



**STAFF REPORT
ACTION REQUIRED**

**Alteration to Designated Heritage Properties and
Amendment of Associated Heritage Easement
Agreements – 1, 3-5 and 7-9 Sultan Street and 11 St.
Thomas Street**

Date:	December 22, 2011
To:	Toronto Preservation Board Toronto and East York Community Council
From:	Acting Director, Policy & Research, City Planning Division
Wards:	Ward 27 Toronto Centre-Rosedale
Reference Number:	P:\2012\Cluster B\PLN\HPS\TEYCC\February 14 2012\teHPS06

SUMMARY

This report recommends that City Council consent to the alteration of the four designated heritage properties included in this development project known as 1, 3-5 and 7-9 Sultan Street and 11 St. Thomas Street subject to a number of conditions and to authorize amendments to the Heritage Easement Agreements associated with these properties.

The applicant proposes to redevelop the site to include a 9-storey (34 metre) office building with 69 parking spaces and three levels of underground parking. This application further proposes to integrate a portion of the four existing designated heritage buildings into the built form of the proposed office building.

Council's consent is required for both the alteration to the designated heritage properties under Section 33 of the Ontario Heritage Act and the amendment to the registered Heritage Easement Agreements that will include necessary changes to the Conservation Strategy and the Letter of Credit together with updating certain HEA provisions.

This report is being brought forward at the same time as a report for a zoning by-law amendment from the Director, Community Planning for the subject property. At this time, the applicant has not submitted a site plan application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council consent to the alteration of the six designated heritage properties located at 1,3,5, 7 and 9 Sultan Street and 11 St. Thomas Street subject to the following conditions:
 - a. That the retained portions of the designated properties identified in the Heritage Impact Assessment prepared by E.R.A. Architects Inc., dated December 15, 2011 and architectural drawings submitted by Harari Pontarini Architects dated December 12, 2011 be braced, shored, stabilized and kept in situ during construction of this project.
 - b. Prior to the introduction of the Bill in Council for the zoning by-law amendment, the owner shall enter into an agreement with the City to amend the existing Heritage Easement Agreements for 1, 3, 5, 7 and 9 Sultan Street and 11 St. Thomas Street, to the satisfaction of the Manager, Heritage Preservation Services and the City Solicitor, with the amended agreements to be registered on title to the lands in a manner satisfactory to the City Solicitor to reflect the changes as described in this report, including a Conservation Plan, in accordance with the Heritage Impact Assessment prepared by E.R.A. Architects Inc., dated December 15, 2011.
 - c. Prior to final Site Plan Approval, the owner shall:
 - i. provide site plan drawings to the satisfaction of the Manager, Heritage Preservation Services; and
 - ii. provide a Letter of Credit in a form and amount satisfactory to the Manager, Heritage Preservation Services, for all alteration and restoration work contained in the approved Conservation Plan.
 - d. Prior to the issuance of any heritage permit pursuant to the Ontario Heritage Act, including a permit for alteration of any structure on the subject property, and including any permit for shoring or excavation on the subject property, or any portion of such property:
 - i. the related zoning by-law amendment shall be in full force and effect;
 - ii. the owner shall have obtained final site plan approval from the Chief Planner and Executive Director, City Planning; and

- iii. the owner shall submit final plans and drawings to the satisfaction of the Manager, Heritage Preservation Services.
 - e. Prior to the release of the Letter of Credit, the owner shall provide a Letter of Substantial completion for the restoration work, signed by the project architect and heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.
2. City Council grant authority for the City Solicitor to amend the Heritage Easement Agreements under Section 37 of the Ontario Heritage Act with the owner of the properties.
3. City Council authorize the City Solicitor to introduce any necessary bill in Council to amend the Heritage Easement Agreements.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The land known as 1, 3-5, 7-9 Sultan Street and 11 St. Thomas Street were designated by Toronto City Council under Part IV of the *Ontario Heritage Act* under four separate designation by-laws: 1 Sultan Street, By-law No. 169-2003; 3 Sultan Street, By-Law 171-2003; 5, 7 and 9 Sultan, By-law No. 199-81; and 11 St. Thomas Street, By-law No. 170-2003 (See Attachment No. 3). There are four existing Heritage Easement Agreements for all six properties as follows: 1 Sultan Street was registered on November 29, 2002; 3 Sultan Street were registered on November 29, 2002; 5, 7 and 9 Sultan Street was registered November 10, 1997; and 11 St. Thomas Street was registered on November 29, 2002.

