1677-1679 Bathurst Street and 73-75 Elderwood Drive – Official Plan, Zoning Amendment and Rental Housing Demolition and Conversion Applications – Supplementary Report

Date: April 26, 2017

To: Toronto and East York Community Council

From: Chief Planner and Executive Director, City Planning Division

Wards: Ward 21 – St. Paul's

Reference Number: File Nos. 16 270455 STE 21 OZ & 16 270465 STE 21 RH

SUMMARY

This report supplements item number TE24.39 and provides additional information on policies applicable to the subject site regarding the Rental Housing Demolition and Conversion application.

COMMENTS

The proposal for a 4-storey apartment building involves the demolition of the 13 residential rental units located at 1677 Bathurst Street, 1679 Bathurst Street, and 73-75 Elderwood Drive. All units are proposed to be replaced either in the new development or in an off-site location within close proximity to the new development.

The 13 residential rental units are comprised of one bachelor, four one-bedrooms and six two-bedroom units. One unit was vacant at the time of application. Eleven units have rents that fall under the mid-range threshold, and two units have high-end rents.

The same number and type of units will be replaced, and the mid-range rental replacement units will have similar rents.

An application for Rental Housing Demolition and Conversion under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has been submitted for the demolition of the 13 residential rental units and will be reviewed concurrently with the Zoning By-law Amendment application.
Official Plan

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. Official Plan Policy 3.2.1.6 requires that new development that results in the loss of six or more rental housing units which have affordable or mid-range rents will not be approved unless the following are secured:

- At least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;

- For a period of at least 10 years rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and

- An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law, contained in Chapter 667 of the City's Municipal Code, prohibits demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City issued under Section 111 of the City of Toronto Act, 2006 and requires a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City’s Official plan policies protecting rental housing. Council approval of demolition under Section 33 of the Planning Act may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the Building Code Act.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the OMB. In this case, the applicant has made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Issues to be Resolved

- Replacement of residential units and proposed replacement unit size and configuration;
- The location of the proposed replacement, including whether the units will be located off-site;
- The proposed tenant relocation and assistance plan.

The application for Rental Housing Demolition and Conversion will be assessed under the requirements of the Planning Act, the City of Toronto Act, Official Plan policies relating to rental housing, and Chapter 667 of the Toronto Municipal Code.

**CONTACT**
Emily Rossini, Planner                      Narmadha Rajakumar
Tel. No.    416-397-4648                  Tel. No. 416-392-4529
E-mail:    Emily.Rossini@toronto.ca        E-mail: Narmadha.Rajakumar@toronto.ca

**SIGNATURE**

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