

120 and 130 George Henry Boulevard – Application for Residential Demolition

Date:	June 17, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 33 – Don Valley East
Reference Number:	10 154720 DEM 00 DM 10 154747 DEM 00 DM

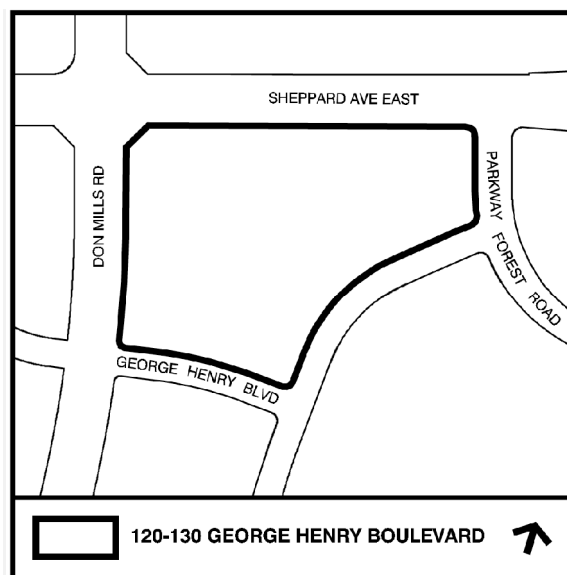
SUMMARY

This application proposes to demolish the existing rental apartment buildings at 120 and 130 George Henry Boulevard. The buildings contain a total of 218 rental dwelling units. As part of the Parkway Forest revitalization plan the rental units will be replaced and tenants are to receive assistance with relocation.

This report is before Community Council in accordance with city-wide residential demolition control under Article II, Demolition Control, of Municipal Code Chapter 363, as amended by By-law 1009-2006, enacted by City Council on September 27, 2006, under authority of Section 33 of the *Planning Act*.

The Ontario Municipal Board issued its decision, on July 11, 2006, to permit the construction of a series of residential buildings on this portion of the site. The demolition of the existing residential buildings is necessary to construct a new residential condominium apartment building on the site.

This report recommends approval of the applications to demolish the existing residential buildings in advance of a building permit for a replacement building, subject to conditions.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the Chief Building Official to issue permits under Section 33 of the *Planning Act* to demolish the 218 rental dwelling units at 120 and 130 George Henry Boulevard with the following conditions, notwithstanding that no building permit has been issued for a replacement residential building on this site:
 - (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 three years from the day demolition of the existing residential property is commenced;
 - (b) That should the owner fail to complete the new building within the time specified in (a) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$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;
 - (c) That a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - (d) That all debris and rubble be removed immediately after demolition;
 - (e) That any holes on the property be backfilled with clean fill; and,
 - (f) That sod be laid on the site and the site be maintained free of garbage and weeds in accordance with Municipal Code Chapter 623-5 and 629-10, paragraph B.

Financial Impact

The recommendations in this report have no financial impact.

Decision History

At its meeting held on April 25, 26 and 27, 2006, City Council adopted the March 29, 2006 report from the Director, Community Planning, North York District with respect to OPA and Rezoning Applications submitted by the owner, El-Ad Group Canada Inc. for a number of properties they own in the Parkway Forest community at 100, 110 & 125

Parkway Forest Drive, 120 & 130 George Henry Boulevard and 32-50, 65 & 80 Forest Manor Road. The purpose of the Directions Report was to obtain directions for the OMB regarding El Ads appeals of Official Plan and Zoning amendments to permit 2,200 additional residential units and the demolition and replacement of 332 existing residential units on the above noted properties. The report can be accessed at:

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060425/ny3rpt/cl029.pdf>

The OMB, in its Decision/Order No. 168, dated July 11, 2006 allowed the appeals in part in order to permit the development as approved by City Council. The implementing Zoning By-law is in full force and effect and the Section 37 Agreements, which include provisions on rental housing replacement, have been executed and registered. Attached as Attachment 5 is a copy of the approved Master Plan of the development (rental replacement buildings shown shaded).

