

## **1540-1550 Bloor Street West – Rental Housing Demolition Application – Final Report**

Date: June 8, 2022

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 4 – Parkdale-High Park

**Rental Housing Demolition Application Number:** 19 263430 STE 04 RH

**Related Application Numbers:** 19 263422 STE 04 OZ and 22 138585 STE 04 SA

### **SUMMARY**

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This application proposes to demolish the existing two-storey mixed-use buildings, which collectively contain 12 rental dwelling units, to permit the redevelopment of the lands with a 27-storey apartment building comprised of 354 dwelling units, including 12 affordable replacement rental units and 14 new affordable rental units. As of the date of this report, the total Gross Floor Area (GFA) of the proposed development would be 23,987 square metres, including 663 square metres of non-residential GFA, resulting in a Floor Space Index (FSI) of 9.73 times the site area.

The properties are also the subject of a Zoning By-law Amendment (ZBA) application (19 263422 STE 04 OZ), which was appealed to the Ontario Land Tribunal (OLT), formerly the Local Planning Appeal Tribunal (LPAT), in June 2020 (Case No. PL200248) on the basis of City Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act*. On November 9, 2021, a settlement offer was endorsed by City Council and, on February 4, 2022, the OLT issued a Decision approving the ZBA application in principle and withheld its final Order until outstanding matters, including a decision by City Council on the Rental Housing Demolition application, are resolved.

This report recommends approval of the Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code and the Residential Demolition Permit under Chapter 363 of the Toronto Municipal Code, subject to conditions.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. City Council approve the Rental Housing Demolition application (19 263430 STE 04 RH) under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* to permit the demolition of twelve (12) existing rental dwelling units at 1540-1550 Bloor Street West, subject to the following conditions:

a) The owner shall provide and maintain twelve (12) replacement rental dwelling units for a period of at least 20 years beginning from the date that each replacement rental unit is first occupied. During such 20-year period, no replacement rental unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any replacement rental unit or convert any replacement rental unit to a non-residential rental purpose. The twelve (12) replacement rental units shall collectively contain a total gross floor area of 763 square metres and be comprised of one (1) studio unit, four (4) one-bedroom units, and seven (7) two-bedroom units, as generally illustrated in the plans prepared by IBI Group and dated May 5, 2022. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning.

b) The owner shall provide and maintain twelve (12) replacement rental dwelling units, including at least seven (7) two-bedroom units, four (4) one-bedroom units, and one (1) studio unit, at affordable rents, as currently defined in the Toronto Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.

c) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to the one (1) Eligible Tenant of the twelve (12) existing rental dwelling units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning.

e) The owner shall provide tenants of all twelve (12) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings.

f) The owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants.

- g) The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants.
- h) The owner shall provide tenants of the replacement rental dwelling units with access to visitor vehicular parking at no charge and on the same terms and conditions as it is offered to any other resident of the proposed development.
- i) The owner shall provide and make available at least eleven (11) bicycle parking spaces to tenants of the replacement rental dwelling units at no charge and on a first come-first serve basis.
- j) The twelve (12) replacement rental dwelling units required in Recommendation 1a) shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy.
- k) The owner shall enter into, and register on title to the lands at 1540-1550 Bloor Street West, one or more agreement(s) to secure the conditions outlined in Recommendations 1a) through 1j) above, including an agreement pursuant to Section 111 of the *City of Toronto Act, 2006*, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

2. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* for the demolition of the twelve (12) existing rental dwelling units at 1540-1550 Bloor Street West after all the following have occurred:

- a) all conditions in Recommendation 1 above have been fully satisfied and secured;
- b) the Zoning By-law Amendment has come into full force and effect;
- c) the issuance of Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or their designate pursuant to Section 114 of the *City of Toronto Act, 2006*;
- d) the issuance of excavation and shoring permits (conditional or full permits) for the approved development on the site;
- e) the owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- f) the execution and registration of agreements pursuant to Section 37 of the *Planning Act* and Section 111 of the *City of Toronto Act, 2006* securing Recommendations 1a) through 1j) above and any other requirements of the Zoning-Bylaw Amendment (if applicable).

3. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has given Preliminary Approval referred to in Recommendation 2 above.

4. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Residential Demolition Permit under Section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 1540-1550 Bloor Street West after the Chief Planner and Executive Director, City Planning has given Preliminary Approval referred to in Recommendation 2 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a) the owner removes all debris and rubble from the site immediately after demolition;

b) the owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building Division;

c) the owner erects the proposed building no later than three (3) years from the date on which the demolition of the existing buildings commences, subject to the timeframe being extended at the discretion of the Chief Planner and Executive Director, City Planning Division; and

d) should the owner fail to complete the proposed development containing the twelve (12) replacement rental dwelling units within the time specified in Recommendation 4c) above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

5. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 agreement and other related agreements.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## DECISION HISTORY

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On June 29, 2007, 1540 BSW Development Inc. submitted Zoning By-law Amendment Application 07 238234 STE 14 OZ to redevelop the lands at 1540 Bloor Street West. The application initially contemplated a 29-storey (94.2 metres, inclusive of a 5.0-metre mechanical penthouse) mixed-use building having a total gross floor area of 25,769 square metres, representing a FSI of 13.3 times the area of the lot.

On January 15, 2008, Toronto and East York Community Council adopted Item TE12.29 "Preliminary Report - Rezoning - 1540 Bloor Street West" and directed City Planning staff to schedule a community consultation meeting, together with the Ward Councillor, on Zoning By-law Amendment application 07 238234 STE 14 OZ. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.TE12.29>

On March 3, 2008, City Council adopted Item PG13.6 "2008 Avenue Studies" and endorsed Bloor Street West between Dundas Street West and Keele Street as an area for study as an *Avenue* in the Official Plan. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.PG13.6>

On August 17, 2009, Zoning By-law Amendment application 07 238234 STE 14 OZ was appealed by 1540 BSW Development Inc. to the Ontario Municipal Board (OMB) on the basis of City Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act* (Case No. PL090733). <https://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL090733>

On November 30, 2009, City Council adopted Item TE29.10 "Request for Direction Report - 1540 Bloor Street West - Rezoning and Site Plan Applications" and directed the City Solicitor and appropriate City staff to attend the OMB hearing of 1540 BSW Development Inc.'s appeal to oppose Zoning By-law Amendment application 07 238234 STE 14 OZ and the associated Site Plan Control application 07 238225 STE 14 SA. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE29.10>

On November 30, 2009, City Council also adopted Item TE29.2 "City Initiated 'Avenue Study' of Bloor Street West Between Keele Street and the Rail Corridor, and Dundas Street West Between Glenlake Avenue and Boustead Avenue" (the "Bloor Dundas Avenue Study") and enacted Zoning By-law 1222-2009 (the "Bloor Dundas Avenue By-law"). <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE29.2>

On March 9, 2010, the Ontario Municipal Board issued a Decision refusing Zoning By-law Amendment application 07 238234 STE 14 OZ and Site Plan Control application 07 238225 STE 14 SA, dismissing the applicant's appeal on the basis that the height (92.5 metres, inclusive of a 10.0-metre mechanical penthouse) and density (16.12 times the area of the site) of the proposed development was too large and inappropriate for the area, was not consistent with the findings and recommendations of the Bloor-Dundas Avenue Study, did not conform with the Official Plan, and did not represent good planning. <https://www.omb.gov.on.ca/e-decisions/PL090733-MAR-09-2010.pdf>

On April 10, 2012, City Council adopted Item TE14.8 "Request for Directions Regarding the Appeal of By-law No. 1222-2009 (The Bloor Dundas Avenue By-law)", refused a settlement offer on an appeal of By-law No. 1222-2009 by 1540 BSW Development Inc., and confirmed the City Solicitor's existing direction to defend By-law No. 1222-2009 before the OMB. The settlement offer contemplated the redevelopment of the lands at 1540 Bloor Street West with a 15-storey mixed-used building having an overall FSI of 9.5 times the area of the lot. The appeal was withdrawn prior to the OMB conducting a hearing. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE14.8>

On December 19, 2019, Timbertrin (Dundas/Bloor) Inc. submitted Zoning By-law Amendment Application 19 263422 STE 04 OZ and Rental Housing Demolition application 19 263430 STE 04 RH for the lands at 1540-1550 Bloor Street West. The applications initially proposed to demolish 12 existing rental dwelling units and redevelop the lands with a 25-storey (80.9 metres, excluding a 6.0-metre mechanical penthouse) mixed-use building comprised of 26,445.5 square metres of gross floor area, representing a FSI of 10.72 times the area of the site.

