



## STAFF REPORT ACTION REQUIRED

### Demolition Control Applications 447 Albion Rd

<b>Date:</b>	July 7, 2010
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Mark Srage, Director and Deputy Chief Building Official
<b>Wards:</b>	Ward 2 Etobicoke North
<b>Reference Number:</b>	2010EY064

### 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 June 9, 2010, Toronto Building received a demolition permit application to demolish a one storey single family dwelling at 447 Albion 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 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 the demolition application and decide to:

- 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 single family dwelling 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 and
  - v) the entire property is regulated under the Chapter 658 of the City of Toronto Municipal Code - Ravine and Natural Feature Protection therefore on the advise of Ravine and Natural Feature Protection, the applicant shall be advised of the following:

Prior to beginning of any demolition activities on site, all trees within 10m from the area of demolition must be protected according to the City of Toronto Tree Protection Policy and Specifications for Construction Near Trees (available at: <http://www.toronto.ca/trees/pdfs/TreeProtSpecs.pdf>). Tree protection must remain on site and in good condition until all demolition activities are completed.

No storage of materials or equipment is permitted within the tree protection zones. Failure to comply with the tree protection requirements or injury or destruction of any tree without a Ravine Permit would result in an infraction under the Ravine and Natural Feature Protection Bylaw. A person convicted of an offence respecting the regulations in the Ravine and Natural Feature Protection Bylaw is subject to fines, and the landowner may be ordered by the court to restore the area to the satisfaction of the City. A person convicted of an offence under this By-law is subject to a maximum fine of not more than \$100,000 or \$500 per tree, whichever is greater, and/or a maximum fine of \$100,000 for any other offence committed under this chapter, and/or a special fine of \$100,000. A person convicted of a continuing offence, including failure to comply with ravine permit conditions is liable to a maximum fine of not more than \$10,000 for each day or part of a day that the offence continues.

## **FINANCIAL IMPACT**

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

## **COMMENTS**

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On June 9, 2010 Toronto Building received a demolition permit application for a one storey single family dwelling at 447 Albion Rd. The building is not listed on the City's Inventory of Heritage Properties, and it is currently vacant.

Memorandums were forwarded to the Area Councillor, Urban Forestry and Heritage for review and response. To this date, Toronto Building has not received any comment from the Area Councillor however, Urban Forestry and Heritage staff has indicated that they have no interest on these properties.

During a recent inspection at the site, it was observed that the building was not demolished.

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 single family dwelling 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.

## CONTACT

Al. Jasinevicius, P.Eng.  
Manager, Plan Review  
Etobicoke York District  
Tel No: (416) 394-8046  
Fax No: (416) 394-8209  
ajasinev@toronto.ca

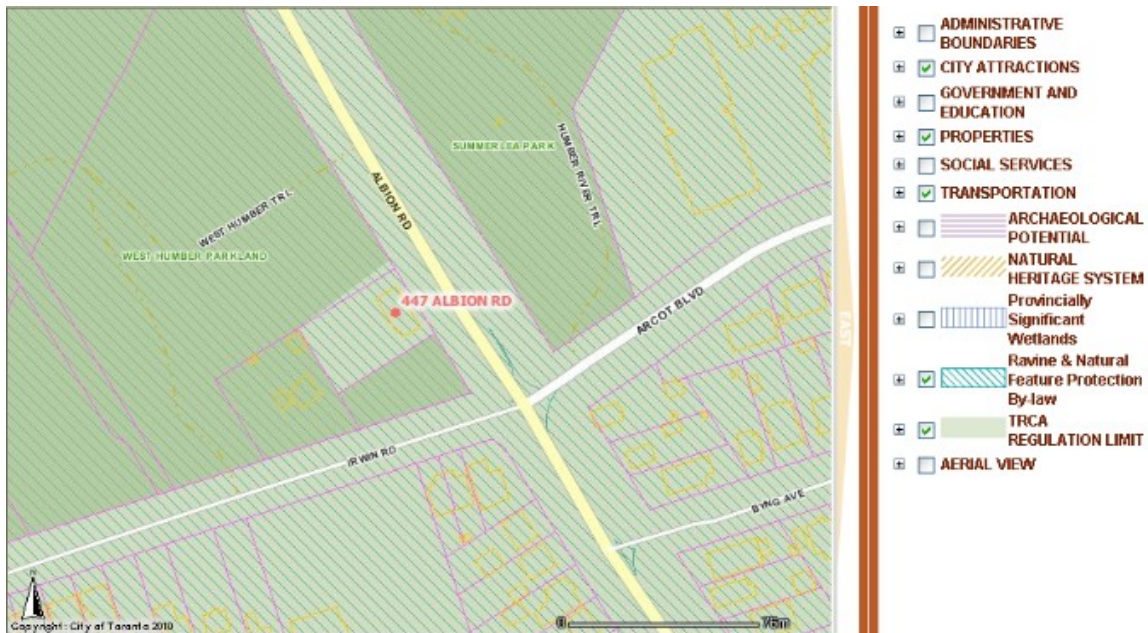
## SIGNATURE

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

## ATTACHMENTS

1. Site Plan
2. Pictures







Front elevation



Rear elevation

**APPLICANT:**

Toronto Regional Conservation Authority

1 Eastville Ave

Toronto, Ontario

MIM 2N5

Attention: James Dickie

Tel: (416) 392-9702

Fax: (416) 392-9726