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BY-LAW NUMBER 195-78

A by-law of The Corporation of the City of Ottawa to designate 363-383 Daly Avenue to be of historic or architectural value or interest;

First Reading JUN 21 1978
Second Reading JUN 21 1978
Third Reading JUN 21 1978

No. NS 18519
Registry Division of Ottawa-Carleton (No. 5)
I CERTIFY that this instrument is registered as of
M.M. 10:19 JUN 29 1978 in the
Land Registry Office at Ottawa, Ontario.
[Signature]
LAND REGISTRAR

CITY SOLICITORS DEPT.
RECEIVED
JUN 30 1978
CORP. CITY OF OTTAWA

Legal Department
The Corporation of the
City of Ottawa
111 Sussex Drive
Ottawa, Ontario
K1N 5A1

140

A by-law of The Corporation of the City of Ottawa to designate 363-383 Daly Avenue to be of historic or architectural value or interest;

WHEREAS The Ontario Heritage Act, 1974, authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS the Council of The Corporation of the City of Ottawa has caused to be served upon the owners of the lands and premises known as 363-383 Daly Avenue, more particularly described in Schedule "A" hereto, and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in The Citizen newspaper having a general circulation in the City of Ottawa, once a week for three consecutive weeks, namely on March 9, March 16 and March 23, 1978;

AND WHEREAS the reasons for the designation are set out as Schedule "B" hereto;

AND WHEREAS no notice of objection to the said proposed designation has been served upon the Clerk of the municipality;

THEREFORE the Council of The Corporation of the City of Ottawa enacts as follows:-

1. There is designated as being of historic or architectural value or interest the real property, more particularly described in Schedule "A" hereto, known as 363-383 Daly Avenue.
2. The City Solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is hereby authorized to cause a copy of this by-law to be served upon the owners of the property described in Schedule "A", and upon the Ontario Heritage Foundation, and to cause notice of this by-law to be published in a newspaper having a general circulation

in the City of Ottawa.

4. The schedules attached hereto and marked Schedule "A" and Schedule "B" form part of this by-law and all notations, references and other information contained therein shall be as much a part of this by-law as if all the matters and information set forth by the said schedules were all fully described herein.

GIVEN under the corporate seal of the City of Ottawa
this 21st day of June , 1978.

(Sgd) E. H. COOPER

CITY CLERK

(Sgd) L. Greenberg

MAYOR



SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Ottawa, in the Regional Municipality of Ottawa-Carleton and Province of Ontario, BEING COMPOSED OF:-

FIRSTLY

Part of Lot No. 40 on the north side of Daly Avenue as shown on a plan of Bosserer Place prepared by J. D. Slater, P.L.S. and registered in the Registry Office for the Registry Division of the City of Ottawa on the 17th day of June, 1859 as No. 6, which said portion of said Lot No. 40 may be more particularly described as follows, that is to say:

COMMENCING at a point on the southerly limit of the said Lot No. 40, distant thirty-two feet, nine inches (32'9") westerly from the southeast angle of the said Lot;

THENCE northerly to and along the centre line of the division walls of premises known municipally as Number 363-365 Daly Avenue and the northerly prolongation thereof, ninety-nine feet (99') more or less to the northerly limit of the said Lot;

THENCE westerly and following the northerly limit of the said Lot, thirty-one feet, zero inches (31'0") more or less to a point two feet, four inches (2'4") east of the north west angle of the said Lot;

THENCE southerly and parallel with the westerly limit of the said Lot, twenty feet;

THENCE westerly two feet, four inches to the westerly limit of the said Lot;

THENCE southerly and following the westerly limit of the said Lot seventy-nine (79') feet more or less to the south-west angle of the said Lot;

THENCE easterly and following the southerly limit of the said Lot thirty-three feet, four inches (33'4") more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way which may be more particularly described as follows:

