

## **Non-Residential Demolition Application - 439 Vaughan Road**

**Date:** December 14, 2020  
**To:** Toronto and East York Community Council  
**From:** Director and Deputy Chief Building Official, Toronto Building  
**Wards:** Ward 12 Toronto - St. Paul's

### **SUMMARY**

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This staff report is about a matter which must be referred to City Council for consideration and decision.

This property is located in the former City of York and in accordance with By-law No 3102-95 of the former City of York, this demolition permit application is submitted to City Council for consideration and decision to grant or grant with conditions, approval of the demolition permit application, including the requirement for the owner to enter into a beautification agreement prior to the issuance of the demolition permit.

### **RECOMMENDATIONS**

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Toronto Building Division recommends that City Council give consideration to the demolition application for 439 Vaughan Road and decide to:

1. Approve the application to demolish the existing 1-storey place of worship subject to the following conditions:
  - a. The owner agree to a beautification plan that is satisfactory to the Chief Planner, or their designate, and includes provision for the site to be backfilled with clean fill and installation of base landscaping;
  - b. The owner entering into a beautification agreement with the City that secures the beautification plan, in a form satisfactory to the City Solicitor;
  - c. The owner registering the beautification agreement on title to the property and providing proof of registration to the City Solicitor;

d. That a construction fence be erected in advance of demolition and maintained until the site has been backfilled, in accordance with Chapter 363 of the Municipal Code, if deemed appropriate by the Chief Building Official;

e. That all debris and rubble be removed immediately after the demolition; and,

f. That the site be maintained in accordance with the beautification plan agreed upon and secured by agreement; or

2. Approve the application to demolish the existing 1-storey place of worship with the following conditions:

a. That construction fences be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article 7, if deemed appropriate by the Chief Building Official;

b. That all debris and rubble be removed immediately after demolition;

c. That sod be laid on the site and that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 629-10, paragraph B and 629-11; and

d. That any holes on the property are backfilled with clean fill; or

3. Approve the application to demolish the existing 1-storey place of worship without any conditions.

## **FINANCIAL IMPACT**

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Future property tax may change due to a change in the property's classification.

## **DECISION HISTORY**

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Under the City of York Act 1994 (Bill PR147), By-law No. 3102-95 was passed designating the entire area of the former City of York as an area of demolition control. The City of York Act 1994, provides the authority for Council in the former City of York area to enact special demolition control legislation for the purpose of securing beautification measures on the lands and abutting municipal boulevards, where appropriate, as a condition of the issuance of demolition permits. The legislation and By-law are still in force and effect.

## **COMMENTS**

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On September 10, 2020, Toronto Building received an application to demolish the existing 1-storey place of worship at 439 Vaughan Road. In a letter dated December 1, 2020, the applicant indicated that the existing 1-storey place of worship is subject to squatters during the winter and potential structural and fire hazards as the building is vacant. The letter further advises that the property was subject to a number of committee of adjustment approvals B0056/19TEY, A0675/19TEY - A0683/19TEY) for a proposed development.

The demolition application is being referred to City Council because the building proposed to be demolished is located in the former City of York and the applicant has not received a permit to replace the building or to redevelop the site. In such cases, By-law 3102-95 required Council to issue or issue with conditions, including the requirement for the owner to enter into a beautification agreement, the demolition permit.

## **CONTACT**

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Frank Stirpe, Manager, Plan Review, Toronto and East York District  
Tel.: 416-392-7632 E-mail: [Frank.Stirpe@toronto.ca](mailto:Frank.Stirpe@toronto.ca)

## **SIGNATURE**

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Kamal Gogna  
Director & Deputy Chief Building Official, Toronto Building  
Toronto and East York District

## **ATTACHMENTS**

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1. Letter from Owner
2. Survey
3. Street View

## Attachment 1: Letter from owner



December 1, 2020

**Toronto Building  
100 Queen Street West Ground Floor West Tower Toronto, ON  
M5H 2N2**

**Attention: Frank Stirpe, Manager - Plan Review Toronto and East York District**

**Project: 439 Vaughan Road 20 191867 DEM 00 DM**

**Project No: 17001**

**Re: Demolition Permit (20 191867 DEM 00 DM) – Request for Staff Report to Council regarding Former City of York By-law No. 3102-95 & Demolition Notice**

Dear Frank,

KFA Architects + Planners Inc. is the architect and planning consultant for the owner of the lands known as 439 Vaughan Road, in the City of Toronto (herein referred to as the 'subject property'). The subject property is located on the north-east corner of Vaughan Road and Winnett Avenue and is currently occupied by a vacant 1-storey church building and an ancillary shed at the rear of the property.

It is our understanding that By-law No. 3102-95 deems the entire former City of York as a demolition control area, which requires approval from Council before demolition can proceed, in exchange for beautification of abutting municipal boulevards, where appropriate.

As such, this letter is a formal request on behalf of the owner to prepare a Staff Report to Council requesting permission to proceed with the demolition of the existing 1-storey church building and ancillary shed located on the property.

The owner seeks to proceed with demolition at this time for the following reasons:

Concerns regarding squatters during the winter;  
Potential structural and fire hazards as the building is vacant; and  
Preparation of site for servicing works in advance of development.

On September 11, 2020 the Committee of Adjustment granted approval for Consent and Minor Variance applications to develop the property with 9 new residential lots, on which 1 detached and 8 semi-detached dwellings would be constructed.

In discussions with neighbours, an alternative concept is currently being considered by the owner to develop the property with 8 new residential lots, on which 6 detached and 2 semi-detached dwellings would be constructed. Consent and Minor Variance applications to facilitate this development have been filed to the Committee of Adjustment and a hearing date is pending.

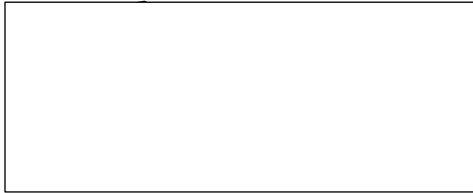
Notwithstanding whether the Committee approves the 8 lot proposal; the owner will be proceeding with construction on the site in Spring 2021 and would like to demolish the building in advance to ensure that there are no health and safety issues and minimal construction delays.

With respect to the Notice received from your office dated November 23, 2020, find enclosed the final digital copies of the following:

Demolition Application Form and  
Vibration Declaration.

Feel free to contact me if you have any questions.

Sincerely,  
KFA Architects and Planners Inc.,





**Attachment 3: Street View**

