

402 and 404 Sherbourne Street - Inclusion on the Heritage Register

Date: August 23, 2023

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 two properties on the City of Toronto's Heritage Register for their cultural heritage value and interest: 402 and 404 Sherbourne Street.

The two properties at 402 and 404 Sherbourne Street have been researched and evaluated by staff using the criteria prescribed in Ontario Regulation 9/06 and meet one or more of the provincial criteria for determining cultural heritage value or interest and are believed to be of cultural heritage value or interest.

The subject properties are located on the west side of Sherbourne Street north of the intersection of Sherbourne Street and Carlton Street, and include two semi-detached, two-and-a-half storey, mirrored Bay and Gable Victorian residences constructed c.1874.

A municipal heritage register may include properties that have not been designated but Council believes to be of "cultural heritage value or interest", and that meet one or more of the provincial criteria for determining whether they are of cultural heritage value or interest. The Ontario Heritage Act (the Act) now also limits listing to a period of two years.

On January 1, 2023, amendments to the Act through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. Under the Act, should a property be subject to an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application, properties must be listed on the heritage register prior to Part IV designation and before the occurrence of a "Prescribed Event". Heritage Impact Assessments (HIA) are required for development applications that affect listed properties.

Properties on the Heritage Register will be conserved and maintained in accordance with the Official Plan Heritage Policies. The listing of non-designated properties on the

municipal heritage register also extends interim protection from demolition and provides an opportunity for City Council to determine whether the property warrants conservation through designation under the Act should a development or demolition application be submitted.

A prescribed event is a point of time when the application for an Official Plan Amendment, Zoning By-law Amendment and/or Draft Plan of Subdivision Application has been deemed complete and the City Clerk provides notice of complete application to the public in accordance with the Planning Act.

RECOMMENDATIONS

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

1. City Council include the properties at 402 and 404 Sherbourne Street on the City of Toronto's Heritage Register in accordance with the Listing Statement (Reasons for Inclusion), attached as Attachment 1 to the report (August 23, 2023) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

FINANCIAL IMPACT

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

POLICY AND REGULATION CONSIDERATIONS

Provincial Plans and Policies

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

Further, the policies and definitions of the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) identify the Ontario Heritage Act as the primary legislation through which heritage evaluation and heritage conservation will be implemented.

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

<https://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>

Ontario Regulation 9/06 sets out the criteria for evaluating properties to be designated under Part IV, Section 29 of the Ontario Heritage Act. The criteria are based on an evaluation of design/physical value, historical and associative value and contextual value. A property may be designated under Section 29 of the Act if it meets two or

more of the provincial criteria for determining whether it is of cultural heritage value or interest.

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

Official Plan

The City of Toronto's Official Plan implements the provincial policy regime and provides policies to guide decision making within the City. It 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. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. The Official Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

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 the City believes to have cultural heritage value or interest.

On January 1, 2023, the Province's proposed amendments to the Ontario Heritage Act (the Act) through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. Bill 23 makes listing a prerequisite to designation, should a property be subject to a development application. Listing extends interim protection from demolition and provides an opportunity for City Council to determine whether the property warrants conservation through designation under the Act should a development or demolition application be submitted.

Short 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 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.

A brief statement named, "Reasons for Inclusion", is prepared for each recommended property explaining why the property is believed to have cultural heritage value and how it meets one or more of the provincial criteria under O. Reg 9/06 providing a preliminary evaluation of the cultural heritage value or interest of the property. The description may include features of the property that may warrant conservation should the property be subject to development and/or further evaluated and determined to merit designation under Part IV of the Act. Location map and photographs are included in each Reason for Inclusion.

If the property is recommended for designation under the Act, further evaluation will be undertaken in accordance with O. Reg 9/06 and the statement of cultural heritage value, including a description of the heritage attributes, will be identified and prepared in compliance with the Act.

The subject properties at 402 and 404 Sherbourne Street were nominated on April 17, 2022 by a member of the public for inclusion on the City's Heritage Register. The research and evaluation conducted for the subject properties has determined that the properties have design/physical value and contextual value. More detailed historical research conducted through a future evaluation for designation under Part IV of the Ontario Heritage Act may determine additional heritage values for this property.

CONCLUSION

Following research and evaluation in accordance with Ontario Regulation 9/06, it has been determined that the properties at 402 and 404 Sherbourne Street meet one or more provincial criteria and merit inclusion on the City's Heritage Register. The Listing Statement (Reasons for Inclusion) for both properties is presented in Attachment 1.

CONTACT

Gary Miedema, CAHP, Ph. D.,
Project Manager, Heritage Planning
Urban Design, City Planning
Tel: 416-338-1091; Fax: 416-392-1973
E-mail: Gary.Miedema@toronto.ca

SIGNATURE

Mary L. MacDonald, MA, CAHP
Senior Manager, Heritage Planning
Urban Design, City Planning

ATTACHMENTS

Attachment 1 - Listing Statement (Reasons for Inclusion) - 402 and 404 Sherbourne Street

**Listing Statement (Reasons for Inclusion)
402 and 404 Sherbourne Street**

ATTACHMENT 1



(Left) Front façade of 402 (left) and 404 (right) Sherbourne Street, Heritage Planning, 2023. (Right) Map of the area and 402 and 404 Sherbourne Street (indicated in red). Note: This location map is for information purposes only; the exact boundaries of the property are not shown. City of Toronto Mapping.

402 and 404 Sherbourne Street - Reasons for Inclusion on the City of Toronto's Heritage Register:

Located on the west side of Sherbourne Street, north of Carlton Street, the properties at 402 and 404 Sherbourne Street comprise a two-storey, buff-brick, semi-detached house-form building. Located in the Cabbagetown - South St. James Town neighbourhood, the properties are adjacent to or nearby other early house-form buildings on Sherbourne Street including Heritage Register properties (413-432 Sherbourne Street) and in proximity to the Cabbagetown Northwest Heritage Conservation District (across Sherbourne Street).

The properties at 402 and 404 Sherbourne Street have cultural heritage value as they meet the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

The subject properties have design value as early, representative examples of a mirrored and matching pair of semi-detached Bay and Gable Victorian residences. Both properties display finely executed brickwork and woodwork, including in the decorative bargeboards. Constructed c.1874, the subject properties are functionally, visually, and historically linked to their surroundings where they reflect the early development of the Upper Jarvis Neighborhood as an upper-class residential enclave in the second half of the 19th century. The subject properties have further contextual value by supporting and maintaining the character of the area and contribute to a collection of late-19th century brick residences along this portion of Sherbourne Street in Cabbagetown.