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BY-LAW NUMBER

2003-179

of the

CITY OF KITCHENER

(Being a by-law to designate part of the property municipally known as 437 Pioneer Tower Road in the City of Kitchener as being of cultural heritage value or interest).

WHEREAS section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18., authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council of The Corporation of the City of Kitchener resolved at its Council Meeting held the 16th day of June, 2003 to publish a Notice of Intention to designate part of the aforesaid real property more particularly hereinafter described, and which resolution was confirmed by By-law No. 2003-116 passed by the Council of The Corporation of the City of Kitchener at its Council Meeting held the 16th day of June, 2003;

AND WHEREAS the Council of The Corporation of the City of Kitchener has caused to be served on the owner of the land and premises known municipally as 437 Pioneer Tower Road in the City of Kitchener, and upon the Ontario Heritage Foundation, a Notice of Intention to designate as being of cultural heritage value or interest that part of the aforesaid real property more particularly hereinafter described, and has caused such Notice of Intention to be published in a newspaper having general circulation in the municipality;

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

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

1. There is designated as being of cultural heritage value or interest that part of the aforesaid real property known municipally as 437 Pioneer Tower Road which includes the following specific features:

Specific features of significance on the farmhouse include all building elevations; the fieldstone foundation; roof and roofline; return eaves; window and door openings, and 6 pane attic windows in gable ends.

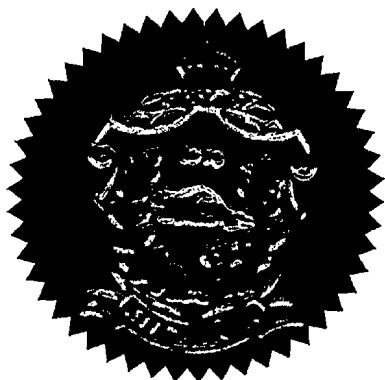
Specific features of significance on the driveshed include all building elevations; the fieldstone foundation; roof and roofline; window and door openings; door hardware on north and west elevations; and the 6/6 windows.

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 "A" attached hereto (of which the said designated area forms a part) in the proper land registry office.
3. The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in a newspaper having general circulation in the municipality.

PASSED at the Council Chambers in the City of Kitchener this 29th day of
September, 2003.

Carl J. Zehr
CARL J. ZEHR MAYOR

Randy Gosse
RANDY GOSSE DEPUTY CLERK



SCHEDULE "A"

Part of lot 12, Beasley's Broken Front Concession, designated as Part 2 on Reference Plan 58R-14114, City of Kitchener, Regional Municipality of Waterloo.

Being part of PIN 22733-0529.

REASONS FOR DESIGNATION

437 Pioneer Tower Road

Historically, the property is part of the earliest (Spring 1800) inland non-native settlement of what would become Waterloo County. Samuel Betzner Sr. purchased 150 acres of Lot 12 from Richard Beasley to be close to his family. Betzner Sr. was 62 years of age when he and his wife (Maria Detweiler) migrated from Pennsylvania and settled on the land. In 1806, the year his wife Maria died, Samuel Betzner Sr. sold the farm to his youngest son John. The existing farmhouse and driveshed buildings are attributed to having been built by John Betzner, c. 1830.

The built resources and land on which 437 Pioneer Tower Road is located and its historic association with the founding families of Waterloo County are also of cultural heritage significance. The landscape, which includes unobstructed views to the Grand River (designated a Canadian Heritage River) still boasts many features which originally influenced its settlement including rich fertile soils, a mixture of dense forest and open meadows and proximity to water.

Architecturally, the Betzner farmhouse serves as an example of a Mennonite Georgian residence. Of significance are the symmetrical proportions and base architectural features that identify the farmhouse as a Mennonite Georgian structure. Specific features of significance include all building elevations; the fieldstone foundation; roof and roofline; return eaves; window and door openings, and 6 pane attic windows in gable ends.

Specific features of significance on the driveshed include all building elevations; the fieldstone foundation; roof and roofline; window and door openings; door hardware on north and west elevations; and the 6/6 windows.