



## STAFF REPORT ACTION REQUIRED

### Residential Demolition Application – 72 Wells Hill Avenue

<b>Date:</b>	September 21, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director & Deputy Chief Building Official, Toronto and East York District
<b>Wards:</b>	Ward 21 – St. Paul's
<b>Reference Number:</b>	P:\2012\Cluster B\BLD\TE12012

### **SUMMARY**

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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 72 Wells Hill Avenue to you, 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**

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Toronto Building recommends that Toronto and East York Community Council approve the application to demolish the subject residential building at 72 Wells Hill Avenue, with the following conditions:

1. That the applicant/owner for the permit construct and substantially complete the new building to be erected on the site of the residential property proposed to be demolished by not later than two years from the day of demolition of existing residential property is commenced.

2. That, on failure to complete the new building within two years from the day demolition of the existing residential property is commenced, the Clerk of the municipality shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, such sum of \$20,000.00 for each dwelling unit contained in the residential property in respect of which the demolition permit is issued and such sum shall, until payment thereof, be a lien or charge upon the land in respect of which the permit to demolish the residential property.
3. 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.

A building permit (#12-234165 BLD) for the construction of a three storey, detached, single family dwelling has been issued to replace the existing single family dwelling

## **FINANCIAL IMPACT**

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Not applicable.

## **COMMENTS**

On August 22, 2012, the applicant for the owner of this property, applied for a permit to demolish the 2-1/2 storey single family detached residential building at 72 Wells Hill Avenue, in order to construct a replacement buildings on the same lot.

A building permit for a replacement residential building, consisting of a new 3 storey single family dwelling house, was applied for on August 22, 2012, and has been issued.

This residential demolition application is being referred to the Toronto and East York Community Council because there are objections to this proposed demolition. In such cases, the Municipal Code requires the City Council to approve or refuse the demolition permit.

Objections from 9 parties, as well as Councillor Joe Mihevc, and Urban Forestry Division, have been received, mainly dealing with the potential heritage significance of the existing house, and the preservation of the existing old Oak trees on the property.

Toronto Building has reviewed and determined that the existing building is not in the Inventory heritage properties. Furthermore the existing building is not currently "listed" by city council to be recommended to be included on the Inventory.

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**

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

## **ATTACHMENTS**

1. Existing House Survey
2. Site Plan of Proposed House
3. Elevations of the Proposed House
  - a. East
  - b. West
  - c. North
  - d. South
4. Objection from Councillor Joe Mihevc
5. Objection from Urban Forestry