In 1997 the lands known as 5, 7 and 9 Sultan Street were the subject of an application to amend Zoning By-law 438-86 which resulted in site specific By-law 1997-0501. The site specific by-law permitted the development of a mixed use building with a maximum of 3,301 sm. residential gross floor area and 778 sm. of non-residential gross floor area. By-law 1997-0501 permitted a maximum height of 13.5 metres along the Sultan Street frontage stepping up to 30.6 metres at 8.1 metres back from the property line and stepping back 3.07 metres to a maximum height of 35 metres along the southerly property boundary with setbacks of 1.9 metres from both the east and west property boundary and no setback along the southerly property boundary. Heritage Easement Agreements were registered on title for 5, 7 and 9 Sultan Street as part of this development application process with the intention that the heritage structures be incorporated into the new development.

In 2002, 1 and 3 Sultan Street, 11 St. Thomas Street and 76 to 98 Charles Street to the east, west and south of the above noted site were amalgamated into one development. By-laws 1089-2002 and 1090-2002 were passed to adopt a site specific amendment to the Official Plan and a site specific zoning by-law respectively for the subject lands to permit

an apartment building, four row houses and a semi-detached house on the site. The by-law recognized the existing buildings at 1 and 3 Sultan Street and 11 St. Thomas Street and permitted a maximum height of 14 metres on the lands east of 1 Sultan Street. The southerly part of the site included a residential tower with a stepped design to a maximum height of 106 metres and four townhouse units along Charles Street with a maximum height of 14 metres. As part of this development Heritage Easement Agreements were registered on title for 1 and 3 Sultan Street and 11 St. Thomas Street. The southerly part of the site now contains the 1 St. Thomas residential condominium building.

ISSUE BACKGROUND

The properties at 1, 3-5, 7-9 Sultan Street and 11 St. Thomas Street are considered to be architecturally significant as important surviving examples of late 19th century residential buildings in the neighbourhood south of Bloor Street West. The builder of 1 Sultan Street is unknown, while 3, 5, 7 and 9 Sultan Street along with 11 St. Thomas Street were constructed by builder Charles. R. Rundle.

1 Sultan Street

Completed in 1880, this detached house was the first of the six heritage properties identified in this report to be constructed and displays features from the popular styles of the late 19th century, including the Second Empire. The north façade and the roof above this façade are included in the Reasons for Designation. The heritage attributes are the stone base and brick base course, the red brick cladding, the brick and stone trim, the two-storey bay window, the flat-roofed open porch with wood detailing on the main entrance, the cornice with a frieze and brackets, the mansard roof, and the pair of dormers with pediments and wood detailing.

3 Sultan Street

This semi-detached house was completed in 1888 and displays features from the popular styles of the late 19th century, including the Romanesque Revival. The north façade and the roof over this façade are included in the Reasons for Designation. The heritage attributes are the sandstone base, the red brick cladding, the brick, stone and terra cotta trim, the chamfered northeast corner, the round-arched and flat-headed door and window openings, the band courses and decorative brickwork, and the gable roof with a gabled wall dormer and wood detailing.

5, 7 and 9 Sultan Street

The construction of these two-and-one-half storey brick semi-detached houses was completed in 1888. They are considered to be well executed examples of late Victorian residential design. The Romanesque style of brick-arched recessed entrances that is repeated in the arched brick drip moulding over the ground floor windows and the Terra-cotta band courses and brick pilasters that flank the gable and hipped wall dormers are considered to be distinctive features.

11 St. Thomas Street

This detached house was completed in 1888 and displays features from the popular styles of the late 19th century including the Romanesque Revival. The north and west walls and the roofs over these walls are included in the Reasons for Designation. The heritage attributes are the stone base, the red brick, cladding, the brick, stone and terra cotta trim, the chamfered northwest corner, the round-arched and flat-headed door and window openings, the band courses and decorative panels, the hipped roof and the dormers with wood detailing.

