

Residential Demolition Application - 57 Elm Street

Date: September 20, 2019
To: Toronto & East York Community Council
From: Acting Director
Toronto Building, Toronto and East York District
Wards: Ward 11 (University-Rosedale)

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 demolition application for 57 Elm Street (Application No. 19-152568 DEM) to Toronto and East York Community Council for consideration and to decide whether to grant or refuse the application, including any conditions, 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:

1) Refuse the applications to demolish the subject mixed use building at 57 Elm Street because there is no building permit for a replacement building on the site at this time;

Or, in the alternative;

2) Approve the applications to demolish the subject residential building at 57 Elm 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 site upon which the existing mixed use building is located is not subject to any rezoning applications or site plan approval applications.

On May 10, 2019, an application was submitted by Bay Elm 650 Inc., to demolish the existing mixed use building at 57 Elm Street. This is a mixed use building comprised of a restaurant use and residential uses (related application No.19-152568 DEM). There is a total of 1 (one) dwelling unit within the residential portion of the building at 57 Elm Street. The 1 (one) residential dwelling unit is located at the second and third floor level.

At the date of this report being prepared, a replacement building permit has not been submitted to Toronto Building. Given that the building contains residential uses, demolition application (57 Elm Street) has been 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 to mitigate the risk of the vacant buildings being vandalized to limit the potential of vagrancy and potential crime.

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

The application for demolition is being referred to the Toronto and East York Community Council because the site contains a residential unit in the building that is 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

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