

54 to 62 Glen Everest Road – Rental Housing Demolition Application – Decision Report – Approval

Date: December 18, 2023

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 20 - Scarborough Southwest

Rental Housing Demolition Application Number: 21 134167 ESC 20 RH

Related Application Number: 21 134156 ESC 20 OZ

SUMMARY

The application proposes to demolish three three-storey apartment buildings containing 68 rental units located at 54 to 62 Glen Everest Road. The 68 rental units are proposed to be replaced as part of the new 12-storey building comprised of 414 dwelling units.

The properties are also the subject of a Zoning By-law Amendment application (21 134156 ESC 20 OZ), which was appealed to the Ontario Land Tribunal (OLT). The OLT issued a written decision on August 11, 2023, approving the Zoning By-law Amendment 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 under Chapter 363 of the Toronto Municipal Code, subject to conditions to replace the rental housing and provide Tenant Relocation and Assistance.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council approve the Rental Housing Demolition application (21 134167 ESC 20 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 sixty-eight (68) existing rental dwelling units at 54 to 62 Glen Everest Road, subject to the following conditions:

- a. The owner shall provide and maintain sixty-eight (68) replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental unit is first occupied and, during which

time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement. The sixty-eight (68) replacement rental dwelling units shall collectively have a total gross floor area of at least 4925.3 square metres and be comprised of two (2) studio, twenty-five (25) one-bedroom units, forty (40) two bedroom units and one (1) three bedroom unit, as generally illustrated in the plans submitted to the City Planning Division dated March 17, 2023. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. The owner shall, as part of the sixty-eight (68) replacement rental dwelling units required in Recommendation 1.a. above, provide at least one (1) studio, nineteen (19) one-bedroom, thirty-two (32) two-bedroom and one (1) three-bedroom unit replacement rental dwelling units at affordable rents, defined as gross monthly rent no greater than one times the average City of Toronto rent by unit type, as reported annually by the Canada Mortgage and Housing Corporation and at least one (1) studio, six (6) one-bedroom and eight (8) two-bedroom replacement rental dwelling units at mid-range rents, defined as gross monthly rent that exceeds Affordable Rent but is no greater than 1.5 times the average City of Toronto rent by unit type, all 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 all Eligible Tenants of the sixty-eight (68) existing rental dwelling units proposed to be demolished at 54 to 62 Glen Everest Road, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, and other assistance to lessen 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 Division;

d. The owner shall provide tenants of all sixty-eight (68) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development at no extra charge. Access to, and use of, these amenities shall be 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;

e. The owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no extra charge;

f. The owner shall provide at least three (3) one-bedroom and nine (9) two-bedroom replacement rental dwelling units with balconies or terraces for private and exclusive access by the tenants of such units. Such units shall be made available firstly to returning tenants who previously rented a unit with a balcony or terrace;

g. The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no extra charge;

h. The owner shall provide and make available for rent at least forty-nine (49) vehicle parking spaces to tenants of the replacement rental dwelling units. Such parking spaces shall be made available firstly to returning tenants who previously rented a vehicle parking space, and at similar monthly parking charges that such tenants previously paid. The remaining vehicle parking spaces shall be made available to tenants of the replacement rental units to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

i. The owner shall provide and make available for rent a minimum of five (5) storage lockers to tenants of the replacement rental dwelling units on the same terms and conditions as any other resident of the proposed building;

j. The owner shall provide tenants of the replacement rental dwelling units with access to bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the proposed development;

k. The sixty-eight (68) replacement rental dwelling units required in recommendation 1.a above 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 dwelling units, are made available and ready for occupancy; and

l. The owner shall enter into and register on title to the lands at 54 to 62 Glen Everest Road an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 1.a through 1.k 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 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 sixty-eight (68) existing rental dwelling units at 54 to 62 Glen Everest Road 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 the 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; and

e. 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 54 to 62 Glen Everest Road 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 Division;
- c. the owner erects the proposed building no later than four (4) years from the date on which 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 development containing sixty-eight (68) replacement rental dwelling units 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 other related agreements.

FINANCIAL IMPACT

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

On April 6, 2021, a Zoning By-law Amendment application was submitted to permit the redevelopment of 54 to 62 Glen Everest Road with a 12-storey residential building with

427 units including 68 replacement rental units. On July 13, 2022, the applicant appealed its Zoning By-law Amendment application to the OLT due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act*.

On March 29, 2023, City Council adopted an Appeal Report from the Director, Community Planning, Scarborough District and directed the City Solicitor and appropriate City staff to oppose the application and continue discussions with the applicant to resolve matters. The Decision of City Council may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.SC3.3>

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. The Decision of City Council may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC6.8>

On August 11, 2023, the OLT issued a Decision and Interim Order approving in principle the Zoning By-law Amendment for 54 to 62 Glen Everest Road, subject to conditions. The Decision of the OLT may be found here: <https://www.omb.gov.on.ca/e-decisions/OLT-22-004171-AUG-11-2023.pdf>

ISSUE BACKGROUND

Reason for Application

This application to redevelop the subject lands 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.

Development Proposal

The Zoning By-law Amendment application for the subject site was approved in principle by the OLT on August 11, 2023, subject to City Council's approval of the Rental Housing Demolition application. The applications encompass the lands municipally known as 54 to 62 Glen Everest Road (see Attachment 1 – Location Map).

