STAFF REPORT
ACTION REQUIRED

Residential Demolition Application – 189A Shaw Street

Date: April 21, 2011
To: Toronto and East York Community Council
From: Director, Toronto Building, Toronto and East York District
Wards: Ward 19 (Trinity-Spadina)
Reference Number: P:\2011\Cluster B\BLD\Toronto and East York\2011TE006 Demo\lition Application No. 11-165609 DEM

SUMMARY

In accordance with city-wide residential demolition control under Article II, Demolition Control, of Municipal Code Ch. 363, as amended by By-law No. 1009-2006, enacted by the City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the demolition application for 189A Shaw Street to you, to decide whether to grant or refuse the application, including any conditions, if any, to be attached to the permit.

This staff report is regarding a matter for which the Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Toronto Building recommends that the Toronto and East York Community Council:

1. Refuse the application to demolish the subject residential building at 189A Shaw Street because there is no permit for a replacement building on the site; in the alternative,

2. Approve the application to demolish the subject residential building at 189A Shaw Street with the following conditions:
   a. that all debris and rubble be removed immediately after demolition;
   b. that any holes on the property are backfilled with clean fill.
FINANCIAL IMPACT

Not applicable.

COMMENTS

On April 5, 2011, David Footman, as applicant for the current owner, Deborah Rix, applied for a permit to demolish the existing three storey attached residential building at 189A Shaw Street.

In accordance with the Residential Demolition Control By-law #1009-2006, the applicant posted a sign on the property for 14 days giving notice of the intention to demolish the property. An objection has not been received to date regarding the proposed demolition.

In accordance with Section 2 of the City of Toronto Act, 1991 (No.4), c. Pr24, S.O.1991, Toronto and East York Community Council may impose any reasonable conditions which have regard to the nature of the residential property including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures.

No building permit for a replacement building had been applied for at the site to date, and since the building at 189A Shaw Street contains a converted residential building with three residential units (currently vacant per applicant's declaration), the application is being referred to the Toronto and East York Community Council. In such cases, the Municipal Code requires the City Council to issue or refuse the demolition permit.

The owner of the subject property also owns the attached building to this one (301 Lobb Avenue) which is currently a one storey convenience store that is to remain.

Toronto Building is in receipt of a letter from the owner’s agent that explains that the intended future use of this site, upon demolition completion, is as a new 3 unit residential (triplex) building. Further, that an application before the Committee of Adjustment is pending to deal with proposed zoning variances for the proposed three unit residential (triplex) building.

This property is currently zoned under By-law 438-86, as amended "R4 Z1.0" and under By-law 1156-2010, "R d1.0". Both By-laws permit a triplex residential building use.

CONTACT
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SIGNATURE

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Mario Angelucci, Acting Director, Toronto Building – Toronto and East York District

ATTACHMENTS

Copy of Demolition Permit Application for 189A Shaw Street
Copy of Survey of 189A Shaw Street
Copy of the Circulation Memo to Councillor Layton, Urban Forestry and Heritage Preservation
Copy of letter by applicant explaining proposed future use of site.
Copy of plans of existing building.
Copy of e-mail response from Heritage Preservation Services.
Copy of IBMS form confirming Committee of Adjustment Application (received April 5, 2011, application number A270/11TEY, hearing date not yet confirmed).