

164 Bathurst Street - Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act

Date: September 10, 2021
To: Toronto Preservation Board
From: Senior Manager, Heritage Planning, Urban Design, City Planning
Wards: Spadina - Fort York - Ward 10

SUMMARY

This report recommends that City Council state its intention to designate the property at 164 Bathurst Street (including an active entrance at 621 Richmond Street West) under Part IV, Section 29 of the Ontario Heritage Act.

The property at 164 Bathurst Street comprises a two/two-and-a-half-storey brick building at the southwest corner of Bathurst Street and Richmond Street West, with its primary entry on Bathurst Street. Dating to c.1875, the property reflects the earliest period of development along this portion of Bathurst Street. It is a representative example of a mixed-use commercial building from the late nineteenth century. The building retains original features that suggest the influence of the Italianate style, such as brick quoins and pronounced wood brackets beneath the eaves.

Heritage Planning staff have determined that the property at 164 Bathurst Street meets Ontario Regulation 9/06 – the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act – for its design/physical and contextual values.

An Official Plan and Zoning By-law Amendment application has been made for the property, which proposes to retain and incorporate the building at 164 Bathurst Street into a new development.

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act (OHA). The Bill 108 Amendments to the OHA came into force on July 1, 2021, which included a shift in Part IV designations related to certain Planning Act applications. Section 29(1.2) of the OHA now restricts City Council's ability to give notice of its intention to designate a property under the OHA to within 90 days after the City Clerk gives notice of a complete application.

The City Clerk issued a complete application notice on August 12, 2021. The property owner provided a waiver to extend the 90-day timeline established under Bill 108 to December 31, 2021.

Designation enables City Council to review proposed alterations or demolitions to the property and enforce heritage property standards and maintenance.

A Heritage Impact Assessment (HIA) is required for all development applications that affect listed and designated properties and will be considered when determining how a heritage property is to be conserved.

RECOMMENDATIONS

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

1. City Council state its intention to designate the property at 164 Bathurst Street (including an active entrance at 621 Richmond Street West) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 164 Bathurst Street (Reasons for Designation) attached as Attachment 3 to the report (September 10, 2021) from the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. If there are no objections to the designation, City Council authorize the City Solicitor to introduce the Bill in Council designating the property under Part IV, Section 29 of the Ontario Heritage Act.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

There is no decision history.

BACKGROUND

Heritage Planning Framework

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. Cultural heritage resources are considered irreplaceable and valuable assets that must be wisely protected and managed as part of planning for future growth under the Provincial Policy Statement (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Heritage Conservation is enabled through the Ontario Heritage Act. The City of Toronto's Official Plan implements the provincial policy regime, the Planning Act, the Ontario Heritage Act and provides policies to guide decision making within the city.

Good planning within the provincial and municipal policy framework has at its foundation an understanding and appreciation for places of historic significance, and ensures the conservation of these resources are to be balanced with other provincial interests. Heritage resources may include buildings, structures, monuments, and geographic areas that have cultural heritage value or interest to a community, including an Indigenous community.

The Planning Act establishes the foundation for land use planning in Ontario, describing how land can be controlled and by whom. Section 2 of the Planning Act identifies heritage conservation as a matter of provincial interest and directs that municipalities shall have regard to the conservation of features of significant architectural, historical, archaeological or scientific interest. Heritage conservation contributes to other matters of provincial interest, including the promotion of built form that is well-designed, and that encourages a sense of place.

The Planning Act requires that all decisions affecting land use planning matters shall conform to the Growth Plan and shall be consistent with the Provincial Policy Statement, both of which position heritage as a key component in supporting key provincial principles and interests.

<https://www.ontario.ca/laws/statute/90p13>

The Provincial Policy Statement provides policy direction on land use planning in Ontario and is to be used by municipalities in the development of their official plans and to guide and inform decisions on planning matters, which shall be consistent with the Provincial Policy Statement. The Provincial Policy Statement articulates how and why heritage conservation is a component of good planning, explicitly requiring the conservation of cultural heritage and archaeological resources, alongside the pursuit of other provincial interests. The Provincial Policy Statement does so by linking heritage conservation to key policy directives, including building strong healthy communities, the wise use and management of resources, and protecting health and safety.

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development states that long-term economic prosperity is supported by, among other

considerations, the promotion of well-designed built form and cultural planning, and the conservation of features that help define character. Section 2.6 Cultural Heritage and Archaeology subsequently directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved". Through the definition of conserved, built heritage resources, cultural heritage landscape and protected heritage property, the Provincial Policy Statement identifies the Ontario Heritage Act as the primary legislation through which heritage conservation will be implemented.

<https://www.ontario.ca/page/provincial-policy-statement-2020>

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) builds on the Provincial Policy Statement to establish a land use planning framework that supports complete communities, a thriving economy, a clean and healthy environment and social equity. Section 1.2.1 Guiding Principles states that policies in the plan seek to, among other principles, "conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Metis communities". Cultural heritage resources are understood as being irreplaceable, and are significant features that provide people with a sense of place. Section 4.2.7 Cultural Heritage Resources directs that cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

<https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

The Ontario Heritage Act is the key provincial legislation for the conservation of cultural heritage resources in Ontario. It regulates, among other things, how municipal councils can identify and protect heritage resources, including archaeology, within municipal boundaries. This is largely achieved through listing on the City's Heritage Register, designation of individual properties under Part IV of the Ontario Heritage Act, or designation of districts under Part V of the Ontario Heritage Act.

Section 27 of the Ontario Heritage Act gives municipalities the authority to maintain and add to a publicly accessible heritage register. The City of Toronto's Heritage Register includes individual heritage properties that have been designated under Part IV, Section 29, properties in a heritage conservation district designated under Part V, Section 41 of the Act as well as properties that have not been designated but City Council believes to be of "cultural heritage value or interest."

Ontario Regulation 9/06 sets out the criteria for evaluating properties to be designated under Part IV, Section 29 of the Ontario Heritage Act. The criteria are based on an evaluation of design/physical value, historical and associative value and contextual value.

<https://www.ontario.ca/laws/statute/90o18>

<https://www.ontario.ca/laws/regulation/060009>

The City of Toronto's Official Plan 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. Indicating the integral role that heritage conservation plays in successful city-building, Section 3.1.5 of the Official Plan states that, "Cultural heritage is an important component of sustainable development and place making. The

preservation of our cultural heritage is essential to the character of this urban and liveable City that can contribute to other social, cultural, economic and environmental goals of the City.”

