

Residential Demolition Application - 55 and 57 Montgomery Avenue

Date: March 14, 2025

To: North York Community Council

From: Director and Deputy Chief Building Official, Toronto Building

Wards: Ward 8 (Eglinton - Lawrence)

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 city-wide residential demolition control under the Toronto Municipal Code Chapter 363, under the authority of Section 33 of the Planning Act, the applications for the demolition of the existing semi-detached houses located at 55 Montgomery Avenue (application no. 25-112386 DEM 00 DM) and 57 Montgomery Avenue (application no. 25-107340 DEM 00 DM) are 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 issued for a replacement building.

RECOMMENDATIONS

The Director and Deputy Chief Building Official, Toronto Building, recommends that North York Community Council give consideration to the demolition applications and decide to:

1. Refuse the applications to demolish the semi-detached houses at 55 and 57 Montgomery Avenue because there is no permit application to replace the buildings on the site; or,
2. Approve the applications to demolish the semi-detached houses at 55 and 57 Montgomery Avenue without any conditions; or
3. Approve the applications to demolish the semi-detached houses at 55 and 57 Montgomery 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 January 22nd, 2025 and February 4th, 2025, Toronto Building received demolition permit applications to demolish the existing semi-detached houses at 55 and 57 Montgomery Avenue. A building permit for a replacement building has not been issued.

In a letter dated February 7th, 2025, the applicant, Madison Group, states that the properties are to be secured for parkland purposes (in base park condition) under Section 37 of the Planning Act per the Council-adopted settlement for the proposed development at 50-90 Eglinton Avenue West and 17-41 Henning Avenue.

The applicants advise within their letter that on November 13th, 2024, City Council adopted the approved settlement that requires the conveyance of 57 Montgomery Avenue, 61 Montgomery Avenue, and 58 Helendale Avenue in base-park condition to the City prior to the issuance of the first above-grade building permit for the approved settlement. Demolition permits for 61 Montgomery Avenue and 58 Helendale Avenue were granted in January 2020 for the same purposes, and those dwellings have since been demolished. 55 Montgomery Avenue was previously conveyed to the City as off-site parkland dedication in accordance with the active development project located at 2500 Yonge Street.

Madison Group states that the properties, with disconnected services, will be ready for demolition upon issuance of the demolition permit.

They state the vacant homes have been subject to vandalism and break-ins with the rear yards being utilized for illegal and illicit activities and that it is important that the properties be demolished promptly to ensure no future impacts to public and community safety.

The applications for the demolition of the semi-detached houses have been circulated to the Ward Councillor. The existing semi-detached 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

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

SIGNATURE

Anthony De Francesca
Director and Deputy Chief Building Official (Acting)
Toronto Building

ATTACHMENTS

Attachment 1 - Survey
Attachment 2 - Letter from Applicant - Page 1 of 2
Attachment 3 - Letter from applicant - Page 2 of 2

MADISONGROUP.CA
369 RIMROCK ROAD
TORONTO, ONTARIO, M3J 3G2
CANADA
416.661.4000

MADISON
GROUP

February 7th, 2025

North York Community Council
North York Civic Centre
5100 Yonge St
Toronto, Ontario
M2N 5V7

**Re: Community Council Request - Residential Demolition Permit (without Replacement Building)
55 & 57 Montgomery Avenue, Toronto**

**Building Permit No.: 25 112386 DEM 00 DM & 25 107340 DEM 00 DM
Related City File Nos: 24 135591 NNY 08 OZ & 23 176474 NNY 08 OZ**

Residential Demolition Permit Applications for the lands municipally known as 55 Montgomery Avenue, and 57 Montgomery Avenue (the "Properties") in the City of Toronto were submitted in January 2025.

Accordingly, we are submitting this letter on behalf of the City of Toronto (the "City") as the owner of 55 Montgomery Avenue, and 2821725 Ontario Inc. (the "57 Montgomery Owner") as the owner of 57 Montgomery Avenue, to formally request that the demolition permit applications for the Properties (the "Demolition Applications") be approved, without requirement for a replacement building, at the March 9th, 2025 meeting of North York Community Council.

We understand that Section 363-6.3 of the Municipal Code prohibits the demolition of a residential property without a replacement building permit, however, the Properties are classified as public parkland on Map 17 of the City's Official Plan, enclosed here to as Appendix A. Additionally, the Properties are to be secured for parkland purposes (in base park condition) under Section 37 of the Planning Act (the "Sc. 37 Requirements") as per the Council-adopted settlement for 50-90 Eglinton Avenue West and 17-41 Henning Avenue (the "Approved Settlement").

As a matter of background, City Council adopted the Approved Settlement on November 13th, 2024, that requires the conveyance of 57 Montgomery Avenue, 61 Montgomery Avenue, and 58 Helendale Avenue in base-park condition to the City prior to the issuance of the first above-grade building permit for the Approved Settlement. Demolition permits for 61 Montgomery Avenue and 58 Helendale Avenue were granted in January 2020 for the same purposes, and those dwellings have since been demolished.

MADISONGROUP.CA

369 RIMROCK ROAD
TORONTO, ONTARIO, M3J 3G2
CANADA
416.661.4000

MADISON
GROUP

55 Montgomery Avenue was previously conveyed to the City as off-site parkland dedication in accordance with the active development project located at 2500 Yonge Street, and the property currently sits vacant. The Approved Settlement requires that the vacant building on the City's land be demolished and that the land be improved to base-park condition. 55 and 57 Montgomery Avenue are semi-detached homes and must be demolished at the same time.

The Properties, with disconnected services, will be ready for demolition upon issuance of the demolition permit. The vacant homes have been subject to vandalism and break-ins with the rear yards being utilized for illegal and illicit activities. It is important that the Properties be demolished promptly to ensure no future impacts to public and community safety.

The demolition of the Properties and improvement to base park conditions is a major milestone for the implementation of the parkland and open space master plan approved as part of the Yonge and Eglinton Secondary Plan. The delivery of the Properties as public parkland supports the City's and Councillors Office vision for a future public park, on this block. City of Toronto Parks Staff is supportive of the Demolition Applications and has provided a letter stating the same.

We trust that the above information provides satisfactory justification for the issuance of demolition permits, without replacement buildings, for 55 and 57 Montgomery Avenue. The demolition permits will be the first step to facilitate the fulfillment of the Sc. 37 Requirements per the Approved Settlement and conveyance of parkland to the City of Toronto for the future parkland block as identified in the City's Official Plan.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

Kevin McKeown

Kevin McKeown
Director, High-Rise