TORONTO

STAFF REPORT
ACTION REQUIRED

32-50 Forest Manor Road – Applications for Residential Demolition

Date:	March 11, 2013
To:	City Council
From:	Chief Planner & Executive Director, City Planning Division
Wards:	Ward No. 33 – Don Valley East
Reference Number:	P:\2013\Cluster B\PLN\City Council\CC13021 13 121427 DEM 00 DM, 13 121546 DEM 00 DM, 13 121568 DEM 00 DM, 13 121571 DEM 00 DM, 13 121576 DEM 00 DM, 13 121583 DEM 00 DM, 13 121583 DEM 00 DM, 13 121587 DEM 00 DM, 13 121594 DEM 00 DM, 13 121620 DEM 00 DM, 13 121631 DEM 00 DM, 13 121639 DEM 00 DM

SUMMARY

On February 26, 2013, North York Community Council directed Planning staff to report directly to City Council on residential demolition applications recently filed by the applicant in the Parkway Forest neighbourhood (Item NY22.42).

This applicant proposes to demolish 114 rental townhouse units and an underground parking garage at 32-50 Forest Manor Road. As part of the Parkway Forest revitalization plan the rental units will be replaced and tenants are to receive assistance with relocation. Tenant relocation is presently underway and is expected to be completed by April 1, 2013.



This report is before 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 in the Parkway Forest neighbourhood. Demolition of the existing townhouse units is necessary to construct a new public road connecting Forest Manor Road and Don Mills Road, following which new residential condominium apartments building will be constructed on the sites (refer to Blocks B and C on Attachment 3).

This report recommends approval of the applications to demolish the existing 114 townhouse units in advance of building permits for the replacement condominium apartment buildings, 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 114 rental dwelling units and underground parking garage at 32-50 Forest Manor Road with the following conditions, notwithstanding that no building permit has been issued for a replacement residential buildings on the sites:

    (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 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
This request is part of the comprehensive revitalization plan approved by City Council and the Ontario Municipal Board in the Parkway Forest neighbourhood. The implementing Zoning By-law is in full force and effect and the Section 37 Agreements, which include provisions on rental housing replacement and tenant relocation, have been executed and registered. A link to the City Council decision can be found at:
http://www.toronto.ca/legdocs/2006/agendas/council/cc060425/ny3rpt/cl029.pdf

Construction commenced two years ago and is planned to be developed in phases over a number of years. Currently, three of the four rental replacement buildings have been completed and construction is underway on the first three condominium apartment buildings on Block A (refer to Attachment 3 – Approved Master Plan). The rental replacement buildings are shown shaded on Attachment 3.

The redevelopment calls for the demolition and replacement of 332 rental units and the construction of 2,200 condominium units in a series of buildings ranging from 7 to 36 storeys in height. The implementing zoning by-law appends five holding symbols (“H”) to the lands (refer to Attachment 3) that set out conditions to be met prior to the removal of a specific holding provision. The conditions deal with matters pertaining to transportation, traffic management, the construction of the new community centre/child care facility and community agency space. On November 27, 2012 City Council removed the first holding symbol from the lands ("H-1") to facilitate the issuance of a building permit for the second condominium building. A link to the City Council decision can be found at:
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY20.31

On November 21, 2012, City Planning issued Draft Plan Approval conditions on the applicants Plan of Subdivision application. The application proposes a new public road that will connect Forest Manor Road to a new signalized intersection at Don Mills Road. The new public road will bisect the lands currently developed with the 114 townhouse units to be demolished. The new public road will create two new development blocks (Blocks B and C) on either side of the new road (refer to Attachment 1) where future residential development is planned. One of the conditions of Draft Plan Approval requires the applicant to provide a financial security to ensure the two development blocks are properly graded and sodded until such time as building permits for the replacement buildings are ready to be issued.

ISSUE BACKGROUND

Site and Surrounding Area
The Parkway Forest neighbourhood is comprised mainly of apartment buildings with heights up to 19 storeys and a series of townhouse developments. The apartments are

characteristic of towers in the park, with extensive open space, mature trees and surface parking surrounding the buildings. The majority of the residences in the neighbourhood are rental units.

