

**2 Ridelle Avenue - Official Plan and Draft Plan of Condominium Applications - Preliminary Report**

<b>Date:</b>	April 5, 2007
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward No. 21 – St. Paul’s
<b>Reference Number:</b>	File Nos. 07 107384 STE 21 OZ and 07 107385 STE 21 CD

**SUMMARY**

Applications to amend the Official Plan and for Draft Plan of Condominium approval have been submitted to permit the conversion of a 44-unit residential co-ownership building to condominium at 2 Ridelle Avenue.

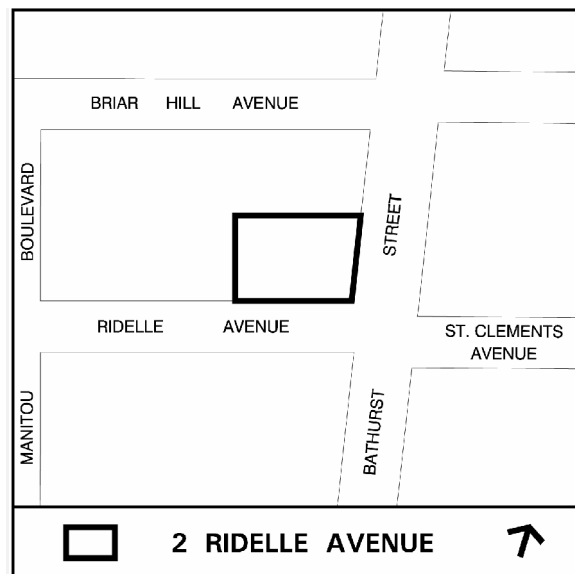
This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The applications have been circulated to other city departments for review. With Council’s direction a community consultation meeting may be held late May 2007.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. staff be directed to schedule a community consultation meeting together with the Ward Councillor;
2. notice for the community consultation meeting be given to tenants and owners of the subject building, and landowners and residents within 120 metres of the site; and



3. notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act and serve as notice of public meeting required by Council approved meeting requirements for condominium conversion.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to convert an existing 44-unit co-ownership building to condominium. No new construction is proposed.

The building was originally constructed as a 6-storey apartment building in the 1950's and converted to co-ownership in 1990. The building consists of 27-one bedroom units, 13-two bedroom units and 4-bachelor units, totalling 44 residential units.

The tenancy within the building is mixed. There are 37 co-owners, which comprise the 44-unit co-ownership building. The applicant advises that 25 units are co-owner-occupied, 18 units are tenant-occupied and 1 unit is occupied by the superintendent. Of the 18 tenant-occupied units, 13 are currently occupied by family members of the co-owners, and 5 are occupied by tenants.

The applicant proposes that the building will be managed and will function in a similar fashion to that currently. Currently, the superintendent's suite, hallways, elevator, parking areas, landscape areas all form part of the common areas within the building and are managed by the co-ownership.

### **Site and Surrounding Area**

The subject property is comprised of a 1589 m<sup>2</sup> parcel on the northwest corner of Ridelle Avenue and Bathurst Street.

The underground parking garage provides for 24 parking spaces (see attachment No. 2 - Illustration of Parking Layout). Vehicular access to the parking garage is provided off Bathurst Street along a driveway at the north end of the property.

The topography of the site slopes downward to the north and east. Land uses surrounding the subject property consist of the following:

North: 5-storey apartment building, Briar Hill Avenue

South: Ridelle Avenue, 4-storey apartment building

East: Bathurst Street, 5-storey apartment building

West: single family dwelling

## **Condominium Act**

The Condominium Act states that the provisions of Sections 51, 51.1 and 51.2 of the Planning Act that apply to a plan of subdivision also apply to plans of condominium with necessary modifications to a description or an amendment to a description.

## **Planning Act**

Section 51(24) of the Planning Act sets forth the criteria the City must consider in determining whether to permit the conversion of a rental residential building to a condominium. Specifically this section requires that:

“in considering a draft plan of subdivision [condominium conversion], regard shall be had, among other matters, to the health, safety, convenience and welfare of the present and future inhabitants of the municipality and to:

- a) the effect of the proposed subdivision on matters of provincial interest as referred to in Section 2;
- b) whether the proposed subdivision is premature or in the public interest;
- c) whether the proposed plan conforms to the official plan and adjacent plans of subdivision, if any;
- d) the suitability of the land for the purposes for which it is to be subdivided; and
- e) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land”

Section 2 of the Planning Act includes that:

“the... council of a municipality... in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...

- j) the adequate provision of a full range of housing;....
- l) the protection of the financial and economic well-being of the Province and its municipalities;...and
- p) the appropriate location of growth and development.”

## **Provincial Policy**

Issued under the authority of Section 3 of the Planning Act, the Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. Housing policies in the Provincial Policy Statement provide for an appropriate range of housing types and densities to meet the requirements of current and future residents, and the provision of housing in locations with appropriate levels of infrastructure and services. Council is required to make decisions on planning matters that are consistent with the Provincial Policy Statement.

## Official Plan

The Official Plan for the City of Toronto designates this site an Apartment Neighbourhood. Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreations facilities, and small-scale retail service and office uses that serve the needs of area residents. Many of the condominium and apartment buildings are clustered in already developed apartment neighbourhoods.

The Official Plan contains a number of policies respecting housing and the need to preserve and increase the City's supply of rental housing. Relevant new Plan policies include:

### Policy 3.2.1.1:

“A full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing...”