Policy 3.1.5.4 states that heritage resources on the City's Heritage Register "will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council." Policy 3.1.5.6 encourages the adaptive re-use of heritage properties while Policy 3.1.5.26 states that, when new construction on, or adjacent to, a property on the Heritage Register does occur, it will be designed to conserve the cultural heritage values, attributes and character of that property and will mitigate visual and physical impacts on it.

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

Heritage Impact Assessments (HIA) will be required for development applications that affect listed and designated properties. An HIA shall be considered when determining how a heritage property is to be conserved.

The Ontario Heritage Toolkit also provides guidance on designating properties of municipal significance. The Tool Kit provides direction on the purpose of designating heritage properties for identifying and protecting places in our communities that have cultural heritage value and is an important part of planning for the future, and of helping to guide change while keeping the buildings, structures and landscapes that give each of our communities its unique identity.

In June 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. Schedule 11 of this Act included amendments to the Ontario Heritage Act (OHA). The Bill 108 Amendments to the OHA came into force on July 1, 2021, which included, amongst other matters, amendments to the listing and designation processes. Guidance from the Province related to the implementation of Bill 108 Amendments is forthcoming.

[Ontario Heritage Tool Kit \(gov.on.ca\)](https://www.ontario.ca/gov/ontario-heritage-tool-kit)

COMMENTS

On July 8, 2021, an Official Plan and Zoning By-Law Amendment application was submitted to the City to permit a 17-storey mixed-use building containing 217 residential dwelling units and 522.19 square metres of non-residential floor area. The proposal involves retention and alteration of the two/two-and-a-half-storey, mixed-use building located at 164 Bathurst Street.

The proposed development site is located adjacent to, but not within, the western boundary of the proposed King-Spadina Heritage Conservation District, which is currently under appeal. It is also adjacent to two properties located at 159 and 161 Bathurst Street which are included on the City of Toronto Heritage Register.

On February 5, 2020, Toronto and East York Community Council approved the demolition of an unlisted building on the adjacent property at 162 Bathurst Street following damage from the 2019 fire.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE13.11>

164 Bathurst Street

Research and Evaluation according to Ontario Regulation 9/06



Figure 1: 164 Bathurst Street; westward view of the building's east elevation along Bathurst Street. (Heritage Planning, 2021.)



Figure 2: 164 Bathurst Street; southwestward view of the building's northeast corner, showing the north elevation along Richmond Street West. (Heritage Planning, 2021.)

1. DESCRIPTION

164 Bathurst Street	
ADDRESS	164 Bathurst Street
WARD	Spadina - Fort York - Ward 10
LEGAL DESCRIPTION	PLAN 316 LOTS 1 & 2
NEIGHBOURHOOD/COMMUNITY	Niagara
HISTORICAL NAME	138-140 Bathurst Street; Union Hotel; 164-166 Bathurst Street
CONSTRUCTION DATE	c.1875
ORIGINAL OWNER	Undetermined; possibly Michael Nolan
ORIGINAL USE	Mixed-Use/Commercial
CURRENT USE*	Mixed-Use/Commercial
ARCHITECT/BUILDER/DESIGNER	Undetermined
DESIGN/CONSTRUCTION/MATERIALS	Brick
ARCHITECTURAL STYLE	Vernacular/Italianate
ADDITIONS/ALTERATIONS	c.1880-1889: extension of the rear portion along Richmond Street West 1974: demolition of two attached garages; alterations to openings at first storey of north elevation
CRITERIA	Design/Physical, Contextual
HERITAGE STATUS	N/A
RECORDER	Heritage Planning: Tatum Taylor
REPORT DATE	September 2021

2. BACKGROUND

This research and evaluation section of the report describes the architecture, history, and context of the property at 164 Bathurst Street, and applies evaluation criteria as set out in Ontario Regulation 9/06, under the headings of design/physical, historical/associative, and contextual value to determine whether it merits designation under Part IV, Section 29 of the Ontario Heritage Act. The application of the criteria is found in Section 3 (Evaluation Checklist). The conclusions of the research and evaluation are found in the Conclusion of the report. Maps and photographs are located in Attachment 1. The archival and contemporary sources for the research are found in Attachment 2. The Statement of Significance is contained in Attachment 3.

i. HISTORICAL TIMELINE

Key Date	Historical Event
Time immemorial	The area now known as Toronto (Tkaranto) has been home to diverse Indigenous peoples since time immemorial, and remains the meeting place of many First Nations, Métis, and Inuit people from across Turtle Island.
1787	This land was part of Treaty 13 (the Toronto Purchase), through which the British Crown acquired much of what would eventually become Toronto from the Mississaugas under false pretenses. A revised agreement was made in 1805 but remained invalid from the standpoint of the Mississaugas. In 2010, a land claims settlement agreement between the Mississaugas and the Government of Canada was reached in the Mississaugas' favour.
1793	John Graves Simcoe, Lieutenant Governor of Upper Canada, established the Town of York as Upper Canada's capital.
1834	The City of Toronto was incorporated, by which time its western boundary had been extended to Bathurst Street.
1837	Sir Francis Bond Head surveyed the former Military Reserve lands. McDonnell Square (currently Portugal Square), south of 164 Bathurst Street, was laid out as one of four open squares in the New Town Extension.
1852	The Parish of St. Mary's was established to serve Irish Catholic immigrants and took possession of McDonnell Square.
1875	138 Bathurst Street (later 164 Bathurst Street) was first included in the 1876 City Directory for 1875, identified as an "unoccupied house."
1876-1883	City directories showed that the corner address at 140 Bathurst Street (later 166 Bathurst Street) was occupied by a series of grocers: Owen McEnroe, Mrs. E. Lawson (widow of Andrew, a grocer), and Alex Wilson.
1876-1889	City directories showed that 138 Bathurst Street (later 164 Bathurst Street) was occupied by a series of dressmakers: Mrs. M. Sullivan (a widow), Miss Kate O'Leary, and Miss M. J. Sullivan.
1884	140 Bathurst Street (later 166 Bathurst Street) began to be identified as a hotel run by Mrs. Bridget Hayes.

