



REPORT FOR ACTION

Residential Demolition Application – 35 Birchcliff Avenue and 1665 Kingston Road

Date: December 18, 2018
To: Chair and Members, Scarborough Community Council
From: Acting Director, Toronto Building, Scarborough District
Wards: **Ward 20 - Scarborough Southwest**

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 semi-detached dwellings at 35 Birchcliff Avenue and 1665 Kingston Road is referred to the Scarborough Community Council to refuse or to grant the application as a building permit has not been issued for a replacement building.

If the Scarborough 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 Scarborough Community Council:

1. Approve the application to demolish the residential building 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 629-10, paragraph B and 629-11
- d) that any holes on the property are backfilled with clean fill.

Or, in the alternative,

- 2. Refuse the application to demolish existing residential buildings at 35 Birchcliff Avenue and 1665 Kingston Road because a building permit has not been issued for a replacement building on this site;
- 3. Approve the application to demolish the residential building without any conditions.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The City of Toronto Municipal Code [Chapter 363, Article II “Demolition Control” Subsection D (1)] requires that the application be referred to Community Council for consideration if no building permits are issued to erect replacement buildings on the property.

COMMENTS

On November 7, 2018, an application to demolish a semi-detached residential building at 35 Birchcliff Avenue and 1665 Kingston Road was submitted on behalf of the owner, Core Development Group. The development proposal is to construct 52 stacked townhouses on the site.

In a letter submitted requesting the demolition permit, the owner states that the building has been vacant, all utilities have been disconnected.

The application for the demolition of the dwelling has been circulated to the Heritage Preservation Services, Urban Forestry and the Ward Councillor. The existing dwelling is not designated a historical building.

The demolition application is being referred to the Scarborough Community Council because the building proposed to be demolished is a residential building and there are no replacement building permits able to be issued until the proposed townhouse development receives Site Plan Approval with City Planning. In such cases, Chapter 363 Article II of the City of Toronto Municipal Code requires Community Council to issue or refuse the demolition permit.

Site and Surrounding Area

The subject property is located, on the south side of Kingston road and west of Birchmount road. The subject property is zoned Commercial-Residential (CR) in By-law Number 8786, Birchcliff Community Zoning Bylaw.

