

## **48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue - Rental Housing Demolition Application – Decision Report – Approval**

**Date:** February 2, 2024

**To:** Nork York Community Council

**From:** Director, Community Planning, North York District

**Ward:** Ward 18 - Willowdale

**Rental Housing Demolition Application Number:** 21 193226 NNY 18 RH

**Related Application Numbers:** 21 193212 NNY 18 OZ, 21 251322 NNY 18 SA

### **SUMMARY**

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This Rental Housing Demolition application proposes to demolish the 16 existing detached dwellings, comprising 20 rental dwelling units, at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue to facilitate the three new residential buildings, ranging in height from 45, 39 and 26-storeys, on the site, comprising of 1,040 dwelling units.

The properties are also the subject of an Official Plan and Zoning By-law Amendment application (21 193212 NNY 18 OZ), which was appealed to the Ontario Land Tribunal (OLT). The OLT issued a written decision on September 8, 2023, approving the Official Plan and Zoning By-law Amendments in principle, with the final order being withheld until all outstanding matters, including the necessary agreements with the City, are secured, including the rental housing matters.

This report recommends approval of the Rental Housing Demolition Application under Chapter 667 of the Toronto Municipal Code and the Residential Demolition Permit Application under Chapter 363 of the Toronto Municipal Code, subject to the provision of a Tenant Relocation and Assistance Plan for all tenants of the existing rental dwelling units.

## RECOMMENDATIONS

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The Director, Community Planning North York District recommends that:

1. City Council approve the Rental Housing Demolition Application File No. RH 21 193226 NNY 18 in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of twenty (20) existing rental dwelling units located at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue, subject to the following conditions:
  - a. The owner shall provide an acceptable Tenant Relocation and Assistance Plan for all Eligible Tenants of the twenty (20) existing rental dwelling units proposed to be demolished at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue, addressing the provision of rent gap assistance, and other assistance to lessen hardship, all to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;
  - b. The owner shall provide tenant relocation and assistance to all Post Application Tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and
  - c. The owner shall enter into, and register on title to the lands at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue, an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 1.a. and 1.b. above all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.
2. City Council authorize the Chief Planner and Executive Director, City Planning Division, 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 twenty (20) existing rental dwelling units located at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue, after all the following have occurred:
  - a. All conditions in Recommendation 1 above have been fully satisfied and secured;
  - b. The Official Plan Amendment(s) have come into full force and effect;
  - c. The Zoning By-law Amendment(s) has come into full force and effect;
  - d. The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning Division or their designate, pursuant to Section 114 of the City of Toronto Act, 2006;

e. The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site; and

f. The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

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 Division 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 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue after the Chief Planner and Executive Director, City Planning Division 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;

c. The owner erects the proposed building on the site no later than three (3) years from the date that the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning Division; and

d. Should the owner fail to complete the proposed building within the time specified in Recommendation 4.c. 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 any 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 September 13, 2022, the Applicant appealed its Official Plan and Zoning By-law Amendment application to the OLT pursuant to s. 34(11) of the Planning Act due to Council's failure to make a decision within the time prescribed by the Planning Act.

On May 11, 2022, City Council adopted a Request for Directions Report directing the City Solicitor and appropriate City staff to attend the OLT in opposition to the application and to continue discussions with the applicant.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.NY31.10>

On May 10, 2023, City Council adopted a Request for Directions Report from the City Solicitor and endorsed a settlement offer to permit a revised development proposal.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC6.7>

On September 8, 2023 the OLT issued a Decision approving in principle the application, subject to conditions, for 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue.

## THE APPLICATION

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### Reason for Application

This application involves the demolition of rental housing. Since the development site contains six or more residential units, of which at least one unit is rental housing, an application is required under Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law. The By-law requires that an applicant obtain a permit from the City allowing the demolition of the existing rental housing units. The City may impose conditions that must be satisfied before a demolition permit is issued.

On August 3, 2021, a Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code was submitted for the subject site to demolish the existing rental dwelling units on the site.

