

Residential Demolition Application – 246 Albany Avenue

Date: May 6, 2022
To: Toronto and East York Community Council
From: Kamal Gogna, Director and Deputy Chief Building Official
Wards: Ward 11 - University-Rosedale

SUMMARY

This staff report is about a matter for which the Toronto and East York Community Council has delegated authority to make a final decision.

In accordance with city-wide residential demolition control under the Toronto Municipal Code Ch.363, under the authority of Section 33 of the Planning Act, the application for the demolition of an existing 2-storey semi-detached dwelling, at 246 Albany Avenue (Application No. 22 143147 DEM 00 DM) is being referred to the Toronto and East York Community Council for consideration to refuse or grant the application, including any conditions, if any, to be attached to the permit application because a building permit has not been issued for a replacement building.

RECOMMENDATIONS

The Director and Deputy Chief Building Official, Toronto Building, Toronto and East York District recommends that the Toronto and East York Community Council give consideration to the demolition application for 246 Albany Avenue, and decide to:

1. Refuse the applications to demolish the two 2-storey dwelling because there is no permit to replace the building on the site at this time; or
2. Approve the application to demolish the two 2-storey dwelling without any conditions; or
3. Approve the application to demolish the two 2-storey dwelling with the following conditions:

- a) That construction fences 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 that the site 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

The recommendations in this report have no financial impact.

DECISION HISTORY

There is no decision history for this property.

COMMENTS

On May 6, 2022, a demolition permit application was submitted by the applicant, on behalf of the owner to demolish the existing 2-storey dwelling at 246 Albany Avenue. As indicated in a letter dated May 3, 2022, it has been identified that environmental testing and remediation is necessary in the preliminary stages to facilitate the construction of the proposed development.

The proposed redevelopment consists of an 8-storey self-storage warehouse building on the lands of 1109 Bathurst St., 246 & 248 Albany Ave.

The applicant submitted a letter requesting that demolition permits be issued without a replacement building permit in order to proceed with the required testing and remediation.

The existing houses are not currently on the list of designated historical buildings.

The land is not within a Toronto and Region Conservation Authority regulated area.

CONTACT

Matthew Eichfuss-Clarke, Manager, Plan Review, Toronto and East York District
T (416) 396-8225 E-mail: Matthew.Eichfuss-Clarke@toronto.ca

SIGNATURE

Kamal Gogna
Director & Deputy Chief Building Official, Toronto Building
Toronto and East York District

ATTACHMENTS

1. Demolition Site Plan
2. Letter from Applicant

Attachment 2: Letter from Applicant

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May 3, 2022

By E-mail
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Attention: Matthew Eichfuss-Clarke, Manager of
Plan Examination

Attention: Ms. Ellen Devlin

**Re: 246 Albany Ave, Toronto
Request for Residential Demolition Request
Subsection 363-6.3(D) of the Municipal Code**

Dear Sirs/Mesdames:

On behalf of our client, Talus (Bathurst) Limited, we are writing to request the issuance of a residential demolition permit for the semi-detached house located at 246 Albany Avenue, Toronto (the "Property") pursuant to Subsection 363-6.3(D) of the City of Toronto Municipal Code. A corresponding residential demolition application is also being filed for the adjoining property at 248 Albany Avenue.

For the reasons outlined below, we respectfully request that the Toronto and East York Community Council issue a demolition permit for the Property in order to enable the commencement of environmental testing and remediation work necessary for the construction of an 8-storey self-storage warehouse building.

BACKGROUND

The Property is part of a larger assembly of lands with a combined municipal address of 1109 Bathurst Street and 246-248 Albany Avenue (the "Development Site"), which is proposed to be redeveloped as an 8-storey self-storage warehouse building ("Proposed Development").

Zoning By-law Amendment ("ZBA") and Site Plan Approval ("SPA") applications for the Proposed Development have been filed with the City (the "Applications"),¹ which are presently proceeding before the Ontario Land Tribunal (the "OLT") under Case No. OLT-21-001193 (the "Appeal").

On April 29, 2022, the OLT issued an oral decision (with written reasons to follow) granting in-principle approval of the ZBA for the Proposed Development, with the OLT's final Order withheld pending the satisfaction of certain pre-conditions. The request for the OLT's approval of the ZBA was pursuant to a settlement reached by our client and the City, as well as with the other parties to the Appeal.

¹ File Nos. 20 159922 STE 11 OZ and 20 159926 STE 11 SA, respectively.

Our client anticipates obtaining final ZBA and SPA approval in the coming months, with a view of commencing construction work for the Proposed Development in the Summer / Fall of this year.

NEED FOR DEMOLITION PERMIT

The existing house on the Property needs to be demolished before our client can begin the environmental testing and remediation necessary in the preliminary stages to facilitate the construction of the Proposed Development. For this reason, a demolition permit is required before a building permit for the Proposed Development can be issued, and, as a result, authorization from the Toronto and East York Community Council ("Community Council") is required pursuant to Subsection 363-6.3(D) of the Municipal Code.

Our client intends to commence construction work in the Summer / Fall of 2022—and as there are only two remaining Community Council meetings for the year (i.e., May 26 and June 29, 2022), it is imperative that this demolition permit application be considered at the first available Community Council meeting.

Our client has been engaged with Councillor Layton throughout the approvals process for the Proposed Development, and we understand that the Councillor is supportive of this demolition application, which is needed to facilitate the remediation investigation.

We ask that Toronto Building prepare the demolition report requesting Community Council to authorize the demolition of the residential building on the Property at the earliest available Community Council meeting date.

We look forward to receiving your response, and should you have any questions, please do not hesitate to contact me.

Yours truly,

cc: Client