

**Non-Residential Demolition Application –3385 Dundas St. W.**

**Date:** January 15, 2019

**To:** Toronto and East York Community Council

**From:** Director and Deputy Chief Building Official, Toronto Building

**Wards:** Ward 4 (Parkdale – High Park)

**SUMMARY**

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This demolition permit application is submitted to City Council for consideration and decision to grant or grant with conditions, approval of the demolition permit application, including the requirement for the owner to enter into a beautification agreement prior to the issuance of the demolition permit.

This property is located in the former City of York and is subject to By-law No. 3102-95 of the former City of York.

On February 5<sup>th</sup>, 2018, Toronto Building received a demolition permit application to demolish the existing 1-storey building that was formerly a self serve car wash establishment.

A building permit application for a replacement building was also submitted and is currently in the development approval process.

The building is located within Ward 4 – Parkdale – High Park..

**RECOMMENDATIONS**

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**Toronto Building recommends that the City Council give consideration to the demolition application for 3385 Dundas Street West and choose one of the following options:**

1. Refuse the application to demolish the existing 1-storey building at 3385 Dundas St West because a building permit has not been issued for a replacement building on this site; or in the alternative
2. Approve the application to demolish the 1-storey building subject to the owner

entering into a beautification agreement with the City containing a beautification plan to the satisfaction of the City Solicitor and the agreement be registered on title to the lands, City Planning Division Staff be authorized to prepare the agreement in consultation with the Ward Councillor and the owner and the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; or

3. Approve the application to demolish the 1-storey building without entering into a beautification agreement with the City subject to the following conditions:
  - a) 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) All debris and rubble be removed immediately after demolition.
  - c) Any holes on the property are backfilled with clean fill.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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Under the City of York Act 1994 (Bill PR147), By-law No. 3102-95 was passed designating the entire area of the former City of York as an area of demolition control. The City of York Act, 1994, provides the authority for Council in the former City of York area to enact special demolition control legislation for the purpose of securing beautification measures on the lands and abutting municipal boulevards, where appropriate, as a condition of the issuance of demolition permits. The legislation and By-law are still in force and effect and are applicable law under the 2012 Ontario Building Code, Ontario Regulation 332/12. Applicable Law must be satisfied to enable the Chief Building Official to issue a building or demolition permit under S. 8.(2) of the Building Code Act, 1992 S.O. 1992, Chapter 23.

A Rezoning application (16 163140 WET 13 OZ) and Site Plan Approval application (17 230003 WET 13 SA) to permit the development of an 8-storey mixed-use building comprising of 131 residential rental dwelling units is currently under review by City Planning.

The Owner has submitted the related building permit applications on December 28, 2017. The full building permits cannot be issued until the owner finalizes the necessary planning approvals.

On April 24, 2018 (EY29.11) City Council refused an application to demolish the 1-storey building at 3385 Dundas West as a building permit has not been issued for a replacement building.

## **COMMENTS**

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The subject property is located on the south side of Dundas Street West and west of Runnymede Road. The property is zoned Commercial Employment (CE) in the former City of York Zoning By-law 1-83 and is not subject to the City of Toronto harmonized Zoning By-law 569-2013

The owner is requesting to demolish the building to assist with the commencement of the necessary remediation of the site to support the redevelopment. The Owner has communicated that further delays in the timing of the cleanup of the site will provide undue hardship and possibly jeopardize the future development.

The subject property is located in the former City of York, where as By-law No. 3102-95 and City of York, Bill Pr147 is applicable. The demolition application is being referred to City Council because the building proposed to be demolished cannot be demolished until a permit is obtained to replace the existing building.

This by-law requires Council to authorize the issuance of a demolition permit without entering into a beautification agreement or authorize the issuance of a demolition permit subject to the owner entering into a beautification agreement with the City.

The building is neither listed nor designated under the Ontario Heritage Act.

## **CONTACT**

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## **SIGNATURE**

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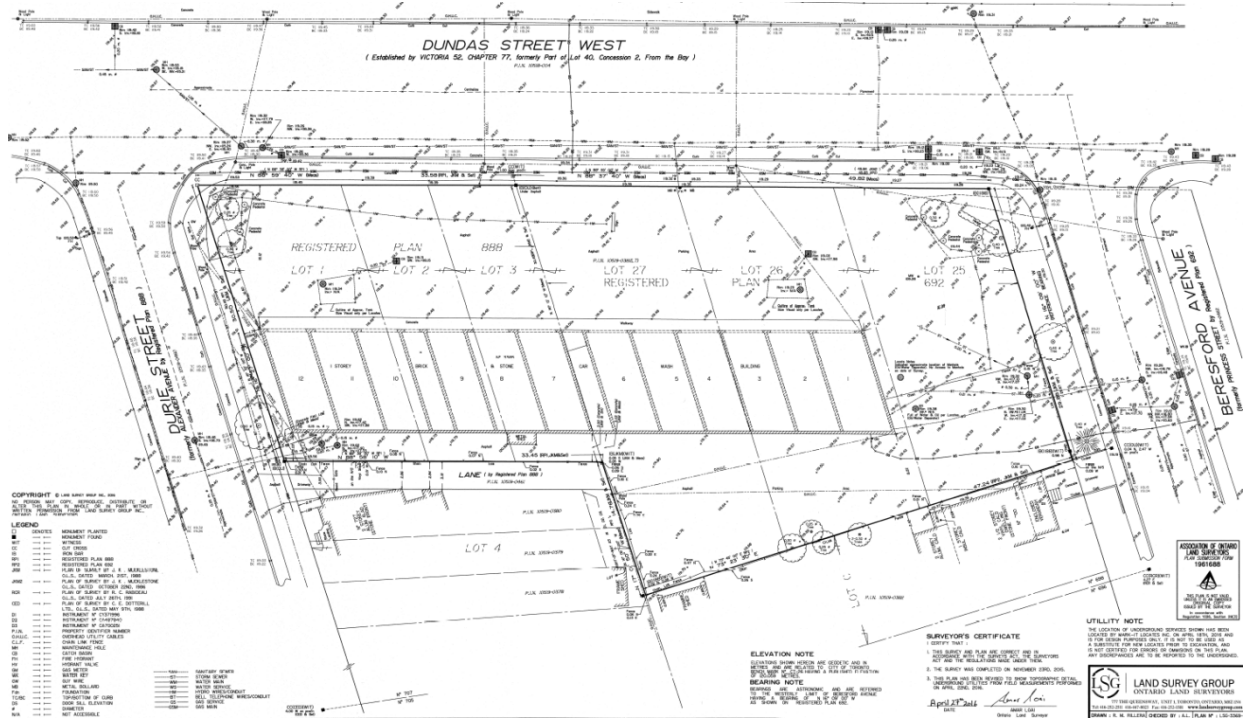
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Tim Crawford  
Director/DCBO Toronto Building,  
Toronto & East York District

