

**31 Roehampton Avenue – Residential Rental Demolition  
Application under Municipal Code Chapter 667– Final  
Report**

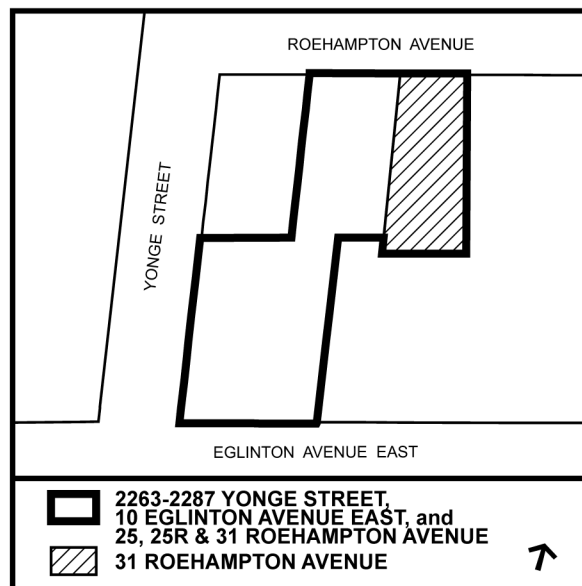
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| <b>Date:</b>             | July 10, 2014  |
| <b>To:</b>               | Toronto and East York Community Council                      |
| <b>From:</b>             | Director, Community Planning, Toronto and East York District |
| <b>Wards:</b>            | Ward 22 – St Paul's  |
| <b>Reference Number:</b> | 14 160355 STE 22 RH  |

**SUMMARY**

This application is to demolish a 3-storey walk-up apartment building containing 35 residential rental units at 31 Roehampton Avenue, under Chapter 667 of the Toronto Municipal Code, pursuant to Section 111 of the *City of Toronto Act*.

The 35 rental units are to be replaced within a proposed new building on the lands at 25 & 25R Roehampton Avenue and at 31 Roehampton Avenue. The property at 25 & 25R Roehampton Avenue is part of a previous (2013) Council approval of an application for the rezoning and demolition and replacement of 30 rental housing units for the "e-condos" site located at 2263 – 2287 Yonge Street, 10 Eglinton Avenue East and 25 and 25R Roehampton Avenue.

In addition to the rental housing demolition application, the proposed new building at 25 – 31 Roehampton Avenue has been redesigned and will require approval by the Committee of Adjustment for minor variances to the site specific by-law (1109-2013).



The proposal is to demolish the 3-storey, rental apartment building at 31 Roehampton Avenue that has 10 bachelor units, 23 one bedroom units and 2 two bedroom units of mid-range rents. The applicant would replace all of these units by size, type, number and approximate rent levels in a proposed 34-storey apartment building (down from the 36 storeys previously approved by Council) with 465 units at 25 to 31 Roehampton Avenue. The applicant has also proposed tenant relocation assistance and will secure the right of tenants to return.

When there are six or more residential units and any of them are rental, the demolition of residential rental housing is prohibited under Chapter 667 of the Toronto Municipal Code unless a Section 111 permit has been issued.

This report recommends the issuance of a Section 111 permit for the demolition of the 35 residential rental units at 31 Roehampton Avenue subject to the replacement of those units in the redesigned residential building at 25 – 31 Roehampton Avenue and the approval of proposed minor variances that will be before the Committee of Adjustment. If approved by Council, the demolition and replacement of these 35 rental units would be in addition to the previously approved demolition and replacement of 30 rental units at 25 and 25R Roehampton Avenue. A total of 65 rental replacement units would be provided in the redesigned building.

The tower on the south portion of the overall development site is not proposed to change.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council approve the application to demolish the existing building at 31 Roehampton Avenue that includes 35 residential rental dwelling units pursuant to Municipal Code Chapters 667 and 363 subject to the following conditions under Chapter 667 which provide for replacement of the rental housing units:
  - a. That Council direct staff to request that the Committee of Adjustment incorporate the conditions of 1(b) i-iv (below) into any approvals for changes to the existing zoning for 8-10 Eglinton Ave East., 2263-2267 Yonge Street, and 25-31 Roehampton Avenue;
  - b. That the Owner enter into an Agreement(s) to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor with such agreements to be registered on title to the lands to secure the facilities, services and matters as follows:
    - i. provision and maintenance of not less than 35 new replacement rental *dwelling units on the lot*, with rents not higher than mid-range rents, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, subject to the following:

