



STAFF REPORT ACTION REQUIRED

Request to Grant or Refuse the Application to Demolish a Residential Building at 53 Havendale Road with No Building Permit Issued.

Date:	September 24, 2009
To:	Scarborough Community Council
From:	Director of Toronto Building, Scarborough District
Wards:	Ward 39 – Scarborough-Agincourt
Reference Number:	2009SC014 File No: 09-134867

SUMMARY

This staff 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 53 Havendale Road to Scarborough Community Council to grant or refuse the application, including any conditions, if any, to be attached to the permits.

RECOMMENDATIONS

Toronto Building, Scarborough District, recommends that:

- 1) The application to demolish the subject residential building be approved 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;
- d) that any holes on the property are backfilled with clean fill;
- 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;
- 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; and
- g) that the approval of Toronto Public Health is obtained prior to the permit issuance.

Financial Impact

There are no financial implications resulting from this report.

COMMENTS

On May 7, 2009, Ms. Michelle Docherty submitted a demolition permit application to demolish an existing single family dwelling at 53 Havendale Road. A building permit application for the replacement building has not been made.

In a letter dated September 18, 2009, the solicitors for the owner submitted a letter stating that the owner intends to demolish the property due to extensive mould, deterioration and the presence of asbestos on the property. The owner's plan is to market and sell the land once the demolition had been completed.

A dust control plan has been submitted. It will be forwarded to Toronto Public Health for their review.

The subject property is zoned Single Family Residential in the Tam O'Shanter Community By-law No. 12360. The building is not listed on the City's Inventory of Heritage Properties.

The demolition application is being referred to Scarborough Community Council because the building proposed to be demolished is a residential building and the applicant has not received a permit to replace the building or to redevelop the site. In such cases, By-law 1009-2006 requires Community Council to issue or refuse the demolition permit.

CONTACT

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SIGNATURE

Steve Franklin, P. Eng.
Director and Deputy Chief Building Official
Scarborough District

Applicant's Information:

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ATTACHMENTS

Attachment 1 - Letter from Owner's Solicitor

