



Conservation  
Review Board

Commission des  
biens culturels

4th floor  
400 University Ave  
Toronto ON M7A 2R9  
Tel (416) 314-7137  
Fax (416) 314-7175

4e étage  
400 avenue University  
Toronto ON M7A 2R9  
Tél (416) 314-7137  
Télééc (416) 314-7175

Ministry of Tourism,  
Culture and Recreation

Ministère du Tourisme,  
de la Culture et des Loisirs

November 25, 1991

The Mayor and Members of Council,  
City of Toronto,  
City Hall,  
00 Queen Street West,  
Toronto, Ontario  
M5H 2N2

Dear Mayor Rowlands and Members of Council:

Re: **Proposed Designation under Part IV of the Ontario Act of  
899 Queen Street West known as the John Cornell House and  
905 Queen Street West known as the John Farr House**

Michael B. Vaughan, Q.C. Chairman, Elizabeth Burnham, Member

Report to Council following hearing held pursuant to s.29(8) of  
the Ontario Heritage Act, R.S.O. 1980, chapter 337 as to whether  
the above properties should be designated under the Act as of  
architectural or historical value or interest.

Submissions John Phillips, Solicitor for the City of Toronto  
from:

George T. Gardiner, Solicitor for the Polish  
National Union of Canada Inc.

Zygmunt Uznanski  
Adam Lazkowski  
John Blumenson  
Elizabeth Quance

At the commencement of the hearing on June 10th, a  
representative of the objector advised that the solicitor for  
the objector was not present and requested a deferral. The  
Board adjourned for 30 minutes for the arrival of the  
solicitor. When he arrived he advised that he needed time to  
obtain instructions and the Board adjourned for a further

substantial period of time accordingly. At the commencement of the hearing, George Gardiner, solicitor for the owner, requested an adjournment on the basis that he had only been retained several weeks earlier and did not have proper instructions.

The City resisted the adjournment and pointed out that the Members of the Board were present as well as several members of the City staff. The City pointed to the prejudice to the public interest in deferring the matter in light of the cost to the public purse of gathering the required people together again at a later date.

It was suggested that the owner had a development proposal under consideration and was in negotiations with the City. Because the City's interest in controlling alterations and preventing demolition was fully secured once the Notice of Intention to Designate had been served and, in light of the hoped-for negotiations, the Board adjourned the matter to September 5th.

Adjournments are onerous and expensive and the decision granting an adjournment in this instance should not be considered to be a precedent.

At the resumption of the hearing on that date the solicitor for the objectors was not present and the hearing was adjourned, again, for approximately a further half hour in order that he could be present. At the commencement of the hearing it regretfully was apparent that no further negotiations with the City had taken place.

The solicitor for the objector advised that he would not be leading any evidence related to the architectural or historic value of the property.

John Blumenson gave evidence as to the architectural and historic significance of the two properties and supplemented his testimony with reports and slides.

#### **905 Queen Street West, The John Farr House**

Mr. Blumenson referred to a report from the Architectural Conservancy of Ontario in part, as follows:

The residence to the west of 899 is set slightly farther back from Queen Street but on a very similar level for the ground floor.

The exterior is brick and all of the windows on the front and east side elevation appear to be the original double hung sash, with 6 over 6 lights. The main entrance has been altered but the original brick arch is visible above the later entablature. Originally there was almost certainly a single door with narrow sidelights and fan transom.

The brickwork is in generally good condition. The smooth red field brick is laid in flemish bond with narrow beaded joints. The quoins at the corners and the string and cornice bands are in a smooth yellow brick. This circa 1850 house is well proportioned on its main facade but is remarkably shallow in depth. There is only one window in the gable ends. The rear elevation has been obliterated by the addition of a single large meeting room extending across the entire rear wall.

The interior is again remarkably original and almost all of the original trim, including central stair and balusters, is in good condition.

This handsome, well proportioned house deserves preservation.