- a. The replacement rental *dwelling units* shall comprise 10 bachelor, 23 one-bedroom units, and 2 two-bedroom units; and the combined floor area of the 35 replacement rental *dwelling units* shall be not less than 18,366 square feet (99% of existing gross floor area).
  - b. Each rental *dwelling unit* shall have a storage locker.
  - c. There shall be 4 accessible units.
  - d. The *dwelling units* shall have a range of sizes as per the following list:
    - 10 Bachelor units with a minimum of 460 sq ft, of which 3 units shall be larger than 500 sq ft, and 3 shall be larger than 700 sq ft.;
    - 23 One-bedroom units which shall be larger than 460 sq ft, of which 1 shall be larger than 600 sq ft and 21 shall be larger than 725 sq ft.; and
    - 2 Two-bedroom units with a minimum of 677 sq ft;
- ii. the replacement rental *dwelling units* shall be maintained as rental housing units for at least 20 years, beginning with the date each unit is occupied and until the owner obtains approval for a zoning by-law amendment removing the requirement for the replacement rental housing units to be maintained as rental units. No application may be submitted for condominium registration, or for any other conversion to non-rental housing purposes, or for demolition without providing for replacement *dwelling units* during the 20 year period;
  - iii. the building permit which provides for the replacement rental *dwelling units* shall be issued no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*. The 35 replacement rental *dwelling units* shall be ready for occupancy no later than the date by which no more than 90% of the other *dwelling units* contained within the same building are available and ready for occupancy;
  - iv. provision and maintenance of rents no greater than mid-range rents charged to the tenants who rent each of the designated 35 replacement rental *dwelling units* during the first 10 years of occupancy, such that the initial rent shall not exceed an amount based on one and a half times (1.5x) the most recent Fall Update Canada Mortgage and Housing

Corporation Rental Market Report average rent for the City of Toronto by unit type inclusive of basic utility costs.

Upon turnover, the rent charged to any new tenant shall not exceed the greater of the most recently charged rent or one and a half times (1.5x) the most recent Fall Update Rental Market Report average rent for the City of Toronto by unit type, and over the course of the 10 year period, annual increases shall not exceed the Provincial rental guideline and, if applicable, permitted above-guideline increases;

- v. rents charged to tenants occupying a replacement rental *dwelling unit* at the end of the 10-year period set forth in 1b.iv shall be subject only to increases which do not exceed the Provincial rent guideline and, if applicable, permitted above guideline increases, so long as they continue to occupy their *dwelling unit* or until the expiry of the rental tenure period set forth in 1.b.iv. with a phase-in period of at least three years to unrestricted rents;
- vi. rents charged to tenants newly occupying a replacement rental *dwelling unit* after the completion of the 10-year period set forth in 1.b.iv will not be subject to restrictions by the City of Toronto under the terms of the Agreement; and
- vii. the owner shall provide and implement a Tenant Relocation and Assistance Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division, that requires the owner to provide for each eligible tenant at 31 Roehampton Avenue the right to return to a replacement rental *dwelling unit*, assistance that includes at least a moving allowance and other financial assistance geared to the affordability gap between the current rent and local area rent by unit type, with provisions for special needs tenants.

Notwithstanding the foregoing, the *owner* and the *City* may modify or amend the said Agreement(s), from time to time and upon the consent of the *City* and the *owner*, without further amendment to those provisions of the zoning by-law which identify the facilities, services and matters to be secured provided that:

- a. The owner shall obtain the necessary approvals from the Committee of Adjustment to facilitate the development of a building *on the lot* that can accommodate the rental replacement units and all required shared facilities;
- b. The owner shall obtain a building permit which provides for the replacement rental dwelling units no later than the issuance of the first above-grade building permit for any building with residential uses *on the lot*;

- c. The owner shall enter into, and register on title, one or more Section 111 Agreement and/or Section 45 Agreement to secure the conditions outlined in (a) to (c) herein and as further detailed in site-specific zoning By-law 1109-2013, to the satisfaction of the Chief Planner and Executive Director City Planning Division and the City Solicitor; and
  - d. The owner shall enter into and register, a Section 118 Restriction under the *Land Titles Act* agreeing not to transfer or charge any part of the lands, to the satisfaction of the City Solicitor, without the written consent of the Chief Planner and Executive Director, City Planning Division or her designate (to assist with securing the Section 111 Agreement against future owners and encumbrances of lands).
- 2. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval to the application under Municipal Code Chapter 667 for the existing residential rental housing building after all of the following has occurred:
  - a. the conditions in Recommendation 1 have been satisfied;
  - b. the necessary minor variances to site-specific zoning by law 1109-2013 are in force and effect; and
  - c. the reissuance of the Notice of Approval Conditions for site plan approval for the development by the Chief Planner and Executive Director, City Planning Division or her designate, pursuant to Section 114 of the *City of Toronto Act*, 2006.
- 3. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation 2 for the existing rental housing building.
- 4. City Council authorize the Chief Building Official to issue a permit under Section 33 of the *Planning Act* for the residential rental building no earlier than the date that the owner has submitted an application for a building permit for the shoring and excavation for the lands on which the existing rental building is situated, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation 2 which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code, on condition that:

- a. the owner erect a residential building on the site no later than five (5) years from the date the permit is issued for demolition of the buildings; and
- b. should the owner fail to complete the new residential building to accommodate the replacement rental *dwelling units* within the time specified in condition 4 (a), 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 for which a demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

On July 16, 2013, City Council approved a rezoning application for the addresses 8-10 Eglinton Avenue East, 2263-2267 Yonge Street and 25 and 25R Roehampton Avenue to permit the construction of a 58-storey mixed commercial-residential building at the northeast corner of Yonge Street and Eglinton Avenue East (the south tower) and a 36-storey residential building at 25 Roehampton Avenue (the north tower) (11-326074 STE 22 OZ).

