



**STAFF REPORT
ACTION REQUIRED**

Request to grant or refuse the application to demolish three residential buildings at 3291, 3293 & 3295 Birchmount Road with no building permit issued.

Date:	November 13, 2007
To:	Chair and Members, Scarborough Community Council
From:	Director, Toronto Building, Scarborough District
Wards:	Scarborough Agincourt –Ward 39
Reference Number:	2007SC029 File Numbers: 07-270054, 07-270062, 07-274391

SUMMARY

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

In accordance with By-law No. 1009-2006 , I refer the demolition permit applications for 3291, 3293 and 3295 Birchmount Road to Scarborough Community Council to grant or refuse the applications, including any conditions, if any, to be attached to the permits.

RECOMMENDATIONS

Director of Building and Deputy Chief Building Official

It is recommended that Community Council:

1. Approve the applications to demolish the subject residential buildings with the following conditions:
 - a) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - b) that all debris and rubble be removed immediately after demolition;

- c) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, paragraph B;
- d) that any holes on the property are backfilled with clean fill;
- e) that the applicant for the demolition permits construct and substantially complete the new buildings to be erected on the site of the residential properties to be demolished not later than two years from the day demolition of the existing buildings is commenced; and
- f) that on failure to complete the new buildings within the time specified in (e) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit contained in the residential properties in respect of which the demolition permits are issued and that such sum shall, until payment, be a lien or charge upon the lands in respect of which the permits to demolish the residential properties are issued.

FINANCIAL IMPACT

There are no financial implications resulting from this report.

COMMENTS

On October 15, 2007, Red Barn Investment Inc. submitted three demolition permit applications to demolish the residential buildings at 3291, 3293 and 3295 Birchmount Road. No replacement building permit application has been made.

The owner intends to develop the properties into a subdivision of 18 single family dwelling units. He has submitted to Scarborough Community Planning a zoning bylaw amendment application as well as a subdivision application. In a letter dated October 10, 2007, the developer indicated that the demolition is required as part of the site clearing, grading and servicing to accommodate the construction of a new road. He added that the removal of these vacant buildings will avoid vandalism and other nuisances.

The subject properties are zoned Single Family Residential in the Steeles Community Bylaw #16762. The buildings are not listed on the City's Inventory of Heritage Properties.

The demolition applications are being referred to Scarborough Community Council because the buildings proposed to be demolished are residential buildings and the applicant has not received a permit to replace the buildings or to redevelop the site. In

such cases, By-law 1009-2006 requires Community Council to issue or refuse the demolition permit.

CONTACT

Gene Lee, P.Eng.
Manager, Plan Review
Tel: (416) 396-4300
Fax: (416) 396-5231
E-Mail: glee@toronto.ca

SIGNATURE

Bruce Ashton, P.Eng.
Director of Building and
Deputy Chief Building Official
Scarborough District

Applicant's Information:

Red Barn Investments Inc.
250 Lesmill Road
Toronto, ON
M3B 2T5
Tel: (416) 445-8552
Fax: (416) 445-7726
E-mail: tferrier@senatorhomes.com

ATTACHMENTS

Attachment 1 – Letter from Applicant