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City Clerk's Office

RECEIVED
2022/04/14
(YYYY/MM/DD)
Ontario Heritage Trust

John D. Elvidge
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
958 BROADVIEW AVENUE
NOTICE OF DECISION**

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
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TAKE NOTICE that the Council of the City of Toronto on April 6 and 7, 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 958 Broadview 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 958 Broadview Avenue, with conditions; under Part IV, Section 33 of the Ontario Heritage Act for the reasons stated in the Report (March 22, 2022) from the City Solicitor and with such alterations substantially in accordance with the plans and drawings dated February 17, 2022, prepared by Graziani + Corazza on file with the Senior Manager, Heritage Planning, Urban Design, City Planning and the Heritage Impact Assessment prepared by ERA Architects Inc., dated December 17, 2021 and on file with the Senior Manager, Heritage Planning, Urban Design, City Planning, 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 at 958 Broadview Avenue 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 Zoning By-law Amendment appeal, the owner shall:

1. Enter into a Heritage Easement Agreement with the City for the property at 958 Broadview Avenue in accordance with the plans and drawings dated February 17, 2022, prepared by Graziani + Corazza and on file with the Senior Manager, Heritage Planning, the Heritage Impact Assessment prepared by ERA Architects Inc., dated December 17, 2021, 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 958 Broadview Avenue prepared by ERA Architects Inc., dated December 17, 2021, 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.

5. Submit a Signage Plan for the subject property 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 property at 958 Broadview Avenue, 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, 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" x 10" 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 lighting and interpretive work have 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 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 April 14, 2022, which is May 16, 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.CC42.11>

Dated at the City of Toronto on April 14, 2022.



John D. Elvidge
City Clerk