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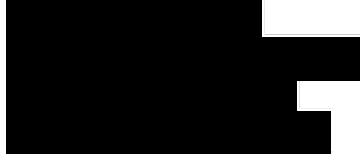
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MARILYN MILLS  
Committee Coordinator, Legislated Services  
Corporate Services Department  
Kitchener City Hall, 2<sup>nd</sup> Floor  
200 King Street West, P.O. Box 1118  
Kitchener, ON N2G 4G7  
Phone: 519-741-2200 ext. 7275  
marilyn.mills@kitchener.ca

**REGISTERED MAIL**

April 12, 2024



**RECEIVED**  
2024/04/12  
(YYYY/MM/DD)  
Ontario Heritage Trust

**Re: Designating By-law – 26 Courtland Avenue East**

Dear Property Owner:

This is to advise that the period to file an appeal against the passing of By-law 2024-031, designating the property municipally known as 26 Courtland Avenue East as being of historic and cultural heritage value or interest, has now passed and no appeals were received. Pursuant to Part IV of the *Ontario Heritage Act*, the property municipally known as 26 Courtland Avenue East is now designated as being of historic and cultural heritage value or interest. The By-law is registered on title at the Land Registry Office as Instrument No. WR1566194 and a copy has been attached for your information.

Designation under the *Ontario Heritage Act* requires the owner to obtain approval from the City prior to undertaking work including alterations, new construction and/or demolition, which is deemed to impact the heritage attributes as set out in the reasons for designation. Property owners shall contact Heritage Planning staff within the City's Development Services Department, prior to undertaking any work to determine if formal approval under the *Ontario Heritage Act* is required.

If you have any questions or concerns, please contact Victoria Grohn, Heritage Planner at 519-741-2200 ext. 7041.

Yours truly,

A handwritten signature in dark ink, appearing to read "M. Mills".

Marilyn Mills  
Committee Coordinator

cc: Registrar, Ontario Heritage Trust  
K. Hughes, Assistant City Solicitor  
V. Grohn, Heritage Planner  
**(cc'd parties by email only)**

Properties

PIN22500 - 0253    LT

DescriptionPART LOT 20 PL 398 KITCHENER; PART LOT 175 SUBDIVISION OF LOT 17 GERMAN COMPANY TRACT KITCHENER DESIGNATED AS PARTS 1 & 2 PL 58R18317; S/T & T/W 1545031; S/T INTEREST IN 1545031; CITY OF KITCHENER

Address26 COURTLAND AVENUE  
KITCHENER

Applicant(s)

This Order/By-law affects the selected PINs.

NameTHE CORPORATION OF THE CITY OF KITCHENER

Address for Service200 King Street West  
PO Box 1118  
Kitchener, Ontario  
N2G 4G7

This document is being authorized by a municipal corporation STEPHANIE STRETCH, ACTING MAYOR and AMANDA FUSCO, CLERK.

This document is not authorized under Power of Attorney by this party.

Statements

This application is based on the Municipality By-law See Schedules.

Signed By

Whitney Charlene Kleine200 King St. W.  
Kitchener  
N2G 4G7

acting for  
Applicant(s)

Signed2024 04 08

Tel519-741-2268

Fax519-741-2702

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

CITY OF KITCHENER200 King St. W.  
Kitchener  
N2G 4G7

2024 04 09

Tel519-741-2268

Fax519-741-2702

Fees/Taxes/Payment

Statutory Registration Fee\$69.95

Total Paid\$69.95

BY-LAW NUMBER 2024-031

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate the property  
municipally addressed as 26 Courtland Avenue  
East, in the City of Kitchener as being of  
historic and cultural heritage value or interest.

