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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
10 ST. MARY STREET, 81 AND 85 ST. NICHOLAS STREET**

NOTICE OF DECISION

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

ONTARIO HERITAGE TRUST

MAY 31 2017

RECEIVED

Take notice that the Council of the City of Toronto on March 26, 27, 2017, having considered an application to alter structures designated under Part IV of the Ontario Heritage Act for 10 St. Mary Street, 81 and 85 St. Nicholas Street, decided, among other things, to:

1. Approve the alterations to the heritage properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street in accordance with Section 33 of the Ontario Heritage Act, to allow for the redevelopment of the site bounded generally by Yonge Street, St. Mary Street, St. Nicholas Street and Charles Street West, with such alterations substantially in accordance with plans and drawings dated February 8, 2017 with revisions to drawings A.6 and A.16 dated February 27, 2017, prepared by Architects Alliance, date-stamped received by Heritage Preservation Services February 27, 2017 and on file with the Senior Manager, Heritage Preservation Services as such drawings are revised to reflect the retention of 746 Bathurst Street, and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc. dated February 27, 2017, date-stamped received by Heritage Preservation Services February 28, 2017, 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. That prior to issuance of an Ontario Municipal Board Order (Case No. PL150634) in connection with the Zoning By-law Amendment appeal for the properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street:

1. By-law No. 362-2006 for 81 St. Nicholas Street shall be amended under Section 30.1 of the Ontario Heritage Act to include 85 St. Nicholas Street, and the property at 718 Yonge Street shall be designated under Part IV, Section 29 of the Ontario Heritage Act;

2. The owner shall enter into Heritage Easement Agreements with the City for the properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street in accordance with plans and drawings dated February 8, 2017 with revisions to drawings A.6 and A.16 dated February 27, 2017, prepared by Architects Alliance, date-stamped received by Heritage Preservation Services February 27, 2017 and on file with the Senior Manager, Heritage Preservation Services, and in accordance with the Conservation Plan required in Recommendation 1.a.3 in the report dated March 21, 2017 from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;

3. The owner shall provide a detailed Conservation Plan prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street prepared by ERA Architects Inc. dated February 27, 2017, to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. The owner shall enter into and register on the properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge 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 Division, 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.

b. That prior to Final Site Plan approval in connection with the Zoning By-law Amendment appeal for the properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street, the owner shall:

1. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.3 in the report dated March 21, 2017 from the Chief Planner and Executive Director, City Planning Division to the satisfaction of the Senior Manager, Heritage Preservation Services;

2. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject properties, such Amendment to have been enacted by City Council and 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 Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;

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 Preservation Services and thereafter shall implement such Plan to the satisfaction of the Senior Manager Heritage Preservation Services;

5. Provide a detailed Landscape Plan for the subject properties, to the satisfaction of the Senior Manager, Heritage Preservation Services

6. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.

c. That prior to the issuance of any permit for all or any part of the properties at 10 St. Mary Street, 81 and 85 St. Nicholas Street and 718 Yonge Street, including a heritage permit or a building permit but excluding permits for repairs, maintenance and usual and minor works acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

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

2. Provide building permit drawings for the specific phase of work for which the permit is being sought, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.3 in the report dated March 21, 2017 from the Chief Planner and Executive Director, City Planning Division, including a description of materials and finishes to be prepared by the project architect and qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. 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 and the Interpretation Plan;

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.2 in the report dated March 21, 2017 from the Chief Planner and Executive Director, City Planning Division, the owner shall:

1. Have obtained final site plan approval for the subject properties, issued by the Chief Planner and Executive Director, City Planning Division;

2. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work has been completed in accordance with the Conservation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. 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 29, 2017.

Dated at Toronto this 30th day of May, 2017.



6^u Ulli S. Watkiss
City Clerk