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City Clerk's Office

Ulli S. Watkiss
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**

93-95 BERKELEY STREET

NOTICE OF DECISION

Berkeley Parliament Inc.
c/o Leslie Marlowe
26 Lesmill Rd Unit 1A
Toronto, Ontario
M3B 2T5

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

Take notice that the Council of the City of Toronto on July 7, 8 and 9, 2015, having reconsidered an application to alter a designated structure under Part IV of the Ontario Heritage Act for 93-95 Berkeley Street, decided among other things, to revise its decision of May 5, 6 and 7, 2015, respecting TE5.7 by:

A. Amending Part 1 and Part 1.b.i by replacing the dates "February 20, 2015" and "February 25, 2015" with the date "February 27, 2015" to read as follows:

1. City Council approve the alterations to the heritage property at 93-95 Berkeley Street in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a mixed-use development project that includes a 21-storey residential tower with retail/commercial uses with such alterations to the property to be substantially in accordance with the plans and elevation drawings prepared by Giannone Petricone Associates Inc. Architects and Giovanni A. Tassone Architect Inc. dated February 27, 2015, date stamped "received" by City Planning on February 27, 2015 and on file with the Manager, Heritage Preservation Services; and the Heritage Impact Assessment prepared by ERA Architects Inc. dated February 27, 2015, date stamped "received" by City Planning February 27, 2015 and on file with the Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Manager, Heritage Preservation Services and subject to the following additional conditions:
 1. b. i. enter into a Heritage Easement Agreement with the City for the property at 93-95 Berkeley Street in accordance with the plans and elevation drawings prepared by Giannone Petricone Associates Inc. Architects and Giovanni A. Tassone Architect Inc. dated February 27, 2015, dated stamped "received" by City Planning on February 27,

2015 and on file with the Manager, Heritage Preservation Services; and the Heritage Impact Assessment prepared by ERA Architects Inc. dated February 27, 2015, date stamped "received" by City Planning February 27, 2015 to the satisfaction of the Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

B. Deleting Part 1.d and replacing it with the following:

1. d. that prior to the issuance of any below grade permit and/or demolition permit to remove the rear addition of 93-95 Berkeley Street, including a heritage permit or a building permit, but excluding permits for repairs and maintenance for the existing heritage building, the owner shall:
 - i. have executed a site plan agreement as part of site plan approval for such property, issued by the Chief Planner and Executive Director, City Planning;
 - ii. provide a Letter of Credit, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan, the approved Interpretation Plan, Lighting Plan and Landscape Plan;
 - iii. provide an Interpretation Plan for the subject property, to the satisfaction of the Manager, Heritage Preservation;
 - iv. provide a Signage Plan to the satisfaction of the Manager, Heritage Preservation Services; and
 - v. provide full documentation of the existing heritage property, 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 Manager, Heritage Preservation Services.

C. Adding a new Part 1.e, with subsequent conditions renumbered accordingly, to read as follows:

1. e. that prior to the issuance of any above grade permit for the property at 93 to 95 Berkeley Street, the owner shall:
 - i. have received final site plan approval issued by the Chief Planner and Executive Director, City Planning; and
 - ii. provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Part 4.b. above including a description of materials and finishes to be

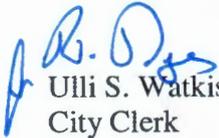
prepared by the project architect, and qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services.

Appeal to the Conservation Review Board:

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 Rosalind Dyers, 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 **August 26, 2015**.

Dated at Toronto this 27th day of July, 2015.


Ulli S. Watkiss
City Clerk