The following is a summary of the area context of the Parkway Forest neighbourhood:

North:	Sheppard Avenue East, then Fairview Mall;
South:	Highway 401, then a neighbourhood of high rise apartments in the Graydon Hall community;
East:	Highway 404, then Consumers Road Business Park;
West:	Don Mills Road, then single family dwellings.

At the centre of the neighbourhood is a public park, an elementary school (Forest Manor Public School) and a privately owned recreational facility. The private recreation facility contains an indoor swimming pool, gymnasium, meeting room space, and a 72-space childcare centre operated by the YMCA. The recreation facility was originally designed to meet the indoor community space needs for residents in the surrounding community. The facility is over 30 years old and has fallen into disrepair and will be demolished once the community centre has been completed. At that time, the existing child care centre will be relocated to the community centre. The existing private recreation facility will be replaced with an outdoor swimming pool, accessory building and parkland enhancements.

The El Ad sites comprise approximately 13 hectares (32 acres) of land on 5 separate blocks in the Parkway Forest neighborhood (refer to Attachments 1 and 3). The blocks are currently developed with five, 17-storey rental apartment buildings (65 & 80 Forest Manor Road and 100, 110 & 125 Parkway Forest Dr), two recently constructed 7-storey rental buildings flanking the intersection of Sheppard Avenue East and Parkway Forest Drive (Buildings A1 and D2 on Attachments 1 and 3), and 114 rental townhouse units (32-50 Forest Manor Road). A 7-storey rental replacement apartment building with grade-related townhouse units has recently been completed on the east side of Forest Manor Road (Buildings E1 and E7 on Attachments 1 and 3). The remaining tenants (87 of 114) in the townhouses at 32-50 Forest Manor Road are currently being relocated to this new building or alternatively, will be receiving a financial assistance package.

The thirteen townhouse buildings to be demolished are located on the east side of Don Mills Road fronting George Henry Boulevard and Forest Manor Road. The lands are identified in the Parkway Forest Master Plan as Blocks B and C. Attached as Attachment 2 is a site survey illustrating the building and site layout of the existing townhomes.

The revitalization of the Parkway Forest neighbourhood also includes a new public road that will connect Forest Manor Road to a new signalized intersection at Don Mills Road. The new road will be constructed on the lands currently developed with the 114 rental townhouse units.

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 Rental 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 financial assistance.

As noted previously, the first two rental replacement buildings located at the intersection of Sheppard Avenue East and Parkway Forest have been completed and are now occupied (Buildings A1 and D2 on Attachment 3) and construction has recently been completed on the third rental replacement building located on the east side of Forest Manor Road (Buildings E1/E7 on Attachment 3). Tenant relocation for the remaining residents from the 114 townhouse units to the new rental building is currently underway. Construction on the fourth and final rental replacement building (Building E2 on Attachment 3) is anticipated this Spring.

COMMENTS

The Owner is requesting permission under Section 33 of the *Planning Act* to demolish the existing 114 townhouse units at 32-50 Forest Manor Road in advance of obtaining building permits for the replacement condominium buildings on Blocks B and C in order to construct the new public road.

As noted previously, tenant relocation for the remaining residents from the 114 townhouse units to the new rental building is currently underway and expected to be completed by the end of March 2013. The applicant is currently in the process of settling the draft plan approval conditions on their Plan of Subdivision application and hope to begin construction on the new public road in April 2013.

The new public road will bisect the lands currently developed with the 114 rental townhouse units at 32-50 Forest Manor Road thereby creating new development blocks (Blocks C and D) on either side of the road (refer to Attachment 1 and 3). The new road must be substantially completed and traffic signals installed before building permits for new condominium buildings can be issued. It is also worth noting it is a precondition to the removal of the "H-2" holding symbol that the new public road be constructed and the

signalized intersection at Don Mills Road be completed prior to the issuance of building permits for the Phase 3 development on the north side of George Henry Boulevard (Buildings A1/A3/A4).

