



STAFF REPORT ACTION REQUIRED

Residential demolition application for 289 Searle Avenue located in the former City of North York

Date:	December 15, 2008
To:	North York Community Council
From:	Director of Building and Deputy Chief Building Official
Wards:	Ward 10 – York Centre
Reference Number:	File No. 2008NY028 08-209917 DEM 00 DM

SUMMARY

This staff report is about a matter that 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”, an application for a demolition permit at 289 Searle Avenue is referred to North York Community Council to refuse or to grant the demolition permit. The applicant, Ms. Nicole Alonzi applied for a residential demolition permit on behalf of the owner of the property, Mr. Salvatore Alonzi, to demolish an existing single family dwelling which was used as a grow operation.

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 subject residential building be approved with the following conditions:

- a. All debris and rubble be removed immediately after demolition and the excavation be 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 owner to construct and substantially complete the new dwelling on the site of the building to be demolished by not later than two (2) years from the day the demolition is commenced.
- d. The failure to complete the construction within the time specified, shall entitle the City Clerk to enter on the collector’s roll, to be collected in like manner as municipal taxes, the sum of Twenty Thousand Dollars (\$20,000.00) for the dwelling unit in respect of which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

FINANCIAL IMPACT

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

DECISION HISTORY

On October 3, 2008, Ms. Nicole Alonzi applied for a residential demolition permit on behalf of Mr. Salvatore Alonzi, to demolish an existing dwelling used as a grow op which has major mould on walls and ceilings.

An order pursuant to Section 13 of the Health Protection and Promotion Act, R.S.O. was issued in April/2008 against this address to prohibit occupancy of the premises until authorized for occupancy and entry by Toronto Public Health. Under that order, the owners may choose to remediate or demolish the dwelling to remove the health hazards. Rather than undertake the expensive remedial work to remove the considerable mould and other health concerns which occurred as a result to a grow-operation within the building, the owners have chosen to demolish the dwelling.

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 owners do intend to rebuild this dwelling and in October 2008, submitted an application to Committee of Adjustment for construction of a new two storey dwelling on

the property. The requested minor variances were approved and the owner advises that plans are being prepared for submission for a building permit to replace the existing dwelling. The property, located north of Sheppard Avenue just east of Dufferin Street, is zoned R4 Residential Zone in the North York Zoning By-law 7625 and single family dwellings are permitted.

The application for the demolition of the single family dwelling has been circulated to the Heritage Preservation Services, Urban Forestry, Medical Officer of Health and the Ward Councillor.

