TORONTO

STAFF REPORT
ACTION REQUIRED

Request to Grant or Refuse the Application to Demolish a Residential Building at 1465 Birchmount Road with No Building Permit Issued.

Date:	September 24, 2009
To:	Scarborough Community Council
From:	Director of Toronto Building, Scarborough District
Wards:	Ward 37 - Scarborough Centre
Reference Number:	2009SC013 File No: 09-156238

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 1465 Birchmount 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; 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

There are no financial implications resulting from this report.

COMMENTS

On August 11, 2009, Mr. Ben Murray submitted a demolition permit application to demolish an existing single family dwelling at 1465 Birchmount Road. The building permit application for the replacement building has not been issued.

The owner is developing the property into a four unit townhouse. A building permit application has been made and review is in progress. In a letter dated September 10, 2009, Mr. Murray requested that a demolition permit be issued prior to the issuance of the replacement building permit. He also submitted a report from a consulting engineer indicating that the building is a safety hazard and that the roof can collapse in a snow or wind storm.

The subject property is zoned Single Family Residential in the Dorset Park Community By-law No. 9508. 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

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Steve Franklin, P. Eng.
Director and Deputy C.B.O.
Scarborough District

Applicant's Information:

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ATTACHMENTS

Attachment 1 - Letter from Applicant
Attachment 2 – Report from Consulting Engineers