Background

Site Plan Approval has been granted for the first phase of development which comprise three rental replacement apartment buildings (Buildings A2, D1 and E2 on Attachment 5). A Site Plan application will be filed shortly for the final rental replacement buildings on Forest Manor Road. (Buildings E1 and E7). These building will contain new rental units for the tenants affected by the demolition of the subject buildings. Building permits have been issued for the first two rental replacement buildings at the intersection of Sheppard Avenue East and Parkway Forest Drive. Construction is near completion on the buildings and occupancy is scheduled between June 30, 2010 and July 31, 2010.

On February 4, 2008 the owner filed a Site Plan application for a new condominium building on the lands that currently contain the subject rental apartment buildings. The building permit application was made on December 24, 2009 and is currently under review. It is anticipated Notice of Approval Conditions on the Site Plan Control application will be issued in the next few weeks and the owner is hoping to obtain a shoring and excavation permit for the new building shortly thereafter.

Site

The buildings to be demolished are located on the east side of Don Mills Road between Sheppard Avenue East and George Henry Boulevard. The buildings are six storeys in height and contain a total of 218 rental dwelling units. Attached as Attachment 1 is a site survey illustrating the location and context of the existing rental buildings to be demolished. Attached as Attachment 4 is a copy of the existing site plan of the neighbourhood. The two L-shaped buildings to be demolished are identified as Building A10 (120 George Henry Boulevard) and A11 (130 George Henry Boulevard) on Attachment 4.

Residential Demolition Control

Section 33 of the *Planning Act* provides that Council may refuse an application for demolition of residential building where no building permit has been issued. Council may also impose conditions with respect to the demolition.

Section 111 of the *City of Toronto Act, 2006* provides the City powers to prohibit and regulate the demolition of residential rental properties and conversion to a purpose other than the purpose of residential rental property. City Council has adopted implementing By-law 885-2007 for Section 111 of the Act. Since the development application was filed and approved prior to the proclamation of the *City of Toronto Act, 2006* a separate application on rental housing demolition and conversion is not required.

Residential Demolition and Replacement

One of City Council's conditions for approving the revitalization of the Parkway Forest community included a requirement that the 332 rental dwelling units to be demolished be replaced and that tenants receive assistance with relocation. The Section 37 agreement secures the replacement of the rental units in Parkway Forest and includes provisions relating to tenant relocation and assistance.

Building permits have been issued for the first two rental replacement buildings which are located at the intersection of Sheppard Avenue East and Parkway Forest Drive (Buildings A1 and D2). Construction is near completion and tenant relocation is anticipated to occur between June 30, 2010 and July 31, 2010.

COMMENTS

The Owner is requesting permission under Section 33 of the *Planning Act* to demolish the existing 6-storey rental apartment buildings at 120 and 130 George Henry Boulevard in advance of obtaining a building permit for the replacement condominium building in order to prepare the site for excavation and new construction.

Applications for Site Plan approval and building permit are currently being processed for the new condominium apartment building to be constructed on the lands that currently contain the subject rental apartment buildings. The building permit is currently under review. It is anticipated Notice of Approval Conditions on the Site Plan Control application will be issued in the next few weeks and the owner is hoping to obtain a shoring and excavation permit for the new building shortly thereafter.

Section 33 of the *Planning Act* allows City Council to issue or refuse to issue a demolition permit for a residential building containing one or more dwelling units for which there is no building permit for a new building on the property. City Council also has the authority to impose conditions related to the proposed demolition. Planning staff,

in consultation with Toronto Building staff, is recommending the applications for demolition be approved with conditions that deal with fencing, property maintenance and the timing of demolition and new construction.

