

**From:** [Lindsay Blackwell](#)  
**To:** [Mayor Chow](#); [Councillor Ainslie](#); [Councillor Bradford](#); [Councillor Bravo](#); [Councillor Burnside](#); [Councillor Carroll](#); [Councillor Cheng](#); [Councillor Colle8](#); [Councillor Crisanti](#); [Councillor Fletcher](#); [Councillor Holyday](#); [Councillor Kandavel](#); [Councillor Malik](#); [Councillor Mantas](#); [Councillor Matlow](#); [Councillor McKelvie](#); [Councillor Moise](#); [Councillor Morley](#); [Councillor Myers](#); [Councillor Nunziata](#); [Councillor Pasternak](#); [Councillor Perks](#); [Councillor Perruzza](#); [Councillor Jaye Robinson](#); [Councillor Saxe](#); [Councillor Thompson](#); [councilmeeting](#)  
**Cc:** [No Demovictions Ontario](#); [chair@fostrato.ca](#); [York South-Weston Tenant Union](#); [Clerk](#); [Tara Anderson](#); [Ombudsman](#); [Ina Chan](#); [Climate Justice Toronto](#); [230fightback](#); [Eileen Wennekers](#); [TRF Admin](#); [Jonella Evangelista](#); [Walied Khogali](#); [Megan Kee](#); [Charlotte Mickie](#); [Rebecca Gimm](#); [David Steinman](#); [Patricia Johnston](#); [Patti Smallbizsalescoach.ca](#); [135isabellast@gmail.com](#); [Annette Gasher](#); [Michael Whitehead](#); [Miso Choi](#); [MARCELLA THOMPSON](#); [geofforganizer@gmail.com](#); [James Westman](#); [Melissa Goldstein](#); [Lindsay Blackwell](#)  
**Subject:** [External Sender] My comments for 2023.PH8.16 on December 13, 2023 City Council  
**Date:** December 12, 2023 6:00:18 PM  
**Attachments:** [Open Letter - Chapter 667 Amendments City Council \(Dec 13 2023\) - No Demovictions.pdf](#)  
[APPENDIX A - Letter to Planning & Housing Committee - Nov 30 2023 - No Demovictions.pdf](#)

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To the City Clerk:

Please add our comments to the agenda for the December 13, 2023 City Council meeting on item 2023.PH8.16, Amendments to Toronto Municipal Code Chapter 667: Rental Demolition and Conversion By-law.

**\*\*\*Please see letter attached to this email, sent on behalf of No Demovictions and our tenant advocacy partners\*\*\***

I understand that my comments and the personal information in this email will form part of the public record and that my name will be listed as a correspondent on agendas and minutes of City Council or its committees. Also, I understand that agendas and minutes are posted online and my name may be indexed by search engines like Google.

Comments:

Sent from [Mail](#) for Windows

Many thanks,  
Lindsay Blackwell, on behalf of No Demovictions

**December 12, 2023**

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



Attention: Mayor Olivia Chow & Toronto City Council Members

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

We are a tenant collective representing tenants facing the demolition and/or conversion of our homes (i.e., demoviction) in purpose-built rental buildings across Toronto. Our advocacy work aims to effect policy change at the city, provincial, and federal levels to fight profit-driven demovictions while advocating for the preservation of existing affordable rental housing and for responsible, equitable, sustainable development. You can learn more about our organization and mission here: <https://www.nodemovictions.ca/mission>

We are writing today to raise concerns regarding proposed amendments to Toronto Municipal Code Chapter 667 (Rental Demolition and Conversion By-Law), and ***we strongly urge City Councillors to defer this item until such time as we, as well as other local tenants organizations and groups, can be meaningfully engaged on the proposed amendments.***

As a group, No Demovictions members deputed to the Planning and Housing Committee on November 30th regarding these proposed amendments, and provided a written submission detailing key concerns related to the proposed amendments (see Appendix A). Unfortunately, Committee members voted to approve the proposed amendments, based on two key points discussed, in asking questions of City Planning staff:

1. That the proposed amendments were a) primarily a “housekeeping exercise” intended to improve internal coordination/align processes, and b) directly responsive to the City of Toronto’s Auditor General report, *Revisiting Legacy Rental Replacement Policies to Align them with the City’s Affordable Rental Housing Expectations* ([2022.AU11.3](#)), considered by the City’s Audit Committee on February 18, 2022 and City Council on April 6, 2022.
2. That consultation on the proposed amendments was sufficiently conducted through dedicated consultation on the development of City’s Centralized Affordable Rental Housing Access System (CARHAS). This consultation process was described as including tenant input via the Tenant Advisory Committee, “tenants with lived experience,” and other stakeholder groups. However, City Planning staff noted that they did not specifically consult with tenants on proposed changes to Chapter 667.

