

Authority: MM6.12, moved by Councillor Kristyn Wong-Tam, seconded by Councillor Josh Matlow, as adopted by City of Toronto Council on May 5, 6 and 7, 2015

**CITY OF TORONTO**

**BY-LAW No. 988-2015**

**To designate the property at 61 St. Nicholas 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 61 St. Nicholas Street 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 61 St. Nicholas Street 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 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 enacts:

1. The property at 61 St. Nicholas 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 61 St. Nicholas 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, § 162-4.1. Notice requirements under the *Ontario Heritage Act*.

Enacted and passed on October 2, 2015.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

**SCHEDULE "A"**  
**REASONS FOR DESIGNATION**  
**(STATEMENT OF SIGNIFICANCE)**

Description

61 St. Nicholas Street, known as Elm Cottage, is located on the east side of St. Nicholas Street between Irwin Avenue and St. Mary Street. Built in 1883, by the Scottish Ontario and Manitoba Land Company it is one in a row of ten, two-story, brick-clad town houses (45-63 St. Nicholas Street).

Statement of Cultural Heritage Value

The property is worthy of designation under Part IV, Section 29 of the *Ontario Heritage Act* for its cultural heritage value, and meets the criteria for municipal designation prescribed by the Province of Ontario under the three categories of design, associative and contextual values.

Elm Cottage, is one of ten row houses has physical and design value as there are very few examples of row houses with as many as ten contiguous units in downtown Toronto with well-preserved original details which makes these houses rare, if not unique, within the city. It is also valued as a fine representative of the urban Bay-n-Gable house type combined with the Picturesque and Queen Anne Styles. The Picturesque is evident in the combination of asymmetry and complex massing evident in the roofs, the bay and the porch and the name plaques which identify the houses as cottages associated with a tree species such as "Elm Cottage". The Queen Anne Style is evident in the use of orangish-red brick with a proliferation of wood detailing which embellishes the gable, the cornice and soffit of the bay window and the porch. The house is also valued for its high degree of craftsmanship represented in the range of decorative wood elements and for the high degree of preservation of these original characteristics.

The property has an associative value for its contribution, with the other houses in the row, to understanding the historic, social and urban development of this part of the Bay-Cloverhill neighbourhood and Toronto residential typologies of the late 19th century. It is also valued for its association with W. B. Scarth and the Scottish Ontario and Manitoba Land Company. Set up by William Bain Scarth (1837-1902) in 1879, the company represented British capital in the investment and development of property in Ontario, Manitoba and the North West. The Scottish Ontario and Manitoba Land Company owned the entire mid-section of the block where they built both Elm cottage and the other row houses at 45-63 St. Nicholas Street on the western edge and the commercial block known as the Scottish Ontario and Manitoba Land Company Stores on the east side at 664-682 Yonge Street in 1883. The Company also constructed the Scottish Ontario Chambers Building in Ottawa. All are included on municipal heritage registers and the Ottawa building is recognized on Canada's Register of Historic Places. W. B. Scarth served as an alderman in Toronto's St. James Ward and was appointed Deputy Minister of Agriculture. An entrepreneur, he was a member of various companies involved with timber, shipping and cattle breeding as well as land development.

Elm Cottage and its adjacent row-houses have contextual value as they are important in defining, maintaining and supporting the remaining 19th century residential character of the neighbourhood. The well-preserved row-houses with their consistent scale, massing, rhythm of bays and gables and materials, including elaborately carved and incised wood elements, contribute to this character. Built in combination with the Scottish Ontario and Manitoba Land Company stores on the other side of the block at 664-682 Yonge Street, they maintain the historic pattern of proximity between commercial and residential streets that is characteristic of 19th century Toronto as well as preserving the associated scale and built form. Other late 19th century buildings in the immediate vicinity include the row houses at the corner of Irwin Avenue and St. Nicholas Street and the Robert Barron Stables to the north at 81 St. Nicholas Street. Elm Cottage provides a connection between the two increasing the consistency of the 19th century character. The built form of Elm Cottage, combined with the set back from the pavement and the tree-lined street edge, is historically, physically and visually linked to its surroundings. Set in the heart of downtown Toronto, on the back of a block facing bustling Yonge Street, 61 St. Nicholas Street, and its adjacent row houses are a remarkably well-preserved 19th century streetscape, essential to maintaining character of the area.

#### Heritage Attributes

The heritage attributes on the exterior of the house at 61 St. Nicholas Street are:

- The location of the building on the east side of St. Nicholas Street including the set back from the sidewalk, orientation and location in the sequence of adjacent row houses
- The scale, form and massing of the building including its two-storey height with an L-shaped gable roof, bay window with its hipped roof and the projecting sloping porch roof
- The orangish-red brick on the west, east and south façades and its detailing including the window heads and the projecting curved band with triangular pendants around the circular vent opening in the gable, as well as the east-facing wall of the rear wing with its projecting corbelled bricks and chimney
- The stone window sills at the first floor
- The windows in the west facade with the first floor bay with paired windows, and second floor single windows
- The wood detailing including:
  - the gable barge-board with its decorative cut-outs of circles and paired rectangles
  - the brackets supporting the bargeboard with their incised motifs and moulded scrolls
  - the curved and moulded brackets supporting the porch roof and the decorative scalloped edge of the porch roof
  - the cornice and soffit of the bay window roof with its paired brackets
- The name plaque set in the gable with incised letters reading: "Elm Cottage"

**SCHEDULE "B"**  
LEGAL DESCRIPTION

PIN 21109-0124(LT)

PT LT 9 PL D3 TORONTO AS IN CA163059

City of Toronto and Province of Ontario

Land Titles Division of the Toronto Registry Office (No. 66)

The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2015-106 dated August 31, 2015, as set out in Schedule "C".

## SCHEDULE "C"