CONTACT

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SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Survey

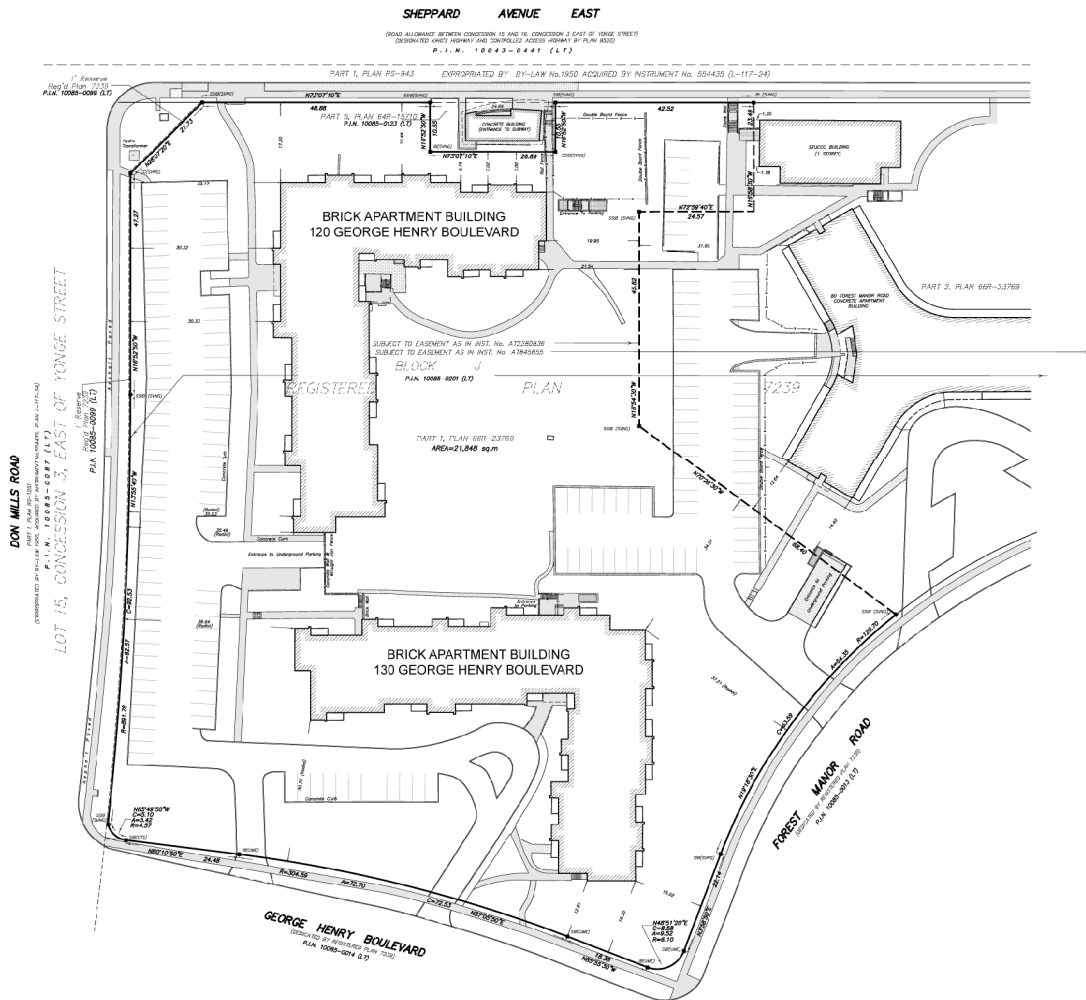
Attachment 2: Elevations (120 George Henry Boulevard)

Attachment 3: Elevations (130 George Henry Boulevard)