Having reviewed the proposed amendments and conducted extensive outreach regarding the two key points above, No Demovictions, as well as our tenant advocacy organization partners,

would highlight the following problems with the information presented to Planning and Housing Committee members by City Planning staff.

**1. Nature of the proposed amendments as “housekeeping” and/or responsive to the Auditor-General report:**

While we appreciate City Planning’s need to harmonize internal processes, and make changes to ensure the CARHAS can be implemented effectively, one of the key proposed changes would effectively remove the hard requirement for the City to consult with tenants/the community on rental demolition applications (see § 667-14(B)). This is not a matter of housekeeping. We have also confirmed directly with the Auditor-General’s office on December 4th, 2023, that this proposed amendment was *not* part of their recommendations/report, and would have been outside the scope of that particular audit. As it stands, there is no clear rationale for removing the requirement to consult with tenants and communities faced with demoviction.

**2. Tenant consultation on proposed Chapter 667 amendments:**

The reliance on the Tenant Advisory Committee as a fall-back plan for consultation on all matters related to tenants is inappropriate and inadequate. The Committee cannot and should not be tasked with representing the 48% of Toronto’s population that are renters and the full myriad of challenges faced by tenants across Toronto. The City does not rely on a single Homeowners Advisory Committee for input on all issues affecting homeowners, and renters not only deserve equal treatment when it comes to having the opportunity to provide input into decisions that affect them, but it is City policy under the Toronto Housing Charter. The City must commit to more robust and ongoing engagement with tenants in the development of policy proposals, where a full range of stakeholder voices and concerns helps inform policy solutions. As noted by a Tenant Advisory Committee member, in her deputation to PHC on November 30th, “The Tenant Advisory Committee is used as an ‘easy way’ for staff to consult with tenants without doing proper and adequate consultation... and even we weren’t consulted on this. The city’s public consultation with tenants the last few years has been appalling. And it’s getting worse.”

In light of this, we continue to assert the need for City Planning to meaningfully consult and engage with tenants experiencing demoviction in proposing changes to Chapter 667. It is not enough to use a consultation process on ‘Issue X’ to inform the development of a policy on ‘Issue Y’ - as was the case in the development of the proposed amendments. We urge City Councillors and City Planning to engage with No Demovictions and other tenant advocacy organizations to implement recommendation 36(B) of the *HousingTO 2020-2030 Action Plan* to undertake a review of the City’s rental demolition and replacement

Official Plan policy, including implementation approaches and practices including a review of affordability periods and eligibility criteria for new Tenants. With the increasing pace of demovictions across Toronto, meaningful consultation and collaboration with tenants is of critical and immediate need.

In addition to the issues above, we are also writing to express our grave concern regarding the unclear and inconsistent information provided to tenants and tenant associations facing demoviction with respect to compensation/Section 111 agreements, and appeals to the Ontario Land Tribunal (OLT). As tenants facing demoviction, every single one of our tenants and tenants' associations has been provided different information by City Councillors and City Planning staff assigned to our files. Many of us have been told that, if we appeal the demolition proposal after it has been approved, we may risk losing all of the compensation and other benefits we might have managed to win through negotiations with the applicant/developer and City. In most cases, this "fact" has shaped the negotiation strategies, planning, and advocacy done by tenants through the course of the application period. There is a short window for tenants and other parties to submit an application to the OLT to appeal an approved project, so many tenant groups have passed that period for appeal.

And yet, during the Planning and Housing Committee meeting, Councillor Meyers specifically asked City Planning *why he is hearing that, if an approved rental demolition project with a negotiated Section 111 agreement is taken to the OLT for appeal by tenants (or other parties), tenants risk losing whatever they have negotiated in their section 111 agreements?* The City solicitor present at the Committee meeting confirmed that the OLT **does not have jurisdiction over Section 111 agreements, and can only make decisions regarding re-zoning**. In light of this information, we will be formally requesting that the City of Toronto's Deputy Ombudsman for Housing investigate this matter. Further legal action may also result. Simply put, tenants deserve more transparency and honesty than they have been extended regarding OLT appeals. Tenants should be provided with free legal advice rather than the opinions of staff and politicians who may not have their best interests at heart, and should be assigned an independent nonprofit advocate to support them and their interests through this complicated process, rather than a party working for the developer.

