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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
212, 214 AND 220 KING STREET WEST**

RECEIVED
2023/04/05
(YYYY/MM/DD)
Ontario Heritage Trust

NOTICE OF DECISION

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
M5C 1J3
registrar@heritagetrust.on.ca

TAKE NOTICE that the Council of the City of Toronto on March 29, 30 and 31, 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 212, 214 and 220 King 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 approve the alterations to the designated heritage properties at 212, 214 and 220 King Street West, in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a new 250 metre tall mixed use building substantially in accordance with the plans and drawings dated January 6, 2023 and the Heritage Impact Assessment dated January 6, 2023 revised V2, prepared by Philip Goldsmith Architect all subject to and in accordance with a Conservation Plan satisfactory to the Senior Manager, Heritage Planning and subject to the following conditions:

a. That prior to any Ontario Land Tribunal Order being issued in connection with the Official Plan Amendment and Zoning By-law Amendment appeals for 212-220 King Street West the owner shall complete the following matters all to the satisfaction of the City Solicitor:

1. Enter into a Heritage Easement Agreement with the City for the properties at 212 and 220 King Street West substantially in accordance with plans and drawings dated January 6, 2023 and the Heritage Impact

Assessment dated January 6, 2023 revised V2 prepared by Philip Goldsmith Borgal Architect, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.a.3, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.

2. Amend the existing Heritage Easement Agreement for the property at 214 King Street West substantially in accordance with plans and drawings dated January 6, 2023 and the Heritage Impact Assessment dated January 6, 2023 revised V2 prepared by Philip Goldsmith Borgal Architect, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.a.3, to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement to the satisfaction of the City Solicitor.

3. 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 212-220 King Street West dated January 6, 2023 revised V2 prepared by Philip Goldsmith Architect, to the satisfaction of the Senior Manager, Heritage Planning.

b. That prior to Final Site Plan approval in connection with the Official Plan Amendment and Zoning By-law Amendment for the properties at 212-220 King Street West the owner shall:

1. Provide final Site Plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.3. to the satisfaction of the Senior Manager, Heritage Planning.

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

3. 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.

4. 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 Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Planning.

5. Submit a Signage Plan for the proposed development to the satisfaction of the Senior Manager, Heritage Planning.

6. Provide a detailed Landscape Plan for the properties at 212-220 King Street West, satisfactory to the Senior Manager, Heritage Planning.

c. That prior to the issuance of any permit for all or any part of the properties at 212-220 King 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 buildings as are acceptable to the Senior Manager, Heritage Planning, the owner shall:

1. 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.3 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.

2. 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, Heritage Lighting Plan and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.2 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.

2. Provide replacement Heritage Easement Agreement photographs to the satisfaction of the Senior Manager, Heritage Planning.

2. The owner has withdrawn their appeal(s) of the King-Spadina Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner shall withdraw as a party and not seek any party or participant status on the appeals.

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, erect, demolish or remove a building and/or structure on the Property may be served on the City Clerk, Attention: Administrator, Secretariat, City Clerk's Office, Toronto City Hall, 2nd Floor West, 100 Queen Street West, Toronto, Ontario, M5H 2N2.; Email: hertpb@toronto.ca within thirty days of April 5, 2023, which is May 5, 2023.

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>.

Who Can File An Appeal:

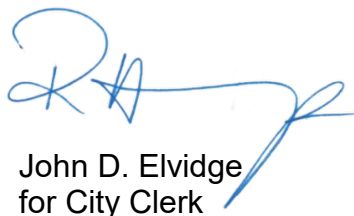
Only the owner of the Property may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 33 of the Ontario Heritage Act, and only where City Council has consented to an application to alter a property with certain terms or conditions, or refuses the 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.CC5.30>

Dated at the City of Toronto on April 5, 2023.



John D. Elvidge
for City Clerk