Many immigrants were unable to leave Europe during the Napoleonic War, and the War of 1812 in North America also prevented many settlers from relocating to join their relatives. By 1815 both conflicts had ended, and settlement to the GCT began to increase, with additional Pennsylvania Mennonite settlers, German-based settlers, and later English, Irish and Scottish settlers (Bloomfield, 55: 2006). In 1816 the GCT lands **and Beasley's lower** block were incorporated into Waterloo Township, and in 1853 became part of Waterloo County.

3.3 63 Courtland Avenue East

The property located at 63 Courtland Avenue East is located on part of Lot 17 of the German Company Tract. The property is legally described as Part of Lot 218 and 324, Part Lot 6-10 Plan 280, Lot 17, German Company Tract.

According to land title abstracts, the property was patented by the Crown to Richard Beasley, James Wilson and St. John B. Rousseau in 1798. The property remained under the ownership of Richard Beasley and until 1805. In 1805, 60,000 acres of Block 2 was sold to Daniel and Jacob Erb. Also in 1805, 448 acres of Part of Lot 17 of Block 2 was sold to Benjamin Hershy.

In 1811, 448 acres was sold to Joseph Schneider. As shown on the 1861 Tremaine map of Waterloo Township, the subject property is included on land owned by Joseph Schneider (1810 – 1880). The only buildings noted on these lands are the house and sawmill of Joseph Schneider. Joseph Schneider was one of the first settlers in the region and developed a sawmill and farm on Schneider Creek, now the location of the Schneider Haus Museum at 466 Queen Street South.



Figure 3: Excerpt of the 1861 Tremaine Map of Waterloo Township noting the approximate location of the subject lands with red arrow. Location of Schneider saw mill outlined in yellow, near Schneider Creek. (Source: Ontario Council of University Libraries, 2024)

According to the 1879 Map of Berlin (Kitchener), Courtland Street, Peter Street, and Martin Street had not yet been constructed and the subject property had not yet been developed.

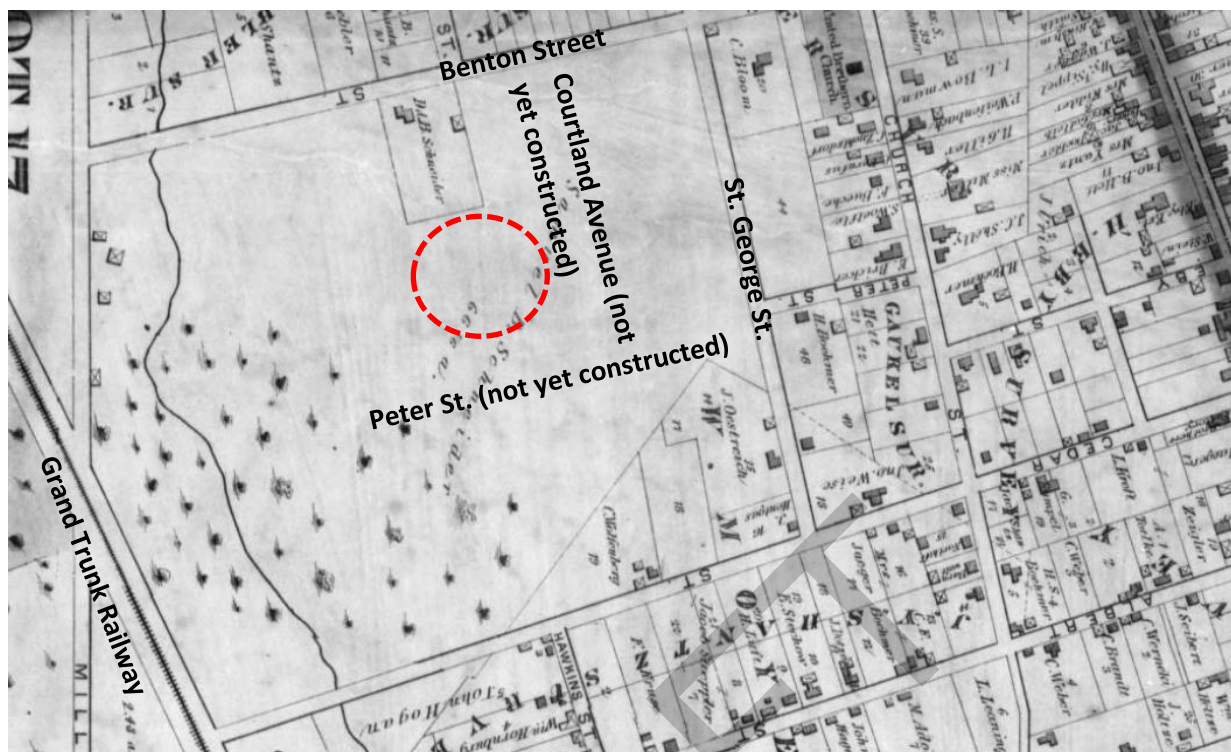


Figure 4: Excerpt of the 1879 Map of Berlin (Kitchener) noting the approximate location of the subject lands in red (note that Courtland Avenue and Peter Street had not yet been constructed). (Source: Kitchener Public Library)

Between 1883 and 1897, the lands that included the subject property changed hands several times. Lot 218 was purchased by John M. Schneider (1859 - 1942) in 1897. At this time, the property included 0.9 acres of land. In 1905, John M. Schneider purchased an additional 0.32 acres from Jacob Wilms.

John Metz Schneider was born in Kitchener in 1859, son of Christopher Schneider and Anna Elizabeth Schneider (nee Metz). He opened a retail meat market in 1888 after learning butchering and meat curing on the Schneider family farm. J. M. Schneider was also involved with local politics and became a member of Council in 1906 (J.M. Schneider Inc., 1990).



Figures 5 & 6: (left) Portrait of J. M. Schneider (no date), (right) Photograph of J.M. and Helena Schneider (no date) (Source: University of Waterloo Archives)

As shown on the 1892 map of Berlin (Kitchener), Courtland Avenue and Peter Street were constructed by this time. A portion of what is now Martin Street is also indicated. The map shows that the house was already constructed when J.M. Schneider bought the property in 1897. The lands directly to the east were vacant (see Figure 9).

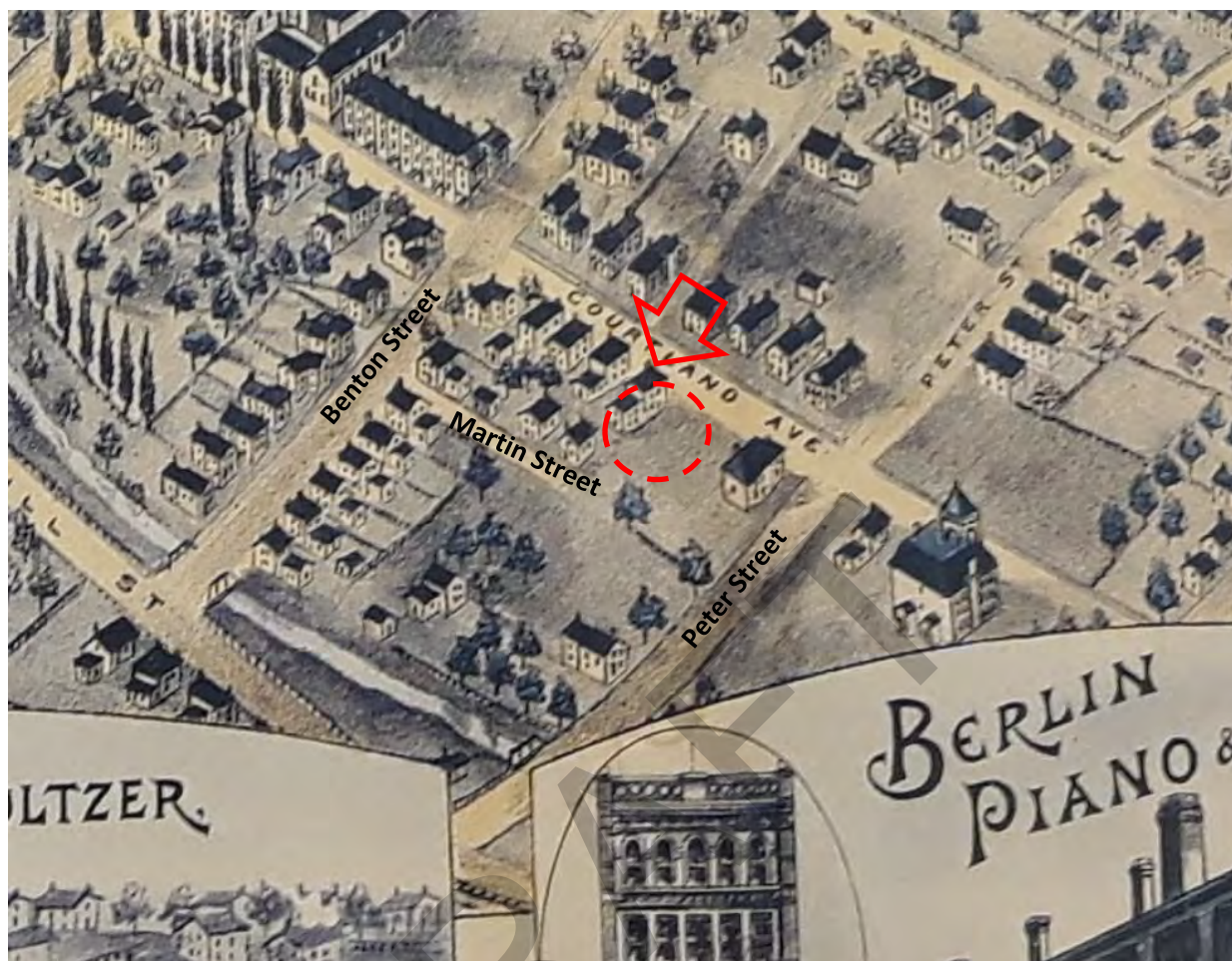


Figure 7: Excerpt of the 1892 Map of Berlin (Kitchener) noting the approximate location of the subject lands outlined in red. Likely location of the original J.M. Schneider home/factory noted with red arrow. (Source: Kitchener Public Library)

According to the 1897 Directory of Berlin (Kitchener), J.M. Schneider is described as a butcher and was located at 23 Courtland Avenue (now 63 Courtland Avenue East) (see Figure 8).

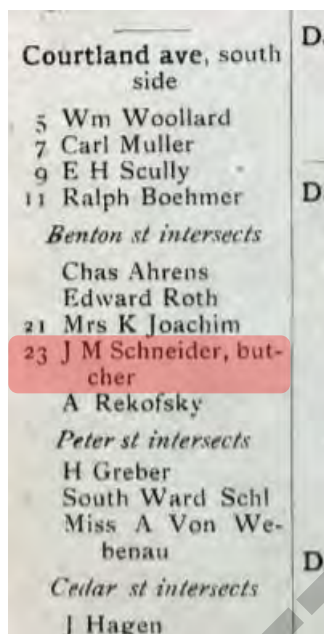


Figure 8: Excerpt of the 1897 Directory of Berlin (Kitchener) noting the location of the J.M. Schneider butcher at 23 Courtland Avenue (now 63 Courtland Avenue East), (Source: Kitchener Public Library)

According to available historic records, the first J.M. Schneider meat processing building was a wood frame addition behind the J.M. Schneider house (see Figure 9).



Figure 9: Photograph of the J.M. Schneider house & addition used for butchering and processing (date unknown) (Source: University of Waterloo Archives)

The earliest available photograph of the J. M. Schneider butcher/meat market is provided below. At this time, the building was a 1 ½ storey vernacular style building with an L-shaped plan. The front elevation of the building included a front-end gable with two rectangular chimneys. The front entrance was located adjacent to two window openings with an awning and included a front porch. Two windows are located within the front gable. The building included what is likely an addition at the east side, also fronting the street. This portion of the building did not include any window or door openings and included two additional chimneys above the roofline. This is a-typical for buildings at the time and was likely due to the fact that the building was functional and required additional room for the operations of the business.



Figure 10: **Photograph of the J.M. Schneider house & factory ("Meat Market")** formerly located on the subject property, c. 1900 (Source: Kitchener Public Library)

According to the c. 1909 photograph, the building continued to be expanded and altered. The original J.M. Schneider house/factory remains but was altered to include a gable and window located between two chimneys at the front façade. A single storey brick addition to the house/factory was constructed on the east side of the building (see Figure 11).



Figure 11: Photograph of the J.M. Schneider house & factory ("Meat Market") formerly located on the subject property, c. 1909 (Source: J.M. Schneider Inc., 1990)

At this time (c.1909), the single storey brick addition included an arched front entrance with transom window, and two large square-shaped windows with awnings at either side. Concrete steps provide access to the elevated front entrance. The building includes decorative brickwork and pilasters. A decorative brick parapet is provided at the front elevation and a portion of the north and south elevation. A person door with stairs is located at the east elevation. Four rectangular-shaped windows are located along the east elevation between brick pilasters. A total of 8 basement windows are also located along the east elevation. A brick chimney stack is located behind the building.

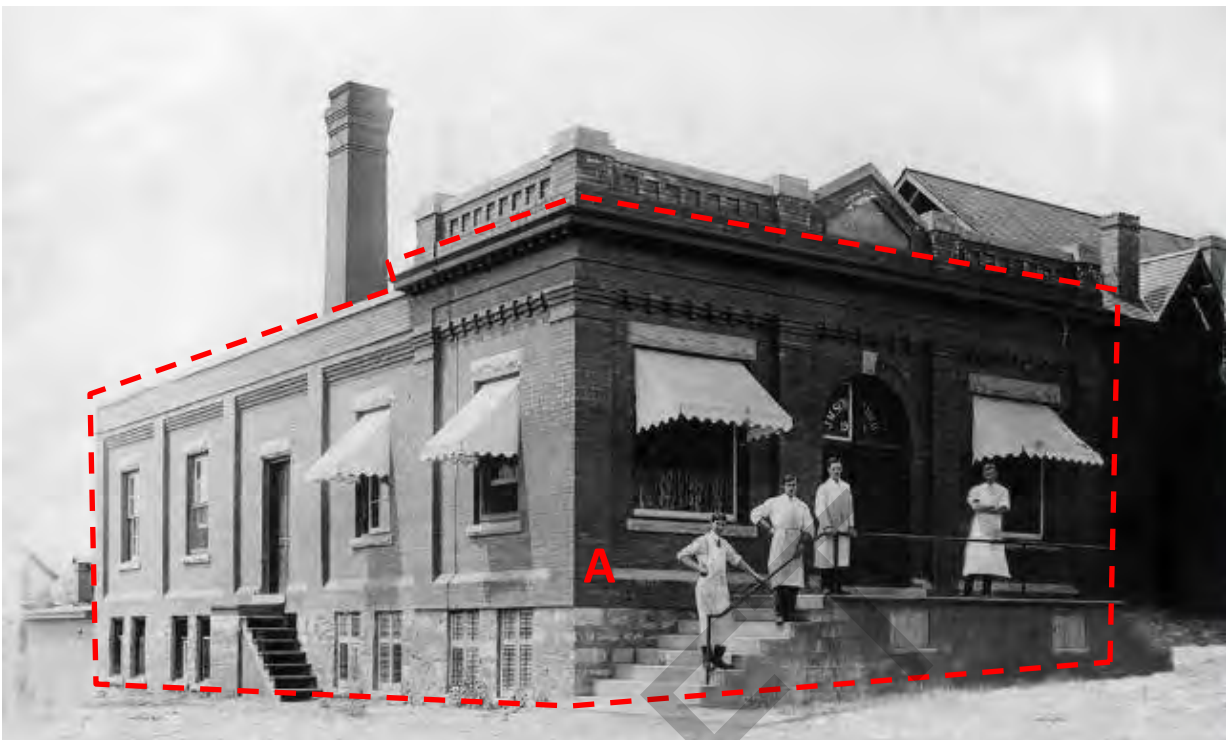


Figure 12: **Photograph of the J.M. Schneider factory addition ("Meat Market")** formerly located on the subject property, c. 1909. This portion of the building is identified in this report as **Section "A"** (Source: Kitchener Public Library)

In 1912, J. M. Schneider sold lot 218 to J.M. Schneider & Sons Ltd. In 1920, a Plan of Subdivision 218 was registered. In 1921, John M. Schneider sold Lots 6, 7, 8, 9, and 10 (Plan 218) to J. M. Schneider & Sons Ltd.

