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RECEIVED
2023/06/13
(YYYY/MM/DD)
Ontario Heritage Trust

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
401 YONGE STREET (including entrance addresses at 403 and 405 A Yonge
Street)**

NOTICE OF PASSING OF DESIGNATION BY-LAW 452-2023

Ontario Heritage Trust
10 Adelaide Street East
Toronto, ON M5C 1J3
registrar@heritagetrust.on.ca

TAKE NOTICE that Council for the City of Toronto passed Designation By-law 452-2023 on May 10, 11 and 12, 2023, which designates the lands, buildings and structures known municipally as 401 Yonge Street, under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended, as a property of cultural heritage value or interest.

This notice is being served to the Owner of the Property, the Ontario Heritage Trust, and any Objectors and Interested Persons.

The City Clerk did not receive any objections to the Notice of Intention to Designate the Property. Therefore, City Council did not consider any objections and passed the Designation By-law for the Property.

IF YOU WISH TO APPEAL TO THE ONTARIO LAND TRIBUNAL:

Take notice that an appeal of the Designation by-law for the Property by those persons permitted to appeal under section 29 of the Ontario Heritage Act may be made by filing a notice of appeal with the City Clerk, Attention: Administrator, Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2; Email: hertpb@toronto.ca within thirty days of June 13, 2023, which is July 13, 2023.

A Notice of Appeal must:

- (1) set out the reasons for the objection to the designation by-law; and
- (2) set out the reasons in support of the objection to the designation by-law.

If you wish to appeal to the Ontario Land Tribunal (OLT), forms are available from the Ontario Land Tribunal website at <https://olt.gov.on.ca>.

Who Can File An Appeal:

Any persons who object to the designation by-law may refer the matter to the Ontario Land Tribunal.

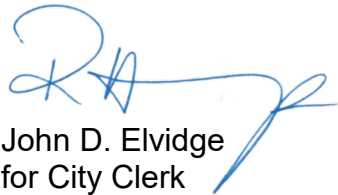
Getting Additional Information:

A copy of the by-law and background information about the application is available for public inspection by contacting Heritage Planning staff at heritageplanning@toronto.ca.

Further information in respect of the Designation By-law is available from the City of Toronto at:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH2.15>

Dated at the City of Toronto on June 13, 2023.

A handwritten signature in blue ink, appearing to read 'J. Elvidge', with a long horizontal flourish extending to the right.

John D. Elvidge
for City Clerk

Authority: Planning and Housing Committee Item PH2.15,
as adopted by City of Toronto Council on March 29, 30 and
31, 2023
City Council voted in favour of this by-law on May 12,
2023



CERTIFIED TRUE COPY
John D. Elvidge, City Clerk

Digitally signed document
Use PDF reader to verify

2023-05-31

CITY OF TORONTO

BY-LAW 452-2023

To designate the property at 401 Yonge Street (including entrance addresses at 403 and 405A Yonge Street) as being of cultural heritage value or interest.

Whereas the Ontario Heritage Act authorizes the Council of a municipality to enact By-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

Whereas authority was granted by Council to designate the property at 401 Yonge Street (including entrance addresses at 403 and 405A Yonge Street) as being of cultural heritage value or interest; and

Whereas the Council of the City of Toronto has caused to be served upon the owners of the lands and premises known as 401 Yonge Street (including entrance addresses at 403 and 405A Yonge Street) and upon the Ontario Heritage Trust, Notice of Intention to designate the property, and has caused the Notice of Intention to be posted on the City's website for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4.1. Notice requirements under the Ontario Heritage Act; and

Whereas no notice of objection was served upon the Clerk of the municipality within the prescribed time under the Ontario Heritage Act; and

Whereas the reasons for designation are set out in Schedule A to this By-law;

The Council of the City of Toronto enacts:

- 1.** The property at 401 Yonge Street (including entrance addresses at 403 and 405A Yonge Street), more particularly described in Schedule B attached to this By-law, is designated as being of cultural heritage value or interest.
- 2.** The City Solicitor is authorized to cause a copy of this By-law to be registered against the property described in Schedule B to this By-law in the proper Land Registry Office.
- 3.** The City Clerk is authorized to cause a copy of this By-law to be served upon the owners of the property at 401 Yonge Street (including entrance addresses at 403 and 405A Yonge Street), and upon the Ontario Heritage Trust and to cause notice of this By-law to be posted on the City's website for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4.1. Notice requirements under the Ontario Heritage Act.

Enacted and passed on May 15, 2023.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

SCHEDULE A

STATEMENT OF SIGNIFICANCE REASONS FOR DESIGNATION

401 YONGE STREET (including entrance addresses at 403 and 405A Yonge Street)

Reasons for Designation

The property at 401 Yonge Street (including the entrance addresses of 403 and 405A 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 405A 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 or 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

Historical or 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.

SCHEDULE B
LEGAL DESCRIPTION

PIN 21102-0206 (LT)

PART OF LOT 38, E/S YONGE STREET, REGISTERED PLAN 22A AS IN CT881810,
EXCEPT THE EASEMENT THEREIN (SECONDLY DESCRIBED IN FIRSTLY LAND)
(SECONDLY DESCRIBED IN SECONDLY LAND) (FIRSTLY DESCRIBED IN THIRDLY
LAND)

City of Toronto and Province of Ontario

Land Titles Division of the Toronto Registry Office (No. 66)