



Economic and Development Services Department

Date: May 19, 2023

File: 12-04

To: Heritage Oshawa

From: Connor Leherbauer, Senior Planner
Economic and Development Services Department

**Re: Application made under Section 34 of the Ontario Heritage Act
Demolition of the Robert McLaughlin House at 195 Simcoe Street North**

Background

On March 16, 2023, Nantuck Investments Inc. (the "Owner") submitted an application under Section 34 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 (the "Ontario Heritage Act") requesting to demolish the Robert McLaughlin House at 195 Simcoe Street North (the "Robert McLaughlin House").

Due to its size, the Section 34 application is not attached to this memorandum, but is available at the following link as Attachment 1 to Report ED-23-63 dated April 17, 2023:
<https://pub-oshawa.escribemeetings.com/filestream.ashx?DocumentId=12193>

On April 17, 2023, the Economic and Development Services Committee considered Report ED-23-63 concerning the Section 34 application, and adopted the following motion:

- "1. That, pursuant to Item ED-23-63, City Council deem the application submitted by Nantuck Investments Inc. under Section 34 of the Ontario Heritage Act concerning 195 Simcoe Street North, to be a complete application; and,
2. That, pursuant to Item ED-23-63, Economic and Development Services staff be authorized to provide Notice of Complete Application to Nantuck Investments Inc., owner of 195 Simcoe Street North, by no later than May 5, 2023, in accordance with the requirements of Section 34 of the Ontario Heritage Act; and,
3. That, pursuant to Item ED-23-63, Economic and Development Services staff be directed to consult with Heritage Oshawa on May 25, 2023 on the application under the Ontario Heritage Act received from Nantuck Investments Inc. with respect to 195 Simcoe Street North, and report back to the Economic and Development Services Committee on June 6, 2023."

At the same meeting, the Economic and Development Services Committee heard a delegation from Gagan Hajatri, on behalf of the Owner. Mr. Hajatri noted that while his client's engineer recommended a full demolition, his client intends to "keep much of the existing building's front façade".

On May 1, 2023, City Council endorsed the above recommendation of the Economic and Development Services Committee and on May 4, 2023, Notice of Complete Application was issued to the Owner.

However, on May 12, 2023, Mr. Hajatri on behalf of the Owner submitted correspondence (see Attachment 1) confirming that, while the front façade should remain a part of the historic fabric of Oshawa, the Owner:

“would attempt to keep a portion of the façade intact during the construction process, barring any significant danger or cost to doing so.”

Mr. Hajatri has now referenced the possibility of retaining only a portion of the front façade and qualifies his client’s commitment to do so with the following:

“Our aim is to make it clear that due to the fire damage, keeping the entire façade is unfeasible and it will need to be rebuilt. We cannot identify these portions yet until we see the condition of the materials at the time of application of the permit.”

Under Section 34 of the Ontario Heritage Act, a Council must consult with its municipal heritage committee (Heritage Oshawa) prior to making a decision on the demolition of a designated property, or a property where Notice of Intention to Designate has been issued. Council issued Notice of Intention to Designate the Robert McLaughlin House on April 1, 2021.

Therefore, consistent with Section 34, staff require comment from Heritage Oshawa on the demolition application at the May 25, 2023 meeting. The purpose of this memo is to provide Heritage Oshawa with the appropriate wording to provide formal comments under Section 34 of the Ontario Heritage Act.

Recommendation

In the event that Heritage Oshawa recommends that Council unconditionally approve the Section 34 application for demolition of the Robert McLaughlin House under Part IV of the Ontario Heritage Act, the following would be the appropriate wording to provide in their recommendation to the Economic and Development Services Committee and Council:

“That, pursuant to HTG-23-33 dated May 19, 2023, the Section 34 application to demolish the Robert McLaughlin House at 195 Simcoe Street North be recommended for approval under Section 34 of the Ontario Heritage Act.”

In the event that Heritage Oshawa recommends that Council approve the Section 34 application for demolition of the Robert McLaughlin House under Part IV of the Ontario Heritage Act with conditions, the following would be the appropriate wording to provide in their recommendation to the Economic and Development Services Committee and Council:

“That, pursuant to HTG-23-33 dated May 19, 2023, the Section 34 application to demolish the Robert McLaughlin House at 195 Simcoe Street North be recommended for approval under Section 34 of the Ontario Heritage Act, subject to the following conditions:

1. _____”

In the event that Heritage Oshawa recommends that Council deny the Section 34 application for demolition of the Robert McLaughlin House under Part IV of the Ontario Heritage Act, the following would be the appropriate wording to provide in their recommendation to the Economic and Development Services Committee and Council:

“That, pursuant to HTG-23-33 dated May 19, 2023, the Section 34 application to demolish the Robert McLaughlin House at 195 Simcoe Street North be recommended for denial under Section 34 of the Ontario Heritage Act.”

If you have any questions please contact me at 905-436-3311, extension 2402 or by email to cleherbauer@oshawa.ca.



Connor Leherbauer, Senior Planner
Policy

CL/k



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RE: Rebuilding or preserving the front facade of 195 Simcoe St N

In our application, we seek to keep the historic character of the building where it is feasible with consideration of the damage done to the materials over time and the dangers posed to the building's integrity and occupants as a result of the materials. Ultimately, it is our opinion that the front facade should remain a part of the historic fabric of Oshawa.

In our proposal and in my statement before the Economic and Development Services Committee, we intended to communicate that we would attempt to keep a portion of the facade intact during the construction process, barring any significant danger or cost to doing so. Our aim is to make it clear that due to the fire damage, keeping the entire facade is unfeasible and it will need to be rebuilt. We cannot identify these portions yet until we see the condition of the materials at the time of application of the permit.

After speaking with the clients, they are unable to commit to keeping a part of the facade due to the uncertainty. They will commit to rebuilding the facade, with the same materials or alike materials where the existing materials are damaged, with a modern support structure behind it.

Thank you,

A handwritten signature in black ink, appearing to read 'Gagah Hajatri', written over a light blue horizontal line.

Gagah Hajatri

