



**STAFF REPORT  
ACTION REQUIRED**

**Residential Demolition Applications  
110 Sheppard Avenue West**

<b>Date:</b>	April 7, 2010
<b>To:</b>	North York Community Council
<b>From:</b>	Director of Toronto Building and Deputy Chief Building Official
<b>Wards:</b>	<b>Ward 23 – Willowdale</b>
<b>Reference Numbers:</b>	File No. 2010NY035 Folder Nos. 10 153526 Dem 00 DM

**SUMMARY**

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This staff report is about a matter that the Community Council has delegated authority to make a final decision provided that it is not amended so that it varies from City policy or by-law.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code Ch. 363, Article 11, “Demolition Control”, the application for a demolition permit at 110 Sheppard Avenue West is referred to North York Community Council to refuse or to grant the demolition permit.

On August 5, 2009, Wes Surdyka, of Wes Surdyka Architects Inc., submitted an application, on behalf of the owner of the property 1787337 & 1787338 Ontario Ltd c/o Jeffrey Preszler, for the demolition of a one and a half storey detached dwelling at 110 Sheppard Avenue West. The owner has requested issuance of a demolition permit and has indicated a replacement commercial office building will be constructed at a later date.

If the North York Community Council grants issuance of the demolition permit, it may do so with or without conditions.

## **RECOMMENDATIONS**

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**The Toronto Building Division recommends that North York Community Council give consideration to the demolition application, and:**

- a) Refuse the application to demolish the subject 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 single family dwelling without conditions; or
- c) Approve the application to demolish the subject 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.

## **COMMENTS**

The City of Toronto Municipal Code [Chapter 363, Article 11, “Demolition Control” Subsection D(1)] requires that applications be referred to Community Council for consideration if no building permit is issued to erect a replacement building on the property. The building is not listed on the City’s Inventory of Heritage Properties and is presently vacant.

The application for the demolition of the existing dwelling unit was circulated to the Heritage Preservation Services, Urban Forestry and the Ward Councillor. Toronto Building received clearance from Heritage Preservation Services but no clearance has been received from Urban Forestry (City and private trees). During a recent inspection of the site, it was observed that the building was not demolished.

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

In accordance with By-law 1009-2006, 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.

The applicant, on behalf of the owner, has indicated in his letter dated April 8, 2011, attached to this report, that the unoccupied house creates potential hazard for the owner as it has been broken into. He further states that demolition of this house would allow for early cleaning of the site for preparation for the future construction of a proposed 3 storey office building at this location.

The owner intends to re-develop the site and has filed concurrent Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications in January 2010 which will commence the lengthy Planning process of amending the Official Plan and Zoning By-law.

Given it is the applicant's intention to demolish the one and a half 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.

## **CONTACT**

Diane Damiano, Manager Plan Review, Tel: 416-395-7561; Fax: 416-395-7589  
E-mail: damiano@toronto.ca

## **SIGNATURE**

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Edward Tipping, P. Eng.  
Deputy Chief Building Official and Director,  
Toronto Building, North York District.

## **ATTACHMENTS**

1. Zoning Map
2. Site Plan
3. Applicant's letter

# Attachment #1 - Zoning Map





## Attachment 3 – Applicant's letter

**WES SURDYKA**  
*a r c h i t e c t | i n c.*

April 8, 2010

Ms. Dianne Damiano

City of Toronto  
North York Civic Centre  
5100 Yonge Street  
Toronto, Ontario  
M2N 5V7

Dear Madam:

**Re: Demolition permit for  
110 Sheppard Avenue West**

Proposed 3 storey office building  
1787337 & 1787338 Ontario Ltd c/o Jeffrey Preszler

In response to your inquiry about reasons for this permit application, I would like to advise you that I have contacted the owner and discussed this issue with him. The house, unoccupied at this time, has been broken into and creates potential hazard for my client. It needs unnecessary insurance and it is a burden to maintain. Demolition of this house would allow for early cleaning of the site and for preparation for future construction of proposed office building. Concurrent applications for Official Plan Amendment, Zoning By-law Amendment and Site plan Control Applications have been submitted to the City on January 27 2010.

Your assistance in this matter is greatly appreciated. Please don't hesitate to call if you require any additional information.

Regards  
Wes Surdyka Architect Inc

Wes Surdyka M.Sc.Arch., OAA

Cc: Mr. Jeffrey Preszler

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