### Policy 3.2.1.8:

“The conversion to condominium, or the severance or subdivision, of any building or related group of buildings, containing six or more rental housing units will not be approved unless:

- a) all of the rental housing units have rents that exceed mid-range rents at the time of application, or
- b) in Council's opinion, the supply and availability of rental housing in the City has returned to a healthy state and is able to meet the housing requirements of current and future residents. This decision will be based on a number of factors, including whether:
  - i) rental housing in the City is showing positive, sustained improvement as demonstrated by significant net gains in the supply of rental housing including significant levels of production of rental housing, and continued projected net gains in the supply of rental housing;
  - ii) the overall rental apartment vacancy rate for the City of Toronto, as reported by the Canada Mortgage and Housing Corporation, has been at or above 3.0% for the preceding four consecutive annual surveys;
  - iii) the proposal may negatively affect the supply or availability of rental housing or rental housing sub-sectors including affordable units, units suitable for families, or housing for vulnerable

populations such as seniors, persons with special needs, or students, either in the City, or in a geographic sub-area or a neighbourhood of the City; and

- iv) all provisions of other applicable legislation and policies have been satisfied.”

The above policies recognize the need for a broad, comprehensive approach to determine whether the City’s supply and availability of rental housing has returned to a healthy state, and can meet the requirements of current and future residents before losses in the rental stock are permitted to occur. At this point, City Council and staff consider that the rental market is not healthy and should not generally be subjected to conversion or demolition activity, unless the specific exceptions are satisfied.

### **Zoning**

The property is zoned R2 Z2.0 with a maximum permitted height of 21 metres. The R2 designation permits a range of housing types, including apartments.

### **Site Plan Control**

No new construction is proposed, thus site plan control is not required.

### **Other Legislation – City of Toronto Act**

Section 111 of the new City of Toronto Act 2006 provides City Council with enhanced powers to prohibit and regulate the demolition and conversion of residential rental properties containing six or more dwelling units. The Act was proclaimed on January 1, 2007 and applies to any application submitted after that date. A by-law to implement the provisions of the Act will soon be considered by Council. Given the timing of this application and number of dwelling units in the property, Section 111 would apply.

### **Reasons for the Application**

Section 9(2) of the *Condominium Act* provides that Section 51 of the *Planning Act* applies to an application for conversion. The proposed conversion of 2 Ridelle Avenue from a co-ownership building to residential condominiums must be considered under the criteria set forth in Section 51(24) of the *Planning Act*. One of the criteria of Section 51(24) is whether the application conforms to the Official Plan. The exceptions to the relevant Official Plan policies are not satisfied, and for the conversion to be approved an Official Plan amendment would be required. Approval to convert residential rental property is also required under Section 111 of the new City of Toronto Act.

Under City of Toronto By-law 229-2000 (Chapter 415-17 of the Municipal Code), the authority for the giving of draft condominium approvals, under section 50 of the Condominium Act, is delegated to the Chief Planner except for applications involving the conversion of rental housing. Thus, the authority to grant draft condominium approval for this application will rest with Council.

## **COMMENTS**

### **Issues to be Resolved**

#### **Conversion from Co-ownership to Condominium**

Staff will resolve whether an amendment to the Official Plan for the proposed conversion is appropriate and represents good planning. Planning Staff will review the Planning Rationale and Housing Issues Report supplied by the applicant. The final report will provide more details relating to any potential impacts on affordable and mid-range rental housing.

As well, the application needs to be considered in the context of Section 111 of the City of Toronto Act, 2006.

#### **Parking**

Staff will evaluate the amount and adequacy of parking for the property and provide more detailed comments in the final report.

#### **Tenant Impact and Input**

The proposed community consultation meeting will present an opportunity to inform the current tenants and nearby community of the proposal and seek their input. The final report will provide more discussion on tenant rights, security of tenure and possible impact on rent levels.

