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**IN THE MATTER OF THE ONTARIO HERITAGE ACT  
R.S.O. 1990, CHAPTER O.18 AND  
CITY OF TORONTO, PROVINCE OF ONTARIO  
69 YONGE STREET AND 3 KING STREET EAST  
NOTICE OF DECISION**

**RECEIVED**  
2024/02/09  
(YYYY/MM/DD)  
Ontario Heritage Trust

ONTARIO HERITAGE TRUST  
10 ADELAIDE STREET EAST  
TORONTO, ONTARIO M5H 1J3  
[registrar@heritagetrust.on.ca](mailto:registrar@heritagetrust.on.ca)

TAKE NOTICE that the Council of the City of Toronto on February 6 and 7, 2024, has considered an application under Section 33 of the Ontario Heritage Act to alter a building and/or structure on a Property designated under Part IV, Section 29 of the Ontario Heritage Act for the Property municipally known as 69 Yonge Street and 3 King Street East.

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

The decision of City Council, among other matters, regarding the application under the Ontario Heritage Act is as follows:

1. City Council approve the alterations to the heritage property at 69 Yonge Street and 3 King Street East, in accordance with Part IV, Section 33 of the Ontario Heritage Act, to allow for the construction of a new 21-storey tower on the lands known municipally as 69 Yonge Street and 3 King Street East, with such alterations substantially in accordance with plans and drawings dated July 11, 2023, prepared by ERA and Partisans, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), dated October 26, 2023, prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, and all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions:

a. That the related Zoning By-law Amendment permitting the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the Senior Manager, Heritage Planning.

b. That prior to the introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 69 Yonge Street and 3 King Street East substantially in accordance with the plans and drawings dated July 11, 2023, prepared by ERA and Partisans, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), dated October 26, 2023, prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan required in Recommendation 1.b.2, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.
2. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the properties at 69 Yonge Street and 3 King Street East, to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to final Site Plan approval for the proposal, for the property located at 69 Yonge Street and 3 King Street East the owners shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plans required in Recommendation 1.b. 2 to the satisfaction of the Senior Manager, Heritage Planning.
2. Provide a Heritage Lighting Plan that describe how the exterior of the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such a plan to the satisfaction of the Senior Manager Heritage Planning.
3. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such plan to the satisfaction of the Senior Manager, Heritage Planning.

d. That prior to the issuance of any permit for the work described in the Site Plan application, including a heritage permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Have entered into a Heritage Easement Agreement with the City of Toronto required in Recommendation 1.b.1 for property at 69 Yonge Street

and 3 King Street East, including registration on title of such agreement, to the satisfaction of the City Solicitor.

2. Have provided a detailed Conservation Plan required in Recommendation 1.b.2.

3. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plans required in Recommendation 1.b.2, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Planning.

4. Provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Senior Manager, Heritage Planning, to secure all work included in the approved Conservation, Lighting and Interpretation plans.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.4, the owner shall:

1. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work and the required interpretive work has been completed in accordance with the Conservation, Lighting and Interpretation Plans and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

#### **IF YOU WISH TO APPEAL TO THE ONTARIO LAND TRIBUNAL:**

Notice of an appeal of the decision of City Council on the application to alter the Property may be served on the City Clerk, Attention: Registrar Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2.; Email: [RegistrarCCO@toronto.ca](mailto:RegistrarCCO@toronto.ca) within thirty days of February 9, 2024, which is March 11, 2024.

#### **A Notice of Appeal of the decision of City Council on the application to alter the Property under Section 33 of the Ontario Heritage Act must:**

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

If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/forms>.

**Who Can File An Appeal:**

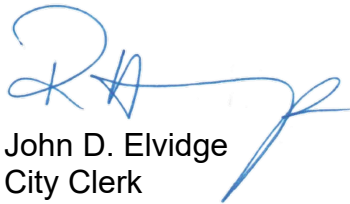
Only the owner of the Property may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 33 of the Ontario Heritage Act, and only where City Council has consented to an application to alter a property with certain terms or conditions, or refuses the application to alter a property.

**Getting Additional Information:**

Further information in respect of the Decision of Council of the City of Toronto on the matter is available from the City of Toronto at:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE10.19>

Dated at the City of Toronto on February 9, 2024.



John D. Elvidge  
City Clerk