City Council also approved a related application for demolition of 30 residential rental units of mid-range rents at 25 & 25R Roehampton Avenue (11-326114 STE 22 RH ). All 30 of those rental units are to be replaced with full tenant accommodations in the previously or any future approved building on the site.

### **ISSUE BACKGROUND**

#### **Proposal**

Planning applications that propose the demolition of a residential rental building containing 6 or more units require an application under Chapter 667, pursuant to Section 111 of the *City of Toronto Act* to City Council to permit the redevelopment of the site. This application for a Section 111 permit proposes to demolish 35 residential rental units in a 3-storey apartment building at 31 Roehampton Avenue.

The site at 31 Roehampton Avenue is proposed to be combined with the site at 25 & 25R Roehampton Avenue to allow for the construction of a 34-storey, 446 unit apartment building. The proposed building would contain 35 replacement rental units from 31 Roehampton Avenue and 30 replacement rental units from 25 Roehampton Avenue, for a total of 65 replacement residential rental units. The applicant has proposed that all the replacement rental units be secured for 20 years, and that tenants have the right to return. They have agreed to enter into all required agreements to secure these matters.

The applicant will submit an application in the fall of 2014 to the Committee of Adjustment to consider minor variances to the site-specific and general zoning by-laws that will accommodate the redesigned building that includes the replacement rental units.

### **Site and Surrounding Area**

The site is located at the northeast corner of Yonge Street and Eglinton Avenue East. It is an irregularly shaped parcel of land which was originally comprised of 6 individual properties. The site has frontages on Yonge Street, Eglinton Avenue East and Roehampton Avenue.

The uses on the site are:

#### **31 Roehampton Avenue**

Contains a 3-storey residential rental building comprised of 35 units with mid-range rents being 10 bachelor units, 23 one-bedroom units and 2 two-bedroom units. It has a small shared laundry room, below-grade parking, and no indoor or outdoor amenity areas.

#### **8-10 Eglinton Avenue, 2263-2267 Yonge Street, 25, 25R Roehampton Avenue**

The site is currently vacant as the previous buildings have been demolished for the approved development of 58-storey tower on the south portion of the site and a 36 storey tower on the north portion of the site to contain the 30 residential rental replacement units.

Surrounding land uses are as follows:

North: To the immediate north of the site on the east side of Yonge Street are a number of 2-storey commercial buildings containing fast food outlets, a pub/restaurant and retail stores.

North of Roehampton Avenue at the northeast corner of Yonge Street and Roehampton Avenue is an 8-storey office building.

Further east on the north side of Roehampton Avenue is a Toronto Parking Authority surface parking lot currently being redeveloped as a 34-storey residential condominium building.

East of that redevelopment site is the newly redeveloped North Toronto Collegiate, a sports field, and 2 residential condominium buildings at 27 and 24-storeys. Lands generally to the northeast of the site are part of the *Yonge-Eglinton Apartment Neighbourhood*.

South: To the south on the southeast corner of Yonge Street and Eglinton Avenue East is an 8-storey office building.

South of that building are the 54 and 39-storey Minto Midtown residential condominium towers.

To the southwest of the site is the Canada Square complex of buildings which is comprised of 3 office buildings at 18, 17 and 6 storeys. The complex includes a shopping concourse, a movie theatre and an access to the TTC Yonge-Eglinton subway station.

East: Immediately to the east of 31 Roehampton Avenue is an 8-storey residential condominium building at 39 Roehampton Avenue.

West: To the west at the northwest corner of Yonge Street and Eglinton Avenue West is the Yonge-Eglinton Centre. This development is comprised of 2 office towers of 30 and 22-storeys (recently approved for 7 and 5 additional storeys respectively), 2 rental apartment towers at 22 and 17-storeys and a multi-level retail complex containing a movie theatre, restaurant, food store and other retail stores.

### **Provincial Policy Statement and Provincial Plans**

Section 2 of the *Planning Act* lists the provision of affordable housing as a matter of provincial interest that municipalities shall have regard for when making planning decisions.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. Recently updated, the housing policies of the PPS require planning authorities to provide for an appropriate range of housing, including affordable housing, to meet the needs of current and future residents. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation; and planning for a range and mix of housing. City Council's planning decisions are required by the *Planning Act* to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

The Official Plan contains policies addressing the need to provide and maintain the City's supply of rental and affordable housing. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability and the protection of rental housing units as well as housing that makes more efficient use of the existing building stock.