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. 0.18, authorizes the Council of a Municipality to enact by-laws to designate real property, including all of the buildings and structures thereon, or portions thereof, to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the City of Kitchener has received and considered the recommendations of its municipal heritage committee (Heritage Kitchener) regarding the designation of a property located at 26 Courtland Avenue East, Kitchener (the "Property");

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its Council Meeting held on December 11, 2023, to publish a Notice of Intention to designate the Property as being of cultural heritage value or interest pursuant to section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. O.18, and which resolution was confirmed by By-law No. 2023-183;

AND WHEREAS a copy of the Notice of Intent to Designate was served upon the registered owners of the Property Kitchener and upon the Ontario Heritage Trust;

AND WHEREAS a copy of the Notice of Intent to Designate was published in the Waterloo Region Record, which is a newspaper having general circulation in the City of Kitchener on December 15, 2023, a copy of which is attached to this by-law as "Schedule A";

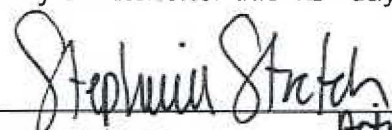

AND WHEREAS no Notice of Objection to the proposed designation has been served upon the Clerk of the City of Kitchener;

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

1. The building and property known as 26 Courtland Avenue East, Kitchener, as more particularly described in Schedule "B" and "C" to this by-law are hereby designated as being of cultural value or interest under Part IV, section 29 of the *Ontario Heritage Act*, R.S.O. 1990, C. 0.18;
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the whole of the property described in Schedule "D" to this by-law with the Land Registry Office;
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the registered owners of the property described in Schedule "D" to this by-law and on the Ontario Heritage Trust; and,
4. The City Clerk is hereby authorized to publish a notice of this by-law in a newspaper having general circulation in the City of Kitchener.

PASSED at the Council Chambers in the City of Kitchener this 12<sup>th</sup> day of February, 2024.



  
\_\_\_\_\_  
Acting Mayor  
  
\_\_\_\_\_  
Clerk



## SCHEDULE A

### NOTICE OF INTENTION TO DESIGNATE

#### 26 COURTLAND AVENUE EAST, KITCHENER



IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED, AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESSES IN THE PROVINCE OF ONTARIO:

#### NOTICE OF INTENTION

TAKE NOTICE that the Council of the Corporation of the City of Kitchener intends to designate the following municipal addresses as being of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended.

##### **24 Courtland Avenue East**

The property municipally addressed as 24 Courtland Avenue East demonstrates design/physical, historical/associative and contextual value. The design and physical value of the property relates to the unique Vernacular Victorian Gothic architectural style. Walk-up row housing is rare in the context of Kitchener, as there are not many examples of this housing typology within the City.

The historical and associative value of the property relates to the original owner, purpose, and relationship to adjacent industrial buildings. The walk-up row housing is representative of the industrial development that was taking place in Kitchener in the late 19<sup>th</sup> and early 20<sup>th</sup> century. The building was constructed by Martin Nelson to accommodate the female workers from the adjacent Williams, Greene and Rome Shirt and Collar Factory on Queen Street South (now known as the Bread and Roses Cooperative).

The contextual value of the property relates to the building's historic and visual link to the adjacent industrial buildings, including the former Williams, Greene and Rome Shirt and Collar Factory and the Arrow Shirt Factory.

##### **26 Courtland Avenue East**

The property municipally addressed as 26 Courtland Avenue East demonstrates design/physical, historical/associative and contextual value. The design and physical value of the property relates to the unique Vernacular Victorian Gothic architectural style. Walk-up row housing is rare in the context of Kitchener, with not many examples of this housing typology within the City.

The historical and associative value of the property relates to the original owner, purpose, and relationship to adjacent industrial buildings. The walk-up row housing is representative of the industrial development that was taking place in Kitchener in the late 19<sup>th</sup> and early 20<sup>th</sup> century. The building was constructed by Martin Nelson to accommodate the female workers from the adjacent Williams, Greene and Rome Shirt and Collar Factory on Queen Street South (now known as the Bread and Roses Cooperative).

The contextual value of the property relates to the building's historic and visual link to the adjacent industrial buildings, including the former Williams, Greene and Rome Shirt and Collar Factory and the Arrow Shirt Factory.

##### **58 Queen Street South**

The property municipally addressed as 58 Queen Street South demonstrates design/physical, and historical/associative, and contextual values. The design and physical value of the property relates to the building being a representative example of the Renaissance Revival architectural style that is in good condition with many in-tact original elements.

The historical and associative value of the property relates to the original owner and use of the property, as well as the contribution made to the history of Kitchener's development.

