Residential Demolition Application(s) – 132-142 Soudan Avenue and 11-17 Lillian Street

Date: April 12, 2017
To: Toronto and East York Community Council
From: Director, Toronto Building, Toronto and East York District

Wards: Ward 22 (St. Paul's)

SUMMARY

In accordance with city-wide residential demolition control under Article II, Demolition Control, of Municipal Code Ch. 363, as amended by By-law No. 1009-2006, enacted by the City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the following nine demolition application(s) 17-131335 DEM, 17-131362 DEM, 17-131370 DEM, 17-131375 DEM, 17-131379 DEM, 17-131381 DEM, 17-130927 DEM, 17-131310 DEM, 17-131318 DEM for lands located at the northwest corner of the intersection of Lillian Street and Soudan Avenue being 132-142 Soudan Avenue and 11-17 Lillian Street inclusive to you, to decide whether to grant or refuse the applications, including any conditions to be attached to the permits.

This staff report is regarding a matter for which the Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Toronto Building recommends that the Toronto and East York Community Council:

1. Refuse the applications to demolish the subject residential buildings at 132-142 Soudan Avenue and 11-17 Lillian Street because there is no building permit for a replacement building on the site at this time;

Or in the alternative:

2. Approve the applications to demolish the subject residential buildings at 132-142 Soudan Avenue and 11-17 Lillian Street, notwithstanding that there is no building permit for a replacement building on the site, with the following conditions:
a) That all debris and rubble be removed from the site immediately after demolition;

b) That any holes on the property resulting from the demolition of the buildings or resulting from the proposed investigation of soil conditions and environmental site remediation are backfilled with clean fill; and any further condition(s), that in the opinion of Toronto and East York Community Council is reasonable, having regard to the nature of the residential properties to be demolished.

FINANCIAL IMPACT

Not applicable

DECISION HISTORY

In its Decision of June 10, 2015, City Council approved an amendment to the zoning by law(s) for the lands collectively known as 132-142 Soudan Avenue and 11 Lillian Street to permit the construction of a new 14-storey residential building complete with 98 residential units, and 84 parking spaces in a 4-level underground parking garage.

Subsequent to this, the lands municipally know as 15-17 Lillian Street were purchased and annexed into the redevelopment proposal by the owner of the lands, Lash Development Corporation. The earlier approval for rezoning was appealed to the Ontario Municipal Board (OMB) and a revised proposal presented to the OMB for a 19 storey building containing 160 dwelling units. A Decision of the OMB to approve the amended proposal was initially granted on July 26, 2016 and most recently, its final Order approving the amendment to the zoning by-law issued on April 7, 2017.

Among the conditions of approval to be secured through a Section 37 Agreement, the decision of the Ontario Municipal Board included the requirement to provide community benefits in the form of parkland improvements and/or the development of other local area parks including construction or improvements of community facilities in the area within the area.

As well, the redevelopment of the lands would be required to include the provision of an at grade outdoor open space area to the satisfaction of the Chief Planner and Executive Director, City Planning to be secured through the Site plan Approval Process.
COMMENTS

Site Plan Control Application 14 188805 STE 22 SA respecting the redevelopment of the lands was submitted on July 11, 2014. This application is currently under review and has been amended to realize the development approved in the OMB order. The materials submitted in connection with the Site Plan Application to City Planning include the submission of plans and drawings that demonstrate the location of the proposed open space area on the Soudan Avenue frontage in place of 6 of the 9 dwellings subject of this demolition application.

On March 20, 2017, applications to demolish the eight existing semi-detached houses and the one detached house on the lands were received from the applicant on behalf of the owner, Lash Development Corporation. The demolition permits are currently being reviewed by staff in Toronto Building and are capable of being issued provided that a replacement building permit consistent with the proposal submitted for Site Plan Approval is issued for a new building to be constructed on the property. To date, a replacement permit has not been filed with Toronto Building.

This application is to permit the demolition of the residential buildings on the lands in advance of a replacement building permit. In support of the application(s) for demolition, the applicant has submitted a letter requesting the issuance of the demolition permits at this time to permit access to the lands in preparation of construction of the new development and open space area. The applicant has noted that the buildings are unoccupied and remain vacant. Please find attached a copy of the correspondence submitted by the applicant as well as a site plan demonstrating the proposed development.

The application(s) for demolition have been circulated for comment to Urban Forestry - Tree Protection and Protection Review, and the Ward Councillor. Toronto Building staff have confirmed that the dwellings are not presently subject to the Ontario Heritage Act. Staff have also confirmed that the approval for demolition in accordance with Section 111 of the City of Toronto Act (Rental Residential Demolition) is not required in this instance.

The application(s) for demolition are being referred to the Toronto and East York Community Council because the site contains residential buildings that are proposed to be demolished and the owner has not obtained a permit to replace the building on the site at this time.

In accordance with Section 2 of the City of Toronto Act, 1991 (No.4), C.Pr24, S.O.1991, Toronto and East York Community Council may impose any reasonable conditions.
which have regard to the nature of the residential properties, including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures.

CONTACT

Tony D'Arpino, Manager, Plan Review, Toronto Building - Toronto and East York District; Tel.: (416) 392-7632; Fax: (416) 696-0721; email address: Tony.DArpino@toronto.ca

SIGNATURE

Mario Angelucci
Deputy Chief Building Official and Director
Toronto Building, Toronto and East York District

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ATTACHMENTS

1. Plan of Survey
2. Copy of Correspondence submitted by Applicant
3. Site Plan
Attachment 1: Plan of Survey
March 20, 2017

Will Johnston  
Director and Deputy Chief Building Official  
Toronto East York District  
Toronto Building  
16th floor East tower  
City Hall  

Attention: Tony D’Arpino, Manager, Plan Review, Central Team  

Re: 11-17 Lillian Street and 132-142 Soudan Avenue – Residential Demolition  

This letter is being submitted in support of the subject permit application to demolish 9 houses (4 pairs of semi-detached and 1 detached house).  

The proposed demolition is required to be approved by the Community Council under delegated authority pursuant to the provisions of the Municipal Code Chapter 363-12, D, because there is no building permit issued at this time for a replacement building.  

Although there are 9 houses to be demolished on a single combined lot, the houses were owner occupied and not used for rental purposes. A Rental Housing Demolition and Conversion Declaration, dated March 15, 2017, has been provided  

The existing residential buildings to be demolished are located on a lot that forms part of a new development site which will be a 19 storey residential building containing 160 dwelling units. The Rezoning application has been approved by the Ontario Municipal Board on July 26, 2016. Demolition of the existing vacant houses is necessary to clear the site and prepare it for construction of the new development.  

Please prepare the necessary report to the Toronto East Community Council recommending issuance of the proposed demolition.  

Please feel free to contact me directly if you require any additional information.  

Thank you.