



STAFF REPORT ACTION REQUIRED

Residential demolition application for 12 Anndale Drive, and 68 Avondale Avenue located in the former City of North York

Date:	November 9, 2007
To:	North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Ward 23 - Willowdale
Reference Number:	File No. 2007NY037 07 – 269089 DEM 00 DM 07 – 269083 DEM 00 DM

SUMMARY

This staff report is about a matter that the Community Council has delegated authority to make a final decision provided that it is not amended so that it varies from City policy or by-law.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code Ch. 363, Article 11, “Demolition Control”, applications for demolition permits at 12 Anndale Drive and 68 Avondale Avenue are referred to North York Community Council to refuse or to grant the demolition permits.

The owner requires permission to demolish the existing dwellings in order comply with the City’s requirement that the property be conveyed to the City free and clear of all tenancies, encumbrances and structures for the purpose of constructing a service road.

If the North York Community Council grants issuance of the demolition permits, it may do so with or without conditions.

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The request to demolish the subject residential building be approved with the following conditions:
 - a. All debris and rubble be removed immediately after demolition and the excavation filled in.
 - b. The site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623–5 and 629–10, Paragraph B.

FINANCIAL IMPACT

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

On October 11, 2007, Melissa Cristofoli, Development Planner for Deltera Inc., submitted applications on behalf of the owner of the properties municipally known as 12 Anndale Drive and 68 Avondale Avenue, to demolish two existing single family dwelling units.

The properties, located south of Sheppard Avenue east of Yonge Street, zoned R6 Residential Zone in the North York Zoning By-Law No.7625, are currently the subject of rezoning and site plan applications. As part of the approval of this development, the developer is required to convey to the City the 12 Anndale Drive and 48 Avondale Avenue properties to allow for the construction of a Service Road.

The City has directed the property be conveyed free and clear of all tenancies, encumbrances and structures, no later than five months from the date of issuance of the demolition permit.

ISSUE BACKGROUND

In February, 2007, the Ontario Municipal Board approved a site-specific official plan amendment and approved in principle a site-specific zoning by-law amendment for the development of a project consisting of townhouses and 5 towers (including a replacement residential rental building), with a total of 1,195 units. A further OMB hearing was held on October 26, 2007, at which time the final form of zoning by-law and subdivision conditions for the project were presented.

The site-specific Zoning By-law and related Section 37 Agreement for the project require the developer to convey the 12 Anndale Drive and 68 Avondale Avenue properties to the City, since a portion of these sites is required for service road purposes.

It is the City's direction that the lands be conveyed free and clear of any structures, which is the reason for the application for demolition.

COMMENTS

The City of Toronto Municipal Code [Chapter 363, Article 11, "Demolition Control" Subsection D(1)] requires that applications be referred to Community Council for consideration if no building permit is issued to erect a replacement building on the property.

The applications for the demolition of the two single family dwellings have been circulated to the Heritage Preservation Services, Urban Forestry and the Ward Councillor. At the time of preparation of this report no comments or objections were received.

The developer, in applying for demolition permits, is working with the City to fulfill the requirement to provide for the conveyance of the said property free and clear of all tenancies, encumbrances and structures.

Section 33 of the Planning Act states that the applicant has the right to appeal to the OMB within 30 days of the receipt of the application by the City to demolish the dwelling if Council neglects to make a decision or refuses the issuance of the permit.

The existing dwellings are not listed and/or designated under the Ontario Heritage Act.

CONTACT

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SIGNATURE

Steve Franklin P. Eng. Director of Building and
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North District

ATTACHMENTS

1. Owner's Letter
2. Zoning Map
3. Survey Plan