Applicants proposing to demolish six or more residential rental units, except where all of the rents are above the mid-range rent category, are required (by policy 3.2.1.6) to replace the rental units with the same number, size and type of rental housing units and maintain them with rents similar to the rents of existing units on the site. Applicants are also required to secure those units for a minimum of 20 years as residential rental units, with no applications for conversion or demolition. They are further required to secure the rights of those tenants displaced by the development to return to the new units, at similar rents and that mitigation for hardship be made to those tenants for the displacement.

### **Rental Housing Demolition and Conversion By-law**

The Rental Housing Demolition and Conversion By-law (885-2007) established Chapter 667 of the Municipal Code and implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act*. Proposals involving six or more residential units, where at least one of the units proposed for demolition or conversion is a rental housing unit, require an application for a Section 111 permit.

Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Unlike *Planning Act* applications, decisions made by City Council under By-law 885- 2007 are not appealable to the OMB.

### **Reasons for the Application**

In January 2014, after Council's July 2013 approval of the original rezoning and rental housing demolition application, the applicant acquired the 3-storey, 35 unit mid-range residential rental building at 31 Roehampton Avenue. The applicant proposes to demolish the newly acquired building and to construct a redesigned building that incorporates part of the original site (25 & 25R Roehampton Avenue) plus the newly acquired lands at 31 Roehampton Avenue.

A Rental Housing Demolition and Conversion Application under Section 111 of the *City of Toronto Act* (Chapter 667 of the Municipal Code) is required for the permit for the proposed demolition of 35 existing residential rental units and Council approval is required for this permit and any conditions thereof.

Minor variances to site specific zoning by-law 1109-2013 will be required to permit the construction of the redesigned building.

## **Tenant Consultation**

A Tenant Consultation meeting was held under Chapter 667 of the Municipal Code on June 19, 2014. Sixteen tenants attended and several more contacted City Planning staff to discuss the implications to their residencies in the building and their specific circumstances. Tenants' concerns included:

- noise, vibration, dust, stability of their building;
- the general disruption and timing of construction hours of the adjacent demolition site at 25 Roehampton Avenue which has already begun;
- the nature of communications during the transition of title to the new owner and the loss of their building superintendant and the general lack of building maintenance;
- the short notice of this application as neighbouring tenants at 25 & 25R Roehampton Avenue had 6 months notice to find new accommodations;
- the amount of compensation was too low, and that it would be difficult to find new accommodations at Yonge and Eglinton that suit their specific needs;
- elderly, long term and special needs tenants need more compensation; and
- the rents generated by the applicant as "average area rents by type" were thought unfair and did not accurately represent the area rents in terms of unit sizes and quality for their interim accommodations.

## **Agency Circulation**

The application was circulated to all appropriate agencies at the City of Toronto.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The recent changes to the Provincial Policy Statement brought into effect in April of 2014 clarify and include specific language under Part IV, and sections 1.1.1 and 1.4 that requires municipalities to plan for an appropriate range of housing which includes affordable housing to meet the needs of current and future residents and to ensure that healthy, liveable, safe and resilient communities are planned within municipalities. As this rental building is currently functioning as a multi-unit residential rental building that has a variety of types of units with mid-range rents, it is important to secure the replacement of this building in order to ensure an appropriate range of housing is maintained which would meet the intent of the PPS.

The Growth Plan for the Greater Golden Horseshoe also encourages municipalities to plan for a range and mix of housing types taking into account affordable housing needs (sections 2.2.2 & 2.2.3.) and develop and implement housing strategies that meet the

needs of all residents, including the need for affordable housing (section 3.2.6). Staff contend that the proposal supports the Growth Plan objectives.

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Rental Housing Demolition and Replacement**

Several Official Plan policies are relevant to this application. Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the maintenance and protection of rental housing units. Purpose built rental housing is a highly valued part of the City's housing stock and Official Plan Policy 3.2.1.8 deals specifically with the conversion of buildings, or related groups of buildings, with six or more rental housing units.

In 2007, Section 111 of the *City of Toronto Act* was enacted through Chapter 667 of the Municipal Code. The conditions of approval of a Section 111 permit typically secure the same provisions as the Official Plan; such as the replacement of units by number, size, type and approximate affordability levels, the right of sitting tenants to return to those units, mitigation to the tenants for hardship and the retention and maintenance of the new units for at least 20 years.

In cases such as this where 6 or more residential rental units are proposed to be demolished, City Council approval of a permit and a public hearing on the rental housing matters is required under Chapter 667. The conditions of the permit are not appealable to the OMB.

When there is a related planning application such as a rezoning application that would go to City Council, the conditions for the approval of the permit for the existing residential units would also typically go to City Council at the same time. When an application is also submitted for approvals from another authority such as the Committee of Adjustment, as with this development, the owner is required to inform that authority of the rental housing demolition application and the need to secure any necessary conditions of approval by Council.

