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BY-LAW NUMBER

2003-227

of the

CITY OF KITCHENER

(Being a by-law to designate part  
of the property municipally  
known as 381 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 20<sup>th</sup> day of October, 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. 2003-196 passed by the Council of The Corporation of the City of Kitchener at its Council Meeting held the 20<sup>th</sup> day of October, 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 381 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 381 Pioneer Tower Road which includes the following specific features:

All exterior elevations of the farmhouse including the rear summer kitchen annex with two storey verandah and square posts and ballusters, but excluding the west gable end chimney; single bay pedimented stoop entrance with turned posts and side benches; all window openings, windows and sills including 6/6 double hung sash and storm, and 6 pane end lights and twin light cellar sashes; door and door openings including front entrance paneled door with 5 pane transom and 3 pane sidelights, kitchen annex entrance paneled door with twin gothic windows, but excluding the door opening on the south (rear) elevation; roof and roofline including wooden moulded frieze and return eaves.

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

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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 15<sup>th</sup> day of December, A.D. 2003.



Carl J. Z...  
MAYOR

[Signature]  
CLERK  
DEPUTY

## Reasons for Designation

### 381 Pioneer Tower Road

Historically, the property is part of the earliest (Spring 1800) inland non-native settlement of what would become Waterloo County. The existing farmhouse was built c. 1830 by David Sherk who was born September 7, 1801 and who was reportedly the first non-native child born in Waterloo County. David Sherk would become a deacon and in 1838 ordained to the ministry. He was the son of Joseph Schoerg, who together with Samuel Betzner were the first Pennsylvania Mennonite pioneers to settle in Waterloo County.

Architecturally, the farmhouse serves as an excellent example of a Mennonite Georgian residence. Specific features to be designated include: all exterior elevations including the rear summer kitchen annex with two storey verandah and square posts and ballusters, but excluding the west gable end chimney; single bay pedimented stoop entrance with turned posts and side benches; all window openings, windows and sills including 6/6 double hung sash and storm, and 6 pane end lights and twin light cellar sashes; door and door openings including front entrance paneled door with 5 pane transom and 3 pane sidelights, kitchen annex entrance paneled door with twin gothic windows, but excluding the door opening on the south (rear) elevation; roof and roofline including wooden moulded frieze and return eaves.

SCHEDULE "A"

Part of Lot 11, Beasley's Broken Front Concession, City of Kitchener, Regional Municipality of Waterloo now designated as Part 1 on Reference Plan 58R-10533, *being part of part 15 on 58R-11339.*

~~-Being part of PIN #22733-0151 (LT).-~~