



STAFF REPORT ACTION REQUIRED

Demolition Application 898 St Clair Ave. West

Date:	April 21, 2016
To:	Etobicoke York Community Council
From:	Director of Toronto Building and Deputy Chief Building Official
Wards:	Ward 17 - Davenport
Reference Numbers:	File No. 2016 EY013 Folder No. 16-113194 DEM 00 DM

SUMMARY

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

On February 5th, 2016, Toronto Building received a demolition permit application to demolish a two storey vacant building at 898 St. Clair Avenue West. A building permit application for the replacement building has not been made.

In accordance with Section 33 of the Planning Act and Municipal Code Ch. 363, Article II “Demolition Control”, the application for the demolition of a two storey, with basement, commercial/ residential building at 898 St Clair Avenue West is referred to the Etobicoke York Community Council to refuse or to grant the application as a building permit has not been issued for a replacement building.

Also this property is located in the former City of York and in accordance with By-law No. 3102-95 of the former City of York, this demolition permit application is submitted to the Etobicoke York Community Council for consideration and decision to grant or grant with conditions, approval of the demolition permit application, including the requirement for the owner to enter into a beautification agreement prior to the issuance of the demolition permit.

If the Etobicoke York Community Council grants issuance of the demolition permit, it may impose conditions, if any, to be attached to the demolition permit.

RECOMMENDATIONS

Toronto Building recommends that the Etobicoke York Community Council give consideration to the demolition application for 898 St. Clair Ave. West and decide to:

1. Approve the application to demolish the two storey commercial residential (mixed use) building without entering into a beautification agreement with the City.

ALTERNATIVE RECOMMENDATIONS

1. Refuse the application to demolish the two storey commercial/ residential building because there is no permit to replace the building on the site; or
2. Approve the application to demolish the two storey commercial/ residential building with the following conditions:
 - a. that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - b. that all debris and rubble be removed immediately after demolition;
 - c. that sod be laid on the site and be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5, and 629-10, paragraph B; and
 - d. that any holes on the property are backfilled with clean fill;
or
3. Approve the application to demolish the two storey commercial/ residential building subject to the owner entering into a beautification agreement with the City containing a beautification plan to the satisfaction of the City Solicitor and the agreement be registered on title to the lands, and

City Planning Division Staff be authorized to prepare the agreement in consultation with the Ward Councillor and the owner and,

The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Under the City of York Act 1994 (Bill PR147), By-law No. 3102-95 was passed designating the entire area of the former City of York as an area of demolition control. The City of York Act, 1994, provides the authority for Council in the former City of York area to enact special demolition control legislation for the purpose of securing beautification measures on the lands and abutting municipal boulevards, where appropriate, as a condition of the issuance of demolition permits. The legislation and By-law are still in force and effect.

COMMENTS

On February 5th, 2016, Jay Heming for Lions Group Inc. (agents for the owner), submitted a demolition permit application to demolish the two storey building located at 898 St. Clair Ave W. A building permit application for the replacement building has not been made.

In an application (15-226007 WET) to the Planning Division for Site Plan Approval, the property owners have provided information regarding the future use and development of the subject lands. It is proposed that the properties located at 900 and 898 St Clair Ave W. will be developed with a 14 storey, residential tower. The demolition application is being referred to the Etobicoke York Community Council because the existing building is proposed to be demolished and the applicant has not received a permit to replace the building or to redevelop the site.

The demolition application is being referred to the Etobicoke York Community Council because the building proposed to be demolished is a residential building and the applicant has not received a permit to replace the building or to redevelop the site. In such cases, Chapter 363 Article II of the City of Toronto Municipal Code requires Community Council to issue or refuse the demolition permit. Since the building is located in the former City of York, By-law No. 3102-95 is also applicable. This by-law requires Community Council to either issue the demolition permit, issue the demolition permit with conditions or issue the demolition permit subject to the owner entering into a beautification agreement with the City.

