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City Clerk's Office

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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
183 AVENUE ROAD
NOTICE OF DECISION**

RECEIVED
2022/10/04
(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 September 28, 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 183 Avenue Road.

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 183 Avenue Road in accordance with Section 33 of the Ontario Heritage Act, to allow for the construction of a 10-storey building, with such alterations to be substantially in accordance with architectural drawings dated June 30, 2021 prepared by Brisbin Brook Beynon Architects and on file with the Senior Manager, Heritage Planning and the Heritage Impact Assessment (HIA), prepared by ERA Architects Ltd dated March 8, 2018 and Heritage Impact Assessment Memorandum prepared by ERA Architects August 25, 2022 and on file with the Senior Manager, Heritage Planning, all subject to and in accordance with a Conservation Plan required in Recommendation 1.a.2. 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 Zoning By-law Amendment appeal for 183-189 Avenue Road and 109-11 Pears Avenue 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 property at 183 Avenue Road substantially in accordance with plans and drawings prepared by Brisbin Brook Beynon Architects dated June 30, 2021 and the Heritage Impact Assessment prepared by ERA Architects Inc. dated March 8, 2018 along with an Heritage Impact Assessment Addendum prepared by ERA Architects Inc., dated August 25, 2022 and in accordance with the approved Conservation Plan required in Recommendation 1.a.2. all to the satisfaction of the Senior Manager, Heritage Planning including execution of such agreement 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 183 Avenue Road prepared by ERA Architects Inc. dated March 8, 2018, Heritage Impact Assessment Addendum prepared by ERA architects Inc. dated August 25, 2022 and the architectural plans and drawings prepared by Brisbin Brook Beynon Architects dated June 30, 2021, to the satisfaction of the Senior Manager, Heritage Planning.

b. Prior to Final Site Plan approval in connection with the Zoning By-law Amendment for the properties at 183-189 Avenue Road, City Council require that the owner shall:

1. Provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.a.2. to the satisfaction of the Senior Manager, Heritage Planning.

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

3. Provide an Interpretation Plan for the 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.

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

5. Provide a Heritage Lighting Plan that describes how the exterior of the heritage properties will be sensitively illuminated to enhance their heritage features to the satisfaction of the Senior Manager, Heritage Planning and thereafter shall implement such Plan to the satisfaction of the Senior Manager, Heritage Planning.

c. Prior to the issuance of any permit for all or any part of the properties at 183-189 Avenue Road, including a heritage permit, a building permit or a demolition

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 Planning, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject property, such Amendment to have come into full force and effect.
2. 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.
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 Planning to secure all work included in the approved Conservation Plan, Heritage Lighting Plan and Interpretation Plan.
4. 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 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;

d. Prior to the release of the Letter of Credit required in Recommendation 1.c.3., City Council require that 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.

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 October 4, 2022, which is November 3, 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.CC50.8>

Dated at the City of Toronto on October 4, 2022.



 John D. Elvidge
City Clerk