

## **Residential Demolition Application - 1 Heath Crescent**

**Date:** May 23rd, 2024  
**To:** Toronto and East York Community Council  
**From:** Director and Deputy Chief Building Official  
Toronto Building, Toronto and East York District  
**Wards:** Ward 11 (University-Rosedale)

### **SUMMARY**

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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 city-wide residential demolition control under the Toronto Municipal Code Chapter 363, under the authority of Section 33 of the Planning Act, the application for the demolition of an existing two-storey single detached house located at 1 Heath Crescent (Application No. 24 140445 DEM) is being referred to the Toronto and East York Community Council to refuse or grant the demolition application, including any conditions to be attached to the permits, because a building permit has not been issued for a replacement building.

### **RECOMMENDATIONS**

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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 1 Heath Crescent, and decide to:

1. Refuse the application to demolish the vacant two-storey single detached house because there is no permit application to replace the building on the site; or
2. Approve the application to demolish the vacant two-storey single detached house without any conditions; or
3. Approve the application to demolish the vacant two-storey single detached house 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**

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This report has no financial implications.

## **DECISION HISTORY**

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There is no decision history for this property.

## **COMMENTS**

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On April 25, 2024, an application was submitted to the City by the owner to demolish the existing two-storey single detached house at 1 Heath Crescent (Application No. 24 140445 DEM 00 DM). A building permit for a replacement building has not been issued.

In a letter dated March 10, 2024, the applicant, on behalf of the owner, has indicated that they are the owner of both 94 Heath Crescent and 1 Heath Crescent which are adjacent to each other. They state that they wish to demolish the building located at 1 Heath Crescent to afford them the opportunity to utilize the lot for amenity space. In the future, they may wish to merge the lots and expand the dwelling at 94 Heath Crescent.

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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## **SIGNATURE**

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Natasha Zappulla  
Director & Deputy Chief Building Official, Toronto Building  
Toronto and East York District

## **ATTACHMENTS**

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Attachment 1: Letter from Applicant  
Attachment 2: Survey

# Attachment 1: Letter from Applicant



**DESIGN  
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May 10<sup>th</sup>, 2024  
DPS File: 2427

**RE: Cover Letter  
Demolition Permit Application  
1 Heath Crescent  
Toronto**

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This cover letter was requested by the City of Toronto Building, North York District, and is intended to supplement the Residential Demolition Permit submitted on behalf of our client to the City of Toronto on March 11<sup>th</sup>, 2024, for the property known as 1 Heath Crescent ("Subject Property"). The Subject Property is located in the City of Toronto in Ward 11 (University-Rosedale) and is generally located north of St. Clair Avenue East, west of Mount Pleasant Road, east of Yonge Street and south of Eglinton Avenue East. The surrounding context generally consists of existing single-detached residential dwellings that appear to be mostly one to two-storeys.

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A Residential Demolition Permit was submitted to the City of Toronto to permit the demolition of the existing residential building on the Subject Property. There is no replacement building being considered, and the Subject Property is intended to be left vacant at this time.

Based on consultation with the owner of 1 Heath Crescent, who lives in and is one of the two owners of the adjacent property at 94 Heath Crescent (directly east of the Subject Property), the owner would like to utilize the space currently occupied by 1 Heath Crescent as amenity space for himself and his family (the occupants of 94 Heath Crescent). 1 Heath Crescent is owned by [redacted] whereas 94 Heath Crescent is jointly owned by [redacted] and his wife. The intention of this ownership scheme was to prevent an automatic merging of these two properties. However, these properties are functionally merged in the sense that they are adjacent and owned by a husband-and-wife pair. The intention of utilizing the vacant lot for amenity space rises out of the unique configuration of these two lots. The backyard of 94 Heath Crescent is shaped uniquely in the form of a small wedge or triangle which provides limited uses and minimal amenity space for the owners/occupants of 94 Heath Crescent to enjoy. The proposed demolition of the dwelling on 1 Heath Crescent would provide the owner with a desirable amenity space. This situation is more desirable than not demolishing this house, which would result in a situation with two lots, one of which does not meet the needs of the current owner (94 Heath Crescent) and one of which would have decommissioned vacant house slowly falling into disrepair (1 Heath Crescent).

[redacted] purchased 1 Heath Crescent in January 2024 and before his acquisition of the property, the home was occupied up until the fall of 2023. The property has been vacant since his purchase in January 2024. While the current owner has never had an intention to reside in this house, the utilities remain connected because he was advised to keep the heat on during the winter months due to the risk of the house collapsing due to freezing/thawing.

According to information provided by the owner, the existing property leans at an angle (see photo attached to this cover letter) and has substantial structural cracking from the foundation to the roof and around the windows. The owner also confirmed that there is some bulging occurring on certain walls of the dwelling. Through information provided by the owner, he was advised by a demolition company: "that the roof is the only thing keeping the existing dwelling from falling." It is clear the house requires significant investment for it to be suitable for habitation although it has not been confirmed whether the house is currently structurally compromised. Instead of investing in a house that the owner does not want to reside in, the owner would like to make more effective use of their properties by demolishing the existing house on 1 Heath Crescent.

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In the future, the owners of both properties may decide to merge the lot with the existing lot at 94 Heath Crescent even though this is not required to ultimately utilize the vacant lot for gardening. Further, the vacant lot may open up the possibility of the owners/occupants of 94 Heath Crescent to expand the existing dwelling in the future to provide for additional space as they age. By demolishing the house now (before the properties are to merge), the owner is also making an attempt to preemptively comply with the Zoning By-law.

According to the City of Toronto Zoning By-law 569-2013, the Subject Property is zoned RD (f12.0; d0.6 (x1397). Section 10.20.40 outlines provisions that pertain to "Principal Building Requirements", specifically of note is Section 10.20.40.1(2) where "a maximum number of one residential building is permitted on a lot in the RD zone". As such, if the owner intends to merge both 1 Heath Crescent and 94 Heath Crescent in the future, this dwelling will need to be demolished to comply with the Zoning By-law. Therefore, a replacement dwelling is not being contemplated on 1 Heath Crescent now for such reasons noted above.

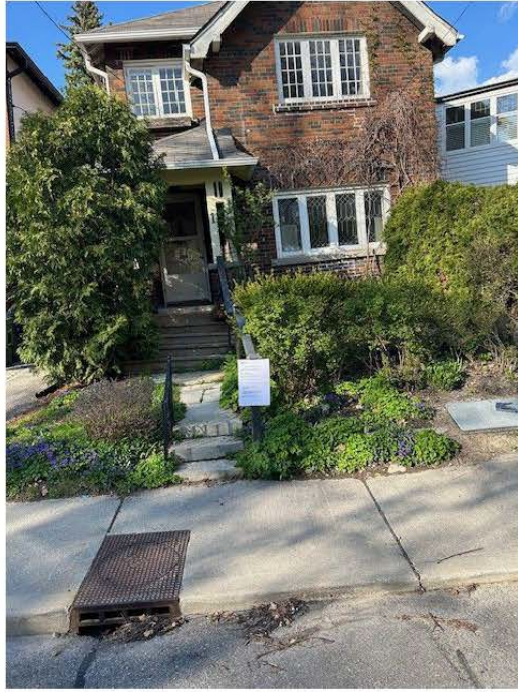
Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

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