City Council consideration on April 6, 2009

TE24.7

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<th>ACTION</th>
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Final Report - 356, 358, 360 and 362 Spadina Road - Residential Rental Demolition Application under Municipal Code Chapter 667

City Council Decision

City Council on April 6, 2009, adopted the following:

1. City Council approve the application to demolish the three residential buildings at 356, 358, and 360 Spadina Road, which comprise five existing residential rental units and one formerly owner-occupied house, pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667:
   a. that all necessary approvals from the Committee of Adjustment for the related applications for the development of the proposed religious centre at 356, 358, and 362 Spadina Road are received; and
   b. that the house at 362 Spadina Road comprising two residential rental units be retained.

2. City Council authorize the Chief Planner to issue a preliminary approval to the application under Municipal Code Chapter 667 after:
   a. the condition in Recommendation 1a. has been satisfied; and
   b. the issuance of Site Plan Approval by the Chief Planner pursuant to Section 114 of the City of Toronto Act, 2006.

3. City Council authorize the Chief Building Official to issue a section 111 permit under Municipal Code Chapter 667 after the Chief Planner has given the preliminary approval in Recommendation 2.

4. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act, no earlier than issuance of a building permit for the development of the religious centre, and after the Chief Planner has given the preliminary approval in Recommendation 2, which permit may be included in the demolition permit for Chapter 667 under § 363- 11.1E, of the Municipal Code on condition that:
a. The Owner remove all debris and rubble immediately after demolition.

b. The Owner backfill any holes on the property with clean fill.

c. The Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official.

d. The Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10.

Statutory - Planning Act, RSO 1990

Background Information (Committee)

Toronto and East York Community Council consideration on March 26, 2009

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Statutory - Planning Act, RSO 1990

Committee Recommendations
The Toronto and East York Community Council recommends that:

1. City Council approve the application to demolish the three residential buildings at 356, 358, and 360 Spadina Road, which comprise five existing residential rental units and one formerly owner-occupied house, pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667:

   a. that all necessary approvals from the Committee of Adjustment for the related applications for the development of the proposed religious centre at 356, 358, and 362 Spadina Road are received; and

   b. that the house at 362 Spadina Road comprising two residential rental units be retained.

2. City Council authorize the Chief Planner to issue a preliminary approval to the application under Municipal Code Chapter 667 after:

   a. the condition in Recommendation 1a. has been satisfied; and

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of the City of Toronto Act, 2006.

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   a. The Owner remove all debris and rubble immediately after demolition.

   b. The Owner backfill any holes on the property with clean fill.

   c. The Owner erect a fence in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official.

   d. The Owner maintain the site free of garbage and weeds, in accordance with the Municipal Code Chapters 632-5 and 629-10.

**Decision Advice and Other Information**

The Toronto and East York Community Council held a statutory public meeting on March 26, 2009, and notice was given in accordance with the Planning Act.

**Origin**

(February 19, 2009) Report from the Director, Community Planning, Toronto and East York District

**Summary**

This application proposes to demolish six dwelling units, five of which are rental housing units, located in three buildings at 356, 358, and 360 Spadina Road. One of the buildings was an owner-occupied house. The demolition or conversion of rental housing is prohibited without a permit issued under the City of Toronto’s Rental Housing Demolition and Conversion By-law (Chapter 667 of the Municipal Code).

The City has not issued a building permit for this development. The owner is proposing a redevelopment involving these properties and a related building at 362 Spadina Road, which contains two existing rental units. The redevelopment is currently under review in separate but related applications for a consent, minor variances, and site plan approval. The proposal involves the retention of 362 Spadina Road and the construction of a religious centre.

The owner is not proposing to replace the five rental housing units to be demolished, however, will be retaining two existing rental units at 362 Spadina Road.

This report recommends approval of the application to demolish the three properties without requiring replacement of the rental housing units on condition that the necessary approvals are received to permit the redevelopment as proposed, including the issuance of a building permit.
Financial Impact
The recommendations in this report have no financial impact.

Background Information
TE24.7 - Staff Report - 356, 358, 360 and 362 Spadina Road - Final Report

Speakers
Adam J. Brown, Sherman - Brown - Dryer - Karol, Barristers and Solicitors
Lee Weston

Source: Toronto City Clerk at www.toronto.ca/council