On June 25, 2020, Zoning By-law Amendment application 19 263422 STE 04 OZ was appealed by Timbertrin (Dundas/Bloor) Inc. to the LPAT on the basis of City Council's failure to make a decision on the application within the timeframe prescribed by the *Planning Act* (Case No. PL200248).

<https://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL200248>

On December 16, 2020, City Council adopted Item TE21.12 "1540-1550 Bloor Street West - Zoning Amendment and Rental Housing Demolition Applications - Request for Direction Report" and directed the City Solicitor, together with City Planning and other appropriate staff, to attend the LPAT hearing to oppose the Zoning By-law Amendment application for 1540-1550 Bloor Street West and to continue discussions with the applicant in an attempt to resolve outstanding matters.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE21.12>

On April 7, 2021, City Council adopted Item CC31.10 "1540-1550 Bloor Street West - Zoning Amendment - Request for Direction for Local Planning Appeal Tribunal Hearing" and authorized the City Solicitor, together with City Planning and other appropriate staff, to attend the LPAT hearing to oppose the Zoning By-law Amendment application for 1540-1550 Bloor Street West in its revised form, and to continue discussions with the applicant. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.CC31.10>

On November 9, 2021, City Council adopted Item TE28.5 "1540-1550 Bloor Street West - Zoning Amendment - Request for Direction Report" and accepted a settlement offer dated September 20, 2021 to permit the redevelopment of the lands at 1540-1550 Bloor Street West with a 27-storey (86.65 metres plus a 5.0-metre mechanical penthouse) mixed-use building comprised of 24,057 square metres of gross floor area, representing a FSI of 9.84 times the area of the site.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE28.5>

On February 4, 2022, the OLT issued a Decision and Interim Order approving in principle the proposed Zoning By-law Amendment for 1540-1550 Bloor Street West, subject to conditions, including the condition that City Council approve Rental Housing Demolition application 19 263430 STE 04 RH.

<https://www.omb.gov.on.ca/e-decisions/OLT-21-001811-FEB-04-2022.pdf>

## **ISSUE BACKGROUND**

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### **Development Proposal**

The ZBA application for the subject site was approved in principle by the OLT on February 4, 2022 through a settlement, subject to City Council's approval of the Rental Housing Demolition application. The application encompasses the lands municipally known as 1540, 1542, 1546-1548, and 1550 Bloor Street West (see Attachment 1 – Location Map).

As part of the settlement, the subject lands would be added to the City of Toronto Zoning By-law 569-2013 (from which they are currently excluded) and rezoned to Commercial Residential (CR) Zone with site-specific provisions that would permit a 27-storey building comprised of 355 dwelling units, including no fewer than 12 affordable replacement rental units and 14 new affordable rental units, and having a maximum total GFA of 24,057 square metres, resulting in a maximum FSI of 9.84 times the area of the site.

A minimum of 10% of all non-replacement units would be three-bedroom units and a minimum of 15% of all non-replacement rental units would be two-bedroom units. The development would include up to 680 square metres of retail space on the ground floor, indoor residential amenity space provided at a minimum rate of 2.0 square metres per dwelling unit (proposed to be provided on the mezzanine level of the first floor and the second floor of the proposed development), and outdoor residential amenity space provided at a minimum rate of 2.0 square metres per dwelling unit (proposed to be provided on the second and seventh floors of the proposed development).

The Rental Housing Demolition application is proposing to demolish 12 existing rental dwelling units at 1540, 1542, and 1546-1548 Bloor Street West and replace the 12 rental units proposed to be demolished on the second and third floors of the proposed development. The replacement rental units would be comprised of one (1) studio rental unit, four (4) one-bedroom rental units, and seven (7) two-bedroom rental units.

