

**Part of 620 Dundas Street East (251 Sackville Street),
213-235 Sackville Green, 563-583 Dundas Street East
and part of 591 Dundas Street East – Application for
Residential Demolition**

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| Date: | January 15, 2010 |
| To: | Toronto and East York Community Council |
| From: | Director, Community Planning, Toronto and East York District |
| Wards: | Ward No. 28 – Toronto Centre - Rosedale |
| Reference Number: | File No. 09 186236 DEM 00 DM and 10 104665 DEM 00 DM |

SUMMARY

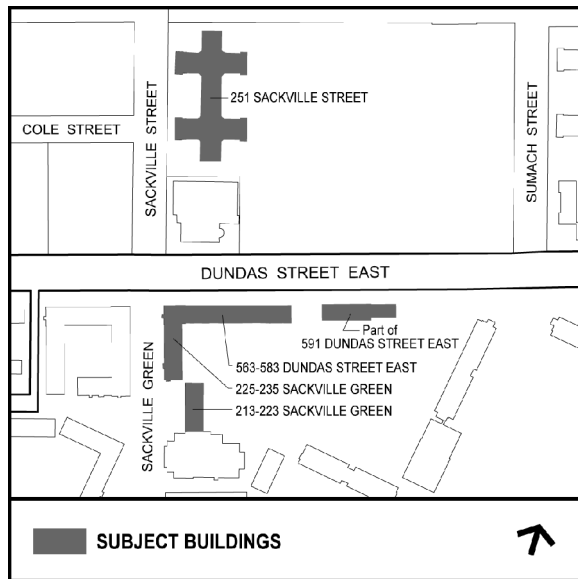
This application is to demolish 71 rental residential units with the Regent Park redevelopment area. As part of the Council approved revitalization of Regent Park all of the existing social housing units to be demolished will be replaced and tenants are to receive assistance with relocation.

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the application to demolish the subject



residential building(s), part of 620 Dundas Street East (251 Sackville Street), 213-235 Sackville Green, 563-583 Dundas Street East, and part of 591 Dundas Street East, with the following conditions, notwithstanding that there is no building permit for a replacement buildings on the sites:

- (a) the removal, handling and disposal of all hazardous materials including but not limited to asbestos, lead, silica, mercury, and polychlorinated biphenyls shall be conducted in accordance with the Ministry of the Environment and the Ministry of Labour regulations and guidelines;
- (b) the owner shall ensure the implementation of the demolition and excavation dust control measures approved by the Medical Officer of Health;
- (c) the owner shall submit any further required information for the review and approval of the Medical Officer of Health and the Chief Building Official, as may be require, prior to the issuance of the demolition permit;
- (d) prior to initiating any demolition activities, the owner shall notify Toronto Public Health (416 338-8062) of the date the demolition is scheduled to commence;
- (e) all debris and rubble shall be removed from the site immediately after demolition;
- (f) any holes on the property shall be back-filled with clean fill; and
- (g) the owner shall not commence demolition related activities if it will impact privately owned trees protected under Municipal Code, Chapter 813, Trees, Article III unless the trees have been authorized for removal or tree protection measures have been put in place in accordance with the City of Toronto's "Tree Protection Policy and Specifications for Construction Near Trees."

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Council has previously endorsed the redevelopment of Regent Park by Toronto Community Housing Corporation (TCHC) and has taken a number of actions with respect to planning approvals for the redevelopment.

- At its meeting of July 22-24, 2003, Council directed that the interdepartmental review of the redevelopment proposal be undertaken as a priority.

- At its meeting of February 1-3, 2005, Council adopted a report (dated January 4, 2005) from the Director of Community Planning, South District, recommending approval of the Regent Park Secondary Plan and an area-specific zoning by-law, subject to Holding provisions. The Secondary Plan and zoning were appealed to the Ontario Municipal Board (OMB). The OMB issued an order on June 30, 2005 approving the Secondary Plan and a slightly revised zoning by-law, endorsing a settlement agreed upon between the appellant, the City and the TCHC.
- At its meeting of April 12-14, 2005, Council considered a City Planning report (dated March 16, 2005) regarding a Draft Plan of Subdivision for Regent Park. The City approved a Draft Plan of Subdivision for the Regent Park redevelopment on May 31, 2005.
- At its meeting of September 28-30, 2005 Council removed the Holding Symbol from the Zoning By-law for the first phase of the redevelopment and adopted a Community Facilities Strategy for Regent Park.
- At its meeting of October 23, 2007 Council removed the Holding Symbol for a parcel of land in Regent Park for the construction of an indoor swimming pool on the central park lands for the neighbourhood.
- At its meeting of October 1, 2009 Council TCHC approved amendments to the area-specific zoning by-law, subject to Holding provisions. These changes were requested by TCHC, in part, due to lessons learned in the implementation of Phase 1 of the redevelopment.

In September 2009, TCHC submitted an application to remove the Holding Symbol from the Zoning By-law for the second phase of redevelopment. City staff have reviewed the required documentation and have provided TCHC and their consultants with comments and feedback. TCHC is working on revisions per staff's comments for resubmission. City staff expect to report to Council in Spring/Summer of 2010 on the recommendations for lifting of the hold.