Between 1909 and 1914, the original J.M. Schneider house/factory building was demolished and a two-storey brick building was constructed. The photograph appears to indicate that this portion of the building may have been constructed in two sections, as shown on the photo below. A second storey to the J.M. Schneider factory at the east side was also constructed (outlined in orange on Figure 13).

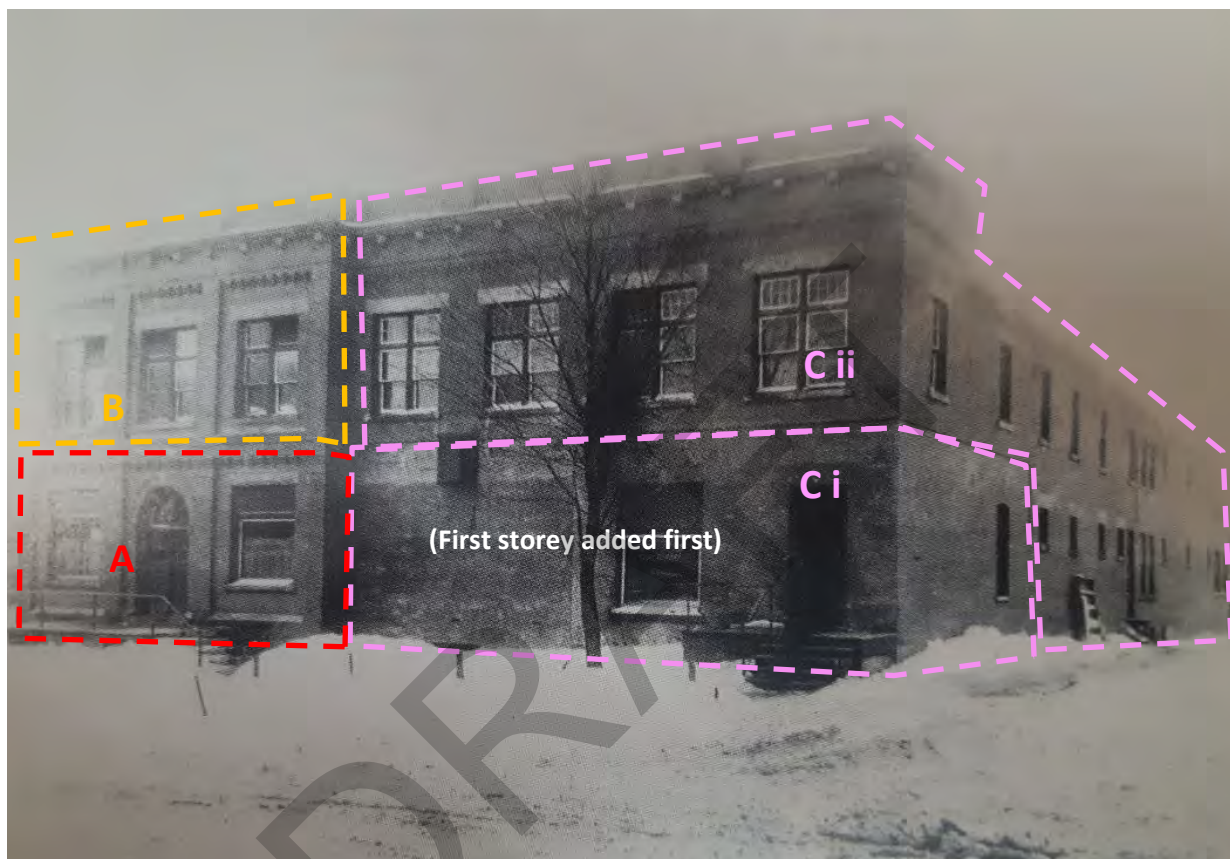


Figure 13: Photograph of the J.M. Schneider factory additions constructed following the removal of the original J.M. Schneider dwelling/factory, n.d. This photograph notes the location of Sections "A", "B", and "C i" and "Cii" (Source: J.M. Schneider Inc., 1990)

A secondary view of the east elevation of the factory is available, taken c. 1914. According to this image, additions were added to the rear of the building.



Figure 14: Photograph of the J.M. Schneider factory located on the subject property, c. 1914. Approximate location of additions to the rear of the structure outlined in black. (Source: J.M. Schneider Inc., 1990)

The first available Fire Insurance Plan (1908 rev. 1917) indicates the buildings located on-site at this time. Here, the factory building included the original factory addition (described in this report as Section A, as well as the second storey addition, Section B). A rear addition (Section D) was added by this time. Section C is located at the west side of the building and was likely constructed in two parts (Section C i and Section C ii).

At this time, the property included a cluster of rear additions, which have since been removed. A stand-alone garage and coal building are also indicated on the site (both of which have since been removed).

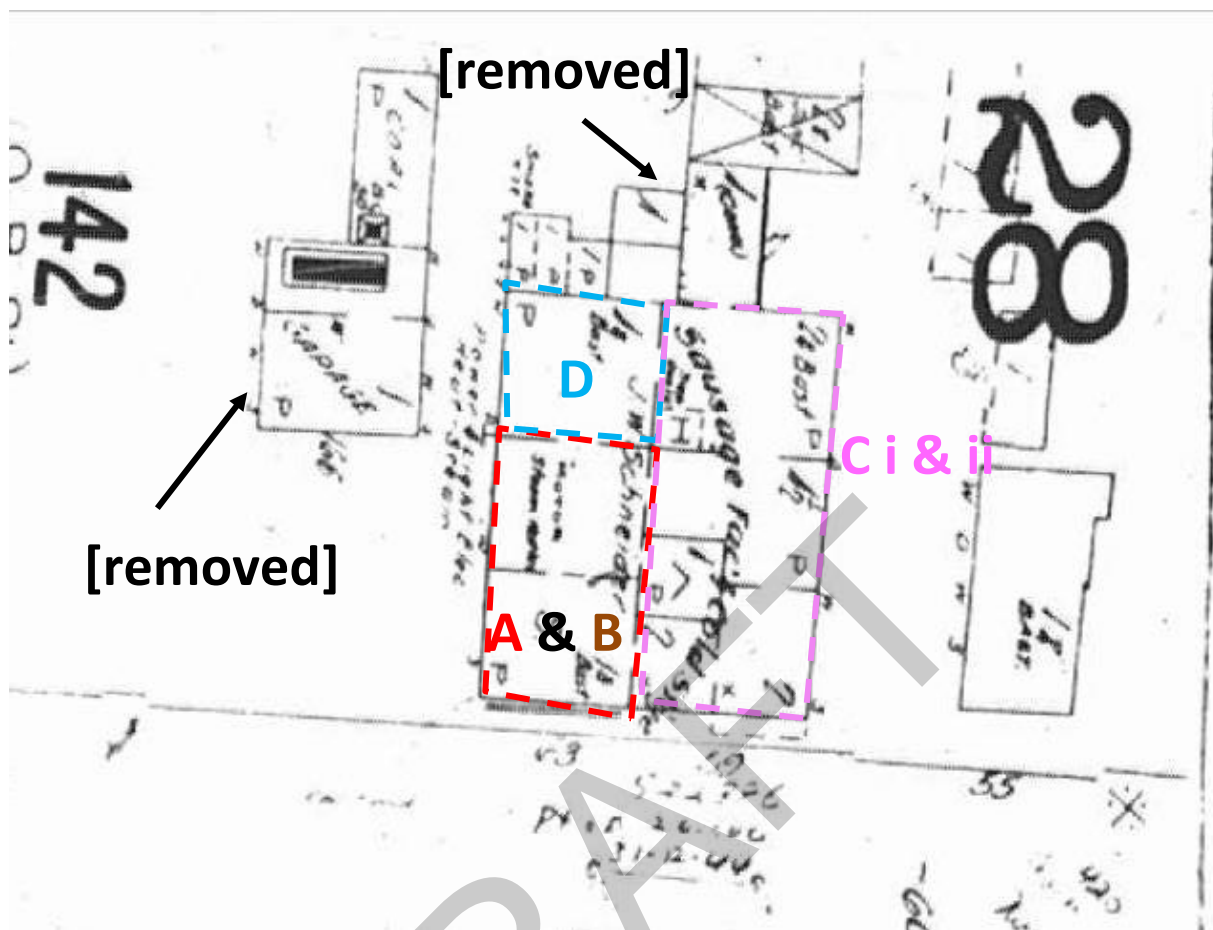


Figure 15: Excerpt of the 1908 rev. 1917 Fire Insurance Plan of Berlin (Kitchener) noting the approximate location of the subject lands. (Source: University of Waterloo Archives)

By 1924, a new J.M. Schneider plant was constructed several blocks south of the subject property at 321 Courtland Avenue East (Norman C. Schneider, no date).

By 1925, the J. M. Schneider plant had been relocated from the subject property to the new site at 321 Courtland Avenue East and the subject property was sold to Albert E. Silverwood of the Silverwood Dairy company.



Figure 16: Photograph of the former J.M. Schneider plant/abattoir at 321 Courtland Avenue East (no date). (Source: University of Waterloo Archives)

The 1925 Fire Insurance Plan shows buildings on the subject property at the time when the J.M. Schneider factory was being re-located and the lands sold to the Silverwood Dairy.

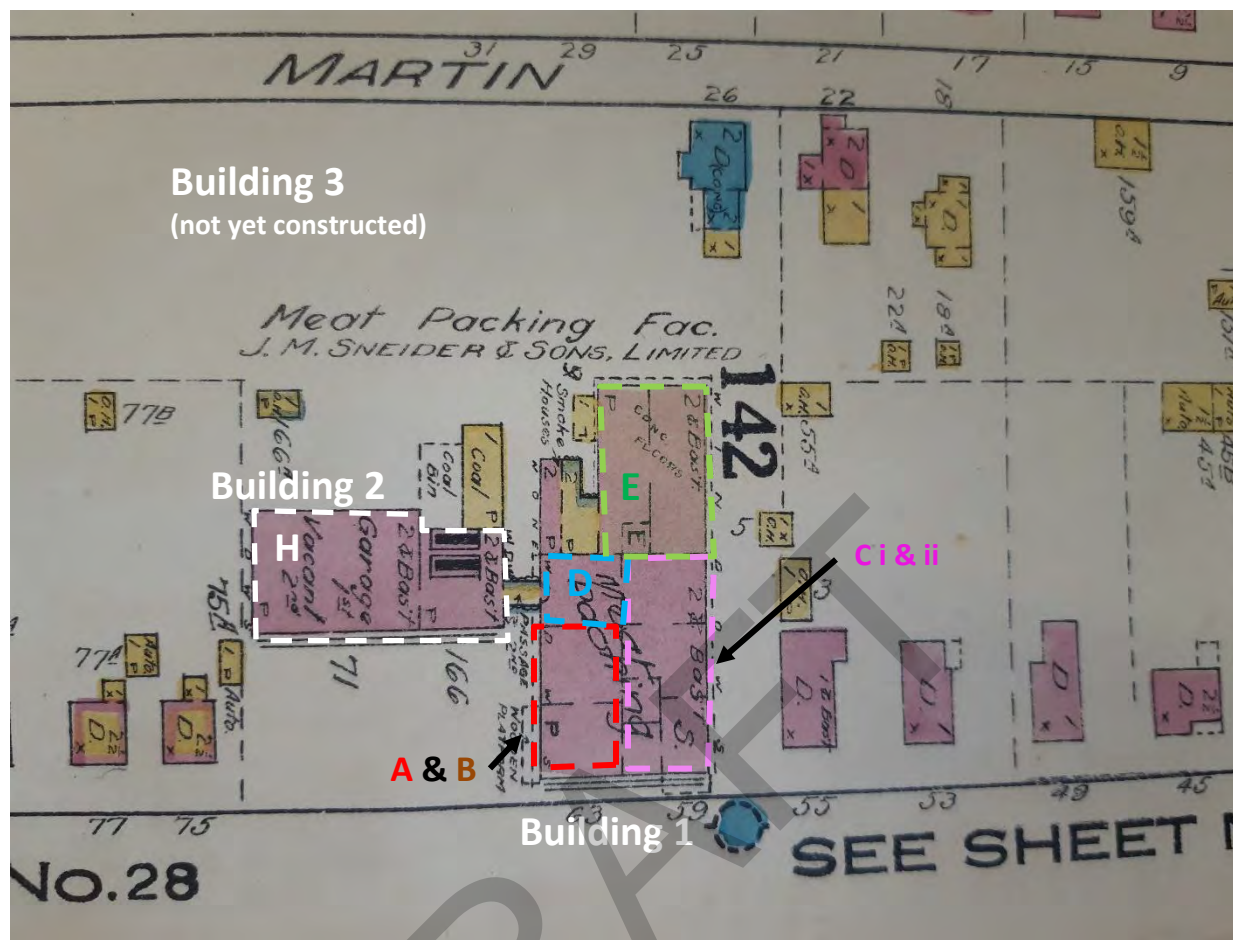


Figure 17: Excerpt of the 1925 Fire Insurance Plan of Berlin (Kitchener) noting the approximate location of the subject lands. (Source: Kitchener Public Library)

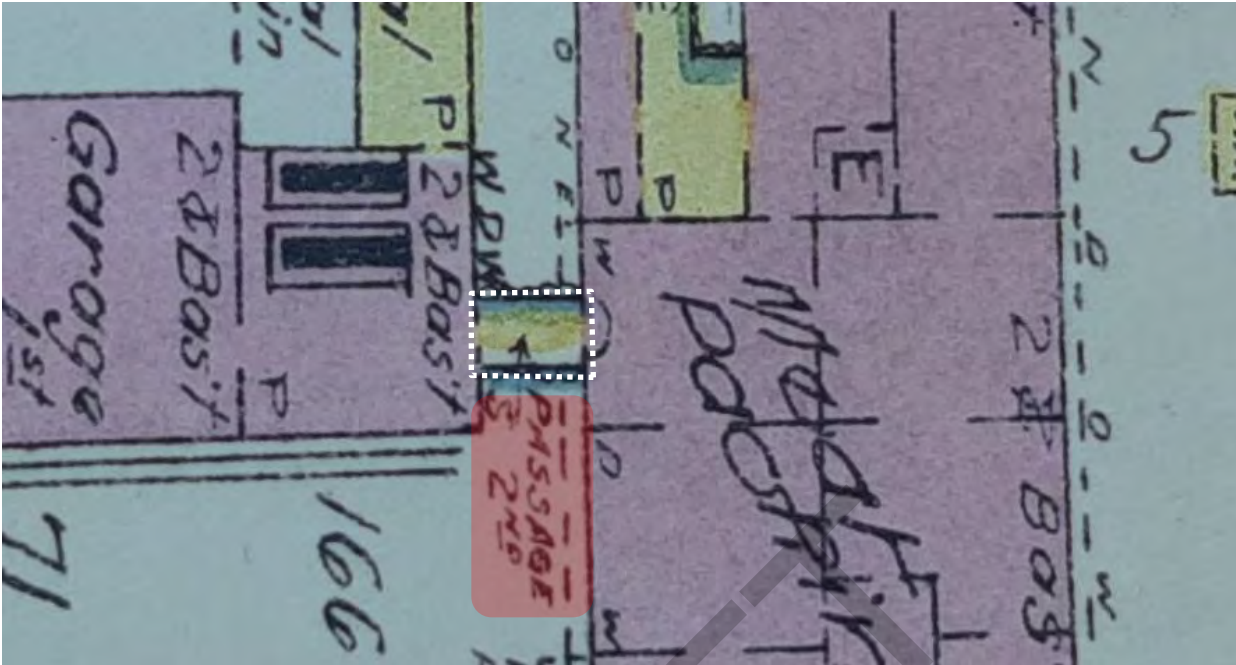


Figure 18: Detail of the 1925 Fire Insurance Plan of Berlin (Kitchener) noting the former location of a passage at the second storey between the two buildings (Source: Kitchener Public Library)

The photograph below indicates the location between the two buildings, both entrances have since been bricked-over and enclosed.



