RESIDENTIAL DEMOLITION APPLICATION - 238, 240, 242, 244, 254, 256, AND 258 FINCH AVENUE EAST

SUMMARY

The applications for the demolition of 7 vacant single family dwellings on Finch Avenue East is a matter for which Community Council has delegated authority from City Council to make a final decision.

In accordance with Section 33 of the Planning Act and the former City of Toronto Municipal Code Ch. 363, Article II “Demolition Control”, the applications for the demolition of more than 6 units are referred to the North York Community Council to refuse or to grant the applications as building permits have not yet been issued for the replacement buildings.

If the North York Community Council grants issuance of the demolition permits, it may impose conditions, if any, to be attached to the demolition permit.

RECOMMENDATIONS

The City Planning Division recommends that the North York Community Council give consideration to the applications for the demolition of 7 single family dwellings, located on Finch Avenue East and decide to:

1. Refuse the applications to demolish the single family dwellings because there is no permit to replace the buildings on the site;

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2. Approve the applications to demolish the single family dwellings without conditions; or

3. Approve the applications to demolish the single family dwellings with the following conditions:

   a. 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;

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

   c. 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,

   d. that any holes on the properties are backfilled with clean fill.

   e. That no privately owned street trees measuring 30 cm or greater in diameter are to be removed without the approval of the General Manager, Parks, Forestry, and Recreation.

4. If Community Council chooses to approve the application to demolish the 7 existing residential units under either Recommendation 2 or 3, Community Council authorize the Chief Building Official to issue a demolition permit only if a permit under Section 111 of the City of Toronto Act, 2006, has been issued, pursuant to Municipal Code Chapter 667 or if final building permits for the replacement buildings have been issued.

**FINANCIAL IMPACT**

The recommendations in this report have no financial impact.

**DECISION HISTORY**

The Official Plan and Zoning By-law Amendment applications were submitted in September 2012. The initial proposal consisted of 75 unit, 4-storey residential townhouse development with 163 parking spaces accessed via a network of interior private streets with access onto Finch Avenue East. A Preliminary Report was adopted by North York Community Council at its meeting on October 19, 2012. The decision of Community Council and the Preliminary Report can be found at the following link:

On February 4, 2013, a Community Consultation meeting was held. The application was revised to 58 units accessed via a public road and lane. A Site Plan Application for this proposal was submitted in March 2013 and a Plan of Subdivision application was submitted in July 2013.

North York Community Council approved the applications at their meeting of November 19, 2013. In the City Council decision, an additional recommendation was added requesting that City Planning include, as a condition of subdivision approval, a requirement that any proposed catch basins and leads on private properties that are to be connected to the municipal sewer for storm water management purposes shall be constructed to City standards and their ownership be transferred to the City, and that any necessary easements shall be conveyed to the City for their future operation and maintenance all to the satisfaction of the General Manager, Toronto Water.

At the May 6-7, 2014 meeting of City Council, the applications for Draft Plan of Subdivision, Official Plan, and Zoning By-law Amendment were approved, subject to a holding (‘H’) provision being placed on the westerly portion of the subject lands. The decision of City Council can be found at the following link:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.MM51.54

Each of the above-noted applications is in full force and effect.

COMMENTS

On April 9, 2014, Senator Developments submitted permit applications to demolish 7 existing single family dwellings, located at 238, 240, 242, 244, 254, 256, and 258 Finch Avenue East. A list of addresses and the corresponding application numbers are shown in Attachment 1. No permit application for replacement buildings has been made, though it is anticipated that construction would commence once the dwellings are removed and all of the site works are completed to fulfill the required conditions of Draft Plan of Subdivision.

In a letter dated June 5, 2014, the applicant stated that the properties in question are part of the lands subject to the previously-noted applications for Draft Plan of Subdivision, Official Plan, and Zoning By-law Amendment. The applicant has indicated that two of the units being removed are being used for the purposes of rental housing which triggers the requirements of Section 111 of the City of Toronto Act. The applicant will be required to obtain a permit under Section 111 prior to the issuance of a demolition permit for the 7 units.

The applications for Draft Plan of Subdivision, Official Plan, and Zoning By-law Amendment also include the properties located at 250 and 252 Finch Avenue East which are being utilized as a temporary sales office. The temporary sales office use was approved at the Committee of Adjustment on November 20, 2013 for a period of one
year. It is anticipated that demolition permits will be submitted for those properties upon the ceasing of the temporary use.

The applicant wishes to move forward to demolish the vacated and unmaintained houses in order to prepare the site for servicing in anticipation of the fulfillment of Draft Plan of Subdivision conditions and removal of the holding symbol.

CONTACT

Jason Brander, Planner
Tel. No. 416-395-7124
Fax No. 416-395-7155
E-mail: jbrande@toronto.ca

SIGNATURE

_______________________________
Allen Appleby, Director
Community Planning, North District

ATTACHMENTS

Attachment 1: List of Addresses and Permit Numbers
Attachment 2: Zoning
Attachment 3: Applicant’s Letter
Attachment 1: List of Addresses and Associated File Numbers

<table>
<thead>
<tr>
<th>Address</th>
<th>Permit Number</th>
</tr>
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<tbody>
<tr>
<td>238 Finch Avenue East</td>
<td>14 140519 DEM 00 DM</td>
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<tr>
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<td>258 Finch Avenue East</td>
<td>14 140540 DEM 00 DM</td>
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</table>
Attachment 2: Zoning

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Attachment 3: Applicant's Letter

Delivered via email

June 5, 2014

Central Section, Community Planning
North York District
5100 Yonge Street
Toronto, ON M2N 5T7

Attention: Mr. Jason Brander

Dear Sir:

Re: 238 Finch Avenue East, 240 Finch Avenue East,
242 Finch Avenue East, 244 Finch Avenue East,
254 Finch Avenue East, 256 Finch Avenue East,
258 Finch Avenue East
Draft Plan 13-21146 NNY 24 SB
OP/Zoning 12-243614 NNY 24 OZ
Site Plan 13-132380 NNY 24 SA

With respect to the above referenced properties, we have submitted demolition permits for the existing single-family homes in order to prepare for our site servicing schedule.

This is to confirm that all of the single-family houses are vacant, the utilities have been disconnected, and they are currently boarded up. We also confirm that at the time of purchase, none of the properties were rental homes and there are no multi-unit buildings on the properties.

Please provide your clearance to the building department. In addition, these lots identified above we will be applying for demolition permits for 250 and 252 Finch Avenue East as the current semi-detached structure is being used as our sales office. Please include this in your letter or clearance on Section 111 Agreement to building department.

Should you have any questions or concerns please do not hesitate to contact our office.

Yours truly,
NORTH 66 DEVELOPMENTS INC.

[Signature]

Bruno Nazionale, M.C.I.P., R.P.P.
Vice President, Land Development

250 Lesmill Road • North York, Ontario M3B 2X5 • Tel: 416.443.8552 Fax: 416.443.7726

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