Planning Act

The Planning Act and Provincial Policy Statement guides development in the province and includes provincial interests regarding heritage resources as described in the Provincial Policy Statement issued under the authority of Section 3 of the *Planning Act*. The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial "policy-led" planning system.

Provincial Policy Statement 2.6.1 indicates that "Significant built heritage resources and cultural heritage landscapes shall be conserved". Properties included on the City's Inventory of Heritage Properties are considered to be "significant" in this context. In the PPS 2005, "conserved" means "the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment."

City of Toronto Official Plan

Policy 3.1.5.2 of the Official Plan states that "heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved" and that "development adjacent to properties on the City's Inventory will respect the scale, character and form of the heritage buildings and landscapes."

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada is the document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

The relevant Standards include, but are not limited to, the following:

- Conserve heritage value by adopting an approach calling for minimal intervention
- Find a use for an historic place that requires minimal or no change to its character-defining elements
- Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference
- Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place
- Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future

Proposal

A zoning by-law amendment application has been submitted to permit a 9 storey building on the lands at 1, 3-5, 7-9 Sultan Street and 11 St. Thomas Street. The office building is proposed to be located above and to the south (rear) of the four existing designated heritage properties. The heritage properties along Sultan and St. Thomas Streets were originally designed as residential buildings with primary entrances from the street. These entrances are identified as heritage attributes and as such, will be retained and restored in the current proposal. Additionally, a main lobby will be constructed that will connect into the south side of each of the heritage buildings along Sultan and St. Thomas Streets as well as the 9-storey office building. This lobby may be accessed by pedestrians from St. Thomas Street and below grade parking.

Comments

Heritage Preservation Services held several discussions with the applicant and their consultants and reviewed architectural drawings submitted by Harari Pontarini Architects dated December 12, 2011 along with a Heritage Impact Assessment submitted by E.R.A. Architects dated December 15, 2011.

Staff has identified two outstanding and relatively complex issues that have not been resolved in time for the completion of this report but staff will work with the applicant to resolve these issues through the site plan process. The first issue is the retention strategy for the retained portions of each of the heritage properties of 1, 3, 5, 7, 9 Sultan Street and 11 St. Thomas Street as per the existing Heritage Easement Agreements. The second issue is in regard to achieving design resolution for barrier-free access for this development project while minimizing the impact on the six designated heritage properties.

In regard to the first issue, HPS has requested that all six designated buildings with associated Heritage Easement Agreements be left in their original location and without any temporary removal of the retained portions of these buildings during construction of this project. It is recommended that approval of the proposed alterations is conditional upon this requirement.

Additionally, given that the buildings located at 1, 3, 5, 7, and 9 Sultan Street will be truncated and significantly reduced in size, the applicant was asked to explore the technical feasibility of underpinning the conserved portion of 1 Sultan Street in place, as this is the least destructive and least invasive option, staff are of the opinion that it should be achievable during the construction phase of this project, including excavation of the parking garage.

In regard to the second issue, staff have reviewed three options presented in the Heritage Impact Assessment for the entrances to properties along Sultan: one option will see the removal of the existing recessed porch and stairs and the lowering of the main entrance to grade; a second option sees the existing recessed porch and stairs removed to be replaced by a ramp; and a third option removes the porch along with two steps, elongates the door down to a new porch that extends into a ramp.

While it is desirable to ensure that accessibility is achieved as per the requirements of the Ontario Building Code (OBC) and Accessibility for Ontarians with Disabilities Act (AODA), staff must also carefully consider the long term impact of any proposed alterations to heritage attributes of designated properties with heritage easement agreements. The main entrances to the houses along Sultan Street are identified as heritage attributes associated with a particular architectural era and style. All three options will significantly alter the appearance of the buildings and based on the review of accessible alterations to buildings throughout the city, these changes are often irreversible.