## **ATTACHMENTS**

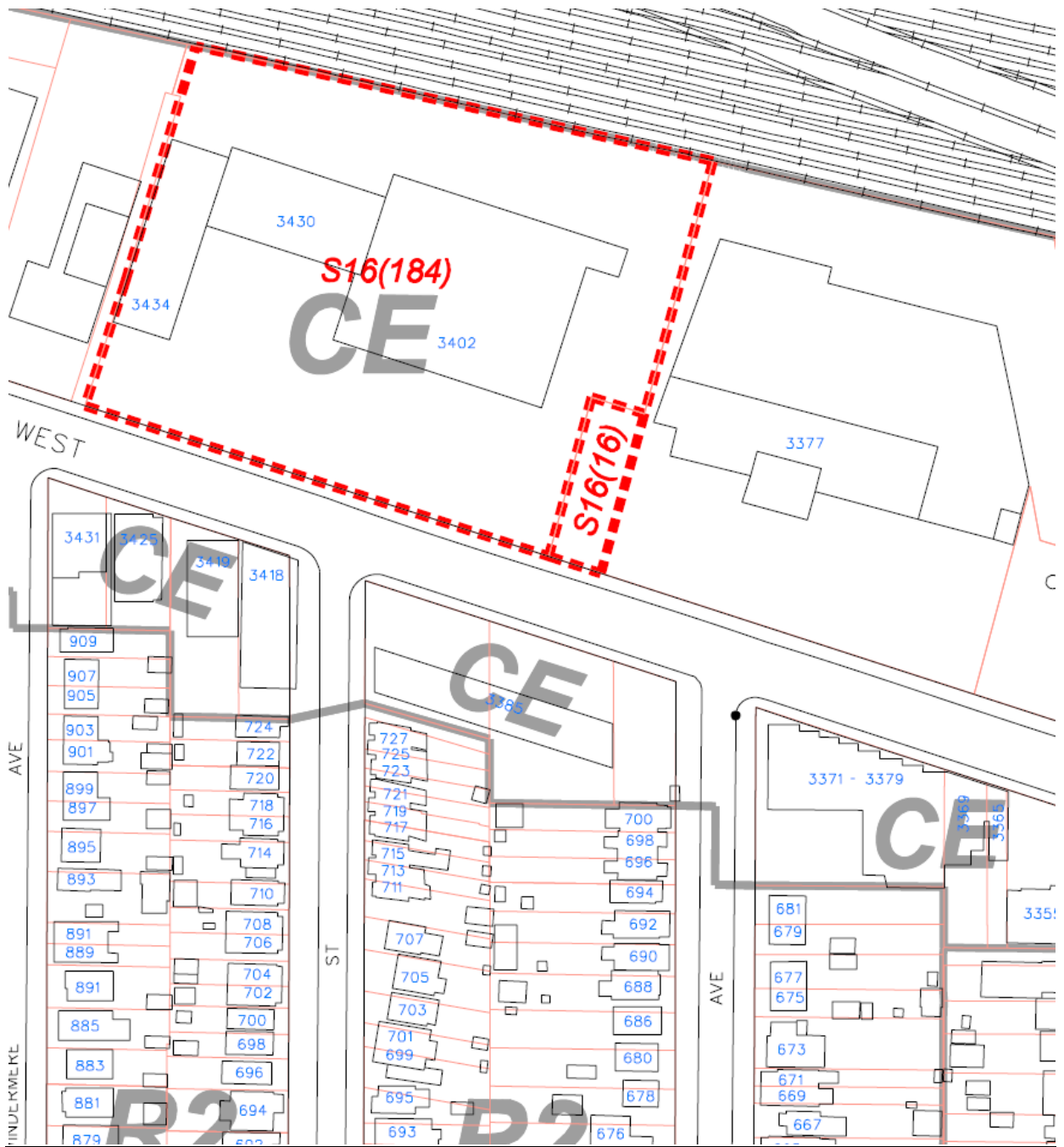
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1. Site Plan
2. Zoning Map
3. Photo

# 1. Site Plan



## 2. Zoning Map



3. Photo