Attachment 4: Existing Development Plan

Attachment 5: Approved Master Plan

Attachment 1: Site Survey



Plan of Survey

120 & 130 George Henry Boulevard

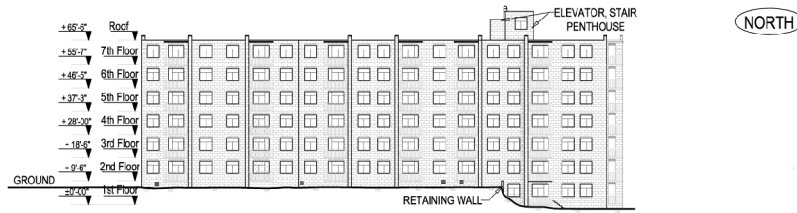
Applicant's Submitted Drawing

Not to Scale
 06/18/2010



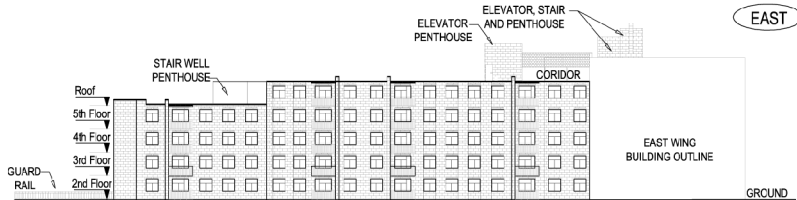
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Attachment 2: Elevations



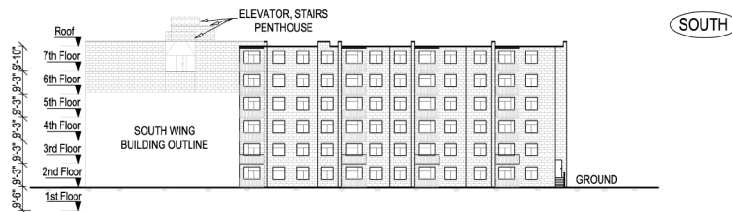
BUILDING - NORTH ELEVATION

SCALE: 1 : 400 (11X17 PRINT)



BUILDING - EAST ELEVATION

SCALE: 1 : 400 (11X17 PRINT)



BUILDING - SOUTH ELEVATION

SCALE: 1 : 400 (11X17 PRINT)



BUILDING - WEST ELEVATION

SCALE: 1 : 400 (11X17 PRINT)

120 GEORGE HENRY BOULEVARD

Elevations

Applicant's Submitted Drawing

Not to Scale
06/18/2010

120 & 130 George Henry Boulevard

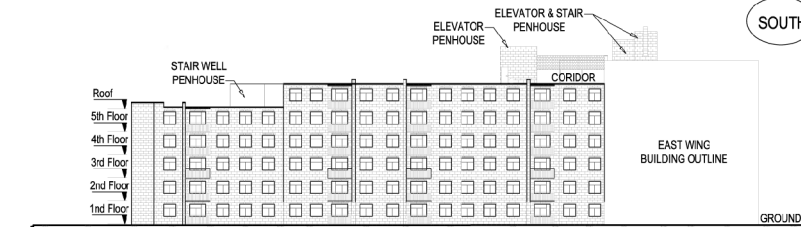
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Attachment 3: Elevations



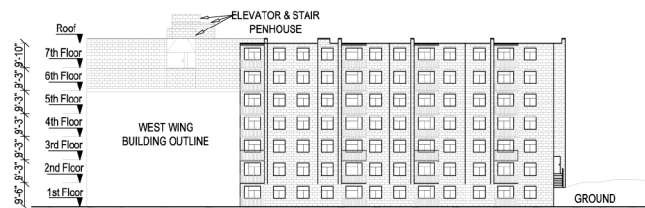
BUILDING EAST ELEVATION

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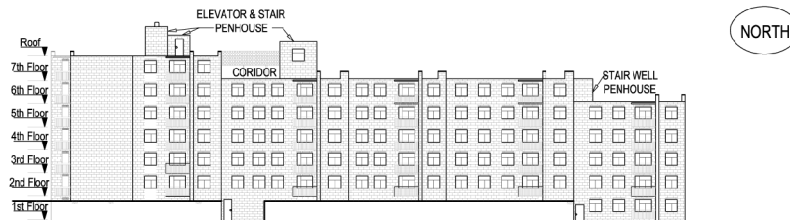
BUILDING SOUTH ELEVATION

