



1984

c Pr6 City of Toronto Act, 1984

Ontario

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CHAPTER Pr6

An Act respecting the City of Toronto*Assented to May 17th, 1984*

Whereas The Corporation of the City of Toronto, herein called the Corporation, hereby applies for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the application;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this section, “dwelling unit” means a room or suite of two or more rooms designed or intended for use by one or more persons as living accommodation in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons.

Interpretation

(2) Notwithstanding subsection 33 (6) of the *Planning Act, 1983* or subsections 34 (4) and 44 (2) of the *Ontario Heritage Act*, the council of the Corporation may in an application for a demolition permit under section 33 of the *Planning Act, 1983*, where a building permit has been issued to erect a new building on the site of the residential property sought to be demolished, refuse to issue a demolition permit for the demolition of any building containing six or more dwelling units for a period of not more than 365 days from the date of the receipt by the clerk of the Corporation of the application for a demolition permit for the residential property sought to be demolished or from the date of the issuance of the building permit for the new building, whichever is later.

Council may refuse to issue demolition permit
1983, c. 1
R.S.O. 1980,
c. 337

(3) This section does not apply where the building sought to be demolished is,

Non-application

- (a) the subject of an order for demolition under subsection 10 (4) of the *Building Code Act*;
- (b) built to a residential density which is 50 per cent or less of the maximum residential density which the council may by by-law permit under the official plan for the City of Toronto; or

R.S.O. 1980,
c. 51

R.S.O. 1980, c. 166 (c) the subject of an order or direction of removal under the *Fire Marshals Act*.

When permit to issue (4) At the end of the period specified under subsection (2) or as varied or extended under subsection (7), the council shall issue a demolition permit if the building permit to erect a new building on the site of the residential property sought to be demolished has not been lawfully revoked.

Saving R.S.O. 1980, c. 51 (5) Notwithstanding clauses 6 (4) (b) and (c) of the *Building Code Act*, no building permit shall be revoked by reason only of,

(a) a failure to commence construction; or

(b) a suspension or discontinuance of construction,

because a demolition permit has been refused under this Act.

Deemed revocation of demolition permit (6) Where a demolition permit has been issued with respect to any building containing six or more dwelling units and the building permit for the new construction is revoked, the demolition permit shall be deemed to be revoked and this section shall apply to any subsequent application for a demolition permit in respect of the building for which the original demolition permit was issued as if the original application had not been made and the original building permit had not been issued.

Time period may be varied (7) The applicant and the council may agree to decrease or increase the time specified under subsection (2) and may agree to extend the time beyond the maximum period provided under that subsection.

No derogation of powers of council (8) Nothing in this section shall derogate from the authority of the council to refuse to issue a demolition permit under any Act where, had this section not been enacted, the council would be entitled to refuse to issue a demolition permit.

Hearing by council (9) The council shall allow, in an application for a demolition permit to which subsection (2) applies, the applicant an opportunity to be heard before making its decision.

Enforcement 1983, c. 1 (10) Where the council refuses to issue a demolition permit for any building under this section and the building or any portion thereof is demolished, subsections 33 (2) and (13) of the *Planning Act, 1983* apply with necessary modifications.

Acquisition of land (11) The Corporation may acquire by purchase, lease or otherwise any land that is the site of a residential property or

part thereof that is subject to a refusal under subsection (2), including any interest therein and any residential property located thereon, and may,

- (a) rehabilitate, convert, repair or otherwise improve any building on such land;
- (b) manage, maintain or operate any such building; and
- (c) with the approval of the Minister of Municipal Affairs and Housing, sell, lease or otherwise dispose of for nominal consideration or otherwise any such land or building.

(12) Notwithstanding subsection (4) where, prior to the expiry of the period specified under subsection (2) or as varied or extended under subsection (7), an application is made for approval under section 4 of the *Expropriations Act* with respect to any land or part thereof that is the site of a residential property, the application operates as a stay of the requirement under subsection (4) to issue a demolition permit if the City proceeds expeditiously to have the subject land vested in the City under section 9 of that Act.

Stay where proceedings commenced under R.S.O. 1980, c. 148

(13) Where an application for a demolition permit is withdrawn by the applicant prior to the end of the period specified under subsection (2) or as varied or extended under subsection (7), no applications for a demolition permit with respect to all or part of the subject building may be filed with the clerk for a period of 365 days from the date of withdrawal without the consent of the council.

Effect of withdrawal of demolition permit

2. This Act comes into force on the day it receives Royal Assent.

Commencement

3. The short title of this Act is the *City of Toronto Act, 1984*.

Short title

