



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
263 ADELAIDE STREET WEST**

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

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 263 Adelaide Street West.

TAKE NOTICE that the Council of the City of Toronto on June 27, 2024, has considered an application under Section 34(1)1 of the Ontario Heritage Act to demolish or remove or permit the demolition or removal of a heritage attribute of the Property designated under Part IV, Section 29 of the Ontario Heritage Act for the Property municipally known as 263 Adelaide Street West.

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 consent to:

- a. the application to alter the designated property at 263 Adelaide Street West, with conditions, under Part IV, Section 33 of the Ontario Heritage Act to allow for the construction of a new mixed use building with the alterations to the designated heritage property being substantially in accordance with the plans and drawings dated May 9, 2017, prepared by Quadrangle Architects Limited, on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment prepared by ERA Architects Inc. dated July 28, 2017 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan prepared by ERA Architects Inc. dated April 17, 2024 and on file with the Senior Manager, Heritage Planning; and

b. the application to remove some of the heritage attributes of the designated property at 263 Adelaide Street West, with conditions, under Part IV, Section 34(1)1 of the Ontario Heritage Act to allow for the construction of a new mixed use building with the removal of the specified heritage attributes on the designated heritage property being substantially in accordance with the plans and drawings dated May 9, 2017, prepared by Quadrangle Architects Limited, on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment prepared by ERA Architects Inc. dated July 28, 2017 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan prepared by ERA Architects Inc. dated April 17, 2024 and on file with the Senior Manager, Heritage Planning.

2. City Council direct that its consent to the application to alter the designated property at 263 Adelaide Street West under Part IV, Section 33 of the Ontario Heritage Act and that its consent to the application to remove the heritage attributes of the designated property at 263 Adelaide Street West under Part IV, Section 34(1)1 of the Ontario Heritage Act are also subject to the following conditions:

a. That prior to the issuance of any permit for all or any part of the property at 263 Adelaide Street West, 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 of the subject property shall:

1. Amend the existing Heritage Easement Agreement with the City for the property at 263 Adelaide Street West substantially in accordance with the plans and drawings dated May 9, 2017, prepared by Quadrangle Architects Limited, on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment prepared by ERA Architects Inc. dated July 28, 2017 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with the Conservation Plan prepared by ERA Architects Inc. dated April 17, 2024 and on file with the Senior Manager, Heritage Planning, to the satisfaction of the Senior Manager, Heritage Planning, including execution of such agreement to the satisfaction of the City Solicitor.

2. Provide a Heritage Lighting Plan that describe how the exterior of 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 a plan to the satisfaction of the Senior Manager Heritage Planning.

3. Implement an Interpretation Plan for the subject property that is substantially in accordance with the Heritage Interpretation Plan by ERA Architects Inc. dated July 28, 2017 and re-issued on December 12, 2020, to the satisfaction of the Senior Manager, Heritage Planning.

4. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Planning.

5. Provide building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan prepared by ERA Architects Inc. dated April 17, 2024 and on file with the Senior Manager, Heritage Planning, 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.

6. 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.

b. That prior to the release of the Letter of Credit required in Recommendation 2.a.6, 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 have been completed in accordance with the approved 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 or the application to demolish or remove a heritage attribute(s) 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 (30) days of July 2, 2024, which is August 1, 2024.

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;
- (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>.

A Notice of Appeal of the decision of City Council on the application to demolish or remove a heritage attribute(s) 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.

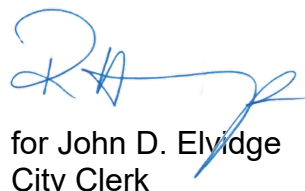
Only the owner of the Property may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 34.1 of the Ontario Heritage Act, and only where City Council has consented to an application to demolish or remove a heritage attribute(s) with certain terms or conditions or refuses the application to demolish or remove the heritage attribute(s) of 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.TE14.14>

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



for John D. Elvidge
City Clerk