The application for the demolition has been circulated to Public Health and the Ward Councillor.

Site and Surrounding Area

The subject property is located on the north-east corner of St Clair Avenue West and Alberta Ave. In accordance with the City-wide Zoning By-law 569-2013, portion of the property is zoned CR - Commercial Residential Zone. The Property is also subject to the York Zoning By-law, 1-83 and is zoned R2 - Residential.

CONTACT

Kamal Gogna, Manager Plan Review
Etobicoke York District
T (416) 392-7927
F (416) 394- 8209
E-mail: kgogna@toronto.ca

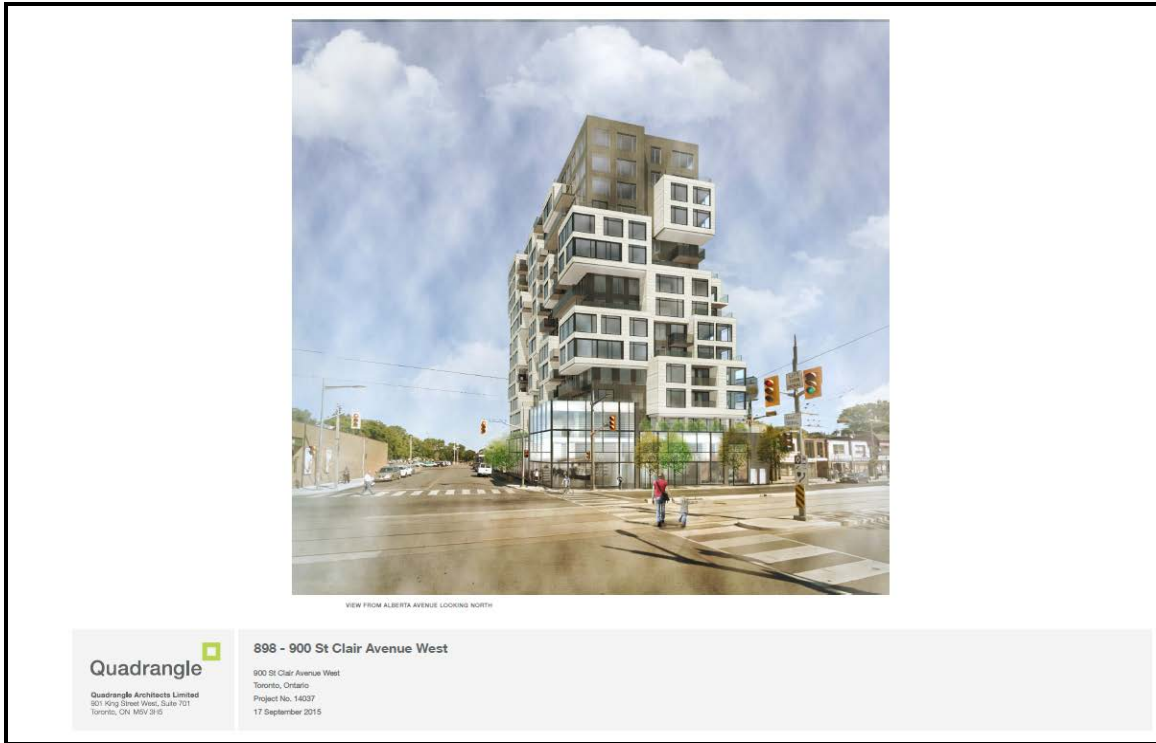
SIGNATURE

Rick Conard
Director and Deputy Chief Building Official
Toronto Building,
Etobicoke York District

ATTACHMENTS

1. Survey 898 St. Clair Ave. W.
2. Proposed development for 898 and 900 St. Clair Ave W submitted to Planning
3. Photo of 898 St. Clair Ave. W. from Google Map

Attachment 2: Proposed development at 898 and 900 St. Clair Ave W submitted to Planning Dept.



Attachment 3: Photo of 898 St Clair Ave W from Google Map

