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Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **[www.heritagetrust.on.ca](http://www.heritagetrust.on.ca)**.

VIA REGISTERED MAIL

September 18, 2024

The Owner  
1352 Nocturne Court  
Mississauga, ON

Dear Sir/Madam:

Re: Notice of Passing of a Heritage By-law – 1352 Nocturne Court (Ward 2)  
Reference No: HAC-0052-2024  
Office of the City Clerk: File: CS.08.NOC

I am enclosing, for your retention, a copy of By-Law 0158-2024 passed by Mississauga City Council on September 11, 2024 designating the property located at 1352 Nocturne Court (Ward 2) as being of cultural heritage value or interest under the *Ontario Heritage Act* and the Notice of Passing of a Heritage By-law which has been published in the City's public notices site located at the following link: <https://www.mississauga.ca/projects-and-strategies/public-notices/>

Sincerely,

*Martha Cameron*

Martha Cameron  
Legislative Coordinator  
Legislative Services Division, Office of the City Clerk  
905-615-3200, ext 5438 – [Martha.cameron@mississauga.ca](mailto:Martha.cameron@mississauga.ca)

Encl: Copy of By-law: BL-0158-2024  
Notice of Passing of a Heritage By-law – 1352 Nocturne Court (Ward 2)

Cc (mail): Registrar, Ontario Heritage Trust, 10 Adelaide Street East, Toronto, ON M5C 1J3

Cc (email) Councillor Alvin Tedjo (Ward 2)  
Nadia Paladino, Director, Parks, Forestry and Environment  
Jodi Robillos, Commissioner of Community Services  
Katie Pfaff, Legal Counsel, Planning and Development Law  
Diana Rusnov, Director, Legislative Services & City Clerk  
Sacha Smith, Manager of Legislative Services, Deputy City Clerk  
John Dunlop, Manager, Indigenous Relations, Heritage and Museums  
Paula Wubbenhorst, Heritage Planner  
Andrew Douglas, Heritage Analyst  
Jill Manser, Law Clerk, Planning and Development Law

**Received**

SEP 23 2024



## NOTICE OF PASSING OF A HERITAGE BY-LAW

DATE OF NOTICE	September 18, 2024	
BY-LAW NUMBER	BL-0158-2024	
DATE PASSED BY COUNCIL	September 11, 2024	
LAST DATE TO FILE APPEAL	October 18, 2024	
FILE NUMBER	CS.08.NOC	Ward 2
APPLICANT	Registered Property Owner	
PROPERTY	1352 Nocturne Court	

**TAKE NOTICE** that the Council of the Corporation of the City of Mississauga passed the above noted Heritage By-law, under Section 29 of the *Ontario Heritage Act*, R.S.O., 1990, c.O.18.

**THE PURPOSE AND EFFECT** of this By-law is to designate its lands and premises located at 1352 Nocturne Court (Ward 2) as being of cultural heritage value or interest. A description of the lands to which the By-law applies and/or a key map showing the location of the lands to which the By-law applies are attached.

**IF YOU WISH TO APPEAL the By-law** to the Ontario Land Tribunal, a copy of an appeal form is available from the OLT website at <https://olt.gov.on.ca/>. An appeal may be filed in person, by email: [city.clerk@mississauga.ca](mailto:city.clerk@mississauga.ca), by registered mail or courier addressed to the Clerk of the City of Mississauga, Attention: Diana Rusnov, 300 City Centre Drive, 2<sup>nd</sup> Floor, Mississauga, ON L5B 3C1, no later than **October 18, 2024**. **An appeal filed by email will be accepted once the appeal fees are received.**

Only individuals, corporations and public bodies may appeal to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

The Notice of Appeal must:

- 1) Set out reasons in support of the objection to the by-law;
- 2) Accompanied by any fee prescribed under the *Ontario Land Tribunal Act* payable by certified cheque or money order payable to the Minister of Finance. Payment can be made directly to the OLT if using the e-file service to file an appeal or by certified cheque or money order if filing with the City Clerk. For more information and a copy of the OLT Fee Schedule go to: <https://olt.gov.on.ca/fee-chart/> under Ontario Heritage Act or contact the Ontario Land Tribunal at [OLT.General.Inquiry@ontario.ca](mailto:OLT.General.Inquiry@ontario.ca) or by phone to: 416-212-6349 or 866-448-2248 (toll free)
- 3) An administration fee of \$319.30 per appeal payable to the Treasurer of the City of Mississauga. This fee can be paid at the Office of the City Clerk, 300 City Centre drive, Mississauga, Ontario L5B 3C1.

