

City Council**Motion without Notice**

MM23.41	ACTION			Ward:19, 20
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King-Spadina - Study Area Designation By-Law - by Councillor Joe Cressy, seconded by Councillor David Shiner

** 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 Joe Cressy, seconded by Councillor David Shiner, recommends that:

1. City Council adopt the following recommendations contained in the report (December 13, 2016) from the Chief Planner and Executive Director, City Planning:

1. Pursuant to Section 40.1 of the Ontario Heritage Act, City Council enact the King-Spadina Heritage Conservation District Study Area By-law, substantially in accordance with the draft by-law attached as Attachment 1 to the report (December 13, 2016) from the Chief Planner and Executive Director, City Planning Division, for a period of one year, to prohibit the demolition or removal of any buildings or structures on properties that have the potential to contribute to the cultural heritage value of King-Spadina within the study area boundaries, listed in Schedule "B" to the attached draft by-law.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft By-law as may be required.

Summary

The Chief Planner and Executive Director, City Planning, is bringing forward a report (December 13, 2016) recommending that a Heritage Conservation District Study Area Designation By-law under the Ontario Heritage Act be enacted for a period of one year to prohibit the demolition or removal of any buildings or structures on those properties that have been identified as potentially contributing to the proposed King-Spadina Heritage Conservation District Study Area.

While City Planning has been undertaking a heritage conservation district (HCD) study to meet the requirements of the Ontario Heritage Act (OHA), four properties identified as potentially contributing to the study area have been demolished. An additional four properties have recently been proposed for demolition and additional demolition permits could be applied for and released at any time within the study area boundaries.

303 properties have been identified as potentially contributing to the proposed King-Spadina King HCD study area's cultural heritage value. 160 of those properties are at immediate at risk of demolition as the City cannot deny or withhold a demolition permit where the applicant has complied with all applicable law. The balance of the properties are on the city's heritage register but owners can still apply to demolish or remove buildings or structures under provisions of the Ontario Heritage Act. City Council only has 60 days, in the case of listed properties and 90 days, in the case of designated properties to respond to those applications or they are deemed permitted.

Background Information (City Council)

Member Motion MM23.41

(December 13, 2016) Report from the Chief Planner and Executive Director, City Planning on King-Spadina - Study Area Designation By-Law

(<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-99282.pdf>)