

Residential Demolition Application – 136 Lyndhurst Avenue

Date: January 20, 2020

To: Toronto and East York Community Council

From: Director and Deputy Chief Building Official, Toronto Building

Wards: Ward 12 (Toronto – St. Paul's)

SUMMARY

This staff report is about a matter for which the Toronto and East York Community Council has delegated authority to make a final decision.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code, Ch. 363, Article 6 "Demolition Control," the application for the demolition of an existing 2-storey detached dwelling at 136 Lyndhurst Avenue (Application No. 19 256674 DEM 00 DM) is being referred to the Toronto and East York Community Council for consideration to refuse or grant the application, including any conditions, if any, to be attached to the permit application because Toronto Building received an objection letter from Casa Loma Residents Association (CLRA) and the owner of 41 Wells Hill Avenue.

RECOMMENDATIONS

The Director and Deputy Chief Building Official, Toronto Building, Toronto and East York District recommends that the Toronto and East York Community Council give consideration to the demolition application for 136 Lyndhurst Avenue, and decide to:

1. Refuse the application to demolish the 2-storey detached dwelling because there is no permit to replace the building on the site at this time; or
2. Approve the application to demolish the 2-storey detached dwelling without any conditions; or
3. Approve the application to demolish the 2-storey detached dwelling with the following conditions:

- a) That construction fences be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article 7, if deemed appropriate by the Chief Building Official;
- b) That all debris and rubble be removed immediately after demolition;
- c) That sod be laid on the site and that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 629-10, paragraph B and 629-11; and
- d) That any holes on the property are backfilled with clean fill.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

There is no decision history for this property.

COMMENTS

On December 3, 2019, an application was submitted by the applicant to demolish the existing 2-storey detached dwelling at 136 Lyndhurst Avenue.

In support of the application for demolition, the applicant also applied for a replacement building which is currently under review for a proposed 3-storey detached dwelling (Application No. 19 256641 BLD 00 NH). A zoning certificate was issued by Toronto Building on September 4, 2019 (Application No. 19 197358 ZC 00 ZR).

Toronto Building received two objection letters dated December 13, 2019 and December 19, 2019 outlining the concern of issuing a demolition permit for the existing 2-storey detached dwelling.

The concerns relate to a Report for Action (dated June 28, 2018) submitted to the Toronto Preservation Board that identified the subject property for research for inclusion on the Heritage Register.

The application for the demolition has been circulated to Heritage Preservation Services, Urban Forestry, and the Ward Councillor. The existing house is not currently on the list of designated historical buildings.

The land is not within a Toronto and Region Conservation Authority regulated area.

CONTACT

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T (416) 392-7632 E-mail: Frank.Stirpe@toronto.ca

SIGNATURE

Kamal Gogna
Director & Deputy Chief Building Official, Toronto Building
Toronto and East York District

ATTACHMENTS

1. Survey
2. Objection Letter 1
3. Objection Letter from Casa Loma Residents Association (CLRA)

2. Objection Letter 1

41 Wells Hill Avenue
Toronto, ON
M5R 3A5

December 13, 2019

Director and Deputy Chief Building Official
Toronto Building Toronto and East York District
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Sirs:

**Re: 136 Lyndhurst Avenue
19 256674 DEM 00 DM**

I write in regards to the above Notice of Residential Demolition posted on 136 Lyndhurst Avenue.

I strongly protest the demolition of this property, and ask that the demotion permit not be issued, and if issued, that it be revoked.

This property is the subject of a Heritage Review as part of the Casa Loma Heritage Conservation District Study. That Study was carried out under the auspices of the City Planning Division, Heritage Preservation Services (Mr. Alex Corey).

On July 12th, 2018 the Toronto Preservation Board received the Casa Loma Heritage Conservation District Study, and endorsed the preparation of the HCD Plans for the proposed Hilton Avenue and Wells Hill Avenue areas. The board also endorsed City Planning undertake research to determine whether certain properties within the Study Area merit inclusion on the Heritage Register.

