

December 11, 2023

Our File No.: 170392

Via Email

City Council
Toronto City Hall
100 Queen St. West
Toronto, ON M5H 2N2

Attention: Sylwia Przewdziecki

Dear Sirs/Mesdames:

Re: Item - 2023.PH8.16 - Amendments to Toronto Municipal Code Chapter 667: Rental Demolition and Conversion By-law

We are counsel to Starbank Developments 350 Corp. & 334 Bloor West Limited, the owners of the lands known municipally as 334-350 Bloor Street West and 2-6 Spadina Road (the “**Property**”). We write on behalf of our clients to provide comments on the proposed amendments to Chapter 667 of the Municipal Code, and particularly the proposed amendments relating to tenant access plans, in connection with the Council-approved redevelopment of the Property.

Background

As background, in July of 2022, City Council approved zoning by-law amendments to permit a 35-storey mixed-use building on the Property (the “**Development**”). At the same time, Council approved our client’s application pursuant to section 111 of the *City of Toronto Act, 2006* (“**Section 111**”) to permit the demolition of the existing rental dwelling units on the Property (the “**Rental Housing Application**”), subject to replacing those units in the Development and the provision of tenant relocation assistance, among other things.

The approval of the Rental Housing Application followed extensive discussions with City staff regarding the terms of the rental replacement obligations that would be reflected in an agreement under Section 111, including detailed discussions regarding a tenant access plan. These discussions resulted in an agreed upon approach to a tenant access plan, as reflected in an agreed upon term sheet which has now formed the basis for the preparation of a Section 111 Agreement.

Comments on The Proposed Amendments

Against this backdrop, we note that the proposed amendments to Chapter 667 include new provisions relating to tenant access plans. In particular, amendments are proposed to allow for the imposition of conditions on the approval of Section 111 applications that require the development and implementation of an access plan, including the use of a City-managed housing access system, for replacement rental units.

It would not be fair or appropriate to revisit the approach to tenant access plans, reflected in agreed upon term sheets, for developments with Section 111 applications approved before the proposed amendments to Chapter 667 take effect. To provide certainty in this respect, Council could direct that the proposed amendments only apply to Section 111 applications that are not yet approved at the time the amendments take effect. In any event, we trust that the City will honour the settled arrangements with respect to the tenant access plan for the Development as outlined above.

Yours truly,

Goodmans LLP



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