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SEP 30 2005

RECEIVED

BY-LAW NUMBER 2005-163

of THE CORPORATION

OF THE CITY OF KITCHENER

(Being a by-law to designate part of the property municipally known as 318 Duke Street West 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. 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 4th day of July, 2005 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. 2005-137 passed by the Council of The Corporation of the City of Kitchener at its Council Meeting held the 4th day of July, 2005;

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 318 Duke Street West 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:

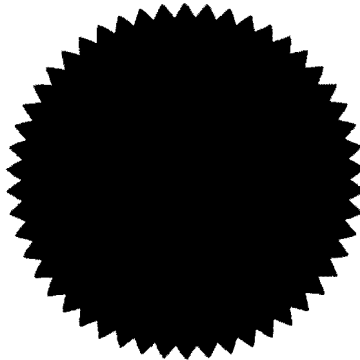
1. There is designated as being of cultural heritage value or interest that part of the aforesaid real property known municipally as 318 Duke Street West which includes the following specific features:

All building elevations including original 3 storey 'L' shaped plan with 1 and 1 1/2 storey ell side extension, 2 storey rear extension, and attached 22 metre hose

tower; stone foundation; red brick facades and brick detailing including pilasters and corbelling at the foundation and below the cornice on the north elevation, brick voussoirs above window and door openings, and semi-elliptical headed arcade on the hose tower; 1913 date stone on the west elevation; all window and door openings including garage door openings; all wood windows and doors, excluding the garage doors; the 5-panel double wood doors on the second storey of the north elevation; concrete sills; wood soffit and fascia; roof and roofline including parapet walls and brick chimney; and excluding the framed and open vertical shaft of the interior of the hose tower from ground to top floor and any other interior space.

2. A statement of the Property's cultural heritage value or interest is attached hereto as Schedule "A".
3. 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 "B" attached hereto (of which the said designated area forms a part) in the proper land registry office.
4. 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 August 2005.



Carl J. Zehr
MAYOR

[Signature]
DEPUTY CLERK

SCHEDULE "A"

318 Duke Street West Statement of Significance

Formerly known as Fire Station No.2, 318 Duke Street West was built in 1913 and is located at the northeast intersection of Duke Street (formerly Edward Street) and Breithaupt Street in Kitchener. The building features a Classical style in the Italian Villa tradition and is in near original condition.

The Fire Station is Kitchener's oldest former fire hall building and was constructed to serve the needs of Berlin's industrial area and rapidly expanding residential community. Though the property was sold by the City in 1965 into private hands, the building has remained remarkably intact and has suffered few alterations. Architecturally the fire hall is rich in detailing, exemplifying characteristics common to Berlin era brick buildings including pilasters, voussoirs and corbel details. Of particular interest is the 22 metre hose tower, which was used to hang and dry out the water hoses.

SCHEDULE "B"

**318 Duke Street West
Legal Description**

Part of lots 149 and 150, Registered Plan 376 in the City of Kitchener, Regional Municipality of Waterloo, now designated as Part 1 on Reference Plan 58R-8340.

Being all of PIN 22319-0151 (LT).