

Inclusion on the City of Toronto's Heritage Register- 79 and 81 Granby Street

Date: April 21, 2021

To: Toronto Preservation Board

Toronto and East York Community Council

From: Senior Manager, Heritage Planning, Urban Design, City Planning

Wards: Toronto-Centre – Ward 13

SUMMARY

This report recommends that City Council include the properties at 79 and 81 Granby Street on the City of Toronto's Heritage Register for their cultural heritage value.

Located on the south side of Granby Street, between Church and Yonge Streets, the two, semi-detached residential properties at 79 and 81 Granby Street were built in 1891. The pair is a representative example of semi-detached Victorian-era dwellings designed in the Toronto Bay-and-Gable architectural style.

The recommendation contained in this report is in response to a request by Toronto East York Community Council (TEYCC) at its meeting on October 10, 2019, that the Cultural Heritage Evaluation June 4, 2019 report – 79 and 81 Granby Street, item TE9.13, be referred back to the Senior Manager, Heritage Preservation Services for a review of the McGill-Granby Village Residents' Association's independent heritage consultant's study of the subject properties. The original June 4, 2019 report was in response to City Council's request on December 4, 2018 (Motion MM1.7) that the Senior Manager of Heritage Preservation Services "initiate a study of the formally nominated properties at 79 and 81 Granby Street and to report back regarding designation within the first quarter of 2019."

Following review of the original heritage evaluation, the Residents' Association's independent heritage study, and further research and evaluation undertaken according to Ontario Regulation 9/06 (the provincial criteria to determine cultural heritage value or interest and prescribed for municipal designation that the City also applies to properties being assessed for its Heritage Register), staff have determined that the properties at 79 and 81 Granby Street have cultural heritage value under all three categories of design, association and context.

Properties on the Heritage Register will be conserved and maintained in accordance with the Official Plan Heritage Policies.

RECOMMENDATIONS

The Senior Manager, Heritage Planning, Urban Design, City Planning recommends that:

1. City Council include the properties at 79 and 81 Granby Street on the City of Toronto's Heritage Register in accordance with the Listing Statement (Reasons for Inclusion), attached as Attachment 3 to the report (April 21, 2021) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

FINANCIAL IMPACT

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

DECISION HISTORY

At the October 10, 2019 meeting of Toronto and East York Community Council (TEYCC), item TE9.13 containing a June 4, 2019 Heritage staff report recommending that the subject properties at 79 and 81 Granby Street not be included on the City's Heritage Register was amended by the local councillor to direct Heritage staff to review an independent consultant's report and to report back to the Toronto Preservation Board and TEYCC with their findings.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE9.13>

On December 4, 2018, City Council directed the Senior Manager, Heritage Preservation Services to initiate a study of the formally nominated properties at 79 and 81 Granby Street and to report back regarding designation within the first quarter of 2019.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM1.7>

BACKGROUND

Heritage Planning Framework

The conservation of cultural heritage resources is an integral component of good planning, contributing to a sense of place, economic prosperity, and healthy and equitable communities. Heritage conservation in Ontario is identified as a provincial interest under the Planning Act. Cultural heritage resources are considered irreplaceable and valuable assets that must be wisely protected and managed as part of planning for future growth under the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Heritage Conservation is enabled through the Ontario Heritage Act. The City of Toronto's Official Plan

implements provincial policy regime, the Planning Act, the Ontario Heritage Act and provides policies to guide decision making within the city.

Good planning within the provincial and municipal policy framework has at its foundation an understanding and appreciation for places of historic significance, and ensures the conservation of these resources are to be balanced with other provincial interests. Heritage resources may include buildings, structures, monuments, and geographic areas that have cultural heritage value or interest to a community, including an Indigenous community.

The Planning Act establishes the foundation for land use planning in Ontario, describing how land can be controlled and by whom. Section 2 of the Planning Act identifies heritage conservation as a matter of provincial interest and directs that municipalities shall have regard to the conservation of features of significant architectural, historical, archaeological or scientific interest. Heritage conservation contributes to other matters of provincial interest, including the promotion of built form that is well-designed, and that encourages a sense of place.