The contextual value of the property relates to its contribution to a collection of buildings constructed during the industrial and commercial development of Kitchener. The building on the subject property is in its original location and maintains historical and visual links to its surroundings.

##### **66 Queen Street South**

The property municipally addressed as 66 Queen Street South demonstrates design/physical, and historical/associative, and contextual values. The design and physical value of the property relates to the building being a representative example of the Renaissance Revival architectural style that is in good condition with many in-tact original elements.

The historical and associative value of the property relates to the original owner and use of the property, as well as the contribution made to the history of Kitchener's development.

The contextual value of the property relates to its contribution to a collection of buildings constructed during the industrial and commercial development of Kitchener. The building on the subject property is in its original location and maintains historical and visual links to its surroundings.

##### **73 Young Street**

The property municipally addressed as 73 Young Street demonstrates design/physical, and historical/associative, and contextual values. The design and physical value of the property relates to its Gothic architectural style, laid out in the shape of a Latin Cross with extensive use of decorative brick and stone masonry, buttresses, and circular brick tiles, and overall symmetry of the church with similar facade and fenestration patterns throughout.

The historical and associative value of the property relates to the original owner and use of the property and building, and the contributions made to Kitchener's history. The land has always been used as a church and contains one of the oldest churches in Kitchener. The subject property has direct associations with Arthur William Holmes, a prominent architect who devoted most of their career to designing buildings for the Roman Catholic Church in Southern Ontario.

The contextual value of the property relates to physical, historical, functional, and visual links to the building's surroundings. The church building has a strong visual presence, including important views, on Duke Street and Young Street as the building occupies a large site slightly elevated on a hill. The church building has also been recognized as a landmark within the City of Kitchener.

##### **4 King Street East/1 Queen Street South**

The property municipally addressed as 4 King Street East/1 Queen Street South demonstrates design/physical, historical/associative, contextual, and economic values.

The design and physical values relate to the Italianate architectural style that is in good condition with many intact original elements.

The historical and associative values relate to the original owner and use of the building. The original owner of the building was Louis Breithaupt while the original use of the building was a hotel, titled the American Hotel. The building is the oldest commercial building in the City. Louis Breithaupt was a prominent business in Berlin as well as a former mayor, and his contributions to the development of Berlin form an integral chapter in Berlin's commercial and industrial development.

This building has contextual value, being built in the downtown commercial core of then-Berlin and part of a group of buildings that were built at the onset of industrial and commercial development in the City. Today, these buildings are in the downtown commercial core of Kitchener and greatly contribute to the character of the area. The building is in its original location and maintains historical and visual links to its surroundings. Furthermore, the building is located at a prominent intersection in the downtown city core.

##### **2-22 Duke Street West**

The property municipally addressed as 2-22 Duke Street West demonstrates design/physical, historical/associative, and contextual values. The building municipally addressed as 2-22 Duke Street East has design and physical value, being a notable and unique example of the Art Deco architectural style as well as displaying a high degree of craftsmanship through the many detailed elements of the structure.

The property has historical and associative values, as it relates directly to the theme of economic growth and development in the downtown area and has direct association with the Breithaupt family through its original ownership.

The contextual value of the property relates to its physical, historical, functional, and visual link to its surroundings. The building sits on the intersection of Queen Street North and Duke Street East, in its original location. It retains its original use as the home to multiple local businesses.



#### 40 Chapel Hill Drive

The property municipally addressed as 40 Chapel Hill Drive demonstrates design/physical, historical/associative, and contextual values.

The design and physical value of 40 Chapel Hill Drive resides in its Modern architectural style, layout in an irregular floor plan and utilizing a mix of natural building materials including stone, vertical wood siding and wood shingles. The chosen design is symbolic in nature, and relates to the theology of the Carmel Church of New Jerusalem.

