

## **Residential Demolition Application – 52 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**

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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 52 Finch Ave. E. (application no. 23-110104 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**

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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 52 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 52 Finch Avenue East without any conditions; or
3. Approve the application to demolish the vacant residential building at 52 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**

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

## **DECISION HISTORY**

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There is no decision history for this property.

## **COMMENTS**

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On February 3<sup>rd</sup>, 2023, Toronto Building received an application to demolish an existing detached house at 52 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 28<sup>th</sup>, 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 also advised in this letter that the property is currently vacant and continues to be exposed to unauthorized entries resulting in vandalism and property damage.

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

## **CONTACT**

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Manager, Plan Review B (Acting)  
Toronto Building, North York District  
Tel: (416) 395-0464, E-mail: Alex.Shemilt@toronto.ca

## **SIGNATURE**

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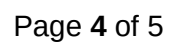
Natasha Zappulla  
Director & Deputy Chief Building Official  
Toronto Building, North York District

## **ATTACHMENTS**

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1. Survey
2. Letter from Owner

## Residential Demolition Application – 52 Finch Ave. E



## 2. Letter from Owner

### **Re: 50-52 Finch Ave East Report Summary**

Tuesday February 28<sup>th</sup> 2023

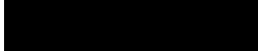
To whom it may concern,

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