The Short Statement of Reasons for the proposed designation is as follows:

The property located at 905 Queen Street West is recommended for designation for architectural and historical reasons. The house was constructed in 1847 for John Farr, who established the Farr Brewery on the adjacent site in 1819. While the business was sold in 1858, the house was occupied by Farr's daughter, Mary E. Farr, until 1905. The buildings at 899 and 905 Queen Street West are operated as a community centre by the Polish National Union.

The John Farr House combines a Georgian design with features associated with the Classical Revival style. The building is constructed of solid red brick with stone detailing. The long, narrow two-storey rectangular plan is

covered by a low-pitched truncated hip roof with extended and bracketed eaves and a single chimney on the west end. The wide cornice and corner quoining are applied in contrasting buff brick. On the principal facade (north), the main entrance is centered in the first storey. single-leaf door with a rectangular transom (now blind) and threequarter length sidelights is set in a wooden doorcase with a moulded entablature and console brackets. A brick arch is visible above the opening. The remaining bays in both storeys contain tall double-hung rectangular windows with twelve-pane sash. The windows are decorated with radiating stone voussoirs with keystones, and stonelug sills.

The narrow side elevations are devoid of openings, apart from a single rectangular window on the east end. The openings in the rear wall were altered with the addition of a single-storey flatroof brick tail with segmental-headed windows. An enclosed external entrance to the basement is attached to the east end of the main structure.

The John Farr House shares its scale, setback, and landscaped grounds with the neighbouring building at 899 Queen Street West. The two residential structures are among the earliest surviving buildings on Queen Street West in West Toronto. The John Farr House is a well-preserved example of mid 19th century domestic design and, with the adjacent John Cornell House, represents an integrated pair of buildings.

Mr. Blumenson advised that the property remained in the same family until 1905 and that the Polish National Union acquired both this property and 899 Queen Street West in the 1930s for use as a community centre.

It was his opinion that the house is an excellent example of how Georgian academic design principles have been related to vernacular architecture. He referred to it as a rare and possibly unique example in Toronto and was not aware of any other house of this age in Toronto that displayed these qualities.

The historical significance of the property relates to the fact that it was owned by John Farr, the founder of an important brewing business which operated for 70 years and was constructed in close proximity to the brewery on the banks of Garrison Creek which has since been tunnelled and buried. As well, it enjoys heritage significance as a centre of Polish culture in the City for 60 years.

### **899 Queen Street West**

The heritage report from the Architectural Conservancy of Ontario referred to above describes this property in the following terms:

The house is located on the south side of Queen Street, facing toward the park, former site of Trinity College. It is set fairly close to the street and approximately 5' above the sidewalk.

The exterior is rough cast plaster over wood lath, 1" boards and undressed stud framing. The rear wing appeared to have pre-dated - or been added to - the late Gothic Revival main house. This section was reported to be older. At the north west junction, the exterior stucco of the rear section and adjacent house wall had fallen away. Both walls were constructed of stucco over wood lath nailed to wood studs. On the rear wing, the lath was hand split undressed wood nailed horizontally with square hand wrought nails to the wood boards. The main house had sawn lath nailed at 45 degrees to the wall studs.

The above indicated that the rear section probably pre-dated the 1870s main house, but by only 10 to 20 years.

The house appears to be quite original, inside and out. The bell shaped roof of the front porch, the heavy wood window and door trim, the "french doors" from the front parlour to porch are all original. The interior base board, trim and stair are all original and even the interior room divisions have been little altered, allowing the original room forms to be easily assessed. Much of the upper floor rooms show serious water damage and the roof and roof boards are in very poor condition.

The Short Statement of the Reasons for Designation is as follows:

The property located at 899 Queen Street West is recommended for designation for architectural and historical reasons. The house was constructed for John Cornell, Jr. in 1872 when he became sole owner of the adjacent Queen Street Brewery. Cornell, a City Councillor and Justice of the Peace, had operated the business (opened as the Farr Brewery in 1819) with John Moss, a Member of Parliament for West Toronto, since 1867. The property was retained by the Cornell family until 1888. The buildings at 899 and 905 Queen Street West are operated as a community centre by the Polish National Union.