The retention and maintenance of purpose-built rental buildings is particularly important to the rental options that are available to tenants in the City, and in the local area. This building includes bachelor to two bedroom units at mid-range rents.

### **Condition of existing building**

The existing building is a three-storey residential rental building in good condition with a small on-site laundry room, one level of car parking, storage lockers and bike storage. No units have balconies, or air conditioning, but are bright and well-maintained. There is no elevator and units are not accessible.

Rents have been categorized as mid-range and hydro is individually metered. Nine units were vacant at the time of application and 8 tenants currently have parking arrangements. There are a few tenants who have long tenancies and some with identified special needs. Some units became vacant shortly after the construction began on the 25 & 25R Roehampton Avenue site, likely due to disruption from the construction.

### **Discussion of Proposal**

On July 16, 2013, Council approved a 2-tower development (58 and 36 storeys) for the site at 2263 – 2287 Yonge Street, 8 – 10 Eglinton Avenue East and 25 & 25R Roehampton. The applicant has redesigned the north tower to include no. 31 Roehampton Avenue. This proposal requests approval of a residential rental housing demolition permit under Chapter 667 of the Municipal Code, pursuant to Section 111 of the *City of Toronto Act* for the 3 storey, 35 unit rental apartment building at 31 Roehampton Avenue. The conditions of the Section 111 permit are recommended to be consistent with the objectives of the Official Plan.

The applicant also proposes to submit an associated application to the Committee of Adjustment for minor variances to site-specific zoning by-law 1109-2013, By-law 438-86 and By-law 569-2013. Minor variances (e.g., increased gross floor area, maximum number of units) will be necessary to permit the proposed, redesigned north tower which is to be located on the original lot at 25 & 25R Roehampton Avenue and now incorporates 31 Roehampton Avenue.

The redesigned north tower has reduced its height from 36 to 34 storeys, decreased its density and provides a minimum setback of 12.5 metres to all side yards that abut approved or potential tower sites. The applicant proposes to increase the number of parking spaces and the amount of amenity area for the building using the same ratios included in site-specific by-law 1109-2013. The redesigned north tower contains a total of 465 units, 65 of which are proposed to be rental replacement units.

The approval for the original north tower at 25 and 25R Roehampton Avenue included a Section 111 permit for the demolition and replacement of the 30 residential rental units which were in the previously existing rental apartment building. This application proposes to incorporate 31 Roehampton Avenue as part of the north tower site. The applicant is proposing to demolish the existing 3-storey, 35 (rental) unit building and replace those rental units plus the 30 units from 25 and 25R Roehampton Avenue in the redesigned building at 25, 25R and 31 Roehampton Avenue.

This will result in a total of 65 rental replacement units at mid-range rents being provided within the redesigned north tower. The new unit mix in the proposed building is 10 bachelor, 46 one-bedroom and 9 two-bedroom units. This is recommended to be reflected in the variances to by-law 1109-2013 and, if approved by the Committee of Adjustment, should be incorporated into a new Section 45 Agreement as well as being secured through a Section 111 agreement and a Section 118 restriction on title.

### **Building Replacement Proposal**

Table 1 (refer to Attachment 1) provides a detailed breakdown of the 30 rental units in the recently demolished building at 25 Roehampton Avenue (as "current"), the previously Council-approved sizes, and the new sizes/types of units proposed.

As shown in Table 1 (refer to Attachment 1), the previously approved plans and Section 37 allowed a reduction in overall GFA to 95%, however, the new plans for the redesigned building incorporating the redesigned units proposes replacing the 25 Roehampton Avenue units at an average of 110%. The Section 111 agreement in force and effect on the subject lands remains unchanged as to the compensation and right to return to a similar unit at a similar rent for those tenants.

Table 2 (refer to Attachment 2) illustrates the proposal of the replacement of the units for 31 Roehampton Avenue.

For 31 Roehampton Avenue, the replacement units are at least the same size and some bachelor units are being replaced as one bedrooms. The total replacement GFA is 26% higher than currently exists in the building.

All units are proposed to have balconies (not included in the replacement GFA), air-conditioning, Wi-Fi, storage lockers, new appliances, including ensuite washer-dryers, with the same ratio as approved previously for 25 Roehampton Avenue for bike and car parking. The applicant has proposed that all tenants will have access to the amenity areas of the building for casual, everyday use for free, with the use of concierge services for booking private events at a similar fee as the condominium residents.

Rents are proposed to be mid-range for the entire building, with some of the one-bedroom + dens, possibly being used as two bedroom units, as the dens are fully enclosed with a separate closet and washroom access.

The applicant has offered to secure the rents of the units for ten years and the tenure of the building for 20 years. This demolition and replacement proposal for the built form is consistent with Policy 3.2.1.6 of the Official Plan.