It is anticipated the new road and traffic installation will take approximately six months to complete. As a result, City Council must authorize the Chief Building Official to issue permits under Section 33 of the Planning Act to demolish the 114 residential units in advance of obtaining building permits for the new condominium buildings.

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

Steve Forrester, Senior Planner
Tel. No. (416) 395-7126
Fax No. (416) 395-7155
E-mail: sforrest@toronto.ca

SIGNATURE

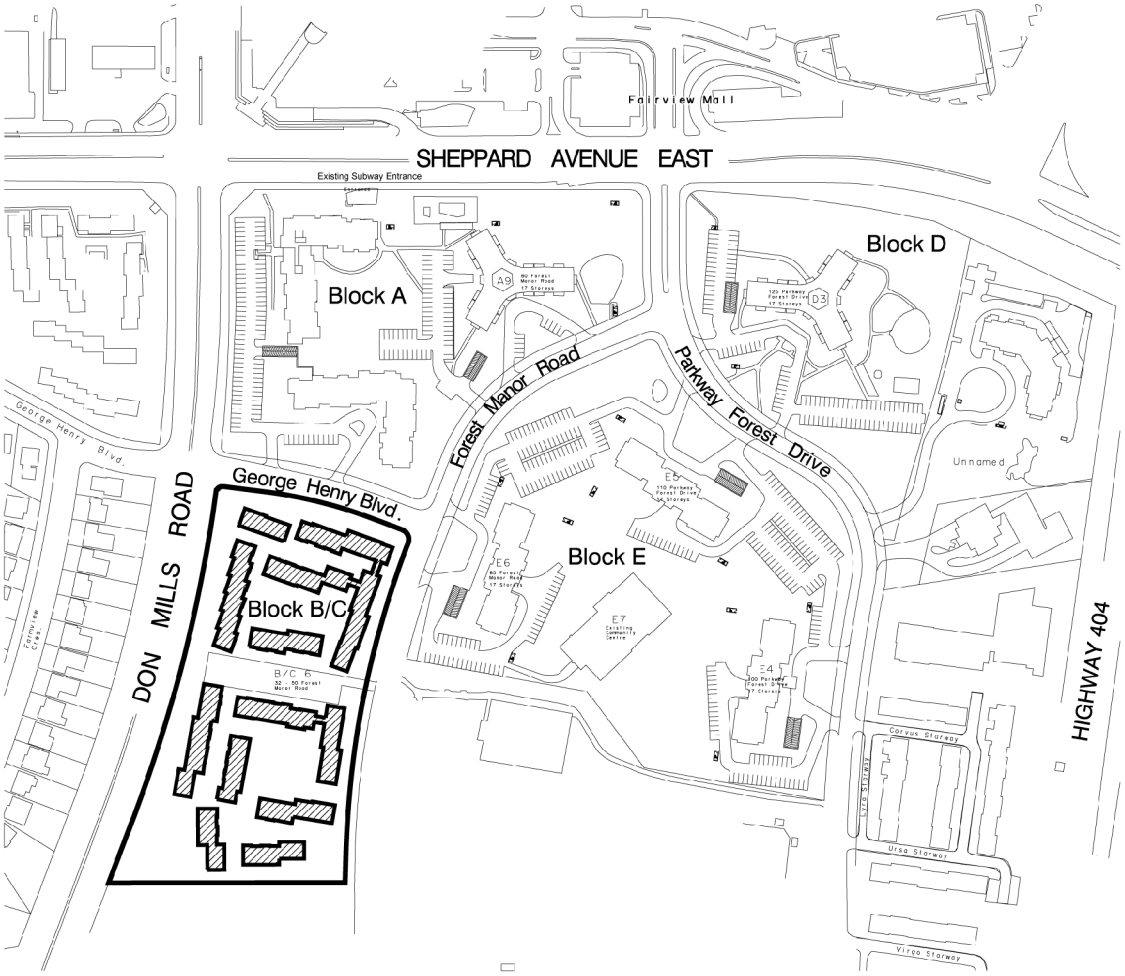
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Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner & Executive Director
City Planning