1880-1889	Fire insurance plans indicate that the building's footprint was extended westward along Richmond Street during this period.
1889	The property was renumbered to 164 and 166 Bathurst Street. Mrs. Bridget Hayes' hotel took over both portions of the property; the dressmaker's shop at 164 Bathurst Street moved one door down to 162 Bathurst Street.
1895-1908	Directories identified the property at 164-166 Bathurst Street as the Union Hotel.
1909	The property was listed as vacant in the 1910 Directory for 1909.
1910-1917	The units at 164 and 166 Bathurst Street returned to separate use. 164 Bathurst Street briefly housed a tiler, a butcher, and then a Chinese laundry from 1912 through 1917. 166 Bathurst Street housed plumbers from 1910 until 1912, followed by grocer William Friedman in 1913 and grocer Samuel Yudkowitz beginning in 1915.
1918-1921	The units at 164 and 166 Bathurst Street again had a single tenant: grocer Samuel Yudkowitz.
1922-1929	The units at 164 and 166 Bathurst Street were listed separately in directories. 164 Bathurst Street was occupied by printer C. E. Coulter in 1922, vacant in 1923-1926, and occupied by Nicholas Bonder in 1927, and Isabella Hofflazer in 1928-1929. 166 Bathurst Street continued to be occupied by grocer Samuel Yudkowitz, followed by grocer Bernard Hofflazer beginning in 1925.
1929	Annie Hofflazer purchased the property at 164-166 Bathurst street from the estate of Bridget Hayes.
1930	The address of 164 Bathurst Street was no longer listed in city directories; both 164 and 166 Bathurst Street appear to have served as the Hofflazer family's grocery store through 1945.
1947	The property's commercial tenant was Harry's Groceteria, and shortly afterward it included both this grocery store and the H&S Grill. These businesses were run by Harry Zweigman, who acquired 50% interest in 164 and 166 Bathurst Street in 1952.
1955	The previous businesses at this location evolved into the H&S Box Lunch & Coffee Shop, and the property continued to be occupied by a "box lunch" shop or snack bar until at least the late 1960s.
1974	The property owners (Unique Cosmetics Laboratories Ltd.) applied for a permit to demolish two attached garages and alter openings at the first storey of the north elevation, to accommodate use as a typewriter repair shop.
2019	Following a five-alarm fire, drawings were submitted to the City of Toronto showing planned repairs to the damaged interior finishes, windows, doors, and roof.

ii. HISTORICAL BACKGROUND

The following section outlines the history and facts related to the property, which will establish the basis for determining "Historical and Associative Value" according to O. Reg. 9/06 Criteria.

In 1834, the Act of Incorporation for the City of Toronto extended the boundaries of the Town of York to Bathurst Street in the west. Following a survey in 1837, the former Military Reserve lands, referred to as the "New Town Extension," were laid out with a street grid organized around four open squares: West Market Square, McDonnell Square, Victoria Memorial Square, and Clarence Square. McDonnell Square (now Portugal Square), located just south of the future site of 164 Bathurst Street, was reserved for the Catholic Church, while the surrounding land was subdivided for private ownership. This location was part of Lot 1 (158 / 2.25) of the William Hawkins plan. By 1858, nearby development was largely limited to St. Mary's Church, which was replaced by two subsequent iterations, including the current church building built in 1885-1889. As industries expanded in the City, spurred by the establishment of transcontinental railways, the subdivided lands were developed, largely to accommodate housing for a growing population.

Based on city directories, the subject property at 164 Bathurst Street was likely constructed in c.1875. The property was historically known as 138 and 140 Bathurst Street, and later as 164 and 166 Bathurst Street. It was the earliest mixed-use commercial building along this portion of Bathurst Street, which was otherwise substantially developed by 1889. Land registry records suggest that the property first belonged to Michael Nolan, who may have been the undertaker Michael Nolan listed in directories as working a few blocks away on Queen Street West. From 1876 to 1889, 164 Bathurst Street (then 138 Bathurst Street), the southern portion of the pair, housed a series of dressmakers: Mrs. M. Sullivan (a widow), Miss Kate O'Leary, and Miss M. J. Sullivan. In the meantime, until 1884, 166 Bathurst Street (then 140 Bathurst Street) was occupied by a series of grocers.

Beginning in 1885, 166 (140) Bathurst Street was identified as a hotel run by Bridget Hayes. In the 1891 directory for 1890, the hotel appears to have expanded to include 164 (138) Bathurst Street, and the dressmaker's shop appears to have moved one door down to 162 Bathurst Street. According to city directories, Bathurst Street's renumbering to the current addresses coincided with this change of use. As shown by a change in footprint between the 1880 and 1889 fire insurance plans, a small westward extension along Richmond Street West had also been constructed by this time. Bridget Hayes was the only person identified in association with the hotel until 1892, when Michael J. Hayes was also named. From 1896 through 1909, the hotel was referred to in directories as the Union Hotel.

Hotelier Bridget Hayes was born c.1837 in Ontario to a Roman Catholic family with Irish ancestry. The 1871 census documented her living in St. Lawrence Ward with her husband Dennis, a hotel keeper, and their children John, Michael, Mary, Patrick, and James. Dennis was born in Ireland in 1835 and died in 1872; he was buried in St. Michael's Cemetery. By the time of the 1881 census, Bridget had taken over the role of hotel keeper, and the 1883 directory recorded that she was operating a hotel at 640 Queen Street West. As of the 1891 census, she was living with son Michael Joseph

Hayes, who was identified as a hotel keeper, his wife Mary, and several servants in St. Andrew's Ward. Michael died in 1899 when his bicycle collided with two wagons at Queen and Elizabeth streets. Upon his death, The Globe identified him as "the well-known proprietor of the Union Hotel, Bathurst Street and Farley Avenue," and both The Globe and The Toronto Daily Star covered his funeral. However, little other documentary evidence was found to suggest that the Union Hotel held historic significance. The property remained in the Hayes family for several decades, belonging to the estate of Bridget Hayes after her death in 1901.