The historical and associative value of 40 Chapel Hill relates to the original owners and use of the property and building. The building was constructed by the Carmel Church of New Jerusalem, who remain the owners to date. The Carmel Church of the New Jerusalem is a society of the New Church, which is a Christian denomination that follows the theological writings and interpretations of famous 18<sup>th</sup> century Swedish scientist, philosopher, and theologian Emanuel Swedenborg. Such sects can be referred to as Swedenborgians. The Pennsylvania groups of Swedenborgians were one of the principal sources of immigration to Waterloo County, and later enabled the emergency of the Berlin Association in the middle of the nineteenth century. The property also provides some insight into patterns of growth and development within the area, being formerly the centre of an independent and self-sufficient church community known as Caryndeale. Urbanization and a growing population led to the community's eventual annexation into Kitchener in the 1970's. Finally, the associative value of the church relates to its designer, prolific local architect John Langwood.

The contextual value of 40 Chapel Hill Drive relates to its importance in maintaining the character of the church-centred community formerly known as Caryndeale. Though the area's title has changed from community to neighbourhood and it has grown significantly through the construction of new subdivisions as well as infill development, the predominant residential use of the area remains. The subject property and the surrounding area have been identified as being a Cultural Heritage Landscape.

#### 54-58 King Street West

The property municipally addressed as 54-58 King Street West demonstrates design/physical, historical/associative, and contextual values.

The design and physical value of 54-58 King Street West resides in its architecture and physical construction. The building is a unique expression of Modernist architecture that also utilizes classical and neo-classical motifs. It is this sophisticated blending of different styles from varying eras that make the subject property a significant piece of architecture within the community. Through its material use and other detailing it also displays a high degree of craftsmanship.

The historical and associative value of the property lay in its significant association with banking institutions. Prior to becoming the Bank of Nova Scotia in 1925, the property held a building formerly known as the Mermer Block, which was occupied by the Union Bank. The Mermer Block was demolished in 1962 and replaced with the existing one-storey building. This building also has significance due to its association with programs and initiatives undertaken by the bank that reflected how such institutions and their processes changed and developed over time. It reflects the economic climate of both the area and, to some degree, the country at the time of its construction. The building was designed by Carl Albert Rieder, a prominent local architect who made significant contributions to the field during the span of his career.

The contextual value of 54-58 King Street West relates to its importance in maintaining the commercial character of the surrounding area, as well as its physical, functional, visual, and historical link to its surroundings. It is within the Downtown Cultural Heritage Landscape, which is within the City Centre District and is an area that has historically been recognized as the heart of the downtown and a focal point of the Region. In addition, the distinct architectural style of 54-58 King Street West and its location on a corner lot along a primary road makes the building prominently visible and easily recognizable.

#### 70 Francis Street North

The property municipally addressed as 70 Francis Street North demonstrates design/physical, historical/associative, and contextual values.

The building at 70 Francis Street North has design and physical value, being a representative example of a 19<sup>th</sup>-20<sup>th</sup> century residential dwelling constructed in the Queen Anne Revival architectural style.

The property has historical and associative value due to it's original ownership as well as its connection to the theme of economic development within the City. The residential dwelling was built for Albert Ruby, a prominent citizen and life-long resident of Berlin (now Kitchener) and a major contributor to the furniture industry within the area. H. Krug Furniture Company was established in the 1890's by Albert Ruby in partnership with Hartman Krug. Its establishment was instrumental to the growth and development of the City and its economy, being reputed to be the largest furniture plant in the British Empire in the early 1900's. Krug Furniture continues to be a leader in the design and manufacturing of furniture solutions, specifically now for offices and healthcare, and it remains one of the oldest businesses still operating in Kitchener. The Ruby family still has direct and significant ties with the company, with Len Ruby being its president in 2023.

The contextual value of 70 Francis Street North relates to the physical, historical, and visual links to the surrounding area. The building is in its original location along Francis Street North and is surrounded by other historic buildings. Though the house is now used as an office space, it continues to contribute to the continuity and character of the Francis Street North streetscape. Further, it is historically linked to the Krug Furniture factory located in proximity at 101 Athens Street West/105 Breithaupt Street.

#### 144-150 King Street West

The front facade of the property municipally addressed as 144-150 King Street West demonstrates design/physical, historical/associative, and contextual values.

The design and physical value of the building resides in its architecture and physical construction, as the building is a representative example of the Classical Revival architectural style. A high degree of technical and scientific achievement is demonstrated, as the front facade is likely the first in the City to be built with precast concrete. In addition, it is believed that this building was the first within the City to install an elevator.

