

Residential Demolition Application - 213 High Park Avenue

Date: December 6, 2021
To: Toronto and East York Community Council
From: Director and Deputy Chief Building Official
Toronto Building, Toronto and East York District
Wards: Ward 4 (Parkdale-High Park)

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 213 High Park Avenue (Application No. 21 215255 DEM 00 DM) is being referred to the Toronto and East York Community Council for consideration. Toronto Building received objections from the community with concerns regarding the building design and proposed construction activities.

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 213 High 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 the applicant for the demolition permit construct and substantially complete the new building to be erected on the site of the residential property to be demolished not later than two years from the day demolition of the existing residential property is commenced; and

b) That on failure to complete the new building within the time specified in Subsection C(5)(a), 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 \$20,000 for each dwelling unit contained in the residential property in respect of which the demolition permit is issued and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

There is no decision history for this property.

COMMENTS

On September 20, 2021, the applicant applied for a demolition permit (Application No. 21 215255 DEM 00 DM) and replacement building permit (Application No. 21 215240 BLD 00 NH) at 213 High Park Avenue.

On November 15 and 16, 2021, letters of objection to the proposed demolition were received by Toronto Building.

The concerns relate to aspects of the design of the proposed new house and construction logistics and methodology related to the proximity to neighbouring buildings.

The proposal is required to comply with the Building Code Act, Building Code, and any Applicable Law. This is confirmed through the demolitions permit review process.

This application has been circulated to 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

Cedric Barrera, Manager, Plan Review, Toronto and East York District
T (416) 392-7538 E-Mail: Cedric.Barrera@toronto.ca

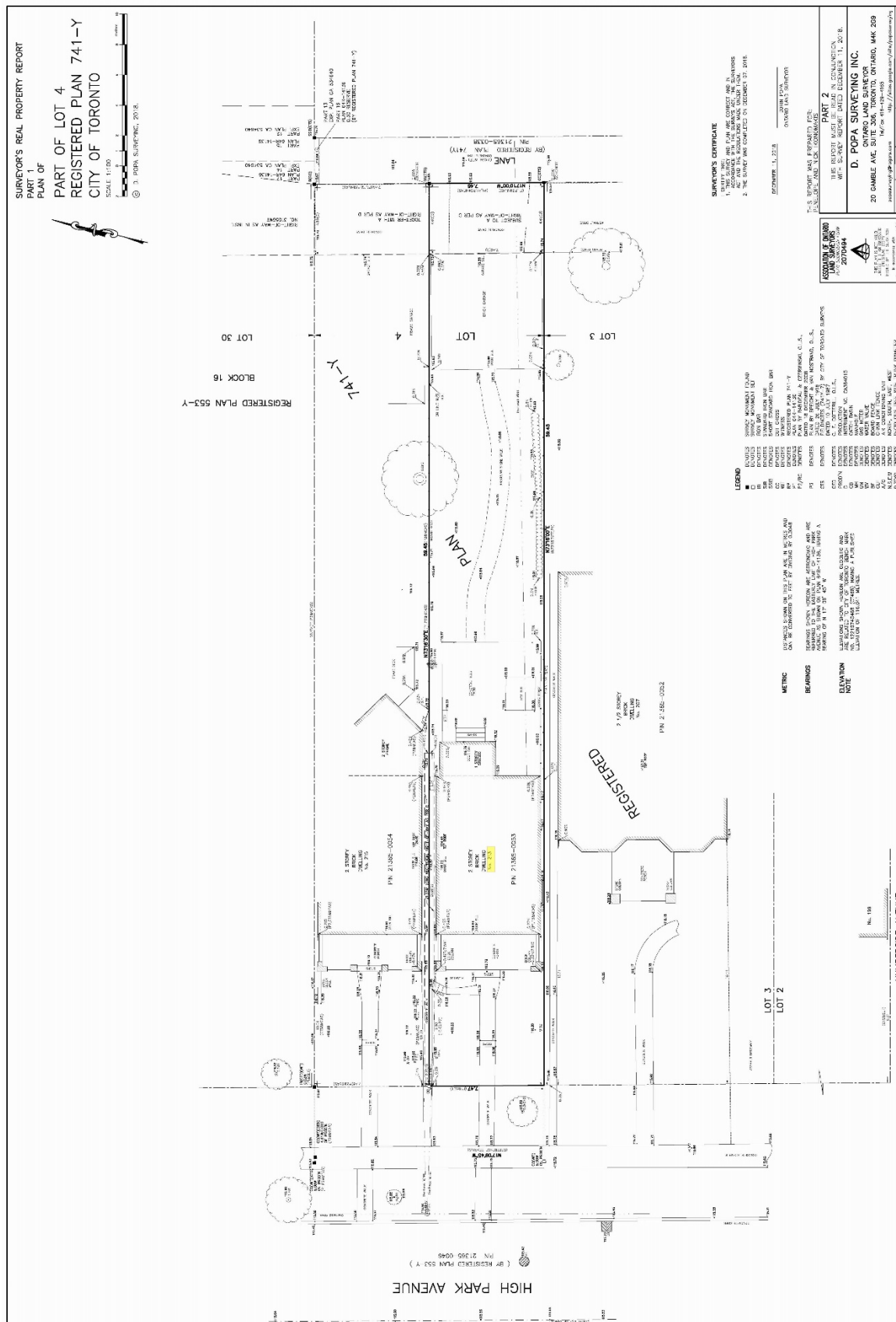
SIGNATURE

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

ATTACHMENTS

1. Survey
2. Objection Letters

Residential Demolition Application - 213 High Park Avenue



2. Objection Letters

From: [C. Riggs](#)
To: [Cedric Barrera](#)
Cc: [Kamal Gogna](#); [Will Johnston](#); counsellor_perks@toronto.ca; [Toronto East York Building Inspection](#)
Subject: Application Number: 21 215255 DEM 00 DM
Date: November 15, 2021 2:39:02 PM

November 15, 2021.

