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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  
3377 BAYVIEW AVENUE**

**RECEIVED**  
2023/04/05  
(YYYY/MM/DD)  
Ontario Heritage Trust

**NOTICE OF DECISION**

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5H 1J3  
[registrar@heritagetrust.on.ca](mailto:registrar@heritagetrust.on.ca)

TAKE NOTICE that the Council of the City of Toronto on March 29, 30 and 31, 2023, 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 3377 Bayview Avenue.

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 consent to the application to alter the designated property at 3377 Bayview Avenue (the "Designated Property") once Council states its intention to designate, with conditions, under Part IV, Section 33 of the Ontario Heritage Act, with such alterations substantially in accordance with the plans and drawings dated January 13, 2023, prepared by KPMB Architects; the Heritage Impact Assessment prepared by ASI, dated June 2021 (on file with the Senior Manager, Heritage Planning, Urban Design, City Planning) and the Heritage Impact Assessment Supplement, prepared by ASI, dated January 2023, all subject to and in accordance with the Conservation Plan satisfactory to the Senior Manager, Heritage Planning, Urban Design, City Planning.
2. City Council direct that its consent to the application to alter the Designated Property under Part IV, Section 33 of the Ontario Heritage Act is also subject to the following conditions:
  - a. That prior to any Ontario Land Tribunal Final Order issued in connection with the Official Plan Amendment and Zoning By-law Amendment appeal related to the Designated Property, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the Designated Property substantially in accordance with plans and drawings dated January 13, 2023, prepared by KPMB Architects; the Heritage Impact Assessment prepared by ASI, dated June 2021, and the Heritage Impact Assessment Supplement, prepared by ASI, dated January 2023, and in accordance with the Conservation Plan required in Recommendation 2.a.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 the Designated Property prepared by ASI, dated June 2021 and Confidential Appendix "B", to the satisfaction of the Senior Manager, Heritage Planning.

b. That prior to final Site Plan Approval for the subject lands the owner shall:

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

2. 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.

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

4. 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.

c. That prior to the issuance of any permit for all or any part of the Designated Property, 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 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 2.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 inches x 10 inches 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.

d. That prior to the release of the Letter of Credit required in Recommendation 2.c.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, 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 APPEAL TO THE ONTARIO LAND TRIBUNAL:**

Notice of an appeal of the decision of City Council on the application to alter, erect, demolish or remove a building and/or structure on 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](mailto:hertpb@toronto.ca) within thirty days of April 5, 2023, which is May 5, 2023.

#### **A Notice of Appeal must:**

- (1) set out the reasons for the objection to the decision;
- (2) set out the reasons in support of the objection to the decision; and
- (3) be accompanied by the fee prescribed under the Ontario Land Tribunal Act, 2021, in the amount of \$1,100 for each appeal payable by certified cheque or money order to the Minister of Finance, Province of Ontario.

If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/forms>.

**Who Can File An Appeal:**

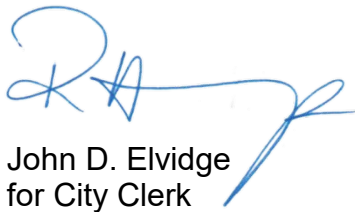
Only the owner of the Property may appeal the decision of Council of the City of Toronto to the Ontario Land Tribunal under Part IV, Section 33 of the Ontario Heritage Act, and only where City Council has consented to an application to alter a property with certain terms or conditions, or refuses the 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:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC5.29>

Dated at the City of Toronto on April 5, 2023.



John D. Elvidge  
for City Clerk