The property has historical and associative value due to its connection to the theme of economic development in the downtown area. In 1849 David Weber sold a one-acre parcel of land north of King Street and east of Young Street, all within Lot 16 and part of the 3-acre trade made by his father-in-law in 1833 to Frederick Gaukel. This parcel became the site of the Mayfair Hotel and the Weber Chambers, which is the inscription seen on the parapet of 144-150 King Street West. The Weber Chambers building originally housed storefronts on the ground floor and office spaces above, and was home to a number of notable tenants.

The contextual value of the building relates to its importance in maintaining the commercial character of the surrounding area, as well as its physical, functional, visual, and historical link to its surroundings. The surrounding area is occupied by a mix of uses, with hotels, banks, and other commercial enterprises being the original anchors of the commercial core. Though the upper storeys are now residential units, the ground floor maintains its original commercial use and continues to support the commercial character of the area.

#### 149-151 Ontario Street North

The property municipally addressed as 149-151 Ontario Street North demonstrates design/physical, and historical/associative values. The building is an early example of a late 19<sup>th</sup> century, semi-detached, vernacular brick building with both Italianate and modest Georgian influences.

The property has historical and associative value because it is the last remaining example of a residential building in this section of Ontario Street North, and is an example of a working class residence.

#### 625 New Dundee Road

The property municipally addressed as 625 New Dundee Road demonstrates design/physical, historical/associative, and contextual values.

The dwelling on the lot is a representative and early example of a dwelling constructed in the Gothic Revival Cottage architectural style. Common features characteristic of this specific style are displayed, and the building was constructed prior to Confederation in 1867.

Historical/associative values are displayed as the property was once a working 19<sup>th</sup> century agricultural farm complex and is therefore associated with themes of agriculture and mid-19<sup>th</sup> century agricultural practices. Further, it is associated with the theme of early settlement in the Bersey's Old Survey area of Waterloo Township. The structure also demonstrates local materials available to settlers and common construction methods utilized during the late nineteenth century and, when compared to similar style buildings within the area, reveals some architectural trends.

The dwelling on the lot has contextual value as the surroundings largely retain their rural character. The farmhouse also maintains a relationship to, and remains oriented towards New Dundee Road, which is the original settlement road that once bisected the lot. As such, the dwelling has a physical link to its surroundings.

#### 67 King Street East

The property municipally addressed as 67 King Street East demonstrates design/physical, historical/associative, and contextual values.

The design and physical value of the subject property resides in the architecture and physical construction of the building. It is a unique and representative example of the International architectural style in a commercial building.

The building possesses historical and associative value due to its original use and ownership. The building was originally owned and operated by the Canada Permanent Trust Company, whose origins as a trust company date back to 1885. At the time that 67 King Street East was constructed, Canada Permanent was the oldest trust company in Canada. The architecture firm which designed the building also contributes to the historical and associative value of 67 King Street East. The building was designed by the firm of prominent local architect Carl Rieder.

The contextual value of 67 King Street East relates to its importance in maintaining the commercial character of the surrounding area, as well as its physical, functional, visual, and historical link to its surroundings. The subject property is located within the Downtown Cultural Heritage Landscape, in an area commonly recognized as the heart of the downtown and the historically focal point of early development in what was then Berlin. Further it is located in-situ within a notable setting, as the building provides a frame for the adjacent Speakers Corner Park space.

The full Statement of Significance, containing a list of the heritage attributes, is available in the Office of the City Clerk by contacting [cityclerk@kitchener.ca](mailto:cityclerk@kitchener.ca) during normal business hours. Any person may send by Registered Mail, or deliver to the Clerk of the City of Kitchener, notice of their objections to the proposed designation, together with a statement of the reasons for objection and all relevant facts, to be received by the Clerk no later than the 14<sup>th</sup> day of January, 2024. If a Notice of Objection is received, the Council of the Corporation of the City of Kitchener will refer the matter to the Ontario Land Tribunal (<https://olt.ontario.ca/>) for a hearing and report.

Dated at Kitchener the 19<sup>th</sup> day of December, 2023.

