



**STAFF REPORT
ACTION REQUIRED**

**Intention to Designate under Part IV, Section 29 of the
Ontario Heritage Act – 61 St. Nicholas Street**

Date:	March 30, 2015
To:	Toronto Preservation Board
From:	Director, Urban Design, City Planning Division
Wards:	Toronto Centre - Rosedale – Ward 27
Reference Number:	P:\2015\Cluster B\PLN\HPS\TPB\TPB15047

SUMMARY

This report recommends that City Council state its intention to designate the property at 61 St. Nicholas Street under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value. The property includes "Elm Cottage", one in a group of ten, brick-clad, two-story row houses, built in 1883 and located mid-block on the east side of St. Nicholas Street between Irwin and St. Mary Streets.

Following research and evaluation, staff have determined that the property at 61 St. Nicholas Street meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation under the Ontario Heritage Act. The designation of the property would identify the property's cultural heritage values and heritage attributes and enable City Council to control alterations to the site, enforce heritage property standards and maintenance, and refuse demolition.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council state its intention to designate the property at 61 St. Nicholas Street (Elm Cottage) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 61 St. Nicholas Street (Reasons for Designation) attached as Attachment No. 3 to the report (March 30, 2015) from the Director, Urban Design, City Planning Division.
2. If there are no objections to the designation in accordance with Section 29(6) of the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.
3. If there are objections in accordance with Section 29(7) of the Ontario Heritage Act, City Council direct the City Clerk to refer the designation to the Conservation Review Board.
4. If the designation is referred to the Conservation Review Board, City Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Conservation Review Board in support of Council's decision on the designation of the property.

Financial Impact

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

DECISION HISTORY

61 St. Nicholas Street is one of a series of ten row houses, at 45-63 St. Nicholas Street adopted by City Council for inclusion on the Heritage Register on March 15, 1974.

ISSUE BACKGROUND

The property at 61 St. Nicholas Street is included in the section of Yonge Street south of Bloor Street West that is being considered as a potential Heritage Conservation District under Part V of the Ontario Heritage Act. On February 11, 2015, City Council approved the Historic Yonge Street Study Area Designation By-law No. 277-2015. The purpose of the heritage conservation district study is to examine the character and appearance of the area to determine if it should be preserved as a heritage conservation district and to consider and make recommendations with regard to the establishment of a district plan to guide changes to properties located within the district. The By-law prohibits for a period of one year and set limitations with respect to the alteration, demolition or removal of buildings or structures within the study area boundaries on Historic Yonge Street between Davenport Road and College Street while the City completes a heritage conservation district study.

<http://www.toronto.ca/legdocs/bylaws/2015/law0277.pdf>

Prior to the passage of the above by-law, the owners of the property at 61 St. Nicholas Street had submitted a rezoning application and a building permit for minor alterations to the property. When Council issues an Intention to Designate the property under Part IV, Section 29 of the Ontario Heritage Act, the approved permits will be released.

Staff will be recommending the entire row, 45-63 St. Nicholas Street, for designation and are currently consulting with the other owners about this process.

COMMENTS

A location map (Attachment No. 1) and photograph (Attachment No. 2) are attached. Staff have completed the attached Heritage Property Research and Evaluation Report (Attachment No. 4).

Staff have determined that the property at 61 St. Nicholas 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, Ontario Regulation 9/06 under the three categories of design, associative and contextual values.

The design values are evident at 61 St. Nicholas Street, one of ten row houses, as it is a fine representative of the Toronto Bay-n-Gable house rendered in the Picturesque Queen Anne style. 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.

The row house is valued for its association with the historic development of the Bay Cloverhill neighbourhood and Yonge Street as well as the Scottish Ontario and Manitoba Land Company, created by William Bain Scarth (1837-1902). The Scottish Ontario and Manitoba Land Company owned the entire mid-section of the block building the St. Nicholas Street row houses on the western edge and the commercial block known as the Scottish Ontario and Manitoba Land Company Stores on the east side of the block at 664-682 Yonge Street. Both are included on the City's Heritage Register. The Company also constructed the Scottish Ontario Chambers building on Sparks Street, Ottawa, which is identified on the Register of Canada's Historic Places.

Contextually the row house has value as it is historically, physically and visually linked with the Bay Cloverhill neighbourhood and Yonge Street. Given the rapidly changing character and development occurring along the Yonge Street corridor, the survival of this row house with the others on St. Nicholas Street in combination with commercial block built at the same time on Yonge Street is increasingly significant for maintaining the late 19th century scale and character of this part of Toronto.

The Reasons for Designation (Statement of Significance) (Attachment No. 3) are the Public Notice of Intention to Designate and will be advertised on the City of Toronto's web site in accordance with the City of Toronto Act provisions and served on the property owners and on the Ontario Heritage Trust according to the provisions of the Ontario Heritage Act.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment No. 1 – Location Map
Attachment No. 2 – Photographs
Attachment No. 3 – Reasons for Designation (Statement of Significance)
Attachment No. 4 – Heritage Property Research and Evaluation Report