The Planning Act requires that all decisions affecting land use planning matters shall conform to the Growth Plan and shall be consistent with the Provincial Policy Statement, both of which position heritage as a key component in supporting key provincial principles and interests.

<https://www.ontario.ca/laws/statute/90p13>

The Provincial Policy Statement provides policy direction on land use planning in Ontario and is to be used by municipalities in the development of their official plans and to guide and inform decisions on planning matters, which shall be consistent with the Provincial Policy Statement. The Provincial Policy Statement articulates how and why heritage conservation is a component of good planning, explicitly requiring the conservation of cultural heritage and archaeological resources, alongside the pursuit of other provincial interests. The Provincial Policy Statement does so by linking heritage conservation to key policy directives, including building strong healthy communities, the wise use and management of resources, and protecting health and safety.

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development states that long-term economic prosperity is supported by, among other considerations, the promotion of well-designed built form and cultural planning, and the conservation of features that help define character. Section 2.6 Cultural Heritage and Archaeology subsequently directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved". Through the definition of conserved, built heritage resources, cultural heritage landscape and protected heritage property, the Provincial Policy Statement identifies the Ontario Heritage Act as the primary legislation through which heritage conservation will be implemented.

<https://www.ontario.ca/page/provincial-policy-statement-2020>

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) builds on the Provincial Policy Statement to establish a land use planning framework that supports complete communities, a thriving economy, a clean and healthy environment and social equity. Section 1.2.1 Guiding Principles states that policies in the plan seek to, among other principles, "conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Metis communities". Cultural heritage resources are understood as being irreplaceable, and are significant features that provide people with a sense of place. Section 4.2.7 Cultural Heritage Resources directs that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas. The subject properties and the adjacent properties at 414-418 Church Street are located in a strategic growth area, being the Downtown Urban Growth Centre.

<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

The Ontario Heritage Act is the key provincial legislation for the conservation of cultural heritage resources in Ontario. It regulates, among other things, how municipal councils can identify and protect heritage resources, including archaeology, within municipal boundaries. This is largely achieved through listing on the City's Heritage Register, designation of individual properties under Part IV of the Ontario Heritage Act, or designation of districts under Part V of the Ontario Heritage Act.

Section 27 of the Ontario Heritage Act gives municipalities the authority to maintain and add to a publicly accessible heritage register. Council must consult with its municipal heritage committee before a property that has not been designated under Part IV is added or removed from the municipal register.

The City of Toronto's Heritage Register includes individual heritage properties that have been designated under Part IV, Section 29, properties in a heritage conservation district designated under Part V, Section 41 of the Act as well as properties that have not been designated but City Council believes to be of "cultural heritage value or interest."

<https://www.ontario.ca/laws/statute/90o18>
<https://www.ontario.ca/laws/regulation/060009>

The City of Toronto's Official Plan contains a number of policies related to properties on the City's Heritage Register and properties adjacent to them, as well as the protection of areas of archaeological potential. Indicating the integral role that heritage conservation plays in successful city-building, Section 3.1.5 of the Official Plan states that, "Cultural heritage is an important component of sustainable development and place making. The preservation of our cultural heritage is essential to the character of this urban and liveable City that can contribute to other social, cultural, economic and environmental goals of the City."

Policy 3.1.5.2 states that properties of potential cultural heritage value or interest "will be identified and evaluated to determine their cultural heritage value or interest consistent with provincial regulations, where applicable, and will include the consideration of cultural heritage values including design or physical value, historical or associative

value and contextual value. The evaluation of cultural heritage value of a Heritage Conservation District may also consider social or community value and natural or scientific value. The contributions of Toronto's diverse cultures will be considered in determining the cultural heritage value of properties on the Heritage Register."

Policy 3.1.5.3 states that heritage properties "will be protected by being designated under the Ontario Heritage Act, and/or included on the Heritage Register". This includes designation under Parts IV or V of the Ontario Heritage Act, as well as listing under Section 27 of the Act.

