



## STAFF REPORT ACTION REQUIRED

### Demolition Control Applications 154 Park Lawn Rd.

<b>Date:</b>	February 15, 2010
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Mark Srage, Director and Deputy Chief Building Official
<b>Wards:</b>	Etobicoke-Lakeshore, Ward 5
<b>Reference Number:</b>	2010EY038

### 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 September 11, 2009, Toronto Building received a demolition permit application to demolish a two storey residential building located at 154 Park Lawn Rd. 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 two 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 all debris and rubble be removed immediately after demolition;
  - iii. 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
  - iv. 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 September 11, 2009 Toronto Building received a demolition permit application for a two storey residential building at 154 Park Lawn Rd. The property is located on the west side of Park Lawn Rd. south The Queensway in the former City of Etobicoke. The residential dwelling is located within an IC1 zone and therefore is legal non-conforming residential use.

The owners had advised City staff that they will be seeking permission to demolish the existing structure with no plans to reconstruct until a site plan approval for a new commercial development is approved.

On January 6, 2010 two applications were received by the City, a site plan approval application to construct a new one storey building for Tim Horton’s restaurant with drive

through facility and a minor variance application to deal with zoning deficiencies under Etobicoke Zoning Code.

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 two storey residential building and leave the site vacant until a site plan approval for the proposed Tim Horton's restaurant is obtained, 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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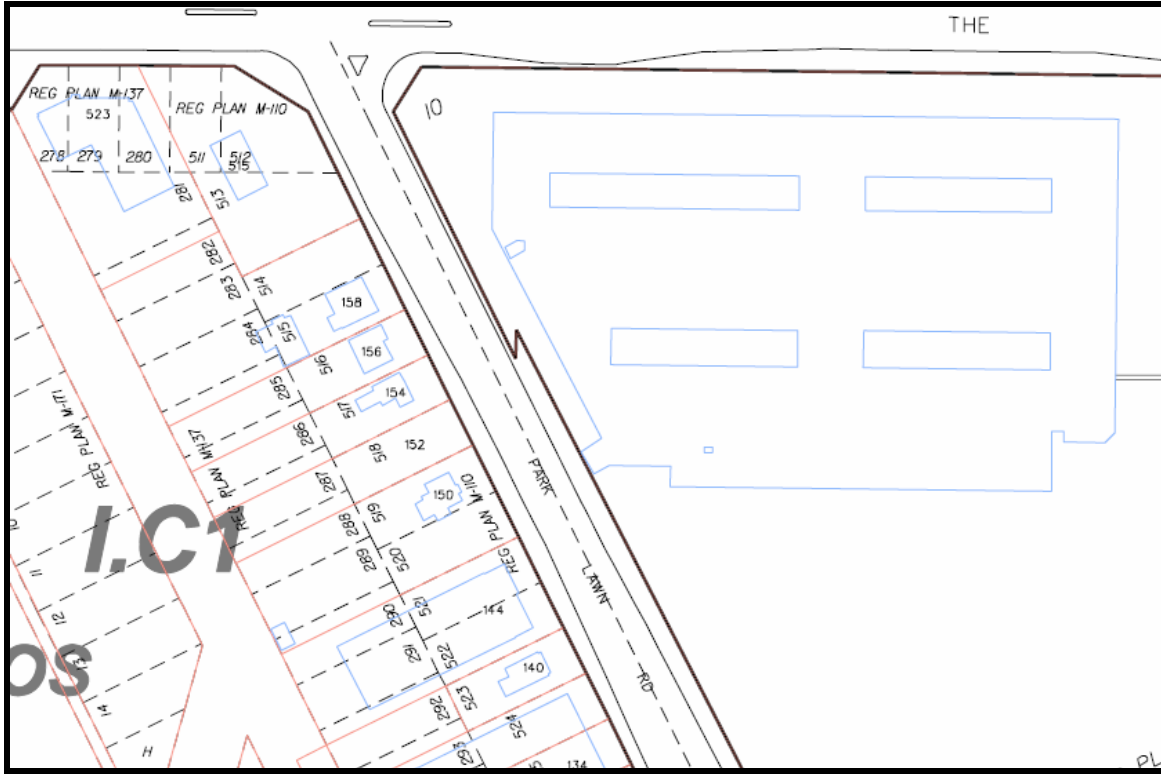
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Mark Sruga  
Director of Building and  
Deputy Chief Building Official  
Etobicoke York District

