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City Clerk's Office

ONTARIO HERITAGE TRUST

MAR 13 2014

Ulli S. Watkiss
City Clerk

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**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990 CHAPTER 0.18 AND
59 HEATH STREET WEST (HENRY R. DUKE HOUSE)
CITY OF TORONTO, PROVINCE OF ONTARIO**


NOTICE OF PASSING OF BY-LAW

59 Heath Holdings Inc.
5255 Yonge Street, Suite 1050
Toronto, Ontario
M2N 6P4

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Take notice that the Council of the City of Toronto has passed By-law No. 94-2014 to designate 59 Heath Street West (Henry R. Duke House) as being of cultural heritage value or interest.

Dated at Toronto this 12th day of March, 2014.


Ulli S. Watkiss
City Clerk

Authority: Toronto and East York Community Council Item 27.10, adopted as amended,
by City of Toronto Council on November 13, 14, 15 and 18, 2013

CITY OF TORONTO

BY-LAW No. 94-2014

**To designate the property at 59 Heath Street West (Henry R. Duke House) 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 59 Heath Street West (Henry R. Duke House) as being of cultural heritage value or interest; and

Whereas the Council of the City of Toronto caused to be served upon the owners of the land and premises known as 59 Heath Street West and upon the Ontario Heritage Trust, Notice of Intention to designate the property and caused the Notice of Intention to be posted on the City's web site 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; 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 59 Heath Street West, more particularly described in Schedule "B" and shown on Schedule "C" 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 at 59 Heath Street West and upon the Ontario Heritage Trust and to cause notice of this by-law to be posted on the City's web site 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 February 20, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE "A"
REASONS FOR DESIGNATION
STATEMENT OF SIGNIFICANCE

Description

The property at 59 Heath Street West is worthy of inclusion on the City of Toronto Inventory of Heritage Properties for its cultural heritage value. Located mid-block on the south side of Heath Street between Yonge Street and Deer Park Crescent, the site contains the building historically known as the Henry R. Duke house (1887) a two-story buff-brick house with a gable roof and bay window, as well as a garage and a rear extension to the house.

Statement of Cultural Heritage Value

The Henry R. Duke house is of historical significance in Deer Park as it represents one of the earliest houses built following the partitioning of the Baron de Hoen estate in the 1870s as the current subdivision originally known as Deer Park. Heath Street was one of three streets in the subdivision named for the Heath family, the previous owners of the estate. Dating from 1887 it is one of the two earliest houses to be built on Heath Street which over the past 125 years has been developed with an unusual variety of residential dwelling types from a variety of time periods that is atypical in Toronto. The Henry R. Duke house is important because it represents a house from the earliest point in the historical evolution of the street.

The house is a unique surviving example of a late 19th century Bay-n-Gable style on Heath Street, which is unique to Toronto. The features of the style are evident in the steeply pitched gable roof, the decorative wood barge board in the gable and the projecting bay window. The building is rare in being narrower than is typical as the entry is located on the side instead of the front in a projecting wood entry porch. The house is built of buff clay brick likely from the Blue Hill brick yards located to the south on Yonge Street just north of Davenport Road and famous for producing white brick also known as buff or yellow brick from the 1830s onwards. Many of the original wood features, diamond-shaped shingles, shutters, bargeboards and the iron cresting on the bay window roof are still intact further establishing the architectural significance of this house.

Contextually, the Henry R. Duke house stands as a defining property within a group of varied architectural types and styles on Heath Street. Its narrow form, gable roof, style and details including the buff brick, gable bargeboard and bay window with iron cresting set it apart from houses, townhouses and low-rise apartment blocks of later periods. Representing the earliest period of the subdivision Plan 365, its built form is an important component in the history and evolution of Heath Street and the Deer Park neighbourhood.

Heritage Attributes

The heritage attributes of the property at 59 Heath Street West are:

- The building historically known as the Henry R. Duke House
- The scale, form and massing of the house-form building