Once finalized, the Zoning By-law Amendment would permit the redevelopment of the lands with a 12-storey residential development. The proposed development would contain a total of 68 rental replacement dwelling units and 346 new dwelling units. The replacement rental units would be located on the first through third floors of the development. They would be comprised of two studio units, 25 one-bedroom units, 40 two-bedroom units and one three-bedroom unit of which 53 units would have affordable rents and 15 would have unrestricted mid-range rents. Residents would have access to 828 square metres of indoor amenity space and 828 square metres of outdoor amenity space. The development would be serviced by 292 vehicular parking spaces (248

residential and 41 visitor) of which 49 would be for the exclusive use of the replacement rental units, and 311 bicycle parking spaces (282 long-term and 29 short-term).

Existing Rental Dwelling Units

The buildings at 54 to 62 Glen Everest Road currently contain a total of 68 rental dwelling units including two studio units, 25 one-bedroom units, 40 two-bedroom units and one three-bedroom unit. All units have affordable or mid-range rents and all but eight units are currently occupied.

Tenant Consultation

On October 16, 2023, a tenant meeting was held pursuant to section 14B of Chapter 667 of the Municipal Code to review the City's housing policies, the impact of the proposed development on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held in person, for tenants of 54 to 62 Glen Everest Road. The meeting was attended by approximately 35 tenants, representatives of the applicant and City Planning staff.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the application and overall development, including the length of time tenants would be displaced from their units;
- The availability of rental units in the neighbourhood suitable for tenant's interim accommodations;
- Tenant eligibility;
- The proposed replacement rental unit layouts, including their size, parking and balconies;
- The process for returning to a different type of unit; and
- The process for how replacement units will be selected by eligible tenants and how rents would be calculated, including utility adjustments.

POLICY CONSIDERATIONS

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.

Official Plan

The Official Plan outlines the City'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 housing.

Policy 3.2.1.6 requires that new development that would result in the loss of six or more rental dwelling units replace at least the same number, size, and type of rental units as exist on the site and maintain rents similar to those in effect at the time of application. The policy also requires the applicant to develop an acceptable tenant relocation and assistance plan, addressing the right to return to the replacement units at similar rents and other assistance to lessen hardship.

COMMENTS

Provincial Policy Statement and Provincial Plans

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, the Greenbelt Plan, and others.

Replacement Rental Housing

In accordance with Official Plan policy 3.2.1.6, the applicant is proposing to replace the existing 68 rental dwelling units proposed to be demolished at 54 to 62 Glen Everest Road by their respective unit types. The replacement rental units are comprised of two studio units, 25 one-bedroom units, 40 two-bedroom units and one three-bedroom unit, of which 53 units would have affordable rents and 15 would have mid-range rents.

The total gross floor area of the 68 replacement rental units is 4,925.3 square metres, which is 107% of the gross floor area of the existing rental units proposed to be demolished. The average size of replacement one-bedroom, two-bedroom and three-bedroom units are larger than the average size of existing one-bedroom, two-bedroom and three-bedroom units. While some replacement studio units are smaller than the existing studios units, the overall average size of the proposed replacement units is 72.4 square metres compared with an average size of 68 square metres for existing units.

There are currently 12 units with balconies, all of which are at 62 Glen Everest. The proposal includes 36 rental replacement units with balconies. Tenants who currently have a balcony will be able to choose a replacement unit with a balcony.

City Planning staff are of the opinion that the proposed replacement plan is appropriate and consistent with the intent of policy 3.2.1.6.

Tenants who return to the replacement rental units would be subject to rent increases capped by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the *Rental Tenancies Act*, until their tenancies end. Rents for the affordable and mid-range replacement rental units without returning tenants would not exceed the City's rent thresholds for a period of at least 10 years.

Tenant Relocation and Assistance Plan

The applicant has agreed to implement a Tenant Relocation and Assistance Plan for all Eligible Tenants who reside at 54 to 62 Glen Everest Road. The plan would assist tenants in finding and securing alternative accommodation while the replacement units are being constructed.

The Tenant Relocation and Assistance Plan for tenants of 54 to 62 Glen Everest Road would include the following:

- The right to return to the same renovated rental unit or a 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 (6) months' notice before having to vacate their existing dwelling unit (inclusive of notice required under the *Residential Tenancies Act*);
- Financial compensation, in addition to the requirements of the *Residential Tenancies Act*, 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 10 (Central Scarborough) over the period of construction of the renovated units and proposed building (estimated at three years);
- Moving allowances to cover expenses for moving, first, into alternative interim accommodation and, second, from the interim accommodation into a replacement rental unit;
- Additional compensation for tenants with special needs, as determined by the Chief Planner; and
- Upon request, services of a rental leasing agent.

The rent gap assistance would be paid by the applicant to each Eligible Tenant on the date they provide vacant possession of their existing rental unit. In the event the proposed development and renovated units take longer than three (3) years to complete, the applicant would provide each tenant with additional rent gap assistance until the rental units are ready for occupancy.

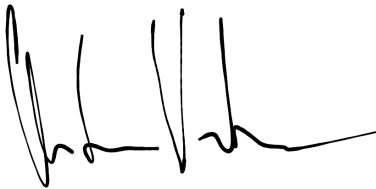
City Planning staff are satisfied with the Tenant Relocation and Assistance Plan as it meets the City's expectations for rental demolition. It will allow tenants to continue to access and afford suitable housing within the neighbourhood until the new building, replacement and retained rental units are completed and available for occupancy. 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.

CONTACTS

Andrew Cohrs, Planner, Strategic Initiatives, Policy & Analysis (Housing), E-mail: Andrew.Cohrs@toronto.ca, Tel.: 416-392-4730

Bram Bulger, Planner, Community Planning, Scarborough District, Email: Bram.Bulger@toronto.ca, Tel.: 416-394-2945

SIGNATURE

A handwritten signature in black ink, appearing to read 'Christian Ventresca', with a stylized, flowing script.

Christian Ventresca, MScPl, MCIP, RPP
Director, Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Location Map

Attachment 1: Location Map