Staff note that a new lobby to be constructed along the south side of the development site will be accessed from both the parking garage via elevators and by pedestrians entering from St. Thomas Street. Additionally, all new units along Sultan Street connect into this lobby and have been designed to be accessible. It appears that the project is currently 100% accessible and, at present, the owner is uncertain how he wishes to market the retail/office spaces and with what internal configurations.

Therefore, staff propose that at the rezoning stage, the integrity of the remaining portions of the properties located along Sultan Street, including the existing stairs, recessed porches and doorway openings be retained and restored. If accessibility is required by a tenant along Sultan Street during the site plan process or at a future date, HPS will work with the owner to achieve a suitable design solution.

Approval by Council under the Ontario Heritage Act is required for the alteration to the designated buildings and to amend the four registered Heritage Easement Agreements that will include necessary changes to the approved Conservation Strategy, a Conservation Plan and estimated costs to be secured in a Letter of Credit. In addition, this report is being brought forward at the same time as a Supplementary report for the related zoning by-law amendment for the subject property, from the Director, Community Planning made necessary by the proposed revision to the Conservation Strategy.

CONTACT

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Heritage Preservation Services
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SIGNATURE

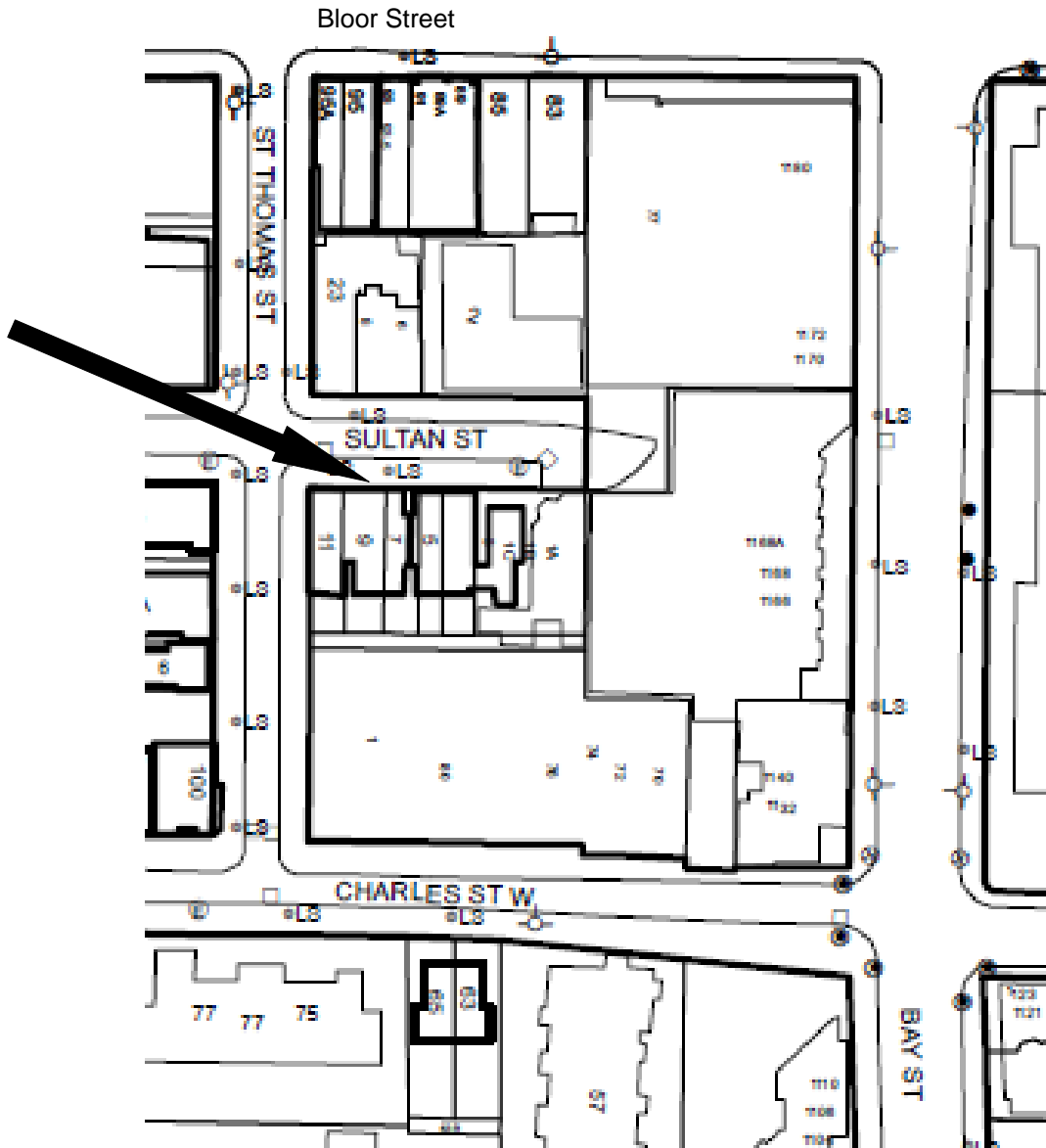
Kerri A. Voumvakis, Acting Director
Policy and Research
City Planning Division

ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photographs
Attachment No. 3 – Designation By-laws

LOCATION MAP:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 1



The **arrow** marks the location of the properties.

This location map is for information purposes only;
exact boundaries of the properties are not shown.

PHOTOGRAPHS:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 2



Composite view of 1, 3-5, 7-9 Sultan Street and 11 St Thomas St
(Source: Harari Pontarini Architects)



Sultan Street and St Thomas Street properties looking westward

PHOTOGRAPHS:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 2



11 St Thomas Street and Sultan Street properties looking eastward



1, 3-5 Sultan Street – view of north (primary) elevation

PHOTOGRAPHS:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 2



3-5, 7-9 Sultan Street and 11 St Thomas Street – view of north (primary) elevation
(Source: Google Maps)



11 St Thomas Street - view of north and west elevations

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

**CITY OF TORONTO
BY-LAW No. 169-2003**

To designate the property at 1 Sultan Street (Brown-Inglis House) as being of cultural heritage value or interest.

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the property at 1 Sultan Street (Brown-Inglis House) and upon the Ontario Heritage Foundation, notice of intention to designate the property and has caused the notice to be published in a newspaper having a general circulation in the municipality, as required by the *Ontario Heritage Act*; and

WHEREAS no notice of objection to the proposed designation was served upon the Clerk of the municipality; and

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

WHEREAS, due to the recent amendments to the *Ontario Heritage Act* made by the *Government Efficiency Act, 2002*, properties are now designated as being of cultural heritage value or interest and there is no longer a distinction between short and long reasons for designation;

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

1. The property at 1 Sultan 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 under Part IV of the *Ontario Heritage Act*.
3. 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.
- 4.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owners of the property at 1 Sultan 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*.

ENACTED AND PASSED this 28th day of February, A.D. 2003.

CASE OOTES,
Deputy Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

SCHEDULE “A”
REASONS FOR DESIGNATION
1 SULTAN STREET

The property at 1 Sultan Street is recommended for designation for its cultural heritage value or interest. Located on the north side of Sultan Street, east of St. Thomas Street, the house form building was constructed in 1880.

The house form building displays features from the popular styles of the late 19th century, including the Second Empire. The north façade and the roof above this façade are included in the Reasons for Designation. The heritage attributes are the stone base and brick base course, the red brick cladding, the brick and stone trim, the two-storey bay window, the flat-roofed open porch with wood detailing on the main entrance, the cornice with a frieze and brackets, the mansard roof, and the pair of dormers with pediments and wood detailing.

The property at 1 Sultan Street is architecturally significant as an important surviving example of a late 19th century residential building in the neighbourhood south of Bloor Street West.

SCHEDULE “B”

Part of PIN 21415-0016 (LT).

Lots 26 and 27 on Plan 97 designated as PARTS 4 and 8 on Plan 63R-4926 in the Land Titles Division of the Toronto Registry Office (No. 66) in the City of Toronto and Province of Ontario. The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2003-022 dated February 25, 2003, as set out in Schedule “C”.

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

**CITY OF TORONTO
BY-LAW No. 171-2003**

To designate the property at 3 Sultan Street (Brown-Inglis House) as being of cultural heritage value or interest.