### **Tenant Assistance and Relocation Plan Proposal**

The applicant had proposed the following as tenant assistance and relocation mitigation for the hardship of moving, in particular due to the expediency of having to move offsite with only the legislated 4 months' notice and three months' rent;

- Two months' extra rent
- An increment of rent-gap compensation
- A moving allowance of \$1500 for moving out and \$1500 for moving back in
- An extra month's rent to long term/special needs tenants., where long-term tenants were those with over 15 years of residency in the building.

At the tenant meeting, tenants expressed concern regarding the "rent-gap compensation," that was arrived at during the negotiation on tenant needs for 25 Roehampton Avenue. City staff recognize that rents in the Yonge and Eglinton area are higher than the average rents for purpose-built rental across the city. To compensate for this rent differential, staff and the applicant chose to delineate an area around Yonge and Eglinton and calculate the approximate gap between a current tenant's rent and the local area rent by unit type on a tenant by tenant basis and multiply that by the expected timeline of construction of 30 months. In this way an amount of money can be calculated that could help a tenant remain in the local area without undue hardship. This amount would be paid in a lump sum at the time of vacating the unit.

Some tenants expressed that this was unfair. They indicated that the quality of their units was such that 4 months would not be a reasonable amount of time to locate similar accommodation at the average surveyed prices. Staff found that within walking distance of Yonge and Eglinton, generally within an area bounded by Keewatin Avenue, Manor Road, Duplex Avenue and Mt. Pleasant Road, the average rents in purpose-built rental buildings (not secondary suites or condominium units) are:

- \$1,003.35 for a Bachelor unit which is an average derived from 31 examples (28% of 31 Roehampton units)
- \$1,247.12 for a 1 Bedroom unit which is an average derived from 52 examples (67% of 31 Roehampton units)
- \$1,553.82 for a 2 bedroom unit which is an average derived from 28 examples (5% of 31 Roehampton units)

Staff consider that the proposed "rent-gap compensation" does provide a fair increment to the tenants to be able to find a new unit in the area and continue their tenancies there until the new units are ready for re-occupancy.

Upon hearing the concerns of tenants at the meeting of June 19, 2014, the applicant proposed to change the requirements for qualifying as 'special needs' to include those tenants who have lived in the building for 10 years. These persons will qualify for extra assistance which was increased to two months.

This is consistent with both the approved application for 25 Roehampton Avenue and City Council's practices in approving tenant assistance as a condition of demolition permits.

## **Conclusion**

This report supports the applicant's proposal to replace the 35 existing rental units at 31 Roehampton Avenue and the 30 rental units at 25 Roehampton Avenue for a total of 65 rental replacement units. All replacement units would be provided in a proposed new (redesigned) residential building at 25-31 Roehampton Avenue. Tenant assistance will be provided for residents of 31 Roehampton Avenue under the provisions and agreements noted in this report. Tenant assistance for residents of 25 Roehampton will be according to the previously adopted agreement.

The applicant intends to submit an application to the Committee of Adjustment for the necessary minor variances to the Zoning By-law to permit the construction of the redesigned building at 25, 25R & 31 Roehampton Avenue. Staff recommend approval of the permit under Chapter 667, pursuant to section 111 of the *City of Toronto Act*, conditional upon the approval by the Committee of Adjustment of the minor variances and that the owner enter into all necessary agreements recommended in this report to enable the fulfillment of conditions.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

- Attachment 1: Table 1. 25 Roehampton Avenue – new replacement proposal (June 2014)
- Attachment 2: Table 2. 31 Roehampton Avenue – proposed replacement (June 2014)

