



**STAFF REPORT
ACTION REQUIRED**

Residential Demolition Application – 123 Dunvegan Road

Date:	February 3, 2016
To:	Toronto and East York Community Council
From:	Director, Toronto Building, Toronto and East York District
Wards:	Ward 22 (St. Pauls)
Reference Number:	Demolition Application No. 15-255847 DEM P:\2016\Cluster B\BLD\TE16004

SUMMARY

In accordance with city-wide residential demolition control under Article II, Demolition Control, of Municipal Code Ch. 363, as amended by By-law No. 1009-2006, enacted by the City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the demolition application for 123 Dunvegan Road to you, to decide whether to grant or refuse the applications, including conditions, if any, to be attached to the permits.

This staff report is regarding a matter for which the Community Council has delegated authority from City Council to make a final decision.

RECOMMENDATIONS

Toronto Building recommends that the Toronto and East York Community Council:

1. Refuse the applications to demolish the subject residential building at 123 Dunvegan Road because there is no building permit for a replacement building on the site.

Or, in the alternative,

2. Approve the applications to demolish the detached, two storey single family dwelling at 123 Dunvegan Road with the following conditions:
 - a) that all debris and rubble be removed immediately after demolition;
 - b) any holes on the properties are backfilled with clean fill; and

- c) the owner shall satisfy all matters relating to City and privately owned trees, to the satisfaction of the Supervisor, Urban Forestry, Tree Protection and Plan Review including:
 - (i) the property owner submitting complete applications for the injury and removal of private and/or City trees located on or adjacent to the subject site;
 - (ii) the property owner paying a tree protection security deposit guarantee in an amount acceptable to the General Manager, Parks Forestry and Recreation;
 - (iii) the property owner paying a tree loss payment for City trees that will require removal in an amount acceptable to the General Manager, Parks Forestry and Recreation.

Financial Impact

Not applicable.

COMMENTS

On November 24, 2015, the owner of 123 Dunvegan Road submitted a demolition permit application to demolish the existing two storey residential building on the premises. He is also the owner of 125 Dunvegan Road, the property immediately to the north of 123 Dunvegan Road.

The owner intends to demolish the dwelling at 123 Dunvegan Road in order that the site can be used for the purposes of landscaped open space in conjunction with the adjacent property at 125 Dunvegan Road. A letter of explanation that accompanies the application, which is attached, has been supplied by the Solicitor on behalf of the owner and provides explanation of the owner's intent to maintain the area as landscape open space.

Also attached are design and rendering plans including a grading plan prepared by Belisle/Murray Landscape Architects on behalf of the owner. The drawings demonstrate that the lands would be developed with tree plantings and architectural features such that the residential properties at 123 and 125 Dunvegan Road would have a common front, side, and rear yard area.

The design drawings indicate that the existing driveway located at the south end of the property currently serving 123 Dunvegan Road would be removed and the area replaced with additional soft surface area, plantings and architectural features. In support of the application, the owner has also retained the services of a certified arborist. Attached is a copy of the Arborist Report letter prepared by Central Tree Care Ltd.

The application for the demolition has been circulated to Urban Forestry- Tree Protection and Protection Review, and the Ward Councillor. Additionally, notice respecting Residential Demolition has been posted on the premises. No objection has been received regarding the

proposed demolition and comments from Urban Forestry- Tree Protection and Plan Review have been incorporated into the recommendations of the report.

This demolition application for 123 Dunvegan Road is being referred to the Toronto and East York Community Council because the site contains a residential building that is proposed to be demolished and the owner will not seek a permit to replace the building on the site.

In accordance with Section 2 of the City of Toronto Act, 1991 (No.4), C.Pr24, S.O.1991, Toronto and East York Community Council may impose any reasonable conditions which have regard to the nature of the residential property, including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures.

