



## **STAFF REPORT ACTION REQUIRED**

### **Demolition Control Applications 1678 Jane Street**

<b>Date:</b>	January 18, 2010
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Mark Sraga, Director and Deputy Chief Building Official
<b>Wards:</b>	York South-Weston - Ward 11
<b>Reference Number:</b>	2010EY020

### **SUMMARY**

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This staff report is regarding a matter for which Community Council has been delegated authority from City Council to make a final decision.

On October 6, 2009, Toronto Building received a demolition permit application to demolish a one storey mixed-use structure located at 1678 Jane St. Toronto Building has not received a building permit application to replace the building to be demolished as of this date.

In accordance with By-law No 1009-2006 (former City of Toronto Municipal Code, Chapter 14, Article 1, Demolition Control), the above noted demolition permit application is submitted to the Etobicoke York Community Council for consideration and decision, due to the fact that a building permit has not been issued to replace the building, and whether to refuse or grant the demolition permit application, including conditions if any, to be attached to the permit.

### **RECOMMENDATIONS**

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Toronto Building recommends that Etobicoke York Community Council give consideration to this demolition application and the following options:

- a) Refuse the application to demolish the subject one-storey single family dwelling because there is no permit application to replace the buildings on the site; or,

- b) Approve the application to demolish the subject one-storey single family dwelling without conditions; or
- c) Approve the application to demolish the subject one-storey residential building with the following conditions:
  - i. 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;
  - ii. that the demolition of the building be in strict adherence with the recommendations issued on November 23, 2009 by the Healthy Environments ;
  - iii. that all debris and rubble be removed immediately after demolition;
  - iv. that sod be laid on the site and be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5, and 629-10, paragraph B; and
  - v. that any holes on the property are backfilled with clean fill.

## **FINANCIAL IMPACT**

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

## **ISSUE BACKGROUND**

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The City of Toronto Municipal Code [Chapter 363, Article II “Demolition Control” Subsection D (1)] requires that the applications be referred to Community Council for consideration if no building permits are issued to erect replacement buildings on the property.

## **COMMENTS**

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On October 6, 2009 Toronto Building received a demolition permit application for a one storey mixed-use building at 1678 Jane St. The property is located on the west side of Jane St. south of Lawrence Ave. W. in the former City of York and is zoned LCR.

In September of 2009 Toronto Building inspections staff had issued an Order to Remedy Unsafe Building, pursuant to Subsection 15.9(4) of the Building Code Act, 1992. The existing brick veneer located on the north elevation collapsed due to lack of foundation support. The owners were advised to secure the immediate area with construction fencing and to submit plans to the City to obtain a building permit to remedy the unsafe condition.

During a recent inspection at the site, it was observed that the building is now vacant and is secured by construction fencing.

The owners had advised City staff that they will be seeking permission to demolish the existing structure with no plans to reconstruct. A Designated Substance Survey and Dust Control Plan prepared by McClymont & Rak Engineers, Inc for 1678 Jane St. were reviewed by Healthy Environments staff. Based on the information provided in the report staff at Healthy Environments has no objection to the issuance of the demolition permit provided that the demolition of the building be in strict adherence with staffs recommendations issued on November 23, 2009.

The application is being submitted to the Etobicoke York Community Council for consideration because no building permit application for a replacement building has been received by Toronto Building. In such cases, By-law 1009-2006, and the Municipal Code, requires Community Council to issue or refuse the demolition permit.

In accordance with By-law 1009-2006 1.D. (4), Community Council may impose any reasonable conditions which have regard to the nature of the residential property, including the preservation of significant natural features, as well as requiring the erection and maintenance of structures and enclosures. In addition, under the City of Toronto Act, City Council may revoke the demolition permit if the demolition has not been seriously commenced six months after the permit issuance, or the demolition has been substantially suspended or discontinued for a period of more than one (1) year.

Given it is the applicant's intention to demolish the one-storey residential building and leave the site vacant, if it is Community Council's decision to issue the demolition permit, it is my recommendation that reasonable conditions should be included to require the removal of debris, maintenance of the site in accordance with the City's Property Standards By-law, and the erection of fencing, if deemed necessary.

Memorandums were forwarded to the Area Councillor, Urban Forestry and Heritage for review and response.

## **CONTACT**

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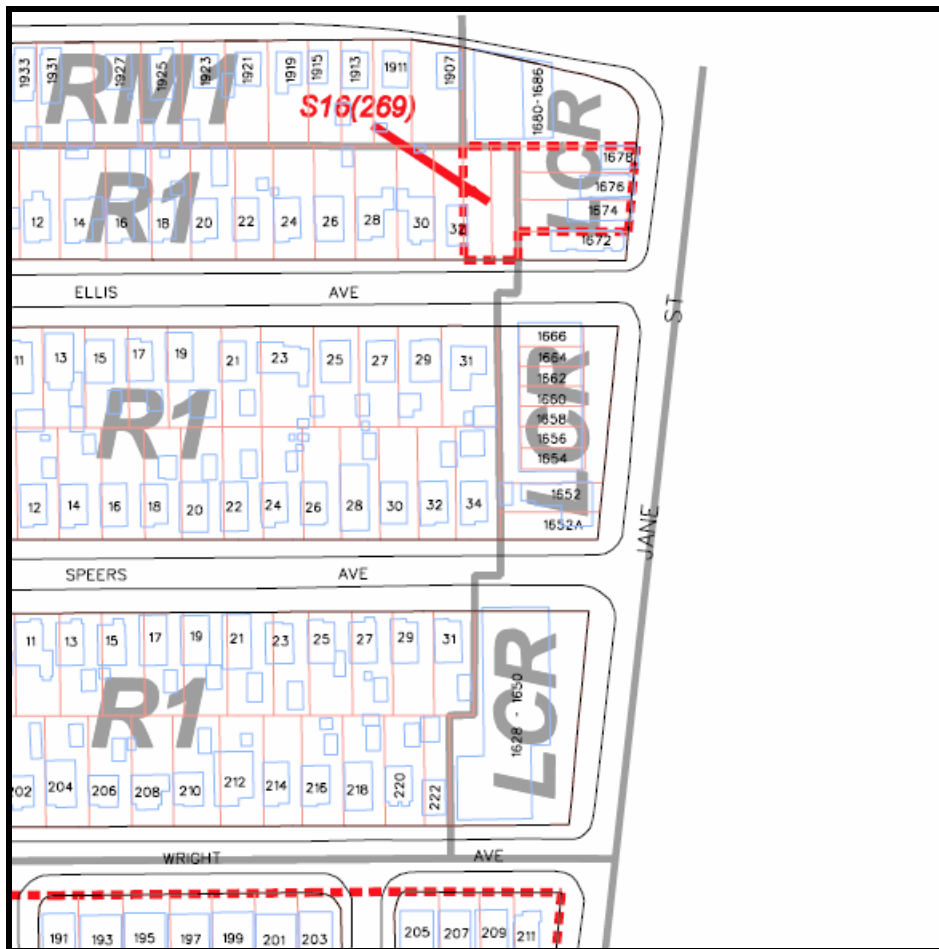
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Mark Sraga  
Director of Building and  
Deputy Chief Building Official  
Etobicoke York District

## ATTACHMENTS

1. Zoning Map
2. Site Plan
3. Google Photo & Map
4. Photo of Existing Site

### ATTACHMENT 1- ZONING MAP



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### ATTACHMENT 3 – GOOGLE PHOTO & MAP





## ATTACHMENT 4 – PHOTOS OF EXISTING SITE

(Front of the Building)



(Back of the Building)





Applicant:

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