



STAFF REPORT ACTION REQUIRED

Demolition Control Applications 435 Westmoreland Ave N

Date:	June 9, 2007
To:	Etobicoke York Community Council
From:	Mark Sraga, Director and Deputy Chief Building Official
Wards:	Ward 17 Davenport
Reference Number:	2010EY063

SUMMARY

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 1, 2010, Toronto Building received a demolition permit application to demolish a one storey single family dwelling at 435 Westmoreland Ave N. Toronto Building has received a building permit application under file no. 10 186358 BLD to replace the building to be demolished.

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 an objection to the demolition has been, and whether to refuse or grant the demolition permit application, including conditions if any, to be attached to the permit.

RECOMMENDATIONS

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 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 the applicant for the demolition permit construct and substantially complete 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 residential property is commenced.
 - ii) That on failure to complete the new building within the time specified 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 \$20,000 for each dwelling unit contained in the residential property in respect of which the demolition permit is issued and that
 - iii) such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

FINANCIAL IMPACT

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

COMMENTS

On June 1, 2010 Toronto Building received a demolition permit application for a one storey single family dwelling at 435 Westmoreland Ave N . 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 an objection was filed with Toronto Building to the demolition of this building. A building permit application for a replacement building has been received by Toronto Building under file number 10 186358 BLD. Zoning review has been carried out on this proposal and it has been found to comply with the standards set out in the former Toronto Zoning By-law 438-86. 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 construct a detached triplex, 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 until such time construction of the replacement building takes place.

CONTACT

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SIGNATURE

Mark Sraga
Director of Building and
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Etobicoke York District

ATTACHMENTS

1. Site Plan
2. Pictures





Front Elevation

APPLICANT:

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