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BY-LAW NUMBER

2003-90

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 92-242 of The Corporation of the City of Kitchener which designated 115 Woodside Avenue as a property of historic and architectural value).

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 building and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the *Interpretation Act*, R.S.O. 1990, c.I.11 states where power is conferred to make by-laws it includes power to alter or revoke the same from time to time;

AND WHEREAS By-law #92-242 designated a portion of the property municipally known as 115 Woodside Avenue in the City of Kitchener as being of historic and architectural value;

AND WHEREAS it is acknowledged that the legal description contained in By-law 92-242 included the description for land outside of the municipally known property of 115 Woodside Avenue on which the designated structure is located, thereby designated a larger parcel of land than that which the by-law was intended;

AND WHEREAS a legal description now exists for a smaller portion of land to which the by-law will be applied without diminishing the protection of any of the features intended to be preserved by By-law 92-242;

AND WHEREAS it is deemed necessary and expedient to amend By-law 92-242 so that only the appropriate parcel of land is designated;

AND WHEREAS the Council of The Corporation of the City of Kitchener has caused to be served on the owner of the lands and premises known municipally as 115 Woodside Avenue in the City of Kitchener, and upon the Ontario Heritage Foundation, a Notice of Intention to Amend the By-law Designating the property as being of historic and architectural value and has caused such Notice of Intention to Amend to be published in a newspaper having general circulation in the municipality;

AND WHEREAS no Notice of Objection to the proposed amendment 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. By-law 92-242 is hereby amended by deleting the legal description set out in Schedule "A" and substituting therefor the following, namely:





Additional Property Identifier(s) and/or Other Information

**Box (6) Description continued**

Firstly: continued

Lt 359, Subdivision of Lot 17, German Company Tract; Lt 1-2, Plan 183, being Parts 1 & 2, Plan 58R-11219, in the City of Kitchener and in the Regional Municipality of Waterloo.

Being all of the lands in PIN 22498-0031

Secondly:

Lt 1, Plan 183, lying south of Plan 58R-11219, except 150833 and Part 2, Plan 58R-1771; Pt Lt 366, Subdivision of Lt 17, German Company Tract, as in A76916, lying south of 58R-11219 and north of Highland Road, except 700548; Lt 2, Plan 183, lying south of 58R-11219, except 700548; Lt 116, Streets & Lanes, being part of Woodside Ave, Plan 183, as closed by 155884, except 158804, in the City of Kitchener and in the Regional Municipality of Waterloo.

Being all of the lands in PIN 22498-0032

Thirdly:

Pt Lt 366, Subdivision of Lt 17, German Company Tract; Pt Lt 2, Plan 183, as in 700548, in the City of Kitchener and in the Regional Municipality of Waterloo.

Being all of the lands in PIN 22498-0070

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