



**SUPPLEMENTAL STAFF  
REPORT**  
Committee of Adjustment Application

<b>Date:</b>	September 25, 2017
<b>To:</b>	<b>Chair and Members of the Committee of Adjustment Toronto and East York District c/o Anita MacLeod, Manager &amp; Deputy Secretary-Treasurer Toronto and East York District</b>
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Ward:</b>	Ward 22, St. Paul's
<b>Reference:</b>	File No.: B0040/16TEY Address: 16-18 & 20-22 Acacia Rd. & 219-221 Millwood Rd. Applicant: Patricia Nancy Nobrega & Janet Elder Agent: Donald D'arcy William Lamont Application to be considered: September 27, 2017

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## **RECOMMENDATION**

Planning staff respectfully recommend that Application No. B0040/16TEY be refused.

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## **COMMENTS**

This is a supplemental report to the Planning staff report dated March 22, 2017 to reaffirm the recommendation to refuse B0040/16TEY, following its previous deferral on March 28, 2017.

Planning staff are concerned with the severance of 16-18 & 20-22 Acacia Rd. & 219-221 Millwood Rd. Chapter 667 of the Toronto Municipal Code states that no person shall convert or sever a residential property containing six or more dwelling units of which at least one dwelling unit was used, or is intended for residential rental purposes unless the person has received a rental demolition and conversion permit from the City. Chapter 667-4 B. states that "conversion of a residential rental property to a purpose other than a residential rental property includes: conversion as a result of a consent to sever land under Section 53 of the *Planning Act*."

To date, the applicant has not submitted a Rental Demolition and Conversion Application pursuant to Chapter 667 of the Toronto Municipal Code, and has not received a rental demolition and conversion permit from the City. Based on the information provided by the applicant, Planning staff would not support, or recommend, the issuance of a rental housing conversion permit for the proposed severance.

The application does not comply with the severance criteria outlined in section 51(24) (c) of the Planning Act as the proposal does not conform to the Official Plan. Official Plan policy 3.2.1.8 states the following:

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.

The intent of this policy is to protect affordable and mid-range rental housing units from being converted or lost to other forms of tenure and/or uses. According to the applicant, the property is comprised of three residential buildings containing a total of 12 rental dwelling units, all of which have mid-range rents.

To date, Council has not determined that the supply and availability of rental housing in the City has returned to a healthy state. As such, an Official Plan Amendment should be required in order to sever the related group of buildings.


Planning staff respectfully recommend that the application for consent to sever before the Secretary-Treasurer be refused.

## CONTACT

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## SIGNATURE

  
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