Policy 3.1.5.4 states that heritage resources on the City's Heritage Register "will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council."

Policy 3.1.5.6 encourages the adaptive re-use of heritage properties while Policy 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts on it. Heritage Impact Assessments (HIA) are required for development applications that affect listed and designated properties. An HIA shall be considered when determining how a heritage property is to be conserved.

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>
<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

The Ontario Heritage Toolkit also provides guidance on the listing of non-designated properties on the Heritage Register. The Tool Kit provides direction on the purpose of listing heritage properties, and explains how the Provincial Policy Statement and the Ontario Heritage Act provide a framework for how listed properties fit within the land use planning system.

https://www.mtc.gov.on.ca/en/heritage/heritage_toolkit.shtml

COMMENTS

Identifying properties of cultural heritage value or interest is an essential part of a municipality's role in heritage conservation. Including non-designated properties in the municipal register is a means to identify properties that have cultural heritage value or interest to the community.

Descriptive listings are prepared using a method by which properties are identified and recommended for inclusion on the Heritage Register. This approach to listing provides sufficient information to meet the requirements of Section 27 of the Ontario Heritage Act to list a non-designated property on the Heritage Register and satisfies direction found

within the City's Official Plan to make use of Provincial criteria when adding properties to the Register.

Statements are prepared explaining why the properties are believed to have cultural heritage value and which includes a description of the properties' design and appearance, their primary address, estimated dates of construction, and pertinent historical information. The information provided within the Reasons for Inclusion on the City's Heritage Register will help to specify those features and attributes that may warrant conservation should the properties be subject to development and/or further evaluated and determined to merit designation under Part IV of the Ontario Heritage Act.

A location map and photographs (Attachment 1 and Attachment 3 Cover Photo) are attached to this report.

Located on the south side of Granby Street, just west of Church Street, the 2.5-storey, semi-detached dwellings at 79 and 81 Granby Street are representative of late 19th century house-form buildings displaying design features indicative of the Victorian-era Bay-and-Gable style with their steeply-pitched roof gables positioned over a 2-storey projecting bay on the principal elevation, complete with decorative shingling and wooden detailing in the gable peak. (Attachment 1, Images 1-3)

In 2018, the properties were nominated for heritage evaluation by a member of the McGill-Granby Village Residents' Association (MGVRA). The Residents' Association had previously submitted to Heritage Preservation Services a nomination for a Heritage Conservation District (HCD) study of the McGill-Granby Village community in 2017.

In 2019, City staff researched and evaluated the properties and determined that they did not merit inclusion on the City of Toronto's Heritage Register. Although the properties demonstrate contextual value, specifically their historical and physical setting between the listed heritage properties at 77 Granby Street and 414-418 Church Street (at the southwest corner of Granby) staff concluded that the alterations to the exterior of subject buildings affected their integrity and ability to communicate their cultural heritage value.

On October 10, 2019, in response to the evaluation report prepared by staff for 79 and 81 Granby Street, dated June 4, 2019 prepared by the Senior Manager, Heritage Preservation Services, the McGill Granby Village Residents' Association advised the TEYCC that they had commissioned a heritage consultant to provide an independent opinion on this matter and that he had concluded that these properties merit consideration for inclusion on the City's Heritage Register.

The Residents' Association requested that the TEYCC direct City staff to reconsider its evaluation in light of the consultant's findings and the documentation prepared by their expert.

Review and Additional Research (2021)

Staff reviewed the independent heritage study submitted by the Residents' Association and also undertook further research and evaluation of the subject properties and the adjacent properties at 414-418 Church Street. While staff felt that the consultant study did not provide any additional rationale for a re-evaluation, as a result of staff's additional research the two subject properties are now being recommended for inclusion on the City's Heritage Register.

