

2491 Lake Shore Boulevard West – Rental Housing Demolition Application – Decision Report – Approval

Date: March 13, 2025

To: Etobicoke York Community Council

From: Director, Strategic Initiatives, Policy and Analysis

Ward: Ward 3 - Etobicoke Lakeshore

Rental Housing Demolition Application Number: 23 216851 WET 03 RH

Related Planning Application Number: 22 168205 WET 03 OZ; 22 168204 WET 03 SA

SUMMARY

This report reviews and recommends approval of a Rental Housing Demolition Application which proposes to demolish 8 rental dwelling units located at 2491 Lake Shore Boulevard West. The 8 rental units are proposed to be replaced as part of a new development on the site. The proposal includes a Tenant Relocation and Assistance Plan that secures the right of existing tenants to move to a replacement unit of the same type at similar rent, and provides other assistance to mitigate hardship.

The proposed development on the site is the subject of a related Zoning By-law Amendment application (22 168205 WET 03 OZ). The proposed development would permit a nine-storey mixed-use building containing 332 square metres of retail at grade, 151 dwelling units and 84 vehicle parking spaces. An approval report for the Zoning By-law Amendment application has been advanced concurrently with this Rental Housing Demolition Application approval report.

This report also recommends approval of the Residential Demolition Permit under Chapter 363 of the Toronto Municipal Code, subject to conditions.

RECOMMENDATIONS

The Director, Strategic Initiatives, Policy and Analysis recommends that:

1. City Council approve the Rental Housing Demolition Application File Number 23 216851 WET 03 RH in accordance with Chapter 667 of the Toronto Municipal Code and pursuant to Section 111 of the City of Toronto Act, 2006 to permit the demolition of 8 existing rental dwelling units located at 2491 Lake Shore Boulevard West, subject to the following conditions:

- a. The owner shall provide and maintain 8 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling 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 replacement rental dwelling units shall collectively have a total gross floor area of at least 639.7 square metres and be comprised of 7 two-bedroom units and 1 three-bedroom unit, as generally illustrated in the plans submitted to the City Planning dated January 6, 2025. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- b. The owner shall, as part of the 8 replacement rental dwelling units required in Recommendation 1.a above, provide at least 7 two-bedroom and 1 three-bedroom units at affordable rents, as currently defined in the City's Official Plan, all for a period of at least 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 8 existing rental dwelling units proposed to be demolished at 2491 Lake Shore Boulevard West, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of rent gap assistance, 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;
- d. The owner shall provide tenants of all 8 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 and central air conditioning in each replacement rental dwelling unit at no extra charge;
- f. The owner shall provide the 8 replacement rental dwelling units with balconies or terraces for private and exclusive access by the tenants of such units;
- g. The owner shall provide and make available for rent at least 2 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;

h. 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 development;

i. The 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 70% of the new dwelling units in the proposed development, exclusive of the replacement rental dwelling units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and

j. The owner shall enter into and register on title to the lands at 2491 Lake Shore Boulevard West an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 1.a. through 1.i. above, 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, or their designate, to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code for the demolition of the 8 existing rental dwelling units located at 2491 Lake Shore Boulevard West after all the following have occurred:

a. All conditions in Recommendation 1 above have been fully satisfied and secured;

b. The related Zoning By-law Amendment to permit the proposed development (22 168205 WET 03 OZ) has come into full force and effect;

c. The issuance of the Notice of Approval Conditions for site plan approval for the related Site Plan Approval Application (22 168204 WET 03 SA), by the Executive Director, Development Review or their designate, pursuant to Section 114 of the City of Toronto Act, 2006, or as otherwise determined by the Chief Planner and Executive Director, City Planning;

d. The issuance of excavation and shoring permits (conditional or full permit) 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 to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning, or their designate, 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 2491 Lake Shore Boulevard West

after the Chief Planner and Executive Director, City Planning, or their designate, 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 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 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 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, 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 each sum 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

City Planning 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 July 16-19, 2013, City Council adopted the Mimico-by-the-Lake Secondary Plan (OPA 197 (By-law No. 1103-2013)). The Secondary Plan was modified as a result of appeals, one of which was an appeal on the subject site. The Local Planning Appeal Tribunal issued its decision on the appeal for the subject site on August 20, 2019 (PL130885 Site Specific Appeal 2491 Lake Shore Boulevard West) resulting in an approved site specific policy for this site (Special Policy Area 5).

THE SITE AND SURROUNDING LANDS

Description

The site is located east of Lake Shore Boulevard West and south of Amos Waites Park in Mimico-by-the-Lake Precinct E. The site is square-shaped and has an area of approximately 2700 square metres, with a frontage of 51metres on Lake Shore Boulevard West. Access to the site is currently provided by a sloped curb along the frontage of Lake Shore Boulevard West (see Attachment 1: Location Map).

Existing Rental Housing

The site contains 8 rental units which are proposed to be demolished and replaced. At the time of this report, 5 of the units proposed for demolition are occupied by tenants, and the remaining 3 units are vacant.