ATTACHMENTS

Attachment 1: Site Survey
Attachment 2: Existing Development Plan
Attachment 3: Approved Master Plan

Attachment 1: Existing Site Plan



Existing Site Plan

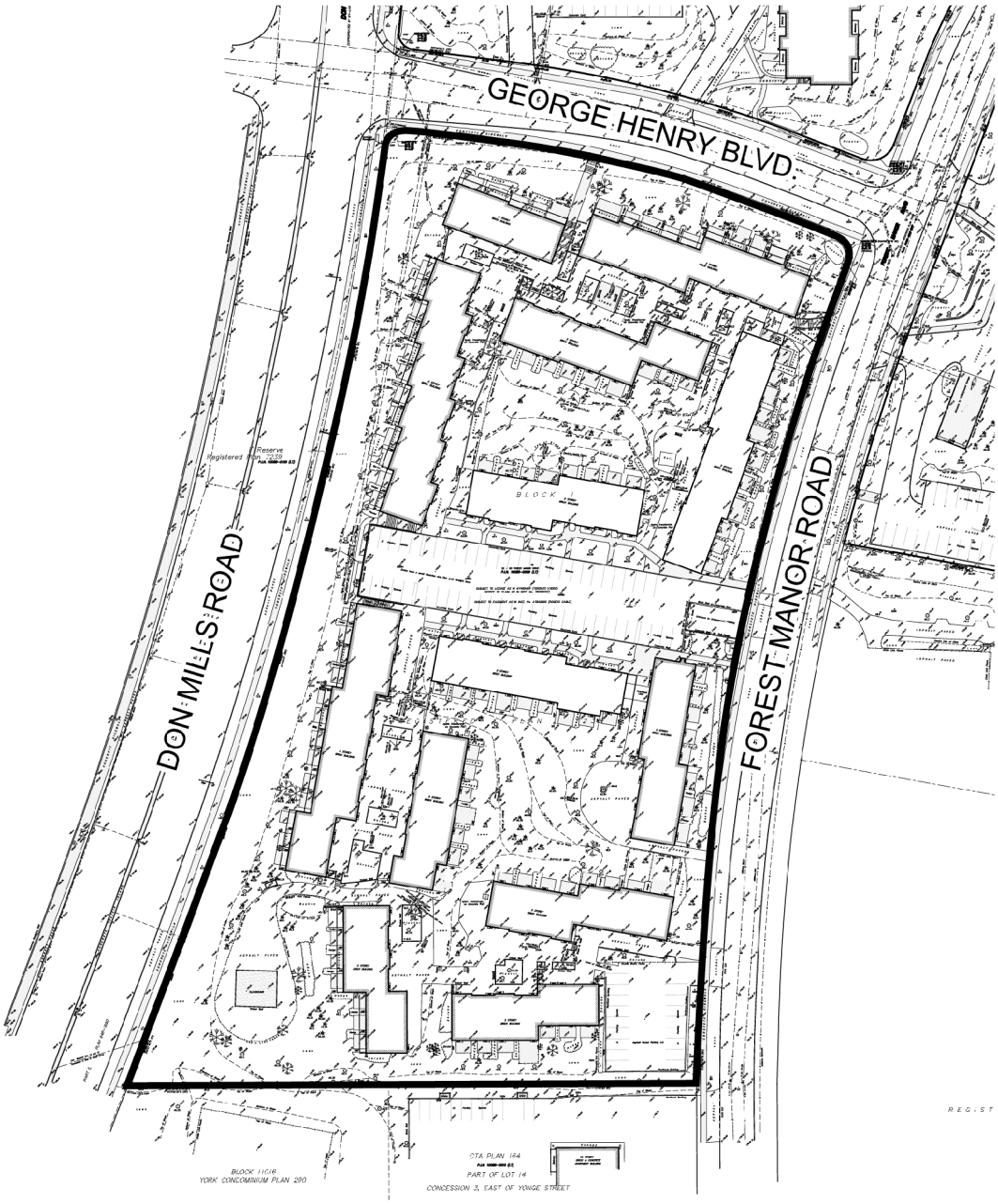
Applicant's Submitted Drawing

Not to Scale
03/04/2013

32-50 Forest Manor Road

File # 13 121427 DEM 00 DM

Attachment 2: Site Survey



