

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

Date: February 7, 2023

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: Ward 13 - Toronto Centre

SUMMARY

This report recommends that City Council state its intention to designate the property at 401 Yonge Street (including entrance addresses at 403 and 405 A Yonge Street) under Part IV, Section 29 of the Ontario Heritage Act for its cultural heritage value.

The property at 401 Yonge Street (including the entrance addresses of 403 and 405 A Yonge Street) is located midblock, slightly north of the northeast corner of Yonge and Gerrard Streets. The subject property originally comprised of a three-storey building that was commissioned by the grocer and merchant Joseph Bickerstaff. Constructed in 1873, the structure is a surviving rare and early example of a commercial building in Toronto designed by William Stewart (1832-1907), a significant architect who practised in Toronto c. 1872-1885 and later became a leading and prolific architect in Hamilton. Stewart's buildings have been recognized by the municipal and federal governments including the commercial Victoria Hall (1887), a National Historic Site located opposite Gore Park in downtown Hamilton and a Second Empire-style commercial building at 506-514 Queen Street West (1874) located within the Queen West Heritage Conservation District.

In 1974, City of Toronto Council listed the property on the City of Toronto's Heritage Register. The property has contributed to Yonge Street's historic character for 150 years. The façade of the Italianate style building was conserved in situ in 2014 when a new structure was built behind. The property is in close proximity to numerous Heritage Register properties along Yonge Street and the area which have been recognized for their cultural heritage value with listing or designated under Part IV, Section 29 of the Ontario Heritage Act.

Staff have completed the Research and Evaluation Report for the property at 401 Yonge Street and determined that the property meets Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Ontario

Heritage Act on the basis of its design/physical, historical/associative, and contextual values. As such, the property is a significant built heritage resource.

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. The Bill 108 Amendments to the Ontario Heritage Act 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 Ontario Heritage Act now restricts City Council's ability to give notice of its intention to designate a property under the Act to within 90 days after the City Clerk gives notice of a complete application.

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.

In July 2022, the City received a Zoning By-law Amendment application related to proposed redevelopment of the subject property with a 76-storey tower along Yonge Street. The proposed development will retain the façade of the historic 1873 building.

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. A revised HIA, dated June 15, 2022, completed by GBCA Architects Inc. was submitted to support the application.

The City Clerk issued a complete application notice on September 12, 2022. The property owner provided a waiver to extend the Prescribed Event 90-day timeline until April 14, 2023. Council must make its decision at its March 29-31 meeting to provide sufficient time for the City Clerk to issue a notice of intention to designate before the waiver expires.

On November 28, 2022, the More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent. Schedule 6 of the More Homes Built Faster Act amended prescribed event requirements under section 29(1.2) of the Ontario Heritage Act and came into effect on January 1, 2023.

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 that would trigger a Prescribed Event, the property must be listed in the heritage register prior to the Prescribed Event occurring to designate a property. This requirement does not apply to this Prescribed Event since it occurred prior to January 1, 2023. The property has been on the City's Heritage Register since 1974.

The Province has amended O. Reg. 9/06 under the Ontario Heritage Act, which is intended to come into effect on January 1, 2023. The revised regulation establishes nine provincial criteria for determining whether a property is of cultural heritage value or interest. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine criteria.

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

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council state its intention to designate the property at 401 Yonge Street (including entrance addresses at 403 and 405 A Yonge Street) under Part IV, Section 29 of the Ontario Heritage Act in accordance with the Statement of Significance: 401 Yonge Street (Reasons for Designation) attached as Attachment 3, to the report, February 7, 2023, from the Chief Planner and Executive Director, 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

On January 26, 2023, the Toronto and East York Community Council adopted, as amended, item TE2.14 entitled 399-405 Yonge Street – Zoning By-law Amendment Application – Appeal Report.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE2.14>

City Council included the subject property at 401 Yonge Street (including entrance addresses at 403 and 405 A Yonge Street) on the City of Toronto's Heritage Register in March 15, 1974.

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://files.ontario.ca/mmah-place-to-grow-office-consolidation-en-2020-08-28.pdf>

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."

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

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. A property may be designated under Section 29 of the Act if it meets two or more of the provincial criteria for determining whether it is of cultural heritage value or interest.

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

The Ontario Heritage Toolkit provides guidance on designating properties of municipal significance, including direction on the purpose of designating heritage properties and information about how the Provincial Policy Statement and the Ontario Heritage Act provide a framework for the conservation of heritage properties within the land use planning system. Guidance from the Province related to the implementation of Bill 108 and Bill 23 Amendments has yet to be released.

http://www.mtc.gov.on.ca/en/heritage/heritage_toolkit.shtml

On November 28, 2022, the More Homes Built Faster Act, 2022 (Bill 23) received Royal Assent. Schedule 6 of the More Homes Built Faster Act amended various sections of the Ontario Heritage Act. Majority of the key changes to the Act came into effect on January 1, 2023.

