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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  
1406 YONGE STREET  
NOTICE OF DECISION**

**RECEIVED**  
2022/09/07  
(YYYY/MM/DD)  
Ontario Heritage Trust

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, Ontario  
M5C 1J3  
[registrar@heritagetrust.on.ca](mailto:registrar@heritagetrust.on.ca)

TAKE NOTICE that the Council of the City of Toronto on July 19, 20, 21 and 22, 2022 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 1406 Yonge Street.

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

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

1. City Council approve the request to remove the heritage property at 1406 Yonge Street under Section 34 of the Ontario Heritage Act, to allow for the construction of a 40-storey tower, with such removal to be undertaken generally in accordance with the architectural drawings dated May 10, 2022 prepared by IBI Group and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA), prepared by Goldsmith Borgal & Company Ltd. Architects dated May 3, 2022 and on file with the Senior Manager, Heritage Planning, both subject to revisions to exclude the property at 1404 Yonge Street, and subject to the following additional conditions:

- a. that the related site-specific Official Plan Amendment and Zoning By-law Amendment permitting the proposed removal 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 issuance of any permit for all or any part of the property at 1406 Yonge Street, including a heritage permit or a building permit, the owner shall:

1. enter into a Heritage Easement Agreement with the City for the properties at 1420 Yonge Street in accordance with the plans and drawings dated May 10, 2022, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects, dated May 3, 2022 and in accordance with an approved Conservation Plan to the satisfaction of the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor;
2. provide building permit drawings for the development at 1406 Yonge Street and 1420 Yonge Street, including notes and specifications for the conservation and protective measures keyed to an approved Conservation Plan for 1420 Yonge Street 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;
3. provide a Letter of Credit, including provision for upward 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, Heritage Lighting Plan and Interpretation Plan; and
4. provide full documentation of the existing heritage property at 1406 Yonge Street, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, 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 demolish or remove a building and/or structure on 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 July 27, 2022, which is August 26, 2022.

#### **A Notice of Appeal 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 Appeal:**

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=2022.TE34.52>

Dated at the City of Toronto on July 27, 2022.



 John D. Elvidge  
City Clerk