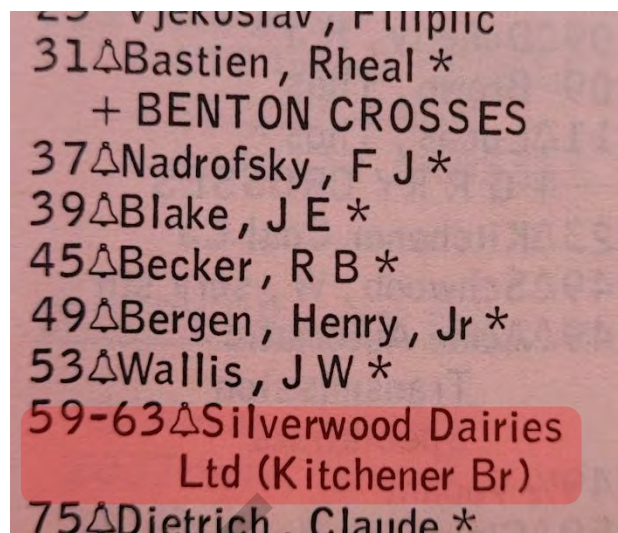
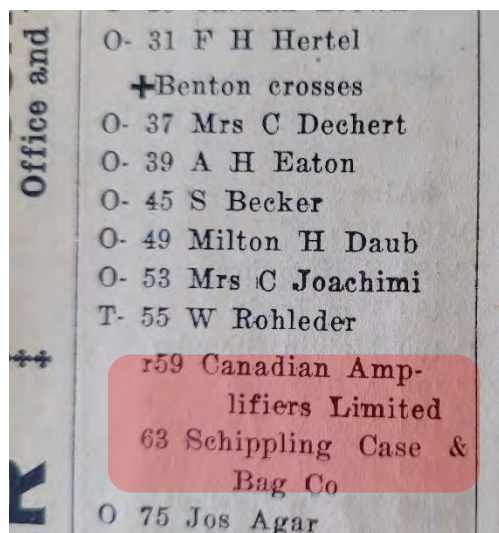
Figure 19: Detail of the 1925 Fire Insurance Plan of Berlin (Kitchener) noting the approximate location of the subject lands. (Source: Kitchener Public Library)

According to the 1930 aerial photograph, two of the existing buildings located on the subject property are visible (see Figure 20).



Figure 20: Detail of the 1930 Aerial Photograph noting the location of buildings located on the subject property (outlined in red). (Source: University of Waterloo)

According to available directories for Berlin (Kitchener) the property was the location of Canadian Amplifiers Ltd. and the Schippling Case & Bag Co. in 1927 (see Figure 21). By 1928, the property included the Silverwood Dairy, which operated on the site until approximately 1965.



Figures 21 & 22: (left) Excerpt of the 1927-1928 Directory of the City of Kitchener, (right) Excerpt of the 1965 Directory of the City of Kitchener. (Source: Kitchener Public Library)

Little information on the history of the Silverwood Dairy operations in Kitchener are available in the historic record. The Silverwood Dairy company had locations across Canada. The founder (A. E. Silverwood) was born in Ontario in 1876. He opened his own poultry company in London, Ontario in 1903. By the 1920s, the company expanded to include dairy and milk products. By this time he had businesses in Hamilton, Caledonia, Chatham, Woodstock, Edmonton, Winnipeg, Peterborough, and Regina (CME Group, 2024).

According to the 1947 Fire Insurance Plan, Section F was added to the main factory (Building 1) and Section I was added to the rear of Building 2. A concrete block garage was added to the rear yard, described below as Building 3.

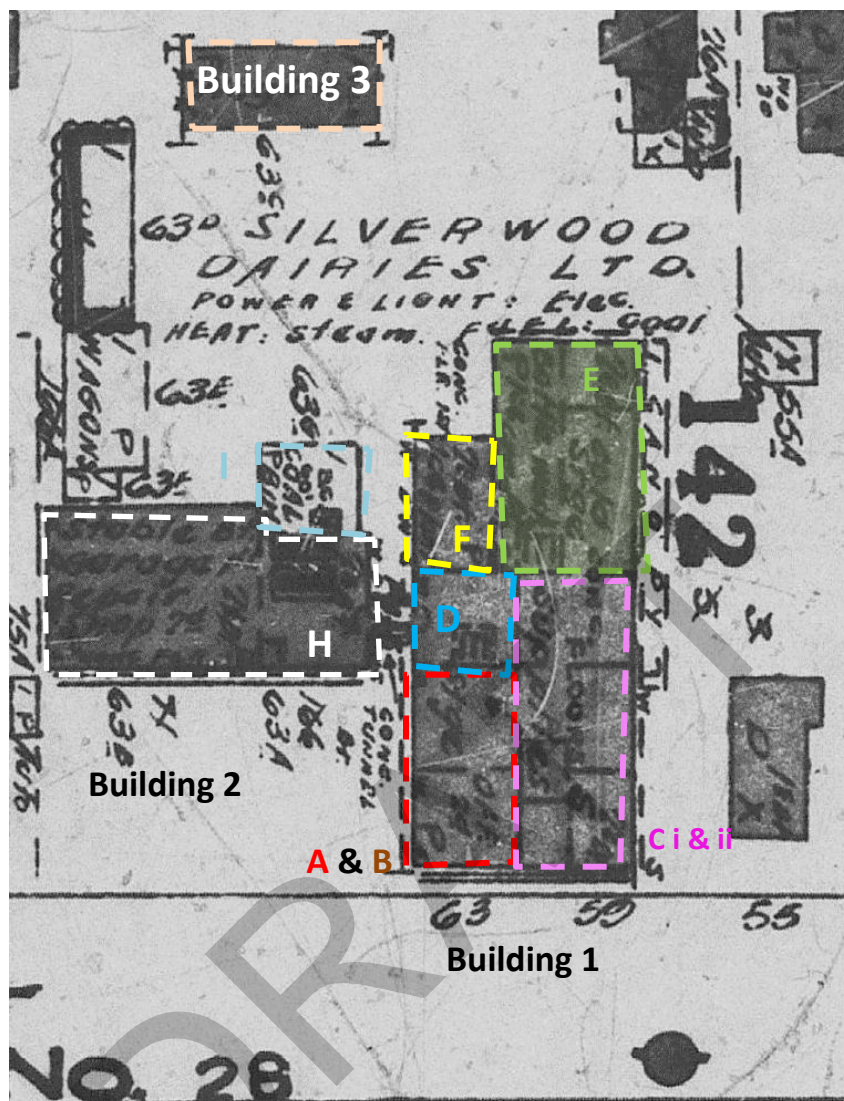


Figure 23: Excerpt of the 1947 Fire Insurance Plan of Berlin (Kitchener) noting the approximate location of the subject lands. (Source: Kitchener Public Library)

According to local directories, the property was used by the Silverwood Dairy company until approximately 1975 when the site was vacant. Afterwards, the property was used for various small businesses.

A Reference Plan for the subject property dated 1977 is available. The Reference Plan indicates the location of lots part of Lot 17 of the German Company Tract. Buildings 1, 2, and 3 are noted on the plan.

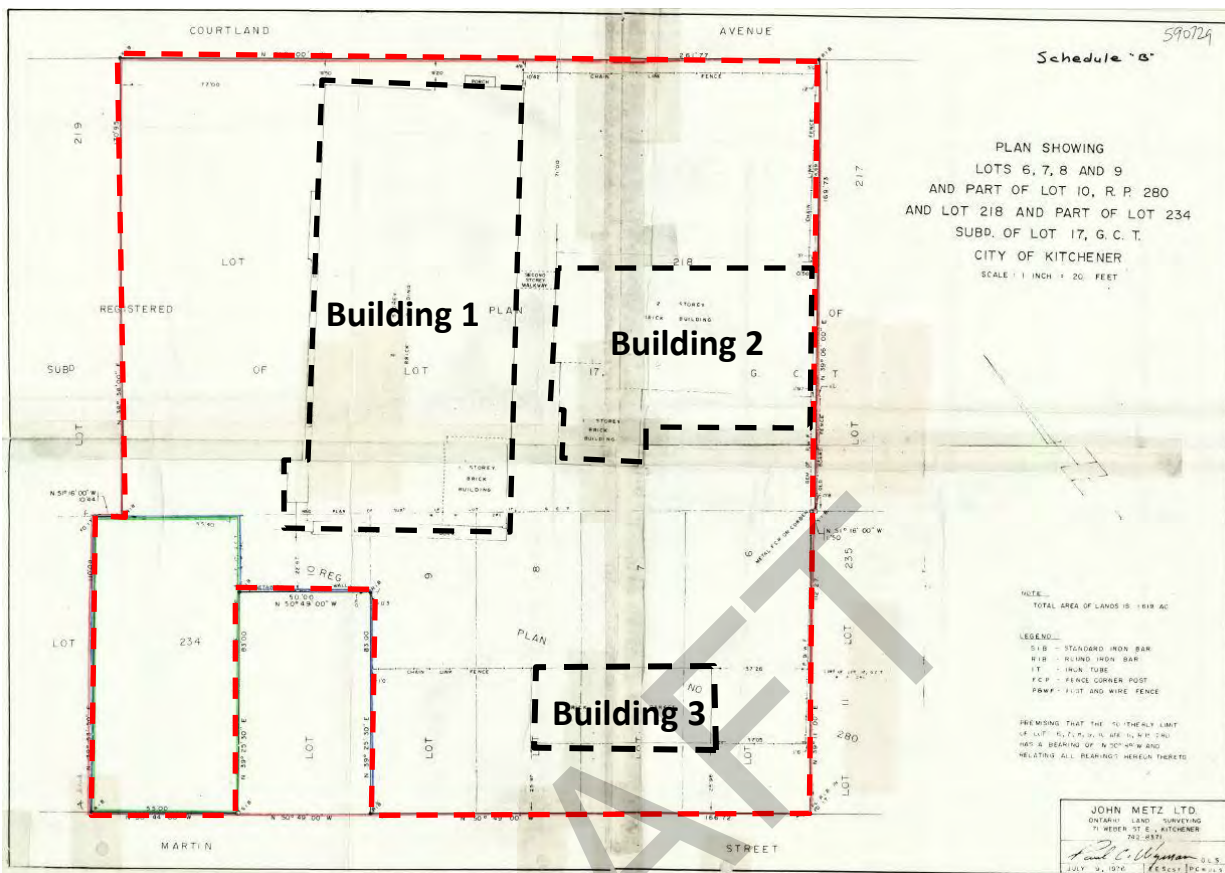




Figure 25: Detail of the 1997 Aerial Photograph noting the location of buildings located on the subject property (outlined in red). (Source: University of Waterloo)

4.0 Existing Conditions

4.1 Description of Surrounding Area

The context of the area includes primarily low-rise residential uses with some commercial and institutional uses. Single detached dwellings are located along the north and south side of Courtland Avenue East as well as along Martin Street.



Figures 26 & 27: (left) View of Courtland Avenue East looking west towards Benton Street, (right) View of Courtland Avenue East looking east towards Peter Street. (MHBC, 2022)



Figures 28 & 29: (left) View of 19th century dwellings located on the north side of Courtland Avenue East, (right) View of paved parking area located on the subject property, looking south towards access to Martin Street. (MHBC, 2022)

4.2 Description of 63 Courtland Avenue East



The subject property currently includes 3 buildings (Building 1, Building 2, and Building 3 as shown below, Figure 30) and surface parking. The following provides a detailed description of the existing buildings. This includes a description of all sections and additions.









Figure 30: Aerial photo of the subject property identifying the location of sections of Buildings 1, 2, and 3. (Source: Google Earth Pro, accessed 2024)

4.2.1 Description of Building 1

Building 1 can be described as a 2-storey brick structure comprised of 8 sections constructed between the early 20th century and the late 20th century. Building 1 includes sections A, B, C i & C ii, D, E, F, and G as per the chart below. The entire building footprint is approximately 24 metres x 73 metres. The building is constructed of red brick which has been painted.




Legend: Building 1: Sections A - G			
Identifier	Description	Construction Date	Photo
A	Original single storey brick addition to former J.M. Schneider home/factory. All original windows and doors have been replaced. Some window and door openings have been enclosed.	c. 1909	
B	Second storey addition above Section "A". All original windows and doors have been replaced.	Bet. 1909 and 1914	

C i	First storey of a 2-storey addition fronting Courtland Avenue East. The entire portion of this building has been clad with contemporary materials.	Bet. 1909 and 1914	
C ii	Second portion of brick addition at west elevation. All original windows and doors have been replaced.	Bet. 1909 and 1914	
D	Rear brick addition. All original windows and doors have been replaced. Some window and door openings have been enclosed.	Bet. 1909 and 1914	

E	Rear brick addition. All original windows and doors have been replaced. Some window and door openings have been enclosed.	Bet. 1917 and 1925	
F	Rear brick addition. All original windows and doors have been replaced. Some window and door openings have been enclosed.	Bet. 1917 and 1925	
G	Rear brick addition. All existing windows and doors are contemporary.	Bet. 1955 and 1997	


4.2.2 Description of Building 2

Building 2 can be described as a 2-storey brick structure constructed between 1917 and 1925. The building includes two additions to the rear. The entire building footprint is approximately 30 metres x 23 metres. Section H of the building is constructed of brown brick which has been painted.

Legend: Building 2: Sections H - J			
Identifier	Description	Construction Date	Photo
H	2 storey brick building fronting Courtland Ave. East. Includes brick chimney stack. Original windows and doors have either been replaced or are in a deteriorated condition. Some window and door openings have been enclosed.	Bet. 1917 & 1925	
I	Rear brick addition with garage doors. One 20 th century metal frame window is located at the east elevation (noted with red arrow).	Bet. 1925 and 1947	
J	Small rear brick addition/vestibule with person door	Post 1947	

4.2.3 Description of Building 3

Building 3 can be described as a single storey concrete block structure constructed between 1930 and 1947. The entire building footprint is approximately 20 metres x 10 metres. Portions of the building have been clad in contemporary siding.

Legend: Building 3			
Identifier	Description	Construction Date	Photo
"Building 3"	Single storey concrete block building. All original windows and doors have been replaced.	Bet. 1930 and 1947 (constructed after the use of the site by J.M. Schneider)	

5.0 Evaluation of Cultural Heritage

Resources

The following sub-sections of this report provide an evaluation of the subject lands as per *Ontario Regulation 9/06* of the *Ontario Heritage Act*. These criteria have been adopted as standard practice in determining significant Cultural Heritage Value or Interest.