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 3.1.6 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 3.1.6.4 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 3.1.6.6 encourages the adaptive re-use of heritage properties while Policy 3.1.6.26 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>

COMMENTS

In July 2022, the City received a Zoning By-law Amendment application related to the proposed redevelopment of the subject property with a 76-storey tower along Yonge Street. The proposed development will continue to retain the façade of the historic 1873 building that was conserved in situ in 2014 when a new structure was built behind.

A revised HIA, dated June 15, 2022, completed by GBCA Architects Inc. was submitted to support the application.

City Council included the subject property at 401 Yonge Street (including entrance addresses at 403 and 405 A Yonge Street) on the City of Toronto's Heritage Register in March 15, 1974.

The Province has amended O. Reg. 9/06 under the Ontario Heritage Act, which came into effect on January 1, 2023. The revised regulation establishes nine provincial criteria for determining whether a property is of cultural heritage value or interest. A property may be designated under Part IV, Section 29 of the Ontario Heritage Act, if it meets two or more of the nine criteria.

401 Yonge Street

Research and Evaluation according to Ontario Regulation 9/06

While the research and evaluation of the property referenced above is, in staff's determination, sufficient to support the designation of the property at 401 Yonge Street, it should be noted that new and additional relevant information on the subject property

further expanding on their cultural heritage value following community input and additional access to archival records may be incorporated in the final version of a Part IV designation by-law.



Figure 1: 401 Yonge Street (Heritage Planning 2023)

1. DESCRIPTION

| | |
|-------------------------------|--|
| 401 Yonge Street | |
| ADDRESS | 401 Yonge Street |
| WARD | 13 (Toronto Centre) |
| LEGAL DESCRIPTION | Plan 22A, Pt. Lot 38 |
| NEIGHBOURHOOD/COMMUNITY | Downtown Toronto |
| HISTORICAL NAME | NA |
| CONSTRUCTION DATE | 1873 |
| ORIGINAL OWNER | Joseph Bickerstaff |
| ORIGINAL USE | Retail and residential |
| CURRENT USE* | Retail and commercial |
| ARCHITECT/BUILDER/DESIGNER | William Stewart |
| DESIGN/CONSTRUCTION/MATERIALS | Red and buff-coloured brick |
| ARCHITECTURAL STYLE | Italianate |
| ADDITIONS/ALTERATIONS | 2014 rear reconstruction with additional storey and conservation of the facade |
| CRITERIA | Design/ Physical, Historical/Associative, and Contextual |
| HERITAGE STATUS | Listed on the City of Toronto Heritage Register |
| RECORDER | Heritage Planning: Clint Robertson |
| REPORT DATE | January 2023 |

2. BACKGROUND

This research and evaluation section of the report describes the history, architecture and context of the property at 401 Yonge Street, and applies evaluation criteria as set out in Ontario Regulation 9/06 to determine whether it merits designation under Part IV, Section 29 of the Act. A property may be designated under Section 29 of the Act if it meets two or more of the provincial criteria for determining whether it is of cultural heritage value or interest. 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 Statements of Significance are contained in Attachment 3.

i. HISTORICAL TIMELINE

| Key Date | Historical Event |
|----------|--|
| | The area now known as the City of Toronto is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples, and is now home to many diverse First Nations, Inuit and Métis peoples. Toronto is covered by Treaty 13 signed with the Mississaugas of the Credit (1805), and the Williams Treaties (1923) signed with multiple Mississaugas and Chippewa bands. |
| 1793 | George Playter, a United Empire Loyalist is awarded a 100-acre plot known as Plan 8, which contains the future site of the subject property |
| 1797 | George Playter sells the south 40 acres of Lot 8 to John McGill which contains the future site of the subject property |
| 1836 | The subject property becomes part of one of Toronto's earliest subdivisions and is ascribed Pt. Lot 38 of Plan 22A |
| 1873 | On Jan. 24 Joseph Bickerstaff is registered as owner of 401 Yonge Street |
| 1873 | The construction of the subject building at 401 Yonge Street is completed by about October |
| 1874 | On Sept. 21 Rev. William Barnhill is registered as the owner of 401 Yonge Street |
| 1974 | On March 15, 1974 401 Yonge Street is listed on Toronto's heritage register |
| 2014 | 401 Yonge Street is rebuilt behind the façade with the façade conserved |

ii. HISTORICAL BACKGROUND

The following section outlines the history and facts related to the property which are the basis for determining historical or associative value of Criteria 4, 5 or 6 according to O. Reg. 9/06 Criteria.