In closing, we strongly urge City Councillors to defer this vote item until No Demovictions, and other tenant advocacy organizations, can be meaningfully consulted. **At a minimum, we are urging Councillors to put forward a motion to withdraw the proposed amendments to § 667-14(B) that would remove the requirement for the City to consult with tenants and communities facing demoviction** to avoid doing any immediate harm to tenants facing demoviction, as well as their communities. However, this is also an excellent opportunity for Councillors to do more on the issue of demovictions by supporting a recommendation for the City to consult with No Demovictions and other tenant advocacy groups on the City's rental demolition and replacement bylaws, policies, and practices. We believe we are at a critical juncture, wherein the City can collaborate with No Demovictions and others to ensure that demovicted tenants are protected - and to also ensure the City is working towards implementing the *HousingTO 2020-2030 Action Plan*. We are encouraged by our initial meeting with City

Planning on December 8th, and look forward to further discussion on how we can effectively work together for transformative change on the issue of demovictions across Toronto.

We, along with the undersigned partners, believe that there is much we can accomplish through dialogue, discussion, and meaningful collaboration between tenant organizations and the City to improve affordable rental housing policy. We look forward to building a strong partnership to achieve practical progress with the City of Toronto.

Sincerely,

The No Demovictions Team and partners:



cc: Reema Patel, City of Toronto Deputy Ombudsman (Housing)  
Tara Anderson, Auditor-General, City of Toronto

**November 30, 2023**

City of Toronto Planning & Housing Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2



Attention: Toronto Planning & Housing Committee Members

**Re: Item No. PH8.16 - Amendments to Toronto Municipal Code Chapter 667: Rental Demolition and Conversion By-law**

We are a tenant collective representing the rights and interests of tenants facing rental demolition and conversion (i.e., demoviction) across Toronto. Our advocacy work includes affecting policy change at the city, provincial, and federal levels to fight profit-driven demovictions while advocating for affordable rental housing and responsible, sustainable development. You can learn more about our organization and mission here:

<https://www.nodemovictions.ca/mission>

We are writing today to raise concerns related to some of the proposed amendments to Toronto Municipal Code Chapter 667 (Rental Demolition and Conversion By-Law), and ***we strongly urge Planning & Housing Committee Members to defer this item until such time as we, as well as other local tenants organizations and groups can be meaningfully engaged on the proposed amendments.***

As it currently stands, the proposed amendments:

- Do not clearly articulate the City of Toronto's provisions of a tenant relocation and assistance plan related to tenant demoviction;
- Create confusion regarding situations where an approved proposals/projects are transferred to another party (e.g., a corporation, chargee, etc.);
- Confer a degree of power to the City Planner in making determinations related to demovictions at the expense of a transparent process accessible to the public; and, troublingly,
- Substantially impact tenants' and the community's rights to consultation on proposed rental demolitions.

We would also note that, while we are supportive in principle of an access plan for replacement rental units without returning tenants, we would strongly urge City Planning to work with tenant organizations, including our membership, to work through practical considerations. It is also our position that, while City Planning is opening an avenue for amendments to Chapter 667, there needs to be a broader undertaking of legislative and policy work (with potential additional amendments) on the issue of demovictions in Toronto that meaningfully engages with tenants who have, or are facing demoviction, as well as other local tenant advocacy and justice organizations.

Demovictions are a growing issue in Toronto - a recent Investigative Journalism Foundation (IJF) analysis of municipal and Toronto City Council meeting data between January 2017 and October 2023 found:

- That 100 buildings containing 4,392 rental units across Toronto have been approved for demolition. A third of these were approved in 2023 alone.
- Another 71 buildings (representing a further 4,124 rental units) are currently facing rental demolition applications.

This potentially represents **tens of thousands** of displaced tenants across the City of Toronto who are being displaced from their communities, not adequately compensated, and struggling to find suitable temporary housing due to extremely low vacancy rates. Moreover, this loss also represents a sharp loss of affordable rental housing for thousands of Torontonians - particularly in the downtown core, where housing insecurity has been particularly acute in recent years, and the population of people experiencing homelessness has reached a critical mass. Demovictions actively contribute to the housing affordability crisis in Toronto, rather than helping to solve it.

In regards to the proposed amendments, here are some of our key concerns and recommended revisions to the proposed amendments:

#### **§ 667-11, Notice of Application:**

This section can, and should be strengthened to ensure that notices to tenants are accessible, and provided in multiple languages (as appropriate). We have encountered instances where City Planning and the developer have either intentionally or unintentionally used language barriers to avoid clearly articulating the rental demolition and conversion process to tenants. In those situations, tenants were made unaware of the demolition application approval process, as well as their rights and entitlements under tenant relocation and assistance plans.

