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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
906 YONGE STREET (INCLUDING ENTRANCE ADDRESS AT 908 YONGE STREET)**

NOTICE OF DECISION

TAKE NOTICE that the Council of the City of Toronto on July 19, 20 and 21, 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 906 Yonge Street (including entrance address at 908 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. The alterations to the designated heritage property at 906 Yonge Street (including the entrance address at 908 Yonge Street) be approved in accordance with Section 33 of the *Ontario Heritage Act* for the construction of a new mixed use building that includes two towers, in conjunction with an appeal to the Ontario Land Tribunal, comprised of the plans and drawings prepared by IBI Group, and dated May 1, 2023, submitted with the Heritage Impact Assessment prepared by ERA Architects Inc., dated April 28, 2023, 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 conditions as set out below.
2. City Council direct that its consent to the application to alter the designated property at 906 Yonge Street (including the entrance address at 908 Yonge Street) under Part IV, Section 33 of the *Ontario Heritage Act* are also subject to the following conditions:
 - a. Prior to issuance of an OLT order in connection with the Zoning By-law Amendment and Draft Plan of Subdivision appeals for the property at 906 Yonge Street (including the entrance address at 908 Yonge Street), the owner shall:
 1. Enter into a Heritage Easement Agreement with the City for the property at 906 Yonge Street (including the entrance address at 908 Yonge Street), substantially in accordance with plans and drawings prepared by IBI Group, and dated May 1, 2023, submitted with the

Heritage Impact Assessment prepared by ERA Architects Inc., dated April 28, 2023, subject to and in accordance with the approved Plan required in Recommendation 1.a.2, all to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor; and

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 906 Yonge Street (including the entrance address at 908 Yonge Street), prepared by ERA Architects Inc., dated April 28, 2023, and details all future conservation efforts as part of this application, all to the satisfaction of the Senior Manager, Heritage Planning.

b. Prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the property at 906 Yonge Street (including the entrance address at 908 Yonge Street), the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning.

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. That prior to the issuance of any permit for all or any part of the property at 906 Yonge Street (including the entrance address at 908 Yonge 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 906 Yonge Street (including the entrance address at 908 Yonge Street), such amendments to have been enacted by City Council in connection with an Ontario Land Tribunal Order

and to have come into effect in a form and with content acceptable to City Council as determined by the Chief Planner, 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 Recommendation 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 and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 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 and Interpretation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Planning; and

2. Provide replacement Heritage Easement Agreement photographs 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 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 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

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:

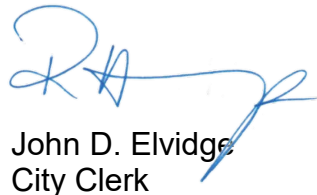
Only the owner of the Property may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 33 of the Ontario Heritage Act, and only where City Council has consented to an application to alter a property with certain terms or conditions, or refuses the application to alter a property.

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.CC8.23>

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



John D. Elvidge
City Clerk