



## Decision Letter

### Toronto Preservation Board

<b>Meeting No.</b>	33	<b>Contact</b>	Tanya Spinello, Committee Administrator
<b>Meeting Date</b>	Monday, June 30, 2025	<b>Phone</b>	416-397-4592
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	hertpb@toronto.ca
<b>Location</b>	Committee Room 2, City Hall/Video Conference	<b>Chair</b>	Julia Rady

PB33.1	ACTION	Adopted		Ward: 11
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#### **21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act**

##### **Board Decision**

The Toronto Preservation Board recommends that:

1. City Council state its intention to designate the properties at 21, 23, and 25 Kensington Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance for 21, 23, and 25 Kensington Avenue (Reasons for Designation) attached as Attachment 1 to the report (June 11, 2025) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. City Council state its intention to designate the properties at 27, 29, 31, and 33 Kensington Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance for 27, 29, 31, and 33 Kensington Avenue (Reasons for Designation) attached as Attachment 2 to the report (June 11, 2025) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
3. City Council state its intention to designate the properties at 35 and 37 Kensington Avenue under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance for 35 and 37 Kensington Avenue (Reasons for Designation) attached as Attachment 3 to the report (June 11, 2025) from the Senior Manager, Heritage Planning, Urban Design, City Planning.

4. If there are no objections to the designations, City Council authorize the City Solicitor to introduce the Bills in Council designating the properties under Part IV, Section 29 of the Ontario Heritage Act.

5. Should the designation of the Kensington Market Heritage Conservation District under Part V of the Ontario Heritage Act come into effect incorporating the properties subject to this report before the designation by-law is required to be enacted under subsection 29(8) of the Ontario Heritage Act, City Council direct the City Clerk, in consultation with the Senior Manager, Heritage Planning and the City Solicitor, to withdraw one or more of the notices of intention to designate stated with respect to one or more of the properties municipally known as 21 – 37 Kensington Avenue pursuant to subsection 29(7) of the Ontario Heritage Act.

6. City Council request the Chief Planner and Executive Director, City Planning or designate, where feasible, to obtain an extension or waiver of the timelines from the owner(s) of each respective property under the Ontario Heritage Act pursuant to Section 103-4.10 A. of the Toronto Municipal Code to assist with implementation of Recommendation 5 above, in consultation with the City Solicitor.

### **Decision Advice and Other Information**

Emma Doedens, the Heritage Planner, Heritage Planning, Urban Design, City Planning gave a presentation on 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue -Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act.

### **Origin**

(June 11, 2025) Report from the Senior Manager, Heritage Planning, Urban Design, City Planning

### **Summary**

At its meeting on June 30, 2025 the Toronto Preservation Board considered Item [PB33.1](#) and made recommendations to City Council.

### **Summary from the report (June 11, 2025) from the Senior Manager, Heritage Planning, Urban Design, City Planning:**

This report recommends that City Council state its intention to designate the properties at 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue under Part IV, Section 29 of the Ontario Heritage Act for their cultural heritage value according to the Statements of Significance which include descriptions of Heritage Attributes found in Attachments 1, 2, and 3.

The subject properties occupy nine adjacent lots on the east side of Kensington Avenue, mid-block between St. Andrew Street to the north and Dundas Street West to the south. The properties are located on one of the key mixed-use commercial streets within the broader Kensington Market neighbourhood, an area recognized by locals and visitors alike as a dynamic destination for retail, restaurants, and international products all supported by an active and creative community base. A location map and current photographs of the heritage properties are found in Attachment 4.

The subject properties are all representative examples of the nineteenth-century Bay-and-Gable typology applied to a semi-detached house form (35 and 37 Kensington Avenue), and row house-forms (21-25 Kensington Avenue and 27-33 Kensington Avenue). 33 Kensington Avenue was constructed in 1876 as a detached rough cast house-form; its brick cladding was added shortly after the construction of 27, 29, and 31 Kensington Avenue in 1889, at which point 33 Kensington Avenue was integrated into the row. 21-25 Kensington Avenue were constructed in 1888 and 35 and 37 Kensington Avenue were constructed circa 1889. Through their typology and date of construction, each property and collectively the subject properties are associated with the early residential development of Kensington Market from the 1850s to the early 1900s.

Following the area's social and development trends of the early-to-mid-twentieth century, most of the subject properties were subsequently modified to varying degrees to accommodate mixed residential and commercial functions. The visible layering of building additions, particularly within the commercial core streets like Augusta and Kensington avenues, represents the adaptations that occurred as new and marginalized groups arrived in the neighbourhood of Kensington Market and established homes and businesses in the area. The subject properties at 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue are quintessential reflections of the history and development of the Kensington Market area and are significantly important in defining, maintaining, and supporting this character.

Staff have determined that the properties at 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue have cultural heritage value. Each subject property meets 4 of the Ontario Regulation 9/06 criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine criteria.

All nine properties were listed on the City's Heritage Register on July 19, 20, and 21, 2023. The subject properties are located within the Kensington Market Heritage Conservation District (HCD) and all nine properties are categorised as contributing properties within the HCD Plan under Part V of the Ontario Heritage Act that was adopted by City Council on February 5, 2025. The HCD is currently under appeal at the Ontario Lands Tribunal (OLT), and as such is not in force and effect.

On January 1, 2023, amendments to the Ontario Heritage Act (the Act) through the More Homes Built Faster Act, 2022 (Bill 23) came into effect. Under the Act, as amended, 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 Act now limits listing to a period of two years.

As of January 1, 2023, 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. 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 that complete application to the public in accordance with the Planning Act.

Designation enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance. Designation also gives property owners access to City of Toronto heritage incentive programs.

### **Background Information**

(June 11, 2025) Report and Attachments 1 to 5 from the Senior Manager, Heritage Planning, Urban Design, City Planning on 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2025/pb/bgrd/backgroundfile-256416.pdf>)

Staff Presentation on 21, 23, 25, 27, 29, 31, 33, 35, and 37 Kensington Avenue - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

(<https://www.toronto.ca/legdocs/mmis/2025/pb/bgrd/backgroundfile-256988.pdf>)

### **Communications**

(June 30, 2025) E-mail from Nicole Corrado (PB.New)