

65 Heward Avenue and 135R Berkeley Street - Inclusion on the Heritage Register

Date: January 29, 2025

To: Toronto Preservation Board

Toronto East York Community Council

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

Wards: 14 - Toronto – Danforth; 13 - Toronto Centre

SUMMARY

This report recommends that City Council include 65 Heward Avenue (including entrance address 87 Heward Avenue) and 135R Berkeley Street on the City of Toronto's Heritage Register for their cultural heritage value and interest according to the Listing Statements (Reasons for Inclusion) found in Attachment 1 and 2.

The subject property at 65 Heward Avenue is located on the east side of Heward Avenue and is set back from the south side of Eastern Avenue between Carlaw Avenue and Leslie Street in the South Riverdale neighbourhood. The property contains two brick factory/warehouse type buildings constructed in 1914, each with one and two storey portions, which were joined through additions in the 1980s. A location map and current photograph of the heritage property is found in Attachment 1.

The subject property at 135R Berkeley Street is located on the east side of Berkeley Street, south of Queen Street East, in the Moss Park neighbourhood. The property contains a 1-storey, detached workers' cottage that is a rare early example of this typology in Toronto. A location map and current photograph of the heritage property is found in Attachment 2.

The properties recommended for inclusion on the City's Heritage Register 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.

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.

The listing of non-designated properties on the municipal heritage register under the Act 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.

Properties on the Heritage Register will be conserved and maintained in accordance with the Official Plan Heritage Policies. Heritage Impact Assessments (HIA) are required for development applications that affect listed properties.

RECOMMENDATIONS

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

1. City Council include 65 Heward Avenue (including entrance address 87 Heward Avenue) and 135R Berkely Street on the City of Toronto's Heritage Register in accordance with the Listing Statements (Reasons for Inclusion) attached as Attachments 1 and 2 to the report, January 29, 2025, from the Senior Manager, Heritage Planning, Urban Design, City Planning.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

POLICY AND REGULATION CONSIDERATIONS

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 Planning Statement (2024) identify the Ontario Heritage Act as the primary legislation through which heritage evaluation and heritage conservation will be implemented.

[Provincial Planning Statement, 2024 \(ontario.ca\)](https://www.ontario.ca/laws/regulation/060009)

Ontario Regulation 9/06 sets out the criteria for evaluating properties to be included in the Heritage Register under subsection 27 (1) 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 included on the Heritage Register as a non-designated property if the property meets one 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.

The subject property at 65 Heward Avenue contains two brick, factory/warehouse type buildings, each with 1 and 2-storey portions, constructed for the Canadian Ammonia Company Ltd in 1914. Constructed as separate rectangular brick structures, the two buildings were joined through additions in the late 1980s related to the adaptive re-use of the property for film studios. In recent years, further alterations and additions have respected the historic brick structures.

The subject property at 135R Berkeley Street contains a 1-storey, detached workers' cottage that is a rare surviving example of this typology in Toronto. Constructed in the early-to-mid-1850s at the rear of its lot, the cottage originally fronted onto Berkeley Street. In a period of significant growth and infill in the neighbourhood in the 1880s and 1890s, a pair of semi-detached houses were constructed at the front of the lot, severing the visual connection of the cottage with Berkeley Street. Originally roughcast, the building appears to have been bricked by 1909. Community interest in the property was expressed through a nomination in 2023.

The subject properties have been identified as having design 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 cultural heritage values for the property.

Inclusion of (non-designated) properties on the City's Heritage Register

Non-designated listed properties do not have any protection under the Ontario Heritage Act, except insofar as an owner must give Council at least 60 days' notice of their intention to demolish or remove a structure on the property. Properties that are listed on the City's Heritage Register are flagged for review by Heritage Planning staff once a demolition permit has been submitted and owners must follow established Notice requirements under the Ontario Heritage Act following this action.

Although inclusion on the Heritage Register as a listed property provides interim protection from demolition, it does not preclude an owner's ability to make exterior and interior alterations in the case when demolition or a development application is not involved.

Listing does not trigger maintenance requirements over and above existing property standards and it does not restrict altering, removing or adding any features on the property. It does not allow the City to withhold a building permit for non-demolition related alterations and it does not preclude a property from undergoing renovation.

A municipality is not required to consult with property owners or the public before including non-designated properties on the municipal register under the Act. The City's current practice, developed prior to Bill 23 amendments to the Act coming into effect, notifies property owners and invites them to attend the Toronto Preservation Board meeting to discuss the recommendation of a property's inclusion on the City's Heritage Register. There is also an opportunity for owners and the public to share concerns (in person or writing) when Community Council or Planning and Housing Committee considers a heritage related matter.

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.

Brief statements, named "Reasons for Inclusion", are prepared for all recommended properties 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 Reasons for Inclusion.

Through Bill 108 and Bill 23, amendments were made to the Ontario Heritage Act to establish a process whereby owners can object to a property's listing on the Heritage

Register and, should they do so, a subsequent decision on the listing must be made by the municipality. Owners can object to listings at any time. Chapter 103 of the Toronto Municipal Code establishes the process for Council consideration of objections to properties included on the Heritage Register.

CONCLUSION

Following research and evaluation of the properties at 65 Heward Avenue (including entrance address 87 Heward Avenue) and 135R Berkeley Street according to Ontario Regulation 9/06, it has been determined that the properties meet one or more provincial criteria and merit inclusion on the City's Heritage Register. The Listing Statements (Reason for Inclusion) are presented in Attachment 1 and 2.