Residential Demolition Control

Section 33 of the Planning Act provides that Council may refuse an application for demolition of a 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 a residential rental property. City Council has adopted an implementing by-law (885-2007) for Section 111 of the Act. Applications for residential demolition in Regent Park do not require approval under the new by-law, as TCHC applied for and received Official Plan and Zoning By-law Amendments for the redevelopment prior to proclamation of the new City of Toronto Act.

Rental Housing Demolition and Replacement

City Council approved the revitalization of Regent Park on condition that all of the 2,083 existing social housing units to be demolished were replaced and that tenants would receive assistance with relocation. The City has a number of tools to ensure the replacement of rental housing. The Section 37 agreement required by earlier planning approvals secures the replacement of Regent Park's social housing units and the tenant relocation assistance, monitored through periodic Housing Issues Report updates. These reports are required prior to the lifting of the (h) holding symbol for each phase of development, and staff report to Council on the achievement of the replacement to date and the tenant relocation. TCHC must also operate in accordance with the Shareholder Direction adopted by Council in October 2001. Given these circumstances, staff have not recommended further conditions of the demolition permit related to replacement of rental housing.

Replacement housing is under construction on the Phase 1 lands in Regent Park and in other locations in the east downtown area, as permitted by the planning approvals for the revitalization. Occupancy of the first social housing replacement building began in the Fall of 2009. To date, over 700 replacement social housing units have been completed or are under development. With the proposed approval for demolition of these 71 units, there will be a combined total of only 544 (of the original 2,083 social housing units) approved for demolition. With more replacement units under development than have been approved for demolition, the pace of replacement is well ahead of the pace of demolition.

Tenant Relocation and Assistance

Tenant relocation and assistance is an issue to be dealt with in respect to residential demolition. The revitalization approval and the Section 37 Agreement include a Tenant Relocation and Assistance Plan, with provisions to meet the City's requirements that come into effect with each approved demolition. The staff of Shelter, Support and Housing Administration manage and monitor the implementation of this Plan through a more detailed Implementation Plan which is updated as needed with TCHC prior to each phase of the revitalization. A Construction Mitigation and Tenant Communication Strategy is also in place.

TCHC advises that there are an ample number of available replacement units that will be ready for occupancy for the tenants leaving the 71 units proposed for demolition. TCHC also has the option of offering tenants available units within the existing social housing portfolio.

COMMENTS

251 Sackville Street

TCHC has made application under Section 33 of the Planning Act to demolish an existing 3-storey apartment building containing 48 residential rental units located at 251 Sackville Street, just north of Sts Cyril and Methody church on the north side of Dundas Street East. TCHC has not applied for building permits as the site is to be transferred to the City as parkland.

Under the Implementation Plan, a five month notice period as part of the Tenant Relocation and Assistance Implementation Plan was issued in October 2009 for the sitting tenants of the 48 units. The majority of residents have selected their replacement units and many have already moved out. It is expected that the building at 251 Sackville Street will be vacant by March 1, 2010. TCHC has requested the demolition permit at this time to avoid any security concerns that may be associated with having a vacant building within Regent Park and to begin preparing the lands for transfer to the City as parkland.

Based on the information provided by TCHC, staff at the City of Toronto's Healthy Environments Division have no objection to the issuance of the demolition permit for 251 Sackville Street and provided the recommended conditions of demolition, along with Toronto Building staff, respecting site conditions and environmental hazards.

213-235 Sackville Green, 563-583 Dundas Street East and 591 Dundas Street East

TCHC has also made a separate application under Section 33 of the Planning Act to demolish 23 townhouse units located at 213-235 Sackville Green, 563-583 Dundas Street East and maintenance shed at 591 Dundas Street East, which are all on the south side of Dundas Street East. This is the future site of the proposed arts and cultural centre, which on December 16, 2009 the federal and provincial governments announced \$24 million of infrastructure funding for the 6,300 square metre centre. The funding, however, is tied to a very tight timeline, with substantial completion expected by March 2011. The site plan application for the site is currently being prepared by TCHC, Daniels and Diamond & Schmitt Architects.

The five month notice period for the existing tenants is expected to be issued on January 25, 2010. With only 21 of the 23 townhouse units currently occupied and with the current availability of empty replacement units for relocation TCHC expects that these units will be vacant by June 2010.

While TCHC has requested permission to demolish 213-235 Sackville Green, 563-583 Dundas Street East and 591 Dundas Street East, there has not yet been sufficient time for staff to review the technical submissions respect to Building Code and Public Health

requirements. Therefore, staff have included Condition c. above to ensure that review is completed in a similar fashion to that of 251 Sackville Street.

Provincial Consent

The Social Housing Reform Act requires Provincial consent for the sale or lease and the redevelopment of social housing properties. At its meeting of February 1-3, 2004, Council directed that prior to the issuance of demolition permits for any buildings in Regent Park, that TCHC be required to obtain the Provincial consent for the sale or lease of land as required under the Social Housing Reform Act.

