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AUG 2 1995

**IN THE MATTER OF THE ONTARIO HERITAGE ACT  
R.S.O. 1990, CHAPTER 0.18 AND  
35 SPRUCE STREET  
CITY OF TORONTO, PROVINCE OF ONTARIO**

**NOTICE OF PASSING OF BY-LAW**

To: Spruce Residences Corp.  
c/o Weir & Foulds  
Barristers and Solicitors  
Suite 1600, Exchange Tower  
Box 480  
2 First Canadian Place  
Toronto, Ontario  
M5X 1J5  
Attention: George Rust-D'Eye

Ontario Heritage Foundation  
10 Adelaide Street East  
Toronto, Ontario  
M5C 1J3  
Attn: Richard Moorehouse

Take notice that the Council of the Corporation of the City of Toronto has passed By-law No. 1995-0493 to designate 35 Spruce Street (Charles B. Mackay House) as being of architectural and historical value or interest.

Dated at Toronto this 31 day of July, 1995.

Barbara G. Caplan  
City Clerk

No. 1995-0493. A BY-LAW

*To designate the property at 35 Spruce Street as being of architectural and historical value or interest.*

(Passed July 24, 1995.)

WHEREAS by Clause 11 of Neighbourhoods Committee Report No. 9, adopted by Council at its meeting of July 24, 1995, authority was granted to designate the property at 35 Spruce Street as being of architectural and historical value or interest;

AND WHEREAS the *Ontario 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 historical and architectural value or interest;

AND WHEREAS the Council of The Corporation of the City of Toronto has caused to be served upon the owners of the land and premises known as No. 35 Spruce Street and upon the Ontario Heritage Foundation, a notice of intention to designate the property and has caused the notice of intention to be published in a newspaper having general circulation in the municipality once for each of three consecutive weeks as required by the *Ontario Heritage Act*;

AND WHEREAS the reasons for designation are set out in Schedule "B" of this by-law;

AND WHEREAS no notice of objection to the proposed designation has been served upon the clerk of the municipality;

THEREFORE the Council of The Corporation of the City of Toronto enacts as follows:

1. The property at 35 Spruce Street, more particularly described and shown on Schedules "A" and "C" to this by-law, is designated as being of architectural and historical 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 Schedules "A" and "C" 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 owner of the property at 35 Spruce Street and upon the Ontario Heritage Foundation and to cause notice of this by-law to be published in a newspaper having general circulation in the City of Toronto as required by the *Ontario Heritage Act*.

BARBARA HALL,  
*Mayor.*

BARBARA G. CAPLAN  
*City Clerk.*

Council Chamber,  
Toronto, July 24, 1995.  
(L.S.)

## SCHEDULE "A"

In the City of Toronto, in the Municipality of Metropolitan Toronto and Province of Ontario, being composed of parts of Lots 1 and 2 on the south side of Spruce Street according to Plan 108 registered in the Land Registry Office for the Metropolitan Toronto Registry Division (No. 64), designated as PARTS 1 and 17 on a plan of survey deposited in the said Land Registry Office as 64R-14452.

Subject to a right to maintain the eave over part of the said Lot 1 designated as the said PART 17 as set out in Instrument CA315866.

The hereinbefore described land being delineated by heavy outline on Plan SYE dated July 16, 1995 as set out in Schedule C.

## SCHEDULE "B"

## Property Research Summary

## Basic Building Data:

Address:	35 Spruce Street
Ward:	07
Current Name:	Not Applicable
Historical Name:	Charles B. Mackay House
Construction Date:	1860
Architect:	None Found
Contractor/Builder:	None Found
Additions/Alterations:	Addition to rear; Addition of sunroom at rear; interior.
Original Owner:	Charles B. Mackay
Original Use:	Residential (detached)
Current Use:	Residential (detached)
Heritage Category:	C
Recording Date:	September 30, 1992
Recorder:	HPD:jc

## History

## Land Development:

The lands on which the house at 35 Spruce Street stands were first laid out in 1793 by Governor Simcoe's land surveyors as a government reserve. Known as King's Park and bounded by Carlton Street to the north, Parliament Street to the west, the lake to the south and the Don River to the east, the area was to be used as a naval shipyard. The creation of King's Park further insured that land would be available for government buildings and other public institutions in the future.

