

Further Report - Residential Demolition Application – 134 Coxwell Ave

Date:	April 15, 2008
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 32, Beaches East York
Reference Number:	2008TE007

SUMMARY

This staff report is regarding a matter for which the community council has delegated authority from City Council to make a final decision. This further report is intended to replace the original report dated March 14, 2008.

In accordance with Section 33 of the Planning Act and Article II of Municipal Code Ch. 363, Demolition Control, as amended by By-law No.1009-2006, I refer the demolition application for 134 Coxwell Avenue to you, to decide whether to grant or refuse the application, including any conditions, if any, to be attached to the permit.

RECOMMENDATIONS

1. Approve the application to demolish the subject residential building with the following condition:
 - a. All debris and rubble be removed immediately after demolition.
 - b. Any holes on the property be backfilled with clean fill.
 - c. The owner shall ensure that the dust control measures approved by the Medical Officer of Health are implemented during demolition.
 - d. The removal, handling and disposal of all hazardous materials including but not limited to asbestos, are conducted in accordance with the Ministry of the Environment and the Ministry of Labour regulations and guidelines.

- e. All mould contaminated material must be handled and disposed according to Ministry of Labour regulations and any applicable guidelines including the Canadian Construction Association and the Environmental Abatement Council of Ontario, or in the alternative,
2. 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.

Financial Impact

Not applicable

DECISION HISTORY

This application was deferred by Toronto and East York Community Council at their meeting of April 8, 2008 in order to obtain comments from Public Health with respect to the methods to be employed during the demolition of the dwelling.

ISSUE BACKGROUND

The subject property contains a dwelling that has been contaminated with mould and the demolition of the dwelling in a safe and expeditious manner is important to safety and well being of the immediate neighbours. The applicant has prepared a Demolition and Excavation Dust Control Plan (Attachment #6) outlining the method of demolition and disposal to be followed. The review and recommendations contained in the comments from Public Health dated April 11, 2008 (Attachment #4) will help ensure the demolition occurs in an appropriate manner.

COMMENTS

On February 25, 2008, Garcon Building Group Limited, the applicant, applied on behalf of the owner of the property (Royal Bank of Canada) for a permit to demolish the residential building at 134 Coxwell Avenue (see survey Attachment #1). An environmental report (Mould Assessment Report – Attachment #5) was prepared for this building and it revealed that the dwelling has mould and that extensive remediation would be required to make the building habitable.

In a letter dated January 17, 2008 (Attachment #2), the solicitor for the owner advises that it would be more cost effective to demolish the dwelling instead of incurring the cost of remediation and repair. It is intended to demolish the property and market the property for sale as a vacant building lot. A building permit to replace the existing dwelling has not been applied for. The applicant has posted a sign on the property for 14 days giving notice of the intention to demolish the property.

Since the building permit for a replacement building has not been applied for nor will be applied for by the current owner, 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. The authority to approve these applications has been delegated to Community Council.

In accordance with Section 2 of the City of Toronto Act, 1991(No.4) 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

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

ATTACHMENTS

Attachment #1 – Survey

Attachment #2 – Letter from Applicant

Attachment #3 – Photo

Attachment #4 – Report from Public Health

Attachment #5 - Mould Assessment Report

Attachment #6 – Demolition and Excavation Dust Control Plan