CONTACT

Tony D'Arpino, Acting Manager, Plan Review, Toronto Building - Toronto and East York District; Tel.: (416) 392-7632; Fax: (416) 392-7536; email address: tdarpin@toronto.ca

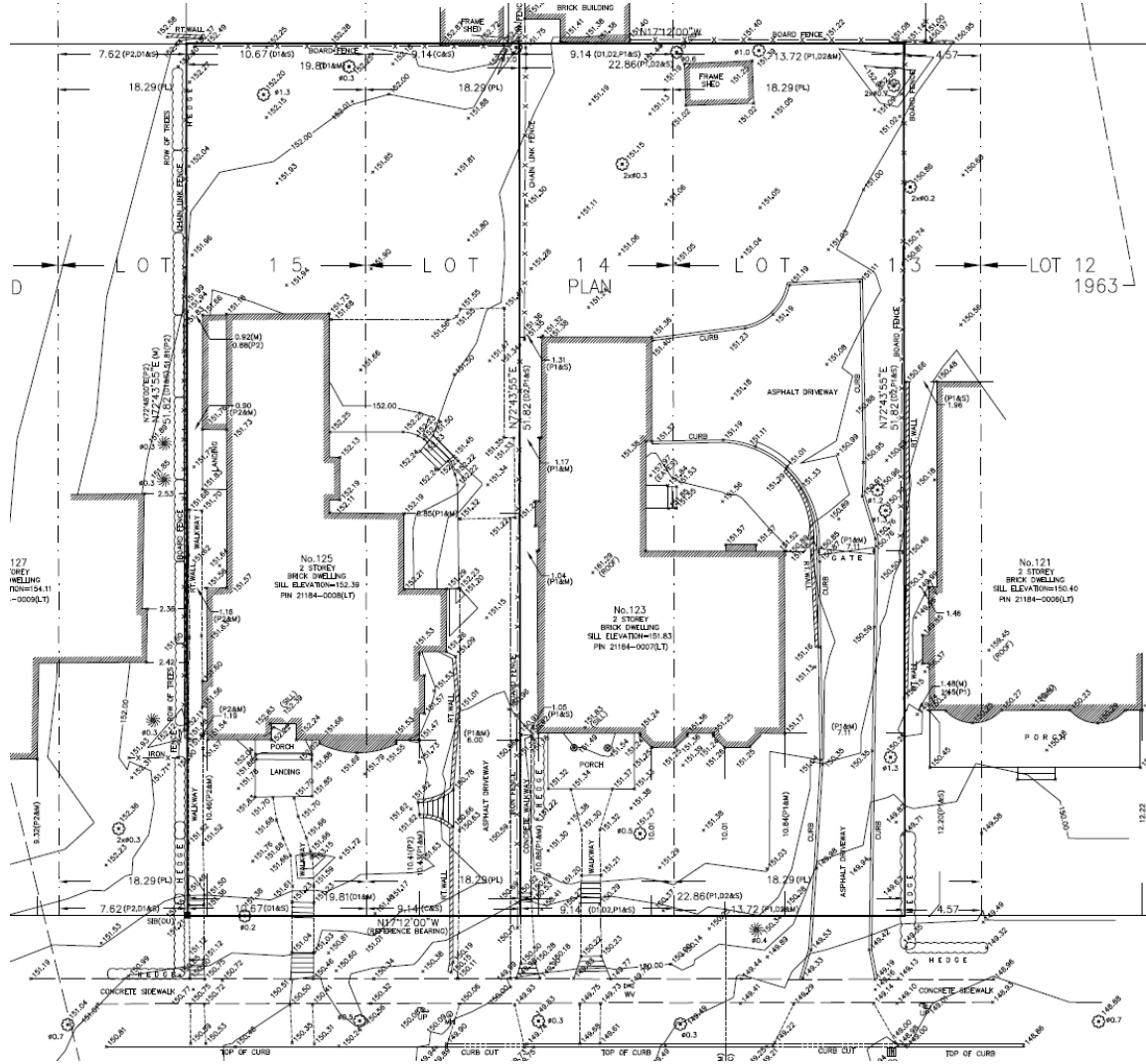
SIGNATURE

Mario Angelucci,
Deputy Chief Building Official and Director
Toronto Building, Toronto and East York District

ATTACHMENTS

1. Plan Showing 123 and 125 Dunvegan Road
2. Copy of Solicitor's Letter
3. Copy of Concept Design and Grading Plans by Belisle/Murray Landscape Architects
4. Copy of Arborist Report by Central Tree Care Ltd.