CONTACT

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SIGNATURE

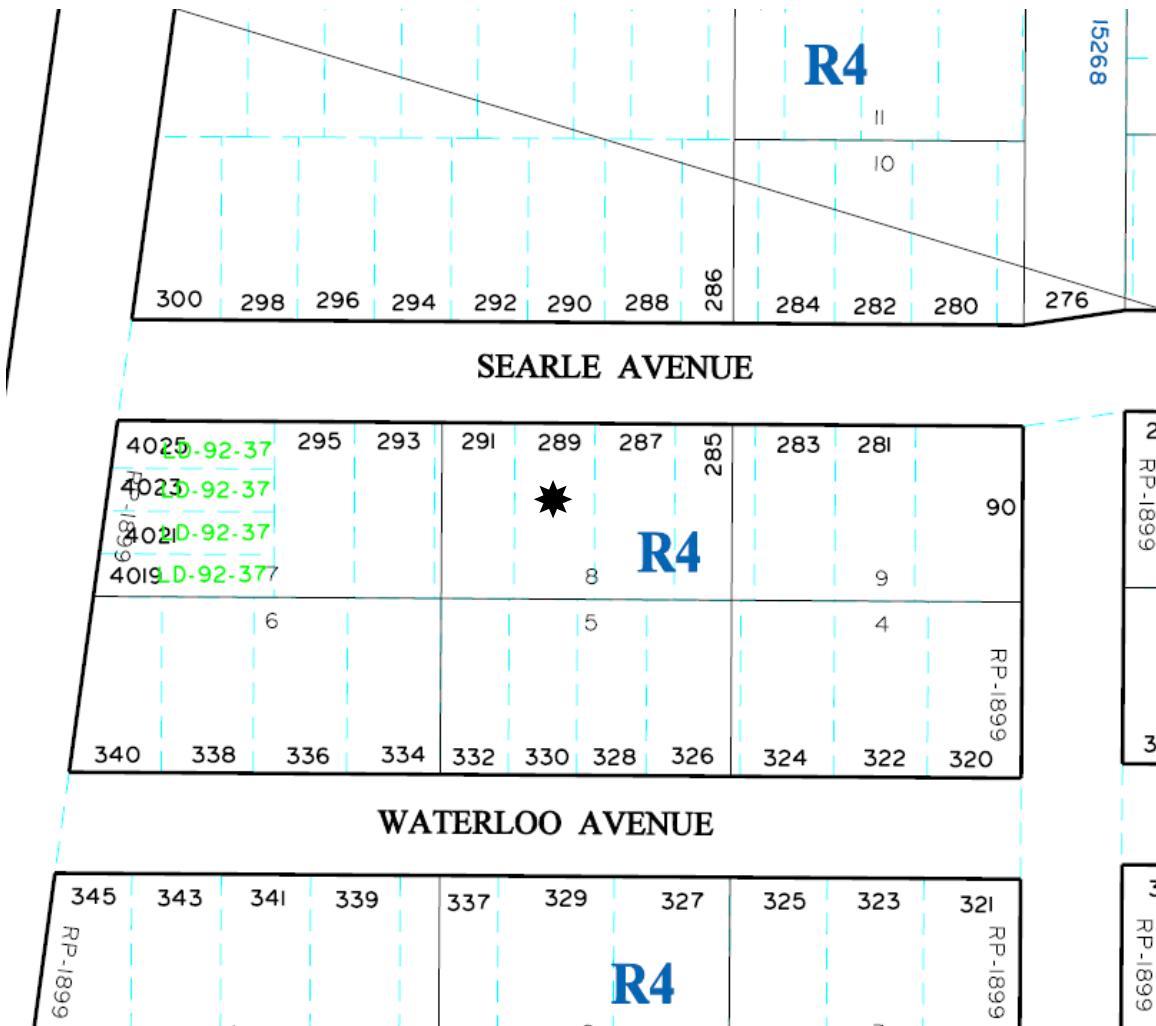
Steve Franklin
Director of Building and
Deputy Chief Building Official
North District

ATTACHMENTS

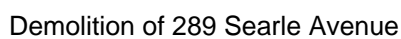
1. Zoning Map
2. Survey of the property
3. Letter from the Applicant

Attachment #1

Zoning Map 289 Searle Avenue



Survey of Property
289 Searle Avenue



Attachment #3

Letter from Applicant
289 Searle Avenue

North York District
North York Civic Centre
5100 Yonge Street
416-395-7000
Wards: 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34

To Ms. Dianne Damiani or to whom it may concern:

Re: 289 Searle Avenue, Toronto, Ontario.

This letter outlines the reason that we require a demolition permit for the above address:

We are asking for your and the committee's support to obtain a demolition permit in order to rectify a devastating situation that occurred at 289 Searle Avenue. The reason for this request is that there are probable grounds that a health hazard exists within the premises due to major mold that we would like to resolve.

The owners, Salvatore and Restiuta Alonzi, who are upstanding Canadian Citizens that immigrated from Italy, have been affected by the growing number of illegal activity such as the growing number of grow-ops affecting several communities within the GTA. Now being of retirement age, this has been a traumatic experience and they are not in a position to take on the burden of rebuilding at this time, due to their lack of funds, age and poor health.

Due to this situation, the property's value has been significantly reduced. The siblings are currently working towards taking on the financial responsibility. We have investigated our options with associated costs and are taking the appropriate actions, in order to eliminate the health hazard that exists and reduce any effects on our neighboring residents, which will ease the minds of the community of this unfortunate situation. This is currently being undertaken but is in the early stages and will not be finalized in time to comply with the order. As you are aware, the steps to be taken are quite lengthy and time is of the essence due to the legal implications of this situation.

The reason we require the demolition permit is to satisfy a public health order that we are working towards a resolution.

Failure to obtain a demolition permit will result in a further financial burden and complications for a situation we are currently trying to resolve.

We are pleading for your recommendation to the North York Community Council to obtain a demolition permit that will allow us to bring this matter to a close. Your understanding in this matter is greatly appreciated in this distressing situation.

Thank you for your time and efforts in allowing me to communicate this to you on their behalf.

Family Members

Contact Information:
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