CONTACT

Dwayne Tapp, T (416) 396-8225
E-mail: Dwayne.Tapp@toronto.ca

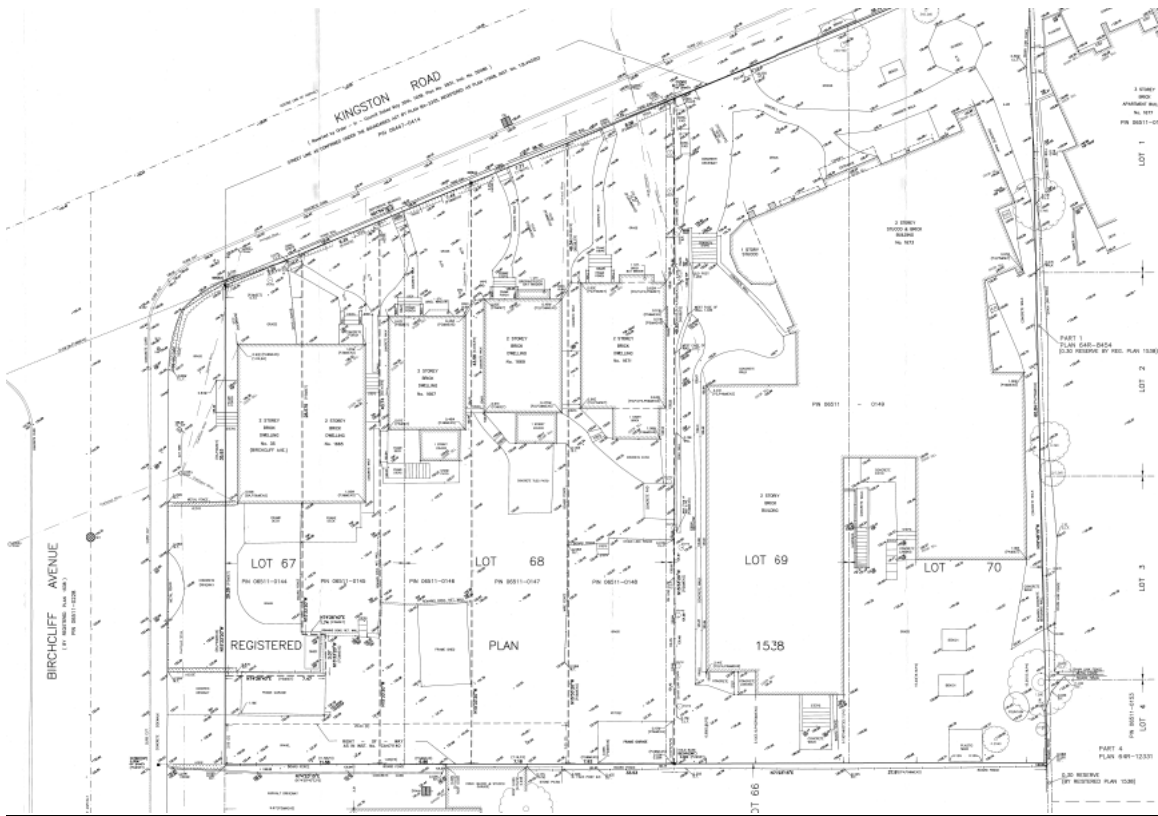
SIGNATURE

Bill Stamatopoulos
Acting Director Toronto Building,
Scarborough District

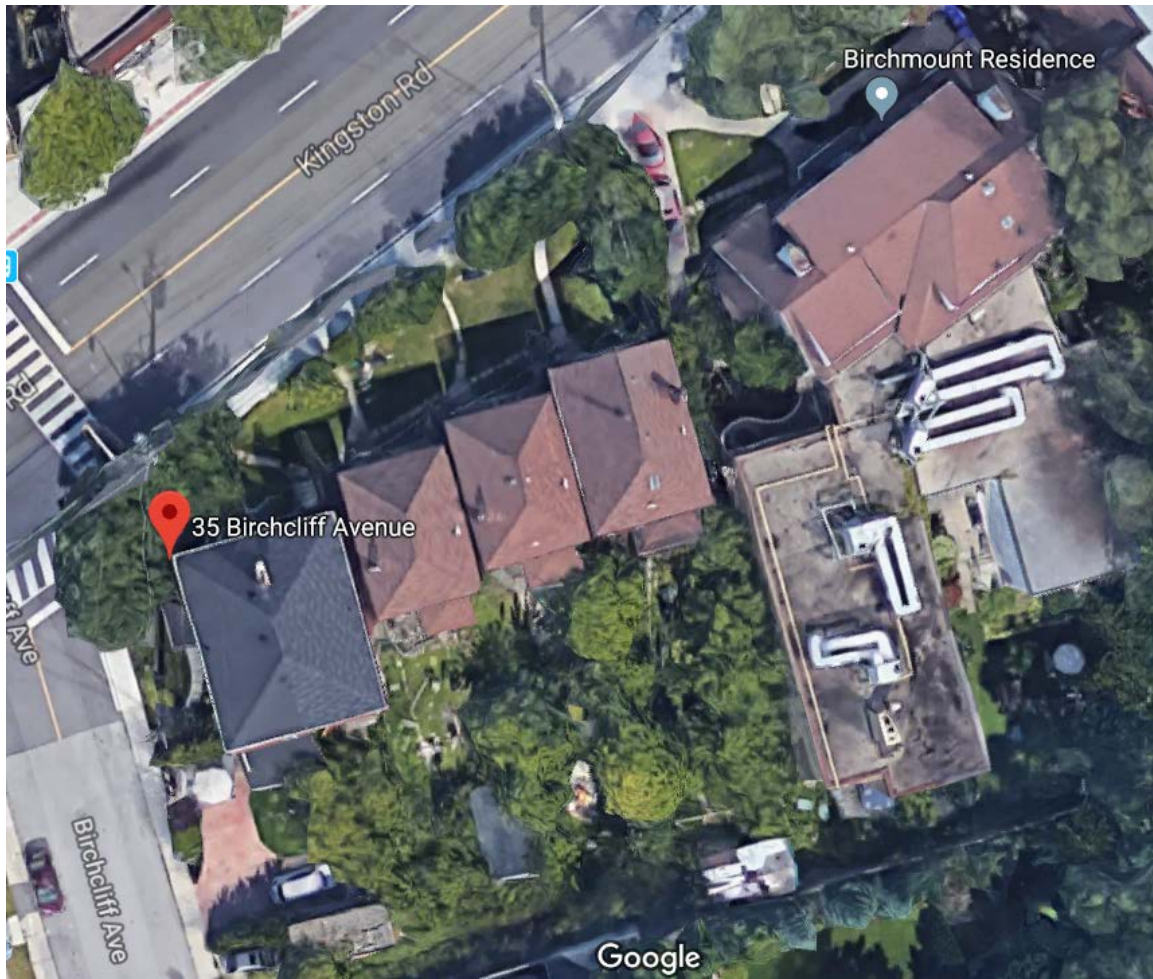
ATTACHMENTS

1. Site Plan
2. Photo
3. Map
4. Letter from applicant

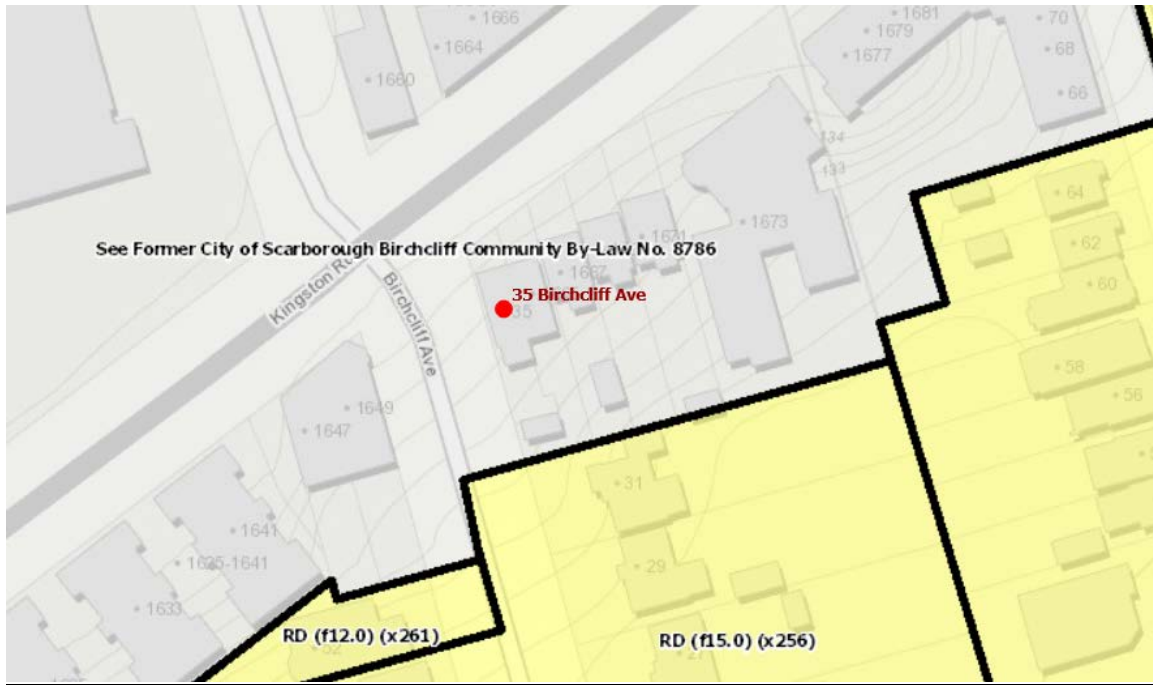
Attachment 1 Site Plan



Attachment 2: Photo



Attachment 3: Map



Attachment 4: Letter from Applicant



December 17, 2018

Mr. Dwayne Tapp
Manager
Toronto Building – Scarborough District
City of Toronto
3rd Floor
150 Borough Drive
Scarborough, Ontario
M1P 4N7

Attn: Dwayne Tapp, Manager

**Re: 1665 – 1673 Kingston Road and 35 Birchcliff Avenue
Site Plan Application No. 17 207620 ESC 36 SA and
Minor Variance Application No. A0248/18SC
Request for City Planning Support - Permit to Demolish Application**

Dear Mr. Tapp,

We are progressing well in addressing the latest City of Toronto circulation comments for the approval of our Site Plan Application at 1665 – 1673 Kingston Road and 35 Birchcliff Avenue. We have also obtained binding approval of a Minor Variance Application to the City for certain minor variances to permit the proposed urban townhouse development that has City Planning staff support. The Minor Variance Application was approved by the Committee of Adjustment on September 13, 2018, a Notice of Decision was issued on September 18, 2018 and the appeal period has expired with no appeals filed. In order to assist with meeting our development schedule timelines, we would like to make a Permit to Demolish Application to Toronto Building at this time so that we can demolish the existing structures on the site in preparation for construction.