### **Subject Site**

The subject site is located at the northwest corner of the intersection of Bloor Street West and Dundas Street West and the southeast corner of the block bounded by Edna Avenue to the north, Dundas Street West to the east, Bloor Street West to the south, and Dorval Road to the west. The site consists of four properties, of which three are either being or have previous been used for residential rental purposes, as follows:

- 1540 Bloor Street West – An abandoned two-storey mixed-use building known colloquially as the 'giraffe building' due to its giraffe-print façade. The entire building is in disrepair. Nine vacant rental dwelling units are located on the second floor and are no longer habitable.
- 1542 Bloor Street West – A two-storey mixed-use building with commercial uses at grade and one vacant rental apartment unit on the second floor.
- 1546-1548 Bloor Street West – A two-storey mixed-use building with commercial uses at grade and two rental apartment units on the second floor. One of the rental units is occupied while the other unit is vacant.

The property at 1550 Bloor Street West is being used solely for commercial purposes.

The site contains a total of 12 rental dwelling units consisting of (1) one studio unit, four (4) one-bedroom units, and seven (7) two-bedroom units, all of which had affordable rents as of the date of application. As of the date of this report, only one of the existing rental units is occupied and the 11 remaining unoccupied rental units have been vacant for upwards of 12 years, as per the applicant's Housing Issues Report.

### **Reason for the Application**

Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, prohibits the demolition of rental housing in any building or related group of buildings that contain six or more dwelling units without obtaining a permit from the City. Since the proposal involves the demolition of 12 rental dwelling units, a Rental Housing Demolition application was submitted to the City.

## **POLICY CONSIDERATIONS**

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

Provincial policy statements and geographically-specific provincial plans, along with municipal official plans, provide a policy framework for planning and development in Ontario.

#### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (the "PPS") provides policy direction on land use planning and development to support an effective and efficient planning system, promote economic prosperity and environmental stewardship, and enhance the quality of natural and built environments in Ontario. The PPS supports a comprehensive, integrated, and long-term approach to planning, and recognizes linkages among policy areas. It includes policies on key issues that affect local communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing, including affordable housing, to accommodate needs that are both changing and growing;
- ensuring opportunities for job creation;

- ensuring appropriate transportation, water, sewer, and other infrastructure is available to accommodate current and future needs; and
- protecting people, property, and community resources by directing development away from natural or human-made hazards.

The PPS recognizes the municipal official plan as the most important planning mechanism for the Statement's implementation.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions, or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe 2019 was prepared and approved under the *Places to Grow Act, 2005* to come into effect on May 16, 2019. Amendment 1 (2020) to the 2019 Growth Plan came into effect on August 28, 2020. The amended Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) region, of which the City forms an integral part.

The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*. Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability, and provide for a more compact built-form;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving a diverse range of housing options, protected employment zones, recreation and public service facilities, and green spaces;
- Planning for transit-supportive densities and integrating transit services to facilitate the efficient movement of people and goods;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retains space to accommodate jobs on-site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions, or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

## **Toronto Official Plan**

The Toronto Official Plan outlines City Council's policies and objectives for land use planning and development. Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, maintenance, and replacement of rental housing.

Policy 3.2.1.6 prevents new development that would result in the loss of six or more rental dwelling units unless all of the existing rental units have rents that exceed mid-range rents at the time of application or, in cases where planning approvals other than site plan are being sought, at least the same number, size, and type of rental units are replaced and maintained with similar rents and the applicant develops an acceptable tenant relocation and assistance plan, addressing the right to return to the replacement units at similar rents and other assistance to mitigate hardship.

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

Section 111 of the *City of Toronto Act, 2006* authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units without obtaining a permit from the City and requires a decision by City Council or, where delegated, the Chief Planner.

Under Sections 14 and 15 of Chapter 667, Council may refuse an application or impose conditions on an approval, including conditions requiring an applicant to replace the rental units proposed to be demolished and/or to provide tenant relocation and assistance, which must be satisfied before a demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan.