In March 2020, the City of Toronto Archives facility was closed due to the pandemic. Although the City Archives remains closed to the public, at the beginning of 2021 City staff were able to make a special request to access historical records. The review of the historical record regarding the properties at 79 and 81 Granby Street uncovered new information about their associative and contextual value in the neighbourhood and relationship to the adjacent late-19th century buildings at 414-418 Church Street.

The three attached Church Street properties, which are already designated under the Ontario Heritage Act, have until now been attributed to a Mr. Stephen Murphy as their original owner. However, it is now understood that Murphy was already deceased at the time of their construction and that the properties were owned instead by Robert Kidney, a local merchant and real estate developer who also owned and built the dwellings at 79 and 81 Granby in the same year. Updated analysis of Land Registry records indicating the lot dimensions purchased by Kidney in 1890 further supports his ownership of all five properties (Images 4-8) This new information about the ownership and the land development of the properties was critical in informing an evaluation and determination of the cultural heritage value of the subject properties.

Understood together with the adjacent designated heritage properties at 414-418 Church Street, the semi-detached dwellings at 79 and 81 Granby Street are significant as part of a collection of buildings originally completed in 1891 by the same original owner, Robert Kidney. Anchoring the southwest corner of Granby and Church streets, the five buildings (including 79 and 81 Granby Street) are valued as surviving representative examples of this early period of land development in the McGill-Granby community. Directly west of 79 and 81 Granby Street stands another heritage property at 77 Granby. This Second Empire-style, polychromatic brick dwelling was built in 1884 by a different owner but rounds out the surviving collection of late-19th century buildings on the south side of this portion of Granby Street and lends additional contextual value to the subject properties at 79 and 81 Granby Street. (Images 9-11)

Exterior alterations to the buildings include over-cladding and new openings on the first two storeys at 79 Granby Street, and removal of the original, round-arched, red brick entryway shared by the pair that is a defining feature of the other late-19th century dwellings in McGill-Granby Village, including the Heritage Register properties at 76-84 McGill Street. (Image 12) These alterations at 79 Granby Street may be reversed and, considering the largely intact condition at 81 Granby, are not considered to negatively impact the overall cultural heritage value of the properties when considered as a pair.

CONCLUSION

Following staff review and further research and evaluation according to Regulation 9/06, it has been determined that the properties at 79 and 81 Granby Street meet Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act, which the City of Toronto also applies when evaluating properties for its Heritage Register, under all three categories of design, associative and contextual value.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1- Location Map and Photographs
Attachment 2- List of Research Sources
Attachment 3- Listing Statement (Reasons for Inclusion) – 79 and 81 Granby Street