#### **Draft Plan of Condominium**

An application for Draft Plan of Condominium has been submitted and will be dealt with simultaneously with the Official Plan Amendment. In the event that this application is recommended for approval, conditions will be imposed. Conditions may include the requirement to undertake a comprehensive reserve fund study. Details of the conditions relating to the Draft Plan of Condominium will be addressed in the final report.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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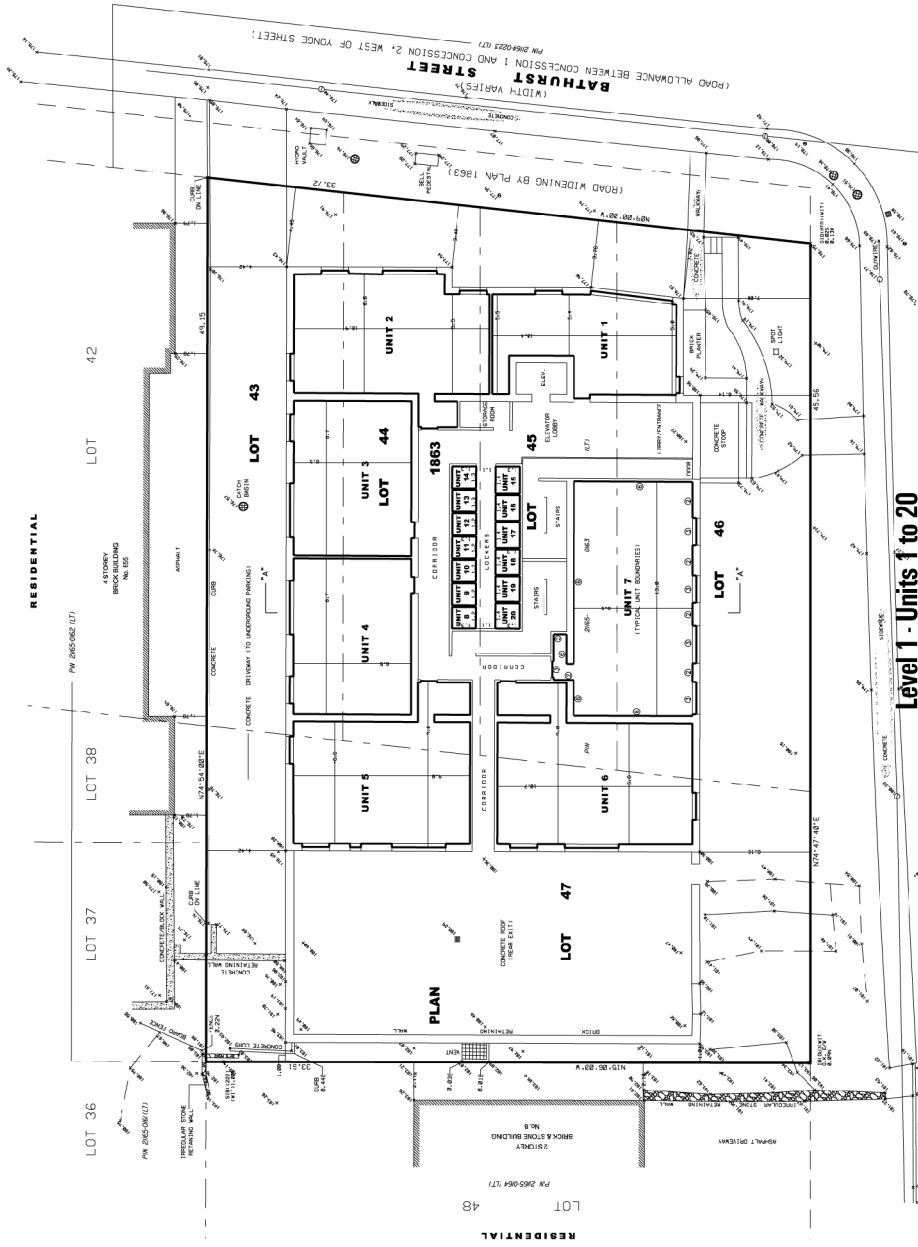
Gary Wright, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Draft Plan of Condominium Conversion – Levels 1-6  
Attachment 2: Illustration of Parking Layout  
Attachment 3: Official Plan Map Extract  
Attachment 4: Zoning Map Extract  
Attachment 5: Application Data Sheet

