

Residential Demolition Application – 33 Fernwood Park Avenue

Date: February 2, 2021
To: Toronto and East York Community Council
From: Director and Deputy Chief Building Official, Toronto Building
Wards: Ward 19 (Beaches – East York)

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 33 Fernwood park Avenue (Application No. 20 233180 DEM 00 DM) is being referred to the Toronto and East York Community Council for consideration. Toronto Building received an objection from a constituent with concerns of safety, property damages, access to the backyard. The access between the properties to the rear yard is used on a daily basis for access to the basement backyard rental unit. A building permit for a semi-detached dwelling on a single lot has been submitted and is under review.

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 33 Fernwood Park Avenue, and decide to:

1. Approve the application to demolish the 2 storey detached dwelling without any conditions; or
2. 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) Access to the basement backyard rental unit be maintained and remain free from encroachments of any kind at all times during the demolition and construction process.
- 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 22, 2020, an application was submitted by the applicant to demolish the existing 2-storey detached dwelling containing 2 dwelling units at 33 Fernwood Park Avenue. (Application No. 20 233180 DEM 00 DM).

On December 22, 2020, an application was submitted by the applicant to construct a pair of 3 storey semi-detached dwelling units on a single lot. (Application No. 20 233178 BLD 00 NH). The application was heard at the Committee of Adjustment March 28, 2018 and was refused. The Committee of Adjustment decision was appealed to TLAB, the matter was heard and decision to allow the appeal and approve the variances was rendered on September 27, 2019.

Toronto Building received concerns of objection from a neighbour.

The objection is respecting concerns of safety, property damages, and access to the backyard. The access between the subject and adjacent property to the rear yard is used on a daily basis for access to the basement backyard rental unit for the adjacent property. The objector would like assurances that by-laws will be followed.

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

CONTACT

Andrew Wild, Manager, Plan Review (A).Toronto and East York District
T (416) 392-7562 E-mail: Andrew.Wild@toronto.ca

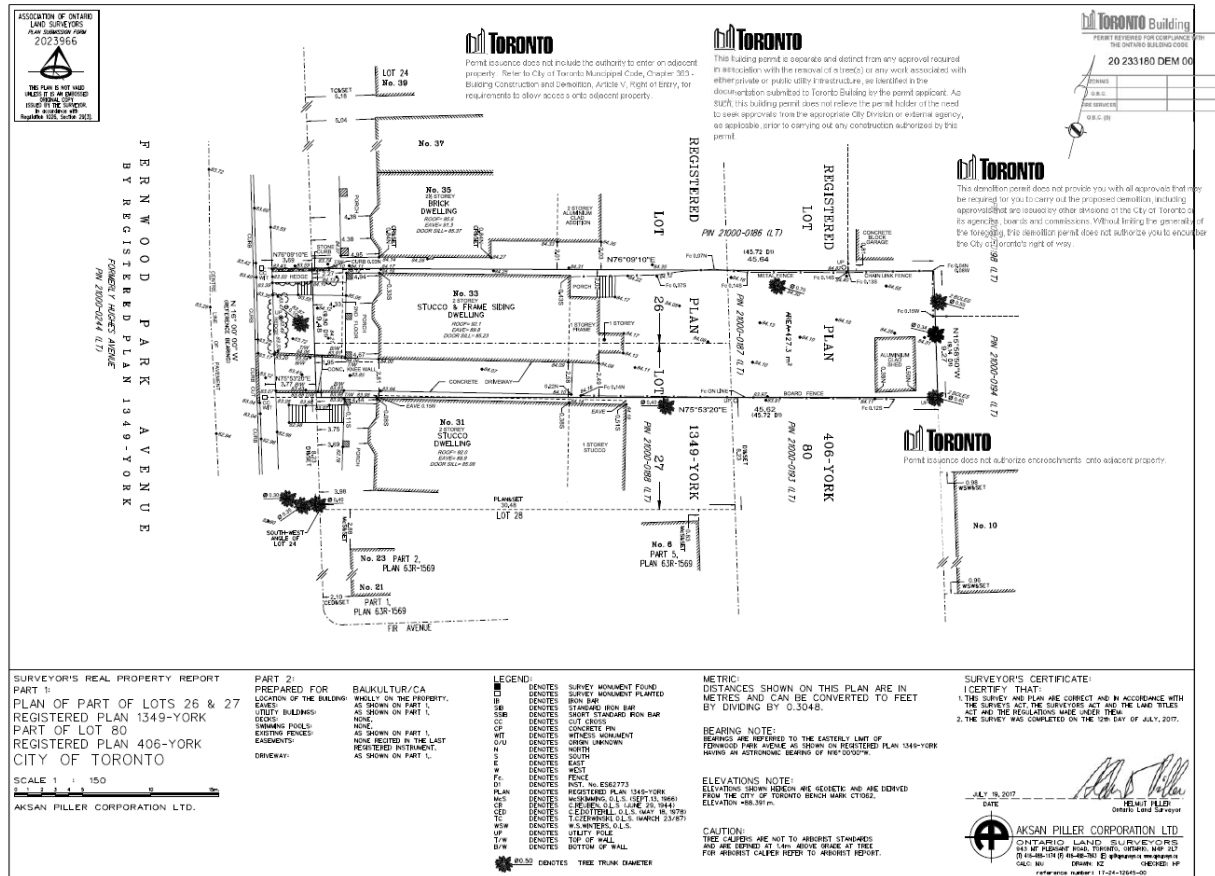
SIGNATURE

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

ATTACHMENTS

1. Survey
2. Letter of Objection

Residential Demolition Application – 33 Fernwood Park Avenue



Attachment 2: Letter of Objection

From: [REDACTED]

Sent: January 5, 2021 12:15 PM

To: Tina Pusateri <Tina.Pusateri@toronto.ca>; Kiran Singh <Kiran.Singh@toronto.ca>; Kamal Gogna<Kamal.Gogna@toronto.ca>; Toronto Building Applications <bldapplications@toronto.ca>; [REDACTED]

Subject: Concerns for Demolition Application # 20 233180 DEM 00 DM 33 Fernwood Park Ave.

RE. Application #20 233180 DEM 00 DM

To City of Toronto Building Department, Director Building Deputy CBO and Examiners,

I am the property owner of 35 Fernwood Park Ave., the house directly to the north of the proposed demolition of 33 Fernwood Park Ave. I am writing to you in response to the posted notice on #33 and to express my concerns for the demolition. Due to the extreme proximity of the two houses, I have serious concerns regarding safety, property damage and access to the backyard. I have a basement backyard rental unit for which the only access is between my house and #33. This is a thoroughfare which is used on a daily basis. I have major issues regarding the safety of my tenants during the demolition and indeed, during the actual proposed construction of #33, which include but are not limited to, falling materials and accumulation of debris in the walkway. I would appreciate assurance that inspectors will confirm that the construction fences are positioned on or behind the property line and in such a manner and height as to contain all debris. I would also expect the property line to be respected without any encroachment and that thoroughfare is unimpeded at all times. I feel it is my responsibility to make the City aware of the potential hazards of this demolition and to make every effort to ensure the safety of my tenants. Please confirm receipt of this correspondence.

Sincerely,