

Residential Demolition Application – 50 Cummer Avenue

Date: October 26, 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 Cummer Avenue (application no. 22-136613 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 detached house at 50 Cummer Avenue because there is no permit application to replace the building on the site; or,
2. Approve the application to demolish the vacant detached house at 50 Cummer Avenue without any conditions; or
3. Approve the application to demolish the vacant detached house at 50 Cummer Avenue 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 April 21st, 2022, Toronto Building received an application to demolish an existing detached house at 50 Cummer Avenue.

A rezoning application was also previously submitted (application no. 16-121334 NNY 24 OZ) and was subsequently appealed to the OLT and has been approved, subject to various conditions. A replacement building permit application has not been made.

The property at 50 Cummer Avenue, in conjunction with the lands known as 46 Cummer Avenue, 48 Cummer Avenue & 52 Cummer Avenue, is intended to be developed as temporary parking for the duration of phase 1 of a larger development known as the 5959 Yonge Street project.

In a letter dated October 26th, 2023, the owner of the property, 2567091 Ontario Inc., stated that the demolition of the of the detached house has already been carried out. They make note to the importance of adhering to the city's regulations and are now committed to ensuring all necessary permits and compliance measures are met.

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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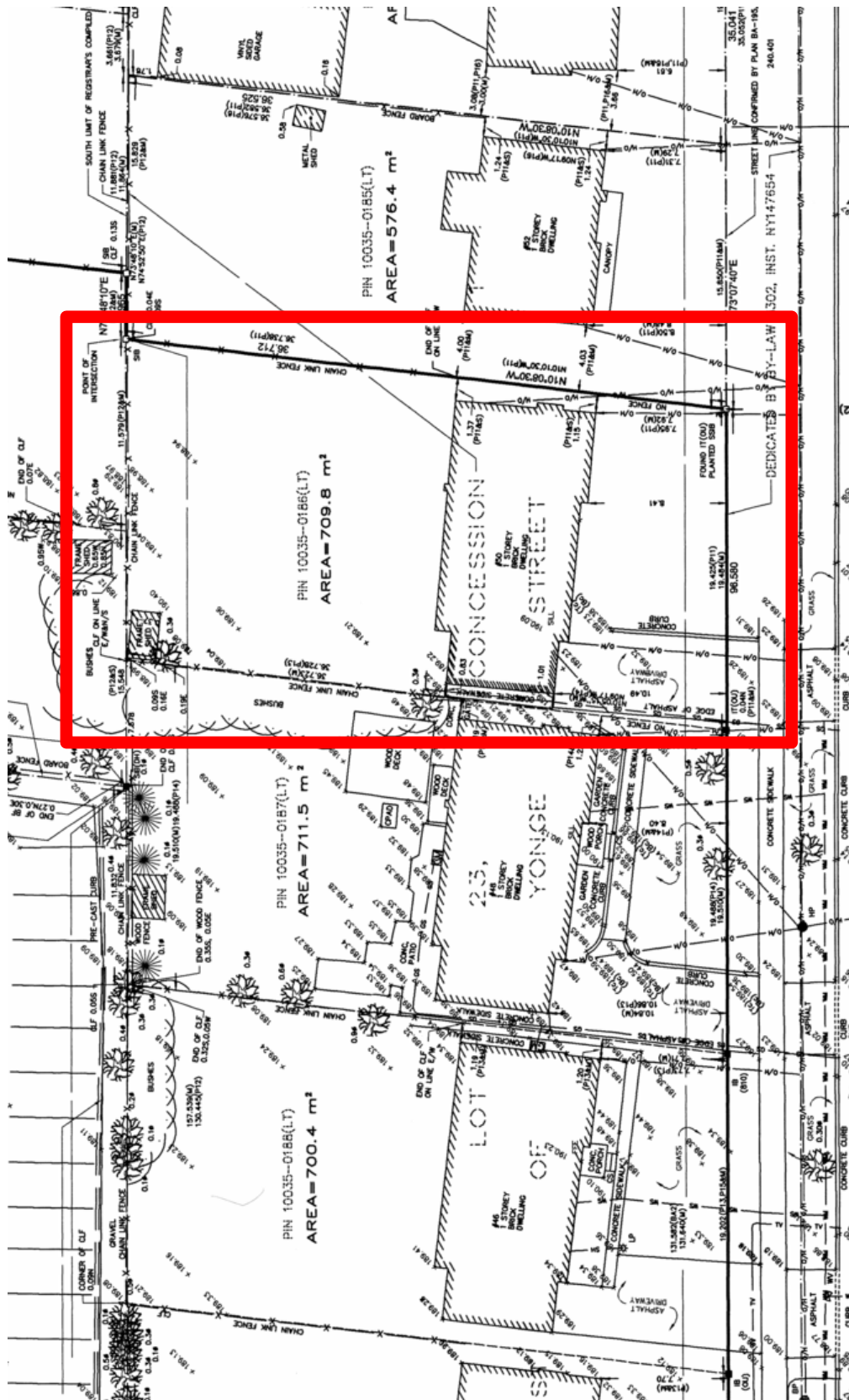
SIGNATURE

