



STAFF REPORT ACTION REQUIRED

Residential Demolition Application – 45 Bellevue Avenue

Date:	February 28, 2011
To:	Toronto and East York Community Council
From:	Acting Director, Toronto Building, Toronto and East York District
Wards:	Ward 20 Trinity-Spadina
Reference Number:	P:\2011\Cluster B\BLD\Toronto and East York\2011TE003 Demolition Application No. 08-201075 DEM

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 45 Bellevue Avenue to you, to whether to grant or refuse the application, including 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

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

1. Refuse the application to demolish the subject residential building at 45 Bellevue Avenue because there is no building permit for a replacement building on the site.

Or in the alternative,

2. Approve the application to demolish the subject residential building at 45 Bellevue Avenue with the following conditions:

- a. That the site be levelled, be free of debris and finished with gravel so that drainage does not adversely affect adjacent properties.
- b. The existing trees are protected and that approval be obtained from Urban Forestry prior to the issuance of a demolition permit.
- c. Any other 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.

Financial Impact

Not applicable.

COMMENTS

On September 8, 2008, Danny Zimmerman, as applicant for the owners, Sara and Zoltan Zimmerman, applied for a permit to demolish the residential building at 45 Bellevue Avenue.

The house on this address has been vacant for several years and boarded up. The owners presently have no plan to replace this building but are asking for permission to have it demolished, to the benefit of the neighbours on the street who have complained about this derelict house. They have agreed to have the site levelled, free of debris, and neatly covered in landscaping quality gravel. They also have agreed that the existing mature trees will be preserved, the property properly fenced in accordance with the Toronto Municipal Code, and a barrier of sufficient size and strength be erected to prevent dumping of debris or refuse.

No objection has been received regarding the proposed demolition. No building permit for a replacement building has been applied for at the site.

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 approve 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

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SIGNATURE

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

ATTACHMENT

Copy of the letter from Danny Zimmerman dated February 4, 2011, setting out the statement of intention and factors in support of this demolition proposal.
Copy of the survey.
Copy of the application form.