The lands at 401 Yonge Street and the surrounding area were originally owned by George Playter (1736-1822), a United Empire Loyalist, who was rewarded with the land from the Crown in 1793 as part of Lot 8, a 100-acre lot stretching along Yonge Street between Queen and Bloor Streets. In 1797, John McGill purchased the southerly 40 acres of this lot from Playter, which extended from McGill to Queen Streets. Passing to McGill's heirs, in 1836 the lands were laid out as one of Toronto's earliest subdivisions within these lands including the plot of Bickerstaff's building (Plan 22A, Pt. Lot 38).¹

Joseph Bickerstaff (1832-1896)² a Toronto grocer and merchant, purchased the lands of the subject property early in 1873³ and immediately set forth in constructing the building, which was finished around October of the same year.⁴

A native of the County of Armagh, Ireland, Bickerstaff had come to Canada in 1851 and about a decade later went into the grocery business. For the next twenty years Bickerstaff continued in the grocery business, becoming well established with two stores by the time that he constructed the subject property.⁵ One of the stores, known as "Bickerstaff & Bro." was located at 259-61 Queen Street, while the other, bearing just his name, was located at 395 Yonge Street, half a block south of 401 Yonge Street, and close to his residence located at 12 Gerrard Street West. Both of the stores specialized in groceries, provisions, flour and feed. By 1881 Bickerstaff had ceased his career as a merchant when he received a government appointment in the Custom House, where he was placed in charge of the Queen's Warehouse.⁶

Bickerstaff's selected site for the development of his new building occupied a site just north of Gerrard Street, on Yonge Street, one of Toronto's principal streets. Following the establishment of the Town of York as the capital of Upper Canada in 1793, Lieutenant Governor John Graves Simcoe instructed the completion of three roads emanating from the capital in three directions - east to Kingston, west to London and north to Georgian Bay. The road north became Yonge Street, a strategic military and commercial route, with its 1795-96 construction recognized as National Historic Event in 1927. Subsequently it became significant as a primary route for farmers, trade, stagecoaches and other travellers. Due to this traffic and importance, Yonge Street became the main north-south main street in the city attracting retail and commercial enterprises seeking to take advantage of this activity.

By the time Bickerstaff commissioned his building, Yonge Street was developed to Bloor Street - the northern boundary of the city at the time - and beyond, albeit more sparsely the further north that the street progressed from the city's core. Although many high-quality brick buildings were built along Yonge Street to Bloor Street in the 1860s and 1870s, the portion of the street north of Queen Street remained a mix of brick and earlier wood-frame buildings, mostly one to three storeys in height. With its full, three-

1 Heritage Impact Assessment (HIA) prepared by GBCA June 15, 2022

2 Life dates from Canadian Civil Servant List and Ontario Death Records

3 Land Registry Office Records

4 The Globe, 1874

5 Robinson, p. 9 - 10

6 Ibid.

storey height and brick construction, the subject property would have displayed a character that was substantial and permanent in nature, contrasting greatly with the many vernacular, pre-1860s wood-frame buildings nearby, such as the adjacent two-storey structure immediately to the south.⁷

For the design of his building, Bickerstaff commissioned William Stewart (1832-1907), a significant architect who practiced in the City of Toronto c. 1872-1885, after an earlier career in the Cincinnati area. During this time, Stewart's commissions included substantial commercial, manufacturing and institutional buildings, including the design of two of the city's largest and finest hotels, the Walker House (1873) and the Shakespeare (1875). The Second Empire-style commercial building at 506-514 Queen Street West (1874) designated and located within the Queen West HCD as well as the subject building survive as rare Toronto examples of his commercial works. Partnering with Walter Strickland from 1875 to 1881, Stewart was involved in a similar variety of buildings, including many residences for some of the city's wealthiest citizens, such as the home of the prominent Toronto distiller James Worts located on Trinity Street in 1876. Subsequently, Stewart became a prolific and leading architect in Hamilton, practicing there until 1904.⁸ The City of Hamilton has recognized several of the buildings he designed including the Right House (1891), and Victoria Hall (1887), a unique metal-clad commercial building opposite Gore Park which has also been declared a National Historic Site for its architectural significance⁹.

The building was evidently developed as a speculative venture given that Bickerstaff never moved his grocery and provisions business to the site, and instead placed the building up for sale just seven months after its completion.¹⁰ By September of 1874 the Reverend William Barnhill had assumed ownership of the property from Bickerstaff.¹¹

According to City Directories, the building was occupied by a large number and variety of businesses throughout its history. However, initial occupants comprised a millinery shop, home furnishing store and a bookseller. Subsequently, long-term tenants in the earliest decades after construction included tailors, the Wing Tai & Company fancy goods store from circa 1888-89 to 1895, and the John Wright plumbing shop that remained in the building for about 35 years. In the twentieth century the building contained various businesses including restaurants, drug stores, jewellers and grocers.