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the property at 3 Sultan Street (Brown-Inglis House) and upon the Ontario Heritage Foundation, notice of intention to designate the property and has caused the notice to be published in a newspaper having a general circulation in the municipality, as required by the *Ontario Heritage Act*; and

WHEREAS no notice of objection to the proposed designation was served upon the Clerk of the municipality; and

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

WHEREAS, due to the recent amendments to the *Ontario Heritage Act* made by the *Government Efficiency Act, 2002*, properties are now designated as being of cultural heritage value or interest and there is no longer a distinction between short and long reasons for designation;

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

1. The property at 3 Sultan 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 under Part IV of the *Ontario Heritage Act*.
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 3 Sultan 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*.

ENACTED AND PASSED this 28th day of February, A.D. 2003.

CASE OOTES,
Deputy Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

**SCHEDULE “A”
REASONS FOR DESIGNATION
3 SULTAN STREET**

The property at 3 Sultan Street is recommended for designation for its cultural heritage value or interest. Located on the north side of Sultan Street, east of St. Thomas Street, the semi-detached house was completed in 1888 by builder Charles R. Rundle.

The house form building displays features from the popular styles of the late 19th century, including the Romanesque Revival. The north façade and the roof over this façade are included in the Reasons for Designation. The heritage attributes are the sandstone base, the red brick cladding, the brick, stone and terra cotta trim, the chamfered northeast corner, the round-arched and flat-headed door and window openings, the band courses and decorative brickwork, and the gable roof with a gabled wall dormer and wood detailing.

The property at 3 Sultan Street is architecturally significant as an important surviving example of a late 19th century residential building in the neighbourhood south of Bloor Street West.

SCHEDULE “B”

Part of PIN 21415-0016 (LT).

Part of Lot 28 on Plan 97 designated as PART 5 on Plan 63R-4926 in the Land Titles Division of the Toronto Registry Office (No. 66) in the City of Toronto and Province of Ontario.

The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2003-023 dated February 25, 2003, as set out in Schedule “C”.

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

No. 199-81. A BY-LAW

*To designate the Properties at Nos. 5, 7 and 9 Sultan Street
of architectural value.*

(Passed March 12, 1981.)

WHEREAS The Ontario Heritage Act, 1974, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of historic or architectural value or interest; and

WHEREAS notice of intention to so designate the properties at Nos. 5, 7 and 9 Sultan Street having been duly published and served and a notice of objection to such designation having been received, the Council of the Corporation of the City of Toronto referred the matter to the Conservation Review Board for hearing and report; and

WHEREAS the Conservation Review Board, after due notice, conducted a public hearing and made a report to the aforesaid Council in which it recommended that Nos. 5, 7 and 9 Sultan Street be duly designated by by-law of the City of Toronto pursuant to the provisions of The Ontario Heritage Act, 1974; and

WHEREAS the aforesaid Council has considered the said report; and

WHEREAS the reasons for designation are set out in Schedule 'B' hereto;

Therefore, the Council of The Corporation of the City of Toronto enacts as follows:

1. There is designated as being of architectural value or interest the real properties more particularly described in Schedule 'A' hereto, known as the properties at Nos. 5, 7 and 9 Sultan Street.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the properties described in Schedule 'A' hereto in the proper land registry office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owner of the aforesaid properties 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.

ARTHUR C. EGGLETON,
Mayor.

ROY V. HENDERSON,
City Clerk.

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Toronto, in the Municipality of Metropolitan Toronto, formerly in the County of York and Province of Ontario, being composed of parts of Lots 28, 29 and 30 on the south side of Sultan Street according to Plan 97 registered in the Land Registry Office for the Registry Division of Toronto (No. 63), the boundaries of the said parcel being described as follows:

COMMENCING at a point in the southerly limit of Sultan Street where the same is intersected by the northerly production of the easterly face of the easterly wall of the house standing in March 1979 on the lands immediately adjoining to the west of the hereindescribed parcel of land and known as 11 St. Thomas Street, the said point being distant 6.10 metres measured easterly along the said southerly limit of Sultan Street from the easterly limit of St. Thomas Street;

