

Residential Demolition Application - 338 Markham Street

Date: October 10, 2019
To: Toronto & East York Community Council
From: Deputy Chief Building Official and Director
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 338 Markham St. (Application No. 19-208040 DEM) to Toronto and East York Community Council for consideration and to decide whether to grant or refuse the application, 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:

1) Refuse the application(s) to demolish the existing 2 storey single family detached dwelling at 338 Markham Street because there is no building permit issued for a replacement building on the site at this time;

Or, in the alternative;

2) Approve the application(s) to demolish the 2 storey single family detached dwelling at 338 Markham Street, with or without any further condition(s), that in the opinion of Toronto and 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 August 19, 2019, an application was submitted by the applicant to demolish the existing 2 storey single family detached dwelling at 338 Markham Street (related application No.:19-208040 DEM); Site Plan provide as Attachment 1.

On September 06, 2019, Toronto Building received an objection letter from the owner of 336 Markham Street outlining various concerns related to encroachment, loss of privacy, potential shadowing and shading from new construction, and other property management issues.

At the date of this report being prepared, the owner has not obtained a permit to replace the building on the site. Given that the building contains a residential use, demolition application (338 Markham 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 applicant has applied for a replacement building permit which is currently under review for a proposed 3 storey detached dwelling with 2 separate basement suites (related application No.:19-208048 BLD). A zoning certificate was issued by Toronto Building on July 11, 2019 (related application No.:19-144964 ZC).

The application for demolition has been circulated for comment to the Ward Councillor, Urban Forestry, Ravine Protection and Heritage Preservation Services (HPS) and to this date Toronto Building has not received any comments or objections.

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

Kamal Gogna, P.Eng., Deputy Chief Building Official and Director, Toronto Building - Toronto and East York

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ATTACHMENTS

1. Site Plan

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