Attachment 1: Plan Showing 123 and 125 Dunvegan Road



Attachment 2: Copy of Solicitor's Letter



November 18, 2015

Our File No.: 00-1773

Toronto Building (Toronto and East York District)
Toronto City Hall
100 Queen Street West
Toronto, ON, M5H 2N2

Attention: Mr. Frank Simo, Manager, Toronto Building

Dear Mr. Simo:

Re: RESIDENTIAL DEMOLITION APPLICATION pursuant to Section 33(7) of the Planning Act in respect of the property municipally known as 123 DUNVEGAN ROAD in the City of Toronto.

We are the solicitors for the owners of two adjacent properties municipally known as 123 and 125 Dunvegan Road in the City of Toronto. The two properties are located within the area commonly referred to as the "Village of Forest Hill", which properties are both located on the east side of Dunvegan Road, north of the intersection of Dunvegan Road and Frybrook Road.

Our client purchased the property municipally known as 123 Dunvegan Road so as to expand upon their current yard and landscaped open space area associated with the adjacent property municipally known as 125 Dunvegan Road. Our client proposes to demolish the existing home at 123 Dunvegan Road and continue to maintain such property as an extended landscaped open space area, similar to other similar properties within the immediate area. The two properties will be owned by related owners, with no intention to construct a new home on the "cleared" lot, but instead, with the intention of maintaining the open space area as part of a combined front, side and rear yard area.

Our client has retained a landscape architect to move forward with a comprehensive landscape plan that will seamlessly knit together the open space on the newly vacant lot with the existing landscaped area located on the property where the existing home is to remain. We can also confirm that our client has shared their intention to demolish the existing home at 123 Dunvegan Road so as to replace the house with an expanded yard, with the adjacent neighbours raising no concerns whatsoever.

In support of the enclosed application for a Residential Demolition Permit, enclosed herewith are the following materials:

- 1) A completed Demolition Permit Application form;
- 2) A completed Demolition Permit Application checklist;

SHERMAN • BROWN • DRYER • GOLD
PRACTICING IN ASSOCIATION

5075 YONGE STREET • SUITE 900 • TORONTO, ONTARIO • M2N 6C6 • TELEPHONE: (416) 222-0344 • FACSIMILE: (416) 222-3093
The individual lawyers named above practice in association with Adam I. Brown Professional Corporation

Attachment 2: Copy of Solicitor's Letter

2

- 3) A completed Municipal Road Damage Deposit form;
- 4) 1 copy of the Boundary & Topographical Survey dated September 1, 2015;
- 5) 1 copy of the Arborist Report dated October 30, 2015; and
- 6) 1 copy of the Landscape and Grading Plans including coloured renderings dated October 28, 2015.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned, or Charles Arbez, a Planner in our office.

