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City Clerk's Office

Secretariat
Frances Pritchard
Toronto and East York Community Council
City Hall, 12th Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

Ulli S. Watkiss
City Clerk

Tel: 416-392-7033
Fax: 416-392-2980
e-mail: teycc@toronto.ca
Web: www.toronto.ca

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990 CHAPTER 0.18 AND
8 ELM STREET (James Fleming Buildings)
CITY OF TORONTO, PROVINCE OF ONTARIO**

NOTICE OF PASSING OF BY-LAW

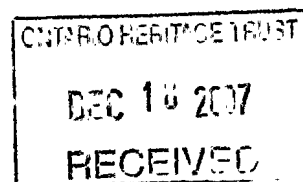
2005244 Ontario Limited
525 Adelaide Street West, #A
Toronto, Ontario
M5V 1T6

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. 1234-2007 to designate 8 Elm Street (James Fleming Buildings) (Toronto Centre-Rosedale Ward 27) as being of cultural heritage value or interest.

Dated at Toronto this 17th day of December, 2007.

Ulli S. Watkiss
City Clerk



Authority: Toronto and East York Community Council Item 7.14,
as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2007
Enacted by Council: November 20, 2007

CITY OF TORONTO

BY-LAW No. 1234-2007

To designate the property at 8 Elm Street (James Fleming Buildings) as being of cultural heritage value or interest.

WHEREAS authority was granted by Council to designate the property at 8 Elm Street, formerly known as 8-12 Elm Street (James Fleming Buildings) as being of cultural heritage 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 cultural heritage value or interest; and

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the land and premises known as 8 Elm Street, (formerly known as 8-12 Elm Street) and upon the Ontario Heritage Trust, Notice of Intention to designate the property and has caused 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, Notice requirements under the *Ontario Heritage Act*; and

WHEREAS the reasons for designation are set out in Schedule "A" to this by-law; and

WHEREAS no notice of objection was served upon the Clerk of the municipality;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The property at 8 Elm Street (formerly known as 8-12 Elm Street), 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 8 Elm Street (formerly known as 8-12 Elm Street) 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, Notice requirements under the *Ontario Heritage Act*.

ENACTED AND PASSED this 20th day of November, A.D. 2007.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

SCHEDULE "A"

REASONS FOR DESIGNATION

Description

The property at 8 Elm Street (formerly known as 8-12 Elm Street) is worthy of designation under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest, and meets the criteria for municipal designation prescribed by the Province of Ontario under the categories of design and contextual value. Located on the north side of Elm Street in the first block west of Yonge Street, the group of attached three-storey commercial buildings were commissioned by the estate of James Fleming and, according to historical records, completed in 1890. The property was listed on the inaugural City of Toronto Inventory of Heritage Properties in June 1973, and a Heritage Easement Agreement was registered in 1985.

Statement of Cultural Heritage Value

The James Fleming Buildings are representative examples of commercial buildings from the late 19th century that are distinguished by their modest Renaissance Revival detailing. The key elements from this style were applied to add visual interest to the principal (south) facades of the buildings, introducing different window types in the upper stories and applying Classical motifs.

Contextually, the James Fleming Buildings support the character of Elm Street between Yonge Street (east) and Bay Street (west) where a number of heritage buildings are reminders of the development of the thoroughfare in the late 19th century. West of the subject properties, St. George's Hall and the YMCA, both completed in 1891 and located at #14 and #18 Elm, respectively, are designated under the *Ontario Heritage Act*. On the opposite side of Elm Street, the single and semi-detached house form buildings and row housing, dating from the late 1800s, are recognized on the City's heritage inventory.

Heritage Attributes

The heritage attributes of the James Fleming Buildings related to their cultural heritage value as representative examples of late 19th century commercial buildings with Renaissance Revival stylistic features are found on the principal (south) facades and roofline, consisting of:

- The three-storey south facades with brick cladding above the first storey.
- Along the flat roofline, the cornice with accents above the pilasters and a central parapet.
- The first-floor storefronts, with inset doors, transoms and commercial window openings that retain much of the original 19th century wood detailing.
- Above the first floor, the organization of the fenestration in tiers with different window types in each storey that are organized by pilasters with capitals.

- In the second storey, the semi-circular arched window openings with stone sills, where the brick voussoirs with corbels and keystones are connected by a band course with paired consoles.
- In the third floor, the segmental-arched window openings with stone sills and brickwork consisting of voussoirs with keystones.

There are no heritage attributes on the side elevations (east and west), which were excluded from the heritage easement agreement and are not included in the Reasons for Designation.

SCHEDULE "B"

PIN 21103-0108 (LT)

PT PARKLT 9 CON 1 FTB TWP OF YORK PT 1 & 2, 63R3114; S/T CT874460

City of Toronto, Province of Ontario

The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2007-273 dated November 6, 2007, as set out in Schedule "C".

