



November 4, 2025

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**Sent by Courier and Email to RegisterCCO@toronto.ca**

John D. Elvidge, City Clerk,  
Attention: Registrar Secretariat,  
City Clerk's Office,  
Toronto City Hall, 2<sup>nd</sup> Floor West,  
100 Queen Street West,  
Toronto, Ontario M5H 2N2

**Re: Notice of Objection to the Notice of Intention to Designate 344 Jarvis Street  
Under Part IV, Section 29 of the Ontario Heritage Act**

We are the solicitors for 2459024 Ontario Inc (the “**Owner**”), the owner of the property known municipally as 344 Jarvis Street (the “**Property**”). Our client received the Notice of Intention to Designate the Property, dated October 10, 2025 (the “**NOID**”). Please accept this letter as our client’s notice of objection to the NOID for reasons which include those outlined below.

### **1. Design or Physical Value Not Established**

The City’s report claims the Property represents an “Italianate Revival semi-detached house-form.”

However:

The Italianate details cited (arched windows, buff-brick trim) are common across many streets in Toronto such as Jarvis and Sherbourne Streets, so the Property is not rare nor distinctive examples of the style.

The facade has been altered through 20<sup>th</sup>-century conversions, for example, non-original porch structures, access staircase, A/C units, new shingles on the roof, ...etc. The integrity of original materials and workmanship has been lost; only the general massing remains.

Accordingly, the Property no longer retains sufficient integrity or uniqueness to demonstrate design or physical value under O. Reg. 9/06, clause 1.

### **2. Associative Value Incorrectly Applied**

The report links the Property to the Elizabeth Fry Society for the years 1953–1956.

This connection is brief, undocumented, and incidental:

The City's own source list cites no primary evidence—no lease, correspondence, or photographs—proving the Society's operations at this specific address.

The tenancy was short-term and not associated with any formative or historically significant event in the organization's history.

Clause 5 ("potential to yield information") is mis-applied, as the evidence referenced actually concerns 342 Jarvis Street ("342"), not the Property. The report has blurred 342 and the Property and created an unfair treatment to the Property, which is also an analytical error that invalidates the application of criteria.

According to The Canadian Encyclopedia web site - <https://thecanadianencyclopedia.ca/en/article/elizabeth—fry—society>, the first Elizabeth Fry Society was established in Vancouver in 1939. The report indication of Elizabeth Fry Society was founded in 1952 and established its first headquarters at the Property the following year in 1953 is inaccurate, misleading, and overstating the associative value.

Even if The Elizabeth Fry Society rented a room at 344, that room is not known also no longer exists. The Elizabeth Fry Society rented many similar places in the city and it was a matter of convenience, not symbolic choice.

There is therefore no demonstrated direct association between the Property and a person or organization of lasting historical significance within the meaning of O. Reg. 9/06, clauses 4 and 5.

### **3. Contextual Value No Longer Present**

The current physical context has been transformed:

Adjacent modern condominiums and apartment buildings now define the streetscape. The City has allowed the change of the adjacent building to modern condominium and apartment without forcing them to be designated while designating the Property is an unfair treatment to single property owner versus large corporation developer.

The unified pair composition between 342 and the Property has been visually and materially disrupted. The most visible example is 342 has repainted the entire front to white color.

The property no longer "defines, maintains or supports" the character of Upper Jarvis Street, as required under O. Reg. 9/06, clauses 7 and 8.

Thus, any former contextual relationship has been lost through surrounding redevelopment and alterations to the property itself.

### **4. Procedural and Evidentiary Deficiencies**

The report evaluates 342 and 344 Jarvis Street jointly, conflating the distinct physical and historical conditions of each, contrary to the individual assessment required by the Ontario Heritage Act and O. Reg. 9/06, especially the report designates the pair jointly but attributes almost all associative merit to 342.

No photographic or archival documentation substantiates the specific claims made for the Property.

The City appears to rely on secondary summaries from the 1970s rather than a contemporary field assessment of the current building fabric.

Our client has reviewed the YouTube recording of the hearing and notice our objection letter was never mentioned while other property objection letter was mentioned. This has created an unfair treatment to our client.

## 5. Others

Bill 23 was passed a while ago and the designation process was not started and now being rush through without proper consultation with the property owner creating an unfair situation to the owner.

The heritage designation would impose substantial financial hardship on the small property owner through negative impact on the property's market value and caused increased in mortgage / financing cost, increased maintenance costs, and renovation restrictions.

We had conducted a survey for over 100 people passed by 344 Jarvis and over 60 of them had responses and we have summarized the responses in the Attachment A attached.

Given the above, the Owner objects to the proposed designation of the Property under Part IV of the Act, and we therefore request the City Council withdraw the NOID as soon as possible.

Yours very truly,

**METCALFE, BLAINEY & BURNS LLP**

Per:

Sammy Lee\*

Partner\*\*

SL/nl

\*executed pursuant to the Electronic Commerce Act

\*\*through K.C. Sammy Lee Law Professional Corporation

Encls.

### Attachment A

Questions asked for people passed by the front of 344:

1. Did you know this building at 344 is an 18th-century Italianate building?
2. The city intended to designate 344 as heritage building to preserve it, not demolishing or redeveloping it. What are your thoughts?

The following summarizes the various responses:

1. I don't know. I don't care.
2. It's none of my business.
3. Can I see relevant information in the museum?
4. You're the city employee, right? You were paid a full time job to stand here and ask questions that have nothing to do with me. I have work to do. Bye!
5. When I walked by, I only saw the staircase at eye level. Now, standing in front of you, I only see the first floor and the windows. I have to walk to the street side and look up hard to see the small round window at the top. No one would look up at this house while walking, so it doesn't seem that special now. Thank you.
6. It's a heritage house. Are there opening hours and is admission free?
7. I do even know the city is doing thing like this. Where can I find information about it?
8. It doesn't fit in with the surrounding high-rise buildings. I suggest the government demolish it and rebuild it like the government housing at the street corner to reduce the government's housing shortage problem.
9. I don't know because I have never been to Italy.
10. I have traveled to Italy and only know about the Leaning Tower, the Colosseum, etc., but I have never seen a house like this (344).
11. If it is a McDonald's or Starbucks restaurant, many people would stay.
12. I never thought there were heritage homes here. I do know that one was destroyed by fire many years ago, and a major real estate developer eventually converted it into residential housing. As long as there's no collusion between politicians and businessmen, this will alleviate some of the pressure on the government to meet housing shortages, which is great.



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13. I'm hoping to solve my housing and food problems. Heritage homes are useless and can't help me!

14. There should be more majestic buildings in the city center to showcase Toronto. Throwing in a few century-old houses makes it look shabby. I don't find this house exciting or special.