The John Cornell House is a two-storey ell-shaped dwelling of stucco-over-frame construction with features identified with the Gothic Revival style. The building is covered by a steeply-pitched gable roof with a single inset brick chimney. On the right end of the principal facade (north), a projecting ell wing adjoins the main body. The main entrance, characteristically located at the intersection of the parts, features a single-leaf door with a flat transom and three-quarter length sidelights. A French door is balanced in the wall to the left, while the upper floor contains two segmentally-headed double-hung windows. The lower storey is sheltered by an open verandah. On the ell wing, a bay window with round-arched sash and a conical roof fills the first storey, with a double-sash rectangular window in the second storey. The gable has carved bargeboard and a king post.

The east and west walls are blank. The rear (south) elevation is covered by a combination hip and shed roof and has segmentally-headed and round-headed windows. The building is extended by a one-storey stuccoed addition with a gable roof.

The John Cornell House shares its scale, setback, and landscaped ground with the neighbouring building at 905 Queen Street West. The two residential structures are

among the earliest surviving buildings on Queen Street West in West Toronto. The John Cornell House is a well-preserved example of a late 19th century domestic design and, with the adjacent John Farr House, represents an integrated pair of buildings.

Mr. Blumenson felt that it was possible that an earlier log building constructed by John Farr may comprise part of the house at 899 Queen Street West.

He felt that both properties displayed significant historical attributes and showed the relationship between early settlement and industry. He referred to them both as later focal points for the Polish community. Each represents a different style characteristic of its era and the combination represents a rare example of two contrasting styles beside each other. Today they are framed by other low buildings and set well back from the street showing a rural relationship.

It is noteworthy that the Short Statement of Reasons for the Designation in neither case refers to the heritage significance of the properties to the Polish community and it may be appropriate that the Reasons be amended in that respect.

### **The Objection**

Those speaking against the proposed designation raised two basic objections. The first is that they felt the City had an obligation to purchase the properties if it proposed to designate them and in that respect they referred to s.36 of the Ontario Heritage Act. It is of course fundamental to our system of property ownership that property is notionally considered to be held in tenure from the Crown and subject to whatever incidents of ownership that are at the pleasure of the Crown from time to time. Thus many and serious legislative enactments impinge on the rights of property ownership, including taxation, zoning, rental legislation, agricultural legislation, environmental legislation and so forth. There is absolutely no obligation on the part of a municipality to expropriate designated property in an instance such as this. It may be possible to imagine unusual circumstances in which designation effectively sterilizes a property from any viable use but that is not the case in either of these instances.

The other objection arose from the fact that the Polish National Union desires to construct a new, large, Polish heritage building on the combined site and had found it impossible to raise financing or arrive at serious plans in light of the proposed designation.

The objectors brought forward no evidence whatsoever related to either the architectural or the historic value of either property. The only concerns that they expressed were the above concerns related to perceived hardship. One of the witnesses expressed the view that the designation was motivated by anti-Polish sentiment. There was no evidence whether by way of plans, testimony, architectural programs, development feasibility reports or otherwise that would indicate that it is not feasible to construct a new Polish heritage building in such a way as to give effect to the Reasons for Designation.

In the result, the objectors brought forth no evidence directly related to the issues required by the Act to be considered by the Board and by Council.

A substantial amount of public funds and private time was invested in this hearing and the Board is concerned that hearings and evidence be relevant to the issues required by the Act to be addressed. The Board is concerned that statutory rights and processes not be abused.

**Recommendations**

In these circumstances the Board recommends that both properties be designated and that consideration be given to a reference to the function of the buildings within the Polish community in the Reasons for Designation.

(Original Signed by)

\_\_\_\_\_  
Michael B. Vaughan, Q.C.  
Chairman

\_\_\_\_\_  
Elizabeth Burnham  
Member