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**IN THE MATTER OF THE ONTARIO HERITAGE ACT  
R.S.O. 1990, CHAPTER O.18 AND  
CITY OF TORONTO, PROVINCE OF ONTARIO  
35 AND 37 KENSINGTON AVENUE**

**RECEIVED**  
2025/11/04  
(YYYY/MM/DD)  
Ontario Heritage Trust

**NOTICE OF PASSING OF DESIGNATION BY-LAW 1070-2025**

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5C 1J3  
[registrar@heritagetrust.on.ca](mailto:registrar@heritagetrust.on.ca)

TAKE NOTICE that Council for the City of Toronto passed Designation By-law 1070-2025 on October 9, 2025, which designates the lands, buildings and structures known municipally as 35 and 37 Kensington Avenue 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 did not receive any objections to the Notice of Intention to Designate the Property. Therefore, City Council did not consider any objections and passed the Designation By-law for the Property.

**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](mailto:RegistrarCCO@toronto.ca) within thirty days of November 4, 2025, which is December 4, 2025.

**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) or request a fee reduction for an appeal, 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 appeal 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](mailto: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=2025.PH23.12>.

Dated at the City of Toronto on November 4, 2025.

A handwritten signature in black ink, appearing to read "Justin Millie". The signature is written in a cursive, flowing style.

for John D. Elvidge  
City Clerk

Authority: Planning and Housing Committee Item  
PH23.12, as adopted by City of Toronto Council on July 23  
and 24, 2025  
City Council voted in favour of this by-law on October 9,  
2025  
Written approval of this by-law was given by Mayoral  
Decision 13-2025 dated October 9, 2025

## **CITY OF TORONTO**

### **BY-LAW 1070-2025**

**To designate the property at 35 and 37 Kensington Avenue 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 35 and 37 Kensington Avenue 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 35 and 37 Kensington Avenue 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 no notice of objection was served upon the Clerk of the municipality within the prescribed time under the Ontario Heritage Act; 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 35 and 37 Kensington Avenue, 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 35 and 37 Kensington Avenue 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 October 9, 2025.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

## **SCHEDULE A**

### **STATEMENT OF SIGNIFICANCE REASONS FOR DESIGNATION 35 and 37 Kensington Avenue**

#### **Reasons for Designation**

The properties at 35 and 37 Kensington Avenue are worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for their cultural value and meet Regulation 9/06, the provincial criteria prescribed for municipal designation.

#### **Description**

The properties at 35 and 37 Kensington Avenue occupy two abutting lots located on the east side of Kensington Avenue, mid-block between St. Andrew Street and Dundas Street West. The properties contain a two-and-a-half-storey semi-detached house-form that was constructed circa 1889 and later converted for mixed residential and commercial uses.

The properties were included on the Heritage Register in July 2023.

#### **Statement of Cultural Heritage Value**

The properties at 35 and 37 Kensington Avenue have physical value as representative examples of the nineteenth-century Bay-and-Gable type applied to a semi-detached house-form that reflects vernacular interpretations of Victorian architectural styles. The Bay-and-Gable type is demonstrated in each property's asymmetrical façade, with an entrance in one bay and a projecting bay window below a cross gable in the other. In some cases, the ground floor has been modified with a new commercial entry. The Bay-and-Gable typology was extremely popular for residential buildings in Toronto from the mid-to-late-nineteenth century.

The subject properties have historical or associative value because they yield, or have the potential to yield, information that contributes to an understanding of the evolution of Kensington Market from a residential neighbourhood into a mixed-use community. Through their construction date and typology, each property is associated with the early residential development of the area from the 1850s to the early 1900s. With its narrow, short streets and modest housing stock, Kensington Market was a draw to minority cultures already living in Toronto and to those just arriving - particularly the Jewish community, who initiated the open air market culture that continues in various forms today. With each new community's arrival, Kensington Market became increasingly known throughout Toronto as a destination for imported and specialty goods from overseas. The visible layering of building additions, particularly within the commercial core streets like Augusta and Kensington avenues, represents the adaptation that occurred as these groups established homes and businesses in the neighbourhood.