5.1 Evaluation Criteria

Ontario Regulation 9/06 prescribes that that:

A property may be designated under section 29 of the Act if it meets two or more of the following criteria for determining whether it is of cultural heritage value or interest:

- 1. is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
- 2. displays a high degree of craftsmanship or artistic merit, or*
- 3. demonstrates a high degree of technical or scientific achievement.*
- 4. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
- 5. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
- 6. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
- 7. is important in defining, maintaining or supporting the character of an area,*
- 8. is physically, functionally, visually or historically linked to its surroundings, or*
- 9. is a landmark.*

5.2 Evaluation of Cultural Heritage Resources

The following provides an evaluation of the property as per *Ontario Regulation 9/06*.

5.2.1 Design/Physical Value

The property at 63 Courtland Avenue East includes Buildings 1, 2, and 3. Buildings 2 and 3 are comprised of different sections. Some sections of Building 1 meet criteria under Ontario Regulation 9/06 for design/physical value and others do not. Here, Sections A, B, and C ii demonstrate design/physical values. The remaining sections of Building 1 (Sections C i, D, E, F, and G do not demonstrate design/physical value.

Building 1: Sections A & B

Sections A and B demonstrate design/physical value and are considered representative of the Romanesque Revival architectural style including the following:

- Round arches combined with rectangular window openings;
- Recessed entrance, typically within an arched entrance;
- Weight and mass in building appearance; and
- Combination of stone and brick (Heritage Resources Centre, 2009).

Section A was constructed with features which are typical of the Romanesque Architectural Style including the following:

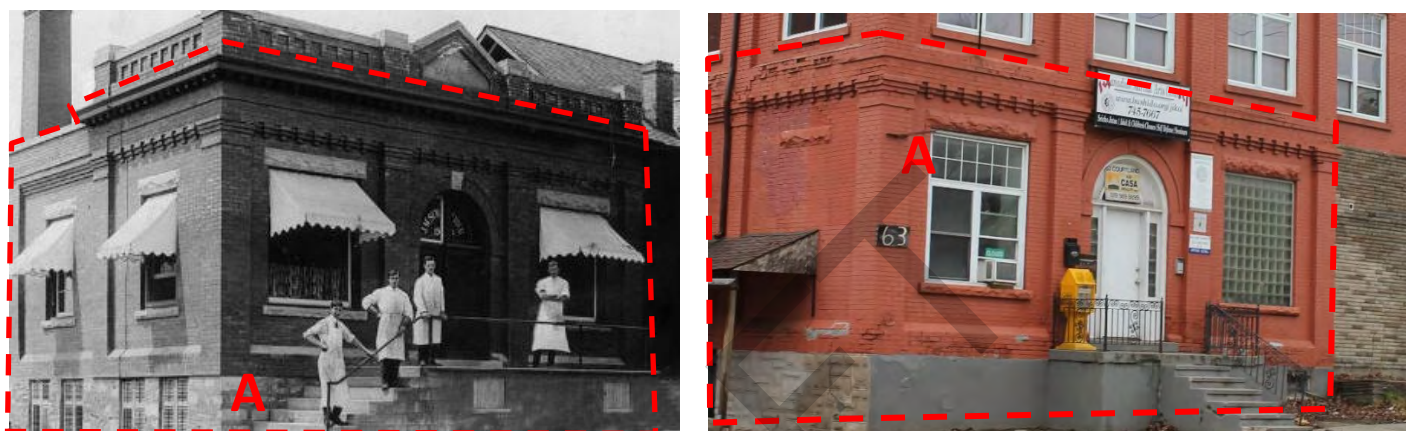
- Heavy visual weight and mass utilizing a combination of brick and rusticated stone¹;
- Use of heavy stone or concrete lintels and sills;
- Brick pilasters at the north and east elevations;
- Central front entrance with arched entrance and keystone with sidelights and transom;
- Decorative stepped brick dentils/banding above windows; and
- Two large square-shaped window openings on either side of the entrance at the north elevation.

Some original features of the building were removed when the second storey was added. This includes the removal of the original parapet wall.

Section B was designed to complement the original Romanesque Revival design. While this portion of the building does not include key features of the design, the combination of Sections A and B complement each other and were made with design intent. Section B includes large square-shaped window openings set between brick pilasters and includes heavy concrete sills. The building includes a stepped brick dentils/banding

¹ It should be noted that the stone sills and lintels may be moulded concrete. This could not be conclusively determined given that the material has been painted.

above the window openings. A parapet wall with brick pilasters and a concrete string band with dentils is provided at the roofline. Section B is considered an addition to the building which does not necessarily detract from the original portion of the building. While it resulted in the removal of some original heritage attributes, it also represents the growth of the J.M. Schneider company and includes features which are complementary to the building and products of their own time of construction.



Figures 31 & 32: **Photograph of the north and east elevations of Section "A" c. 1909, (right)** Photograph of the north and **east elevations of Section "A"** (Source: University of Waterloo Archives; MHBC, 2024)

Sections A and B are not considered early for the context of the City of Kitchener or the Province of Ontario given that they were constructed in the early 20th century. The building is not considered rare or unique but is considered representative. There are other 2 story commercial and industrial buildings in Kitchener which are similar in form and were constructed in the late 1800s to early 1900s. This includes buildings which include features such as arches and square/rectangular window openings.

Building 1: Sections C i

Section C ii of the building demonstrates design/physical value.

Section C of the building was constructed in two parts, described in this report as C i and C ii. The first storey of the building is visible in historic photographs. The photograph suggests that this portion of the building was not constructed in the Romanesque Revival architectural style and included few ornamental designs. This portion of the building has since been covered in 20th century brick cladding material. Section C i does not demonstrate design/physical value.

Section C ii, includes features at the front elevation which are similar to those of Section B such that the building reads as if it was constructed at the same time. This includes large square-shaped window openings, a stepped brick stringcourse, a concrete stringcourse with dentils, and a brick parapet wall. This portion of the building contributes to the overall front elevation of the building given that it includes a continuation of the architectural design. The west elevation of the building includes rectangular-shaped window openings which are different than that of the north and east elevations. Therefore, the design of Section C ii was to provide a continuation of the design across the front elevation only.

Sections C i and C ii are not considered early, rare, or unique. These sections of the building were constructed in the early 20th century and are not considered early for the context. Section C ii is not considered rare or unique.



Figures 33 & 34: Photograph of the north and east elevations of Section A c. 1909, (right) Photograph of the north and east elevations of Section A (Source: University of Waterloo Archives; MHBC, 2024)

The remaining sections of Building 1, namely sections D, E, F, and G do not demonstrate design/physical value. They were constructed as functional additions with little regard for design or ornamentation at various points in time. These sections of the building are not considered early, rare, unique, or representative.

Building 2: Section H

Building 2 does not demonstrate design/physical value. The building does not include ornamental detailing or attributes which are representative of any architectural style. Instead, the building was constructed as a vernacular building utilizing materials and techniques which were available at the time to serve a functional purpose.



Figure 35: View of north (front) elevation of Building 2 fronting Courtland Street East (MHBC, 2024)

Sections I and J of the building are not considered early, rare, unique, or representative and do not meet the legislated criteria for design/physical value.

5.2.2 Historical/Associative Value

The subject property demonstrates historical/associative value. The subject property is associated J. M. Schneider and the J.M. Schneider & Sons business from approximately 1897 to 1925 over a period of 28 years. The J. M. Schneider business is widely recognized in the City of Kitchener as well as within the Province of Ontario and has grown from a family-run business in the late 19th century to a corporation which continues to manufacture food products. J. M. Schneider was also involved with local politics and is noted in historical sources as a member of Council of Berlin (Kitchener) in 1906.

The property is not likely to yield further information which contributes to the understanding of the community which is not already known. The builder/architects of the buildings are unknown but should be added to the historic record should this information become available in the future.

5.2.3 Contextual Value

The subject property does not demonstrate significant contextual value.

According to guidance available from the Ministry of Citizenship & Multiculturalism (2014), in order for a property to satisfy this criterion, it needs to be in an area that has a unique or definable character and it is desirable to maintain that character. The City of Kitchener has not identified that the context is desired for conservation and has not defined its character or attributes.

The property is not functionally, visually, or historically linked to its surroundings in a **way which substantially adds to the property's CHVI. There is no physical/material** connection between the property and its surroundings. The property does not have a functional relationship to its surroundings which is related to a specific purpose. Portions of the building are visible from the street along either Courtland Avenue East or Martin Street. However, these available views are circumstantial and do not substantially add to the CHVI of the property. The property is not historically related to the immediate context in a way that is considered significant. Instead, a portion of Lot 17 of the German Company Tract was purchased by members of the Schneider Family in the early 19th century and by 1897, John M. Schneider was granted land through members of the Schneider/Ahrens family.

This report acknowledges that the subject property was formerly located approximately 800 metres from the Joseph Schneider Factory at 321-325 Courtland Avenue East which was constructed in the early 20th century and has since been removed. This is not considered a significant contextual relationship given that a) the factory at 321-325 Courtland Avenue East has been removed, and b) there was no functional relationship between these factories given that the use of the property at 63 Courtland Avenue East was discontinued by 1925.

The property is not considered a local landmark in terms of either its physical prominence or physical location in the community. According to available guidance from the Ministry of Citizenship & Multiculturalism (2014) physical landmarks are considered memorable and easily discernible, and often serve as orientation guides and local/regional tourist attractions.

5.3 Summary of Evaluation

The following chart provides a summary in chart format of the evaluation of the subject property as per *Ontario Regulation 9/06*:

Ontario Regulation 9/06	63 Courtland Ave. E.
1. Rare, unique, representative or early example of a style, type, expression, material or construction method	Yes. Portions of Building 1 are considered representative of the Romanesque Architectural style. Building 2 and 3 do not demonstrate design/physical value.
2. Displays high degree of craftsmanship or artistic merit	No. The buildings were constructed at different periods of time using materials and construction methods which are considered commonplace and do not demonstrate a high degree of craftsmanship or artistic merit.
3. Demonstrates high degree of technical or scientific achievement	No. The buildings do not include features which demonstrate a high degree of technical or scientific achievement.
4. Direct associations with a theme, event, belief, person, activity, organization, institution that is significant	Yes. The property is associated with John M. Schneider and the J.M. Schneider & Sons business from 1897 to 1925 for a period of 28 years.
5. Yields, or has potential to yield information that contributes to an understanding of a community or culture	No. The property is not likely to yield further information beyond what is already known which would contribute to the understanding of the community.
6. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	No. The architects/builders of the various sections of the buildings are unknown.
7. Important in defining, maintaining or supporting the character of an area	No. The property does not define, maintain, or support the character of the area. The area is not identified by the City of Kitchener as being an area which is desired for conservation and its character has not been defined.
8. Physically, functionally, visually, or historically linked to its surroundings	No. The property is not physically, functionally, visually, or historically linked to its surroundings.
9. Is a landmark	No. The property and the existing physical features are not considered local landmarks and regional/local tourist attractions. The features of the property are not memorable and easily discernible within its context.

5.4 Statement of Cultural Heritage Value or Interest

The property meets two criteria under *Ontario Regulation 9/06* and is eligible for designation under the *Ontario Heritage Act*.

The property demonstrates design/physical and historical/associative values. The property includes portions of a building (Building 1) which is representative of the Romanesque Architectural style.

The property demonstrates design/physical value for sections of Building 1 which was constructed in the Romanesque architectural style. The property demonstrates historical/associative value because is associated with John M. Schneider and the J.M. Schneider & Sons business from 1897 to 1925 for a period of 28 years. John Metz Schneider was born in Kitchener in 1859, son of Christopher Schneider and Anna Elizabeth Schneider (nee Metz). He opened a retail meat market in 1888 after learning butchering and meat curing on the Schneider family farm. J. M. Schneider was also involved with local politics and became a member of Council in 1906. The butchering company (now known as Schneiders) has grown and evolved since its beginnings in the late 19th century and continues to expand their operations. The company is widely recognized across Canada and is well known locally for its roots in Kitchener.

5.4.1 List of Heritage Attributes

The following provides a list of heritage attributes for the portion of Building 1 which includes features representative of the Romanesque Architectural style:

Building 1: Section A

- Heavy visual weight and mass utilizing a combination of brick and rusticated stone;
- Use of heavy stone or concrete lintels and sills;
- Brick pilasters at the north and east elevations;
- Central front entrance with arched entrance and keystone with sidelights and transom;
- Decorative stepped brick dentils/banding above windows; and
- Two large square-shaped window openings on either side of the entrance at the north elevation.

Building 1: Section B

- Three rectangular-shaped window openings with lintels and sills;
- Brick Pilasters;
- Decorative stepped brick dentils/banding above windows; and
- Parapet wall with brick pilasters, stone or concrete banding and dentils;
- Original window openings at the second storey with lintels and sills; and
- Brick pilasters and decorative stepped brick details below roofline.

Building 1: Section C

Building 1 (Section C) includes features which are a continuation of Section B, and are as follows:

- Two storey scale and massing;
- Series of four rectangular-shaped window openings at the second storey (north elevation), including lintels and sills;
- Parapet wall with brick pilasters, stone or concrete banding and dentils; and
- Decorative stepped brick dentils/banding above windows; and
- Original rectangular-shaped windows at the second storey (west elevation).

6.0 Condition Assessment

A condition assessment has been completed by Tacoma Engineers in May of 2024 in order to determine the structural stability of Building 1. The report confirmed that the building has some issues but is generally in fair condition and the building is structurally stable. The report concluded that it is feasible to remove portions of Building 1 while avoiding any adverse impacts to portions which are proposed to be retained.

A supplementary structural condition report was undertaken in December 2024. The supplementary report confirms the following:

- The building was constructed with a combination of wood and steel framing supported on exterior masonry walls;
- Foundation walls are a combination of rubblestone mass masonry (earlier portions of the building) as well as later concrete (later additions);
- No original building fabric remains at the interior of the building, which has been extensively modified over time;
- **The building is in “fair condition”, with “...no observed damages that would cause concern for structural stability.”;**
- Exterior masonry shows signs of distress from lack of or improper maintenance;
- Damages may be accelerated with lack of water management (i.e. damaged downspouts, roof flashings);
- Any redevelopment proposal will need to restore exterior masonry to ensure that existing historic fabric is not compromised;
- The rear portions of the building can be removed without affecting the structural stability of the portion that would remain;

There are two options related to the proposed removal of portions of Building 1 as follows:

- 1) Selective Demolition: Retain one or more **“bays”** of the building. This option includes the construction of an additional purpose-built structure to support the rear portion of the building following the removal of the rear portions which are not of CHVI.
- 2) Façade Retention: This option includes retaining only the façade of the front elevation of the building only and the removal from all other

portions, including interior framing. This option would require lateral supports to masonry walls and a structural steel brace frame tied into masonry walls.

A copy of the structural reports are provided in Appendix C.



Figures 36 & 37: Photos of settlement cracks at the exterior of Building 1, (MHBC, 2024)



Figures 38 & 39: (left) View of spalling bricks at exterior of Building 1, (right) View of deteriorated masonry at exterior of Building 1 (MHBC, 2024)



Figures 40 & 41: (left) View of poor masonry repairs at exterior of building 1, (right) View of deteriorated/spalled masonry at exterior of Building 1 (MHBC, 2024)



Figures 42 & 43: (left) Secondary view of broken and deteriorated masonry at exterior of Building 1, (right) View of cracks in masonry wall at exterior of Building 2, (MHBC, 2024)

7.0 Description of Proposed Development

The owners are proposing to redevelop the lands to include residential use. The concept has not been completed and is proposed to be advanced in stages. Phase I includes the removal of buildings with the intent of retaining portions so that they can be integrated into the proposed development. The details of Phase II of the proposed development are not known.

