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July 6, 2023

File: 12-04-0319

Also sent via email to: [REDACTED]; [REDACTED]

**Re: Notice of Council Decision under Section 34(4.2) of the Ontario Heritage Act
ED-23-127: Update on the Appeal of the Notice of Intention to Designate
195 Simcoe Street North**

Please be advised that City Council at a meeting held on June 26, 2023 dealt with the above-noted matter and adopted the following recommendation of the Economic and Development Services Committee:

- "1. That, pursuant to Report ED-23-127 dated May 31, 2023, Council does not consent to the application for a demolition permit under Section 34 of the Ontario Heritage Act submitted by Nantuck Investments Inc. for 195 Simcoe Street North.
2. That, pursuant to Report ED-23-127 dated May 31, 2023, Council does not consent to the consolidation of the hearing under Section 34 of the Ontario Heritage Act with the hearing regarding the Notice of Intention to Designate 195 Simcoe Street North.
3. That, pursuant to Report ED-23-127 dated May 31, 2023, staff be authorized to attend an Ontario Land Tribunal hearing or hearings, as may be necessary, in support of Council's position.
4. That, upon the conclusion of the Ontario Land Tribunal hearing or hearings, City staff report back to the Economic and Development Services Committee and Council with the Ontario Land Tribunal's recommendation concerning the potential designation of 195 Simcoe Street North and decision regarding the application under Section 34 of the Ontario Heritage Act for a demolition permit to demolish 195 Simcoe Street North."

Please consider this letter as formal notice of Council's decision to refuse the application to demolish the Robert McLaughlin House at 195 Simcoe Street North, pursuant to Section 34(4.2) of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18 (the "Heritage Act").

Where City Council has refused an application under Section 34 of the Ontario Heritage Act to demolish or remove a building and/or structure on a Property, only the owner of the Property that is the subject of the application may appeal the decision of City Council to the Ontario Land Tribunal under Part IV, Section 34.1 of the Ontario Heritage Act.

Notice of an appeal of the decision of City Council must be provided by the owner of the subject property on or before the 8th day of August, 2023, to the Ontario Land Tribunal and to the City Clerk. A notice of appeal must set out the objection to the Council decision, set out the reasons in support of the objection to the decision, and be accompanied by the fee charged by the Tribunal. Information on the appeals process and the associated fee is available on the Ontario Land Tribunal website at www.olt.gov.on.ca.

If you require further information or clarification, please contact Connor Leherbauer at the address shown or by telephone at (905) 436-3311, extension 2402 or by email to cleherbauer@oshawa.ca.



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