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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  
191-199 COLLEGE STREET AND 74-76 HENRY STREET**

**RECEIVED**  
2024/07/02  
(YYYY/MM/DD)  
Ontario Heritage Trust

**NOTICE OF DECISION**

ONTARIO HERITAGE TRUST  
10 ADELAIDE STREET EAST  
TORONTO, ONTARIO  
M5H 1J3  
[registrar@heritagetrust.on.ca](mailto:registrar@heritagetrust.on.ca)

TAKE NOTICE that the Council of the City of Toronto on June 27, 2024, 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 191-199 College Street add 74-76 Henry 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 properties at 191-199 College Street and 74-76 Henry Street, in accordance with Part IV, Section 33 of the Ontario Heritage Act, to allow for the construction of a new 31-storey tower on the lands known municipally as 191-199 College Street and 74-76 Henry Street, with such alterations substantially in accordance with plans and drawings dated August 11, 2023, prepared by Icon Architects, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), dated August 15, 2023, prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, and all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following additional conditions:

a. That the related Zoning By-law Amendment permitting the proposed alterations 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 introduction of the bills for such Zoning By-law Amendment by City Council, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the properties at 191-199 College Street and 74-76 Henry Street, substantially in accordance with the plans and drawings dated August 11, 2023, prepared by Icon and ERA Architects, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment (HIA), dated August 15, 2023, prepared by ERA Architects Inc., all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan required in Recommendation 1.b.2, 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 dated August 15, 2023, prepared by ERA Architects Inc for the properties at 191-199 College Street and 74-76 Henry Street, subject to modifications to the design proposed in the Heritage Impact Assessment of the barrier-free entrances for the properties at 191-199 College Street to enhance the conservation response to the heritage attributes, to the satisfaction of the Senior Manager, Heritage Planning.

c. That prior to Site Plan approval for the proposed Zoning By-law Amendment for the properties at located at 191-199 College Street and 74-76 Henry Street, the subject owner shall:

1. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plans required in Recommendation 1.b. 2 to the satisfaction of the Senior Manager, Heritage Planning.
2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect.
3. Provide a Heritage Lighting Plan that describe how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such a plan to the satisfaction of the Senior Manager Heritage Planning.
4. Provide an Interpretation Plan for the subject properties, 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 to the satisfaction of the Senior Manager, Heritage Planning.

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

d. That prior to the issuance of any permit for all or any part of the properties at 191-199 College Street and 74-76 Henry 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 building as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject properties, such Amendment to have come into full force and effect.

2. Have entered into a Heritage Easement Agreement with the City of Toronto required in Recommendation 1.b.1 for properties at 191-199 College Street and 74-76 Henry Street, including registration on title of such agreement, to the satisfaction of the City Solicitor.

3. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plans required in Recommendation 1.b.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.

4. 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, Lighting and Interpretation plans.

e. That prior to the release of the Letter of Credit required in Recommendation 1.d.4, 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 and Interpretation Plans 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.

## **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](mailto:RegistrarCCO@toronto.ca) within thirty days of July 2, 2024, which is August 1, 2024.

### **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 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=2024.TE13.13>

Dated at the City of Toronto on July 2, 2024.



for John D. Elvidge  
City Clerk