The development of the site is proposed to occur in two phases, as follows:

Phase I

Phase I includes the removal of portions of Building 1 which are not of CHVI, as well as the entirety of Buildings 2 and 3 which are not of CHVI.

Phase I includes retaining portions of Building 1 as noted on Figures 44 & 45. A portion of Building 1 would be retained in the interim as part of Phase I to ensure that should that the development proposal be delayed or relinquished, a viable building would be available for a range of re-development options. This portion of the building to be retained in the interim would be removed during Phase II of the development when additional information is brought forward (i.e. site plan and elevations).

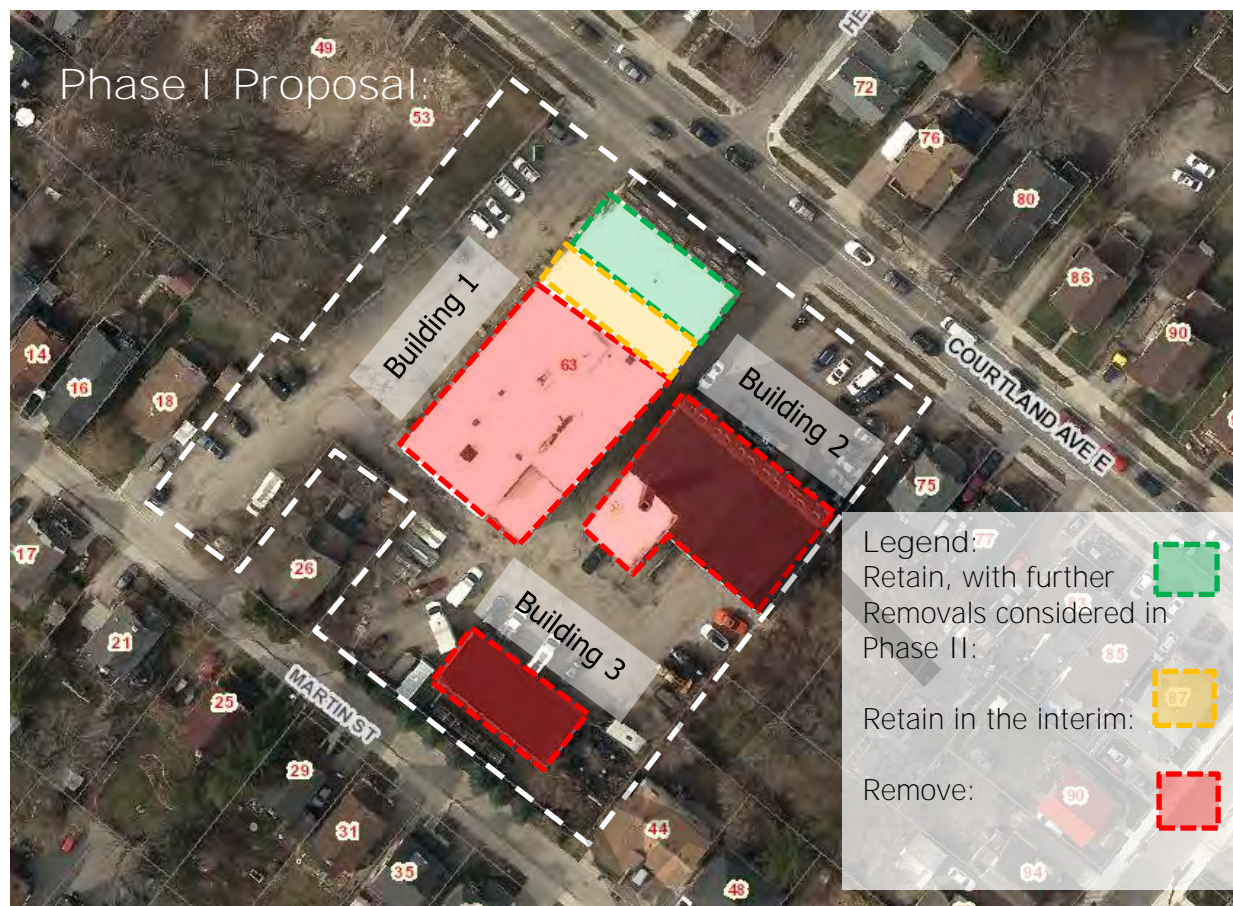


Figure 44: Aerial photo noting the location of the subject property at 63 Courtland Avenue East, outlined in white. Location of building fabric proposed for demolition noted in red (demolish) and retention noted in green (retain in Phase I). Portion of the building to be retained in the interim and demolished at a later date noted in orange. (Source Kitchener Interactive map, accessed 2024)



Figure 45: **View of Sections "A", "B", and "C"** noting portions proposed for retention in Phase I and interim retention (Source: MHBC, 2024)



Figure 46: View of Sections "A", "B", and "C" noting portions proposed for retention in Phase I and interim retention (Source: MHBC, 2024)

Phase II

Phase II will provide further details on the proposed development, including detailed plans for the integration of portions of Building 1 into the development concept. Should further portions of Building 1 be considered for removal, this would be subject to the Phase II Heritage Impact Assessment and processes under the *Ontario Heritage Act*. The portions of the building retained in the interim as described in Figures 44 - 46 would be removed at this phase of the work plan.

This Heritage Impact Assessment solely relates to the proposed actions described as part of Phase I. It is intended that an updated Heritage Impact Assessment be prepared for Phase II to assess the potential impacts of the proposed multi-residential development on cultural heritage resources as well as any further alterations and/or removals which are not described in this HIA.

8.0 Impact Analysis

8.1 Introduction

This section of the report will review impacts which may occur as a result of the proposed demolition on the identified cultural heritage resources located on the property at 63 Courtland Avenue East.

The following analysis of impacts of the proposed demolition is guided by the Heritage Toolkit of the Ministry of Citizenship and Multiculturalism (formerly the Ministry of Heritage, Sport, Tourism and Culture Industries) as follows:

- Destruction: of any, or part of any *significant heritage attributes* or features;
- Alteration: that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- Shadows: created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;
- Isolation: of a *heritage attribute* from its surrounding environment, context or a significant relationship;
- Direct or Indirect Obstruction: of significant views or vistas within, from, or of built and natural features;
- A change in land use: such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- Land disturbances: such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

The impacts of a proposed development or change to a cultural heritage resource may be direct (demolition or alteration) or indirect (shadows, isolation, obstruction of significant views, a change in land use and land disturbances). Impacts may occur over a short term or long-term duration, and may occur during a pre-construction phase, construction phase or post-construction phase (medium-term). Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact. Severity of impacts used in this report derives from

International Council on Monuments and Sites (ICOMOS) Guidance on Heritage Impact Assessments for Cultural World Heritage Properties (2011).

Impact Grading	Description
Major	Changes to authentic building fabric/heritage attributes that contribute to the cultural heritage value or interest (CHVI) such that the resource is altered. Comprehensive changes to the setting.
Moderate	Change to historic building fabric, such that the resource is altered. Changes to the setting of an historic building, such that it is significantly modified.
Minor/minimal	Change to built fabric such that the asset is slightly modified. Change to setting of an historic building, such that it is noticeably changed.
Negligible/ Potential	Slight changes to building fabric or setting that hardly affect it.
No change	No change to building fabric or setting.

8.2 Impact Analysis

The following provides an analysis of impacts as a result of the proposed demolition of the buildings located on-site. Given that some portions of existing buildings meet criteria under *Ontario Regulation 9/06* and others do not, the analysis provided below is organized based on Buildings 1, 2, and 3 respectively.

8.2.1 Impact Analysis: Building 1

The following provides an assessment of the removal of the portions of Building 1 as indicated on Figures 44 & 45. The following analysis includes the permanent removal of the portions of the building which would be retained in the interim and removed during Phase II.

Impact	Level of Impact/Analysis
Demolition of any, or part of any, heritage attributes or features;	Overall, the level of impact on Building 1 is considered Moderate. The removal of the proposed portions of Building 1 (as noted on Figures 44) associated with Phase I which do not demonstrate CHVI is not considered an adverse impact. The removal of the remaining bays of windows of Sections "A" and "B" at the east elevation is considered a major adverse impact given that it includes the removal of heritage fabric. However, the scale and massing of the building, as well as the architectural attributes which contribute to the architectural style of the building continue to be represented and retained.

	Should the adaptive re-use of the building not proceed, there would be potential adverse impacts if the building was not able to function as a stand-alone building. This potential impact is mitigated given that the work plan includes retaining portions of the building in the interim.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance of a building;	None. The portions of Building 1 which are being retained are not proposed to be altered during Phase I.
Shadows created that obscure heritage attributes or change the viability of the associated cultural heritage landscape;	Not Applicable. Given that the proposed development includes the removal of portions of Building 1 and does not include the construction of new buildings, no impacts as a result of shadows are anticipated during Phase I. A review of potential shadow impacts as a result of any new construction is recommended to be included in a Phase II Heritage Impact Assessment.
Isolation of a heritage resource or part thereof from its surrounding environment, context or a significant relationship;	Moderate and temporary. The proposed retention of portions of the building (as described in this report) results in isolation of the retained part of the building until new development occurs and the retained building can be incorporated and interpretation of the history of the site can be developed as part of the new development.
Obstruction of significant identified views or vistas of, within, or from individual cultural heritage resources;	None. The building was designed with emphasis on architectural elements at the front facade. This portion of the building and will continue to be visible along Courtland Avenue.
A change in land use where the change affects the property's cultural heritage value; and	None.
Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource.	None.

7.2.2 Impact Analysis: Building 2

<i>Impact</i>	<i>Level of Impact/Analysis</i>
Demolition of any, or part of any, heritage attributes or features;	Minor. The removal of Building 2 will result in minor adverse impacts. The impact is minor rather than since the building does not demonstrate design/physical value. Provided that Building 1 is retained, the historical/associative value of the site is being retained and represented for the site.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance of a building;	Not Applicable. Given that the building is proposed for removal, no alterations are proposed.
Shadows created that obscure heritage attributes or change the viability of the associated cultural heritage landscape;	None.
Isolation of a heritage resource or part thereof from its surrounding environment, context or a significant relationship;	Minor. Buildings 1 and 2 maintained a functional relationship between each other for a short period of time. Building 2 was constructed as a supplementary structure for meat packing operations, likely at some point between 1918 and 1925 by the Schneider company. This building was only utilized by the Schneider company as a garage and goal storage for a short period of time. Once the Schneider operations and the functional relationship between the buildings discontinued, the buildings were no longer related to each other and operated as separate entities. Therefore, there is little to no isolation as a result of the removal of this building and the removal of the building would result in minor impacts.
Obstruction of significant identified views or vistas of, within, or from individual cultural heritage resources;	None. The removal of Building 2 will not result in the obstruction of any views.
A change in land use where the change affects the property's cultural heritage value; and	None.
Land disturbances such as a change in grade that alters soils, and drainage patterns that	Not Applicable.

adversely affect a cultural heritage resource.

7.2.3 Impact Analysis: Building 3

<i>Impact</i>	<i>Level of Impact/Analysis</i>
Demolition of any, or part of any, heritage attributes or features;	None. The removal of Building 3 is not anticipated to result in adverse impacts given that the building does not demonstrate Cultural Heritage Value or Interest. The building was utilized as an ancillary structure between 1930 and 1947 and is not associated with the J.M. Schneider operations.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance of a building;	Not Applicable. Given that the building is proposed for removal, no alterations are proposed.
Shadows created that obscure heritage attributes or change the viability of the associated cultural heritage landscape;	Not Applicable.
Isolation of a heritage resource or part thereof from its surrounding environment, context or a significant relationship;	None. Building 3 does not have a significant relationship with the site or Buildings 1 and 2 given that Building 3 was never utilized as part of the operations of the J.M. Schneider facility and was constructed subsequent to the Schneider operations moving off-site.
Obstruction of significant identified views or vistas of, within, or from individual cultural heritage resources;	None. The removal of Building 3 will not result in the obstruction of any views.
A change in land use where the change affects the property's cultural heritage value; and	None.
Land disturbances such as a change in grade that alters soils,	Not Applicable.

and drainage patterns that adversely affect a cultural heritage resource.	
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9.0 Consideration of Development

Alternatives, Mitigation Measures and Conservation Recommendations

9.1 Alternative Development Approaches

The following have been identified as a range of development alternatives that may be considered as part of the planning process. They have been listed in order from least to greatest impact on cultural heritage resources.

9.1.1 Retain all buildings in-situ and integrate them into the future development concept

This option would result in retaining all buildings (i.e. Buildings 1, 2, and 3) in their existing location in-situ while developing the remainder of the site. This option will result in significant challenges developing the remainder of the lot given the location and footprint of these buildings. Should this option be selected going forward, it would result in limiting the potential for maximising the use of the site. Given that this report has demonstrated that portions of Building 1, and the entirety of Buildings 2 and 3 do not demonstrate significant Cultural Heritage Value or Interest and are not considered good candidates for long-term conservation, this option is not necessary.

9.1.2 Retain all Buildings until a Planning Application is Submitted

This option would result in retaining all existing buildings until a Site Plan is completed and a Planning Application is submitted. This option would require that built fabric remain vacant and require mothballing until such more detailed plans are formulated. Given that some built fabric does not demonstrate CHVI, their removal can be supported. The proposal includes retaining the portions of Building 1 which are of primary significance and meets criteria under *Ontario Regulation 9/06*. This option would limit the ability to focus efforts related to mothballing and conservation on the

portions of Building 1 which are proposed to be conserved over the long-term. This option is unnecessary and is not recommended.

9.1.3 Retain Additional Portions Building 1 and Integrate with the Proposed Development

This option would result in retaining additional fabric of Building 1 over the long-term. This would include retaining **additional bays of sections "A" and "B"** (i.e. Bays 2-5, See Figure 47).



Figure 47: View of Sections "A", "B", and "C" noting portions proposed for Phase I retention (Source: MHBC, 2024)

This option would result in less adverse impacts since additional heritage fabric would be retained. However, the cultural heritage value of the site and its associations with the Schneider business can be retained with the portions of the building fronting Courtland Avenue.

9.2 Phase I Mitigation and Recommendations

The following is recommended in order to mitigate the identified impacts of the proposed removal of portions of Building 1 and the entirety of Buildings 2 and 3:

- That Buildings 1 and 2 be documented with photographs to supplement the historic record;
- That a Mothball/Temporary Protection Plan be completed before demolition to ensure that the retained portion of Building 1 (including the portion being retained in the interim) is appropriately protected; and
- That a Phase II Heritage Impact Assessment be required in the future when more detailed information related to the proposed development of the site is available.

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10.0 Recommendations and Conclusions

This report has determined that the subject property meets 2 criteria under *Ontario Regulation 9/06* for determining Cultural Heritage Value or Interest.

Summary of Phase I Impact Analysis:

The removal of Buildings 2 and 3 will result in negligible to minor adverse impacts. Overall, the proposed removal of portions of Building 1 are considered a moderate adverse impact. The removal of portions of Building 1 which are considered heritage attributes are limited to four bays of windows at the east elevation of **sections "A", "B"**.

Summary of Phase I Mitigation Recommendations:

The following is recommended in order to mitigate the identified impacts of the proposed removal of portions of Building 1 and the entirety of Buildings 2 and 3:

- That Buildings 1 and 2 be documented with photographs to supplement the historic record;
- That a Mothball/Temporary Protection Plan be completed before demolition to ensure that the retained portion of Building 1 (including the portion being retained in the interim) is appropriately protected; and
- That a Phase II Heritage Impact Assessment be required in the future when more detailed information related to the proposed development of the site is available.