Amanda Fusto  
Director of Legislated Services & City Clerk  
City Hall, P.O. Box 1115  
200 King Street West  
Kitchener, Ontario N2G 4C7



## SCHEDULE B

### STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

#### 26 COURTLAND AVENUE EAST, KITCHENER

##### **Description of Cultural Heritage Resource**

26 Courtland Avenue East is one unit of a three-storey late 19<sup>th</sup> century brick row house building built in the Vernacular Victorian Gothic architectural style. Part of a walk-up row housing block known as "Nelson's Terrace" - the building is situated on a 0.05 acre parcel of land located on the north side of Courtland Avenue between Queen Street and Benton Street in the Mill Courtland Woodside Park Planning Community of the City of Kitchener within the Region of Waterloo. The principal resource that contributes to the heritage value is the 9-unit walk-up row house building.

##### **Heritage Value**

26 Courtland Avenue East is known for its design/physical, historical/associative, and contextual values.

##### **Design/Physical Value**

The design and physical values of 26 Courtland Avenue East relate to the unique Vernacular Victorian Gothic architectural style that is in good condition with many intact original elements. The design value also relates to the walk-up row house building. Walk-up row housing is rare in the context of Kitchener, with not many examples of this housing typology in the City.

The building features:

- Yellow brick construction;
- Decorative brick work, including brick voussoirs, brick label trim and tri-brick keystones on the front façade of row-house;
- Flat roof with cornice, fascia and frieze;
- 2<sup>nd</sup> floor segmental door opening with voussoir;
- Segmental window openings;
- Original 1/1 hung windows and window transoms on the basement and ground level of the front façade.

##### **Historical/Associative Value**

The historical and associative values of 26 Courtland Avenue East relate to the original owner, purpose, and relationship to adjacent industrial buildings.

The building was constructed by Martin Nelson to accommodate the female workers from the adjacent Williams, Greene and Rome Shirt and Collar Factory on Queen Street South. Nelson also established the Nelson & Forsyth Foundry on King Street West at College Street. The Foundry produced furnaces, boilers, pipes, and heaters. Significant later owners of the row house building included: Isaac Shantz, A.O. Boehmer, and Joseph Bingeman.

Isaac Shantz took over Nelson's Foundry and the Shantz's operated it until 1910. He also bought the row-housing block. The units of the row house were individually sold beginning in 1947.

This walk-up row housing is also representative and supports the industrial development that was taking place in Kitchener in the late 19<sup>th</sup> century and early 20<sup>th</sup> century.

##### **Contextual Value**

The contextual value of 26 Courtland Avenue East relates to the historic and visual links to the adjacent industrial buildings, including the former Williams, Green and Rome Shirt and Collar Factory (now known as the Bread and Roses Cooperative) and the Arrow Shirt Factory.

## **SCHEDULE C**

### **DESCRIPTION OF HERITAGE ATTRIBUTES**

26 COURTLAND AVENUE EAST, KITCHENER

#### ***Description of the Heritage Attributes***

The heritage value of 26 Courtland Avenue East resides in the following heritage attributes:

- All elements related to the construction and Vernacular Victorian Gothic architectural style of the building, including:
  - Yellow brick construction;
  - The original height, scale, and massing of the townhouse;
  - Original windows and window openings, including:
    - Segmental window openings;
    - 1/1 hung windows; and,
    - Stained glass transom;
  - Original doors and door openings, including:
    - 2<sup>nd</sup> floor segmental door opening;
    - Stained glass transom;
  - Roof and roofline, including:
    - Flat roof;
    - Cornice, fascia, and frieze;
  - Decorative brickwork, including:
    - Brick voussoirs;
    - Brick label trim; and,
    - Tri-brick keystones.
  - Stone Foundation



## **SCHEDULE D**

### **LEGAL DESCRIPTION**

PART LOT 20 PL 398 KITCHENER; PART LOT 175 SUBDIVISION OF LOT 17  
GERMAN COMPANY TRACT KITCHENER DESIGNATED AS PARTS 1 & 2 PL  
58R18317; S/T & T/W 1545031; S/T INTEREST IN 1545031; CITY OF KITCHENER

Being all of PIN 22500-0253 (LT)