



STAFF REPORT ACTION REQUIRED

Residential Demolition Application 176 Finch Avenue West

Date:	September 18, 2008
To:	North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Ward 23 - Willowdale
Reference Number:	File No. 2008NY021 08-192770 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-laws.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code Ch. 363, Article 11, "Demolition Control", an application for a demolition permit at 176 Finch Avenue West is referred to North York Community Council to refuse or to grant the demolition permit.

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

RECOMMENDATIONS

Toronto Building North York Division recommends that:

1. The request to demolish the subject residential dwelling be refused.

Financial Impact

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

ISSUE BACKGROUND

On August 11, 2008, Mr. David Holmes, on behalf of Anndale Properties Limited submitted an application to demolish a vacant one storey wood frame single family dwelling. The dwelling was a rental unit during 2006/2007 and has been vacant since December 2007.

The City of Toronto prohibits the demolition or conversion of residential rental property unless a Rental Housing Demolition and Conversion Permit has been issued under Chapter 667 of the Municipal Code. The applicant has completed a Rental Housing Demolition and Conversion Declaration of Use and Screening Form which was forwarded to the Manager of Community Planning, and was returned without comment.

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 dwelling on the property.

COMMENTS

The applicant has submitted a letter dated September 12, 2008 (Attachment 3) in support of his application to demolish the dwelling. In his letter the applicant indicates they have owned the property since 1975. There is a small one storey wood frame house, built in the late 1940's which has been vacant since December 2007, and which, due to the age, size and elementary construction, as well as the number of superior brick homes in the area that are available for rent is functionally obsolete and not longer viable for single family use. The owners are concerned the vacant structure has the potential to become a target of vandalism.

Our records indicate there are no current applications filed with the City for future development of this site. Investigations in response to complaints received were done regarding the use of the property for exterior storage, parking of commercial vehicles in 2001 and 2002, as well as non-permitted commercial use in 2006. According to our records, no investigations were carried out with respect to general maintenance or disrepair of the existing dwelling on this property.

The permit application for the demolition of the single family dwelling has 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 existing dwelling is not listed and/or designated under the Ontario Heritage Act.

If Council approves the request to demolish the subject residential building it should do so 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.
- c. The applicant for the permit construct and substantially complete the new building to be erected on the site of the residential property proposed to be demolished within two years from the date demolition of the existing residential property is commenced; and
- d. failure to complete the new building within the time specified, the clerk of the municipality shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, such sum of money as the permit specifies, but not in any case to exceed the sum of \$20,000 for each dwelling unit contained in the residential property in respect of which the demolition permit is issued and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

CONTACT

Diane Damiano, Manager Plan Review Tel: 416-395-7561; Fax: 416-395-7589
E-mail: damiano@toronto.ca

SIGNATURE

Steve Franklin, Director of Building and
Deputy Chief Building Official
North York District

ATTACHMENTS

- 1. Zoning Map
- 2. Site Plan
- 3. Applicant's letter

**ANNDALE
PROPERTIES
LIMITED**

28 Saranac Blvd. Suite 1
Toronto, Ontario M6A 2G5
Telephone 416-444-5228
Facsimile 416-444-5220



September 12, 2008

VIA EMAIL

Building Department
City of Toronto
North District
5100 Yonge Street
Toronto, Ontario

Attention: Diane Damiano, Area Manager Plan Review

Dear Ms Damiano

Re: 176 Finch Avenue West – Application to Demolish # 08-192770

Further to our telephone discussion on September 12, 2008 we are writing to provide additional information on the above application to demolish.

The subject property contains a small one storey wood frame house which has been vacant since December 2007. The property forms a smaller part of Lot 17, Plan 2056 which is owned entirely by our firm. We have owned the property since 1975 but believe it was built by the original owner sometime in the late 1940's just prior to the surrounding area being developed. Due to the age, size, and elementary construction of the structure, as well as the number of superior brick homes in the area that are available for rent, we consider the house to be functionally obsolete and no longer viable for single family use.


We are concerned at leaving the structure in its vacant state as it may become a vandalism target and, possibly, a security issue. It is located quite close to the Finch Avenue road allowance, it is only 200 feet west of St Daniels Separate School, and the property immediately to its east, which abuts the school lands, is also vacant. A garden centre had been operated on the rest of Lot 17 surrounding the subject property but since it recently vacated there is now no active use on the block.

We are proposing to remove the structure and the connected municipal services, to sod over the footprint and then maintain the landscaping on the property. We are confident that we have the resources to do so in conjunction with another vacant lot we own at 29 Grantbrook Street which is just around the corner from the subject. In that case the previous house was heavily damaged by a fire which occurred when it was also vacant.

We hope the preceding provides the information you require. If you require anything further please contact the writer.

Yours truly,

ANNDALE PROPERTIES LIMITED


David Holmes
President

DCH:ms

ATTACHMENT #3