The site is currently occupied by five (5) single detached dwellings and one multi-unit dwelling. All are vacant, and utilities disconnected with exception of 1671 and 1673 Kingston Road. The residential tenancy at 1671 Kingston Road terminates on January 31, 2019 by means of a Consent Order from the Landlord and Tenant Board and the commercial lease of 1673 Kingston Road by the City of Toronto is to be vacated by March 31, 2019. For the redevelopment of the site, these structures will need to be demolished in order to allow for the 52-unit urban townhouse development on the site. Given that our development plans have been largely accepted by the City, we think that it is now appropriate to proceed with a Permit to Demolish Application and will only commence demolition once the Site Plan Notice of Approval Conditions (NOAC) is issued to us.

As time is of the essence, we are working to capture every efficiency possible. Advancing our mobilization to site demolition is one strategy that we feel will allow us to minimize disruption to the surrounding area and take advantage of processing time while the Site Plan Approval Application nears final approval. We are asking for your support and cooperation with the Toronto Building Department officials in the acceptance of our Application to Demolish for the existing structures.

We would like to submit all the necessary documentation for the Permit to Demolish Application in advance of applying for the full Building Permit and would ask that you please support our request. Again, we want to emphasize that we would not be commencing demolition until we receive NOAC.

Trusting the above meets with your satisfaction to support a Permit to Demolish for the existing structures on our site, we thank you in advance for your assistance and cooperation.

Best Regards,

A handwritten signature in black ink, appearing to read 'Bryan', with a stylized flourish at the end.

Bryan Nykoliaton, President
Core Development Group Ltd.

bryan@coredevelopment.ca