

147-153 Vaughan Road - Rental Housing Demolition Application – Decision Report – Approval

Date: January 8, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 – Toronto-St. Paul's

Rental Housing Demolition Application Number: 20 205135 STE 12 RH

Related Application Numbers: 20 205133 STE 12 SA; A0928/23TEY

SUMMARY

This Rental Housing Demolition application proposes to demolish 20 rental dwelling units at 147-153 Vaughan Road and replace them with 20 new rental units by the respective unit types and sizes and at similar rents to those in effect at the time of application and an acceptable Tenant Relocation and Assistance Plan, within a new 12-storey 80-unit residential building.

A Minor Variance application (A0928/23TEY) to facilitate the proposed redevelopment was approved by the Committee of Adjustment on December 6, 2023, and included a condition of City Council approval of the Rental Housing Demolition application.

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.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council approve the Rental Housing Demolition application File No. 20 205135 STE 12 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 to allow the demolition of twenty (20) existing rental dwelling units located at 147-153 Vaughan Road, subject to the following conditions:

- a. The owner shall provide and maintain twenty (20) 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. During such 20-year period, 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 replacement. The replacement rental dwelling units shall collectively have a total gross floor area of at least 1,223.9 square metres and be comprised of four (4) studio units, ten (10) one-bedroom units, and six (6) two-bedroom units, as generally illustrated in the plans submitted to the City Planning Division dated August 31, 2023 and 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 twenty (20) replacement rental units required in Recommendation 1.a. above, provide at least six (6) one-bedroom units and two (2) two-bedroom 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 four (4) studio, four (4) one-bedroom and one (1) 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, as reported annually by the Canada Mortgage and Housing Corporation, 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 twenty (20) existing rental dwelling units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents and other assistance, including a rent gap payment, 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;

d. The owner shall provide tenants of all twenty (20) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed 12-storey residential building 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 building 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 and central air conditioning in each replacement rental dwelling unit at no extra charge;

f. The owner shall provide tenants of all replacement rental dwelling units with access to bicycle and visitor parking on the same terms and conditions as any other resident of the proposed building;

g. The rental dwelling units required in as part of 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 12-storey mixed use building, exclusive of the replacement rental units, are made available and ready for occupancy; and

h. The owner shall enter into, and register on title to the lands at 147-153 Vaughan 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.g. above i all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

2. City Council authorize the Chief Planner and Executive Director, City Planning Division, to issue Preliminary Approval for 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 at 147-153 Vaughan Road after all of the following have occurred:

- a. All conditions in Recommendation 1 above have been fully satisfied or secured;
- b. The Minor Variance application (A0928/23TEY) for 147-153 Vaughan Road is final and binding;
- c. 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*;
- d. The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site; and
- e. The City's receipt of confirmation that all existing rental dwelling units to be demolished are vacant.

3. City Council authorize the Chief Building Official and Executive Director, Toronto Building 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 to issue a Residential Demolition Permit under Section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 147-153 Vaughan Road after the Chief Planner and Executive Director, City Planning Division, has issued the Preliminary Approval referred to in Recommendation 2, which may be included in the demolition permit under Chapter 667 pursuant to section 6.2 of Chapter 363, of the Toronto Municipal Code, on condition that:

- a. The owner shall remove all debris and rubble from the site immediately after demolition;
- b. The owner shall erect solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c. The owner erects the proposed mixed-use building containing the replacement rental dwelling units on the site no later than three (3) years from the date that

the demolition of the existing buildings is commenced, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d. Should the owner fail to complete the proposed 12-storey building within the time specified in Recommendation 4 (c) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each rental dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the 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 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 December 6, 2023, the Committee of Adjustment approved, with conditions, a Minor Variance application (A0928/23TEY) seeking relief from certain provisions and performance standards of Zoning By-law 569-2013, to redevelop the lands at 147-153 Vaughan Road with a 12-storey residential building comprised of 80 residential dwelling units, including 20 replacement rental units. The approval is subject to conditions including the approval of the subject Rental Housing Demolition application and constructing the development substantially in accordance with the acceptable drawings on file through a related Site Plan Control application (20 205133 STE 12 SA).

