

**City Council****Motion Without Notice**

MM18.37	ACTION			Ward:27
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**Demolition of a Designated Heritage Property - 10 St. Mary Street - by Councillor Kristyn Wong-Tam, seconded by Councillor Frank Di Giorgio**

*\* This Motion has been deemed urgent by the Chair.*

*\* This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

**Recommendations**

Councillor Kristyn Wong-Tam, seconded by Councillor Frank Di Giorgio, recommends that:

1. City Council adopt the following recommendations contained in the report (April 26, 2016) from the Chief Planner and Executive Director, City Planning:

1. City Council refuse the issuance of a demolition permit for the heritage property at 10 St. Mary Street, in accordance with Section 34 of the Ontario Heritage Act.
2. If the owner appeals City Council's decision to refuse the issuance of a demolition permit under Section 34 of the Ontario Heritage Act for the heritage property at 10 St. Mary Street, City Council authorize the City Solicitor and the necessary City staff to attend the Ontario Municipal Board hearing in opposition to the appeal.

**Summary**

10 St. Mary Street is designated under Part IV of the Ontario Heritage Act by By-law No. 353-2015, enacted by City Council on May 6, 7 and 8, 2015.

On May 22, 2015, the owner of the building at 10 St. Mary Street applied for a demolition permit under the Ontario Heritage Act.

At its meeting of May 28, 2015, the Toronto Preservation Board considered a report from the Director, Urban Design, City Planning, recommending City Council refuse the issuance of a demolition permit for the heritage property at 10 St. Mary Street, in accordance with Section 34 of the Ontario Heritage Act.

At its meeting on February 10 and 11, 2015, City Council enacted By-law No. 277-2015, a by-law to designate Historic Yonge Street between Davenport Road and College Street as a Heritage Conservation District Study Area. The property at 10 St. Mary Street is located in the

study area. By-law No. 277-2015 contains a provision that prohibits the demolition of any building or structure within the study area during a one year study period that expired on February 12, 2016. As such, the demolition application could not be processed by City Council.

At the conclusion of the study period the application submitted in May, 2015 was deemed to be received effective February 12, 2016 and the owner was notified of the receipt date. Council has 90 days from the date of receipt to give notice of its decision on the application.

This Motion is considered urgent as a decision must be made at the May 3 and 4, 2016 meeting of Council. If Council fails to make a decision on the application within the 90 day period, which expires on May 12, 2016, the application will be deemed approved by the City.

### **Background Information (City Council)**

Member Motion MM18.37

(April 26, 2016) Report from the Chief Planner and Executive Director, City Planning on Demolition of a Designated Heritage Property - 10 St. Mary Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-92857.pdf>)

Attachment 1 - Location Map: 10 St. Mary Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-92858.pdf>)

Attachment 2 - Photograph: 10 St. Mary Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-92859.pdf>)

Attachment 3 - Historic Photograph: 10 St. Mary Street

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-92860.pdf>)

(May 28, 2015) Transmittal from the Toronto Preservation Board (MM18.37a)

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-92867.htm>)