11.0 Sources

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Appendix A

Terms of Reference

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Heritage Impact Assessment

63 Courtland Avenue East

Study Description:

A Heritage Impact Assessment (HIA) is a study to determine the impacts to known and potential cultural heritage resources within a defined area proposed for future repair, alteration or development. The study shall include an inventory of all cultural heritage resources within the planning application area. The study results in a report which identifies all known cultural heritage resources, evaluates the significance of the resources, and makes recommendations toward mitigative measures that would minimize negative impacts to those resources. This document sets out the standard requirements that must be included in an HIA.

Purpose:

The purpose of this Terms of Reference ("TOR") is to establish clear expectations and requirements for the preparation of a Heritage Impact Assessment submitted to the City of Kitchener. Compliance with these guidelines will help to expedite review times and mitigate the need for further revisions and submissions. Failure to satisfy the requirements set out in this TOR may result in an application being deemed incomplete. If an application is deemed incomplete it will be returned to the applicant to satisfy the necessary submission requirements.

It is staff's understanding that the HIA for this property might be submitted in stages. This Terms of Reference pertains to the assessment that is proposed to be done for Phase 1 only. Based on the findings of this phase, requirements for subsequent HIAs might change. The nature of the development application is unknown at this point. The subject property, 63 Courtland Avenue East, is listed as a non-designated property of cultural heritage value on the City's Municipal Heritage Register. The property is also located within the Cedar Hill Neighborhood Cultural Heritage Landscape. The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process.

When it is Required:

A Heritage Impact Assessment may be required on a property which is included on the City's Historic Buildings Inventory; listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register; designated under the *Ontario Heritage Act*; within or adjacent to a Cultural Heritage Landscape or where development is proposed adjacent to a protected heritage property (i.e. designated property). The requirement may also apply to unknown or recorded cultural heritage resources which are discovered during the development application stage or construction.

It is important to recognize the need for an HIA at the earliest possible stage of development, alteration or proposed repair. Notice will be given to the property owner and/or their representative as early as possible. When the property is the subject of a development application, notice of an HIA requirement will typically be given at the pre-application meeting, followed by written notification. The notice will inform the property owner of any known heritage resources specific to the subject property and provide guidelines to completing the HIA.

The City may scope the requisite information to be contained in the HIA on a case-by-case basis, and in consultation with any applicable external agencies through the pre-consultation process.

Qualified Person:

A Heritage Impact Assessment should be prepared by or under the direction of a professional who demonstrates a level of professional understanding and competence in the field of heritage conservation and who is registered with the Canadian Association of Heritage Professionals (CAHP) and in good standing. The CAHP that has authored or overseen the report shall take professional responsibility for its contents and the accuracy of the information contained therein. The report will also include a reference for any literature cited, and a list of people contacted during the study and referenced in the report.

Applicable Legislation:

Section 2 of the Planning Act indicates that Council shall have regard to matters of Provincial interest including the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest. Section 3 of the Planning Act requires that decisions of Council shall be consistent with the Provincial Policy Statement.

Policy 4.6.1 of the Provincial Policy Statement requires that protected heritage property which may contain built heritage resources of cultural heritage landscapes, shall be conserved. The Provincial Policy Statement also encourages planning authorities to develop and implement proactive strategies for the conservation of significant built heritage resources and cultural heritage landscapes. The Provincial Policy Statement defines a built heritage resource as a building, structure, installation or any manufactured or constructed part of remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an indigenous community. Conserved is defined as meaning the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, heritage impact assessment, and/or other heritage studies. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Report Contents:

The HIA shall include, but is not limited to, the following sections/information.

A. Introduction:

- ☐ Ownership/applicant information.
- ☐ Party/firm retained to write the report.

- ☐ The address of the subject property.
- ☐ Purpose of the Heritage Impact Assessment.

B. Site Description and Context Analysis:

- ☐ A description of the location of the site and its municipal and legal property address.
- ☐ A detailed site history, including a list of owners from the Land Registry Office and former site use(s).
- ☐ A written description of the buildings, structures and landscape features on the subject properties including building elements, building materials, architectural and interior finishes, natural heritage elements, and landscaping. The description will also include a chronological history of the buildings' development, such as additions and demolitions.
- ☐ Identification of adjacent heritage resources, including protected or listed heritage properties, properties identified on the City's Heritage Inventory, Cultural Heritage Landscapes, and Cultural Heritage Corridors.
- ☐ A clear statement of the conclusions regarding the cultural heritage value and interest of the subject property, clear identification of the specific Ontario Regulation 9/06 criteria met, and a bullet point list of heritage attributes.
 - ☐ If applicable, the statement shall also address the value and significance of any adjacent protected heritage property.
- ☐ Documentation of the subject properties to include current photographs of each elevation of the buildings, photographs of identified heritage attributes and a site plan drawn at an appropriate scale to understand the context of the buildings and site details. Documentation shall also include where available, current floor plans, and historical photos, drawings or other available and relevant archival material.

C. Summary of Development Proposal

- ☐ A detailed description of the proposed repair, alteration, or development including site design, any new structures or buildings, new proposed uses, and site details such as landscaping and lighting.
- ☐ A review of any buildings, structures or vegetation to be removed.
- ☐ A schedule of development phasing if multiple phases are proposed.
- ☐ Visuals (including but not limited to maps, aerial photography/imagery, renderings, photographs)
- ☐ The Phase 1 HIA should include what information is likely to be included in the subsequent HIAs depending on the proposed development.

D. Existing Planning Framework / Policy Review

- ☐ Identification of the relevant regulatory frameworks and policies, including:
 - The Planning Act
 - The Ontario Heritage Act
 - The Provincial Policy Statement
 - The Regional Official Plan
 - The City of Kitchener Official Plan
 - The City of Kitchener Cultural Heritage Landscape Study
 - Applicable Heritage Conservation District Plans
 - Applicable draft legislation (including bills which have not yet received Royal Assent); and
 - Any other applicable policy documents, studies, guidelines, and standards that pertain to the subject lands and proposal.
- ☐ Written analysis of how the proposed alteration/development is consistent with and/or conforms to the relevant land use planning framework.

E. Impact Analysis

- ☐ Detailed consideration of potential negative impacts, as identified in the Ministry of Tourism, Culture and Sport's Ontario Heritage Tool Kit, of the proposed alteration/development on all identified heritage resources.
 - Negative impacts may include but are not limited to repair/alterations that are not sympathetic or compatible with the cultural heritage resource, demolition/destruction of all or part of a cultural heritage resource, shadow impacts, isolation of heritage resources, direct or indirect obstruction of view, incompatible changes in land use, land disturbances etc.
 - These impacts also include any negative impacts that the proposed development might have on the Cedar Hill Neighborhood CHL, and its established character.
- ☐ The scale or level of each impact should be clearly stated, and appropriate and comprehensive justification of each conclusion provided.
- ☐ The influence and potential impact of the development on the setting and character of the subject property, surrounding area, and any adjacent protected heritage property should be addressed.
- ☐ For applications contemplating demolition, consideration of the embodied carbon emissions and material waste impact shall be included. Embodied carbon refers to emissions from the materials, construction process of a building, maintenance, repair, and its demolition and

disposal. Considerable carbon emissions are involved in the demolition and rebuilding of structures. In addition, demolition can result in significant material waste. Finding appropriate balances between demolition and new build as opposed to reuse and retrofitting of existing buildings is crucial for both heritage conservation and sustainability.

- ☐ Any supporting studies which aided in the conclusions of the impact analysis shall be identified, and a brief summary of the findings and conclusions provided.

F. Alternative Options and Recommendations

- ☐ Options shall be provided that explain how the significant cultural heritage resources may be conserved. These may include, but are not limited to, preservation/conservation in situ, adaptive re-use, integration of all or part of the heritage resource, relocation. Each alternative should create a sympathetic context for the heritage resource.
 - If contemplating demolition, comprehensive justification should be provided explaining why the proposed demolition is the preferred option. All other alternative should be explored before demolition is contemplated.
- ☐ Recommendations shall be made for mitigation measures which address and minimize identified adverse impacts. These mitigation measures should follow best conservation practices/principles and, when implemented, ensure that appropriate conservation is achieved. These recommendations should be also be considered for impacts to the Cedar Hill neighborhood CHL.

G. Conclusion

- ☐ Concluding statement summarizing the heritage value of the subject property, the anticipated impacts as a result of the proposed alteration/development etc, and the adherence to policy frameworks and best heritage conservation practices/principles.
- ☐ Summary of recommended mitigation measures to be implemented.

H. Mandatory Recommendation

- ☐ If the property(s) being assessed are included on the Inventory of Historic Buildings, do the properties meet the criteria for listing on the Municipal Heritage Register as a Non-Designated Property of Cultural Heritage Value or Interest?
 - Clear justification should be provided on why the consultant believes the property does or does not meet criteria for listing.
- ☐ If the property(s) is listed as a non-designated property of cultural heritage value on the City's Municipal Heritage Register, do the properties meet the criteria for heritage designation under Ontario Regulation 9/06 of the Ontario Heritage Act?

- Clear justification should be provided on why the consultant believes the property does or does not meet criteria for listing.
- Regardless of the failure to meet criteria for heritage listing or designation, do the properties warrant conservation as per the definition in the Provincial Policy Statement? Why or why not?

Approval Process

One (1) digital pdf copy shall be provided to Heritage Planning staff. The HIA will be reviewed by Heritage Planning staff and a recommendation will be made to the Director of Development and Housing Approvals. Approval of the HIA by either the Director of Development and Housing Approvals or the Heritage Planner is required prior to issuance of approval of the application.

Additional Information

1. City staff reserve the right to require a peer review of submitted material, to be conducted by a qualified heritage consultant at the expense of the applicant. The applicant will be notified of staff's comments and acceptance, or rejection of the report. An accepted HIA will become part of the further processing of a development application under the direction of the Planning Division. The recommendations within the final approved version of the HIA may be incorporated into development related legal agreements between the City and the proponent at the discretion of the municipality.
2. Deeming an application complete does not guarantee that the contents of the study are acceptable to City staff and/or that the application will be approved.
3. If a request for a HIA is not made at an earlier stage in the development process, this does not preclude the City from requesting a HIA at a later stage. Once an application has been deemed "complete", the City may require additional information, reports, and/or studies following a more detailed review to assess the implications of an application for approval.
4. The City of Kitchener is committed to complying with the Accessibility for Ontarians with Disabilities Act (AODA). In our everyday work with businesses institutions, and community partners we anticipate the same commitment to AODA compliance. Therefore, the HIA must be AODA compliant and must meet the current provincial standard for compliance. ‘
5. The City reserves the right to request an updated study, or an addendum thereto, should staff determine that changes in the development proposal or changes to legislation warrant further/modified planning analysis.
6. Documents and all related information submitted to the City as part of a complete development application are considered public documents once submitted.
7. This Terms of Reference document is intended to be used for guideline purposes only and will be used to provide technical direction throughout the planning and development process. Completion of a report in alignment with the requirements of this Terms of Reference will not guarantee approval of the development application in question.

8. This TOR is relevant at the time of publishing and will be updated as necessary to reflect current policy, best practices, and accepted standards. It is the applicant's responsibility to ensure the report is prepared in accordance with the most recent version of the TOR issued by the City.

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Appendix B

Title Search

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Chain OF TITLE**63 Courtland Ave E****Parcel Register 22499-0047 - LRO 58 Waterloo Ots 6-10 Plan 280 & Part Lots 218 & 234 Subdivision of Lot 17 German Company Tract****Previously Part of Lot 17 German Company Tract – Originally Part of Block 2 in the Indian Reserve**

Instr. No.	Type	Registration Date	From	To	Value / Land / Remarks
B-46291	Patent	5 Feb 1798 4 Jul 1952	CROWN (In Trust)	BEASLEY, RICHARD WILSON, JAMES ROSSEAU, ST. JOHN B.	94,012 Acres – Block 2 on the Grand River £8887.0.0
10	Mortgage	20 Jul 1798	BEASLEY, RICHARD WILSON, JAMES ROUSSEAU, JOHN BAPTISTE	SMITH, DAVID WILLIAM CLAUDE, WILLIAM STEWART, ALEXANDER	94,012 Acres – Block 2 on the Grand River – Comprising the Township of Waterloo
31	Deed of Partition	19 Feb 1801	WILSON, JAMES ROSSEAU, JOHN BAPTISTE	BEASLEY, RICHARD	64,590 Acres – Part of Block 2
33	Deed of Partition	19 Feb 1801	BEASLEY, RICHARD WILSON, JAMES	ROUSSEAU, JOHN BAPTISTE	26,860 Acres – Part of Block 2
100	Deed of Bargain & Sale	10 Mar 1804	ROSSEAU, JOHN BAPTISTE & wife	BEASLEY, RICHARD	26,860 Acres – Part of Block 2
101	Quit Claim	12 Mar 1804	JOSEPH BRANT, CHIEF WARRIOR OF THE MOHAWK OR FIVE NATIONS INDIANS	BEASLEY, RICHARD	13,430 Acres – Part of Block 2
122	Release of Mortgage & Reconveyance	23 Jul 1805	SMITH, DAVID WILLIAM CLAUDE, WILLIAM STEWART, ALEXANDER	BEASLEY, RICHARD	94,012 Acres – Block 2
123	Deed of Bargain & Sale	24 Jul 1805	BEASLEY, RICHARD & wife	ERB, DANIEL ERB, JACOB	60,000 Acres – Part of Block 2 – comprising the German Company Tract of the Township

Chain OF TITLE**63 Courtland Ave E****Parcel Register 22499-0047 - LRO 58 Waterloo Ots 6-10 Plan 280 & Part Lots 218 & 234 Subdivision of Lot 17 German Company Tract****Previously Part of Lot 17 German Company Tract – Originally Part of Block 2 in the Indian Reserve**

of Waterloo – see Memorial No. 122 which discharges No. 10

448	B & S	26 Jul 1805	ERB, DANIEL ERB, JACOB	HERSHY, BENJAMIN	448 Acres – Part Lot 17 G.C.T.
1839	B & S	11 Oct 1811	HERSHY, BENJAMIN	SCHNEIDER, JOSEPH	448 Acres – Part Lot 17 G.C.T.
94	B & S	20 May 1844	SCHNEIDER, JOSEPH	SCHNEIDER, JOSEPH E.	324 Acres - Part Lot 17 G.C.T.
3387	B & S	26 Jul 1875	SCHNEIDER, JOSEPH E.	SCHNEIDER, SAMUEL B.	\$5,000 – 153.6 Acres Lot 17 G.C.T.
3683	B & S	15 Aug 1876	SCHNEIDER, SAMUEL B.	SCHNEIDER, SARAH	2 Acres (Lot 218)
4250	B & S	29 Oct 1878	SCHNEIDER, SARAH Wife of & SCHNEIDER, DAVID	AHRENS, CHARLES A.	2 Acres – Part Lot 17 G.C.T. (Lot 218)
5546	B & S	27 Mar 1883	SCHNEIDER, SAMUEL B.	LEVAN, I. M.	Part Lot 17 G.C.T. (lot 234)
6606	B & S	1 Feb 1886	SCHNEIDER, SAMUEL B.	WILMS, JACOB	1.167 Acres – Part Lot 17 G.C.T (Plan 280) West Side of Peter St
6995	B & S	23 Oct 1886	LEVAN, ISAAC M.	EBY, BENJAMIN	Part Lot 17 G.C.T (lot 234)
8115 10878	B & S	17 Nov 1888 7 Sep 1894	EBY, BENJAMIN	EBY, DANIEL	Part Lot 17 G.C.T. (lot 234)
13010	B & S	24 Feb 1897	AHRENS, CHARLES ANDREW	SCHNEIDER, JOHN	0.9 Acres – Part Lot 17 G.C.T. (lot 218)
18921	B & S	6 May 1905	WILMS, JACOB	SCHNEIDER, JOHN M.	\$120.00 – Part Lot 17 G.C.T. (Plan 280) 0.32 1/5 Acres