Section 33 of the *Planning Act* also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of any demolition of a residential property that contains six or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the *Building Code Act, 1992*. Where a proposal requires Council approval of a residential demolition application under Chapter 363 and a Rental Housing Demolition application under Chapter 667, Council typically considers both applications at the same time.

The proposal to demolish 12 rental dwelling units on the subject lands requires approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six dwelling units and at least one rental unit. The Rental Housing Demolition application was submitted on December 19, 2019 and deemed complete by City Planning staff on January 28, 2020.

### **Tenant Consultation**

The one existing tenant of the property received a notice inviting them to participate in a tenant consultation meeting to review the City's housing policies, the impact of the proposed demolition on the existing tenant, and the City-approved Tenant Relocation and Assistance Plan. The tenant was provided with options to meet in-person, by telephone, or by video conference on a date and at the time that was convenient for them. A copy of a tenant consultation presentation containing information on the development proposal, the proposed replacement rental unit layouts, and the Tenant Relocation and Assistance Plan was also delivered to the tenant. The tenant's alternative contact person and the local Councillor's office were also sent copies of the tenant meeting notice and presentation. As of the date of this report, the tenant did not request a meeting with City Planning staff.

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

City Planning staff have evaluated the proposal and determined that it is consistent with the PPS and conforms with the provincial Growth Plan. The proposal to demolish 12 rental dwelling units within a series of two-storey mixed-use buildings to construct a new 27-storey apartment building comprised of 354 dwelling units, including 12 affordable replacement rental units and 14 new affordable rental units, would accommodate new housing supply through intensification and redevelopment, and contribute to a greater mix of housing options to meet the housing needs of current and future residents.

### **Rental Replacement**

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 12 existing rental dwelling units by their respective bedroom types, at similar or larger unit sizes, and at similar rents to those in effect at the time of application. The total GFA of the 12 replacement rental units is 763 square metres, which exceeds the GFA of the existing rental units proposed to be demolished by 24.5 square metres, and the percentage difference between each existing rental unit size and corresponding replacement rental unit size is no less than a reduction of 4%. Six replacement rental units are proposed to be located on the second floor of the proposed development, and six replacement rental units are proposed to be located on the third floor.

The existing tenant would reserve the right to return to a replacement rental unit of a similar unit type at similar rent, and rents for all replacement rental units without returning tenants would not exceed the City's affordable rent thresholds for a period of at least 10 years. If the existing tenant elected to return to a replacement rental unit, they would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the *Residential Tenancies Act 2006* (RTA), until their tenancy ends. The remaining affordable

replacement rental units would be advertised and offered to eligible households through the City's forthcoming centralized housing access system and will be subject to tenant income eligibility requirements.

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

The applicant will be required to implement the City-approved Tenant Relocation and Assistance Plan for the one Eligible Tenant who resides on the lands. The plan would assist the existing tenant in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed. The plan would consist of the following:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit they currently occupy;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation, above and beyond that required under the *Residential Tenancies Act, 2006*, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by the tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 4 – Toronto (West), which encompasses the development site, for a 36-month period. In the event the proposed development took longer than 36 months to complete, the owner would provide the tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy.
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation; and
- Upon request, make a rental leasing agent available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood and provide similar assistance commensurate with the tenant's needs.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, will ensure that the existing tenant can continue to access and afford suitable housing within the neighbourhood until the replacement rental units are complete, and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

### **Conclusion**

This report recommends approval of the application to demolish 12 rental dwelling units at 1540-1550 Bloor Street West, subject to the conditions in the recommendations of this report. The proposal provides for the full replacement of the existing rental units and an acceptable Tenant Relocation and Assistance Plan to mitigate hardship for an existing tenant. The demolition would permit the redevelopment of the lands with a new

apartment building containing 342 residential units, including 14 new affordable rental units and 12 affordable replacement rental units, facilitating new housing supply while contributing to the provision of a broader range of housing options to accommodate the needs of current and future residents.

## **CONTACT**

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## **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA  
Director, Community Planning  
Toronto & East York District

## **ATTACHMENT**

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### **City of Toronto Data/Drawings**

Attachment 1: Location Map

