

## **Residential Demolition Application – 37 Balsam Avenue**

<b>Date:</b>	August 15, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Toronto Building, Toronto and East York District
<b>Wards:</b>	Ward 32, Beaches East York
<b>Reference Number:</b>	<b>2007TE006</b>

### **SUMMARY**

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In accordance with city-wide residential demolition control under Article II, Demolition Control, of Municipal Code Ch. 363, as amended by By-law No.1009-2006, enacted by the City Council on September 27, 2006 under the authority of section 33 of the Planning Act, I refer the demolition application for 37 Balsam Avenue to you, to decide whether to grant or refuse the application, including any conditions, if any, to be attached to the permit.

This staff report is regarding a matter for which the community council has delegated authority from City Council to make a final decision.

### **RECOMMENDATIONS**

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1. That Toronto and East York Community Council refuse the application to demolish the subject residential building because there is no building permit for a replacement building on the site; in the alternative,
2. Approve the application to demolish the subject residential buildings without conditions; or,

3. Approve the application to demolish the subject residential building with the following condition:
  - (a) The applicant take all necessary precautions to protect the trees both on site and on the City boulevard as outlined in the arborist report prepared by Shady Lane and dated July 24, 2007.

## **Financial Impact**

Not applicable.

## **COMMENTS**

On June 12, 2007, Dianne Moores of Quantum Murray L.P., as applicant for the current owner, Babs Smith, applied for a permit to demolish the residential building at 37 Balsam Avenue.

The owner of the subject property is the joint owner and resident of 39 Balsam Avenue, the property immediately to the north of 37 Balsam Avenue. The owner is proposing to demolish the existing dwelling at 37 Balsam Avenue in order to create and enlarge landscaped open space to be used in conjunction with 39 Balsam Avenue. See attachment for Arborist Report by Shady Lane which contains a tree inventory, steps to be taken during demolition, including details on the tree protection zone and barriers. Also attached is a copy of the Garden Concept Plan for 37 Balsam Avenue.

Urban Forestry is in receipt of the required tree security deposit for the street trees and a tree protection plan for all trees on site. Urban Forestry has advised that they have no objections to the proposed demolition provided that the applicant follows all steps required to protect the trees as outlined in the arborist report.

In accordance with the Residential Demolition Control By-law #1009-2006, the applicant posted a sign on the property for 14 days giving notice of the intention to demolish the property. No objection has been received regarding the proposed demolition.

No building permit for a replacement building has been applied for at the site and since the building at 37 Balsam Avenue contains a residential unit, the application is being referred to the Toronto and East York Community Council. In such cases, the Municipal Code requires the City Council to issue or refuse the demolition permit.

In accordance with Section 2 of the City of Toronto Act, 1991(No.4), c. Pr24, S.O.1991, Toronto and East York Community Council may impose any reasonable conditions which have regard to the nature of the residential property including the preservation of

significant natural features and requiring the erection and maintenance of structures and enclosures.

## **CONTACT**

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## **SIGNATURE**

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Jim Laughlin, Director, Deputy Chief Building Official, Toronto Building,  
Toronto and East York District

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## **ATTACHMENTS**

Copy of the Survey of 37 Balsam Avenue  
Copy of the Garden Concept Plan for 37 Balsam Avenue  
Copy of the Arborist Report by Shady Lane Expert Tree Care  
Copy of the Photos of 37 Balsam Avenue