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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

RECEIVED
2023/04/26
(YYYY/MM/DD)
Ontario Heritage Trust

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
72-78 BERKELEY STREET**

NOTICE OF PASSING OF DESIGNATION BY-LAW 284-2023

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 284-2023 on March 29, 30 and 31, 2023, which designates the lands, buildings and structures known municipally as 72-78 Berkeley 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 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: Administrator, Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2; Email: hertpb@toronto.ca within thirty days of April 26, 2023, which is May 26, 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.

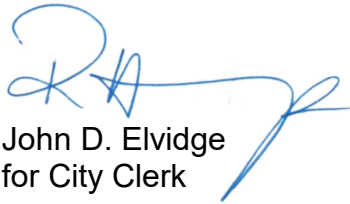
Getting Additional Information:

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.PH1.6>

Dated at the City of Toronto on April 26, 2023.

A handwritten signature in blue ink, appearing to read 'John D. Elvidge', with a long horizontal flourish extending to the right.

John D. Elvidge
for City Clerk

Authority: Planning and Housing Committee Item PH1.6,
as adopted by City of Toronto Council on February 7 and 8,
2023
City Council voted in favour of this by-law on March 31,
2023

CITY OF TORONTO

BY-LAW 284-2023

To designate the property at 72-78 Berkeley 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 72-78 Berkeley 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 72-78 Berkeley 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 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 72-78 Berkeley 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 at 72-78 Berkeley Street 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 April 3, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

STATEMENT OF SIGNIFICANCE REASONS FOR DESIGNATION

Reasons for Designation

The properties at 72-78 Berkeley Street are worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value, and meet Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under all three categories of design/physical, historical/associative and contextual value.

Description

Anchoring the northwest corner of Berkeley Street and Adelaide Street East at the north edge of the historic St. Lawrence neighbourhood, the properties at 72-78 Berkeley Street comprise a 2.5-storey row of four attached Bay-and-Gable type house-form buildings completed together in 1883. The subject properties were identified as having cultural heritage value in the King-Parliament Area Secondary Plan Review (2019) for their contribution to the area's Urban & Industrial Expansion (1850-1914) Period of Significance and were listed on the City's Heritage Register in 2020.

Statement of Cultural Heritage Value

Design or Physical Value

Built together in 1883, the four attached properties at 72-78 Berkeley Street have design and physical value as remaining representative examples of late-19th century, Victorian-era row housing, which proliferated in the King-Parliament area during the second half of the 19th century. As a row or terrace of four attached house-form buildings, the subject properties represent a key building typology in King-Parliament, which originated in the 1800s as a residential and institutional enclave where the side streets and many of the main streets were lined with detached, semi-detached and row houses. The subject properties survived the replacement of much of the residential building stock in the area during the 20th century. The row at 72-78 Berkeley Street is distinguished by its Bay-and-Gable type defined by two bays, one containing the main entrance with the other capped by a cross gable above a projecting bay window. This late Victorian era design is considered quintessentially Torontonians, and a significant building typology found within the King Parliament Secondary Plan area.

Historical or Associative Value

The attached row of four Bay-and-Gable type house-form buildings at 72-78 Berkeley Street is valued for its historic association with Berkeley Street as the original eastern boundary of the ten-block Town of York established in 1793, and for its association with the history and development of the broader King-Parliament area during its Urban & Industrial Expansion (1850-1914) period of significance, as an urban townscape combining industrial, commercial and residential functions.

Contextual Value

Contextually, the late Victorian era row is valued for its role in defining, supporting and maintaining the historical character of the King-Parliament neighbourhood which contains the historic 1793 Town of York with Berkeley Street defining its eastern boundary, and reflecting the area's evolution from a 19th-century residential and institutional enclave and one of Toronto's manufacturing centres in the first half of the 20th century, to its current status as a mixed-use community.

The row at 72-78 Berkeley Street is historically, visually and physically linked to its setting in the King-Parliament community where it stands among a significant collection of surviving late-19th century residential buildings along both sides of Berkeley Street between King and Richmond, including 56 Berkeley (1845), 55-79 Berkeley (1872), 106-112 Berkeley (1884-1890) and 111-115 Berkeley (1882 and 1872), all of which are recognized and included on the City's Heritage Register.

Heritage Attributes

Design or Physical Value

Attributes that contribute to the value of the row at 72-78 Berkeley Street as being a representative late Victorian era, Bay-and-Gable example of the type are:

- The setback, placement and orientation of the row on its corner lot at the northwest corner of Berkeley Street and Adelaide Street East
- The 2.5-storey scale, form and massing of the attached properties on their rectangular plans and side gable roofline with cross gable on the principal (east) elevations
- The principal (east) elevations, each organized into two bays, one bay containing the main entrance and the other bay containing a projecting bay window at the first-storey level and surmounted by a cross gable
- The brick cladding (currently stuccoed) on the principal (east) elevations of the row and south elevation of 72 Berkeley Street fronting onto Adelaide Street East
- The original arrangement of the window and door openings on the first and second storeys

Contextual Value

Attributes that contribute to the value of the row at 72-78 Berkeley Street in defining, supporting and maintain the historic character of the area and being historically, visually, functionally and physically linked to its setting:

- The setback, placement and orientation of the row on its corner lot at the northwest corner of Berkeley Street and Adelaide Street East
- The 2.5-storey scale, form and massing of the attached properties on their rectangular plans and side gable roofline with cross gable on the principal (east) elevations

Note: the rear (west) additions to the properties are not considered heritage attributes

SCHEDULE B
LEGAL DESCRIPTION

PIN 21091-0172 (LT)
PART OF LOT 4, REGISTERED PLAN 7A
AS IN CA643009
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)

PIN 21091-0171 (LT)
PART OF LOT 4, REGISTERED PLAN 7A
AS IN CA589447
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)

PIN 21091-0170 (LT)
PART OF LOT 4, REGISTERED PLAN 7A
AS IN CT136
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)

PIN 21091-0169 (LT)
PART OF LOT 4, REGISTERED PLAN 7A
AS IN CA738382
City of Toronto and Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)