

Residential Demolition Application - 363-365 and 367 Yonge Street

Date: February 26, 2019

To: Toronto & East York Community Council

From: Deputy Chief Building Official and Director

Wards: Ward 13 Toronto Centre

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 City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the following two demolition application(s) for 363-365 and 367 Yonge (Application No. 18-233315 DEM and 18-233320 DEM) to Toronto and East York Community Council for consideration and to decide whether to grant or refuse the application(s), including any conditions, if any, to be attached to the permit applications.

This staff report is regarding a matter for which 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:

Refuse the applications to demolish the subject residential buildings at 363-365 and 367 Yonge Street because there is no building permit for a replacement building on the site at this time;

Or, in the alternative;

Approve the applications to demolish the subject residential building at 363-365 and 367 Yonge Street, with or without any further condition(s), that in the opinion of Toronto East York Community Council is reasonable, having regard to the nature of the residential properties being demolished.

FINANCIAL IMPACT

Not applicable

DECISION HISTORY

COMMENTS

The sites upon which the existing mixed use buildings are located is the subject rezoning application 15-146478 STE 22 OZ wherein an Interim Order was issued by the Local Planning Appeal Tribunal (LPAT). Pursuant to the Interim Order issued on October 23, 2018, the existing buildings on the lands would be demolished save and except façades to be maintained and incorporated into the new development on the site. A new 85 storey mixed use building is proposed to be erected on the site complete with 1106 dwelling units.

On September 28, 2018, applications were submitted by Petra Consultants Ltd to demolish 363-365 Yonge and 367 Yonge Street with the front elevation façades to be retained. The structures located at 363-365 and 367 Yonge Street are mixed use buildings comprised of retail uses and residential uses (related applications No. 18-233315 DEM and 18-233320 DEM). There is a total of 4 (four) dwelling units within the residential portion of the building at 363-365 Yonge Street. The residential portion of 367 Yonge Street is comprised of a vacant rooming house as identified by City Planning Strategic Indicatives, Policy & Analysis on October 27, 2015.

The lands municipally known as 369-371, 373-375, 377 and 379 Yonge Street form part of the redevelopment site and are currently occupied by non-residential buildings which are the subject of related demolition applications 18-123143 DEM 00 DM, 18-123233 DEM 00 DM, 18-123252 DEM 00 DM and 18-123260 DEM 00 DM. These applications were reviewed and determined to be capable of being issued without the requirement to obtain a replacement permit and have each been issued a demolition permit on April 12, 2018.

The lands municipally known as 381 and 385-391 Yonge Street also form part of the redevelopment site and are currently occupied by non-residential buildings which are the subject of related demolition applications 18-233331 DEM 00 DM and 18-233345 DEM 00 DM. These applications are also capable of being issued a demolition permit without the requirement to obtain a replacement building permit provided that approval from Heritage Preservation Services (HPS) is obtained. Pursuant to the LPAT Order, approval for the demolition for these buildings shall be in consultation with the Toronto Preservation Board.

At the date of this report being prepared, a replacement building permit has not been submitted to Toronto Building. Given the buildings contain residential uses, the demolition applications (363-365 Yonge and 367 Yonge Street) are referred to the Toronto and East York Community Council. In such cases, the Municipal Code requires the Community Council to approve or refuse the demolition permit.

In support of the application for demolition, the owner advises that they are seeking to secure approval at this time so that demolition of all of the buildings on the development site can be completed together such that all heritage façade retention and shoring and excavation related works including soil investigations on the whole of the assembled lands can occur simultaneously.

On February 7, 2019 Site Plan Approval application (19-113000 STE 13 SA) was received by City Planning for the proposed building. The plans submitted in connection with this application demonstrate the 85 storey mixed use development with 1106 dwelling units intended to be constructed. The drawings submitted in connection with this application demonstrate façade retention and conservation.

The application(s) for demolition have been circulated for comment to Urban Forestry - Tree Protection and Protection Review, the Ward Councillor and Heritage Preservation Services (HPS).

The application(s) for demolition are being referred to the Toronto and East York Community Council because the site contains residential buildings that are proposed to be demolished and the owner has not obtained a permit to replace the building on the site at this time.

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 properties, including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures.

CONTACT

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SIGNATURE

Tim Crawford, Deputy Chief Building Official and Director, Toronto Building - Toronto and East York