

Residential Demolition Application – 5 Pine Crescent

Date: September 23, 2019
To: Toronto and East York Community Council
From: Acting Director
Toronto Building, Toronto and East York District

Wards: Ward 19 (Beaches - East York)

SUMMARY

In accordance with the 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 City Council on September 27, 2006 under the authority of Section 33 of the Planning Act, I refer the demolition application for 5 Pine Crescent, permit application No. 19 203718 DEM 00 DM to you, to decide whether to grant or refuse the application, including conditions, if any, to be attached to the permit.

This staff report is regarding a matter for which 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 detached single family dwelling at 5 Pine Crescent because there is no permit for replacement buildings on this site;

Or, in the alternative;

2. Approve the application to demolish the subject detached single family dwelling at 5 Pine Crescent with the following conditions:

- a) that all debris and rubble be removed immediately after demolition;
- b) that holes on the properties are backfilled with clean fill; and
- c) that the recommendations of Toronto Public Health identified in their letter dated June 5, 2019 from Barbara Lachapelle, Environmental Health Specialist, be adhered to during the demolition process.

FINANCIAL IMPACT

Not applicable.

DECISION HISTORY

COMMENTS

On August 10, 2019, the Applicant and Owner, applied for a demolition permit to demolish the detached two-storey single family dwelling and a detached accessory structure located at 5 Pine Crescent (Attachment #1).

A replacement building permit has been submitted on August 10, 2019 and is currently under review with Toronto Building. Since an objection to demolish has been received from the neighbour at 3 Pine Crescent on August 22, 2019, the application is referred to the Toronto and East York Community Council. In such cases, the Municipal Code requires Community Council to approve or refuse the demolition permit.

The public notice has been posted as confirmed by a Toronto Building inspector.

The application for the demolition of the single family dwelling has been circulated to Urban Forestry and the Ward Councillor.

An objection letter from the Neighbours has been received (Attachment #2).

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 properties, including the preservation of significant natural features and requiring the erection and maintenance of structures and enclosures.

CONTACT

Magda Ishak, P. Eng. Manager, Plan Review, Toronto Building, Toronto and East York District, Tel: 416-396-4300; e-mail: magda.ishak@toronto.ca