THENCE easterly along the said southerly limit of Sultan Street, being along the northerly limits of the said lots 30, 29 and 28, a distance of 19.58 metres, more or less to a point in the said northerly limit of lot 28 where it is intersected by the northerly production of the centre line of the partition wall between the house standing at the aforesaid date on the easterly part of the hereindescribed parcel of land and known as 5 Sultan Street and the house immediately adjoining to the east thereof and known as 3 Sultan Street;

THENCE southerly along the last-mentioned production, to and along the last-mentioned centre line of wall and the southerly production thereof, in all a distance of 28.50 metres, more or less, to the northerly limit of a private lane;

THENCE westerly along the said northerly limit of private lane, 18.97 metres;

THENCE northerly in a straight line, 7.92 metres, more or less, to a point distant 0.61 metres east of the south-easterly corner of the aforesaid building known as 11 St. Thomas Street measured along a line drawn parallel to the aforesaid northerly limit of lot 30;

THENCE westerly along the said parallel line 0.61 metres, to the said south-easterly corner of building;

THENCE northerly along the aforesaid easterly face of the easterly wall of building and the northerly production thereof, a distance of 20.57 metres, more or less, to the point of commencement.

REASONS FOR DESIGNATION:

ATTACHMENT NO. 3

1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

SCHEDULE "B"

Reasons for designation of the Properties at Nos. 5, 7 and 9 Sultan Street

These buildings are designated on architectural grounds. Built in 1888 by Charles R. Rundle, contractor, these two and one half storey brick semi-detached houses are well executed examples of late Victorian residential design. The Romanesque style of brick-arched recessed entrances that is repeated in the arched brick drip moulding over the ground floor windows and the Terra-cotta band courses and brick pilasters that flank the gable and hipped wall dormers are distinctive features.

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

**CITY OF TORONTO
BY-LAW No. 170-2003**

To designate the property at 11 St. Thomas Street (John Brown House) as being of cultural heritage value or interest.

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the property at 11 St. Thomas Street (John Brown House) and upon the Ontario Heritage Foundation, notice of intention to designate the property and has caused the notice to be published in a newspaper having a general circulation in the municipality, as required by the *Ontario Heritage Act*; and

WHEREAS no notice of objection to the proposed designation was served upon the Clerk of the municipality; and

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

WHEREAS, due to the recent amendments to the *Ontario Heritage Act* made by the *Government Efficiency Act, 2002*, properties are now designated as being of cultural heritage value or interest and there is no longer a distinction between short and long reasons for designation;

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

1. The property at 11 St. Thomas 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 under Part IV of the *Ontario Heritage Act*.
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 11 St. Thomas 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*.

ENACTED AND PASSED this 28th day of February, A.D. 2003.

CASE OOTES,
Deputy Mayor
(Corporate Seal)

ULLI S. WATKISS
City Clerk

REASONS FOR DESIGNATION:
1, 3-5 and 7-9 Sultan Street and 11 St Thomas Street

ATTACHMENT NO. 3

**SCHEDULE “A”
REASONS FOR DESIGNATION
11 ST. THOMAS STREET**

The property at 11 St. Thomas Street is recommended for designation for its cultural heritage value or interest. Located on the southeast corner of St. Thomas and Sultan Streets, the detached house was completed in 1888 by builder Charles R. Rundle.

The house form building displays features from the popular styles of the late 19th century, including the Romanesque Revival. The north and west walls and the roofs over these walls are included in the Reasons for Designation. The heritage attributes are the stone base, the red brick cladding, the brick, stone, and terra cotta trim, the chamfered northwest corner, the round-arched and flat-headed door and window openings, the band courses and decorative panels, the hipped roof, and the dormers with wood detailing. The property at 11 St. Thomas Street is architecturally significant as an important surviving example of a late 19th century residential building in the neighbourhood south of Bloor Street West.

SCHEDULE “B”

Part of PIN 21415-0016 (LT).

Part of Lot 30 on Plan 97 designated as PART 2 on Plan 66R-19829 in the Land Titles Division of the Toronto Registry Office (No. 66) in the City of Toronto and Province of Ontario. The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2003-21 dated February 25, 2003, as set out in Schedule “C”.