LOCATION MAP AND PHOTOGRAPHS:
79 and 81 GRANBY STREET

ATTACHMENT 1

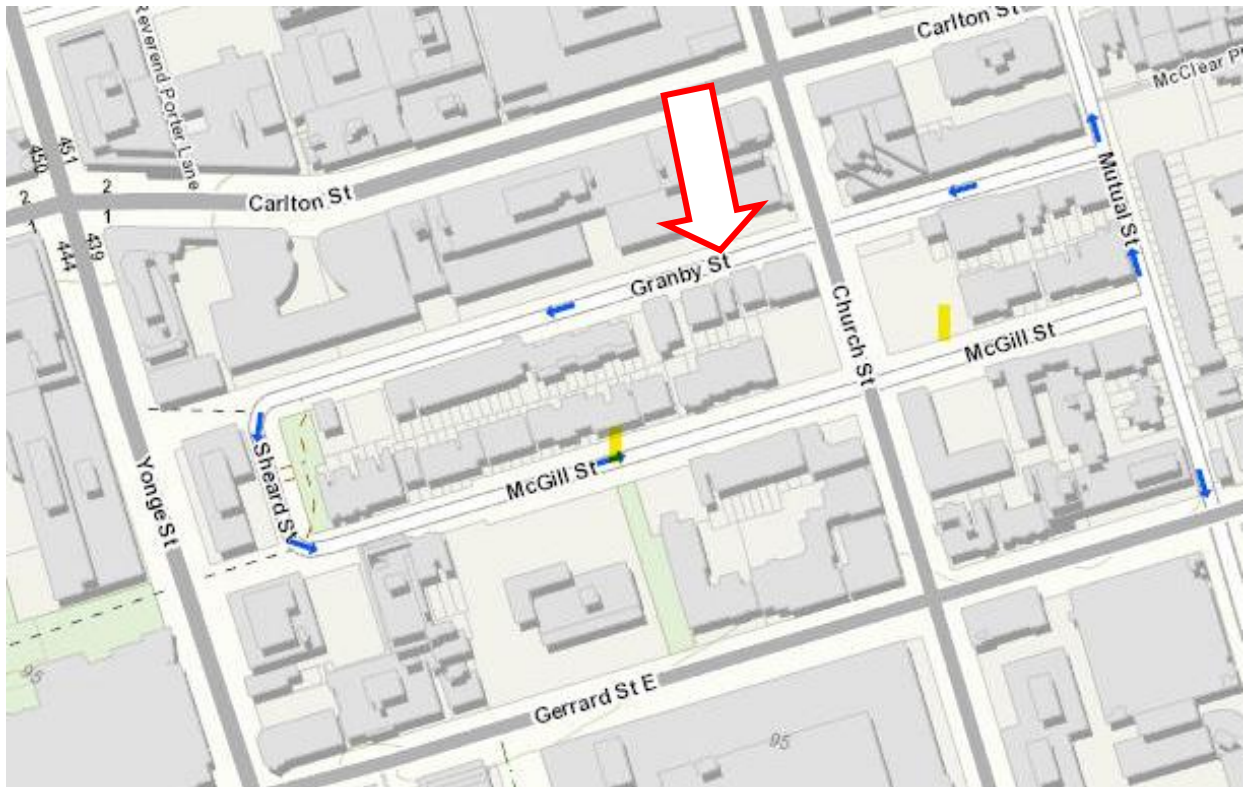


Image 1. This location map is for information purposes only; the exact boundaries of the properties are not shown. The arrow marks the location of the sites. (City of Toronto iView mapping)



Image 2. Current photograph of the principal (north) elevations of (from right to left) 79 and 81 Granby Street. (Heritage Planning, 2021)

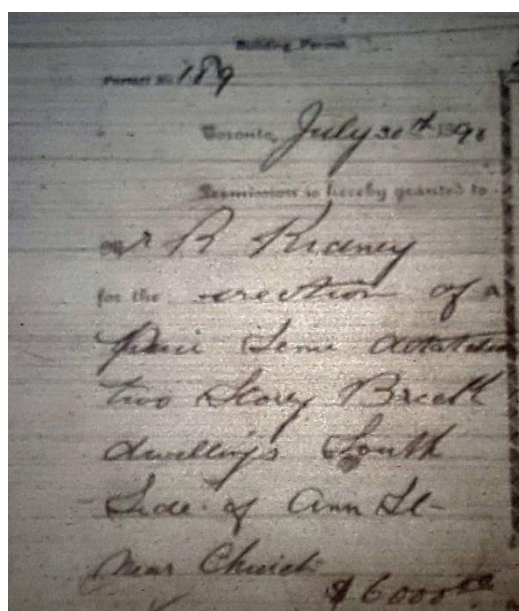
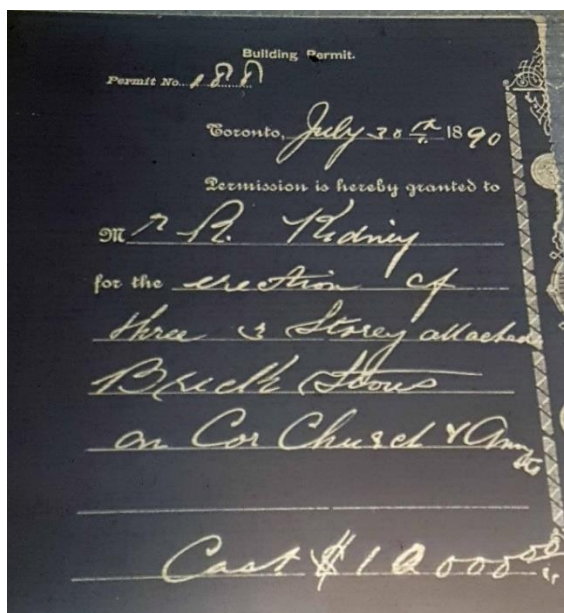