While he operated Wing Tai & Company at 405 Yonge Street, Wing Tai with Lee Wing, assisted Chinese-Canadians move from British Columbia via Toronto to immigrate to the United States during the early 1890s as indicated in reports from the U.S. Senate.¹²

7 City of Toronto Archives photograph of 399 Yonge Street, c. 1938

8 Hill, BDAC entry for William Stewart

<https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=2210>

9 Canadian Register of Historic Places <https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=2210>

10 The Globe, 1874

11 Land Registry Office Records

12 The Executive Documents of the Senate of The United States, 1889-90. Washington, DC, Government Printing Office, 1890.

iii. ARCHITECTURAL DESCRIPTION

The following section provides an architectural description and analysis related to the property which will establish the basis for determining design or physical value of Criteria 1, 2 or 3 according to O. Reg. 9/06 Criteria.

401 Yonge Street is a fine and early example of the Italianate style of architecture which was a dominant style of design employed for the construction of commercial buildings in Victorian-era Toronto. The style was popular for many of the rows of commercial buildings which lined the city's commercial streets, particularly in the last few decades of the nineteenth century. However, the early date of the building, and the survival of such structures has become increasingly uncommon, making the subject property a rare surviving example of its type.

Characteristic of the style, the building was designed with a polychromatic brick façade of red and buff-coloured-brick detailing and an ornate, metal roofline cornice. Narrow rounded and segmental arched windows with brick hoods contained two-over-two sashes for the larger windows, flanked by one-over-one sashes in the narrower windows. Buff brick detailing forming the building corners and piers, with occasional recessed courses, emulates the rustication of masonry found in more substantial examples of Italianate design. The three original storefronts lining the ground level featured large display windows with transom lights, recessed entries and were surrounded with a metal cornice and outer frames incised with ornamental motifs popular at the time.

Constructed for commercial and residential purposes, the building contained three units, separated vertically, each represented by a distinct bay in the building's façade arrangement. Each unit contained a retail store on the ground level with large display windows and transom lights and a recessed entry. Each unit also contained full, residential quarters which spanned all three levels with a kitchen and dining room on the ground level behind the store, a parlour and four bedrooms on the second floor, and an additional bedroom and manufacturing room on the third storey. Below each unit was a large cellar.¹³ Such commodious quarters is notable, and suggests that the building was designed and constructed to a high standard. Also fitting out the building were kitchen sinks supplied with hard and soft water and gas line connections.¹⁴

As noted by a sale ad for the building in 1874, about seven months after it was completed, the building was of a "modern style ...not excelled by any similar class of building in the city." Such a claim is likely supported by the fact that the designer of the building, William Stewart, had just returned to Toronto after practicing his career for a half-decade in the Cincinnati area. Given that Cincinnati was a burgeoning city about four times the size of Toronto's population of 70,000, Stewart would have been familiar with the latest design and construction trends. Evidently, Joseph Bickerstaff, who commissioned the structure, was pleased enough with the outcome to engage Stewart to design his residence a few years later at College and Beverly Streets.¹⁵

¹³ The Globe, 1874

¹⁴ Ibid.

¹⁵ The Globe, 1876

In 2014 an entirely new building was completed behind the façade of the property which included an additional stepped back storey. At the time the façade was also rehabilitated with new storefronts given that the original storefronts had been greatly altered over time. The rebuilt storefronts contain cornices and outer surrounds compatible in profile and appearance to those original features in wood finish which may have replaced metal and iron elements. Additionally new window sashes were placed in the façade copying the profile of the original sashes.

iv. CONTEXT

The following section provides contextual information and analysis related to the property which is the basis for determining contextual value of Criteria 7, 8 or 9 according to O. Reg. 9/06 Criteria.

The property is located at mid-block, just beyond the northeast intersection of Yonge and Gerrard Streets. It occupies and contributes to a context of historic properties which date from the second half of the nineteenth century and the first half of the twentieth century and are designed in a variety of styles of that period. This collection of buildings, mostly one to four storeys in height and brick or stone in finish, contributes to Yonge Street's historic status and character as one of the city's principal commercial streets.

Some of the nearby properties that have been recognized for the cultural heritage value and designated under Part IV, Section 29 of the Ontario Heritage Act include 363-365 Yonge Street (1890), 367 Yonge Street (1869), 381 Yonge Street (1953), 385-391 Yonge Street (1924); 380 Yonge Street (1930) and 400 Yonge Street (1928-30) on the opposite side of the street; and 20 Gerrard Street East (1911) which is behind and adjacent to the subject site. Additionally several other buildings in the immediate vicinity on Yonge Street have been recognized with their placement on the city's heritage register including 372 Yonge Street (1864), 374 Yonge Street (1862) and 376 Yonge Street (1865).