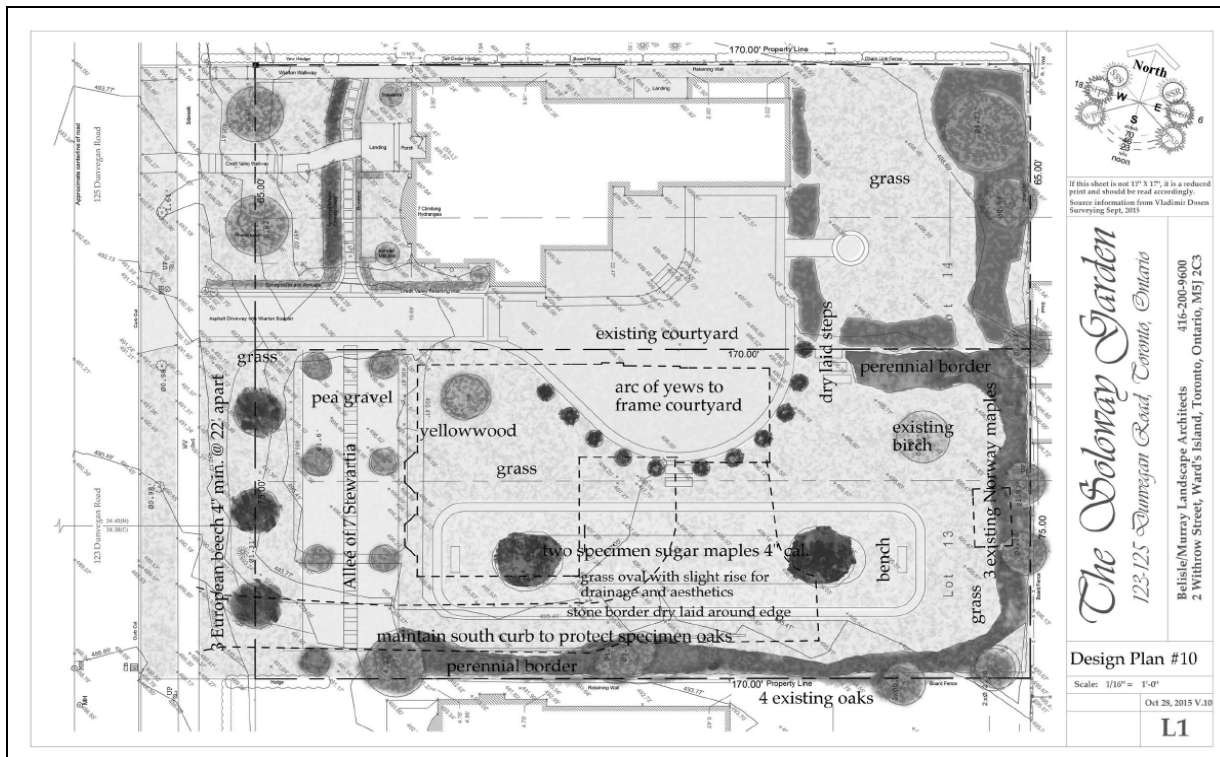
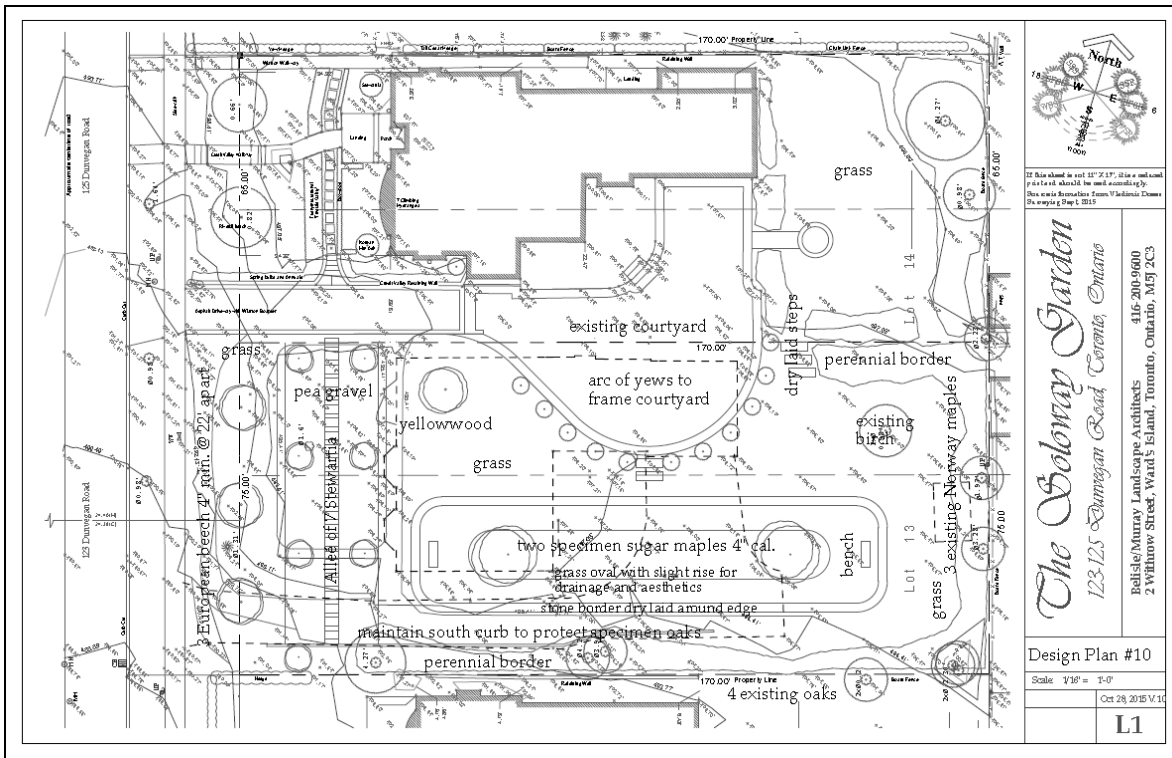
Yours very truly,



