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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  
187 KING STREET EAST AND 65 GEORGE STREET  
NOTICE OF DECISION**

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

2021 10 20



TAKE NOTICE that the Council of the City of Toronto on October 1 and 4, 2021, 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 187 King Street East.

TAKE NOTICE that the Council of the City of Toronto on October 1 and 4, 2021 has considered an application under Section 34(1)2 of the Ontario Heritage Act to demolish or remove, or permit the demolition or removal of a building and/or structure on the Property designated under Part IV, Section 29 of the Ontario Heritage Act for the Property municipally known as 65 George Street.

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 187 King Street East in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 17-storey mixed residential condominium building on the lands known municipally in the year 2021 as 187 King Street East and 65 George Street, with such alterations substantially in accordance with plans and drawings dated August 9, 2021 prepared by Core Architects Inc. and on file with the Senior Manager, Heritage Planning and attached as Public Appendix C to the report (August 19, 2021) from the City Solicitor; and the Revised Heritage Impact Assessment, prepared by ERA Architects, dated August 11, 2021, and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions in Parts 2 and 3 below.

2. City Council approve the request to demolish the heritage building on the designated heritage property at 65 George Street in accordance with Section 34 of the Ontario Heritage Act as proposed in Public Appendix B to the report (August 19, 2021) from the City Solicitor and substantially in accordance with the Revised Heritage Impact Assessment for the properties at 187 King Street East and 65 George Street prepared by ERA Architects Inc. dated August 11, 2021, subject to the following conditions:

a. should the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) approve the Zoning By-law Amendment application, City Council authorize the City Solicitor to request the Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) to withhold the issuance of the final Order on the Zoning By-law Amendment appeal until such time as:

i. the owner has provided a detailed Conservation Plan for the property at 187 King Street East prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Revised Heritage Impact Assessment prepared by ERA Architects Inc. dated August 11, 2021, to the satisfaction of the Senior Manager, Heritage Planning;

ii. the owner has provided a detailed Reconstruction and Commemoration Plan for the property at 65 George Street prepared by a qualified heritage consultant that is substantially in accordance with the strategy set out in the Revised Heritage Impact Assessment prepared by ERA Architects Inc. dated August 11, 2021, to the satisfaction of the Senior Manager, Heritage Planning;

iii. the owner has entered into a Heritage Easement Agreement with the City for the property at 187 King Street East, substantially in accordance with plans and drawings prepared by prepared by Core Architects Inc. dated August 9, 2021, and the Revised Heritage Impact Assessment (HIA) prepared by ERA Architects Inc. dated August 11, 2021, subject to and in accordance with the approved Conservation Plan required in Part 2.a.i. above and the approved Reconstruction and Commemoration Plan required in Part 2.a.ii. above, all to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor; and

iv. the owner has entered into and registered on the property at 187 King Street East and 65 George Street one or more agreements with the City pursuant to Section 37 of the Planning Act, all to the satisfaction of the City Solicitor and the Senior Manager, Heritage Planning, with such facilities, services and matters to be set forth in the related site specific Zoning By-law Amendment giving rise to the proposed demolition and requiring a Letter of Credit to secure all work included in the approved Reconstruction and Commemoration Plan, including provision for upwards indexing, in a form and amount satisfactory to the Senior Manager, Heritage Planning, all to the satisfaction of the Senior Manager, Heritage Planning.

b. prior to Final Site Plan approval for the Lands, or any part of the Lands, the owner shall:

i. provide final site plan drawings, including drawings related to the approved Conservation Plan required in Part 2.a.i. above and the approved Reconstruction and Commemoration Plan required in Part 2.a.ii. above to the satisfaction of the Senior Manager, Heritage Planning;

ii. provide an Interpretation Plan for the property at 187 King Street East to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning; and

iii. provide a Heritage Lighting Plan that describes how the building on the property at 187 King Street East will be sensitively illuminated to enhance its heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning;

c. City Council direct that prior to the issuance of any permit for all, or any part of the Lands, including a heritage permit, demolition permit or a building permit, but excluding permits for repairs and maintenance and usual and minor works for the existing heritage buildings as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

i. provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Part 2.a.i. above and the approved Reconstruction and Commemoration Plan required in Part 2.a.ii. above 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; and

ii. 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 Plan, Reconstruction and Commemoration Plan, Heritage Lighting Plan and Interpretation Plan; and

d. City Council direct that prior to the release of the Letter of Credit required in Part 2.c.ii. above the owner shall:

i. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation, reconstruction and commemoration, lighting and interpretation has been completed in accordance with the relevant approved plans and that an

appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning; and

- ii. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning;

**IF YOU WISH TO REFER THE MATTER TO THE ONTARIO LAND TRIBUNAL:**

Notice of an objection of the decision of City Council on the application to alter the Property may be served on 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](mailto:hertpb@toronto.ca) within thirty days of October 20, 2021, which is November 19, 2021.

**A Notice of Objection of the decision of City Council on the application to alter a Building and/or structure on 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 THE MATTER TO THE ONTARIO LAND TRIBUNAL:**

Notice of an appeal of the decision of City Council on the application to demolish or remove a building and/or structure on the Property under section 34 of the Ontario Heritage Act may be served on 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](mailto:hertpb@toronto.ca) within thirty days of October 20, 2021, which is November 19, 2021.

**A Notice of Appeal of the decision of City Council on the application to demolish or remove a building and/or structure on the Property under section 34 of the Ontario Heritage Act must:**

- (1) set out the reasons for the objection to the decision;
- (2) set out the reasons in support of the objection to the decision; and
- (3) be accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021, in the amount of \$1,100 for each appeal payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

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 Objection or an Appeal:**

Only the owner of the Property may object to 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.

Only the owner of the Property subject of the application under Section 34 of the Ontario Heritage Act may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 34.1 of the Ontario Heritage Act. The appeal may only be made where City Council has consented to an application to demolish or remove a building and/or structure on a property with certain terms or conditions, or refuses the application to demolish or remove the building and/or structure on 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:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.CC36.3>

Dated at the City of Toronto on October 20, 2021.



*b* John D. Elvidge  
City Clerk