SCALE : 1 : 400 (11x17 PRINT)



BUILDING WEST ELEVATION

SCALE : 1 : 400 (11x17 PRINT)



BUILDING NORTH ELEVATION

SCALE : 1 : 400 (11x17 PRINT)

130 GEORGE HENRY BOULEVARD

Elevations

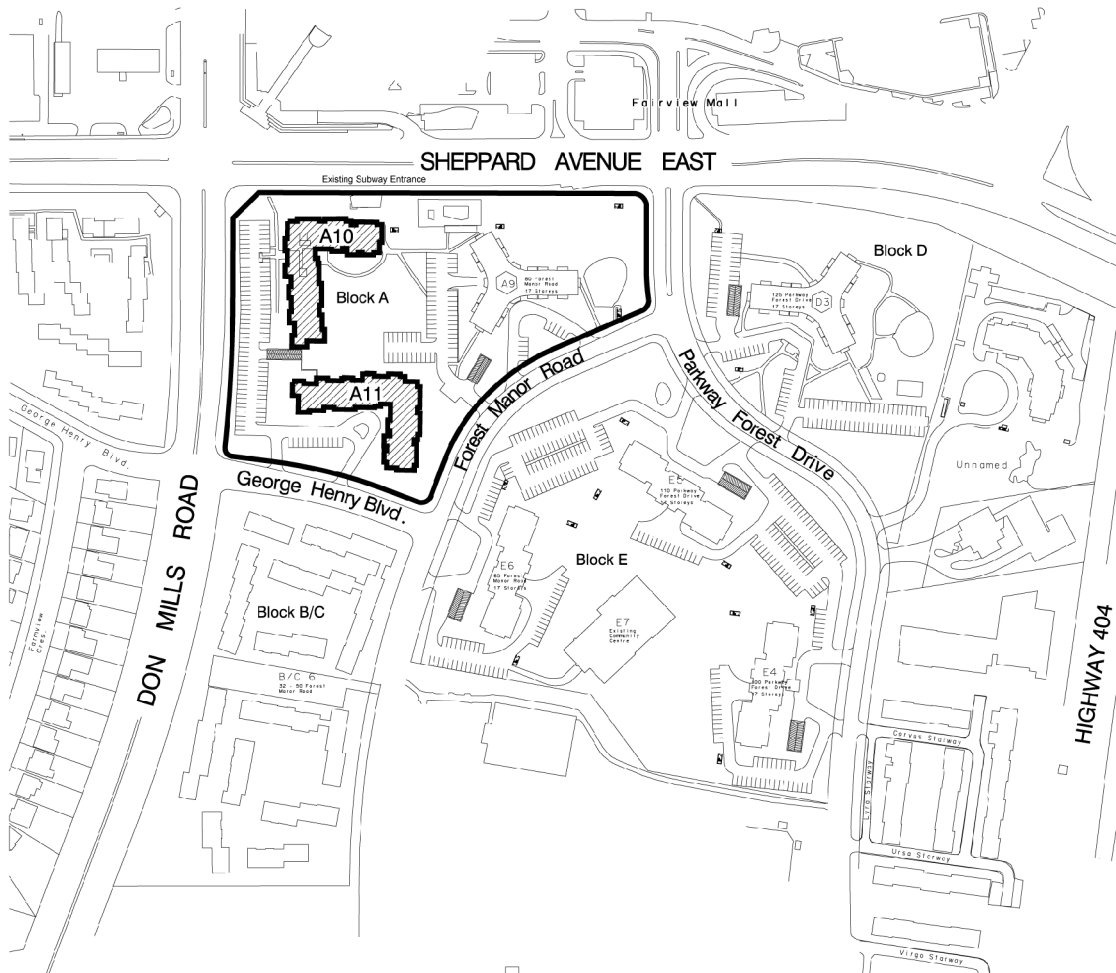
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120 & 130 George Henry Boulevard

