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**By-law No. 98 - 85**

**Passed: April 27, 1998**

**CORPORATION OF THE  
CITY OF NIAGARA FALLS**

**By-law No. 98 - 85**

**A By-law to designate the  
property at 6172 Buchner  
Place, known as the Buchner  
House, to be of historic and  
architectural value and interest.**

**CITY OF NIAGARA FALLS**

**By-law No. 98-85**

A by-law to designate the property at 6172 Buchner Place, known as the Buchner House, to be of historic and architectural value and interest.

WHEREAS Part IV of the Ontario Heritage Act, R.S.O. 1990, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, within the municipality to be of historic or architectural value or interest;

AND WHEREAS The Corporation of the City of Niagara Falls has caused to be served upon the owner of the property described in Schedule "A" hereto and upon the Ontario Heritage Foundation, notice of intention to designate the property and has caused such notice of intention to designate to be published in a newspaper having general circulation in the municipality on March 7, 1998;

AND WHEREAS the reasons for designation are set out as Schedule "B" hereto;

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 NIAGARA FALLS ENACTS AS FOLLOWS:

1. The property, more particularly described in Schedule "A" hereto, known as the Buchner House, is hereby designated to be of historic and architectural value and interest.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the property and upon the Ontario Heritage Foundation, and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Niagara Falls.

Passed this 27th day of April, 1998.

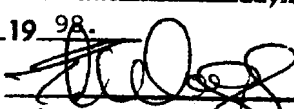
  
.....  
E. C. WAGG, CITY CLERK

  
.....  
WAYNE THOMSON, MAYOR

First Reading	April 27, 1998
Second Reading	April 27, 1998
Third Reading	April 27, 1998

I, the undersigned, Clerk of the Corporation of the City of Niagara Falls, hereby certify the foregoing to be a true and correct copy of \_\_\_\_\_  
BY-LAW NO. 98-85

of the said City. Given under my hand and the seal of the said Corporation this 2ND day OF

JUNE 19 98.  
  
E. C. WAGG, Clerk

**SCHEDULE "A" to By-law No. 98-85..**

All and singular that certain parcel or tract of land and premises situate, lying and being in the City of Niagara Falls, in the Regional Municipality of Niagara and being composed of Part of Lots numbers five and six on the east side of Victoria Street (now Drummond Road) according to registered Village of Niagara Falls Plan No. 653 and more particularly described as follows:

COMMENCING at a point in the northerly boundary of said Lot Number Six distant easterly measured in and along said northerly boundary one hundred and ninety-five and sixty-six one hundredths feet from the northwest angle of said Lot six;

THENCE southerly parallel with the east side of said Drummond Road fifty feet to a point;

THENCE westerly parallel with the northerly boundary of said Lot Number Six, forty-five and sixty-six one hundredths feet more or less to the southeast angle of the lands conveyed by Deed dated the 23<sup>rd</sup> of March, 1930 and registered the 5<sup>th</sup> day of May, 1930 as No. 30950;

THENCE northerly along the easterly boundary of the lands so conveyed by said Deed No. 30950, fifty feet to a point in the northerly limit of said Lot Number Six, which is also the southerly limit of said Lot No. Five;

THENCE westerly and along the southerly limit of said Lot Five, nine and thirty-four one hundredths feet more or less to the southwest angle of lands conveyed by Deed dated the 10<sup>th</sup> day of August, 1923 and registered the 23<sup>rd</sup> day of August, 1923 as Number 20470;

THENCE northerly parallel with the east side of Drummond Road one hundred and fourteen feet to a point;

THENCE easterly parallel with the southerly limit of said Lot Number Five, fifty-five feet to a point;

THENCE southerly parallel with the easterly side of said Drummond Road one hundred and fourteen feet to the place of beginning.

TOGETHER with a right-of-way over part of Lot 5 in common with all others, over and along that parcel of land more particularly described as follows:

COMMENCING at a point distant one hundred and fourteen feet measured northerly in the easterly side of Victoria Street (now Drummond Road) from the southwest angle of said Lot 5;

THENCE easterly parallel with the southerly boundary of said Lot 5, a distance of one hundred and ninety-five and sixty-six one hundredths feet to a point;

THENCE northerly parallel with the easterly side of Victoria Street (now Drummond Road) a distance of thirty-eight feet to a point;

THENCE westerly parallel with the southerly boundary of said Lot 5, a distance of one hundred and ninety-five and sixty-six one hundredths feet to a point in the easterly side of Victoria Street (now Drummond Road);

THENCE southerly in the easterly side of Victoria Street (now Drummond Road) a distance of thirty-eight feet to the point of commencement.

As previously described in Instrument No. 433340.

5.

**SCHEDULE "B" to By-law No. 98-85**

**HERITAGE SIGNIFICANCE**

The property is part of a larger holding purchased by Christopher Buchner from his father-in-law, James Forsyth, in 1799. The lands were central to the fighting of the Battle of Lundy's Lane on July 25, 1814. A house belonging to Christopher and Sarah Buchner on the southwest slope of Drummond Hill was recorded in military papers which recorded the battle proceedings. Christopher Buchner was a lieutenant in the 2nd Lincoln Militia and was standing, with his son John, only a few hundred yards from his house when the first skirmishes began. The extent of damage, if any, which the house sustained during the battle is unknown. Buchner was an early entrepreneur in the City and, among other things, operated an early ferry service across the Niagara River.

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The property was transferred to John Buchner in 1819 and then to Samuel Street in 1824. The year in which the property came into the possession of Donald and Catherine MacKenzie is not clear, but was subject to a quit claim deed settled in their favour in 1851. The Mackenzie's built and operated the observation tower on their lands south of Lundy's Lane in 1846. Theirs was the second observation tower erected in the City, thus the Mackenzies were an early part of the City's early tourism business. Donald Mackenzie was a carpenter and may have been responsible for some alterations to the house which give it a mid-nineteenth century form. Following the death of Donald MacKenzie, his wife Catherine subdivided the property, transferring ownership of this house and additional lands to her children. In 1919, Jennie and John MacKenzie sold the lands to Ernest Pickard. Pickard immediately sold the rear lands containing the dwelling to Merrill S. Zavitz. It may have been during this period that many of the design details associated with the Craftsman Style ideas were introduced into the building. The house is a storey and a half design with additions to the east side. Door and window details from the various periods of improvement blend successfully to create a unified appearance associated with 19th century architecture. The house is known as the Buchner House after the first owners.

The involvement of the lands in the Battle of Lundy's Lane, the ownership by the people responsible for the early economic development of the City, and an association with the many historical architectural periods of the City, make the property worthy of designation.