Contextually, the properties at 35 and 37 Kensington Avenue are valued for their roles in defining, supporting, and maintaining the historic mixed-use character of Kensington Avenue, south of St. Andrew Street, which originally developed as a residential streetscape with a high concentration of Bay-and-Gable house-forms; these were later adapted to accommodate commercial functions, and Kensington Avenue became one of the core commercial streets of the

neighbourhood; a role that it still occupies today. Together, each property contributes to a distinct sense of place representing Kensington Market's vibrant and eclectic community known for its international culture and independent commercial character.

The buildings at 35 and 37 Kensington Avenue are also visually and historically linked to the surrounding market area where the popular use of their typology was partially owed to its compatibility with the historic lot patterns of the residential subdivision in Kensington Market. The narrow form and repeatable composition of the Bay-and-Gable responded well to the rows of long, narrow, and abutting property lots that were established following the division of the original Park Lots into smaller parcels for private sale and development. The extant properties maintain their historic scale, form, and massing and are part of a collection of similarly adapted house-form buildings along the street with compatible built forms including typology, roof lines, and mixed materials linked by the original stock of brick cladding.

### **Heritage Attributes**

#### **Design and Physical Value**

The following heritage attributes contribute to the cultural heritage value of the properties at 35 and 37 Kensington Avenue as representative examples of a nineteenth-century Bay-and-Gable type:

- The scale, form, and massing of the two-and-a-half-storey row house-form within a rectangular shaped plan
- Cross-gable rooflines with street facing gables
- Asymmetrical main (west) façades that are predominantly clad in brick
- The articulation of narrow bays (that reflect the narrow property frontages)
- Flat-headed window openings arranged within the narrow rhythm of the bays

#### **Historical and Associative Value**

The following heritage attributes contribute to the cultural heritage value of the properties at 35 and 37 Kensington Avenue as yielding, or having the potential to yield, information that contributes to an understanding of the multi-cultural Kensington Market community and evolving market culture:

- The retained visibility and legibility of the original nineteenth-century, Bay-and-Gable typology

#### **Contextual Value**

The following heritage attributes contribute to the cultural heritage value of the properties at 35 and 37 Kensington Avenue as being visually and historically linked to their surroundings and for defining, maintaining, and supporting the historic residential and mixed-use character of Kensington Avenue:

- The placement, setback, and orientation of the semi-detached house-form on the east side of Kensington Avenue, mid-block between St. Andrew Street and Dundas Street West, fronting onto Kensington Avenue
- Minimal setback from the public right-of-way
- The materials of the building's façade, which are compatible with those found on the adjacent nineteenth-century buildings along Kensington Avenue
- The scale, form, and massing of the Bay-and-Gable semi-detached house-form with its two-and-a-half-storey height, and rhythm of narrow gables and bays, which is consistent with the adjacent nineteenth-century buildings along Kensington Avenue

**SCHEDULE B**  
**LEGAL DESCRIPTION**

**35 Kensington Avenue**

**PN 21235-0387 (LT)**

LOT 5, PART OF LOT A REGISTERED PLAN 1093

PART OF LOT 12 E/S ELIZABETH STREET

REGISTERED PLAN D10, AS IN CA809896 (FIRSTLY)

City of Toronto and Province of Ontario

Land Titles Division of the Toronto Registry Office (No. 66)

**37 Kensington Avenue**

**PN 21235-0386 (LT)**

LOT 6, REGISTERED PLAN 1093

PART OF LOT 12 E/S ELIZABETH STREET

REGISTERED PLAN D10, AS IN CA729808

City of Toronto and Province of Ontario

Land Titles Division of the Toronto Registry Office (No. 66)