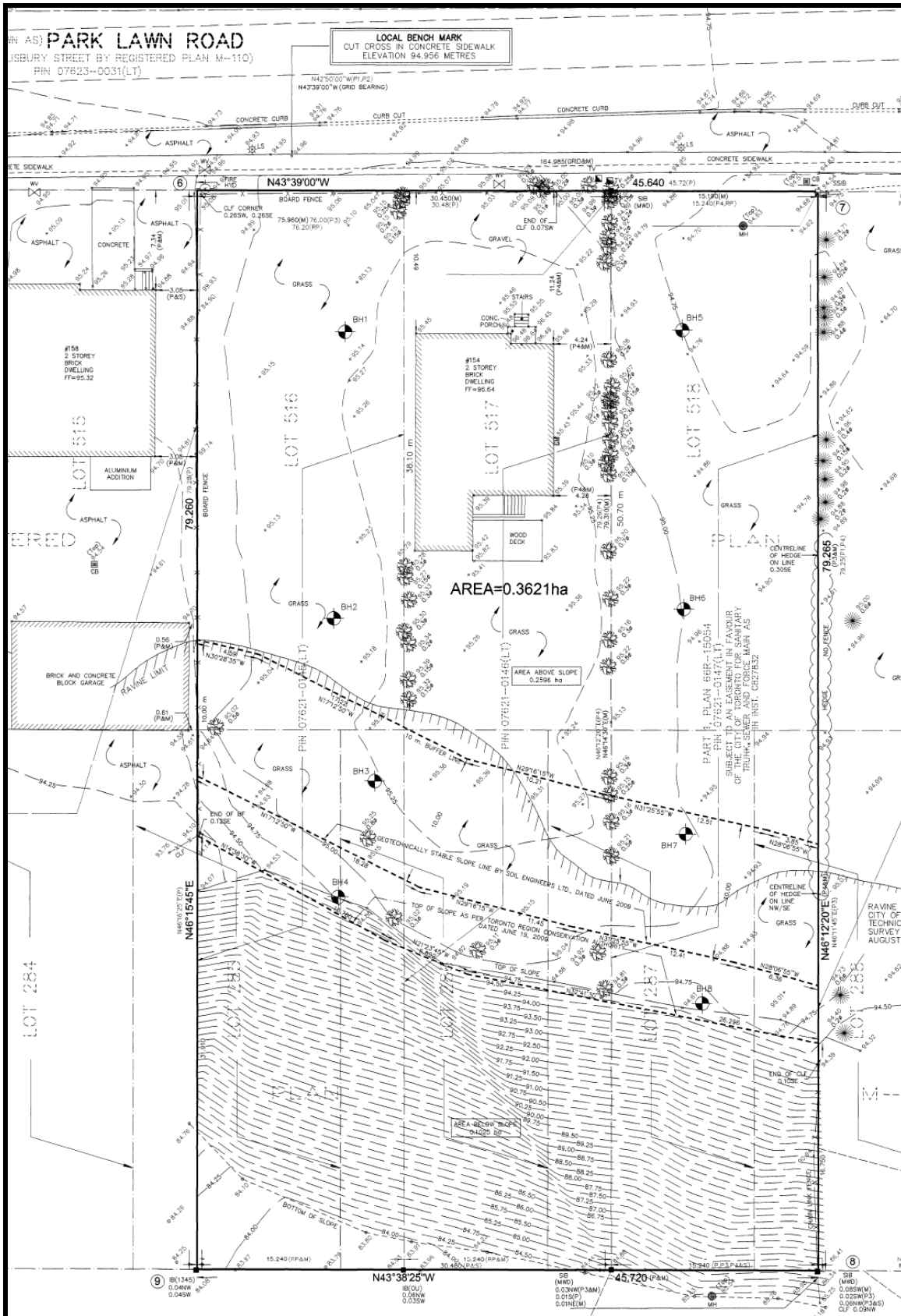
## **ATTACHMENTS:**

- Attachment 1- Zoning Map
- Attachment 2- Site Plan
- Attachment 3- Google Map

ATTACHMENT 1- ZONING MAP



ATTACHMENT 2 – SITE PLAN



ATTACHMENT 3 – GOOGLE MAP



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