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

The following evaluation applies Ontario Regulation 9/06 made under the Act: Criteria for Determining Cultural Heritage Value or Interest. The criteria are prescribed for municipal designation under Part IV, Section 29 of the Act, and the City of Toronto is also required to use these criteria when assessing properties for inclusion on the City of Toronto's Heritage Register. There are a total of nine criteria under O. Reg 9/06. A property may be designated under Section 29 of the Act if it meets two or more of the provincial criteria for determining whether it is of cultural heritage value or interest.

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

| | |
|--|---|
| The property has design value or physical value because it | |
| 1. is a rare, unique, representative or early example of a style, type, expression, material or construction method. | ✓ |

| | |
|--|-----|
| 2. displays high degree of craftsmanship or artistic merit | N/A |
| 3. demonstrates high degree of scientific or technical achievement | N/A |

Representative example of a style

The property at 401 Yonge Street has design value as a rare, fine and early example of the Italianate style adapted to a mixed-use commercial and residential block.

Characteristic of the style, the building features a symmetrical façade divided into three bays, each with a ground-level storefront. Above, polychromatic brick cladding, narrow, arched windows with hoods, and an ornate roofline cornice defines the rest of the exterior. Buff brick detailing forming the building corners and piers, with occasional recessed courses, emulates the rustication of masonry found in more substantial examples of Italianate design.

HISTORICAL OR ASSOCIATIVE VALUE

| | |
|--|-----|
| The property has historical value or associative value because it | |
| 4. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community | N/A |
| 5. yields, or has the potential to yield, information that contributes to an understanding of a community or culture | ✓ |
| 6. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community | ✓ |

Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community

The property has historic value for its association with William Stewart (1832-1907), a significant architect who practiced in Toronto c. 1872-1885, after an earlier career in the Cincinnati area. During his career in Toronto, Stewart's commissions included substantial commercial, manufacturing and institutional buildings, including the design of two of the city's largest and finest hotels, the Walker House (1873) and the Shakespeare (1875). The Second Empire-style commercial building at 506-514 Queen Street West (1874) designated and located within the Queen West HCD as well as the subject building survive as rare Toronto examples of his commercial works. In partnership with Walter Stickland, Stewart also designed residences for some of the city's wealthiest and most prominent citizens, such as the 1876 home of James Worts, an important Toronto distiller. Stewart became a prolific and leading architect in Hamilton practicing there until 1904.¹⁶ His designs including the commercial 1887 Victoria Hall, a National Historic Site located opposite Gore Park in downtown Hamilton, are recognized by the municipal and federal governments.

Yields, or has the potential to yield, information that contributes to an understanding of a community or culture

¹⁶ Hill, BDAC entry for William Stewart

ADD <https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=2210>

The property yields, or has the potential to yield, information that contributes to an understanding of a community or culture

The Wing Tai & Company fancy goods store was located in the building from c. 1888-89 to 1895. While he operated Wing Tai & Company at 405 Yonge Street, Wing Tai with Lee Wing, assisted Chinese-Canadians move from British Columbia via Toronto to immigrate to the United States during the early 1890s as indicated in reports from the U.S. Senate. Due to this association, the property may yield information about Toronto's early Chinese population and history.

CONTEXTUAL VALUE

| | |
|---|-----|
| The property has contextual value because it is | |
| 7. important in defining, maintaining or supporting the character of an area. | ✓ |
| 8. physically, functionally, visually or historically linked to its surroundings. | ✓ |
| 9. a landmark. | N/A |

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

The property has contextual value as it contains a three-storey, mixed-use, brick Italianate-style building dating from 1873 which contributes to and supports the late nineteenth and early twentieth century character of this historic portion of Yonge Street and provides an understanding of the development, evolution, and character of Yonge Street in the latter half of the 19th century. Prior to the 1860s and 1870s Yonge Street, north of Gerrard Street, remained sparsely developed, with buildings such as the subject property representing the earliest phase of substantial and permanent development.

Physically, functionally, visually or historically linked to its surroundings

The physical form, materials and stylistic appearance of the building, combined with its historic commercial and residential use visually and historically link the building to its Yonge Street context. The property lies in close proximity to numerous sites on Yonge Street which are designated or listed on Toronto's heritage register.

CONCLUSION

Staff have completed the Research and Evaluation Report for the property at 401 Yonge Street and determined that the property meets 4 out of 9 criteria in Ontario Regulation 9/06, the criteria prescribed for municipal designation under Part IV, Section 29 of the Act. As such, the property merits designation.

