



## STAFF REPORT ACTION REQUIRED

### Residential Demolition Application 391 Spring Garden Avenue

<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. 2010NY037 Folder No. 09-198723 DEM 00 DM

### SUMMARY

---

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", applications for demolition permit at 391 Spring Garden Avenue is referred to North York Community Council to refuse or to grant the demolition permit.

On December 21, 2009, Leona Savoie of Clairtrell Development Inc., submitted an application for the demolition of a single detached residential unit located at the south east corner of Clairtrell Road and Spring Garden Avenue.

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

## **RECOMMENDATIONS**

---

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

- a) Refuse the application to demolish the single family dwelling because there is no permit application to replace the buildings on the site; or,
- b) Approve the application to demolish the single family dwelling without conditions; or
- c) Approve the application to demolish the subject 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.

## **FINANCIAL IMPACT**

---

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 owner of the lands, have submitted an application to demolish the single detached residential unit at 391 Spring Garden Avenue. This lot along with four abutting residential lots located at 17-23 Clairtrell Road, the subject of a separate Residential Demolition Report, form part of a development application for a 7 storey, 139 unit condominium building. Applications for Official Plan and Zoning By-law Amendments have been filed with the City.

The owner, in a letter dated March 18, 2010, Attachment #3 to this report, have indicated their intent to proceed to finalize a draft Zoning By-law for consideration at a May or June 2010 meeting of the North York Community Council. The applicant wishes to commence cleaning up the property in advance of construction of the proposed new condominium building.

The application for the demolition of the single family dwelling has been circulated to the Heritage Preservation Services, Urban Forestry, Medical Officer of Health and the Ward Councillor, and no comments have been received.

The 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 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.

Given it is the applicant's intention to demolish the 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**

---

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

## **ATTACHMENTS**

1. Zoning Map
2. Survey
3. Applicant's letter



Attachment #1 - Zoning Map





Building Department  
City of Toronto, North York District  
North York Civic Centre  
5100 Yonge St. 4<sup>th</sup> Floor,  
North York, Ontario  
M2N 5V7

March 18, 2010

Attention Diane Damiano  
Re: 17-23 Clairtrel Road and 391 Spring Garden Ave  
Demolition of Residential Units, North York

Dear Diane,

Subsequent to our conversation of March 17, 2010 we are following up on our application for a permit to demolish 5 residential units in the City of North York. We are formally requesting permission for the demolition of 5 residential units located on the south east corner of Clairtrel and Spring Garden, being 17-23 Clairtrel Road and 391 Spring Garden Avenue specifically.

A brief synopsis of the project status is as follows. We have made an application (No. 07288764NNY23OZ, Official Plan and Zoning By-Law Amendment Application) for a proposed 7 Storey and 139 unit Condominium building. We are in receipt of municipal comments, and we are currently coordinating revisions to our drawings accordingly. A Community Consultation Meeting was held on March 11, 2010, and have recently received advice from our Planner, Mr. Rob Gibson, that we should proceed to finalize our draft Zoning By-Law in hopes to have a final staff report brought forward for Community Council consideration in May or June of this year.

Currently, three of the residential properties are vacant and the remaining two houses will be vacant by the end of April. We are concerned that the properties will shortly begin to appear in disrepair negatively impacting the quality of the streetscape. We wish to manage the site by demolishing and cleaning up the properties until such time as we are ready to commence construction.

Thank you very much for your assistance. Please advise if you require anything further, in order to advance the release of a permit for the demolition of these units.

Y very truly,

Manager

170 The Donway West, Suite 307, Don Mills, ON M3C 2G3 T: 416-444-7391 F: 416-445-4849  
www.rockportgroup.net

### Attachment #3 – Applicant’s Letter