# Attachment 1: Draft Plan of Condominium (Level 1)



**Draft Plan of Condominium**  
Applicant's Submitted Drawing  
Not to Scale  
03/26/07

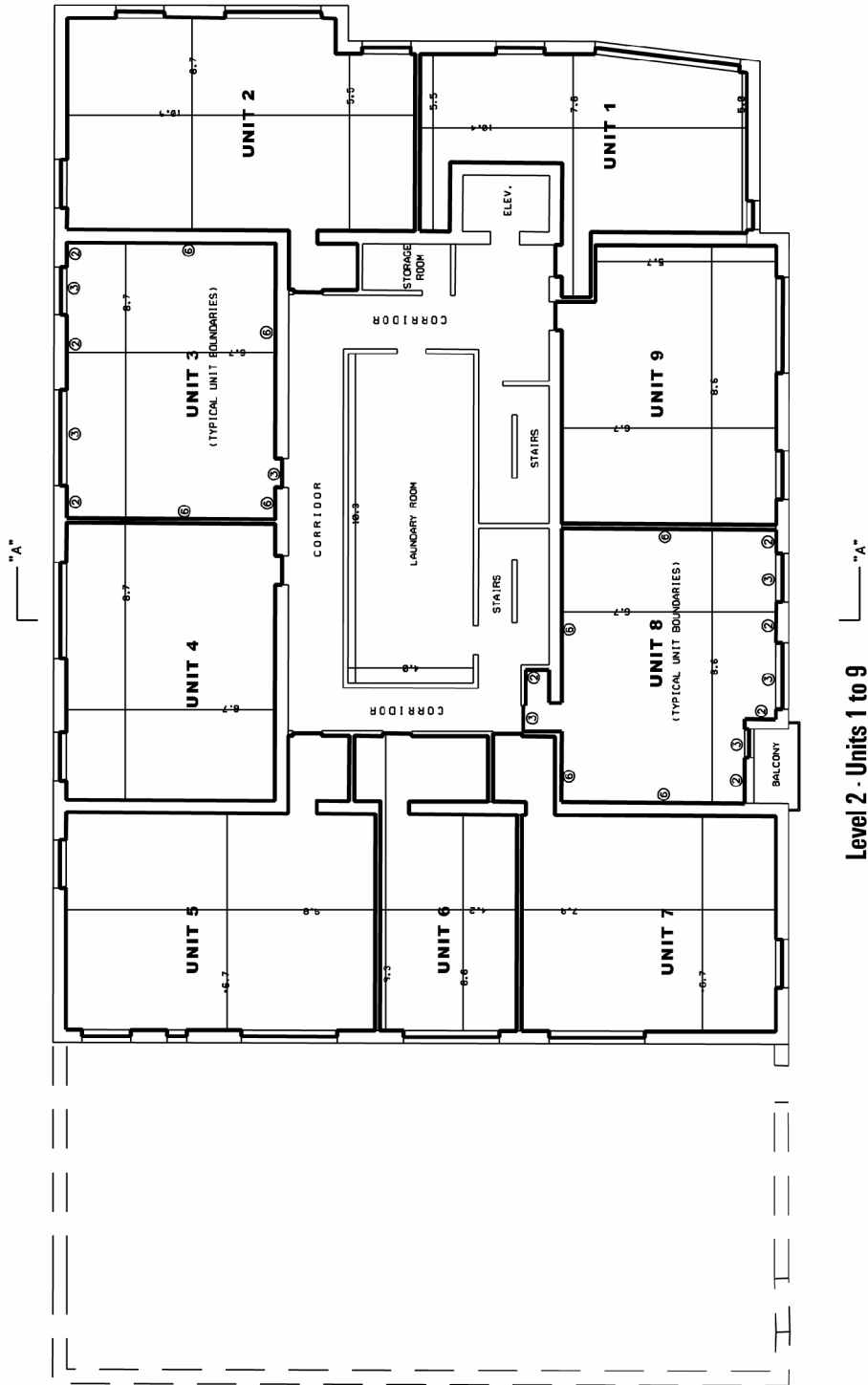
**2 Ridelle Avenue**

**Level 1 - Units 1 to 20**

File # 07\_107384



Draft Plan of Condominium (Level 2)



2 Ridelle Avenue

File # 07\_107384

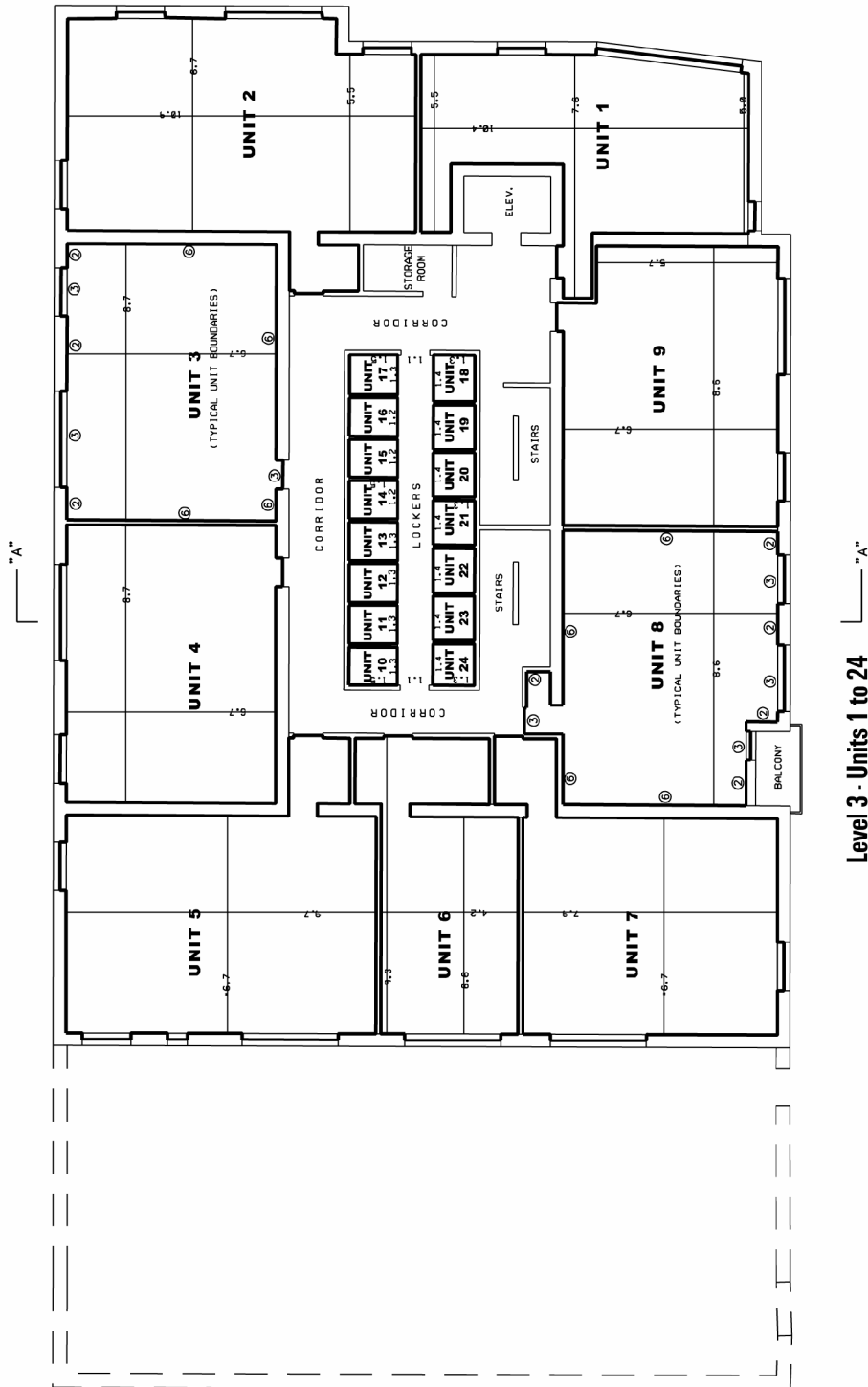
Draft Plan of Condominium

Applicant's Submitted Drawing

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Draft Plan of Condominium (Level 3)

