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ONTARIO HERITAGE TRUST

RECEIVED

IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER 0.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
140 MERTON 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 December 17 and 18, 2019, having considered an application to alter a structure designated under Part IV of the Ontario Heritage Act for 140 Merton Street, decided among other things, to

1. Approve the alterations to the heritage property at 140 Merton Street in accordance with Section 33 of the *Ontario Heritage Act*, to allow for alterations, with such alterations substantially in accordance with plans and drawings prepared by Montgomery Sisam Architects Inc., dated September 3, 2019, and on file with the Senior Manager, Heritage Preservation Services and the Heritage Impact Assessment (HIA), dated July 4, 2019, prepared by ERA Architects Inc., 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 the related site-specific Zoning By-law Amendment permitting 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. That prior to final Site Plan approval for the development contemplated for 140 Merton Street, the leaseholder of the City-owned property shall:

1. Execute and register on title the Heritage Easement Agreement with the City, pursuant to City of Toronto By-law 1021-2017 for the heritage property at 140 Merton Street, substantially in accordance with plans and drawings

prepared by Montgomery Sisam Architects Inc., dated September 3, 2019, submitted with the Heritage Impact Assessment prepared by ERA Architects Inc., dated July 4, 2019, subject to and in accordance with the approved Conservation Plan required in Recommendation 1.b.2, all to the satisfaction of the Senior Manager, Heritage Preservation Services, and registered on title to the satisfaction of the City Solicitor;

2. 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 140 Merton Street, prepared by ERA Architects Inc., dated July 4, 2019, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

3. Provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.b.2 to the satisfaction of the Senior Manager, Heritage Preservation Services;

4. Provide a Heritage Lighting Plan that describes how the exterior of the heritage property will be sensitively illuminated to enhance its 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 an Interpretation Plan for the subject property 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;

6. Provide a detailed Landscape Plan for the subject property satisfactory to the Senior Manager, Heritage Preservation Services.

c. That prior to the issuance of any permit for all or any part of the property at 140 Merton 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 building as are acceptable to the Senior Manager, Heritage Preservation Services, the leaseholder of the City-owned property 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.b.2, 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;

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 Preservation Services, to secure all work included in the approved Conservation Plan, and approved Interpretation Plan; and

3. Provide full documentation of the existing heritage property at 140 Merton 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.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c 2. above, the leaseholder of the City-owned property 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 has been completed in accordance with the Conservation 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 February 7, 2020.

Dated at Toronto this 8th day of January 2020.



 Ulli S. Watkiss
City Clerk