COMMENCING at a point in the common boundary between

the said Lot 40 and Lot 39, a distance of twenty feet (20')
from the northerly boundaries thereof;

THENCE westerly and parallel to the southerly
boundary of the said Lot 39, a distance of four feet (4');

THENCE southerly and parallel to the common boundary
of the said Lots 39 and 40 to the southerly boundary of the
said Lot 39;

THENCE easterly and along the southerly boundaries
of Lots 39 and 40 a distance of eight feet (8');

THENCE northerly and parallel to the common boundary
of Lots 39 and 40 to the northerly boundary of the said Lot 40;

THENCE westerly a distance of one foot eight inches
(1'8");

THENCE southerly and parallel to the common boundary
between Lots 39 and 40 a distance of twenty feet (20');

THENCE westerly and parallel to the northerly
boundary of the said Lot 40, a distance of two feet four
inches (2'4") more or less to the point of commencement.

SUBJECT TO and with the benefit of the right-of-way
more particularly described in Deed 175895, reserving unto
the Grantor its successors and assigns a right-of-way in,
over and along part of said Lot Number 41 on the north side
of Daly Avenue which is more particularly described as follows:

COMMENCING at the northeast angle of Lot 41 on the
north side of Daly Avenue;

THENCE southerly and following the easterly boundary
of the said Lot, nine feet (9');

THENCE westerly and parallel with the northerly
boundary of the said Lots 41 and 40, one hundred and eight
feet, two inches (108'2");

THENCE westerly thirty-six decimal five feet (36.5')
more or less in a straight line to a point distant four feet
(4') easterly from the westerly limit of the said Lot 40
and distant thirty-nine feet (39') southerly from the northerly
limit of the said Lot 40 measured on a parallel with the
westerly limit of the said Lot;

THENCE northerly and parallel with the westerly limit of the said Lot 40 thirty-nine feet (39') to the northerly limit thereof;

THENCE easterly and following the northerly limit of the said Lots, one hundred and twenty-eight feet, two inches (128'2") more or less to the point of commencement.

SECONDLY

Part of Lot 40, on the north side of Daly Avenue as shown upon registered plan number 6, and being more particularly described as follows:-

COMMENCING at a point on the southerly limit of the said Lot 40, distant 9'3" westerly from the south-east angle of the said Lot 40;

THENCE westerly and following the southerly limit of the said Lot, 23'6";

THENCE northerly to and along the centre line of division walls of premises known municipally as 363 and 365 Daly Avenue, and the northerly prolongation thereof, 99' more or less to the northerly limit of the said Lot;

THENCE easterly and following the northerly limit of the said Lot 23'6" more or less to the northerly prolongation of the centre line of division walls between premises known municipally as 365 and 369 Daly Avenue;

THENCE southerly to and along the said division line and the southerly prolongation thereof, 99' more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way described as follows:

COMMENCING at the north-east angle of the said Lot 41 on plan No. 6;

THENCE southerly and following the easterly boundary of the said Lot 41, 9 feet;

THENCE westerly and parallel with the northerly boundary of the said Lots 41 and 40, 108'2";

THENCE south-westerly in a straight line 36.05' to a point distant 4' easterly from the westerly boundary

of the said Lot 40, measured at right angles thereto and distant 39' southerly from the northerly boundary of the said Lot 40 measured on a parallel with the westerly boundary of the said Lot 40;

THENCE northerly and parallel with the westerly boundary of the said Lot 40, 39' to the northerly boundary of the said Lot 40;

THENCE easterly and following the northerly boundary of the said Lots 40 and 41, 128'2" more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way described in registered instrument number 175895.

