

Residential Demolition Application - 61 Montgomery Avenue and 58 Helendale Avenue.

Date: December 11, 2019
To: North York Community Council
From: Deputy Chief Building Official and Director, Toronto Building
Wards: Ward 8 Eglinton - Lawrence

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 6 “Demolition Control”, the application for the demolition of a residential building at 61 Montgomery Avenue and at 58 Helendale Avenue is being referred to the North York Community Council for consideration, as a building permit has not been issued for a replacement building.

North York Community Council may impose conditions, if any, to be attached to the demolition permit.

RECOMMENDATIONS

The Toronto Building Division recommends that the North York Community Council give consideration to the demolition application for 61 Montgomery Avenue and 58 Helendale Avenue and decide to:

1. Refuse the application to demolish the single family dwellings because there is no permit to replace the buildings on the site; or,
2. Approve the application to demolish the single family dwellings without conditions; or
3. Approve the application to demolish the single family dwellings with the following conditions:

- a. that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article 7, 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; and
- d. that any holes on the property are backfilled with clean fill.

FINANCIAL IMPACT

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

DECISION HISTORY

There is no history for this property.

COMMENTS

On November 14, 2019, Toronto Building received an application to demolish an existing two storey residential building at 61 Montgomery Avenue and 58 Helendale Avenue. The applicant has indicated in a letter that as part of a Section 37 agreement for a new mixed use development, the land at 61 Montgomery Avenue and 58 Helendale Avenue are to be conveyed to the City of Toronto for off-site parkland dedication. A planning application for the proposed building has been made and is under review. Building permit applications have not yet been made.

The application for the demolition of the residential building has been circulated to Urban Forestry and the Ward Councillor. The building is neither listed nor designated under the Ontario Heritage Act. Heritage Preservation Services have also confirmed that the property is not on any potential list.

The demolition application is being referred to the North York Community Council because the buildings proposed to be demolished at 61 Montgomery Avenue and at 58 Helendale Avenue are residential and the applicant has not received a permit to replace the buildings or to redevelop the site. In such a case, Chapter 363 Article II of the City of Toronto Municipal Code requires Community Council to issue or refuse the demolition permit.

CONTACT

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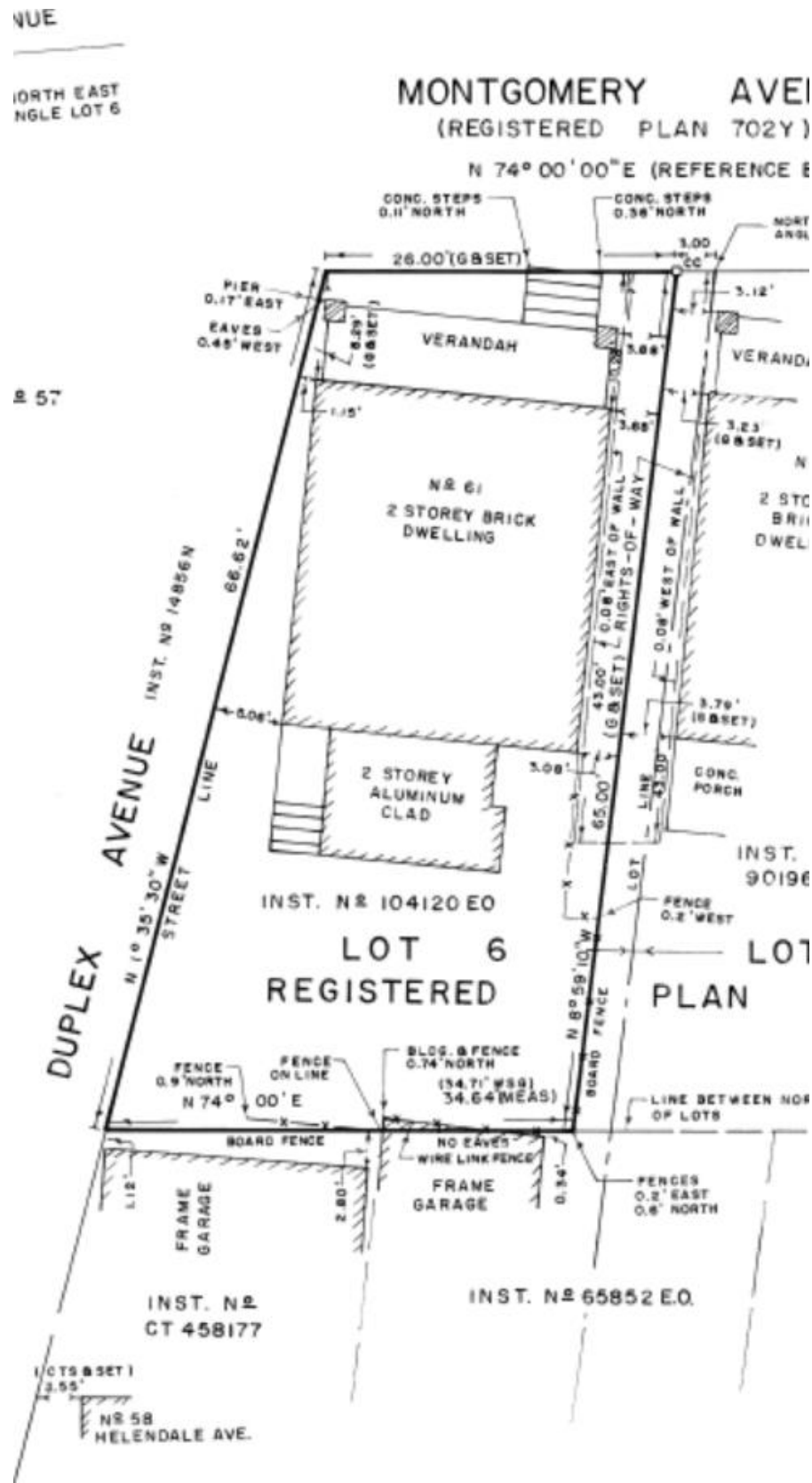
SIGNATURE

Alan Shaw
Director and Deputy Chief Building Official
Toronto Building,
North York District

ATTACHMENTS

1. Site Plan for 61 Montgomery Avenue
2. Site Plan for 58 Helendale Avenue
3. Letter from Applicant

Attachment 1 - Site Plan for 61 Montgomery Avenue



Attachment 3 - Letter from Applicant

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Community Planning – North York District
North York Civic Centre
5100 Yonge Street
North York, Ontario
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To Whom It May Concern,

Please see accompanying this letter the residential demolition permit application for the properties municipally known as 58 Helendale Avenue and 61 Montgomery Avenue. As part of the executed Section 37 Agreements entered with the City of Toronto for the approved mixed-use developments to be located at 50-60 Eglinton Avenue West and 90 Eglinton Avenue West, 58 Helendale Avenue and 61 Montgomery Avenue, respectively, are to be conveyed to the City of Toronto for off-site Parkland Dedication which will require the demolition of the existing residential dwellings. Please note these two properties are already recognized in Official Plan Amendment No. 405: Yonge-Eglinton Secondary Plan as "Existing/Approved Public Parks" on Map 21-8: Parks and Open Space Network Plan. Please find attached the following documents, filled out separately for both 58 Helendale Avenue and 61 Montgomery Avenue:

- Application to Construct or Demolish Form
- Demolish Permit Application Checklist
- Owner's Acknowledgement of Demolition Control Conditions
- Municipal Road Damage Form
- Tree Declaration Form
- Site Plan or survey

Should you have any questions or require any further clarification, feel free to contact myself.

Thank you.



Michael Halpern