Sacha Smith  
Manager/Deputy, Secretariat and Access & Privacy  
City of Mississauga  
300 City Centre Drive  
Mississauga, ON L5B 3C1



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0158-2024

A By-law to designate 1352 Nocturne Court as  
being of cultural heritage value or interest

WHEREAS Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended (the "*Heritage Act*"), authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest;


AND WHEREAS Council for The Corporation of the City of Mississauga approved the designation of the property located at 1352 Nocturne Court in the City of Mississauga (the "Property") as being of cultural heritage value or interest through Council Resolution 0123-2024.


AND WHEREAS in accordance with the requirements of the *Heritage Act*, a Notice of Intention to designate the Property was duly published and served, and no notice of objection to such designation was received by the Clerk of The Corporation of the City of Mississauga;

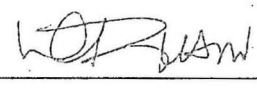
NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. The Property, including all the buildings and structures thereon, located at 1352 Nocturne Court in the City of Mississauga and legally described in Schedule 'A' attached hereto, is hereby designated as being of cultural heritage value or interest under Part IV of the *Heritage Act*.
2. The reasons for designating the Property, including an explanation of the cultural heritage value and interest of the Property and a description of the heritage attributes of the Property, are set out in Schedule "B" to this By-law.
3. The City Clerk shall cause a copy of this By-law and prescribed information under section 29(8) of the *Heritage Act* to be served upon the owner of the Property and on the Ontario Heritage Trust, and cause notice of this By-law to be posted on the City's website in lieu of in a newspaper having general circulation in the City of Mississauga as per the City's Notice By-law 215-2008, as amended.
4. When this By-law comes into force, the City Clerk shall cause a copy of this By-law to be registered against the Property described in Schedule "A" in the proper land registry office.

ENACTED and PASSED this 11<sup>th</sup> day of September, 2024.

Approved by Legal Services <b>City Solicitor</b> City of Mississauga

Katie Pfaff
Date: August 23, 2024
File: CS.08-24.02

  
MAYOR

  
CLERK

SCHEDULE 'A' TO BY-LAW 0158-2024

Legal Description

1352 Nocturne Court

In the City of Mississauga, Regional Municipality of Peel, (Geographic Township of Toronto, County of Peel), Province of Ontario being Lot 5, Registered Plan 570.

SCHEDULE 'B' TO BY-LAW 0158-2024

1352 Nocturne Court is a house on the west side of Nocturne Court, east of Mississauga Road.

**Statement of Cultural Heritage Value or Interest**

The property has design and physical value as a rare, and the earliest known surviving, round house in Mississauga. With its patented dome roof, it also demonstrates a high degree of technical and scientific achievement. The property has historical value due to its association with mid-twentieth century experimental design and its connection to significant builder and architect Shipp and Kohl respectively. The residence has contextual value as it supports the original mid twentieth century character of the area.

**Heritage Attributes**

- Largely unobstructed round shape and form of the core part of the house – contributes to the property's physical, design, historical, associative and contextual value
- The transparent nature of the round part of the house, made up largely of modern windows – contributes to the property's physical, design, historical, associative and contextual value
- Balcony that encircles round portion of house – contributes to the property's physical and design value
- Dome roof – contributes to the property's physical and design value
- Visibility from Nocturne Court – contributes to the property's physical, design, historical, associative and contextual value
- Ornamental fascia – contributes to the property's physical and design value
- "Shipp Built" block – contributes to the property's historical and associative value

**Received**

SEP 23 2024

Ontario Heritage Trust