Chain OF TITLE**63 Courtland Ave E****Parcel Register 22499-0047 - LRO 58 Waterloo Ots 6-10 Plan 280 & Part Lots 218 & 234 Subdivision of Lot 17 German Company Tract****Previously Part of Lot 17 German Company Tract – Originally Part of Block 2 in the Indian Reserve**

23045		6 May 1908			\$3,800.00 – Part Lot 17 G.C.T (Plan 280) 1.167 Acres
28408	B & S	24 Jul 1912	SCHNEIDER, J. M. etux	J. M. SCHNEIDER & SON LTD.	\$25,000.00 – Part Lot 17 G.C.T. (lot 218)
218	Plan of Subdivision	6 May 1920		JOHN SCHNEIDER	
44944	Grant	14 Jul 1921	SCHNEIDER, JOHN M. etux	J. M. SCHNIEDER & SONS LTD.	\$3700.00 – Lots 6-7-8-9-10
61347	Grant	3 Oct 1925	J. M. SCHNIEDER & SONS LTD.	SILVERWOOD, ALBERT E., TRUSTEE	\$65,000.00 – Lots 6-7-8-9-10
61347	Grant	1 Oct 1928	J. M. SCHNEIDER & SONS LTD.	SILVERWOOD, ALBERT E.	\$65,000.00 - Part Lot 17 G.C.T.
61349	Grant	3 Oct 1928	SILVERWOOD, ALBERT E.	SILVERWOODS KITCHENER DAIRY LTD.	\$1.00 – Lots 6-7-8-9-10 & Part Lot 17 G.C.T.
No Number For Plan	Municipal Plan	6 Mar 1930	Subdivision of Lot 17 German Company Tract		Lots 218 & 234
	Treas Consent	16 Dec 1931	DANIEL M. EBY – died 8 Dec 1931		Recitals & Treas. Consent in A97309
72539	Grant	16 Jul 1936	SILVERWOODS KITCHENER DAIRY LTD.	SILVERWOOD DAIRIES LIMITED	\$1.00 – Lots 6-7-8-9- pt lot 10 Plan 280 & Pt lt 218 Subdivision of 17 GCT
97309	Grant	16 Sep 1948	EBY, NATHANIEL F. Minister of the Gospel, City of Kitchener, formerly City of Detroit	EBY, NATHANIEL F. EBY, HATTIE M.	Part Lot 234 Subdivision of 17 GCT

Chain OF TITLE**63 Courtland Ave E****Parcel Register 22499-0047 - LRO 58 Waterloo Ots 6-10 Plan 280 & Part Lots 218 & 234 Subdivision of Lot 17 German Company Tract
Previously Part of Lot 17 German Company Tract – Originally Part of Block 2 in the Indian Reserve**

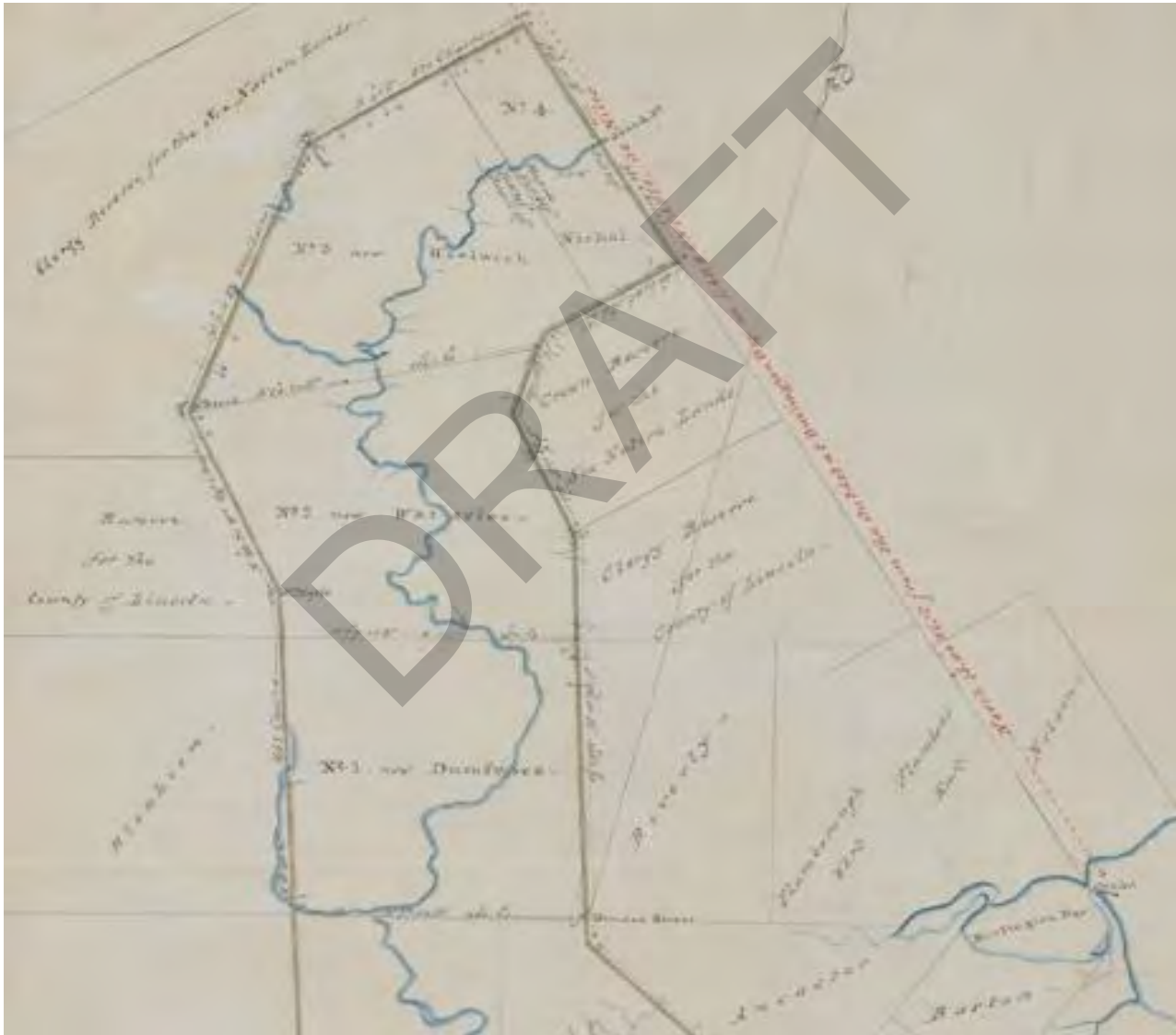
260523	Grant	31 Jul 1963	ESTATE OF HATTIE M. EBY	SILVERWOOD DAIRIES LTD.	\$7,700 – Part Lot 237 Subdivision of 17 GCT
566300	Grant	31 Mar 1976	SILVERWOOD INDUSTRIES LIMITED	HERPER INVESTMENTS LTD.	\$1.00 - Lots 6 to 9 & pt It 10 Plan 280 Lot 218 Subdivision of 17 GCT Ely 55 ft Lot 234 Subdivision of 17 GCT
590729	Deposit	25 Feb 1977	Declaration of Possession	WILLIAM IRVINE BARTON Secretary-Treasurer of SILVERWOOD INDUSTRIES LIMITED	Plan attached – copied below
58R2152	Ref Plan	21 Nov 1977			Parts 2, 3 & 4
763800	Grant	27 09 83	HERPER INVESTMENTS LTD.	KEN MANUFACTURING INC.	\$2.00 – Parts 2, 3 & 4 on 58R2152
763801	Mortgage	27 09 83	KEN MANUFACTURING INC.	TERMGUARD SAVINGS & LOAN COMPANY	\$310,000.00 – Land as in 763800
812392	Grant	03 06 85	COUNSEL TRUST CO.	534753 ONTARIO LTD	Parts 2, 3 & 4 on 58R2152
812392	Transfer	1985/06/03		534753 ONTARIO LIMITED	
Parcelized 1997/03/24 as Parcel Register 22499-0316 (R) - Pt Lots 218 & 234 Subdivision of Lot 17 German Company Tract & Part Lots 6, 7, 8, 9 & 10 Plan 280 – Parts 2, 3 & 4 on 58R2152					
This Parcel was created based on information contained in document 812392 which is recorded for pin identification only					
1533699	Transfer	2002/04/02	534753 ONTARIO LIMITED	DOREL'S INVESTMENTS INC.	\$225,000
New Parcel Register 22499-0047 Created 2003/02/17 – Part Lot 218 & Part Lot 234 Subdivision of Lot 17 German Company Tract & Part Lots 6, 7, 8, 9 & 10 Plan 280 – Parts 2, 3 & 4 on 58R2152					
Re-Entry From Parcel Register 22499-0047					

Chain OF TITLE

63 Courtland Ave E

Parcel Register 22499-0047 - LRO 58 Waterloo Ots 6-10 Plan 280 & Part Lots 218 & 234 Subdivision of Lot 17 German Company Tract
Previously Part of Lot 17 German Company Tract – Originally Part of Block 2 in the Indian Reserve

E. & O. E. – Completed by P.L.P. Titles Ltd. on the 4th April 2024 – Please note – Information has been gathered from On-Line Microfilmed copies of the Old Index Books – Due to the difficulty of analysing the information to compile this Chain of Title - Complete Accuracy cannot be relied upon - Names & Dates & Registration Numbers are difficult to read – Deeds have not been printed or descriptions plotted -



COURTLAND

AVENUE

590729

Schedule "B"

PLAN SHOWING
 LOTS 6, 7, 8 AND 9
 AND PART OF LOT 10, R. P. 280
 AND LOT 218 AND PART OF LOT 234
 SUBD. OF LOT 17, G. C. T.

CITY OF KITCHENER

SCALE: 1 INCH = 20 FEET

Plan attached to Deposit
 590729

NOTE

TOTAL AREA OF LANDS IS 1.619 AC.

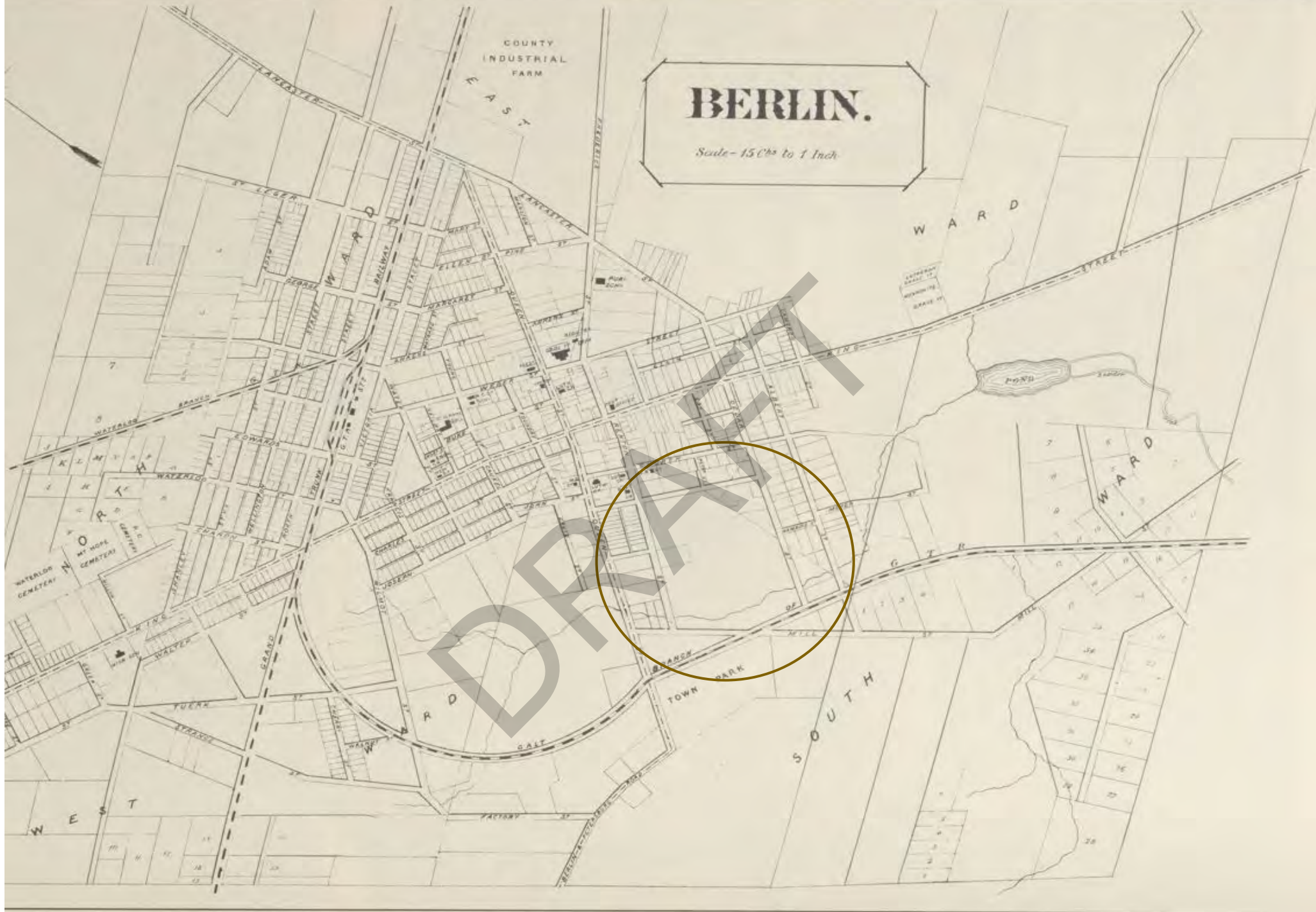
LEGEND

SIB - STANDARD IRON BAR
 RIB - RUND IRON BAR
 IT - IRON TUBE
 FCP - FENCE CORNER POST
 FWF - FIST AND WIRE FENCE

PREMISING THAT THE BOTHERLY LIMIT
 OF LOT 6, 7, 8, 9, 10 AND 11, R. P. 280
 HAS A BEARING OF N 50° 49' W AND
 RELATING ALL BEARINGS HEREON THERETO

JOHN METZ LTD.
 ONTARIO LAND SURVEYING
 71 WEBER ST. E., KITCHENER
 742-8371

Paul C. Whelan O.N.S.
 JULY 9, 1970 RESEPT PC 0007





MAP – MBP4GCT

KITCHENER
S.E. 1/4 LOT 17 G.C.T.

SCALE - 100' = 1"



COURTLAND

AVE.

PLAN

OF

PART LOT 17 G.C.T.

KITCHENER

Scale-50'=1"

This plan has been approved by the City of Kitchener Planning Commission.

W. W. Bingham Chairman.

N. J. Hellmuth Secretary.

This plan has been approved by the Ontario Railway and Municipal Board.

July 9th 1918. H. Chmell.

SECRETARY OF THE ONTARIO RAILWAY AND MUNICIPAL BOARD

Filed in the Registry Office for the County of Waterloo this 6th day of May A.D. 1920 at 10:01 o'clock A.M.
A. W. Munn
Deputy

ST.

BENTON

ST.

PETER

County of Waterloo To wit: I, Henry H. Schmidt, of the City of Kitchener in the County of Waterloo Book Keeper make oath and say:-
1. That I was personally present and did see this plan duly signed by J.M. Schneider the party thereto.
2. That the said plan was signed at the City of Kitchener.
3. That I know the said party.
4. That I am a subscribing witness to the said plan.
Sworn before me at the City of Kitchener this 19th day of April A.D. 1918.
Henry H. Schmidt

The Corporation of the City of Kitchener hereby consents to the filing of this plan in the Registry Office for the County of Waterloo. Kitchener, April 1918.

