



April 17, 2024

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Attention: Mayor Chow
Members of Council
Sylwia Przedziecki, Manager

**Re: City Council Agenda Item: 2024.PH11.10
Response to Including New Approval Conditions for Rental Demolition
Applications
Request for Deferral**

We are counsel to Tribute Communities, a developer with many active projects and land holdings across the City of Toronto. We are writing with respect to Item 2024.PH11.10, which is before Council in its session commencing April 17, 2024, to ask for its deferral.

It has come to our attention that City Planning is recommending that Council approve a proposal to include new approval conditions for rental demolition applications which amend the rent gap calculations. Tribute is concerned with Staff's proposal, submitted through the Supplementary Report released on April 15, 2024 (the "Supplementary Report"), to use CMHC data for newer purpose-built rental units constructed in 2015+ to calculate rent gap assistance.

Of particular concern to Tribute is the recommendation of the Planning and Housing Committee (the "Committee") to make all reasonable attempts to include the new rent-gap approach in rental housing demolition applications approvals without finalized s. 111 Agreements ("Recommendation #6"). As a result, conditionally-approved development applications and negotiated-but-unexecuted s.111 Agreements run the risk of being re-opened. While our client appreciates the intention of the City to address pressing rental demolition concerns, the hasty and over-arching measure that is proposed by City Planning adds uncertainty to the lengthy and thoughtful process surrounding rental demolition applications.

Recommendation #6 (tied to Recommendation #1 of the Committee's April 5, 2024 decision) was not discussed through consultation prior to Committee endorsement. This committed Staff to reviewing the use of a proposed new methodology and determining the reliability of such data and possible implementation through the Supplementary Report. The speed with which Staff have been asked to undertake this important analysis is concerning, and the limited time

window for public review presents fairness and procedural concerns, with the Supplementary Report being provided directly to Council and no stakeholder consultation. Prior to consideration by Council, time should be afforded for meaningful stakeholder consultation and review of the proposed methodology.

Of further concern is the broad-reaching nature of the proposed implementation. Notably, the new approach is proposed to apply retroactively to conditionally-approved applications, where a s.111 Agreement might be negotiated but not yet finalized. By this stage in the development process, developers have completed the necessary public consultation, have fine-tuned proformas and are well into discussions with the City. Up-ending the process and surrounding finances after receiving rental demolition approval could have significant impacts to project viability and the ultimate delivery of rental replacement.

In the interests of a fair and due process, and in ensuring that revisions to the rental demolition process are thoughtfully and meaningfully advanced through the City's proposed measures, we ask that this Item be deferred to allow for stakeholder consultation, including with BILD (of which Tribute is a member), with the goal of returning this item to the next meeting of Committee.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read 'S. Leisk', written in a cursive style.

Signe Leisk
SL/CEG/MK/nv