THE APPLICATION

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 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 October 9, 2020, a Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code was submitted for 147-153 Vaughan Road to demolish twenty (20) existing rental dwelling units.

Development Proposal

The Rental Housing Demolition application proposes to demolish 20 rental dwelling units within the existing buildings at 147-153 Vaughan Road. The Rental Housing Demotion application is part of a series of required approvals along with applications for Minor Variance and Site Plan Control approval necessary to facilitate the new 12-storey building with 80 residential units, inclusive of the 20 rental replacement units recommended to be secured by this report.

Existing Rental Dwelling Units

According to the plans provided by the applicant and a site visit conducted by City Planning staff on April 14, 2022, the existing rental dwelling units are comprised of the following unit types and rent levels:

Unit Type	Affordable Rent	Mid-Range Rent	Above Mid-Range Rent	Total
Studio	0	4	0	4
One-Bedroom	6	4	0	10
Two-Bedroom	2	1	3	6
Total	8	9	3	20

At the time of this report, 10 of the existing rental dwelling units proposed to be demolished are occupied by eligible tenants and 10 existing rental dwelling units are occupied by post-application tenants.

Tenant Consultation

On September 14, 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 assistance plan as outlined above. The meeting was held in person and attended by approximately 20 tenant households, City Staff and the applicant.

Tenants raised questions related to:

- the project timeline;
- layouts and location of the proposed rental replacement units;
- accommodation for accessibility needs in the proposed rental replacement units;
- access to amenities in the new building;

- concerns about the existing unit sizes and types;
- concerns about ongoing maintenance and building management; and
- if the applicant will help tenants find interim housing during the construction period.

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, the Greenbelt Plan, and others.

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 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 an acceptable tenant relocation and assistance plan, addressing the right for tenants to return to one of the replacement units at similar rents and other assistance to mitigate hardship.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Rental Demolition and Replacement

In accordance with Official Plan policy 3.2.1.6, all 20 existing rental units will be replaced in the new development with new units of the same type, and of similar size. The replacement rental units would be located on the first through the fourth floors of the new building and will be secured as rental housing for a period of 20 years. All units will include air conditioning and ensuite laundry.

The applicant has confirmed that tenants of the existing rental units would reserve the right to return to a replacement rental unit at similar rent. Tenants who return to the replacement rental units would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the units until their tenancies end. Rents for replacement rental units without returning tenants would not exceed the City's affordable or mid-range rent thresholds for a period of at least 10 years. The applicant has also confirmed tenants will have access to the new building's indoor and outdoor amenity spaces, including rooftop amenities.

The total gross floor area (GFA) of the 20 replacement rental units is 1,223.9 square metres, which is 98% of the GFA of the existing rental units proposed to be demolished. The average size of replacement units are slightly smaller than existing units, at 98% of existing units. Staff are supportive of the proposed replacement units given the scale of the development and associated site constraints.

Tenant Relocation Assistance Plan

A Tenant Relocation and Assistance Plan that addresses tenants' right to return to a replacement unit and assistance to mitigate hardship will be provided to all eligible tenants residing in the 20 existing rental dwelling units.

In accordance with the Tenant Relocation and Assistance Plan shared with tenants at the tenant meeting on September 14, 2023, all eligible tenants will receive the following:

- at least six months' notice of the date that they must vacate their rental unit;
- the right to return to a rental replacement unit of the same type at similar rent;
- compensation equal to three months' rent pursuant to the *Residential Tenancies Act*;
- additional financial compensation in the form of a rent gap payment, 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 8 – York, which encompasses the development site, over a 36-month period. The rent gap payments would assist tenants in transitioning to market rents and be paid out to each eligible tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- move-out and move-back moving allowances;
- a rental leasing agent available upon request to assist tenants with finding interim accommodation; and
- additional compensation and assistance for special needs tenants, with the final determination by the Chief Planner and Executive Director, City Planning.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices.

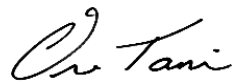
Staff are satisfied with the proposed approach to replacing demolished rental units, and with the proposed Tenant Relocation and Assistance Plan. The replacement housing and tenant assistance matters will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

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SIGNATURE



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ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Location Map

Attachment 1: Location Map