### Development Proposal

The Rental Housing Demolition application proposes to demolish 20 rental dwelling units within the 17 existing detached dwellings buildings at 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue. Decision Report – Approval – 48, 50, 56, 58 & 60 Avondale Avenue and 17 & 19 Bales Avenue and 25, 35, 37, 39, 41, 43, 45, 51, 53, 55, 57, 61 & 63 Glendora Avenue Rental Housing Demolition

63 Glendora Avenue. The units would be demolished to facilitate three new 45, 39 and 26-storey residential buildings on the site, comprising of 1,040 dwelling units.

### Existing Rental Dwelling Units

According to the plans provided by the applicant and a site visit conducted by City Planning staff on July 21, 2023, the existing rental dwelling units are comprised of the following unit types and rent levels:

Unit Type	Affordable Rent	Mid-Range Rent	High-End Rent	Total
One-Bedroom	0	0	1	1
Two-Bedroom Townhouse	0	0	6	6
Three-Bedroom Townhouse	0	0	5	5
+Four-Bedroom Townhouse	0	0	8	8
<b>Total</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>20</b>

At the time of this report, ten (10) of the existing rental dwelling units proposed to be demolished are occupied by eligible tenants (tenants who were tenants at the time the Rental Housing Demolition application was submitted). The remaining units are either vacant or occupied by tenants who moved into the building after the rental demolition application was made.

### Tenant Consultation

On November 29, 2023, City Planning staff held a tenant consultation meeting with impacted tenants to provide an overview of the City's housing policies, the impact of the rental demolition proposal on tenants, and the proposed tenant relocation and assistance plan. The meeting was held in-person at the North York Central Library and attended by nine (9) tenant households, City Staff, the Councillor's office, and the applicant.

Tenants asked questions related to the project timeline and eligibility requirements for tenant assistance

## POLICY CONSIDERATIONS

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### Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall

conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe.

## **Toronto Official Plan**

Official Plan Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental dwelling units replace the same number, size, and type of rental units, unless all of the rental housing units have rents that exceed mid-range rents at the time of application. The policy also requires an acceptable tenant relocation and assistance plan, addressing assistance to lessen hardship.

## **COMMENTS**

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

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 20 rental dwelling units and construct new 45, 39 and 26-storey residential buildings on the site, comprising of 1,040 dwelling units, on the subject site will help meet the housing needs of current and future residents.

### **Rental Demolition**

In accordance with Official Plan policy 3.2.1.6, the existing rental units will not be replaced in the new development as all units have rents that exceed the mid-range rent threshold. Mid-range rents are rents that fall below one and one-half times the average City of Toronto rent, by unit type.

Replacement of existing rental units is not required when all of the units proposed for demolition exceed mid-range rents as the primary focus of the Official Plan housing policies is on the protection of existing affordable and mid-range rental housing units. This is due to the fact that the market is not producing new affordable or mid-range rental units on its own without financial incentives or policy requirements. Units in new developments typically have high-end rents or prices, and include a mix of unit types and sizes.

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

A Tenant Relocation and Assistance Plan that addresses tenants' assistance to lessen hardship will be provided to all eligible tenants residing in the 20 existing rental dwelling units. At the time of this report, there are 10 eligible tenant households.

The Tenant Relocation and Assistance Plan all eligible tenants will receive the following:

- At least six months' notice of the date before they must vacate their existing rental unit (inclusive of notice required under the Residential Tenancies Act (RTA));
- Financial compensation, in addition to requirements of the RTA, in the form of rent gap assistance, where the rent gap would be calculated as the difference between

the rent paid by a 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 14 – North York, which encompasses the development site, for a period of 36 months. The rent gap assistance would be paid out to each eligible tenant in a lump sum on the date they provide vacant possession of their existing rental unit. The vacant market rents used to establish rent gap assistance will be indexed upwardly to better reflect changes in market conditions since the completion of the latest CMHC survey;

- Move-out allowance;
- Services of a rental leasing agent, available upon request to assist tenants with finding interim accommodation; and
- Additional compensation for tenants with special needs, as determined by the Chief Planner and Executive Director, City Planning.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices and will support tenants to transition to suitable housing within their neighbourhood.

Staff are satisfied with the proposed Tenant Relocation and Assistance Plan. The Tenant Relocation and Assistance Plan 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.

## **CONTACT**

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## **SIGNATURE**

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David Sit MCIP RPP, Director  
Community Planning, North York District

## **ATTACHMENTS**

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

Attachment 1: Location Map



## Attachment 1: Location Map

