

Residential Demolition Application – 50 Finch Ave. E.

Date: March 13, 2023
To: North York Community Council
From: Director and Deputy Chief Building Official, Toronto Building
Wards: Ward 18 (Willowdale)

SUMMARY

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

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code, Ch. 363, Article 6 "Demolition Control," the application for the demolition of an existing detached house at 50 Finch Ave. E. (application no. 23-110092 DEM 00 DM) is being referred to the North 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 application has not been submitted for a replacement building.

RECOMMENDATIONS

The Director and Deputy Chief Building Official, Toronto Building, North York District recommends that North York Community Council:

1. Refuse the application to demolish the vacant building at 50 Finch Avenue East because there is no permit application to replace the building on the site; or,
2. Approve the application to demolish the vacant residential building at 50 Finch Avenue East without any conditions; or
3. Approve the application to demolish the vacant residential building at 50 Finch Avenue East 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 decision history for this property.

COMMENTS

On February 3rd, 2023, Toronto Building received an application to demolish an existing detached house at 50 Finch Ave. E.

This property has already gone through a rezoning application (application no. 16-150473 NNY 24 OZ) and is subject to site specific zoning by-laws 2020-0120 & 2020-0121. A site plan application (application no. 16-150486 NNY 24 SA) to construct a nine storey mixed use building with 64 dwelling units has been submitted and is currently under review. A building permit application has not yet been made.

In a letter dated February 28th, 2023, the owner, Eddie Chaleshtari, stated that the proposed replacement building is still going through the Committee of Adjustment Minor Variance application process and discussions with City Planning are underway to extensively modify the final building design. The owner has also advised in this letter that the property is currently vacant and continues to be exposed to unauthorized entries resulting in vandalism, property damage and arson. A police report has been provided confirming the substantial damage to the property and states that the structural integrity of the house has been compromised.

The application for the demolition of the detached house 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 land is not within a Toronto and Region Conservation Authority regulated area.

CONTACT

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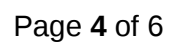
SIGNATURE

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

ATTACHMENTS

1. Survey
2. Letter from Owner
3. Police Report

Residential Demolition Application – 50 Finch Ave. E



2. Letter from Owner



Re: 50-52 Finch Ave East Report Summary

Tuesday February 28th 2023

To whom it may concern,

This letter serves to inform of the ongoing issues at the properties located at 50 & 52 Finch Avenue East. Two residential demolition permit applications were recently submitted. We have not yet filed any replacement building permit application since we are still going through a Committee of Adjustment Minor Variance process, as well as discussing with Planning to amend an existing Site Plan Agreement, to extensively modify the final building design, which will take some time.

Meanwhile the two houses in question were left vacated for many months by the previous owner. As such they are extremely dilapidated and subject to frequent unauthorized entries. Despite our best efforts of providing high metal fencing all around, which has been repaired and reinforced numerous times, and security surveillance; furthermore, the properties have been exposed to vandalism, property damage, even setting of fire to partially destroy a portion of one of the two buildings on our property. There are police and fire service reports or documentation for these incidences, and neighbours' complaints to demand action to remove the hazardous and unsightly conditions as well. Housing Standard Inspectors also got involved and voiced their concern on this property.

Since we are still many months away from applying any replacement building permit, the most expedient way forward to remove these 2 houses to eliminate the hazardous and unsafe condition, would be a referral of our demolition application to North York Community Council, for their approval, instead of following the Planning Act provision of requiring a replacement building permit issuance ahead of a residential demolition permit issuance.

We hope you will take this information and these events into consideration. Thank you.

Owner

3. Police Report

	General Occurrence - Records Release GO# 2023-107508	
GO Type: ARSON - DAMAGE PROP/OWN PROP		
Address: 50 FINCH AV E, NORTH YORK	Submitted by: 	
Occ Date/Time: 2023.01.14 @ 2229hrs	Reported Date/Time: 2023.01.14 @ 2229hrs	
Investigator: 	Inv Unit: D32-Primary Response B Platoon	
Known Entitie(s)		
REPORTED BY :		
		
		
INITIAL OFFICER REPORT		
On January 14, 2023 Officers PC CHOUDHRY #11974 and PC LEE #11870 were dispatched to 50 Finch Avenue East for a Fire radio call. The officers arrived on scene and immediately blocked off Northbound Kenneth Avenue from Finch Ave East. Several TFS trucks were on scene working on extinguishing the fire. District Fire Chief advised they believe that a fire accelerate was the primary source of the fire outside the home. Officers observed the North East corner of the home to be burned out, In addition to approximately 3 feet of water inside of the home as a result of TFS extinguishing the fire. As a result of the fire the structural integrity of the house has been compromised.		

TPS LF # 1491-23		
B86475		