Image 3. Current photograph showing the second- and attic- storeys of the subject properties. While the openings at the second-storey level have been altered at 79 Granby, the attic storey form, arrangement, style and materials are original. (Heritage Planning, 2021)

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CONT'D FROM PREVIOUS PAGE LOT 12 West S. Church St. PLAN 303

REGISTRATION NUMBER	INSTRUMENT	DATE OF INSTRUMENT	REGISTRATION DATE	GRANTOR	GRANTEE	CONSIDERATION	LAND AND REMARKS
7994 st	Asst. Dep. Land Reg.	6 Dec 1888	16 Dec 1888	John Murphy, widow of the late John Murphy, Stephen Murphy, Stephen Murphy, Elizabeth Mary Murphy, daughter of John George Murphy and Helen B. Murphy, Mary Anne Murphy and Michael Murphy	George J. McQuinn, the accountant, the defendant Court of Claims	\$550	see records lot 12 on the west side of Church Street bounded by part of 1 st part and adjacent. Purchased by R. 5150 th (p. 506)
10896 th	Grant	18 Dec 1888	30 Dec 1888	John George Murphy, Elizabeth Mary Boyle wife of John Boyle, Stephen Murphy, Helen Mary Murphy, daughter of John George Murphy, Mary Anne Murphy, daughter of John George Murphy, Michael Murphy, the son at law of John Murphy deceased	Richard J. Boyle	4 th \$298	see records the rear 20 ft of parting on Ann Street of lot 12 on the west side of Church Street Plan 283 said parcel having a depth of 53 ft. Reserving to party of 2 nd part the frame shed and fence which he was to have the right to remove to hold to party of 2 nd part his lease & assign for ever to be held to party of 2 nd part bounded by parties of 1 st part (see for all) and adjacent.
1467 th	Grant	1 Jan 1890	21 Feb 1890	Helen Murphy, widow of John Murphy, Stephen Murphy, daughter of John George Murphy, Elizabeth Mary Boyle wife of John Boyle, Helen Mary Boyle wife of Richard Boyle, son of John George Murphy, Michael Murphy, daughter of John George Murphy, Mary Anne Murphy, daughter of John George Murphy, Michael Murphy, the son at law of John Murphy deceased	Robert Kidney	2 nd \$7500	Part of lot 12. 53 ft on west side of Church Street by 110 ft on south side of Ann Street to hold to party of 2 nd part his lease & assign for ever. Bounded by parties of 1 st part (see for all) and adjacent.

Image 4. City of Toronto Tax Assessment roll for 1890 showing the lot location and dimensions (53ft on the west side of Church by 110ft on the south side of Ann [now Granby] Street) purchased by Robert Kidney from the surviving family and executors of Stephen Murphy's estate early that year. (Heritage Planning, 2021)



Images 5 and 6. City of Toronto building permits indicate that Robert Kidney was granted two permits on Jan. 30, 1890: one to construct a pair of brick dwellings at 79 and 81 Granby Street (right) and three, 3-storey buildings on Church Street which are today known as 414-418 Church (left) at a combined cost for all five buildings of \$16,000. (Heritage Planning, 2021)



Image 7. Current photograph looking southwest and showing the properties at 414-418 Church Street in the foreground with the adjacent dwellings at 79 and 81 Granby Street at right (Heritage Planning, 2021)



Image 8. Contextual view looking southeast and showing 79 and 81 Granby Street situated between the late-19th century heritage properties at 77 Granby, at right, and 414-418 Church Street, at left. (Heritage Planning, 2021)