The Statement of Significance (Attachment 3) 401 Yonge Street, comprises the Reasons for Designation, which is the Public Notice of Intention to Designate.

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ATTACHMENTS

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

**MAPS AND PHOTOGRAPHS:
401 Yonge Street**

ATTACHMENT 1

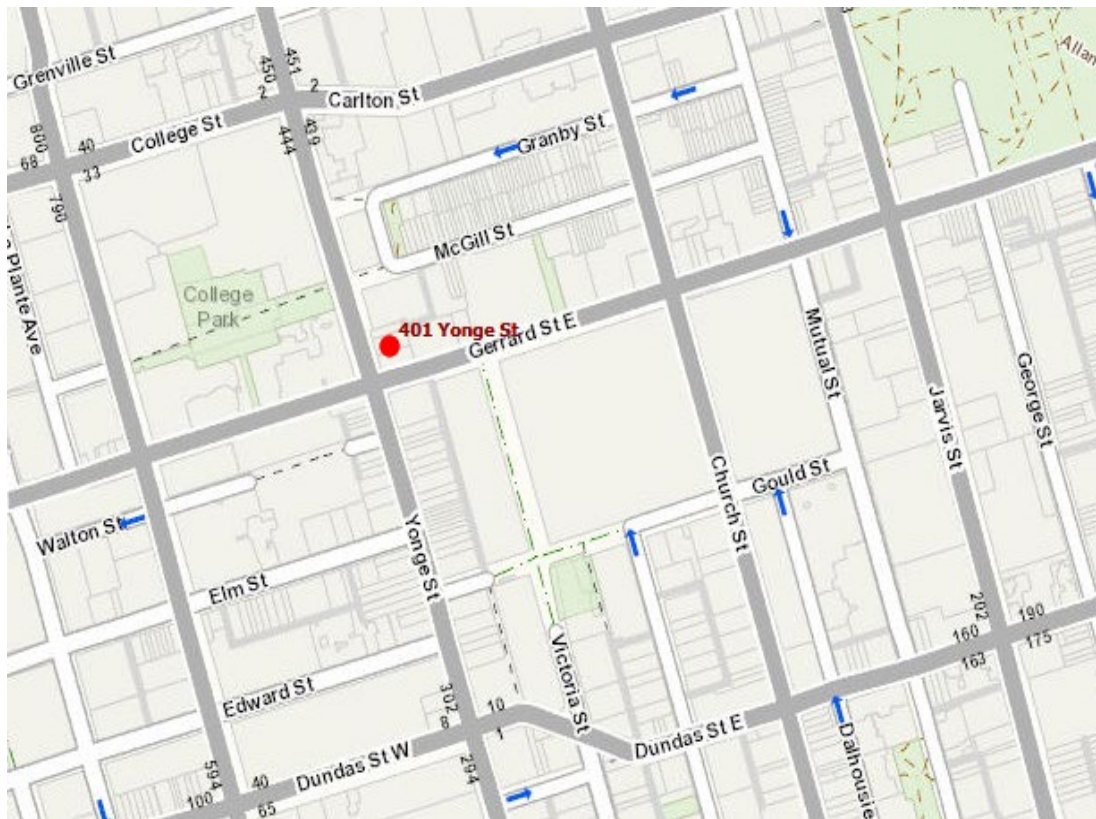


Figure 2: Location of 401 Yonge Street. Note: This location map is for information purposes only; the exact boundaries of the property are not shown. North is located at the top of the map. (City of Toronto mapping.)



Figure 3: 1858 Goad's Atlas of the City of Toronto; future location of 401 Yonge Street indicated by the arrow.