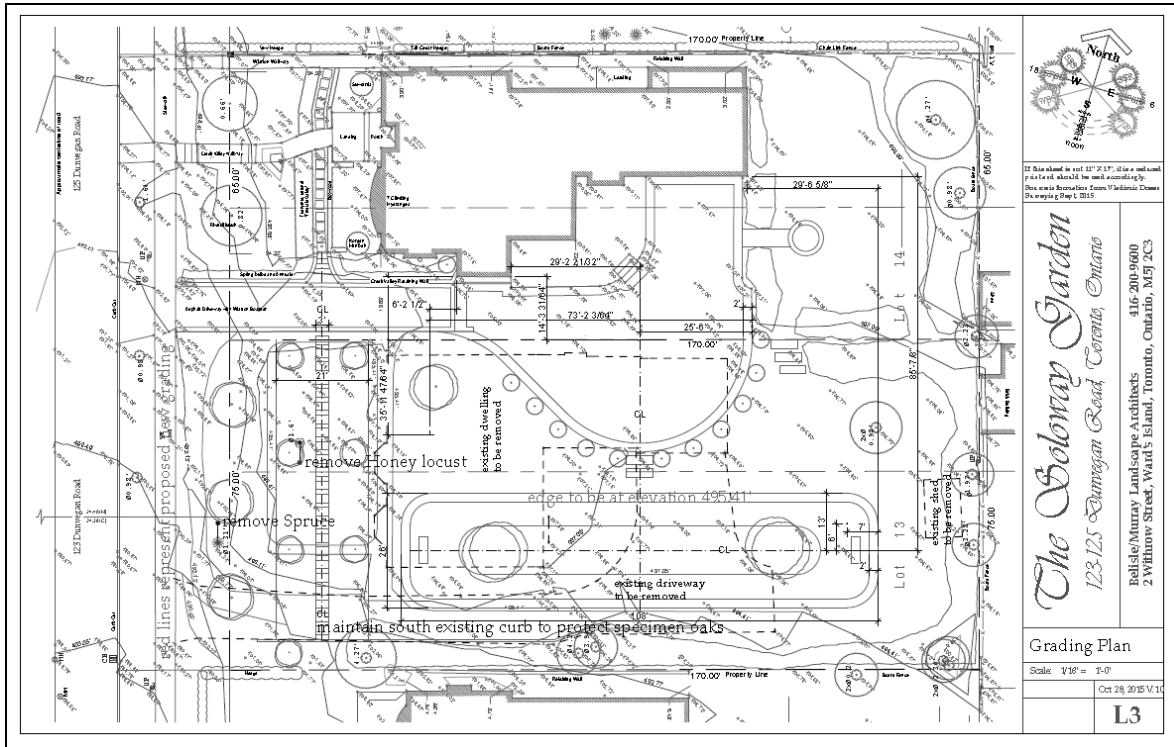
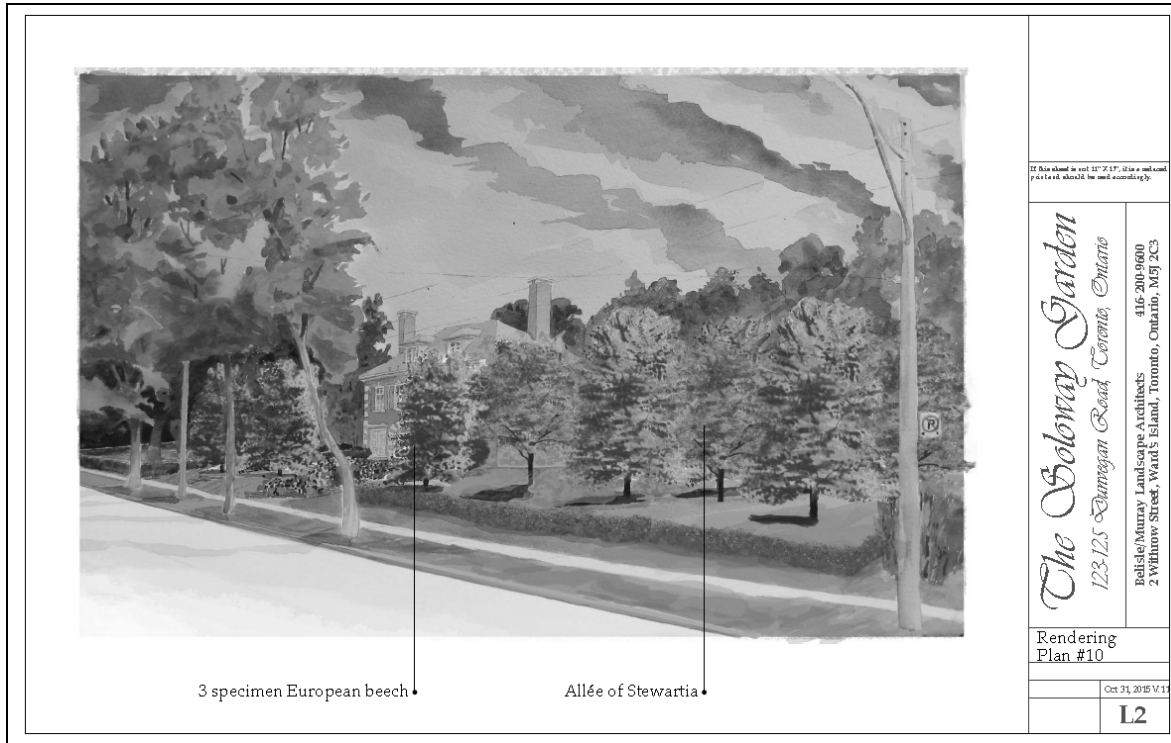
Adam J. Brown

