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City Clerk's Office

Secretariat
City Hall, 2nd Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

John D. Elvidge
City Clerk

Tel: 416-394-8101
Fax: 416-392-2980
Email: RegistrarCCO@toronto.ca
Web: www.toronto.ca/council



**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
15 ELM STREET**

NOTICE OF PASSING OF DESIGNATION BY-LAW 742-2023

Ontario Heritage Trust
10 Adelaide Street East
Toronto, ON M5C 1J3
registrar@heritagetrust.on.ca

TAKE NOTICE that Council for the City of Toronto passed Designation By-law 742-2023 on July 19 and 20, 2023, which designates the lands, buildings and structures known municipally as 15 Elm Street, under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended, as a property of cultural heritage value or interest.

This notice is being served to the Owner of the Property, the Ontario Heritage Trust, and any Objectors and Interested Persons.

The City Clerk received an objection to the Notice of Intention to Designate the Property and City Council considered the objection in making its decision at its meeting on July 19 and 20, 2023. Refer to Item CC8.32.

IF YOU WISH TO APPEAL TO THE ONTARIO LAND TRIBUNAL:

Take notice that an appeal of the Designation by-law for the Property by those persons permitted to appeal under section 29 of the Ontario Heritage Act may be made by filing a notice of appeal with the City Clerk, Attention: Registrar Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2; Email: RegistrarCCO@toronto.ca within thirty days of August 17, 2023, which is September 18, 2023.

A Notice of Appeal must:

- (1) set out the reasons for the objection to the designation by-law; and
- (2) set out the reasons in support of the objection to the designation by-law.

If you wish to appeal to the Ontario Land Tribunal (OLT), forms are available from the Ontario Land Tribunal website at <https://olt.gov.on.ca>.

Who Can File An Appeal:

Any persons who object to the designation by-law may refer the matter to the Ontario Land Tribunal.

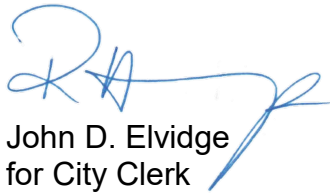
Getting Additional Information:

A copy of the by-law and background information about the application is available for public inspection by contacting Heritage Planning staff at heritageplanning@toronto.ca.

Further information in respect of the Designation By-law is available from the City of Toronto at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.32>

Dated at the City of Toronto on August 17, 2023.



John D. Elvidge
for City Clerk

Authority: Item CC8.32, as adopted by City of Toronto Council on July 19 and 20, 2023
City Council voted in favour of this by-law on July 20, 2023
Written approval of this by-law was given by Mayoral Decision 8-2023 dated July 20, 2023

CITY OF TORONTO

BY-LAW 742-2023

To designate the property at 15 Elm Street as being of cultural heritage value or interest.

Whereas the Ontario Heritage Act 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 authority was granted by Council to designate the property at 15 Elm Street as being of cultural heritage value or interest; and

Whereas the Council of the City of Toronto has caused to be served upon the owners of the lands and premises known as 15 Elm Street and upon the Ontario Heritage Trust, Notice of Intention to designate the property, and has caused the Notice of Intention to be posted on the City's website for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4.1. Notice requirements under the Ontario Heritage Act; and

Whereas notice of objection was served upon the Clerk of the municipality within the prescribed time under the Ontario Heritage Act and was considered by City Council; and

Whereas the reasons for designation are set out in Schedule A to this By-law;

The Council of the City of Toronto enacts:

- 1.** The property at 15 Elm Street, more particularly described in Schedule B attached to this By-law, is designated as being of cultural heritage value or interest.
- 2.** The City Solicitor is authorized to cause a copy of this By-law to be registered against the property described in Schedule B to this By-law in the proper Land Registry Office.
- 3.** The City Clerk is authorized to cause a copy of this By-law to be served upon the owners of the property 15 Elm Street at and upon the Ontario Heritage Trust and to cause notice of this By-law to be posted on the City's website for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4.1. Notice requirements under the Ontario Heritage Act.

Enacted and passed on July 20, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

STATEMENT OF SIGNIFICANCE REASONS FOR DESIGNATION

15 ELM STREET

Reasons for Designation

The property at 15 Elm Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the criteria of design and physical, historical and associative and contextual values.

Description

Located on the south side of Elm Street between Yonge and Bay streets in the City's first immigrant neighbourhood, The Ward, the property at 15 Elm Street contains a 2- storey house-form building completed by 1868 and first owned by Irish-Canadian bricklayer, Robert Kennedy, and family.

Statement of Cultural Heritage Value

Design and Physical Value

Built in 1868, the property at 15 Elm Street is valued as a remaining example of a Confederation-era house-form building designed in the Georgian Revival style which is evident in its red brick construction, rubble stone foundation and brick, stone and wood detailing. The symmetrically-arranged openings on the upper storey of the principal (north) and east elevations contain masonry sills and segmental-arched brick headers in a soldier course pattern.

In 1922-1924, a storefront was added at street level with off-set entrance to the existing residential space above. The residential entrance maintains its wood and glass transom and door surround. This resulting mixed use type of house-form buildings is considered a defining feature of the south side of Elm Street today.

Historical and Associative Value

The property is significant as one of the earliest (Confederation-era) surviving houseform buildings constructed on the south side of Elm Street between Yonge and Bay streets in 1868. Since the mid-19th century, Elm Street has continued to provide an understanding of the built form of Toronto's first immigrant neighbourhood, The Ward.

Contextual Value

The property at 15 Elm Street, embodies part of a significant collection of 19th-century house-form buildings representative of this early period of land development on the block of Elm Street between Yonge and Bay streets within the City's historically significant St. John's Ward ("The

Ward"), and part of the collection of diverse 19th-century building types and uses that have contributed to the unique quality of Elm Street today.

Within the context of a neighbourhood originally developed with mainly residential properties in the mid-to-late 19th century, and on the south side of Elm Street between Yonge and Bay where numerous properties of similar type, scale, placement and setback are already recognized on the City's Heritage Register, the subject property at 15 Elm Street is valued for its historic, physical and visual links to its surroundings for more than 150 years.

Heritage Attributes

Design and Physical Value

Attributes that contribute to the value of the property at 15 Elm Street as representative of a Confederation-era house-form building designed in the Georgian Revival style include:

- The scale, form and massing of the red brick house-form building with its two-storey rectangular plan
- The rubble stone foundation
- The gable roof and two red brick chimneys located north and south of the gable peak at its western edge
- The principal (north) elevation of the building, which is organized into two bays
- The segmental-arched window openings on the upper storey of the principal (north) and east elevations, with their brick header detailing and masonry sills
- The early 1920s wood and glass transom and door surround at the east end of the principal (north) elevation and leading to the upper storey space
- The early 1920s stringcourse directly above the early storefront and off-set residential entrance on the principal (north) elevation (currently over-clad with wooden boards)

Contextual Value

Attributes that contribute to the contextual value of 15 Elm Street as defining and supporting the character of this portion of Elm Street, and as being historically and visually linked to its surroundings include:

- The setback, placement and orientation of the building on its lot on the south side of Elm Street between Yonge Street and Bay Street, and directly adjacent to Harry Barberian Lane to the east and south of the property

SCHEDULE B
LEGAL DESCRIPTION

PIN 21103-0086 (LT)
LOT 1, REGISTERED PLAN D36
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)