THIRDLY

Parts of Lots 40 and 41 on the north side of Daly Avenue, according to a Plan registered in the Registry Office for the Registry Division of Ottawa as Number 6, being more particularly described as follows:

COMMENCING at a point on the southerly limit of the said Lot 41, distant 51 feet 10 inches westerly from the southeast angle of Lot 41;

THENCE westerly and along the southerly limit of Lots 41 and 40, 23 feet 6 inches more or less to a point distant 9 feet 3 inches westerly from the southeast angle of Lot 40;

THENCE northerly to and along the centre line of division walls of premises known municipally as 365 and 369 Daly Avenue, and the northerly prolongation thereof 99 feet more or less to the northerly limit of Lot 40;

THENCE easterly and following the northerly limit of Lots 40 and 41, 23 feet 6 inches more or less to the northerly prolongation of the centre line of division walls of premises known municipally as 369 and 371 Daly Avenue;

THENCE southerly to and along the said division line and the southerly prolongation thereof 99 feet more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way through,

along and over the following described parcels of land,
being parts of Lots 39, 40 and 41;

(1) COMMENCING at a point on the westerly boundary
of Lot 40 (on the North side of Daly Avenue) a distance of
16 feet from the northerly boundary thereof;

THENCE along the westerly boundary of Lot 40 to
the southerly boundary thereof;

THENCE easterly along the said southerly boundary
a distance of 4 feet;

THENCE northerly and parallel to the westerly
boundary of Lot 40 to the northerly boundary thereof;

THENCE westerly along the northerly boundary to
a point distant 2 feet 4 inches from the intersection of
the westerly and northerly boundaries of Lot 40;

THENCE southerly and parallel to the westerly
boundary of Lot 40 a distance of 16 feet;

THENCE westerly and parallel to the northerly
boundary of said Lot a distance of 2 feet 4 inches to the
place of beginning.

(2) COMMENCING at the intersection of the easterly
and southerly boundaries of Lot 39, on the North side of
Daly Avenue;

THENCE westerly and along the southerly boundary
of Lot 39 a distance of four feet;

THENCE northerly and parallel with the easterly
boundary of Lot 39 to the northerly boundary thereof;

THENCE easterly along the northerly boundary of
Lot 39 a distance of 4 feet to the easterly boundary thereof;

THENCE along the easterly boundary to the place
of beginning to the intersection of the easterly and southerly
boundaries of Lot 39.

The aforesaid Parcels 1 and 2 are described in
Instrument No. 175895.

(3) COMMENCING at the north east angle of Lot 41 on
the North side of Daly Avenue;

THENCE southerly and following the easterly boundary

of the said lot, a distance of 9 feet;

THENCE westerly and parallel with the northerly boundary of Lots 41 and 40, 108 feet 2 inches;

THENCE south westerly 36.05 feet more or less in a straight line to a point distant 4 feet easterly from the westerly limit of Lot 40 and distant 39 feet southerly from the northerly limit of Lot 40 measured on a parallel with the westerly limit of Lot 40;

THENCE northerly and parallel with the westerly limit of Lot 40 a distance of 39 feet to the northerly limit of Lot 40;

THENCE easterly and following the northerly limit of Lots 40 and 41, 128 feet 2 inches more or less to the point of commencement.

FOURTHLY

Part of Lot 41, on the north side of Daly Avenue as shown upon registered plan number 6, and being more particularly described as follows:

COMMENCING at a point on the southerly limit of the said Lot 41, distant 28'6" westerly from the southeast angle of the said lot;

THENCE westerly and following the southerly limit of the said lot, 23'4";

THENCE northerly to and along the centre line of division walls of premises known municipally as 369-371 Daly Avenue, and the northerly prolongation thereof, 99' more or less to the northerly limit of the said lot;

THENCE easterly and following the northerly limit of the said lot 23'4" more or less to the northerly prolongation of the centre line of division walls between premises known municipally as 371-375 Daly Avenue;

THENCE southerly to and along the said division line and the southerly prolongation thereof 99' more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way described as follows:

COMMENCING at the northeast angle of the said Lot 41;

THENCE southerly and following the easterly boundary of the said Lot 41, 9 feet;