cc: Mr. Blake Webb (Senior Constituency Assistant to Councillor Matlow, Ward 22)


**Attachment 3: Copy of Concept Design and Grading Plans by
Belisle/Murray Landscape Architects**



**Attachment 3: Copy of Concept Design and Grading Plans by
Belisle/Murray Landscape Architects**



Attachment 4: Copy of Arborist Report by Central Tree Care Ltd.



**CENTRAL
TREE
CARE LTD**

ADAM VANDERMEIJ
48 St. Quentin Avenue, Toronto, ON M1M 2M8
P: 416 285 4750 C: 416 459 5395 F: 416 285 4749
adam@centraltreecare.com

Since 1996

centraltreecare.com

October 30, 2015.

Urban Forestry, Tree Protection & Plan Review
50 Booth Avenue
Toronto, ON M4M 2M2
T (416) 392-0967
F (416) 392-7277
E tpprsouth@toronto.ca

Marion Soloway
125 Dunvegan Rd
Toronto ON M4V 2R2
T 416 484 1300
E sheilamurraybedisle@gmail.com

Re: 123 Dunvegan Road

Summary

Central Tree Care Ltd. has been contracted by Marion Soloway of 125 Dunvegan Road to prepare an arborist report for 123 Dunvegan Road. The purpose of this report is to assess the impact to the surrounding trees as a result of the proposed construction.

