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City Clerk's Office

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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  
15-33 MERCER STREET**

**NOTICE OF DECISION**

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, Ontario  
M5C 1J3

ONTARIO HERITAGE TRUST

AUG 1 8 2017

RECEIVED

Take notice that the Council of the City of Toronto on July 4, 5, 6 and 7, 2017, having considered an application to alter a structure designated under Part IV of the Ontario Heritage Act for 15-33 Mercer Street, decided among other things, to:

1. Approve the alterations to the heritage properties at 15-33 Mercer Street, substantially in accordance with plans and drawings dated April 21, 2017 prepared by Teeple Architects, date stamped received by Heritage Preservation Services April 24, 2017 and on file with the Senior Manager, Heritage Preservation Services; and the Heritage Impact Assessment (HIA), prepared by ERA Architects Inc. dated April 7, 2017 dated stamped received by Heritage Preservation Services April 24, 2017 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 prior to the issuance of an Ontario Municipal Board Order (Case No. PL151029) in connection with the Zoning By-Law Amendment appeal for the properties at 15-35 Mercer Street:

1. The owner shall enter into a Heritage Easement Agreement with the City for the property at 15-33 Mercer Street in accordance with the plans and drawings dated April 21, 2017 prepared by Teeple Architects, date-stamped received by Heritage Preservation Services April 24, 2017 and on file with the Senior Heritage Manager, Heritage Preservation Services, and in accordance with the Conservation Plan required in Recommendation 1.a.2. below, to the satisfaction of the Senior Manager, Heritage Preservation

Services including the registration of such agreement to the satisfaction of the City Solicitor;

2. the owner shall provide a Conservation Plan, prepared by a qualified heritage consultant, that is consistent with the conservation strategy set out in the Heritage Impact Assessment for the property at 15-33 Mercer Street, prepared by ERA Architects Inc. dated April 7, 2017 to the satisfaction of the Senior Manager, Heritage Preservation Services; and

3. the owner shall enter into and register on the properties at 15-33 Mercer Street one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor, the Chief Planner and Executive Director, City Planning, and the Senior Manager, Heritage Preservation Services with such facilities, services and matters to be set forth in the related site specific Zoning By-Law Amendment giving rise to the proposed alterations.

b. That prior to final Site Plan approval in connection with the Zoning By-law Amendment appeal for the properties at 15-35 Mercer Street, the owner shall:

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

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

3. 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;

4. Provide a Heritage Lighting Plan that describes how the heritage property at 15-33 Mercer Street will be sensitively illuminated to enhance its heritage character as viewed from the public realm 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 a detailed Landscape Plan for the subject property, satisfactory to the Senior Manager, Heritage Preservation Services;

6. Submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services.

c. That prior to the issuance of any permit for the property at 15-33 Mercer Street, including a heritage permit or a building permit but excluding permits for repairs, maintenance and usual and minor works acceptable to the Senior Manager, Heritage Preservation Services, the owner shall:

1. Have obtained final approval for the necessary Zoning By-law Amendment required for the subject properties, such Amendment to have been enacted by City Council and to have come into full force and effect;
2. Provide full building permit drawings for the subject property, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.a.2. above, 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;
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 Preservation Services to secure all work included in the approved Conservation Plan, Lighting Plan and Interpretation Plan.

d. That prior to the release of the Letter of Credit required in Recommendation 1.c.3. above, the owner shall:

1. Have obtained final Site Plan approval for such property issued by the Chief Planner and Executive Director, City Planning;
2. Provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the required conservation work, heritage lighting 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 Preservation Services;
3. 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 September 18, 2017.

Dated at Toronto this 18<sup>th</sup> day of August, 2017.



 Ulli S. Watkiss  
City Clerk