File # 10_154720

Attachment 4: Existing Development Plan



Existing Site Plan

120 & 130 George Henry Boulevard

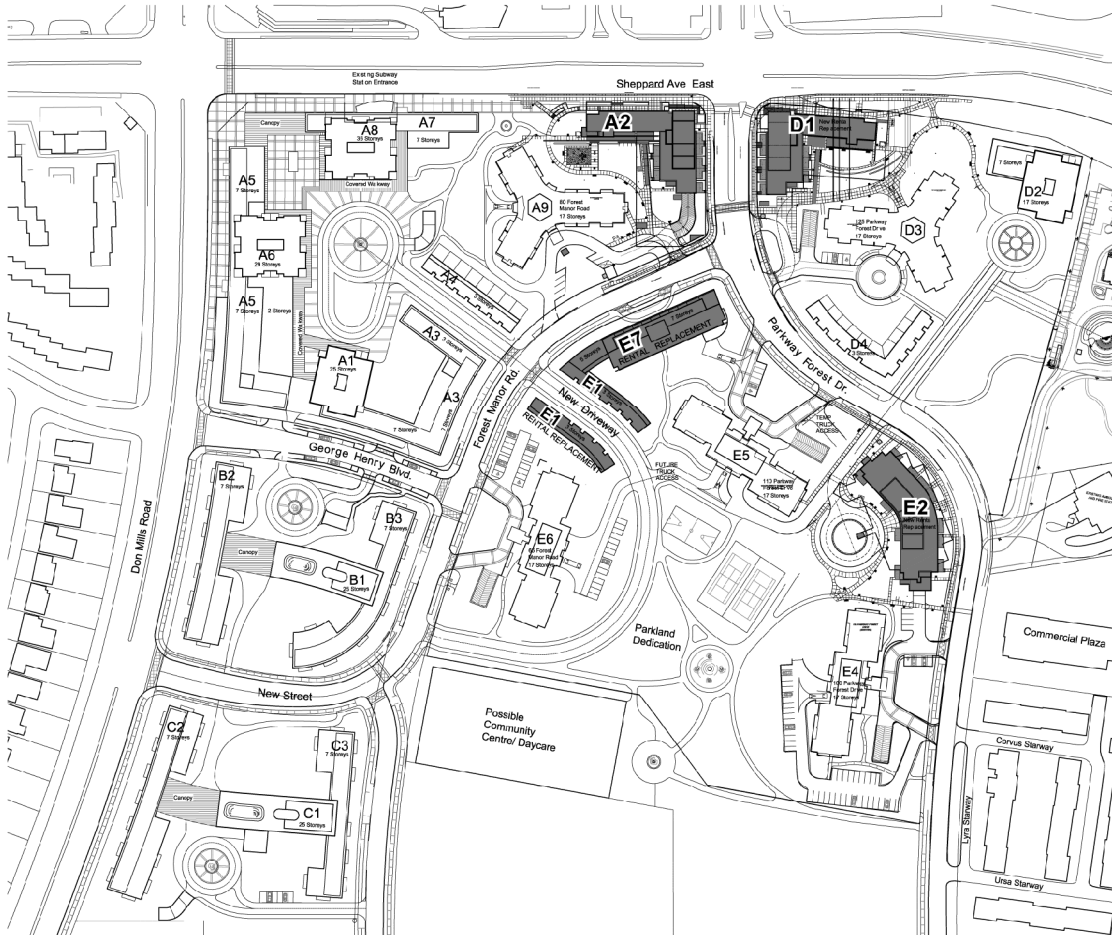
Applicant's Submitted Drawing

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06/18/2010



File # 10_154720

Attachment 5: Approved Master Plan



Master Plan

Applicant's Submitted Drawing

Not to Scale
06/18/2010



120 & 130 George Henry Boulevard

File # 10_154720