The proposed work includes removal of the existing dwelling, shed and driveway and replacement with a new landscape. No new dwelling will be constructed. Two trees are proposed for removal as a result of the landscape. The overall plan will benefit the community by increasing the amount of trees and reducing water runoff into city drains. If all recommendations within this report are strictly adhered all trees slated for preservation will likely do much better than they already are.

A tree inventory assessment was completed on October 27th, 2015 and has been indexed in Appendix I. Photo documentation can be found in Appendix II.

Assessment & Discussion

The site plan provided indicates the existing dwelling to be removed and landscape work within the tree protection zones (TPZ) of four trees. Two of these trees will require removal (trees # 3 and 4) due to their location in the footprint of grading activities but the 100m caliper new trees being planted far outweigh the loss of these two specimens.

There are grade changes at the front of the property that come within 4.2m of tree 5, a 124cm Red oak. The grade will be increased by approximately 15cm within the TPZ and will be lowered by slightly more outside the TPZ. The grading work classifies as an injury but will have little effect on the tree 6. It should be noted that the eventual removal of the driveway and increase in permeable surface around this tree will have a positive effect on its health. That being said, the grading within the TPZ must be completed by hand.

The south concrete curb along the driveway, closest to trees 5 and 6, will be preserved to avoid damaging base of either tree.

The grade is proposed to be raised by (60cm) 2' north of tree 6, 4.8m from the trunk. This work will have little effect on tree 6 if a sandy loam soil is used. Sandy loam soil is porous enough that it won't interrupt the gas exchange of the roots. All of this work must be completed by hand to prevent compaction of the soil. The removal of the driveway and replacement with soft landscaping will benefit tree 6.

The dry-laid stone border proposed at the rear enters the minimum tree protection of tree 6. This work should not constitute an injury application if it is completed after all other work is finished.

Central Tree Care Ltd. 10/30/2015

Attachment 4: Copy of Arborist Report by Central Tree Care Ltd.

The driveway must be maintained during the demolition of the dwelling and delivery of the required soil and landscape materials. Once the dwelling demo and deliveries are complete the driveway may be removed in the presence of an arborist. The existing sub-base must be left intact and new soil added on top to prevent any disturbance of the roots below.

There is a small shed inside the TPZ of trees 8 and 9. We recommend that this be removed by hand only and documented prior to the installation of the tree protection fencing. This will allow the barriers to fully protect these trees during the rest of the landscaping. The shed removal will have no negative effect of either tree.

Replacement Planting

To compensate for the removal of one city owned tree and one private tree the owner is required to plant three new specimens at a minimum of 50mm caliper on private property and one new 70mm tree on city property. The proposed landscape plan indicates five new 100mm trees on private property and one on city land. This will more than compensate for the loss of these two mid-size trees.

Conclusion

The proposal to remove the existing home and install a new landscape at 123 Dunvegan Road will dramatically improve the ecological and social benefit that this property provides to the neighbourhood. To facilitate the proposed work two trees will be removed; city owned tree 3 and privately owned tree 4. Another four trees will require applications to injure (#5, 6, 8 and 9). These injuries will have little or no effect on any of the trees. The proposed replacement planting will increase the total canopy coverage on this property, despite the proposed removals.

Summary of Recommendations

1. All grading work within a tree's TPZ must be conducted by hand.
2. The existing driveway must remain during the dwelling demolition and the delivery of soil to change the grade elevation in the backyard. It can be removed under arborist supervision once the deliveries are complete and no large equipment is required.
3. A section of tree protection fencing north of tree 5 must remain in place during dwelling demolition to prevent the damage to roots below. Once soft landscaping begins the fence can be removed.
4. The grade increase near tree 6 must utilize a sandy loam material to ensure no interruption of the gas exchange for its roots.
5. The existing shed near trees 8 and 9 should be removed prior to tree protection installation.

If there are any questions regarding this report please contact me at (416) 459-5395.

Thank You,

Mike Spendley ON-1379A
ISA Certified Arborist
c/o Adam Vandermeij ON-1562A



ON-1379A

Central Tree Care Ltd. 10/30/2015