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City Clerk's Office

Ulli S. Watkiss
City Clerk

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**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER 0.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
592 SHERBOURNE STREET**

NOTICE OF DECISION

Selby Developments (2) Ltd.
c/o Robert Blazeovski
22 St. Clair Avenue East, Suite 1010
Toronto, Ontario
M4T 2S3

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Nazcan Inc.
592 Sherbourne Street
Toronto, Ontario
M4X 1L4

Take notice that the Council of the City of Toronto on July 8, 9, 10 and 11, 2014, having considered an application to alter a designated structure under Part IV of the Ontario Heritage Act for 592 Sherbourne Street, decided, among other things, to:

1. Approve the alterations to the heritage property at 592 Sherbourne Street, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a maximum 49-storey, and up to a specified height in metres, residential development with retail at grade within the heritage building on the lands known municipally in 2013 as 592 Sherbourne Street, provided the existing building on the 15 Selby Lands (A.H. Rundle House) is retained in situ, conserved, such property is designated, and is subject to a Heritage Easement Agreement with the City, with such alterations to the property at 592 Sherbourne Street to be substantially in accordance with plans and drawings dated June 1, 2012 and revised March 20, 2014, prepared by BKL Architecture LLC, date-stamped received by City Planning on April 20, 2014, and on file with the Manager, Heritage Preservation Services, the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc., dated June 13, 2012 and revised March 21, 2014, date-stamped received by City Planning on March 21, 2014, and on file with the Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Manager, Heritage Preservation Services and subject to the following additional conditions:

- a. that the related site specific Official Plan Amendment and Zoning By-law Amendment giving rise to the proposed alterations have been enacted by the City Council and have come into full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Manager, Heritage Preservation Services;
- b. that prior to the introduction of the bills for such Official Plan Amendment and Zoning By-law Amendment by City Council, the owner shall have:
 - i. amended the existing Heritage Easement Agreement for the property at 592 Sherbourne Street in accordance with the above referenced plans and drawings and subject to and in accordance with the herein required Conservation Plan, all to the satisfaction of the Manager, Heritage Preservation Services including registration of such amending agreement to the satisfaction of the City Solicitor;
 - ii. provided such Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Statement for the properties located at 592 Sherbourne Street and 15 Selby Street, dated June 13, 2012 and revised March 21, 2014, and all to the satisfaction of the Manager, Heritage Preservation Services;
 - iii. entered into a Heritage Easement Agreement with the City for the property at 15 Selby Street to the satisfaction of the Manager, Heritage Preservation Services and the City Solicitor including registration of such amending agreement to the satisfaction of the City Solicitor; and
 - iv. completed and registered a Section 37 Agreement (pursuant to the Planning Act) to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning and the Manager, Heritage Preservation Services;
- c. that prior to Final Site Plan approval for the property at 592 Sherbourne Street:
 - i. the owner shall provide Final Site Plan drawings including drawings related to the approved Conservation Plan to the satisfaction of the Manager, Heritage Preservation Services;
 - ii. the related Zoning By-law and Official Plan amendments giving rise to the proposed alterations shall be in full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning in consultation with the Manager, Heritage Preservation Services;

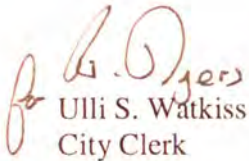
- d. that prior to the issuance of any permit for the property at 592 Sherbourne Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance of the existing heritage building the owner shall:
 - i. obtain final approval for the necessary by-law amendments required for the alterations to the property at 592 Sherbourne Street and to permit the limited office uses at 15 Selby Street, such amendments to have been enacted by City Council and to have 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 Manager, Heritage Preservation Services;
 - ii. have obtained Final Site Plan approval for such property, issued by the Chief Planner and Executive Director, City Planning, and with content acceptable to the Manager, Heritage Preservation Services;
 - iii. provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan, including a description of materials and finishes, to be prepared by the project architect and a qualified heritage consultant, all to the satisfaction of the Manager, Heritage Preservation Services;
 - iv. provide a Lighting Plan that describes how the C. H. Gooderham House will be sensitively illuminated to enhance its heritage character, to the satisfaction of the Manager, Heritage Preservation Services;
 - v. provide an Interpretation Plan for 592 Sherbourne Street, to the satisfaction of the Manager, Heritage Preservation Services; and
 - vi. provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan, and the approved Interpretation Plan;
- e. that prior to the release of the Letter of Credit the owner shall:
 - i. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the conservation work and the interpretive work have been completed in accordance with the approved Conservation Plan and the approved Interpretation Plan, and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Manager, Heritage Preservation Services; and
 - ii. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Manager, Heritage Preservation Services.

Appeal to the Conservation Review Board:

The Ontario Heritage Act states that where a Council consents to an application to alter a designated property with certain terms or conditions, or refuses the application, the owner may, within thirty days after receipt of this notice, apply to the Council for a hearing before the Conservation Review Board.

The owner may request a hearing before the Conservation Review Board in this matter, by writing to the City Clerk: Attention Rosalind Dyers, Administrator, Toronto and East York Community Council, Toronto City Hall, 100 Queen Street West, 2nd Floor West, Toronto, Ontario, M5H 2N2, by 4:30 p.m. on or before September 26, 2014.

Dated at Toronto this 27th day of August, 2014.


Ulli S. Watkiss
City Clerk