From 1910 to 1917, the units at 164 and 166 Bathurst Street returned to separate use. 164 Bathurst Street briefly housed a tiler, a butcher, and then a Chinese laundry from 1912 through 1917. 166 Bathurst Street housed plumbers from 1910 until 1912, followed by grocer William Friedman in 1913 and grocer Samuel Yudkowitz beginning in 1915. Yudkowitz was then listed as the commercial tenant at both addresses from 1918 to 1921. In 1922, 164 Bathurst Street was occupied by printer C. E. Coulter; it was listed as vacant in 1923-1926, occupied by Nicholas Bonder in 1927, and by Isabella Hofflazer in 1928-1929. 166 Bathurst Street continued to be occupied by grocer Samuel Yudkowitz, followed by grocer Bernard Hofflazer beginning in 1925.

Land registry records and a notice in The Toronto Daily Star reveal that the estate of the late Bridget Hayes had maintained ownership of the property through this period until 1929, when Annie Hofflazer purchased it for \$13,000. In 1930, marriage records document the marriage of an Annie Hofflazer of 141 Palmerston Avenue to Jack Silverman of 166 Bathurst Street; both Annie and Jack were Jewish immigrants from Poland. Marriage records also indicate that Bella Norma Hofflazer (presumably the Isabella named in directories) lived at 166 Bathurst Street in 1931, at the time of her marriage to Joseph Shafer. The exact familial relationship between Annie, Bernard, and Isabella/Bella Hofflazer has not been verified. Beginning in 1931, the address of 164 Bathurst Street was no longer listed in city directories; both 164 and 166 Bathurst Street appear to have served as the Hofflazer family's grocery store through 1945.

The property's commercial tenant in 1947 was Harry's Groceteria, and shortly afterward included both the grocery store and the H&S Grill. These businesses were run by Harry Zweigman, who acquired 50% interest in 164 and 166 Bathurst Street in 1952. By 1955, the previous businesses at this location had evolved into the H&S Box Lunch & Coffee Shop, and the property continued to be occupied by a "box lunch" shop or snack bar until at least the late 1960s.

iii. ARCHITECTURAL DESCRIPTION

The following section provides an architectural description and analysis related to the property, which will establish the basis for determining "Design and Physical Value" according to O. Reg. 9/06 Criteria.

The property at 164 Bathurst Street, constructed in c.1875, is a representative example of a mixed-use commercial building from the late nineteenth century. Oriented towards Bathurst Street, the building's primary component is a two-and-a-half storey structure, with a two-storey rear portion along Richmond Street West. The building includes red brick construction with a painted exterior, and a cross-gable roof. The property retains

original features that suggest the influence of the Italianate style, which was popular in Ontario between the 1850s and 1880s. This style typically featured a prominent application of Classical vocabulary, as seen in this property's brick quoins and pronounced wood brackets beneath the eaves.

Organized into four bays, the building's primary (east) elevation retains its original openings at the upper storeys. The four windows at the second storey have segmentally arched brick surrounds, with a string course running between them at lintel height. Above, two asymmetrically placed dormers feature a starburst pattern in their gable ends with small decorative brackets. At the ground level, the building has a contemporary storefront with its primary entry onto Bathurst Street at the southern end, and glazing to the north. A carved wood pilaster at the south end of the façade may be a remnant of an original or early iteration of the storefront.

Along Richmond Street West, the building's secondary (north) elevation includes windows with segmentally arched brick surrounds at the upper storeys, and altered storefront openings at the ground level. As on the east elevation, an original or early decorative pilaster is located near the east end of the façade. In line with the evolution of the building's footprint as recorded in the 1880 and 1889 fire insurance plans, brick quoins defining the westernmost bay appear to demarcate where the building was extended during that period. In 1974, two attached garages were demolished, and openings at the first storey of the north elevation were altered to accommodate the use as a typewriter repair shop.

iv. CONTEXT

The following section provides contextual information and analysis related to the property, which will establish the basis for determining "Contextual Value" according to O. Reg. 9/06 Criteria.

The property at 164 Bathurst Street reflects the earliest period of development along this portion of Bathurst Street. On the west side of Bathurst Street, this block includes several additional mixed-use commercial buildings, which were constructed between 1880 and 1889. The immediately adjacent building to the south, 162 Bathurst Street, was demolished in 2020 following extensive damage from a five-alarm fire in March 2019. Farther south are a 9-storey apartment building at 138 Bathurst Street, the church of St. Mary's Parish – constructed from 1885 to 1889 – on Portugal Square, and St. Mary's Catholic School to the west of the church.

Row housing on the opposite side of Bathurst Street dates to the same time period as 164 Bathurst Street; two of these properties, 159 and 161 Bathurst Street, are included on the City of Toronto Heritage Register. The property at 164 Bathurst Street is also located adjacent to, but not within, the western boundary of the proposed King-Spadina Heritage Conservation District, which is currently under appeal.

3. EVALUATION AND APPLICATION OF O.REG 9/06 CRITERIA

The following evaluation applies Ontario Regulation 9/06 made under the Ontario Heritage Act: Criteria for Determining Cultural Heritage Value or Interest. The criteria are prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act, and the City of Toronto also uses these criteria when assessing properties for inclusion on the City of Toronto Inventory of Heritage Properties. There are three categories for a total of nine criteria under O. Reg 9/06. A property is only required to meet one criteria to warrant designation.

The evaluation table is marked "N/A" if the criterion is "not applicable" to the property or "✓" if it is applicable to the property, with explanatory text below.

DESIGN OR PHYSICAL VALUE

Design or Physical Value	
i. rare, unique, representative or early example of a style, type, expression, material or construction method	✓
ii. displays high degree of craftsmanship or artistic merit	N/A
iii. demonstrates high degree of scientific or technical achievement	N/A

Representative example of a type

Dating to c.1875, the property at 164 Bathurst Street is a representative example of a mixed-use commercial building from the late nineteenth century. It retains its scale, form, and massing as a two/two-and-a-half-storey brick building with a cross-gable roof, original openings at the upper storey, and details that suggest the influence of the Italianate style, such as brick quoins and pronounced wood brackets beneath the eaves. Apart from various alterations at the ground storey, the building's most substantial modification appears to have been a small rear extension in the 1880s to expand the property's commercial capacity.

