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ONTARIO HERITAGE TRUST

MAY 11 2017

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER 0.18 AND****CITY OF TORONTO, PROVINCE OF ONTARIO****826-834 YONGE STREET (INCLUDING 2 CUMBERLAND 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 March 9, 2017, having considered an application to alter a structure designated under Part IV of the Ontario Heritage Act for 826-834 Yonge Street (including 2 Cumberland Street), decided among other things, to:

1. Approve the alterations to the heritage properties at 826 - 834 Yonge Street (including 2 Cumberland Street), in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a mixed use development on the lands known municipally as 826 - 834 Yonge Street (including 2 Cumberland Street), with such alterations substantially in accordance with plans and drawings dated December 23, 2016, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment, prepared by GBCA Architects, dated November 8, 2016, and on file with the Senior Manager, Heritage Preservation Services, all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Preservation Services and subject to the following additional conditions:

a. the related site specific Zoning By-law Amendment giving rise to 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 Preservation Services;

b. 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 826 - 834 Yonge Street (including 2 Cumberland Street) in accordance with the plans and drawings dated December 23, 2016, prepared by Architects Alliance, and on file with the Senior Manager, Heritage Preservation Services, the Heritage Impact Assessment prepared by GBCA Architects, dated November 8, 2016, and in accordance with the Conservation Plan required in Part 1.b.2. below to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such Agreement to the satisfaction of the City Solicitor;

2. provide a Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 826 - 834 Yonge Street (including 2 Cumberland Street) prepared by GBCA Architects, dated November 8, 2016, to the satisfaction of the Senior Manager, Heritage Preservation Services; and

3. enter into and register on the properties at 826 - 834 Yonge Street (including 2 Cumberland Street) one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning, and the Senior Manager, Heritage Preservation Services with such facilities, services and matters to be set forth in the related site specific Zoning By-law Amendment giving rise to the proposed alterations;

c. prior to final Site Plan approval for the proposed development for the properties located at 826 - 834 Yonge Street (including 2 Cumberland Street), the owner shall:

1. provide final site plan drawings including drawings related to the approved Conservation Plan required in Part 1.b.2. above, to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. the related Zoning By-law Amendment giving rise to the proposed alterations shall be in 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 Preservation Services;

3. provide a Heritage Lighting Plan that describes how the heritage properties will be sensitively illuminated to enhance their heritage character to the satisfaction of the Senior Manager, Heritage Preservation Services and shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services; and

4. provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Preservation Services;

d. prior to the issuance of any permit for all or any part of the properties at 826 - 834 Yonge Street (including 2 Cumberland 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 buildings as are acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. obtain final approval for the necessary by-law amendments required for the alterations to the properties at 826 - 834 Yonge Street (including 2 Cumberland Street), such amendments to have been enacted by City Council and to have 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 Preservation Services;

2. have obtained final Site Plan approval for such property, issued by the Chief Planner and Executive Director, City Planning;
 3. provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Part 1.b.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 Preservation Services;
 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 Preservation Services to secure all work included in the approved Conservation Plan, Heritage Lighting Plan, Landscape Plan, and Interpretation Plan;
 5. provide an Interpretation Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Preservation Services and shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
 6. submit a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Preservation Services; and
 7. provide full documentation of the existing heritage properties at 826 - 834 Yonge Street (including 2 Cumberland 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 Preservation Services; and
- e. prior to the release of the Letter of Credit required in Part 1.d.4. 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 Preservation Services; and
 2. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior 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 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 12, 2017.

Dated at Toronto this 10th day of May, 2017.



Ulli S. Watkiss
City Clerk