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SIGNATURE

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ATTACHMENTS

Attachment 1 – 65 Heward Avenue Listing Statement (Reasons for Inclusion)
Attachment 2 – 135R Berkeley Street Listing Statement (Reasons for Inclusion)

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 65 Heward Avenue and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

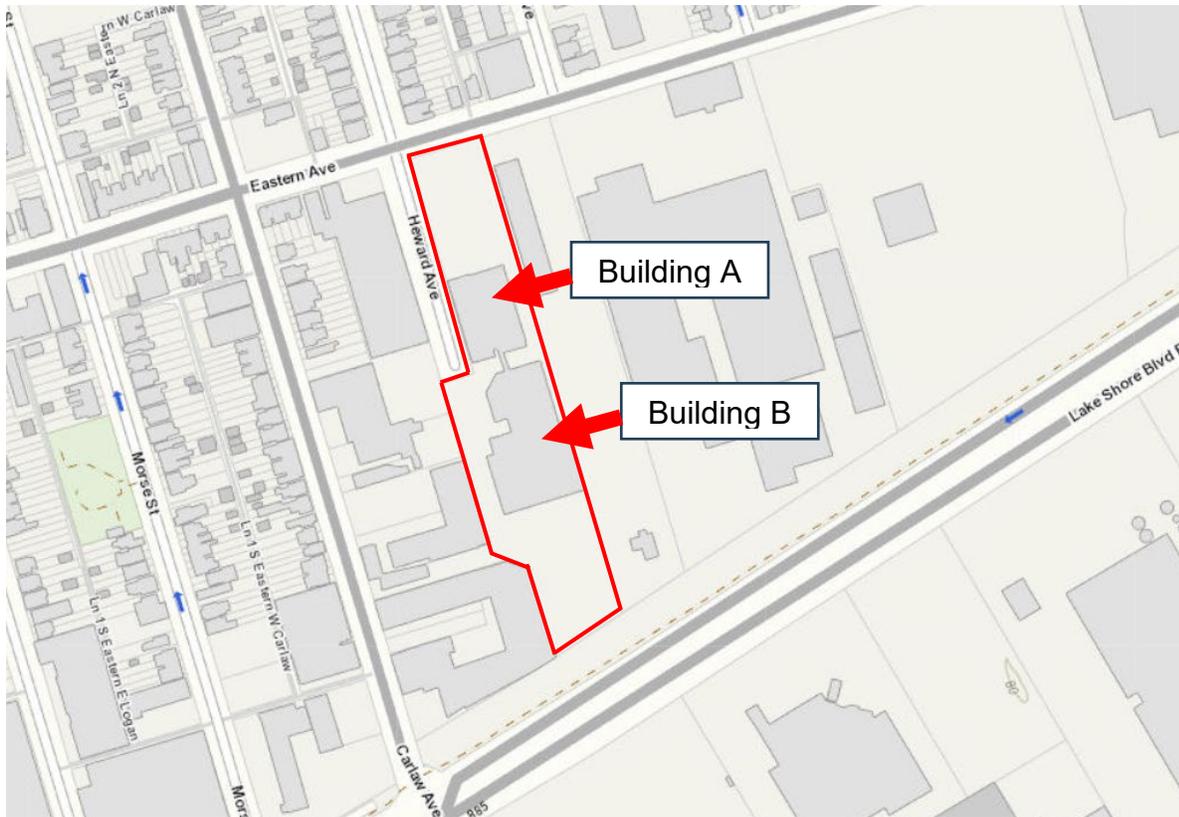
Description: Located in the South Riverdale neighbourhood on the east side of Heward Avenue between Carlaw Avenue and Leslie Street, the property at 65 Heward Avenue contains one-to-two storey factory/warehouse type buildings constructed in 1914, and later joined through additions which supported the adaptive reuse of the property for film studios.

The property at 65 Heward Avenue (including entrance address 87 Heward Avenue) has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed in 1914 for the Canadian Ammonia Company Ltd., the property's historic structures have design value as representative examples of a early-20th century, brick factory/warehouse type buildings. The 1914 buildings' common bond brickwork, stone sills, decorative brick lintels, and brick columns between window bays is characteristic of this typology. Contextually, the property has value for contributing to and maintaining the early-20th century industrial character of Eastern Avenue as a hub of manufacturing and industry.



65 Heward Avenue (Heritage Planning, 2025).



65 Heward Avenue (outlined in red). The 1914 buildings are contained within Building A. Note: This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 135R Berkeley Street and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located in the Moss Park neighborhood on the east side of Berkeley Street and between Queen Street East and Richmond Street East, the property at 135R Berkeley Street contains a detached, workers' cottage-type building constructed by 1858. The property is adjacent to a number of properties on the Heritage Register, including 139-141 Berkeley Street which contain two structures also constructed in the 1850s.

The property at 135R Berkeley Street has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed in the early-to-mid 1850s, the subject property has design value as a single storey, detached workers' cottage that is a rare, early example of this typology in Toronto. The property features a near-square plan, low-hipped roof and symmetrical placement of the door and window openings typical of the early-19th century Regency Cottage and, on a more modest scale, the vernacular workers' cottage. Contextually, the property is historically linked to the development of the King-Parliament area which evolved from a 19th-century residential and institutional neighbourhood to one of Toronto's manufacturing centres in the late-nineteenth and early 20th-century.

