

**Residential Demolition Application
31 Montgomery Avenue**

Date:	July 23, 2014
To:	North York Community Council
From:	Director of Toronto Building and Deputy Chief Building Official
Wards:	Ward 16 Eglinton - Lawrence
Reference Numbers:	File No. 2014NY004 Folder No. 14-186953 DEM 00 DM

SUMMARY

This staff report is about 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 application for the demolition of a vacant single family dwelling at 31 Montgomery Avenue is referred to the North York Community Council to refuse or to grant the application as a building permit has not been issued for a replacement building.

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

RECOMMENDATIONS

Toronto Building recommends that the North York Community Council give consideration to the demolition application for 31 Montgomery Avenue and decide to:

- 1) Refuse the application to demolish the single family dwelling because there is no permit to replace the building on the site; or,
- 2) Approve the application to demolish the single family dwelling without conditions; or
- 3) Approve the application to demolish the single family dwelling 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 property are backfilled with clean fill.

FINANCIAL IMPACT

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

COMMENTS

On July 8, 2014, Kathy Randle of Montgomery Square Inc. submitted a demolition permit application to demolish a single family dwelling with a detached garage at 31 Montgomery Avenue. A building permit application for the replacement building has not been made.

In a letter dated July 22, 2014, Ms Randle stated that a 27 storey residential building with 4 levels of underground parking is being proposed for 31 Montgomery Avenue and the adjacent property at 2384/2388 Yonge Street. The applicant wishes to demolish the single family dwelling and the existing commercial building in the adjacent lot at the same time which will also allow for environmental soil testing of the entire developmental site.

The application for the demolition of the single family dwellings has been circulated to Urban Forestry and the Ward Councillor.

The demolition application is being referred to the North York Community Council because the building proposed to be demolished is residential and the applicant has not received a permit to replace the buildings or to redevelop the site. In such cases, Chapter 363 Article II of the City of Toronto Municipal Code requires Community Council to issue or refuse the demolition permit.

CONTACT

Gene Lee, P.Eng,
Manager Plan Review,
Tel: 416-395-7555; Fax: 416-696-4173
E-mail: glee@toronto.ca

SIGNATURE

Will Johnston
Director,
Toronto Building,
North York District

ATTACHMENTS

1. Site Plan
2. Applicant's letter

ATTACHMENT #2



Toronto Buildings, North York District
North York Civic Centre
5100 Yonge St, 2nd Floor
Toronto, ON
M2N 5V7

July 22, 2014

Attention: Gene Lee, Building Manager, North York
Regarding: 31 Montgomery Ave
Demolition of Residential Property

Dear Mr. Lee,

We are the developers for the properties located at 2384/2388 Yonge St and 31 Montgomery Ave, SPA No. 14 164280 NNY 16 SA. In order to permit the proper redevelopment of the site we formally request permission to demolish the residential home at 31 Montgomery Ave at the same time as the commercial building at 2388/2384 Yonge St. This demolition would be in advance of obtaining a new building permit. The demolition of the residential home at the same time as the commercial building will also allow for us to complete the required environmental soil testing of the entire development site.

A brief synopsis of the project status is as follows:

An application for Rezoning and Official Plan Amendment has been made (File No 13 127993 NNY 16 OZ) along with a site plan application (No. 14 164280 NNY 16 SA) to permit a 27 storey residential building, with 233 units and 4 levels of underground parking. The new development will straddle both properties (2384/2388 Yonge St and 31 Montgomery Ave). The front portion of 2388/2384 Yonge St is to be retained and the rear portion of the commercial building will be demolished. A separate demolition application will be made for the commercial building in August 2014.

We are cognizant of the upcoming municipal election and the limited council meetings this fall. As such, we respectfully request that the demolition of 31 Montgomery be heard at the August 12, 2014 Community Council Meeting.

Thank you for your assistance. Should you require any further information please do not hesitate to contact the undersigned.

Yours truly,
MONTGOMERY SQUARE INC.

A handwritten signature in black ink, appearing to read "Kathryn Randle".

Kathryn Randle
Development Planner

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rockportgroup.net