136 Lyndhurst Avenue is listed in Attachment 6 on page 22 of the June 28, 2018 Report for Action submitted to the Toronto Preservation Board as a property identified for research for inclusion on the Heritage Register.

Residents of this neighbourhood invested significant time and effort in participating in the Heritage Review process and strongly support the results of the Study. It would be a mockery of this process, and highly disrespectful of the neighbourhood residents to permit the demolition of a property which is the object of a Heritage Review.

Therefore, I strongly urge you to prevent the demolition of this property until the Heritage Review process is complete.

Yours truly,



Jonathan Spencer 416-725-1722
cc. Councillor Josh Matlow

3. Objection Letter from Casa Loma Residents Association (CLRA)

December 19, 2019

Director and Deputy Chief Building Official
Toronto Building Toronto and East York District
100 Queen Street West
Toronto, ON
M5H 2N2



Dear Sirs:

**Re: 136 Lyndhurst Avenue
19 256674 DEM 00 DM**

I write as President of the Casa Loma Residents Association (the "CLRA") with respect to the above Notice of Residential Demolition posted on 136 Lyndhurst Avenue.

The CLRA is an organization comprised of residents living in the Casa Loma area of Toronto, the purposes and objectives of which are to preserve the distinctive heritage character of this historic Toronto neighbourhood.

The CLRA strongly protests the demolition of this property and urges that the demolition permit not be issued, and if issued, that it be revoked.

This property is the subject of a Heritage Review as part of the Casa Loma Heritage Conservation District Study. That Study was carried out under the auspices of the City Planning Division, Heritage Preservation Services.

On July 12, 2018 the Toronto Preservation Board (the "Board") received the Casa Loma Heritage Conservation District Study, and endorsed the preparation of the HCD Plans for preservation of the heritage character of the Casa Loma neighborhood and which included a list of special properties that contributed to the overall heritage character of the Casa Loma neighbourhood and were identified by the independent heritage consultants hired by the City to undertake the HCD study. The Board endorsed that City Planning undertake research to determine and confirm that these identified properties within the Study Area should also merit inclusion on the Heritage Register.

136 Lyndhurst Avenue is one of those properties. It is listed in Attachment 6 on page 22 of the June 28, 2018 Report for Action submitted to the Board as a property identified for research for inclusion on the Heritage Register. The property immediately to the south of 136, (134 Lyndhurst Avenue), was similarly identified.

The further research and consideration recommended by the Heritage Review and endorsed by the Board is to be a fulsome and comprehensive review of properties in the neighbourhood to evaluate their contribution to the overall heritage character distinctive of the Casa Loma neighbourhood. It is not to be an isolated study of any particular single piece of property, but

rather careful consideration of the properties in light of their contribution to the heritage character of the overall neighbourhood.

This further review, recommended and endorsed, has not been carried out.

The City has invested significant taxpayer dollars and resources to conduct this study.

Residents of this neighbourhood also invested significant time and effort in participating in the Heritage Review process and strongly support the results of the Study. It would belittle and contravene this process, and be highly disrespectful of the neighbourhood to permit the demolition of a property which is the object of a Heritage Review. The CLRA has been very proactive and diligent in advising the real estate agents, heritage preservation services and Councillor Matlow's office notifying them that this important property was potentially threatened as early as March of 2019. The owner of the property, as directly communicated to the CLRA by professionals working on the property retained by them, is knowingly circumventing the widely publicized City sanctioned heritage review process by seeking the demolition during the holiday season without ANY opportunity for neighbourhood input or communication.

The position of the CLRA as expressed in this letter strongly opposing the issuance of a demolition permit for this property is fully supported by our Councillor, Mr. Josh Matlow, who is copied on this letter.

In summary, the CLRA strongly urges you to prevent the demolition of this property until the Heritage Review process is complete.

Yours truly,



Robert Levy
President

cc: Councillor Josh Matlow
Mayor John Tory