Image 9. Current photograph showing the main entrances to the subject properties at 79 and 81 Granby Street which were altered at different times from their original design, which included a shared, round-arched entryway. (Heritage Planning, 2021)



Images 10 and 11. Archival photographs, 1972 (left) and 1980s (right), showing the semi-detached houses following the alterations to 79 Granby Street and prior to the change made to the formerly arched entrance opening (left) on 81 Granby Street (City of Toronto Archives)



Image 12. Current photograph showing the type of original, shared, round-arched entryways of the heritage properties at 76-84 McGill Street typical of the neighbourhood and that existed at 79 and 81 Granby Street prior to their alteration. (Heritage Planning, 2021)

LIST OF RESEARCH SOURCES:

ATTACHMENT 2

79 and 81 GRANBY STREET

Archival Sources

- Abstract Index of Deeds, Plan 203, Lot 12
- Archival maps and atlases, <http://oldtorontomaps.blogspot.com/p/index-of-maps.html>
- Archival Photographs, City of Toronto Archives (Series 841, Item 29 and Fonds 1465, Item 1)
- Assessment Rolls, St. James Ward, 1890-91 and Ward 3, Division 2, 1892 ff.
- Building Permits 188 and 189, July 30, 1890, City of Toronto Archives
- City of Toronto Directories, 1890-1910
- Underwriters' Survey Bureau Atlas, 1921 revised to 1943

Secondary Sources

Adam, G. Mercer, *History of Toronto and the County of York*, Volume 1, 1885
Blumenson, John, *Ontario Architecture*, 1990
Hall, Mark W. *Cultural Heritage Evaluation Report: 79 and 81 Granby Street*, October 16, 2019
Lundell, Liz, *The Estates of Old Toronto*, 1997
Maitland, Leslie, Jacqueline Hucker and Shannon Ricketts, *A Guide to Canadian Architectural Styles*, 1992
McHugh, Patricia, and Alex Bozikovic, *Toronto Architecture: A City Guide*, revised ed., 2017

LISTING STATEMENT (REASONS FOR INCLUSION) ATTACHMENT 3
79 and 81 GRANBY STREET



Current photograph showing (right to left) the principal (north) elevations of 79 and 81 Granby Street (Heritage Planning, 2021)

DESCRIPTION:

79 and 81 GRANBY STREET	
ADDRESS	79 and 81 Granby Street
WARD	Toronto-Centre
LEGAL DESCRIPTION	PLAN 203 PT LOT 12
NEIGHBOURHOOD/COMMUNITY	McGill-Granby Village
HISTORICAL NAME	N/A
CONSTRUCTION DATE	1891
ARCHITECT/BUILDER/DESIGNER	N/A
RECORDER	Heritage Planning-Liz McFarland
REPORT DATE	April 21, 2021

79 and 81 Granby Street - Reasons for Inclusion on the City's Heritage Register:

Located on the south side of Granby Street, between Church and Yonge streets, the two, semi-detached residential properties at 79 and 81 Granby Street were built in 1891. The pair are valued as a representative example of semi-detached Victorian-era dwellings designed in the Toronto Bay-n-Gable architectural style with their 2.5-storey form and massing organized vertically on the principal (north) elevation into two bays, the outer one surmounted by a steep gable containing wide bargeboards, scalloped tiles in the gables and decorative wood detailing.

The pair are also valued for their historic association with local merchant and real estate developer, Robert Kidney, who was the original owner of them as well as the three adjacent, mixed-use buildings at 414-418 Church Street that are already included on the City's Heritage Register. All five properties were purchased by Kidney in 1890 and the existing group of brick structures completed the following year.

The properties at 79 and 81 Granby Street (standing between the adjacent Heritage Register properties at 414-418 Church Street to the east and 77 Granby Street to the west), together anchor the southwest corner of Church and Granby streets visually, physically and historically, where they embody a surviving collection of late-19th century buildings representative of this early period of land development in the Granby-McGill community.