
City Council

Motion without Notice

| | | | | |
|---------|--------|--|--|---------|
| MM19.43 | ACTION | | | Ward:22 |
|---------|--------|--|--|---------|

Amendment to TE13.4 - Alteration to Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement - 129 St. Clair Avenue West - by Councillor Josh Matlow, seconded by Councillor Chin Lee

** 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 Josh Matlow, seconded by Councillor Chin Lee, recommends that:

1. City Council amend its decision on Item TE13.4 by amending Part 1.d. to add the phrase ", and excluding any permits for the demolition and staging work" between the words "excavation" and "on", so that Part 1.d. now reads as follows:

d. Prior to the issuance of any heritage permit pursuant to the Ontario Heritage Act, including a permit for alteration of any structure on the subject property, and including any permit for shoring or excavation, and excluding any permits for the demolition and staging work on the subject property, or any portion of such property:

Summary

At its meeting on April 10, 2012, City Council adopted Item TE13.3 approving the Zoning Amendment application for 129 St. Clair Avenue West. Concurrent with the zoning approval being considered by Council was the consideration of the alteration to the designated heritage building, pursuant to the Ontario Heritage Act Item TE13.4. The Council decision required that a number of conditions be satisfied prior to the issuance of any heritage alteration permit.

The applicant has requested that this be amended to allow them to move ahead with the demolition of the southern portion of the building which is permitted to be demolished in the approved conservation plan.

The reason for the requested change in the conditions is to allow the applicant to meet a construction deadline so that the work on the overall site can continue without a break and prolonging the construction adjacent to an established neighbourhood. The applicant's Site Plan application has been submitted and is under review by City staff. The City's interests are being secured through other means, including a Heritage Easement Agreement, which has been

executed by the applicant and has been registered on title since December 11, 2015. The Heritage Easement Agreement includes provisions allowing for a similar exemption for any demolition permits and staging work as proposed in this Motion.

This Motion is deemed urgent as the applicant needs to continue work on the Site and ensure that the development is delivered quickly to reduce the amount of time the neighbours are adjacent to the construction.

Background Information (City Council)

Member Motion MM19.43