HISTORICAL OR ASSOCIATIVE VALUE

Historical or Associative Value	
i. direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	N/A
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture	N/A
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	N/A

CONTEXTUAL VALUE

Contextual Value	
i. important in defining, maintaining or supporting the character of an area	✓
ii. physically, functionally, visually or historically linked to its surroundings	✓
iii. landmark	N/A

Important in defining, maintaining or supporting the character of an area

Sited at the corner of Bathurst Street and Richmond Street West, the property at 164 Bathurst Street is important in maintaining and supporting the character of the area. The building's location at the intersection of two thoroughfares heightens its position as a historic anchor within an evolved block. Particularly given the recent loss of the adjacent 1880s-era mixed-use building at 162 Bathurst Street, this property plays a significant role in recalling the area's origins as a late-nineteenth-century neighbourhood.

Physically, functionally, visually or historically linked to its surroundings

Constructed in c.1875, the property at 164 Bathurst Street is visually and historically linked to its surroundings as one of the oldest mixed-use commercial properties in the immediate area. The building reflects the earliest wave of commercial and residential development surrounding Bathurst Street and Richmond Street (then Little Richmond Street). It was the earliest mixed-use commercial building along this portion of Bathurst Street, which was otherwise substantially developed by 1889, and is a remnant of the nineteenth-century streetscape to which it long contributed.

CONCLUSION

Heritage Planning staff have determined that the property at 164 Bathurst Street meets the Ontario Regulation 9/06 criteria – prescribed for municipal designation under Part IV, Section 29 of the Ontario Heritage Act – for its design and contextual values. As such, the property is a significant built heritage resource, and staff recommend that City Council state its intention to designate the individual property at 164 Bathurst Street under Part IV, Section 29 of the Ontario Heritage Act.

The building located on the property at 164 Bathurst Street holds heritage value as a representative example of a mixed-use commercial building from the late nineteenth-century. As the earliest mixed-use commercial building along this portion of Bathurst Street, the property is a significant remnant of the nineteenth-century streetscape to which it long contributed, and serves as a historic anchor within an evolved block.

The Statement of Significance (Attachment 3) for 164 Bathurst Street comprises the Reasons for Designation, which is the Public Notice of Intention to Designate.

CONTACT

Tatum Taylor, MSHP, CAHP
Heritage Planner, Heritage Planning
Urban Design, City Planning
Tel: 416-338-5462; fax: 416-392-1973
E-mail: Tatum.Taylor@toronto.ca

SIGNATURE

Mary L. MacDonald, MA, CAHP
Senior Manager, Heritage Planning
Urban Design, City Planning

ATTACHMENTS

Attachment 1 – Maps and Photographs
Attachment 2 – List of Research Sources
Attachment 3 – Statement of Significance (Reasons for Designation): 164 Bathurst Street

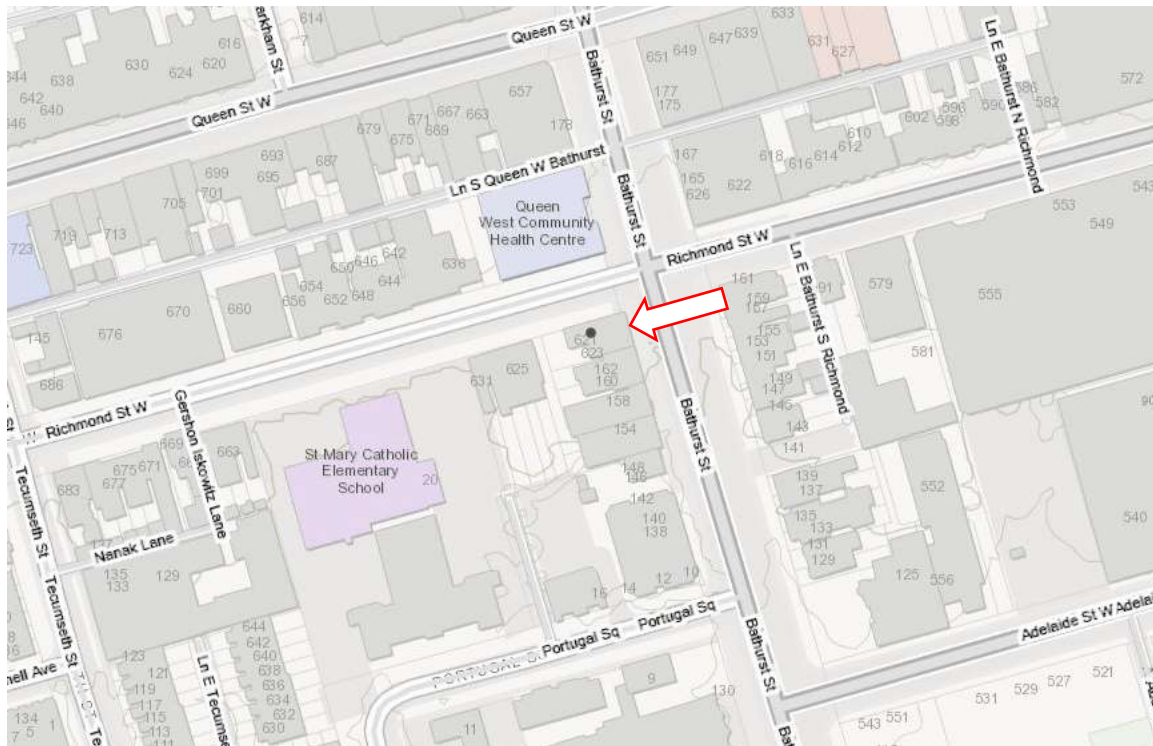


Figure 3: Location of 164 Bathurst Street, indicated by the arrow. Note: This location map is for information purposes only; the exact boundaries of the property are not shown. North is located at the top of the map. (City of Toronto mapping.)



Figure 4: 1880 Goad's Atlas of the City of Toronto; location of 138-140 Bathurst Street (present-day 164 Bathurst Street), indicated by the arrow.



Figure 5: 1889 Goad's Atlas of the City of Toronto; location of 164-166 Bathurst Street (present-day 164 Bathurst Street), indicated by the arrow.



Figure 6: 1903 Goad's Atlas of the City of Toronto; location of 164-166 Bathurst Street (present-day 164 Bathurst Street), indicated by the arrow.



Figure 7: 1913 Goad's Atlas of the City of Toronto; location of 164-166 Bathurst Street (present-day 164 Bathurst Street), indicated by the arrow.



Figure 8: 1924 Goad's Atlas of the City of Toronto; location of 164-166 Bathurst Street (present-day 164 Bathurst Street), indicated by the arrow.

FUNERAL OF M. J. HAYES.

