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ONTARIO HERITAGE TRUST

MAY 31 2021

City Clerk's Office

RECEIVED

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Toronto and East York Community Council
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100 Queen Street West
Toronto, Ontario M5H 2N2

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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
100 SIMCOE STREET**

NOTICE OF DECISION

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

Take notice that the Council of the City of Toronto on May 5 and 6 2021, having considered an application to alter a heritage property designated under Part IV of the Ontario Heritage Act municipally known as 100 Simcoe Street decided, among other things, to:

1. Approve the alterations to the designated heritage property at 100 Simcoe, in accordance with section 33 of the Ontario Heritage Act, for the construction of a new 209.6 metre tall residential tower and podium with alterations to the designated buildings at 100 Simcoe Street in conjunction with an appeal to the Local Planning Appeal Tribunal comprised of the plans and drawings prepared by Hariri Pontarini Architects, submitted with the Heritage Impact Assessment prepared by ERA Architects Inc., dated March 1, 2021, all 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 conditions:

a. prior to issuance of a Local Planning Appeal Tribunal Order in connection with the Zoning By-law Amendment appeal for the property at 100 Simcoe Street, the owner shall:

1. enter into a Heritage Easement Agreement with the City for the property at 100 Simcoe Street substantially in accordance with plans and drawings prepared by Hariri Pontarini Architects, submitted with the Heritage Impact Assessment prepared by ERA Architects Inc., dated March 1, 2021, subject to and in accordance with the approved Plan required in Part 1.a.2. below, all 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 100 Simcoe Street, prepared by ERA Architects Inc., dated March 1, 2021, all to the satisfaction of the Senior Manager, Heritage Planning.

3. the owner has withdrawn their appeal(s) of the King-Spadina Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

4. the owner has withdrawn their appeal(s) of the Designation under the Ontario Heritage Act of the property at 100 Simcoe Street, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

5. the owner has withdrawn any outstanding appeals with respect to any demolition application for the site.

b. prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 100 Simcoe Street, the owner shall:

1. provide final site plan drawings including drawings related to the approved Conservation Plan required in Part 1.a.2. above.

2. provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

3. provide a Heritage Lighting Plan that describes how 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 Plan to the satisfaction of the Senior Manager, Heritage Planning.

4. submit a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Planning.

c. prior to the issuance of any permit for all or any part of the property at 100 Simcoe Street, 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. obtain final approval for the necessary By-law amendments required for the alterations to the property at 100 Simcoe Street, have come into 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.

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

3. 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, Heritage Lighting Plan, Landscape Plan and Interpretation Plan.

4. provide full documentation of the existing heritage property at 100 Simcoe 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 CD 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.

d. prior to the release of the Letter of Credit required in Part 1.c.3. above, the owner shall:

1. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, required heritage lighting work, and the required interpretive work has been completed in accordance with the Conservation Plan, Lighting Plan, Landscape 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.

Appeal to the Conservation Review Board:

Part IV, section 33 of 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 Ellen Devlin, 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 June 28, 2021.

Dated at Toronto this 28th day of May, 2021

A handwritten signature in blue ink, appearing to read "E. Devlin".

for John D. Elvidge
City Clerk