**Attachment 1: Table 1. 25 Roehampton Avenue – new replacement proposal (June 2014)**

| Suite # | Current Unit Type and Floor Level (#) | Revised Unit Type and Floor Level (#) | Current Size (in S.F.) | Approved Size (in S.F.) | Revised Size (S.F.) | Approved Compared to Current (%) | Revised Compared to Current (%) | Difference Between Revised to Approved (%) |
|---------|---------------------------------------|---------------------------------------|------------------------|-------------------------|---------------------|----------------------------------|---------------------------------|--|
| 101     | 1-BD (1)                              | 1-BD+D (2)                            | 582                    | 450                     | 574                 | 77.3%                            | 98.6%                           | +21%                                       |
| 102     | 1-BD (1)                              | 1-BD+D (2)                            | 586                    | 508                     | 531                 | 86.7%                            | 90.6%                           | +4%  |
| 103     | 1-BD (1)                              | 1-BD+D (3)                            | 651                    | 598                     | 629                 | 91.9%                            | 96.6%                           | +5%  |
| 104     | 2-BD (1)                              | 2-BD (3)                              | 755                    | 713                     | 929                 | 94.4%                            | 123.0%                          | +29%                                       |
| 201     | 1-BD (2)                              | 1-BD+D (2)                            | 582                    | 508                     | 602                 | 87.3%                            | 103.4%                          | +16%                                       |
| 202     | 1-BD (2)                              | 1-BD+D (2)                            | 590                    | 707                     | 718                 | 119.8%                           | 121.7%                          | +2%  |
| 203     | 2-BD (2)                              | 2-BD (2)                              | 737                    | 707                     | 732                 | 95.9%                            | 99.3%                           | +3%  |
| 204     | 1-BD (2)                              | 1-BD+D (2)                            | 553                    | 450                     | 500                 | 84.4%                            | 93.8%                           | +9%  |
| 205     | 1-BD (2)                              | 1-BD+D (2)                            | 590                    | 598                     | 718                 | 101.4%                           | 121.7%                          | +20%                                       |
| 301     | 1-BD (3)                              | 1-BD (3)                              | 582                    | 508                     | 531                 | 87.3%                            | 91.2%                           | +4%  |
| 302     | 1-BD (3)                              | 1-BD+D (3)                            | 590                    | 707                     | 718                 | 119.8%                           | 121.7%                          | +2%  |
| 303     | 2-BD (3)                              | 2-BD (3)                              | 737                    | 713                     | 927                 | 96.7%                            | 125.8%                          | +29%                                       |
| 304     | 1-BD (3)                              | 1-BD+D (3)                            | 553                    | 450                     | 500                 | 84.4%                            | 93.8%                           | +9%  |
| 305     | 1-BD (3)                              | 1-BD+D (2)                            | 590                    | 598                     | 694                 | 101.4%                           | 117.6%                          | +16%                                       |
| 401     | 1-BD (4)                              | 1-BD (3)                              | 582                    | 508                     | 602                 | 87.3%                            | 103.4%                          | +16%                                       |
| 402     | 1-BD (4)                              | 1-BD+D (3)                            | 590                    | 707                     | 718                 | 119.8%                           | 121.7%                          | +2%  |
| 403     | 2-BD (4)                              | 2-BD (4)                              | 737                    | 713                     | 929                 | 96.7%                            | 126.1%                          | +29%                                       |
| 404     | 1-BD (4)                              | 1-BD+D (4)                            | 553                    | 450                     | 500                 | 84.4%                            | 93.8%                           | +9%  |
| 405     | 1-BD (4)                              | 1-BD+D (3)                            | 590                    | 598                     | 700                 | 101.4%                           | 118.6%                          | +17%                                       |
| 501     | 1-BD (5)                              | 1-BD+D (4)                            | 582                    | 508                     | 629                 | 87.3%                            | 108.1%                          | +21%                                       |
| 502     | 1-BD (5)                              | 1-BD+D (4)                            | 590                    | 707                     | 718                 | 119.8%                           | 121.7%                          | +2%  |
| 503     | 2-BD (5)                              | 2-BD (2)                              | 737                    | 713                     | 927                 | 96.7%                            | 125.8%                          | +29%                                       |
| 504     | 1-BD (5)                              | 1-BD+D (2)                            | 553                    | 450                     | 500                 | 81.4%                            | 90.4%                           | +9%  |
| 505     | 1-BD (5)                              | 1-BD+D (3)                            | 590                    | 598                     | 694                 | 101.4%                           | 117.6%                          | +16%                                       |
| 601     | 1-BD (6)                              | 1-BD+D (4)                            | 594                    | 598                     | 694                 | 100.7%                           | 116.8%                          | +16%                                       |
| 602     | 1-BD (6)                              | 1-BD+D (3)                            | 553                    | 450                     | 500                 | 81.4%                            | 90.4%                           | +9%  |
| 603     | 2-BD (6)                              | 2-BD (4)                              | 746                    | 713                     | 927                 | 95.6%                            | 124.3%                          | +29%                                       |
| 701     | 1-BD (7)                              | 1-BD+D (4)                            | 594                    | 707                     | 700                 | 119.0%                           | 117.8%                          | -1%  |
| 702     | 1-BD (7)                              | 1-BD+D (4)                            | 553                    | 450                     | 531                 | 81.4%                            | 96.0%                           | +15%                                       |
| 703     | 2-BD (7)                              | 2-BD (2)                              | 746                    | 713                     | 929                 | 95.6%                            | 124.5%                          | +29%                                       |