Remains of the Well-known Hotel-keeper Borne to the Grave—Many Mourners.

The funeral of the late Michael J. Hayes, the well-known hotelkeeper, who died from the result of a bicycle accident on Saturday last, took place yesterday morning to St. Mary's Church and thence to St. Michael's Cemetery, and was one of the largest seen in the west end for a long time. All the hotelkeepers along the line of the funeral procession closed their places of business while it passed. Rev. Father Wm. McCann celebrated Requiem High Mass at St. Mary's. The altar was draped heavily and a large congregation attended the service.

Miss Kate Clark, accompanied by Mrs. D. A. Sullivan, sang the solo, "Oh, Death, Where is Thy Victory?"

The chief mourners were the widow, Mrs. Hayes (mother of the deceased), Mr. John D. Hayes, Mr. P. J. Hayes, Mrs. J. D. Hayes, Mr. W. J. Hallarn, Mrs. W. J. Hallarn and Mr. John Doyle. The pall-bearers were selected from three societies to which the deceased belonged. The Ancient Order of Hibernians was represented by Mr. John Brennan and Mr. M. J. Madden, the Knights of St. John by Mr. P. Herbert and Mr. J. Devereaux, and the Catholic Mutual Benefit Society by Mr. R. J. Byron and Mr. M. Quinn. Each of these three societies, with the St. Mary's Literary Society, sent massive floral emblems, and the members accompanied the remains to St. Michael's Cemetery in a body.

Figure 9: Coverage of Michael J. Hayes' funeral in 1899. (The Globe, 14 June 1899, P.12.)

BATHURST ST. PROPERTY SOLD

A motion was made before Justice Rose in chambers at Osgoode Hall yesterday for an order approving of the sale of premises at 164 and 166 Bathurst St. and 621 Richmond St. W. to Annie Hofflazer for \$13,000. The property is owned by the estate of the late Bridget Hayes, who died in 1901. The property on the west side of Bathurst St. is described in the will as hotel property. Approval was granted.

Figure 10: Notice of Annie Hofflazer's purchase of the property at 164 Bathurst Street from the estate of Bridget Hayes in 1929. (Toronto Daily Star, 20 March 1929, P.3.)



• MRS. ANNIE HOFFLAZER •

Figure 11: Image of "widowed grocery-store proprietor" Annie Hofflazer, included in a newspaper article about a robbery at her grocery store, 1949. (Toronto Daily Star, 2 December 1938, P.1.)

164-166 Bathurst St.		CS	LOCATION
S/W cor. Richmond St. W.			CROSS STREET
TYPE BUILDINGS (REQ.)	APPLICATION APRIL 9, 1974	FILE 052 596	
PERMIT NO. 1000 5114	INSPECTOR <i>[Signature]</i>	DATE 02/10/74	
Demolish attached private garages and make alterations to rear portion of ground floor of restaurant and and dwelling building for typewriter repair shop.			DESCRIPTION AND OCCUPANCY
COST: \$6,000			
Unique Cosmetics Ltd., 282 Bloor St. W.			OWNER
George Sander, Pres.			
Sisti Co. Ltd., 62 Hinton Rd., Rexdale			
Per: Ron Sisti 743-4980			Applicant

721 8964

Figure 12: Building Permit to demolish two attached garages and alter openings at the first storey of the north elevation, to accommodate use as a typewriter repair shop, 1974. (City of Toronto Building Records.)

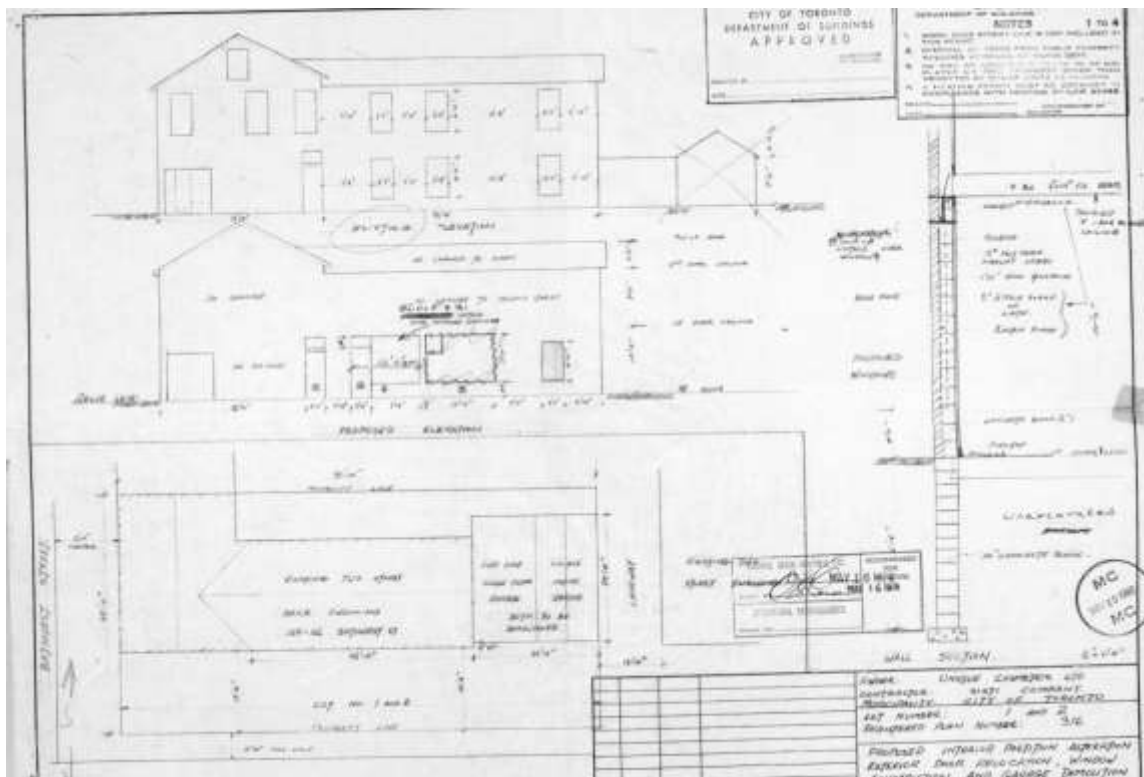


Figure 13: Drawings of existing and proposed north elevations related to garage demolition, prepared by Sisti Company, 1974. (City of Toronto Building Records.)