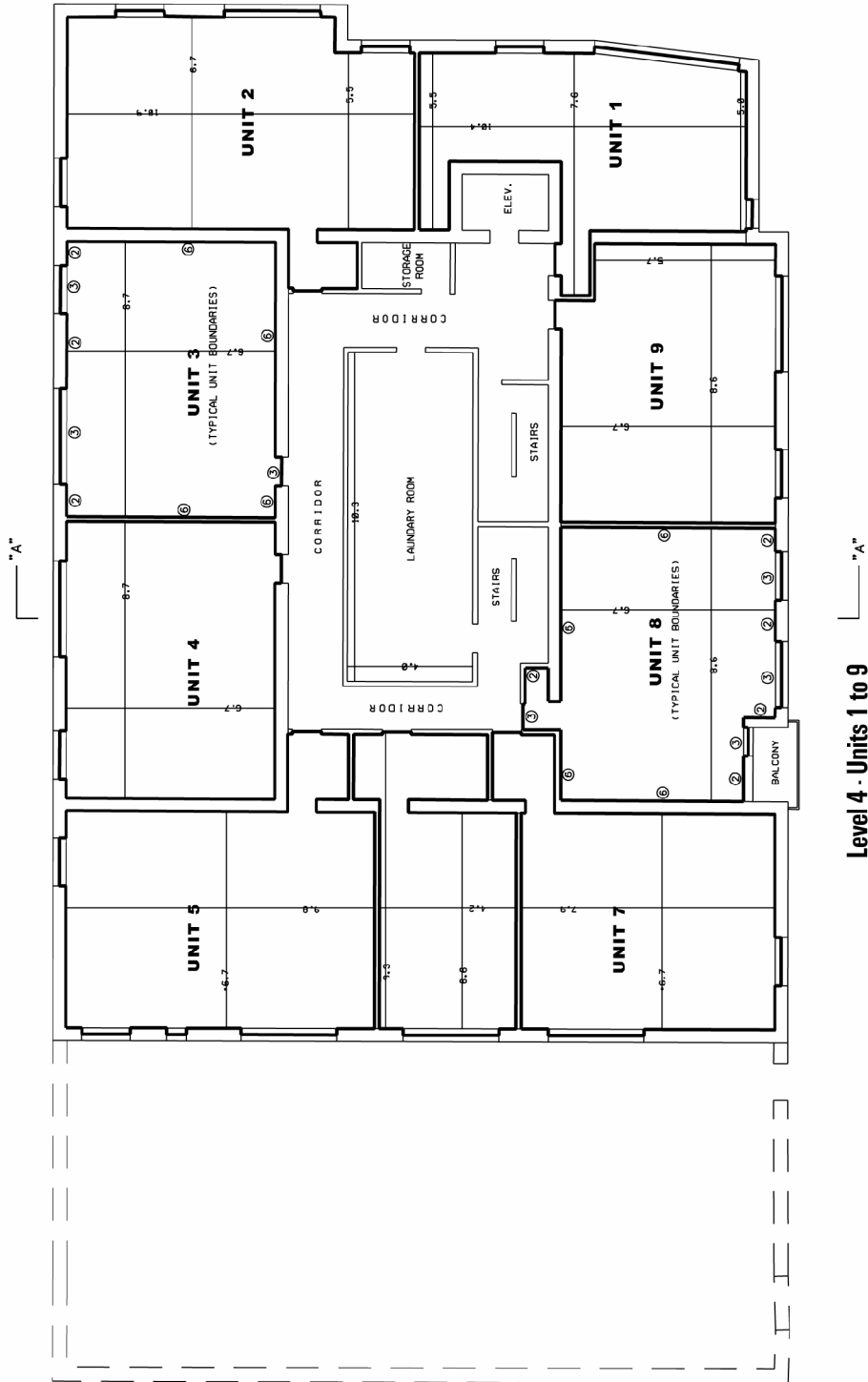


**Draft Plan of Condominium**  
 Applicant's Submitted Drawing  
 Not to Scale  
 03/26/07

**2 Ridelle Avenue**  
 File # 07\_107384

**Level 3 - Units 1 to 24**

Draft Plan of Condominium (Level 4)



