



STAFF REPORT ACTION REQUIRED

Residential Demolition Application – 26 Old Forest Hill Road

Date:	May 15, 2007
To:	Toronto and East York Community Council
From:	Acting Director, Toronto Building, Toronto and East York District
Wards:	Ward 22 St. Paul's
Reference Number:	2007TE004

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 26 Old Forest Hill Road to you, to whether to grant or refuse the application, including any conditions, if any, to be attached to the permit.

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

RECOMMENDATIONS

1. That Toronto and East York Community Council refuse the application to demolish the subject residential building because there is no building permit for a replacement building on the site; in the alternative,
2. Approve the application to demolish the subject residential buildings without conditions; or,

3. Approve the application to demolish the subject residential building with the following condition:
 - (a) 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;
 - (b) A Tree Protection Security Deposit of \$8,341.00 received by Urban Forestry Services – Public Trees, Parks, Forestry & Recreation, prior to the issuance of this demolition permit, a copy of the notification letter from Urban Forestry Services is attached.

Financial Impact

Not applicable.

COMMENTS

On April 10, 2007, Andrew Paton of 181 University Avenue, Suite 2200, Toronto, as applicant for the current owner, Allan Jacob Phillips, applied for a permit to demolish the residential building at 26 Old Forest Hill Road.

The future owner, has entered into an Agreement of Purchase and Sale to purchase 26 Old Forest Hill Road, scheduled to be closed on May 31, 2007. He is also the owner of 24 Old Forest Hill Road, the property immediately to the south of 26 Old Forest Hill Road. The future owner is purchasing 26 Old Forest Hill Road for the purposes of demolition so that he might create and enlarge landscaped open space to be used in conjunction with 24 Old Forest Hill Road. See attachment for copy of letter of explanation from the applicant, who also is solicitor for the future owner; survey of 24 and 26 Old Forest Hill Road; Arborist Report by Shady Lane; and preliminary garden layout for 24 and 26 Old Forest Hill Road.

No objection has been received regarding the proposed demolition. No building permit for a replacement building has been applied for at the site. The owner, Allan Jacob Phillips, intends to use the site as a side garden to a single family detached house at 24 Old Forest Hill Road.

The application is being referred to the Toronto and East York Community Council because the City's records indicate the building contains a residential unit and the applicant will not be applying for a building permit to replace the existing building. In such cases, the Municipal Code requires the City Council to issue or refuse the demolition permit.

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. In addition, under the City of Toronto Act 1985, City Council may revoke the demolition permit if the demolition has not seriously commenced six months after permit issuance, or the demolition has been substantially suspended or discontinued for a period of more than one year.

CONTACT

Wade Tam, P.Eng., Acting Manager, Plan Review, Toronto Building, Toronto and East York District

Tel: (416) 392-7516, Fax: (416) 392-7516, E-mail: wtam@toronto.ca

SIGNATURE

Mario Angelucci, Acting Director, Toronto Building, Toronto and East York District

ATTACHMENTS

Copy of Urban Forestry letter on outstanding Tree Security Deposit

Copy of letter from Andrew Paton as solicitor for the future owner

Survey of 24 and 26 Old Forest Hill Road

Arborist Report by Shady Lane

Preliminary garden layout for 24 and 26 Old Forest Hill Road