Request for Approval of Residential Demolition Permit - 78 Hillcrest Avenue

Moved by: Councillor Filion

SUMMARY:

At its meeting of September 21 and 22, 2011 City Council authorized a zoning by-law amendment (the "Zoning By-law Amendment") for the lands municipally known as 31-45 Horsham Avenue, 20-26, and 34 and 35 Churchill Avenue (together the "Horsham/Churchill Lands") (NY9.45).

In addition, related to the Zoning By-law Amendment for the Horsham/Churchill Lands, City Council approved in principle amongst other matters, parkland conveyance conditions for the lands at 78 Hillcrest Avenue in connection with the future intended conveyance of these lands to the City pursuant to Section 42 of the Planning Act.

The parkland conveyance conditions included amongst other requirements, that the lands at 78 Hillcrest Avenue are to be conveyed to the City to the satisfaction of the General Manager, Parks, Forestry and Recreation free and clear of above and below grade physical obstructions, encumbrances and encroachments prior to the issuance of the first above grade building permit for the Horsham/Churchill Lands pursuant to the Zoning By-law Amendment (NY9.45).

On October 7, 2011 an application for a Demolition Permit for a vacant single family dwelling at 78 Hillcrest Avenue was submitted by Laura MacCormick on behalf of the owner of the land, 2287990 Ontario Limited.

Condition 1 recommended below is similar to the pre-condition adopted by City Council for the demolition of the residential dwellings located on the Horsham/Churchill Lands. Condition 2 recommended below recognizes that the requirement to convey the lands at 78 Hillcrest Avenue to the City to satisfy some or all of the parkland dedication requirements is related to the redevelopment of the Horsham/Churchill Lands and will not occur until after site plan approval for the Horsham/Churchill Lands has issued.
RECOMMENDATIONS:

1. That City Council approve the application to demolish the existing residential unit at 78 Hillcrest Avenue pursuant to Municipal Code Chapter 363 under Section 33 of the Planning Act conditional upon:
   
i. the Zoning By-law Amendment for the lands municipally known as 31-45 Horsham Avenue, 20-26, 34 and 35 Churchill Avenue (together the "Horsham/Churchill Lands") authorized by the City Council Decision of September 21 and 22, 2011 (NY9.45), coming into full force and effect,

   ii. the issuance of site plan approval by the Chief Planner and Executive Director City Planning for the Horsham/Churchill Lands pursuant to the related Zoning By-law Amendment referred to in (i)

   iii. that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;

   iv. that all debris and rubble be removed immediately after demolition;

   v. that sod be laid on the site and be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5, and 629-10, paragraph B; and

   vi. that any holes on the property are backfilled with clean fill.

2. That City Council authorize the Chief Building Official to issue a demolition permit pursuant to Municipal Code Chapter 363 under Section 33 of the Planning Act for 78 Hillcrest Avenue once conditions i. and ii. in Recommendation 1 have been met.

Date: October 31, 2011