



STAFF REPORT ACTION REQUIRED

Request to grant or refuse the application to demolish a residential building at 2 Northview Avenue with no building permit issued.

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| Date: | September 18, 2009 |
| To: | Chair and Members, Scarborough Community Council |
| From: | Director, Toronto Building, Scarborough District |
| Wards: | Scarborough Southwest, Ward 36 |
| Reference Number: | 2009SC009 File # 09-142911 DEM |

SUMMARY

This 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 application for 2 Northview Avenue to Scarborough Community Council to grant or refuse the application, including any conditions, if any, to be attached to the permit.

RECOMMENDATIONS

Toronto Building, Scarborough District, recommends that Scarborough Community Council:

1. Approve the application to demolish the subject residential building 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; and
- d) that any holes on the property are backfilled with clean fill; and
- e) that in accordance with the Municipal Code Chapter 363-12, the applicant for the demolition permit constructs and substantially completes the new building to be erected on the site of the residential property to be demolished not later than two years from the day demolition of the existing building is commenced; and
- f) that on failure to complete the new building 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 property in respect of which the demolition permit is issued and that such sum shall, until payment, be a lien or charge upon the lands in respect of which the permit to demolish the residential property is issued.

Financial Impact

Future property tax revenues may be reduced due to a change in the property's classification.

COMMENTS

On May 28th, 2009, applicant, Peter Tolev, submitted a demolition permit application on behalf of the owner, Paul Tolev, to demolish the one storey residential building at 2 Northview Avenue. The owner has not made a permit application to replace the building. In a letter dated May 11th, 2009, the applicant has confirmed that this building has been vacant for almost four years and the soil under this building has sustained oil contamination due to an oil tank leakage from the neighbouring property at 4 Northview Avenue. In order to properly remediate the soil contamination the building must be demolished. The owner does not wish to rebuild, however, prospective builders will not purchase the property unless the soil contamination has been remediated, and the owner wishes to remediate the property and sell it.

The Municipal Licensing and Standards division has issued an order against the owner of the house. The order recommends that the house be demolished since it has considerable amount of deterioration.

The subject property is zoned Two Family Residential (T) in the Birchcliff Community By-law Number 8786.

This application is being referred to Scarborough Community Council because the building proposed to be demolished is a residential building and the applicant does not wish to replace the residential building. In such cases, By-law No. 1009-2006 requires Community Council to issue or refuse the demolition permit.

CONTACT

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SIGNATURE

Steve Franklin, P.Eng.
Director of Building and
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Scarborough District

Applicant's Information:

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ATTACHMENTS

Attachment 1 – Letter from applicant
Attachment 2 – Site plan
Attachment 3 – Photo of building