

Authority: Urban Environment and Development Committee Report No. 3, Clause No. 3, as adopted by City of Toronto Council on March 2, 3 and 4, 1999; and Notice of Motion J(8) by Councillor Chong, seconded by Councillor Ootes, as amended and adopted by City of Toronto Council on April 13, 14 and 15, 1999  
Enacted by Council: April 15, 1999

## **CITY OF TORONTO**

### **BY-LAW No. 147-1999**

#### **To adopt official plan amendments regarding the conversion to condominium and demolition of rental housing.**

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The official plan amendments set out in this by-law are hereby adopted.
2. The official plan of the former Municipality of Metropolitan Toronto is amended by adding the following new policies:

135.1 to preserve, maintain and replenish the supply of residential buildings, and particularly rental buildings, across the City of Toronto by restricting the demolition of residential property and the conversion of rental units to condominium, and/or freehold, by discouraging the conversion of rental units to equity co-operative, and by encouraging new rental housing production.

135.2 to restrict the conversion to condominium of any building, or any related group of buildings, including non-profit co-operative and/or equity co-operative, containing six or more rented residential units as it would be premature and not in the public interest, unless the vacancy rate in the City of Toronto, as reported by Canada Mortgage and Housing Corporation, for private rental apartments and townhouses, respectively, has been at or above 2.5 per cent for the preceding two year reporting period.

135.3 (a) despite policies 135.1, 135.2 and 135.4, to consider allowing the conversion of buildings containing six or more rented residential units only where:

- (i) the rents that were actually charged for each unit in the building or related group of buildings one year prior to the application, were at or above the average high-end rent level by unit type as prescribed by Council from time to time, and based on Canada Mortgage and Housing Corporation reports; and
- (ii) at least 66 per cent of the tenanted households have expressed their support in writing for the conversion application in a manner prescribed by Council; or

- (b) despite policies 135.1, 135.2 and 135.4, to consider allowing the conversion of equity co-operative buildings containing six or more rented residential units where:
  - (i) the co-operative was legally created prior to June 17, 1998;
  - (ii) 50 per cent or less of the units are tenanted;
  - (iii) 66 per cent of each of the tenant and shareholder households have expressed their support in writing for the conversion application in a manner prescribed by Council; and
  - (iv) an application for condominium approval under the Planning Act has been made by the equity co-operative corporation within 2 years following approval of this policy.

135.4 to seek the retention of rented residential units, except where the whole or part of a building which contains such units is in the opinion of the Chief Building Official structurally unsound, and to consider, where appropriate, acquiring or leasing a property where such units are at risk of being demolished.

- 135.5 (a) when considering redevelopment applications involving the demolition of rented residential units, to seek the replacement of the demolished rental units with rental units of a similar number, type, size, and level of affordability in the new development, and/or alternative arrangements, which in the opinion of Council are consistent with the intent of this policy; and
- (b) when considering such applications in the context of an increase in height and/or density, to secure such replacement units and/or alternative arrangements through an appropriate legal agreement under Section 37 of the Planning Act.

**3.** The official plan of the former Municipality of Metropolitan Toronto is amended by adding the following definitions under the Glossary of Terms:

**related group of buildings**

buildings that are under the same ownership and on the same parcel of land as defined in section 46 of the Planning Act, as may be amended from time to time.

**rented residential units**

means premises used for rented residential purposes, and includes premises that have been used for rented residential purposes and are vacant.

**4.** Upon the policies set out in section 2 of this by-law coming into force, the following official plan sections are deleted:

- (a) sections 2.5.6, 4.5.3, 4.5.4, 4.5.5, 4.10 and 4.10.1 of the official plan for the former Borough of East York;
- (b) sections 2.2.13, 2.2.15, 2.2.16, 11.15.2 and the words “or conversion of existing rental accommodation” in sections 11.15.3 and 11.15.4 in the official plan for the former City of Etobicoke;
- (c) sections 2.6.2, 2.6.3 and 2.6.4 in Part C.4 of the official plan for the former City of North York;
- (d) sections 6.18 and 6.19 of the official plan for the former City of Toronto; and
- (e) sections 9.7(b), 9.8 and item 6 in Part (B) in Appendix I of the official plan for the former City of York.

**5.** The following are the official plan amendment (“OPA”), numbers for the official plan amendments adopted by this by-law: OPA number 2 for the official plan of the former Municipality of Metropolitan Toronto, OPA number 18 for the official plan of the former Borough of East York, OPA number 70-99 for the official plan of the former City of Etobicoke, OPA number 473 for the official plan of the former City of North York, OPA number 139 for the official plan of the former City of Toronto, and OPA number 153 for the official plan of the former City of York, respectively.

**6.** Any related technical amendments to the official plans referred to in sections 2 to 4 of this by-law shall be made.

ENACTED AND PASSED this 15th day of April, A.D. 1999.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)