



**STAFF REPORT
ACTION REQUIRED**

Request to grant or refuse the application to demolish a residential building at 164-168 Celeste Drive with no building permits issued.

Date:	December 8, 2014
To:	Chair and Members, Scarborough Community Council
From:	Director, Toronto Building, Scarborough District
Wards:	Scarborough East, Ward 43
Reference Number:	2015SC001 File # 14-209932 DEM (164 Celeste Ave), 14-209936 DEM (166 Celeste Ave), and 14-209943 DEM (168 Celeste Ave)

SUMMARY

This report is about a matter for which Scarborough Community Council has delegated authority to make a final decision.

In accordance with By-law No. 1009-2006, I refer the demolition permit applications for 164-168 Celeste Drive to Scarborough Community Council to grant or refuse the applications, including any conditions, if any, to be attached to the permits.

RECOMMENDATIONS

Toronto Building, Scarborough District, recommends that Scarborough Community Council:

1. Approve the applications to demolish the subject residential buildings at 164-168 Celeste Drive with the following conditions:
 - a) 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;
 - b) that all debris and rubble be removed immediately after demolition;

- c) that sod or similar ground cover be laid on the sites and the sites be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, paragraph B;
- d) that any holes on the properties are backfilled with clean fill;
- e) that all privately and publicly owned trees, which are protected by the City of Toronto By-laws, be protected in accordance with the By-laws during the demolition process;
- f) that the applicant for the demolition permits construct and substantially complete the new buildings to be erected on the sites of the residential properties where the houses are to be demolished not later than two years from the day demolition of the existing buildings have commenced; and
- g) that on failure to complete the new buildings within the time specified in (f) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit contained in the residential properties in respect of which the demolition permits are issued and that such sum shall, until payment, be a lien or charge upon the lands in respect of which the permits to demolish the residential properties are issued.

Financial Impact

Future property tax revenues may be reduced due to a change in the properties' classification.

COMMENTS

On August 21, 2014, Mr. Mohammad Hossein Lotfi., who is the applicant and owner, submitted three demolition permit applications to demolish three dwelling units. At 164 and 166 Celeste Drive, there is a semi detached residential building with two dwelling units. At 168 Celeste Drive, there is a single family residential building. The owner has not made any permit applications to replace the buildings at this time. The properties are being subdivided into four lots, through consent, to allow for four new single family dwellings on these lots. In the applicant's letter he has indicated that a condition of the consent decision requires that an existing encroachment agreement with the city has to be removed from title. In order that it be released the semi detached building must be demolished.

Under the Residential Demolition Control Bylaw 1009-2006 the owner will have to complete the new buildings within two years from the day the demolition of the existing buildings have commenced or he will have to pay to the City twenty thousand dollars per

dwelling unit for failing to construct and substantially complete the replacement buildings within the two years.

The subject property is in the Single Family Residential (S) zone in the West Hill Community By-law Number 10327 and in the Residential Detached (RD) zone in the new City wide bylaw Number 569-2013.

The existing house is not a designated historical building.

The lands are not subject to Toronto and Region Conservation Authority.

This application is being referred to Scarborough Community Council because the buildings proposed to be demolished are residential buildings and the applicant has not applied for replacement building permits at this time and wishes to demolish them ahead of obtaining replacement building permits. In such cases, By-law No. 1009-2006 requires Community Council to issue or refuse the demolition permits.

CONTACT

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SIGNATURE

John Heggie.
Director & Deputy Chief Building Official
Toronto Building
Scarborough District

Applicant and Owner's Information:

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ATTACHMENTS

Attachment 1 – Site Plan
Attachment 2 – Letter from applicant/owner