Attn: Cedric Barrera

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

Application Number: 21 215255 DEM 00 DM
213 High Park Avenue
Toronto ON

Dear Mr. Barrera et al,

Good Day. I am writing with concerns regarding Application Number 21 215255 DEM 00 DM.

I am a long time resident living next door, directly south of 213 High Park Avenue. I am a single mother of 3 and we have lived at 207 High Park Avenue for many years. I have strong concerns for the structural integrity of this 3 storey century home during the demolition and renovation process. These concerns are common in this geographic area and have proven to be well-founded in this neighbourhood due to the natural sand and other fine materials that comprise the local soil. This has historically led to many instances of foundational damage/compromise and even collapse of adjacent homes/structures once demolition, particularly digging out of basements, occurs.

As the 2nd floor resident of 207 High Park Ave, I have additional concerns for the safety and privacy of myself and my children as the access to our windows will be significantly compromised due to proposed scaffolding placement at 213 High Park.

In addition to this, I have seen that the current plans have changed critically from the original plans, with the addition of 2nd and 3rd story balconies that will be inches away from our windows here at 207 High Park Avenue. This increases access to my family's privacy and safety to an unacceptable degree. It also effectively blocks daylight from reaching our windows. The distance between 207 High Park Ave and 213 High Park Ave is mere inches. These balconies were part of the original application and have not been approved by any authority that I am aware of.

The residents of 213 High Park Avenue have not ever, to this date, communicated any of their plans for the proposed demolition and renovation of their house, to any residents, nor owners, of 207 High Park Avenue.

A Trespass to Property Notice was issued to Nicolaos and Penelope Iconomakis, owners of 213 High Park Avenue, on September 17, 2021, prohibiting any owners, agents, contractors or anyone acting on their behalf to have access to or be on the property of

I am asking that you review this case and deny Nicolaos and Penelope Iconomakis permission to proceed.

Thanking you in advance to your timely attention to this matter.

From: [redacted]
To: [Cedric Barrera](#); [Kamal Gogna](#)
Cc: [Will Johnston](#); [Shawn \(Sun-Woong\) Choi](#); [Shah Arifuzzaman](#); [Councillor Perks](#)
Subject: Demolition Permit Application 21 215255 DEM 00 - 213 High Park Avenue
Date: November 16, 2021 12:06:02 PM
Attachments: [21-11-16 T Smith Report.pdf](#)

This e-mail is addressed to:
Director and Deputy Chief Building Official
Toronto Building, Toronto and East York District

My wife, [redacted] and I are the owners of and residents at [redacted]

The demolition of 213 HPA must not proceed as the current plans represent a **foreseeable and preventable danger** to us and our property. This same danger is evident for the owners and occupants of 207 HPA, the adjacent property to the south of 213 HPA.

The attached report from T. Smith Engineering Inc. (TSE) references numerous significant deficiencies, misrepresentations, conflicts, and constructability issues with the plans as submitted to the city for the demolition permit and the building permit. The inherent risks are serious.

The plans and application exemplify the abusive process with which this redevelopment has been advanced. These abuses include:

1. No direct consultation with neighbours. Our communications have been via lawyers and other intermediaries. The owners and occupants of 207 HPA have had zero contact from the applicants during the entire three years that this development has been in planning.
2. Assumed rights of access and use of neighbouring properties without permission.
3. Placement of video cameras at 213 HPA to monitor our movements in and out our rear yard and around the shared ROW between our houses.
4. Misrepresentations to us, TLAB, and City Building with changes to agreed plans.
5. Misrepresentations to us and TLAB in access and use of our property conditions that form the basis of the Memorandum of Settlement (MOS) presented to TLAB.
6. Misrepresentations in failing to submit shoring drawings (available July 14, 2021) with the permit application (submitted September 21, 2021) as required in the MOS. These drawing sets include several conflicts that violate Building Code provisions and otherwise represent constructability concerns as outlined in the TSE report.
7. Misrepresentation of the aspect ratios (width to height) of the elevations of the proposed building on required public signage posted on the property (1 x 0.9 versus actual of 1 x 1.5).
8. Failure to post the requisite demolition notice on the property until later required by the city to do so.

The consequences of these actions include:

1. Significant expenditures from our retirement funds to engage attorneys, planners, and engineers to protect our interests.
2. Significant stress and impediments to the enjoyment of our home.
3. The apparent necessity for the occupants of 207 HPA to post "No Trespassing" notices on the property.
4. An uncertain future with regard to the use of our property, the progress of this development and the likely necessity for additional actions to protect our interests.

We appreciate the diligence of city staff in managing these processes and regret the necessity for it

all.

