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BY-LAW NUMBER 2001-208
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate part of the property
municipally known as The Freeport Bridge
in the City of Kitchener as being of
historical 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 buildings and structures thereon, to be of architectural or historical value or interest;

AND WHEREAS the Council of the Corporation of the City of Kitchener resolved at its Council Meeting held September 17, 2001 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. 2001-170 passed by the Council of the Corporation of the City of Kitchener at its Council Meeting held September 17, 2001;

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 The Freeport Bridge in the City of Kitchener, and upon the Ontario Heritage Foundation, a Notice of Intention to Designate as being of historical and architectural value 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 historical and architectural value the aforesaid real property known as The Freeport Bridge which includes the following specific features: all molded concrete trusses (or chords); all concrete bowstrings (or hangers); decorative concrete handrails; decorative concrete balustrades; six foot wide sidewalk; concrete piers, and concrete deck beams.
2. Nothing in the By-law, including the extent and description of the designation and the reasons for such designation, shall be construed so as to require the owner of the Freeport Bridge to make application for alteration prior to the owner undertaking any alteration to the Freeport Bridge from time to time in the nature of:
 - (a) minor maintenance and repair work including, without limitation, pothole patching, deck washing, bridge joint maintenance and graffiti removal; or

- (b) emergency repair work as determined to be reasonably necessary by, and in the sole discretion of, the owner.
3. Nothing in this By-law, including the extent and description of the designation and the reasons for such designation, shall be construed so as to require any application for alteration prior to the owner undertaking any alteration to the Freeport Bridge required in order to comply with all applicable requirements at law, including but not limited to the Ontario Highway Bridge Design Code, as determined to be reasonably necessary by, and in the sole discretion of, the owner from time to time.
4. The alterations described in sections 2 and 3 of this By-law will not affect the reasons for the designation of the Freeport Bridge.
5. 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" hereto (of which the said designated area forms a part) in the proper land registry office.
6. 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 the same newspaper having general circulation in the municipality.

PASSED at the Council Chambers in the City of Kitchener this 5th day of December, A.D. 2001.



Carl J. Zehr
MAYOR

Vincent V. V. V.
CLERK

SCHEDULE "A"

Legal Description:

Part of the Grand River being the Concrete Bridge shown on Deposited Plan No. 340, for the City of Kitchener, and in the Regional Municipality of Waterloo.

REASONS FOR DESIGNATION

Freeport Bridge

The Freeport Bridge is considered to be a landmark within the Region of Waterloo. It was designed by A.B. Crealock who was the Bridge Engineer for the Province of Ontario in the 1920s. Construction began in 1925 and was completed in 1926 at an estimated cost of \$85,000. Its construction formed part of the Provincial highway upgrading undertaken after WWI to accommodate an increase in the use of automobiles. Architecturally, the Freeport Bridge is a bowstring truss bridge with seven spans and six piers and is constructed of reinforced concrete. It is the oldest of the three bridges in the Region having similar design and construction and retains a high degree of integrity.

The specific features of the designation include:

- all molded concrete trusses (or chords); all concrete bowstrings (or hangers);
- decorative concrete handrails; decorative concrete balustrades; six foot wide sidewalk;
- concrete piers, and concrete deck beams