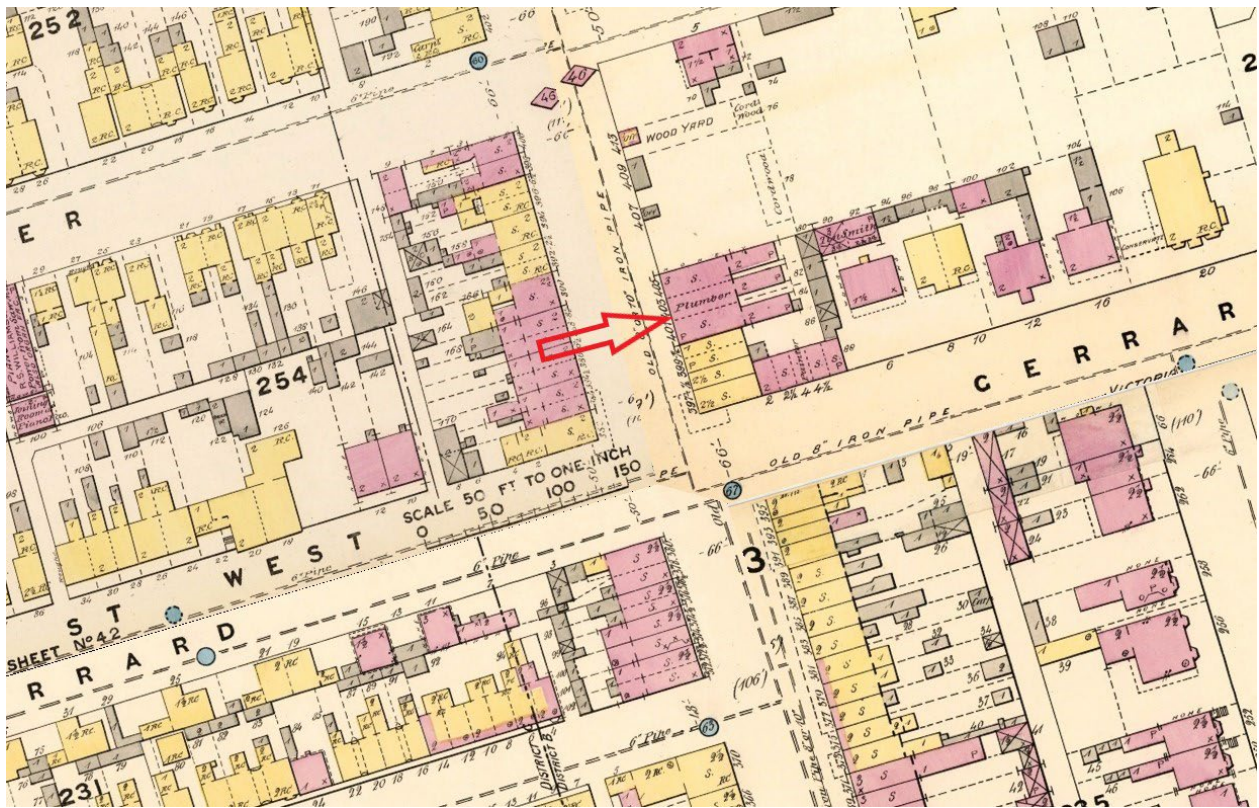


Figure 4: 1880 Goad's Atlas of the City of Toronto; future location of 401 Yonge Street indicated by the arrow.



Figure 4: West (principal) facade of the property at 401 Yonge Street, 2023. (Heritage Planning)



Figure 5: View to the southeast showing 401 Yonge Street in context, 2023. (Heritage Planning)



City of Toronto Archives, Series 574, s0574_f0020_id49392

Figure 5: Archival photograph of west façade, 401 Yonge Street, 1950. (City of Toronto Archives, Series 574)



City of Toronto Archives, Series 574, s0574_f0020_id49390

Figure 5: Archival photograph of west (principal) and south façades, 401 Yonge Street, 1950. (City of Toronto Archives, Series 574)



City of Toronto Archives, Series 574, s0574_f0020_id49391

Figure 6: Archival photograph of west façade, 401 Yonge Street, 1950. (City of Toronto Archives, Series 574)



City of Toronto Archives, Fonds 1231, f1231_it0094

Figure 7: Archival photograph showing 399 Yonge Street (an early 19th century building) and context of 401 Yonge Street, including south façade of 401 Yonge Street, c. 1938. (City of Toronto Archives, Fonds 1231)



Figure 8: 506-514 Queen Street West - designed by William Stewart in 1874; a contributing property of the Queen Street West Heritage Conservation District.

Archival Sources

- Census of Canada, 1891.
- Canadian Civil Servants List, 1872-1900
- City of Toronto Archives [CTA], Photographic Collection.
- Goad, Charles, Atlas of the City of Toronto and Suburbs, 1858 - 1924. (CTA)
- Land Registry Office Records, Metro Toronto, Plan 22A, Pt. Lot 38
- Might's Great Toronto City Directories, 1874 - 1895.
- Ontario Death Records 1869 - 1948
- Toronto Public Library [TPL], Photographic Collection.

Secondary Sources and Articles

- "College St." The Globe, December 4, 1876, p.3
- "For Sale.", The Globe, May 5, 1874, p.3
- Goldsmith Borgal & Company Ltd. Architects, Heritage Impact Assessment (HIA) for 399-401 Yonge Street, July 15, 2022.
- Hill, Robert, editor, Biographical Dictionary of Architects in Canada, 1800-1950; entry for William Stewart. <http://dictionaryofarchitectsincanada.org/node/1332>
- Robinson, C. Blackett, History of Toronto and County of York Ontario. 1885

**STATEMENT OF SIGNIFICANCE
(REASONS FOR DESIGNATION)**

The property at 401 Yonge Street (including the entrance addresses of 403 and 405 A Yonge 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 all three categories of design, associative and contextual value.