THENCE westerly and parallel with the northerly boundary of the said Lots 41 and 40, 108'2";

THENCE southwestwardly in a straight line 36.05 feet to a point distant 4 feet easterly from the westerly boundary of the said Lot 40 measured at right angles thereto and distant 39 feet southerly from the northerly boundary of the said Lot 40 measured on a parallel with the westerly boundary of the said Lot 40;

THENCE northerly and parallel with the westerly boundary of the said Lot 40, 39 feet to the northerly boundary of the said Lot 40;

THENCE easterly and following the northerly boundary of the said Lots 40 and 41, 128'2" more or less to the point of commencement.

TOGETHER WITH a right-of-way as described in instrument number 175895.

FIFTHLY

Part of Lot 41; North Daly Avenue, House number 375; COMMENCING at a point on the southerly limit of the said Lot 41, distant five feet two inches (5'2") westerly from the south-east angle of the said Lot;

THENCE westerly and following the southerly limit of the said Lot, twenty-three feet four inches (23'4");

THENCE northerly to and along the centre line of division walls or premises known municipally as 371-375 Daly Avenue and the northerly prolongation thereof, ninety-nine feet (99') more or less to the northerly limit of the said Lot;

THENCE easterly and following the northerly limit of the said Lot twenty-three feet four inches (23'4") more or less to the northerly prolongation of the centre line of division walls between premises known municipally as 375-377 Daly Avenue;

THENCE southerly to and along the said division

line and the southerly prolongation thereof ninety-nine feet (99') more or less to the point of commencement.

TOGETHER WITH AND SUBJECT TO a right-of-way described as follows:

COMMENCING at the north-east angle of the said Lot 41;

THENCE southerly and following the easterly boundary of the said Lot 41;

THENCE southerly and following the easterly boundary of the said Lot 41, nine feet (9');

THENCE westerly and parallel with the northerly boundary of the said Lots 41 and 40, one hundred and eight feet, two inches (108'2");

THENCE south-westerly in a straight line thirty-six and five one hundredths feet (36.05') to a point distant four feet (4') easterly from the westerly boundary of the said Lot 40 measured at right angles thereto and distant thirty-nine feet (39') southerly from the northerly boundary of the said Lot 40, measured on a parallel with the westerly boundary of the said Lot 40;

THENCE northerly and parallel with the westerly boundary of the said Lot 40, thirty-nine feet (39') to the northerly boundary of the said Lot 40;

THENCE easterly and following the northerly boundary of the said Lots 40 and 41, one hundred and twenty-eight feet, two inches (128'2") more or less to the point of commencement.

TOGETHER WITH the right-of-way described in instrument no. 175895.

ALL AS SHOWN on Plan registered as No. 6.

SIXTHLY

Parts of Lots 41 and 42 on the North side of Daly Avenue (the premises on this parcel or tract being known municipally as No. 377 Daly Avenue) as shown upon registered Plan No. 6, and being more particularly described as follows:

COMMENCING at a point on the southerly limit of Lot 42, distant 48 feet, westerly from the southeast angle

of Lot 42;

THENCE westerly and following the southerly limit of Lots 42 and 41, 23 feet 3 inches more or less to a point distant 5 feet 2 inches westerly from the southeast angle of Lot 41;

THENCE northerly to and along the centre line of division walls of premises known municipally as No. 375 and No. 377 Daly Avenue and the northerly prolongation thereof, 99 feet more or less to the northerly limit of Lot 41;

THENCE easterly and following the northerly limit of Lots 41 and 42, 23 feet 3 inches more or less to the northerly prolongation of the centre line of division walls between premises known municipally as No. 377 and No. 381 Daly Avenue;

THENCE southerly to and along the centre line of these division walls and the southerly prolongation thereof, 99 feet more or less to the point of commencement;

TOGETHER WITH AND SUBJECT TO a right-of-way described as follows:

COMMENCING at the northeast angle of Lot 41;