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In 1855, Plan 108 laid out a number of lots on the former government reserve. By the 1860's a large number of immigrants, many fleeing the potato famine in Ireland, settled the area. Out of necessity, many of the poorer settlers planted gardens in which the cabbage was the predominant vegetable. In time, the area bounded by St. James Cemetery to the north, the Don River to the east, Parliament Street to the west and Gerrard Street to the south became known to Torontonians as "Cabbagetown."

#### 35 Spruce Street:

Plan 108 laid out three large lots on the south side of Spruce Street, between Parliament Street and Sackville Street in 1855. Lots 1 and 2 were granted to Francis Langrill, a butcher. In 1860 Langrill sold a portion of Lot 1 to Charles B. Mackay, a clerk of the Front Street Customs House. A house was erected for Mackay in that year.

#### Architecture

#### 35 Spruce Street:

The Charles B. Mackay House, constructed in 1860, displays elements associated with the vernacular Georgian style. Situated behind a decorative iron fence, the building is set into a deep, landscaped lot.

The 1½-storey red and buff brick-clad building was erected on a square plan. The main (north) elevation is formally arranged around a centrally placed entrance with a wooden doorcase containing a glazed transom, narrow sidelights and a glazed and panelled door. To either side are single, generously proportioned, six over six sash windows set into a wooden surround with a sill.

The openings are surmounted by buff brick voussoirs. A pair of upper storey windows have similar detailing. The northeast and northwest corners of this elevation are highlighted by buff brick quoins.

The east elevation has three regularly spaced window openings, containing six over six sash windows set into wooden surrounds with sills. Each opening is surmounted by a buff brick voussoir. The west elevation has irregularly spaced openings with similar fenestration. The ground storey of the rear (south) elevation has a 1-storey modern addition. The second storey of the original building contains a pair of four over four sash windows highlighted by buff brick voussoirs. A gabled roof with a narrow chimney covers the building.

#### Interior:

Interior features of note include the inner vestibule screen, the fireplace in the west room and the enclosed stairway to the second floor. The wooden inner vestibule screen contains a glazed straight transom and sidelights. The fireplace, situated on the south wall of the west ground storey room retains the original fireplace grate and a decorative wooden fireplace surround. The surround is highlighted by incised detailing, a centrally placed floral boss and a dentillated architrave.

Situated to the rear of the original building, on the east side of the main hallway, is an enclosed staircase leading to the second floor. The dog-leg staircase has a landing and wooden balusters, railings and turned newel posts.

#### Context:

Situated on the south side of Spruce Street, between Parliament and Sackville Streets, the pre-Confederation cottage known as the Charles B. Mackay House is set into an unusually deep landscaped lot which contains five mature trees. Fronted by a decorative iron fence, the property reflects the early residential character of Spruce Street.

**Summary:**

The property at 35 Spruce Street is identified for architectural and historical reasons. The building was constructed in 1860 for Charles B. Mackay, a clerk at the Front Street Customs House.

The 1½-storey red and buff brick-clad building features the formal arrangement of elements, including a centrally placed entrance with a wooden doorcase containing a glazed transom and sidelights, and generously proportioned six over six sash windows, associated with the vernacular Georgian style.

Situated in an area bounded by Parliament Street and Spruce Street, the Charles B. Mackay House is among the earliest residences in Cabbagetown.

**Sources Consulted**

Assessment Rolls, St. David's Ward, 1859-1861.

City of Toronto Directories, 1858-1863

McHugh, Patricia. Toronto Architecture: A City Guide. McClelland and Stewart: Toronto, 1989.

Plan of Subdivision 108

Rust-D'Eye, George H. Cabbagetown Remembered. Boston Mills Press: Erin, 1984.