Level 4 - Units 1 to 9

2 Ridelle Avenue

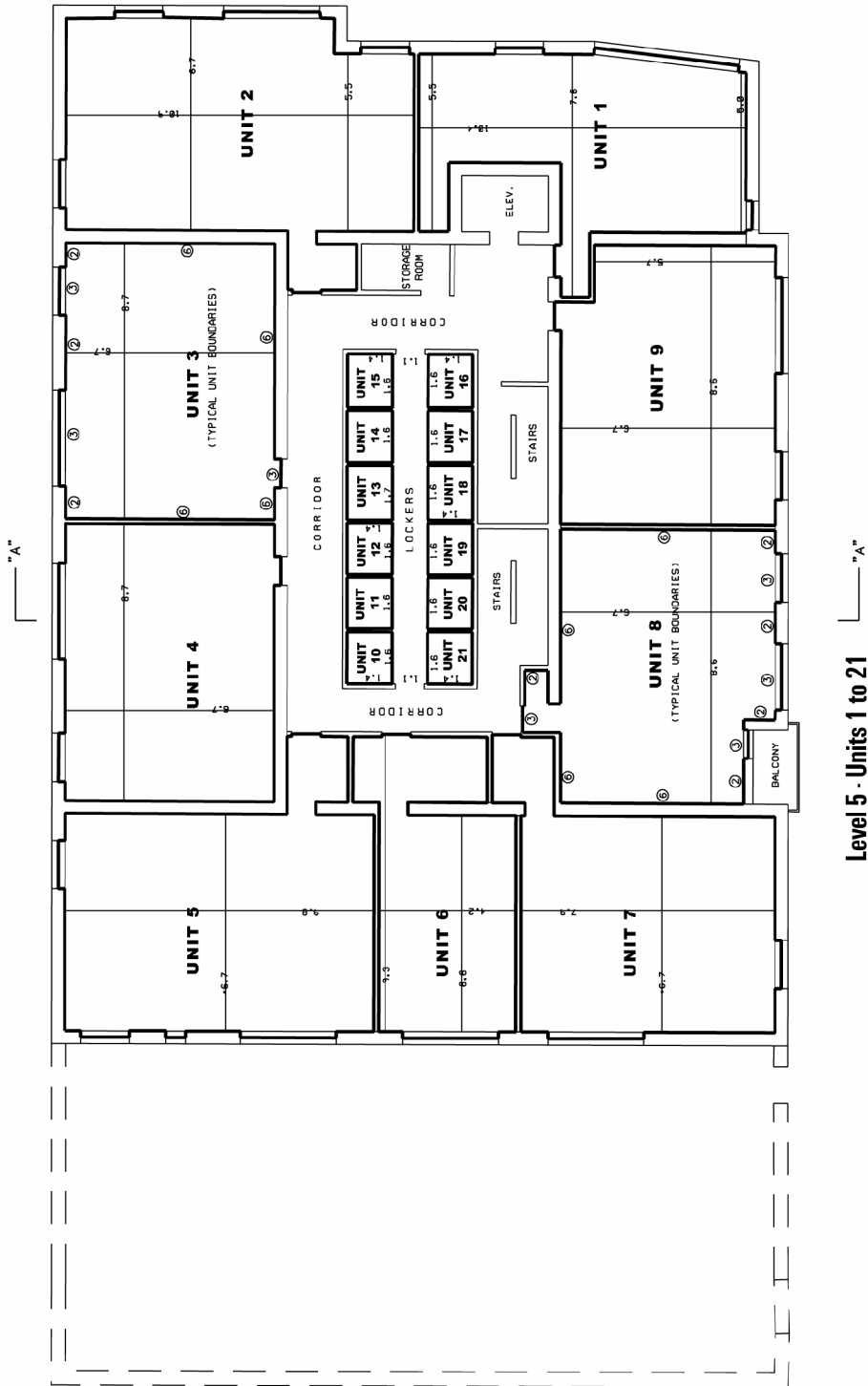
Draft Plan of Condominium

Applicant's Submitted Drawing

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File # 07\_107384

Draft Plan of Condominium (Level 5)



