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City Clerk's Office

RECEIVED
2023/07/25
(YYYY/MM/DD)
Ontario Heritage Trust

John D. Elvidge
City Clerk

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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
1420 YONGE STREET; DEMOLITION OF A BUILDING ON A DESIGNATED
PROPERTY AT 1404 AND 1406 YONGE STREET
NOTICE OF DECISION**

TAKE NOTICE that the Council of the City of Toronto on July 19 and 20, 2023, 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 1420 Yonge Street.

TAKE NOTICE that the Council of the City of Toronto on July 19, 20 and 21, 2023, 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 1404 and 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 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 1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street), in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 50-storey building, with such alterations to be substantially in accordance with architectural drawings dated April 18, 2023, prepared by IBI Group and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA) for 1404-1428 Yonge Street, prepared by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2023 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan which is satisfactory to the Senior Manager, Heritage Planning and subject to the following conditions:

a. That the owner:

1. Enter into a Heritage Easement Agreement with the City for the property at 1420 Yonge Street in accordance with the plans and drawings dated April 18, 2023, prepared by IBI Group and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment for 1404-1428 Yonge Street

prepared by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2023, and in accordance with the Conservation Plan required in Recommendation 1.a.2, to the satisfaction of the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor.

2. Provide a detailed Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 1404-1420 Yonge Street prepared by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2023, to the satisfaction of the Senior Manager, Heritage Planning.

b. That prior to final Site Plan approval for the properties located at 1404-1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street) the owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning.

2. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage features to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

3. Provide a detailed Landscape Plan for the subject property, satisfactory to the Senior Manager, Heritage Planning.

4. 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.

5. Submit a Signage Plan for the subject property to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to the issuance of any permit for all or any part of the properties at 1404-1420 Yonge Street (including entrance addresses at 1418, 1422, 1424, 1426 and 1428 Yonge Street), including a heritage 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:

1. Have entered into a Heritage Easement Agreement with the City required in Recommendation 1.a.1.

2. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.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.

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.

4. Provide full documentation of the existing heritage properties, 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 USB flash drive in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all original drawings as may be available, to the satisfaction of the Senior Manager, Heritage Planning.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.3, 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 Plan, Heritage Lighting Plan and Interpretation Plan 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.

2. City Council approve the request to remove the buildings at the heritage properties at 1404 and 1406 Yonge Street under Section 34 of the Ontario Heritage Act, to allow for the construction of a 50-storey building, with such removal to be undertaken substantially in accordance with architectural drawings dated April 18, 2023, prepared by IBI Group and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA) for 1404-1428 Yonge Street, prepared by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2023, and on file with the Senior Manager, Heritage Planning, subject to the following additional conditions:

a. 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 April 18, 2023, prepared by IBI Group and on file with the Senior Manager,

Heritage Planning, the Heritage Impact Assessment for 1404-1428 Yonge Street prepared by Goldsmith Borgal & Company Ltd. Architects, dated February 9, 2023 and in accordance with the Conservation Plan required in Recommendation 1.a.2, 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 1404-1420 Yonge Street, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.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.

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.

4. Provide full documentation of the existing heritage properties at 1404 and 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 alter the Property or the application to demolish or remove a building and/or structure on 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 within thirty days of July 25, 2023, which is August 24, 2023.

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>.

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 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.

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:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE6.18>

Dated at the City of Toronto on July 25, 2023.



John D. Elvidge
City Clerk