

Residential Demolition Application(s) – 342-346 Davenport Road.

Date: February 16, 2018
To: Toronto and East York Community Council
From: Director, Toronto Building, Toronto and East York District

Wards: Ward 20 (Trinity-Spadina)

SUMMARY

In accordance with the 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 City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the following three demolition application(s) 17- 238310 DEM, 17- 17- 238308 DEM, 17- 238306 DEM for 342, 344, and 346 Davenport Road inclusive to you, to decide whether to grant or refuse the applications, including any conditions, if any, to be attached to the permits.

This staff report is regarding a matter for which 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 mixed-use building on the lands because there is no building permit for a replacement building on the site;

Or, in the alternative,

2. Approve the application to demolish the subject buildings containing a residential use at 342-346 Davenport Road, notwithstanding that there is no building permit for a replacement building on the site at this time, with the following conditions:

a) that all debris and rubble be removed immediately after demolition;

- b) that any holes on the property resulting from the demolition of the buildings is backfilled with clean fill;
- c) that solid construction hoarding be erected to the rear of the site adjacent to "Designers Walk Lane" and such hoarding to be designed complete with a lighting plan to the satisfaction of the local councillor in consultation with the local neighbourhood;
- d) that all demolition and construction staging activity be restricted to Davenport Road; and
- e) any further condition(s), that in the opinion of Toronto 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 Oral Decision of August 31, 2017, The Ontario Municipal Board (OMB) granted amendment to the zoning by law(s) for the lands collectively known as 342-346 Davenport Road. The decision of the OMB followed the terms of settlement reached between the City and the local residents association to permit the construction of a new 9 storey mixed use building on the lands containing 6,090 sq. metres of gross floor area.

A final order of the OMB will be after such time that the final form of the zoning by-law consistent with terms of settlement is provided by the City Solicitor and provided that a Section 37 agreement respecting the lands is registered on title.

COMMENTS

On September 25, 2017, applications to permit the demolition of the existing detached building at 346 Davenport Road and the semi-detached buildings at 342-344 Davenport Road were submitted by the owner. A building permit to replace the buildings sought to be demolished has not been submitted at this time.

It is the owners' intent to demolish all of the buildings at this time in anticipation of the final approval of the zoning bylaw amendment from the OMB. In support of the demolition, the owner has undertaken to install construction hoarding and lighting in a manner that respects the proximity and sensitivity of the adjacent lands uses and to protect the site suitably.

The demolition of the buildings would allow the site to be cleared and protected in a manner consistent with the request of the local neighbourhood in advance of any construction undertaking. The owner is requesting that the demolition permits be issued at this time so that the necessary protection work can commence in advance of obtaining the related final approval OMB.

Toronto Building can confirm that the proposed demolition is not regulated under Chapter 667 of the Municipal Code (rental housing demolition and conversion), as the existing buildings do not contain 6 or more residential units, nor is this existing building included in the City's inventory of heritage properties. The application for the demolition has been circulated to Urban Forestry and the Ward Councillor.

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: tdarpin@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

Attachment 1: Plan of Survey