Plan of Survey

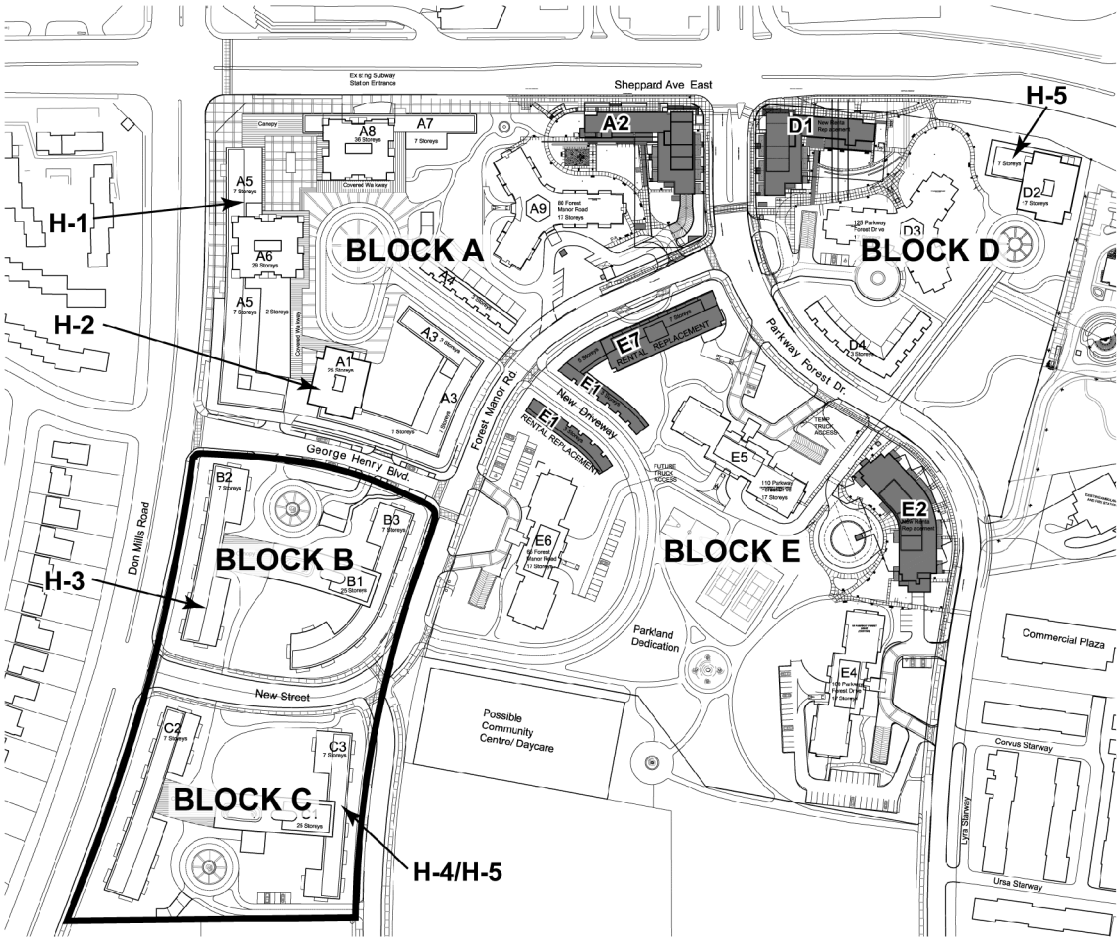
32-50 Forest Manor Road

Applicant's Submitted Drawing

Not to Scale
03/04/2013

File # 13 121427 DEM 00 DM

Attachment 3: Approved Master Plan



Master Plan

Applicant's Submitted Drawing

Not to Scale
03/04/2013

32-50 Forest Manor Road

File # 13 121427 DEM 00 DM