



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.

**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990, CHAPTER O.18 AND
CITY OF TORONTO, PROVINCE OF ONTARIO
19 DUNCAN STREET**

NOTICE OF DECISION

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

ONTARIO HERITAGE TRUST

AUG 18 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 19 Duncan Street, decided among other things, to:

1. Receive the report (June 21, 2017) from the Chief Planner and Executive Director, City Planning.
2. Conditional upon the owner and the City finalizing a settlement on the related zoning amendment application (15-164825 STE 20 OZ) as authorized by City Council such that an Ontario Municipal Board Order issues in a form and with content satisfactory to the City Solicitor in consultation with the Chief Planner and Executive Director, City Planning and the Senior Manager Heritage Preservation Services, approve the alterations to the designated heritage property at 19 Duncan Street in accordance with Section 33 of the Ontario Heritage Act with the following conditions:
 - a. prior to issuance of an Ontario Municipal Board Order (Case No. PL160684) in connection with the Zoning By-law Amendment appeal for the property at 19 Duncan Street the owner shall:
 1. enter into a Heritage Easement Agreement with the City for the property at 19 Duncan Street substantially in accordance with plans and drawings prepared by Hariri Pontarini Architects dated April 7, 2017 as further revised substantially in accordance with the settlement offer letter dated May 16, 2017 and as further revised by the City Council conditions of acceptance of such settlement offer, and the Heritage Impact Assessment prepared by ERA Architects Inc. dated April 6, 2017, both on file with the Senior Manager, Heritage Preservation Services subject to and in accordance with the

approved Conservation Plan required in Recommendation 2.a.2 below, all to the satisfaction of the Senior Manager, Heritage Preservation Services 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 substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for 19 Duncan Street prepared by ERA Architects Inc. dated April 6, 2017, with the exception that the Conservation Plan also include, all to the satisfaction of the Senior Manager, Heritage Preservation Services:

A. the conservation, on the Adelaide Street elevation, of eight basement windows and their openings in two sets, each set containing four windows within two contiguous bays; the two sets of basement windows separated from one another by the proposed central Adelaide Street West non-residential entrance;

B. the accurate reconstruction of the westernmost structural bay of the south wall with a vertical articulation detail to distinguish the reconstructed south wall from the new construction; and

C. the applicant will make efforts to reduce in the visual impact of the proposed mechanical louvres on the south elevation including, if possible, their relocation elsewhere; and

3. enter into and register on the property at 19 Duncan Street one or more agreements with the City pursuant to Section 37 of the Planning Act, all 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, including amongst other matters, securing the preparation and thereafter the implementation of a Heritage Lighting Plan, a Signage Plan, an Interpretation Plan and requiring a letter of credit to secure all work included in the approved Conservation Plan and approved Interpretation Plan, including provision for upwards indexing, all to the satisfaction of the Senior Manager, Heritage Preservation Services;

b. prior to Final Site Plan approval in connection with the Zoning By-law Amendment appeal for the property at 19 Duncan Street, the owner shall:

1. provide final site plan drawings substantially in accordance with the approved Conservation Plan required in Recommendation 2.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 consented to by City Council as determined to the satisfaction of the Chief Planner and Executive Director, City Planning, and to have been allowed by the Ontario Municipal Board, 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 will be sensitively illuminated to enhance its heritage character 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; and
 5. submit a Signage Plan to the satisfaction of the Senior Manager, Heritage Preservation Services;
- c. prior to the issuance of any permit for all or any part of the property at 19 Duncan 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 property, such amendment to have been consented to by City Council as determined to the satisfaction of the Chief Planner and Executive Director, City Planning, and to have been allowed by the Ontario Municipal Board and to have come into full force and effect;
 2. provide building permit drawings for the specific phases of work for which the permit is being sought, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 2.a.2 above, including a description of materials and finishes to be prepared by the project architect and qualified heritage consultant to the satisfaction of the Senior Manager, Heritage Preservation Services; and
 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 and the Interpretation Plan; and

d. prior to the release of the Letter of Credit required in Recommendation 2.c.3 above, the owner shall:

1. have obtained final site plan approval for the subject properties, 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 has been completed in accordance with the approved Conservation Plan and that an appropriate standard of conservation has been maintained, all to the satisfaction of the Senior Manager, Heritage Preservation Services; and
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 18th day of August, 2017.



for Ulli S. Watkiss
City Clerk