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

ATTACHMENTS

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1. Survey



2. Letter from Owner – Page 1 of 2

2567091 Ontario Inc.

October 26, 2023

Building Department
North York Civic Centre
5100 Yonge Street
Toronto, ON M2N 5V7

RE: 22 136625 DEM 00DM
Demolition application 50 Cummer Avenue, Toronto

Project Overview:

50 Cummer Avenue is a single family house that forms a part of the comprehensive assembly for the development, known as the 5959 Yonge Street Project. This prospective mixed-use development is generally situated at the northeast corner of Yonge Street and Cummer Avenue in North York. It encompasses a variety of properties fronting on Yonge Street, Cummer Avenue, and Doverwood Court. The development is composed of five mixed-use buildings with heights of 44, 42, 32, 31, and 14 storeys, as well as a block of three-storey townhouses. Furthermore, it includes the creation of a sizable public park and a public road traversing the site. It is noteworthy that the proposed development secured approval from the Ontario Land Tribunal (OLT) in August 2021.

Temporary Parking Arrangements:

As part of the land assembly for this development, a landlocked surface parking lot situated at the rear of the existing 15-storey building at 5949 Yonge Street, Sedona Place Co-Ownership Inc, was acquired. An Agreement was reached between Ghods Builders Inc. and Sedona, facilitating the inclusion of this surface parking lot into the 5959 Yonge Street development. In exchange, Sedona will be granted parking spaces within the underground parking facility of the proposed development.

During the construction phase of the development, Sedona will use of temporary parking facilities situated on lands that constitute Phase 3 of the proposed development, referred to as the "Temporary Parking Lands."

Notably, with the approval from OLT, the rear section of the 5949 Yonge Street lands, which currently serve as surface parking, will be integrated into Phase 1 of the development. This includes its incorporation into the creation of a new 23-meter public road, which will serve as part of the new ring road.

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Temporary parking will be established on lands comprising various properties, including part of the 5949 Yonge Street surface parking, part of 1 Doverwood Court, 46 Cummer Avenue, 48 Cummer Avenue, 50 Cummer Avenue, and 52 Cummer Avenue. This area will serve as temporary parking throughout the approximately three-year duration of Phase 1 construction. Following the readiness of underground parking, Sedona will be entitled to 116 parking stalls in Phase 1 of the development.

Demolition Application

The Agreement with Sedona Co-Ownership was subject to stringent deadlines, and the application for the demolition of houses at 46 Cummer Avenue, 48 Cummer Avenue, 50 Cummer Avenue, and 52 Cummer Avenue was submitted to the City of Toronto in April 2022.

It is important to note that although the area is set for a large mixed-use development, the project was not at a stage where an application for a building permit could be submitted, and thus it was not considered an application involving replacement housing. Consequently, such an application necessitated approval from the City Council. Due to it being an election year, the application did not reach the City Council on time before their recess.

Failing to have the temporary parking ready on time would have put the development at risk of losing the surface parking at 5949 Yonge Street, thus hindering the ability to provide the City of Toronto with the intended public road. Faced with no alternative, the decision was made to proceed with the demolition of the houses. It's important to note that at the time of demolition, the houses were vacant.

While the demolition of the houses was already carried out, We understand the importance of adhering to the city's regulations and are committed to working closely with building department to ensure that all necessary permits and compliance measures are met. We recognize that this process is critical not only for our project's success but also for the city's overall development goals and the welfare of the community.

If you have any further inquiries or require additional information concerning the demolition application for 50 Cummer avenue or any related matters, please feel free to contact us.

Regards,

2567091 Ontario Inc.