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City Clerk's Office

Secretariat
City Hall, 2nd Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

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City Clerk

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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
103 HEATH STREET WEST
NOTICE OF DECISION**

RECEIVED
2022/09/07
(YYYY/MM/DD)
Ontario Heritage Trust

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 July 19, 20, 21 and 22, 2022, 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 103 Heath 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 heritage property at 103 Heath Street West in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 3 storey building with 10 residential units incorporating the heritage building, for the properties at 101-103 Heath Street West, with such alterations to be substantially in accordance with the plans and drawings dated November 11, 2021, prepared by RAW Architects and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by Architects Rasch Eckler Associates Ltd, dated April 15, 2022 and on file with the Senior Manager, Heritage Planning, 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 final Site Plan approval for the property located at 101-103 Heath Street West the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 103 Heath Street West in accordance with the plans and drawings dated November 11, 2021, prepared by RAW Architects and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by Architects Rasch Eckler Associates Ltd, dated April 15, 2022 and in accordance with the Conservation Plan required in

Recommendation 1.b.2, to the satisfaction of the Senior Manager, Heritage Planning including registration of such agreement to the satisfaction of the City Solicitor.

2. 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 103 Heath Street West prepared by Architects Rasch Eckler Associates Ltd, dated April 15, 2022, to the satisfaction of the Senior Manager, Heritage Planning.

3. Provide final Site Plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 1.a.2 to the satisfaction of the Senior Manager, Heritage Planning.

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

5. Provide a detailed Landscape Plan for the subject property, satisfactory to the Senior Manager, Heritage Planning.

6. Provide an Interpretation Plan for the subject property, to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

b. That prior to the issuance of any permit for all or any part of the properties at 101-103 Heath 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.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 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.

3. 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 USB flash drive 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 Planning.

c. That prior to the release of the Letter of Credit required in Recommendation 1.b.2, the owner 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, Landscape Plan, Heritage 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.

IF YOU WISH TO REFER THE MATTER TO THE ONTARIO LAND TRIBUNAL:

Notice of an objection of the decision of City Council on the application to alter 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 July 26, 2022, which is August 25, 2022.

A Notice of Objection must:

- (1) set out the reasons for the objection to the decision; and
- (2) set out the reasons in support of the objection to the decision.

Who Can File An Appeal:

Only the owner of the Property may object to the decision of Council of the City of Toronto and refer the matter 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:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.CC47.44>

Dated at the City of Toronto on July 26, 2022.



for
John D. Elvidge
City Clerk