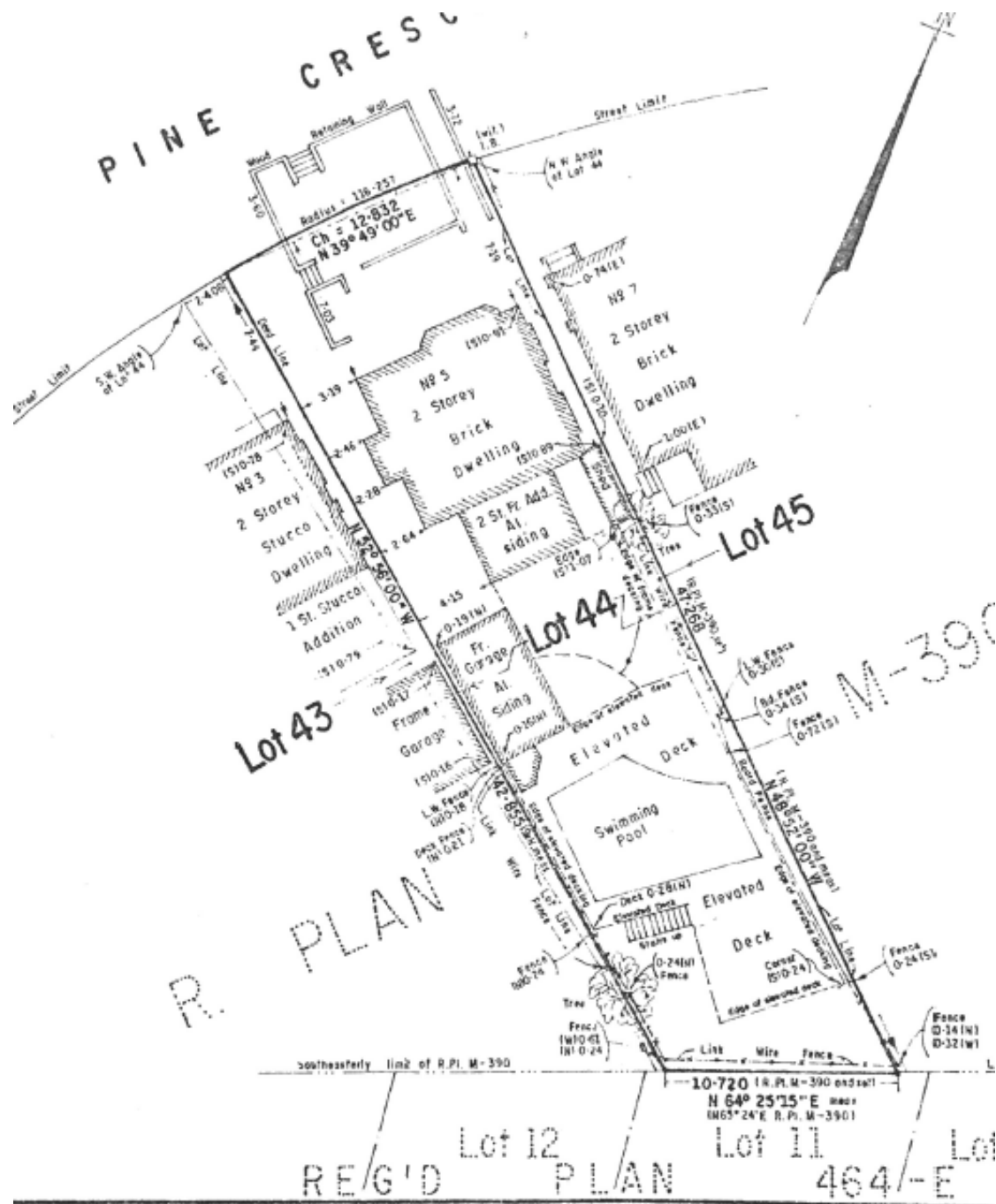
SIGNATURE

Kamal Gogna, P. Eng., Acting Director, Toronto Building - Toronto and East York

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ATTACHMENTS

1. Site Plan
2. Objection Letter



Building location survey of
Part of Lot 44, Registered Plan M-390
 City of Toronto in the Municipality of Metropolitan Toronto

August 22, 2019

Ms. Magda Ishak
Manager, Plan Review
City Hall, Ground Floor, West Tower,
Toronto, Ontario

Send by Email: magda.ishak@toronto.ca

RE: 5 Pine Crescent
Permit # 19 203718 DEM 00 DM

Dear Ms. Ishak,

I am writing to object to the granting of a demolition permit for #5 Pine Crescent on behalf of a number of neighbours. My wife and I own #3 Pine Crescent which is immediately adjacent to the subject property. We believe that it is premature to grant a demolition permit at this time for the following reasons.

Firstly, the subject property backs onto a ravine and the owner appears to have some serious and major problems with the TRCA regarding the property (the details of which we are not privy to). We are of the opinion that those issues must be resolved before the City Building Department grants a building permit. We would suggest that any demolition of the existing house will simply compound those issues if they are not resolved. Accordingly, we would respectfully request your officials to contact both the TRCA officials who have carriage of this matter and the City's Building Department to discuss those issues.

Secondly, the owner of #5 has had nearly 18 months since receiving an Order from TLAB, to meet the terms and conditions prescribed by TLAB and also contained in the Minutes of Settlement dated March 9, 2018 signed by the owner with the neighbours who were granted standing at the TLAB. Specifically, term and condition #10 has not been met in any way with respect to our house and should be met for the owner to obtain a demolition permit and a building permit for a new house on the property. Term and condition #10 states:

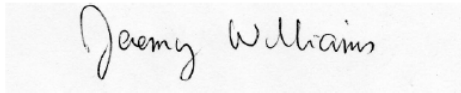
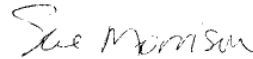
Subject to the cooperation of the owners of 3 Pine and 7 Pine, the Owners (of 5 Pine) will retain an engineer to complete a pre-construction survey of the existing dwellings at 3 Pine and 7 Pine so as to document the existing condition of the dwellings, in order to avoid any damage during construction to the adjacent dwellings and structures. ...

I trust that you are in contact with the officials at the City's Building Department who have responsibility for this file to determine the status of where everything stands regarding the issuance of a building permit and to determine how long they expect the building application

process will take before all of the terms and conditions have all been met so the building permit can be issued.

Lastly, I would like to bring to your attention that all of the decking and part of the retaining wall around the pool in the back yard of #5 Pine Crescent were demolished during the spring/early summer of 2018 and the site has been left with piles of old lumber, dirt and debris on it since then. The pool has been unfenced and accumulates snow and rainwater. This situation gives rise to a concern that the house may be demolished and the property will just sit there in a derelict state for a considerable time.

All of which is respectfully submitted.

A handwritten signature in cursive script that reads "Jeremy Williams". The ink is dark and the signature is written on a light-colored, slightly textured background.A handwritten signature in cursive script that reads "Susan Morrison". The ink is dark and the signature is written on a light-colored, slightly textured background.

Dr. Jeremy Williams and Susan Morrison
3 Pine Crescent
Toronto, Ontario
M4E 1L1