2 Ridelle Avenue

File # 07\_107384

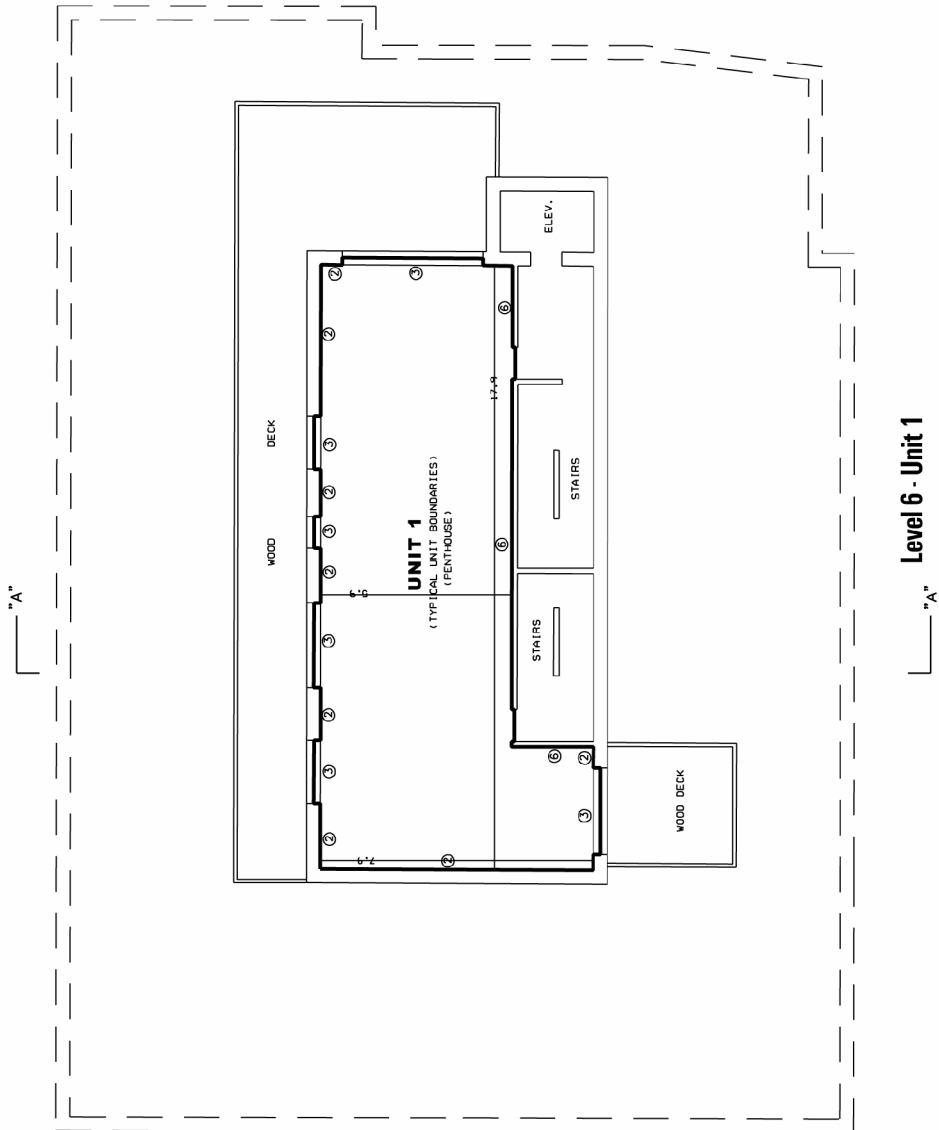
Draft Plan of Condominium

Applicant's Submitted Drawing

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Draft Plan of Condominium (Level 6)



Level 6 - Unit 1

2 Ridelle Avenue

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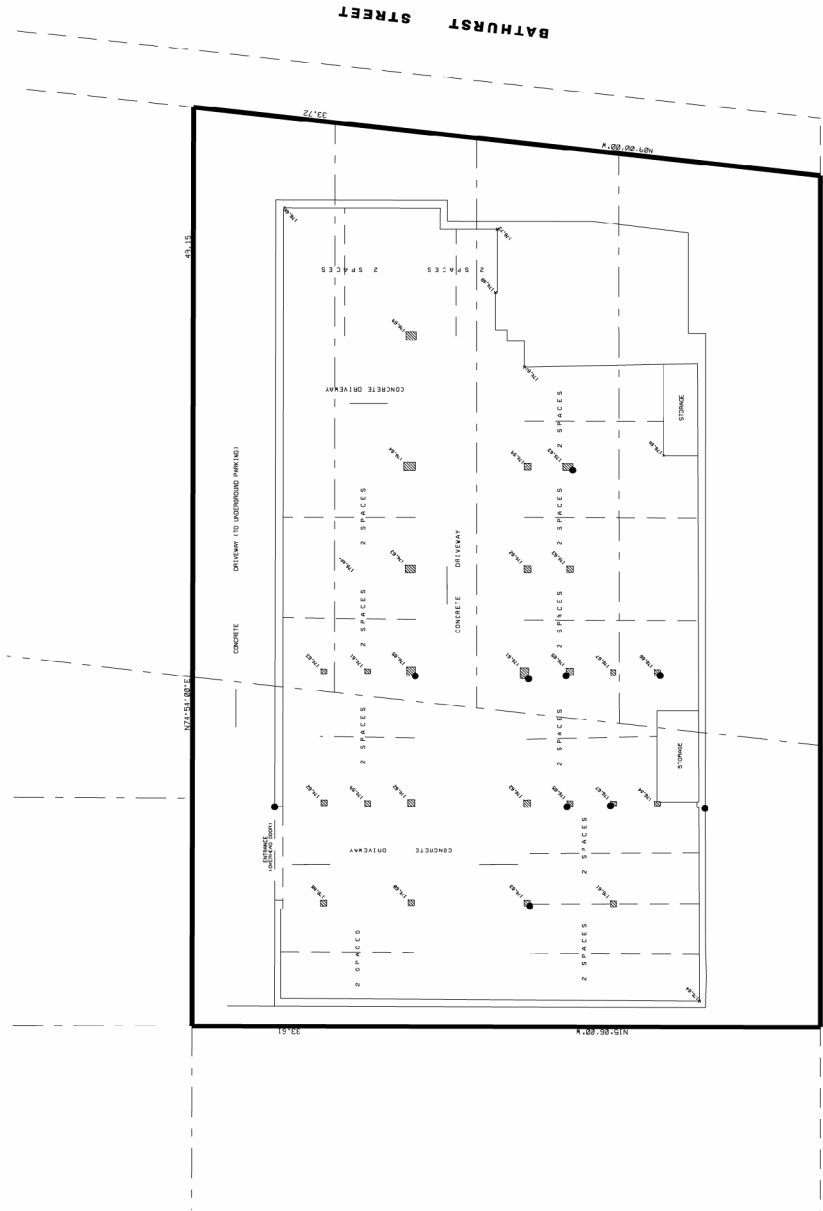
Draft Plan of Condominium

Applicant's Submitted Drawing

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**Attachment 2:  
Illustration of Underground Parking Garage**