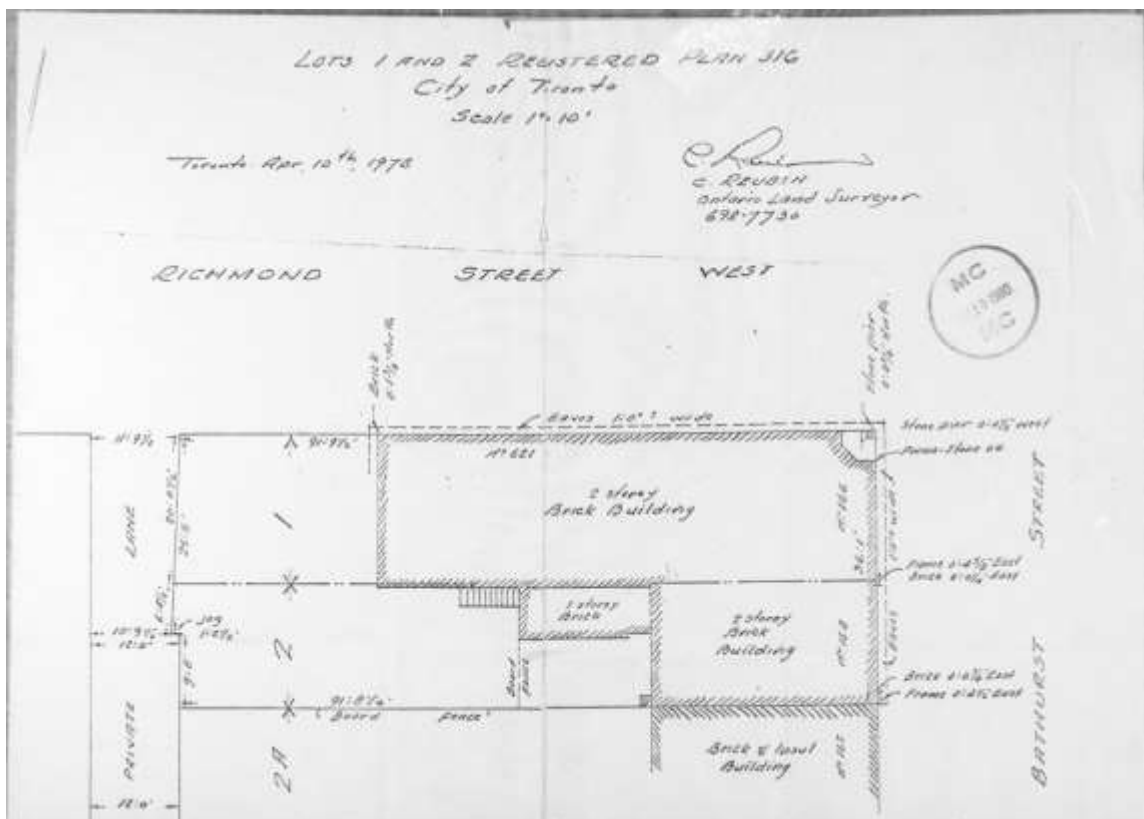


Figure 14: Site plan of 164-166 Bathurst Street (present-day 164 Bathurst Street) prepared by C. Reuben, Ontario Land Surveyor, 1978. (City of Toronto Building Records.)

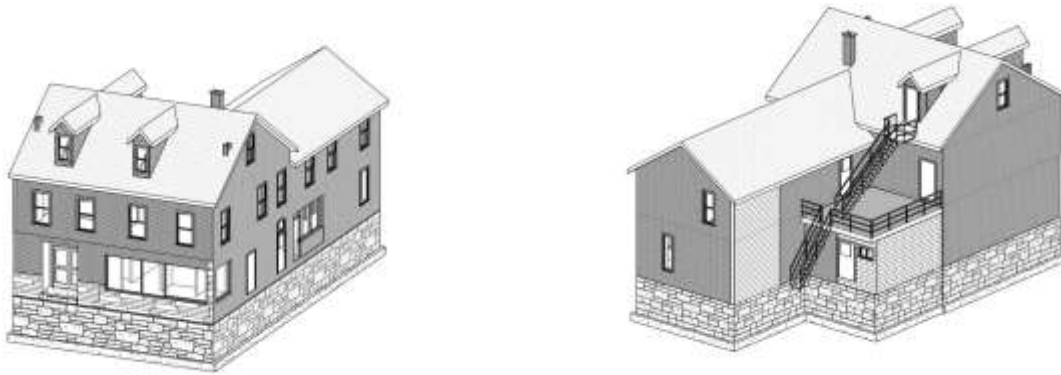


Figure 15: Drawings of 164 Bathurst Street (present-day 164 Bathurst Street), illustrating the building's northeast (left) and southwest (right) corners, prepared by T. Smith Engineering, 2019. (City of Toronto Building Records.)



Figure 16: Drawing of 164 Bathurst Street (present-day 164 Bathurst Street), illustrating the building's east (primary) elevation, prepared by T. Smith Engineering, 2019. (City of Toronto Building Records.)