Description

The property at 401 Yonge Street (including the entrance addresses of 403 and 405 A Yonge Street) is located midblock, slightly north of the northeast corner of Yonge and Gerrard Streets. It contains a three-storey, commercial building which is designed in the Italianate style, and was constructed in 1873. Constructed for Toronto grocer and merchant Joseph Bickerstaff (1832 - 1896), the property served a combined commercial and residential purpose comprising retail stores and living quarters on the ground floor with residential and manufacturing space on the floors above.

In recognition of its architectural significance, the building was amongst some of the earliest included on the City of Toronto's Inventory of Heritage Properties (now known as the Heritage Register) in March 1974.

Some of the nearby properties which have been recognized for the cultural heritage value and designated under Part IV, Section 29 of the Ontario Heritage Act include 363-365 Yonge Street (1890), 367 Yonge Street (1869), 381 Yonge Street (1953), 385-391 Yonge Street (1924); and 380 Yonge Street (1930) and 400 Yonge Street (1928-30) on the opposite side of the street; 20 Gerrard Street East (1911) is adjacent and behind the subject site. Additionally, several other buildings in the immediate vicinity on Yonge Street are listed the City's Heritage Register including 372 Yonge Street (1864), 374 Yonge Street (1862) and 376 Yonge Street (1865).

Statement of Cultural Heritage Value

The property at 401 Yonge Street has design value as a rare, fine and early example of the Italianate style adapted to a mixed-use commercial and residential block. Characteristic of the style, the building features a symmetrical façade divided into three bays, each with a ground-level storefronts. Above, polychromatic brick cladding, narrow, arched windows with hoods, and an ornate roofline cornice defines the rest of the exterior. Buff brick detailing forming the building corners and piers, with occasional recessed courses, emulates the rustication of masonry found in more substantial examples of Italianate design.

The property has historic value for its association with William Stewart (1832-1907), a significant architect who practiced in the city c. 1872-1885, after an earlier career in the Cincinnati area. During this time, Stewart's commissions included substantial commercial, manufacturing and institutional buildings. In partnership with Walter

Stickland, he also designed residences for some of the city's wealthiest and most prominent citizens, such as the 1876 home for James Worts, an important Toronto distiller. Subsequently, he became a leading and prolific architect in Hamilton, Ontario with his designs including the 1887 Victoria Hall, a National Historic Site. The building located 401 Yonge Street survives as a rare example of his commercial work in Toronto.

The property has contextual value as it contains a three-storey, mixed-use, brick Italianate-style building dating from 1873 which contributes to and supports the late nineteenth and early twentieth century character of this historic portion of Yonge Street and provides an understanding of the development, evolution, and character of Yonge Street in the latter half of the 19th century. Prior to the 1860s and 1870s Yonge Street, north of Gerrard Street, remained sparsely developed, with buildings such as the subject property representing the earliest phase of substantial and permanent development.

The physical form, materials and stylistic appearance of the building, combined with its historic commercial and residential use visually and historically link the building to its Yonge Street context. The property lies in close proximity to numerous sites on Yonge Street which are designated or listed on the Toronto's heritage register

Heritage Attributes

Design and Physical Value

The following heritage attributes contribute to the cultural heritage value of the property at 401 Yonge Street as a representative example of an Italianate-style mixed-use retail and commercial building:

- The scale, form, and massing of the property as a three-storey mixed-use residential and commercial building
- The flat roof profile of the building and its ornate metal roofline cornice
- The symmetrical façade divided into three vertical bays,
- The polychromatic cladding of red brick with buff-coloured brick detailing comprising rusticated corners and piers and window hoods
- The symmetrical fenestration with narrow, segmental- and rounded-arch windows with one-over-one and two-over-two sashes
- The continuous metal sill course below the third storey windows
- Ground level storefronts with large display windows framed with secondary cornice and outer frames (piers) incised with ornamental motifs

Historic and Associative Value

The following heritage attributes contribute to the cultural heritage value of the property associated with the design of renowned architect, William Stewart:

- The materials and Italianate-style finish detailing of the building

Contextual Value

The following heritage attributes contribute to the cultural heritage value of the property at 401 Yonge Street as supporting the historical character, of Yonge Street and visually and historically linking it to its context for 150 years:

- The placement, setback and orientation of the building at 401 Yonge Street on the east side of Yonge Street between Gerrard and Carlton (McGill) Streets
- The scale, form, and massing of the property as a three-storey mixed-use commercial and residential building