THENCE southerly and following the easterly boundary of Lot 41, 9 feet;

THENCE westerly and parallel with the northerly boundary of Lots 41 and 40, 108 feet 2 inches;

THENCE southwesterly in a straight line, 36.05 feet to a point distant 4 feet easterly from the westerly boundary of Lot 40 measured at right angles thereto and distant 39 feet southerly from the northerly boundary of Lot 40 measured on a parallel with the westerly boundary of Lot 40;

THENCE northerly and parallel with the westerly boundary of Lot 40, 39 feet to the northerly boundary of Lot 40;

THENCE easterly and following the northerly boundary of Lots 40 and 41, 128 feet 2 inches more or less to the point of commencement;

TOGETHER WITH A right-of-way as described in Instru-

ment No. 175895;

ALL AS SHOWN on the Plan registered as No. 6.

SEVENTHLY

Part of Lot 42 on the northerly limit of Daly Avenue as shown on a plan registered in the Land Registry Division of Ottawa Number 4 as Number 6 and which part of the said Lot is more particularly described as follows:

COMMENCING at the northeasterly angle of the said Lot;

THENCE southerly along the easterly limit of the said Lot, a distance of 99 feet more or less to the southeasterly angle of the said Lot;

THENCE westerly along the southerly limit of the said Lot, a distance of 48 feet;

THENCE northerly and parallel with the easterly limit of the said Lot, a distance of 99 feet more or less to the northerly limit of the said Lot;

THENCE easterly along the said northerly limit of the Lot, a distance of 48 feet to the point of commencement.

SCHEDULE "B"

"Philomene Terrace, 363-383 Daly Avenue, a stone, eight unit row residence, constructed 1874-75, is recommended for designation as being of architectural and historical significance. The massive structure is expressive of Ottawa's architectural traditions, relatively severe and reminiscent of Georgian style, while incorporating elements of Victorian detail. Three double verandahs of later Eastlake style were added to the western six units circa 1888.

Philomene Terrace is an excellent example of investment properties constructed during this period to house Ottawa's expanding civil service. Honore Robillard, quarry owner and Member of Parliament, erected the Terrace and later resided in the two easternmost units. Other noted residents have included Archibald Lampran, Canadian poet."

IN THE MATTER OF The Ontario Heritage Act
1974, Statutes of Ontario, 1974, Chapter
122;

AND IN THE MATTER OF the lands and premises
known municipally as 363-383 Daly Avenue
in the City of Ottawa, in the Province of
Ontario.

NOTICE OF BY-LAW

TAKE NOTICE that the Council of The Corporation of
the City of Ottawa on the 21st day of June 1978,
enacted By-law Number 195-78 designating the lands and
buildings known municipally as 363-383 Daly Avenue
as a property of architectural and historical value or interest
under The Ontario Heritage Act 1974, Statutes of Ontario, 1974,
Chapter 122.

STATEMENT OF REASONS FOR THE DESIGNATION:

"Philomene Terrace, 363-383 Daly Avenue, a stone,
eight unit row residence, constructed 1874-75, is recommended
for designation as being of architectural and historical signi-
ficance. The massive structure is expressive of Ottawa's
architectural traditions, relatively severe and reminiscent
of Georgian style, while incorporating elements of Victorian
detail. Three double verandahs of later Eastlake style were
added to the western six units circa 1888.

Philomene Terrace is an excellent example of
investment properties constructed during this period to house
Ottawa's expanding civil service. Honore Robillard, quarry
owner and Member of Parliament, erected the Terrace and
later resided in the two easternmost units. Other noted
residents have included Archibald Lampman, Canadian poet."

A copy of this By-law may be obtained at the office
of the City Clerk.

DATED at Ottawa this 8th day of August, 1978.

EVELYNE H. COOPER,
City Clerk,
City Hall,
111 Sussex Drive,
Ottawa, Ontario,
K1N 5A1.