In a letter dated April 24, 2009 to the City of Toronto's Shelter, Support & Housing Administration Division, the Ministry of Municipal Affairs and Housing provided Ministerial consent for Phase Two lands (Attachment 1). A copy has also been provided to Toronto Building and City Planning.

CONTACT

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SIGNATURE

Raymond David, Director
Community Planning, Toronto and East York District

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ATTACHMENTS

Attachment 1: Letter of Ministerial Consent

Attachment 1: Letter of Ministerial Consent

Ministry of
Municipal Affairs
and Housing

Housing Division
777 Bay St. 16th Fl.
Toronto ON M5G 2E5
Telephone: (416) 585-8277
Fax: (416) 585-6800

Ministère des
Affaires municipales
et du logement

Division du Logement
777, rue Bay 16^e étage
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April 24, 2009

Ms Maria Varlokostas
Acting Director, Social Housing
Shelter, Support & Housing Administration
City of Toronto
365 Bloor Street East, 15th floor
Toronto, Ontario
M4W 3L4

Dear Ms Varlokostas:

Re: Toronto Community Housing Corporation (TCHC) redevelopment of Regent Park

Redevelopment of lands transferred to and presently owned by TCHC and known as "Regent Park" and being comprised of Regent Park North bounded by Dundas Street East, Parliament Street, Gerrard Street East and River Street, and Regent Park South bounded by Shuter Street, Regent Street, Dundas Street East, and River Street, which lands are more particularly set out in Transfer Order No. 22/2000 transferring lands from the Ontario Mortgage and Housing Corporation ("OMHC") to the Metro Toronto Housing Corporation and in Amending Transfer Order No. 22/2004(A-2) transferring lands from OMHC to TCHC (collectively "Regent Park")

This is further to the request from City of Toronto ("City") for Ministerial Consent for Phase Two from the Minister of Municipal Affairs and Housing ("Ministry") for the redevelopment of Regent Park.

This letter replaces the letter of September 13, 2007 from Doug Barnes to Kathleen Blinkhorn.

In its letter of February 19, 2009, the City confirmed that Phase Two has the following revised boundaries, as shown on the attached sketch: Sutton Ave. and Regent Street to the west; Dundas Street East to Sackville Street; Sackville Street north to Oak Street; Oak Street east to Sumach Street; Sumach Street south to the extension of St. David Street (currently St. David's Walk); St. David Street to the northeast corner of Block 38; south along the eastern boundary of Block 38 to Shuter Street; Shuter Street west to Sutton Avenue in the City of Toronto.

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M. Varlokostas

The City advised in its letter of February 19, 2009 that the revised Phase Two contains a total of 499 social housing units, of which 55 units have so far been demolished. TCHC's objective for the revised Phase Two is to accommodate approximately 318 replacement social housing units, the balance being replaced off site. The lands substantially shown as Block 38 on the attached sketch are to be dedicated to the City as a parkland dedication

Ministerial Consent for the redevelopment of Phase Two by TCHC, including the sale or lease of portions of Phase Two by TCHC, as required under the provisions of s.50(1) of the *Social Housing Reform Act, 2000* (the "SHRA"), is granted in accordance with the terms of this letter.

This Ministerial consent is only applicable to the redevelopment of Phase Two by TCHC. Once the redevelopment of Phase Two has been completed, this consent will not apply to any subsequent or further redevelopment of those lands or properties within Phase Two that are under a program in the Portfolio under the Social Housing Agreement made November 15, 1999 between Canada Mortgage and Housing Corporation ("CMHC") and her Majesty the Queen in Right of the Province of Ontario ("the SHA"). With respect to any such subsequent or further redevelopment, no loan shall be given with respect to or any mortgage registered against those lands or properties within Phase Two that are under a program in the Portfolio under the SHA where CMHC is the lender or the insurer of such loan or mortgage, without the prior written consent of the Ministry.

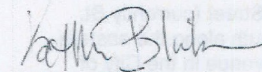
As soon as the City has the information, it will provide the Ministry, for each phase of redevelopment of Regent Park, with the civic address, the legal description of those lands or properties within Regent Park and the number of units within Regent Park that will continue to be administered by the City under a program in the Portfolio under the SHA.

Any proceeds from the sale, lease or other disposition by TCHC of any Phase Two lands shall be expended on the capital improvement of Regent Park in relation to its redevelopment under any program in the Portfolio under the SHA.

This consent does not relieve the City of its obligations under the SHRA, including maintaining its service levels in accordance with the SHRA and regulations thereunder.

The Ministry confirms to the City that may apply to Canada Mortgage and Housing Corporation (CMHC) for loans where CMHC is the lender or insurer with respect to the redevelopment of Phase Two.

Yours truly,



Kathleen Blinkhorn
Assistant Deputy Minister

- c. F. Barros – CMHC
- D. Ballanytne - TCHC
- R. Hodge – MMAH
- S. Gillespie, Ontario Mortgage & Housing Corporation