Mayor.

Clerk.

J.M. Schneider and Sons Ltd

Dan Eby

B. Joseph and William Seskin

MARTIN

ST.

Oberholtzer's

Survey

S.W. McDonald

I hereby certify that this plan shows the manner in which the land included therein, owned by me, has been subdivided, that the said lands are not encumbered and that this plan is to be filed in my behalf.

Owner.

Herbert Johnston
Ontario Land Surveyor.

PLAN OF SURVEY
SHOWING LOTS 6, 7, 8, 9 AND PART OF LOT 10
REGISTERED PLAN NO. 280
AND LOT 218 AND PART OF LOT 234
REGISTERED PLAN OF SUBDIVISION OF LOT 17, G. C. T.
CITY OF KITCHENER
IN THE REGIONAL MUNICIPALITY OF WATERLOO

FORMERLY IN THE
CITY OF KITCHENER
COUNTY OF WATERLOO

SCALE: 1 INCH = 20 FEET
1977.

CAUTION: THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN
THE MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.

NOTE: ALL HANGING LINES HAVE BEEN VERIFIED.

SCHEDULE OF PARTS			
PART	OWNER	AREA	COMPOSITION
1	HERPER INVESTMENTS LIMITED	795 SQ. FT.	PT LOT 218, SUBR OF LOT 17, G.C.T.
2		2,231 SQ. FT.	
3		1,790 SQ. FT.	
4		1,463 AC.	PT LOT 218, SUBR OF LOT 17, G.C.T. AND PT LOT 234, SUBR OF LOT 17, G.C.T.
5		1,000 SQ. FT.	PT LOTS 6, 7, 8 & 9, R.P. 280
6		330 SQ. FT.	PT LOT 234, SUBR OF LOT 17, G.C.T.

- LEGEND
- STANDARD IRON BAR (5.1.8)
 - IRON BAR (1.8)
 - ROUND IRON BAR (R.I.B.) (1.8" ROUND)
 - IRON TUBE (I.T.)
 - FD. - FOUND
 - WIT. - WITNESS
 - C.B. - CATCH BASIN
 - P.W.F. - POST AND WIRE FENCE
 - P.I. - POINT OF INTERSECTION
 - SHORT STANDARD IRON BAR (5.5.1.8)

PREMISING THAT THE SOUTHERLY LIMIT OF
LOTS 6, 7, 8, 9 AND 10, R.P. 280 HAS AN
ASTRONOMIC BEARING OF N 50° 49' W (AS
SHOWN ON R.P. 280) AND RELATING ALL
BEARINGS HEREON THERETO.

SURVEYOR'S CERTIFICATE

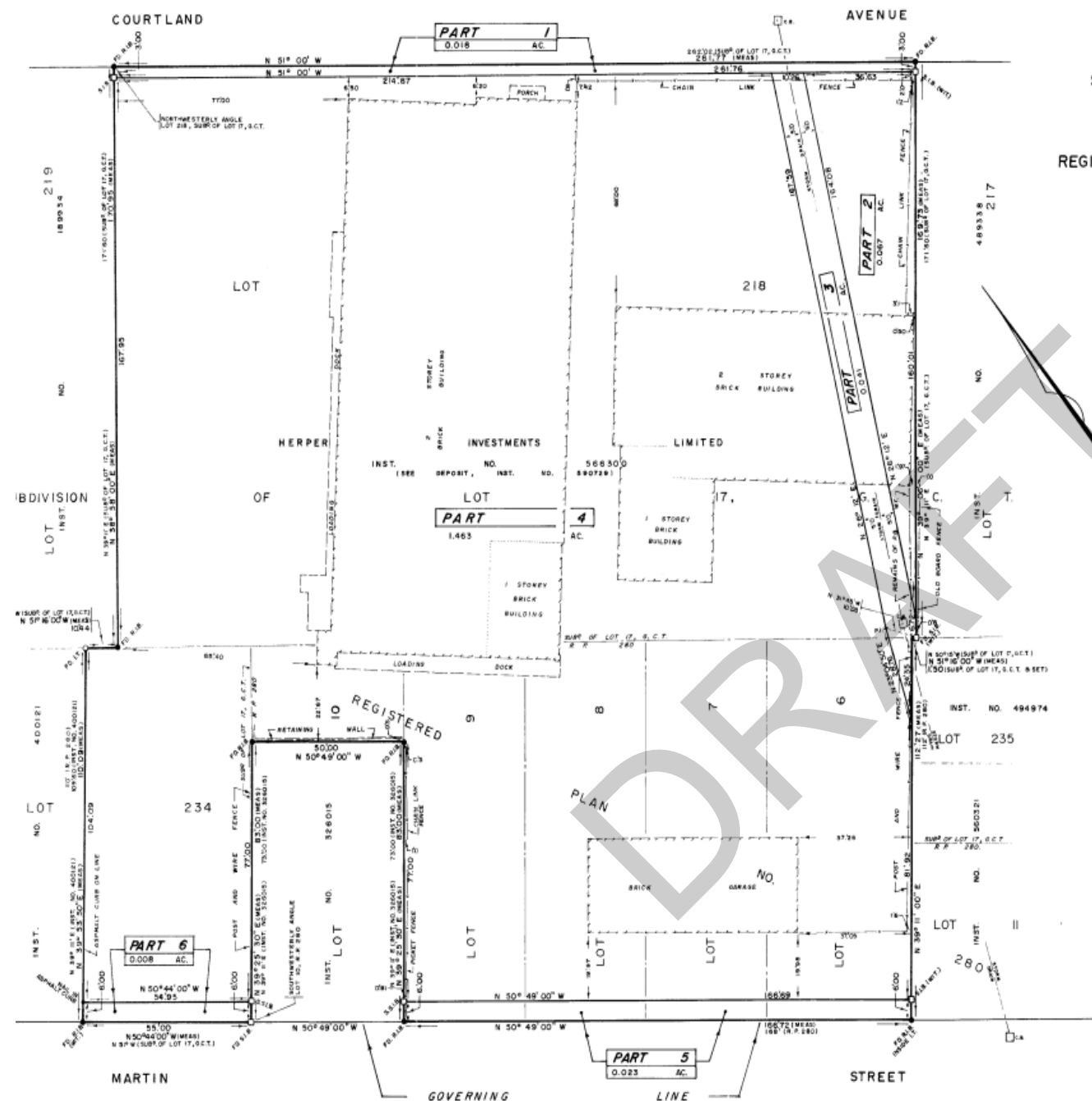
I HEREBY CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT
AND IN ACCORDANCE WITH THE SURVEYS
ACT AND THE REGISTRY ACT AND THE
REGULATIONS MADE THEREUNDER.
2. THE SURVEY WAS COMPLETED ON THE
27TH DAY OF OCTOBER, 1977.
DATED AT KITCHENER
NOVEMBER 4, 1977.

Paul C. Wyman
PAUL C. WYMAN
ONTARIO LAND SURVEYOR

JOHN METZ LTD.
ONTARIO LAND SURVEYING
71 WEBER ST. E., KITCHENER
N2G 2S7

REVISED NOV. 10, 1977 R.C.W.

NOVEMBER 4, 1977. [E.E.S.] R.C.W.



Appendix C

Structural Engineering Report (Tacoma, 2024)

DRAFT

Date:	December 9, 2024	No. of Pages:	3 + Encl.
Project:	Feasibility and Condition Assessment	Project No.:	TW-1481-24
Address:	63 Courtland Avenue, Kitchener, Ontario	Permit No.:	N/A
Client:	Cantiro		
Distribution:	Cecilia Silva Vanessa Hicks	Cantiro MHBC	CSilva@cantiro.ca vhicks@mhbcpplan.com

Background

Tacoma Engineers has been retained by Cantiro to carry out a structural review of the building located at 63 Courtland Avenue, Kitchener, Ontario. An overview of the building is shown in Photograph 1. The property is being considered for redevelopment, and the developer is wishing to understand the feasibility of retaining a portion of the building as a part of the proposed redevelopment. The subject building was originally constructed in 1909 by J.M. Schneider as a part of his business venture. As such, the building has historical value, and it is believed the City of Kitchener will want a portion retained as a part of any redevelopment of the property.

A site visit was carried out by Nick Lawler, P.Eng. on April 19, 2024 and November 6, 2024 to complete the assessment.



Photograph 1: Overview

Scope

This report is based on a visual inspection from grade only and does not include any destructive testing. No further structural analysis or building code analysis has been carried out as part of this report unless specifically noted. This report is not being prepared as a response to an Order, recommendations, or request by any regulatory body.

Observations

Construction

The building is constructed as a typical early 20th century factory, constructed with a mixture of wood and steel framing, supported on exterior masonry walls. The exterior masonry walls have been painted red, however the original brick does appear to be red brick. The age of the paint is unknown, but appears to be from the late 20th century, as it is peeling significantly.

Foundation walls are constructed with rubblestone mass masonry and appear to have been repaired at various times during the building history. An interior render, which has been painted white covered the interior face of the foundation walls in the basement area. Some areas of the building also contain concrete foundations, likely from the more modern additions.

Framing in the living area was mostly covered with finishes and was not accessible for view. The framing was visible in some open office areas, which had been left unfinished. The framing was found to be conventional wood framed construction, with steel beams used for longer spans. The main floor structure was confirmed to be reinforced concrete with structural steel beams, which was a typical construction for a heavy industrial floor area.

The complex contains several additions, which were used to expand the business and production area. These are less historically significant than the original 1909 one storey storefront building.

After the business was successful, the Schneider family constructed a second storey addition to the building, the early portion of the 20th century. The original “house” on the property, which was used in some capacity for the business was demolished as a part of these previous expansions.

Discussion

The interior of the building has been heavily modified from the date of original construction. As such, there is little to no historic fabric remaining on the interior of the building, beyond its association with the J.M. Schneider company.

The building was found to be in fair condition, with no observed damage that would cause concern for structural stability. However, the exterior masonry was showing signs of distress due to lack / incorrect maintenance practices over the years. Long term exposure to the elements will cause deterioration of the lime mortar joints in the brick, and the brick themselves. This damage can be accelerated with poor water management, caused by damaged downspouts, or poor roof flashings. The exterior masonry will need to be restored as a part of any redevelopment to ensure that the historic fabric is not compromised by the exterior weather elements.

In terms of redevelopment of the site, portions of the existing building complex will need to be removed. Retention of the most historic portions of the building are desired to be preserved and integrated into the redevelopment of the site. Several options exist to make this retention;

Selective Demolition Approach

It is structurally feasible to remove the rear portions of the building without affecting the structural stability of the building portion that would remain. The building has been constructed in “bays”, which are delineated with columns on a grid pattern. By retaining the first three to four bays of the original storefront building, the remaining portion could be removed. Additional structure would likely be required to provide lateral stability to the remaining portion of the building. These lateral elements may be a part of the proposed new structure, or could be purpose built to support the heritage portions of the building only. These decisions would be made as the project details develop along with the project architect and owners.

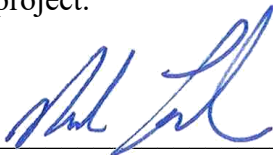
Facade Retention Only Approach

To maximize footprint of the new construction, the proposed development could see demolition of the interior wood framing, and conservation of the perimeter masonry walls. The interior wood framing currently provides the lateral support to the masonry walls. It is anticipated that the completed new structure will be designed to provide lateral support to the heritage walls over the long term life of the project.

During the construction phase of the project, the heritage masonry walls will require temporary support. Typically, this support is provided by a structural steel brace frame, tied into the masonry wall. Utilizing the space around the perimeter of the site, the structural steel frame is typically comprised of two vertical steel columns, with multiple horizontal and diagonal bracing members.

It is anticipated that after the redevelopment project is complete, and the temporary shoring framing removed, repairs to the brick masonry will be necessary. The repairs are required to provide long term durability to the brick masonry walls, and to repair any damage which occurs during construction. The project budget should include provisions for restoration of the brick façade which would include, repointing of the mortar joints, replacement of damaged brick units, and reinforcement and repair of step cracks in the brick. No significant repairs to the brick are expected to be required in advance of the temporary support framing, or redevelopment project.

Per



Nick Lawler, M.A.Sc., PE, P.Eng., CAHP
Waterloo Team Lead, Senior Associate
Tacoma Engineers

Encl. Nil



Date:	May 10, 2024	No. of Pages:	3 + Encl.
Project:	Feasibility and Condition Assessment	Project No.:	TW-1481-24
Address:	63 Courtland Avenue, Kitchener, Ontario	Permit No.:	N/A
Client:	Cantiro		
Distribution:	Cecilia Silva Vanessa Hicks	Cantiro MHBC	CSilva@cantiro.ca vhicks@mhbcpplan.com

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A site visit was carried out by Nick Lawler, P.Eng. on April 19, 2024 to complete the assessment.



Photograph 1: Overview

Scope

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The complex contains several additions, which were used to expand the business and production area. These are less historically significant than the original 1909 one storey storefront building.

After the business was successful, the Schneider family constructed a second storey addition to the building, the early portion of the 20th century. The original “house” on the property, which was used in some capacity for the business was demolished as a part of these previous expansions.

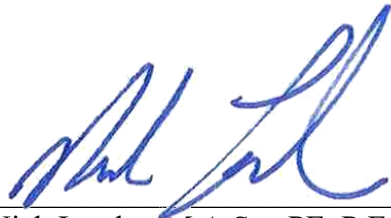
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The building was found to be in fair condition, with no observed damage that would cause concern for structural stability. However, the exterior masonry was showing signs of distress due to lack / incorrect maintenance practices over the years. The exterior masonry will need to be restored as a part of any redevelopment to ensure that the historic fabric is not compromised by the exterior weather elements.

In terms of redevelopment of the site, it is structurally feasible to remove the rear portions of the building without affecting the structural stability of the building that would remain. The building has been constructed in “bays”, which are delineated with columns on a grid pattern. By retaining the first few bays of the original storefront building, the remaining portion could be removed. It may also be structurally feasible to retain just the façade of the original storefront portion and integrate this into the future development.

Per



Nick Lawler, M.A.Sc., PE, P.Eng., CAHP
Waterloo Team Lead, Senior Associate
Tacoma Engineers



Encl. Nil

DRAFT

Appendix D

Staff Bios.

DRAFT

Dan Currie, B.A., B.E.S, M.A., M.C.I.P, R.P.P, C.A.H.P

Dan Currie, a Partner with MHBC, joined MHBC Planning in 2009, after having worked in various positions in the public sector since 1997 including the Director of Policy Planning for the City of Cambridge and Senior Policy Planner for the City of Waterloo.

Dan provides a variety of planning services for public and private sector clients including a wide range of policy and development work. Dan has experience in a number of areas including strategic planning, growth plan policy, secondary plans, watershed plans, housing studies and downtown revitalization plans. Dan specializes in long range planning and has experience in growth plans, settlement area expansions and urban growth studies. He has provided expert planning evidence to the Local Planning Appeals Tribunal and heritage planning evidence to the Conservation Review Board.

Vanessa Hicks, M.A, C.A.H.P

Vanessa Hicks is an Associate and Senior Heritage Planner with MHBC. Vanessa and joined the firm after having gained experience as a Manager of Heritage Planning in the public realm where she was responsible for working with Heritage Advisory Committees in managing heritage resources, Heritage Conservation Districts, designations, special events and heritage projects. Vanessa is a full member of the Canadian Association of Heritage Professionals (CAHP) and graduated from the University of Waterloo with a Masters Degree in Planning, specializing in heritage planning and conservation.

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