**Attachment 2: Table 2. 31 Roehampton Avenue proposed replacement (June 2014)**

| Current Suite # | Current Unit Type and Floor Level (#) | Proposed Unit Type and Floor Level (#) | Current Size (in S.F.) | Proposed Size (in S.F.) | Proposed Compared to Current (%) |
|-----------------|---------------------------------------|--|------------------------|-------------------------|----------------------------------|
| 1               | 1-BD (B)                              | 1-bedroom plus den (5)                 | 599                    | 726 f2                  | 121.2%                           |
| 2               | Bachelor (B)                          | Bachelor (2)                           | 422                    | 741 f2                  | 175.6%                           |
| 101             | Bachelor (1)                          | 1-bedroom (2)                          | 381                    | 466 f2                  | 122.3%                           |
| 102             | 1-BD(1)                               | 1-bedroom (4)                          | 528                    | 602 f2                  | 114.0%                           |
| 103             | 1-BD (1)                              | 1-bedroom plus den (3)                 | 574                    | 727 f2                  | 126.7%                           |
| 104             | 1-bedroom (1)                         | 1-bedroom plus den (4)                 | 574                    | 727 f2                  | 126.7%                           |
| 105             | Bachelor (1)                          | Bachelor (4)                           | 387                    | 466 f2                  | 120.4%                           |
| 106             | Bachelor (1)                          | 1-bedroom (4)                          | 391                    | 741 f2                  | 189.5%                           |
| 107             | 1-bedroom (1)                         | 1-bedroom plus den (2)                 | 583                    | 727 f2                  | 124.7%                           |
| 108             | 1-bedroom (1)                         | 1-bedroom plus den (2)                 | 562                    | 726 f2                  | 129.2%                           |
| 109             | 1-bedroom (1)                         | 1-bedroom plus den (3)                 | 562                    | 726 f2                  | 129.2%                           |
| 110             | 1-bedroom (1)                         | 1-bedroom plus den (3)                 | 561                    | 726 f2                  | 129.4%                           |
| 111             | 1-bedroom (1)                         | 1-bedroom plus den (5)                 | 601                    | 727 f2                  | 121.0%                           |
| 201             | Bachelor (2)                          | 1-bedroom plus den (2)                 | 405                    | 466 f2                  | 115.1%                           |
| 202             | 1-bedroom (2)                         | 1-bedroom plus den (4)                 | 542                    | 718 f2                  | 132.5%                           |
| 203             | 1-bedroom (2)                         | 1-bedroom plus den (3)                 | 583                    | 727 f2                  | 124.7%                           |
| 204             | 1-bedroom (2)                         | 1-bedroom plus den (4)                 | 583                    | 727 f2                  | 124.7%                           |
| 205             | Bachelor (2)                          | 1-bedroom (2)                          | 393                    | 462 f2                  | 117.6%                           |
| 206             | Bachelor (2)                          | 1-bedroom (3)                          | 398                    | 462 f2                  | 116.1%                           |
| 207             | 2-bedroom (2)                         | 2-bedroom (3)                          | 662                    | 677 f2                  | 102.3%                           |
| 208             | 1-bedroom (2)                         | 1-bedroom plus den (4)                 | 562                    | 726 f2                  | 129.2%                           |
| 209             | 1-bedroom (2)                         | 1-bedroom plus den (2)                 | 562                    | 727 f2                  | 129.4%                           |
| 210             | 1-bedroom (2)                         | 1-bedroom plus den (4)                 | 561                    | 726 f2                  | 129.4%                           |
| 211             | 1-bedroom (2)                         | 1-bedroom plus den (5)                 | 609                    | 727 f2                  | 119.4%                           |
| 301             | Bachelor (3)                          | 1-bedroom plus den (3)                 | 411                    | 741 f2                  | 180.3%                           |
| 302             | 1-bedroom (3)                         | 1-bedroom plus den (2)                 | 549                    | 726 f2                  | 132.2%                           |
| 303             | 1-bedroom (3)                         | 1-bedroom (3)                          | 592                    | 700 f2                  | 118.2%                           |
| 304             | 1-bedroom (3)                         | 1-bedroom plus den (5)                 | 592                    | 726 f2                  | 122.6%                           |
| 305             | Bachelor (3)                          | 1-bedroom (4)                          | 399                    | 462 f2                  | 115.8%                           |
| 306             | Bachelor (3)                          | 1-bedroom plus den (4)                 | 411                    | 500 f2                  | 121.7%                           |
| 307             | 2-bedroom (3)                         | 2-bedroom (4)                          | 673                    | 677 f2                  | 100.6%                           |
| 308             | 1-bedroom (3)                         | 1-bedroom plus den (2)                 | 571                    | 727 f2                  | 127.3%                           |

| Current Suite # | Current Unit Type and Floor Level (#) | Proposed                      | Current Size (in S.F.) | Proposed Size (in S.F.) | Proposed Compared to Current (%) |
|-----------------|---------------------------------------|-------------------------------|------------------------|-------------------------|----------------------------------|
|                 |                                       | Unit Type and Floor Level (#) |                        |                         |                                  |
| 309             | 1-bedroom (3)                         | 1-bedroom plus den (4)        | 571                    | 727 f2                  | 127.3%                           |
| 310             | 1-bedroom (3)                         | 1-bedroom plus den (3)        | 570                    | 727 f2                  | 127.5%                           |
| 311             | 1-bedroom (3)                         | 1-bedroom plus den (5)        | 628                    | 727 f2                  | 115.8%                           |