#### **§667-12, Approval by Chief Planner under delegated authority:**

- (D)(1) Should be amended so that the requirement of the owner of the residential rental property to notify tenants of relevant provisions of the *Residential Tenancies Act, 2006* **also includes** notifying tenants of the relevant provisions under Chapter 667 of the Toronto Municipal Code.
- (D)(3) Regarding the requirement for the owner to provide tenant relocation and other assistance, requires further articulation. While tenant relocation and assistance plans have been an evolving practice of the City Planning department, **there is much room for improvement** to ensure that temporarily displaced tenants during a demoviction do not become homeless. We strongly urge Councillors to direct City Planning to work with No Demovictions and other tenant advocacy organizations to ameliorate gaps and standardize an appropriate tenant relocation and assistance plan across Toronto.
- (D)(4) Regarding conditions secured through agreement with the City - the proposed amendments do not provide clarity or guidance in circumstances where a property with an approved demolition proposal changes ownership. Given ownership change and property speculation **has become standard practice for demoviction projects**, it would benefit tenants to understand how/if their relocation and assistance plan entitlements may (or may not) change with new building ownership (as well as in situations where projects fail, corporations go into receivership, etc.)

#### **§ 667-14, Approval by Council:**

- (A) Regarding the requirement for the Chief Planner to submit a report regarding a demolition application to one (or more) community council if the proposal is of “City-wide interest” - it is unclear as to how, and under what circumstances, a proposal would be determined to be of City-wide interest. We would recommend that City Planning articulate the criteria that would need to be met to make the determination that a proposal is of City-wide interest.
- (B) Regarding the amendment to the following language (proposed changes in bold; previous language in strikethrough):
  - “Before submitting a report required under Subsection A, City Planning Division staff ~~shall~~ **may** hold a ~~community~~ **tenant** consultation meeting...”
  - In the strongest possible terms, **No Demovictions does not support this proposed amendment**, which would remove City Planning’s responsibilities to consult with impacted tenants, community members, and the broader public. Tenants must be given the opportunity to voice their concerns, advice, and feedback on what happens to their homes. This amendment would remove a critical opportunity for tenants and the broader community to participate in the planning process. Moreover, given the City is also seeking to recommend/request that the province of Ontario consult with them on provincial rental replacement bylaw regulations, it is utterly hypocritical and egregious that the City would then remove any opportunities for tenant consultation regarding demoviction proposals.

#### **§ 667-15 (C), Conditions re: Centralized Affordable Housing Access System:**

As noted above, the proposed centralized affordable housing access system for rental replacement units with no returning tenants requires further operational considerations. While we applaud the City’s efforts to enhance affordable rental housing stock, we are concerned that a system without input from those with lived experience will potentially overlook loopholes that corporate landlords/developers currently use, in abundance, to maximize profits. The City has already engaged with the corporate landlord/developer organizations on this matter, and as a point of equity, it would be fair practice to solicit feedback from those on the other side of the equation. We strongly recommend that City Planning engage with No Demovictions and other key tenant organizations to outline how this system would work with respect to rental replacement units.

In addition to the proposed amendments above, we would strongly recommend that the City use this opportunity to look at amendments in regards to:

- Ensuring sustained engagement and consultation through a Demoviction Committee that can advise on key challenges faced by tenants facing demoviction;
- Improving data collection and public reporting on rental demolition applications and approvals;
- Strengthening the policies and practices related to tenant relocation and assistance plans to ensure that tenants are not unduly forced to subsidize the costs associated with their displacement;
- Lengthening the span/lifetime of affordable rental replacement units beyond the standard practice of 10 or 20 years that includes vacancy and rent control provisions;



- Ensuring tenants are provided a first right of refusal to purchase the rental property for the purposes of conversion to co-operative housing, in advance of any demolition application being considered; and
- Ensuring that demolition and construction timelines are reasonable and known to tenants who are being displaced, and that provisions/penalties exist in circumstances where a developer/owner demolishes the rental building but does not initiate the construction project in a reasonable or timely manner (i.e., the land remains fallow).

We welcome the opportunity to work with the Planning and Housing Committee, City Planning, and other key stakeholders to address these key issues and to help shape affordable rental housing and demoviction policy in Toronto.

Many thanks for the work that you do.

Sincerely,

The No Demovictions Team

cc: Olivia Chow, Mayor of Toronto  
Reema Patel, City of Toronto Deputy Ombudsman (Housing)