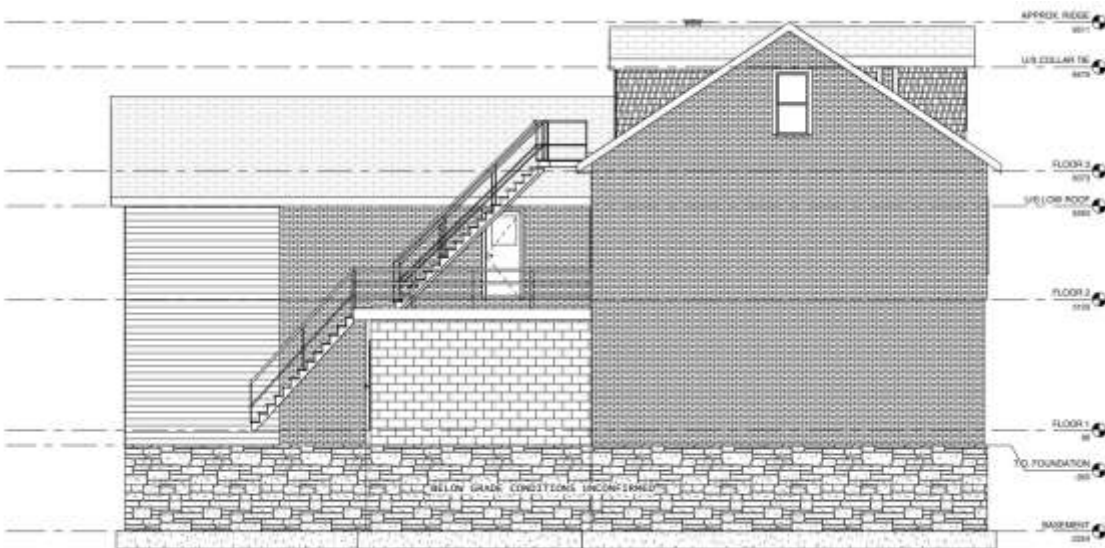


Figure 17: Drawing of 164 Bathurst Street, illustrating the building's south elevation, prepared by T. Smith Engineering, 2019. (City of Toronto Building Records.)



Figure 18: Drawing of 164 Bathurst Street, illustrating the building's north (secondary) elevation, prepared by T. Smith Engineering, 2019. (City of Toronto Building Records.)



Figure 19: Drawing of 164 Bathurst Street, illustrating the building's west (rear) elevation, prepared by T. Smith Engineering, 2019. (City of Toronto Building Records.)



Figure 20: 164 Bathurst Street; southwestward view of the northeast corner. (Heritage Planning, 2021.)



Figure 21: 164 Bathurst Street; detail of primary commercial entrance on east elevation; original or early wood pilaster visible at left. (Heritage Planning, 2021.)



Figure 22: 164 Bathurst Street; detail of segmentally arched brick window surround, wood brackets, and dormer ornamentation on east elevation. (Heritage Planning, 2021.)



Figure 23: 164 Bathurst Street; detail of storefront glazing on north elevation; original or early wood pilaster visible at centre-right. (Heritage Planning, 2021.)



Figure 24: 164 Bathurst Street; detail of eaves and wood brackets on east elevation and quoins on northeast corner. (Heritage Planning, 2021.)

Archival Sources

- Census of Canada, 1871, 1881, 1891.
- City of Toronto Building Records, Building Permits for 164 Bathurst Street.
- Goad's Atlas of the City of Toronto, 1880, 1889, 1903, 1913, 1924.
- Land Registry Office Records, Metro Toronto, Plan 316, Lots 1 and 2.
- Marriage License (Ancestry.ca), Bella Norma Hofflazer and Joseph Shafer, 22 June 1931.
- Marriage License (Ancestry.ca), Annie Hofflazer and Jack Silverman, 1 February 1930.
- Might's Greater Toronto City Directories, 1875-1969.

Secondary Sources

- "Bathurst St. Property Sold," The Toronto Daily Star, 20 March 1929, P.3.
- "Bold Burglary: M. Nolan, Undertaker, The Sufferer," The Globe, 22 September 1882, P.10.
- City of Toronto, King-Spadina HCD, June 2017.
- "Died: HAYES," The Globe, 29 January 1901, P.12.
- "Funeral of M.J. Hayes," The Globe, 14 June 1899, P.12.
- GBCA Architects, Heritage Impact Assessment for 152-164 Bathurst Street and 623-627 Richmond Street, Toronto, 7 June 2021.
- "The History of St. Mary's," St. Mary's Parish, Bathurst St., [St. Mary's Parish, Bathurst St. - The History of St. Mary's \(archtoronto.org\)](#)
- "Thugs Kick Woman, Man in 4 Overnight Robberies," The Toronto Daily Star, 2 December 1938, P.1.

The property at 164 Bathurst Street is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value, and meets Ontario Regulation 9/06, the provincial criteria prescribed for municipal designation, under the categories of design/physical value and contextual value.

Description

The property at 164 Bathurst Street, dating to c.1875, is a mixed-use building with commercial use at the ground floor and residential use above. Having served various commercial occupants since its construction, including a hotel, grocery stores, and "box lunch" shops, it currently houses a restaurant. Oriented towards Bathurst Street, the building's primary component is a two-and-a-half storey structure, with a two-storey rear portion along Richmond Street West.

Statement of Cultural Heritage Value

Dating to c.1875, the property at 164 Bathurst Street is a representative example of a mixed-use commercial building from the late nineteenth century. It retains its scale, form, and massing as a two/two-and-a-half-storey brick building with a cross-gable roof, original openings at the upper storey, and details that suggest the influence of the Italianate style, which was popular in Ontario between the 1850s and 1880s. This style typically featured a prominent application of Classical vocabulary, as seen in this property's brick quoins and pronounced wood brackets beneath the eaves. Apart from various alterations at the ground storey, the building's most substantial modification appears to have been a small rear extension in the 1880s to expand the property's commercial capacity.

Sited at the corner of Bathurst Street and Richmond Street West, the property is important in maintaining and supporting the character of the surrounding area. The building's location at the intersection of two thoroughfares heightens its position as a historic anchor within an evolved block. The property is also visually and historically linked to its surroundings as one of the oldest mixed-use commercial properties in the immediate area. As the earliest mixed-use commercial building along this portion of Bathurst Street, which was otherwise substantially developed by 1889, the property is a significant remnant of the nineteenth-century streetscape to which it long contributed.

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 164 Bathurst Street as a representative example of a mixed-use commercial building from the late nineteenth century:

- The property's scale, form, and massing, with a two-and-a-half-storey component along Bathurst Street and a two-storey component along Richmond Street West, both with gabled roofs
- The property's brick construction with brick and wood exterior details
- The primary (east) elevation's composition in four bays with original openings at the upper storeys
- Segmentally arched brick surrounds at the upper storey windows
- Two dormers on the east elevation with a starburst pattern in their gable ends and small wood brackets
- The property's architectural features that suggest the influence of the Italianate style, including brick quoins and pronounced wood brackets beneath the eaves
- Two original or early decorative wood pilasters, one on the east elevation and one on the north elevation

Contextual Value

The following heritage attribute contributes to the cultural heritage value of the property at 164 Bathurst Street as a historic anchor within its block and a significant remnant of a nineteenth-century streetscape:

- The property's siting and orientation at the southwest corner of Bathurst Street and Richmond Street West, with a primary elevation along the former and a secondary elevation along the latter