

Residential Demolition Application - 738 Marlee Avenue

Date: January 26, 2023
To: North York Community Council
From: Deputy Chief Building Official and Director, Toronto Building
Wards: Ward 08 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 single family dwelling at 738 Marlee Avenue is being referred to the North York Community Council to consider 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 738 Marlee Avenue and decide to:

1. Refuse the application to demolish the single family dwelling because there is no permit to replace the building on the site; or,
2. Approve the application to demolish the single family dwelling without any 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 January 6th, 2023, Toronto Building received an application to demolish an existing single family dwelling at 738 Marlee Avenue. This property forms part of a development at 831 Glencairn Ave for a 10 storey mixed use building with 218 dwelling units and 360 m2 of retail space on the ground level. The owner has obtained site plan approval.

In a letter dated January 26, 2023, the owner, MASSETO HOMES INC. states the request for the demolition of 738 Marlee Avenue is so that the applicant can convey the property to the City for parkland purposes, to satisfy a portion of the Parkland obligations as part of the Section 37 agreement. The ultimate owner of the property will be the City, and there will not be another structure constructed on the property.

The application for the demolition of the single family dwelling has been circulated to 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 building proposed to be demolished at 738 Marlee Avenue is residential and the applicant has not received a permit to replace the building. In such a case, Chapter 363 Article 6 of the City of Toronto Municipal Code requires Community Council to issue or refuse the demolition permit.

CONTACT

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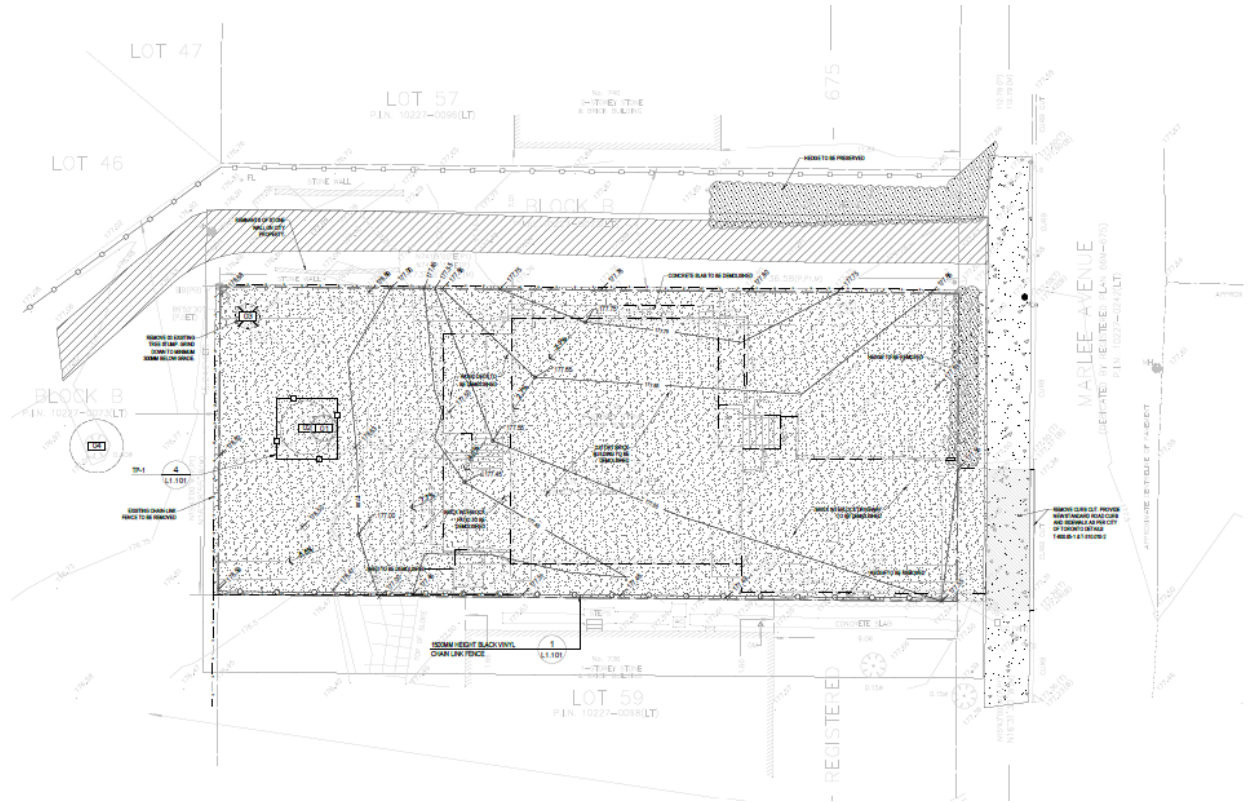
SIGNATURE

Natasha Zappulla
Director and Deputy Chief Building Official
Toronto Building,
North York District

ATTACHMENTS

1. Site Plan
2. Letter from Applicant

Attachment 1 : Site Plan



Attachment 2. Letter from Applicant

Masseto Homes Inc.



January 26, 2023

Anthony De Francesca
Plan Review Manager
North York District
City of Toronto

Dear Sir:

**Re: 738 Marlee (Lot 58, Plan 66M675) – Demolition Permit for Parkland
Conveyance**

The above address has been purchased by Masseto Homes Inc. as part of our Section 37 Agreement, Item 4. Parkland Conveyance Parkland Dedication.

Whereby the existing house on this property will be demolished and this property shall be conveyed to the City of Toronto and the property will be converted to parkland, all at no cost to the City of Toronto, we are requesting the expeditious issuance of the demolition permit. As such, there will be no replacement structure.

Sincerely,

Masseto Homes Inc.

per 

Mark Gossin – Secretary

I have authority to bind the Company