**2 Ridelle Avenue**

**RIDELLE AVENUE**

**Illustration of Parking Layout**

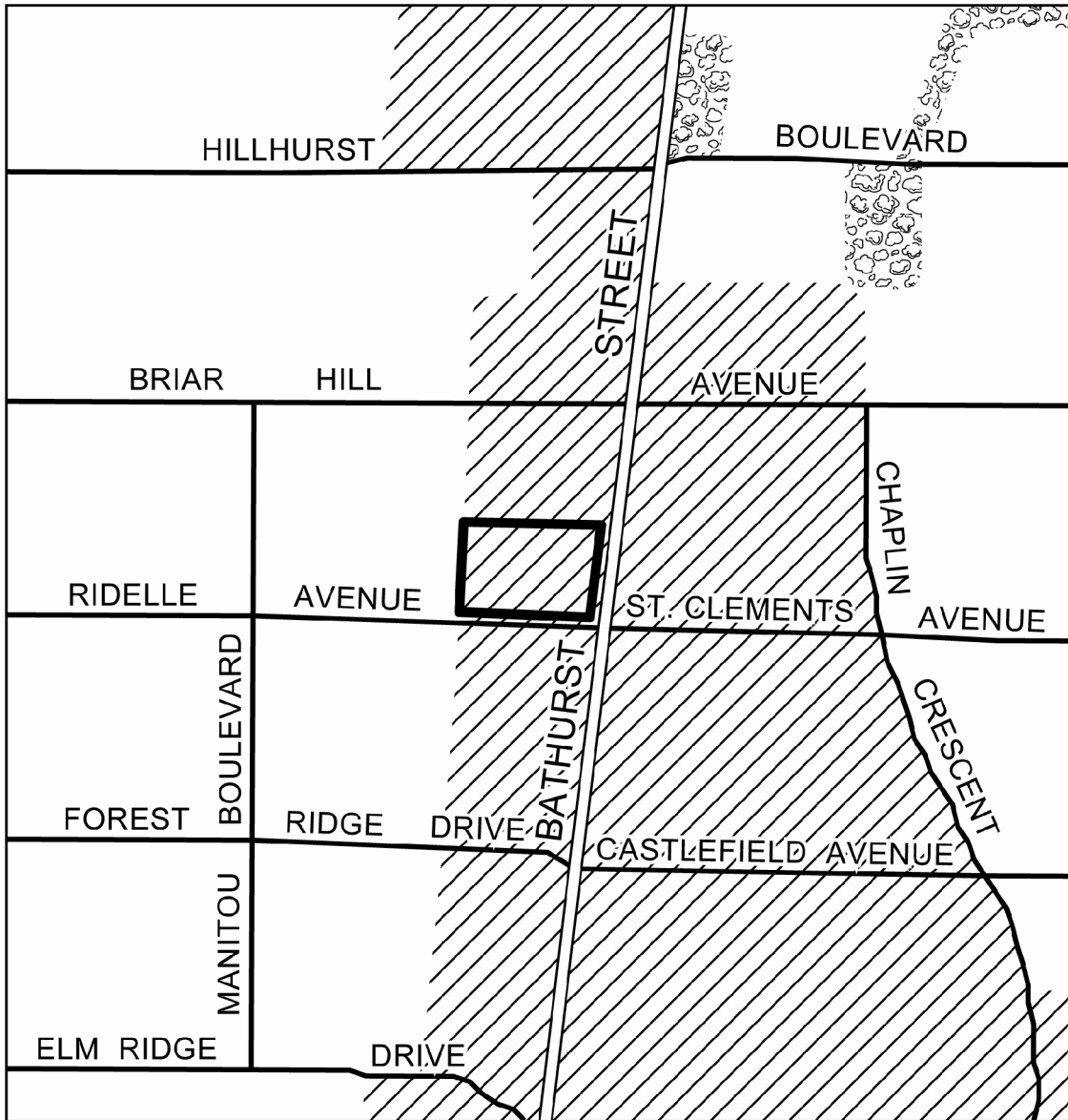
Applicant's Submitted Drawing

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**Attachment 3:**  
Official Plan Map Extract



 **TORONTO** City Planning Division  
**Official Plan**

**2 Ridelle Avenue**

File # 07\_107384

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Parks

  
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03/12/07

## Attachment 4: Zoning Map Extract



**TORONTO** City Planning  
Division  
**Zoning**

**2 Ridelle Avenue**  
File # 07\_107384

TORONTO ZONING ( Zoning By - Law 438-86 as amended )

- G Parks District
- R1 Residential District
- R2 Residential District

NORTH YORK ZONING ( Zoning By - Law 438-86 as amended )

- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone



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**Attachment 5:**  
Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	07 107384 STE 21 OZ 07 107385 STE 21 CD
Details	OPA, Standard Condominium	Application Date:	February 6, 2007
Municipal Address:	2 RIDELLE AVE, TORONTO ON		
Location Description:	PL 1863 LTS 43 TO 47 **GRID S2101		
Project Description:	Convert co-ownership apartment building to condominium		

<b>Applicant:</b>	<b>Agent:</b>	<b>Surveyor:</b>	<b>Owner:</b>
WEIRFOULDS LLP	Barnet Kussner	Bennett Young Limited	2 RIDELLE AVENUE CO-OWNERSHIP INC

**PLANNING CONTROLS**

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision:	
Zoning:	R2 Z2.0	Historical Status:	
Height Limit (m):	21	Site Plan Control Area:	Y

**PROJECT INFORMATION**

Site Area (sq. m):	1589.6	Height:	Storeys:	6
Frontage (m):	33.72		Metres:	0
Depth (m):	47.4			
Total Ground Floor Area (sq. m):				<b>Total</b>
Total Residential GFA (sq. m):	3486		Parking Spaces:	24
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	3486			
Lot Coverage Ratio (%):	45.5			
Floor Space Index:	2.2			

**DWELLING UNITS**

Tenure Type:	Condo
Rooms:	0
Bachelor:	4
1 Bedroom:	27
2 Bedroom:	13
3 + Bedroom:	0
Total Units:	44

**FLOOR AREA BREAKDOWN** (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	3486	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Oren Tamir, Planner**  
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