The breakdown by unit type and rent classification of the building at the time of application is outlined in Table 1 below. Staff conducted a site visit on September 20, 2024, to verify the number and type of rental units.

The site includes surface level parking. Existing tenants currently rent a total of 2 parking spaces.

Table 1: Existing Rental Dwelling Units and Rent Classifications

Rent Classification	Two-Bedroom	Three-Bedroom
Affordable	7	1
Total	7	1

THE APPLICATION

Description

The Rental Housing Demolition application proposes the demolition of 8 existing rental units at 2491 Lake Shore Boulevard West. A related Zoning By-law Amendment application proposes to amend the Zoning By-law to permit the development of a nine-storey mixed-use building containing 332 square metres of retail at grade and 151 dwelling units above, including 8 replacement rental units.

Replacement Rental Units

The proposed development would contain a total of 8 rental replacement dwelling units and 143 new dwelling units. The replacement units will be affordable and the unit mix is identified in Table 2 below.

Table 2: Replacement Rental Dwelling Units and Rent Classifications

Rent Classification	Two-Bedroom	Three-bedroom
Affordable	7	1
Total	7	1

The 8 rental replacement units will be located on the second and third floor of the new development. The average unit size for the replacement two-bedroom units is 77.6 square metres, whereas the average unit size of the existing two-bedroom units is 76.2 square metres. The size of the three-bedroom replacement unit is 96.2 square metres, whereas the size of the existing three-bedroom unit is 93.2 square metres. Overall, the replacement rental units represent over 102 percent of the existing rental gross floor area.

Tenant Relocation and Assistance Plan

A Tenant Relocation and Assistance Plan that addresses tenants' right to return to a replacement unit and assistance to lessen hardship will be provided to eligible tenants.

Eligible tenants will receive the following:

- the right to return to a replacement rental dwelling unit of the same unit type, similar size, and at similar rents;
- at least 6 months' notice before having to vacate their existing rental dwelling unit;
- financial compensation equal to 3 months' rent, as required by the Residential Tenancies Act, 2006 (RTA);
- compensation above and beyond that required under the RTA, in the form of rent gap assistance or alternative interim accommodation acceptable to the tenant. The rent gap would be based on the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent rent for Private Apartment Average Rents by Year of Construction and Bedroom Type by CMHC Rental Market Survey (RMS) – 2015+, considering the location of the development project, and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- the services of a rental leasing agent upon request to assist tenants with finding interim accommodation;
- two moving allowances to assist with the cost of moving: the first for the move into alternative interim accommodation; the second for the move from the interim accommodation into a replacement rental dwelling unit; and,
- additional compensation and assistance for tenants with special needs, as determined by the Chief Planner and Executive Director, City Planning.

Reasons for Application

This application to redevelop the site 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.

A Rental Housing Demolition application was submitted on October 20, 2023. Staff conducted a site visit on September 20, 2024, and a Tenant Meeting on January 23, 2025, details of which are summarized in the Public Engagement section of this report.

The related rezoning application was submitted on June 27, 2022, and deemed complete on July 12, 2022.

POLICY AND REGULATION 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 Planning Statement (2024), and shall conform to provincial plans.

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 rental 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.

PUBLIC ENGAGEMENT

Tenant Meeting

An in-person meeting was held on January 23, 2025, to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was attended by approximately 5 tenant households, representatives of the applicant, City Planning staff, and the local Councillor's staff.

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

- Construction timeline and when tenants will be required to vacate their existing rental units;
- The proposed replacement rental unit sizes;
- Access to parking, storage lockers and amenities in the new building;
- Seniority and the process for selecting and returning to a replacement rental unit;
- What financial compensation would be provided under the City-approved Tenant Relocation and Assistance Plan and how it would be administered to tenants; and
- Whether the City has contingencies in place for construction delays.

COMMENTS

Provincial Planning 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 PPS (2024). Staff find the proposal consistent with the PPS (2024)

Replacement Rental Housing

Staff are satisfied with the proposal to replace the 8 existing rental housing units by their respective bedroom type and size. The replacement proposal accounts for over 102% of the existing rental gross floor area. The applicant will provide and maintain the replacement rental units as rental housing for at least 20 years, beginning on the date the replacement rental units are first occupied.

Rents for the replacement rental units will be set at the same affordability level as the existing units for a period of at least 10 years. Accordingly, the 8 replacement units will all have affordable rents. Tenants that occupy one of the replacement rental units during the initial 10-year period will have rents that will only increase by the annual provincial guideline until their tenancies end, irrespective of whether the Guideline applies to the proposed development under the Residential Tenancies Act, 2006 (RTA).

All replacement rental dwelling units will be provided with balconies or private outdoor terraces, ensuite laundry facilities and central air conditioning. Tenants of the replacement rental dwelling units will have access to bicycle parking, visitor parking, and all indoor and outdoor amenities, on the same terms and conditions as any other resident of the building.

The applicant has agreed to provide at least 2 vehicle parking spaces for the tenants of the replacement rental dwelling units. Returning tenants who currently rent a vehicle parking space in the existing building will be offered a parking space at a similar monthly rate to what they are currently paying. Any remaining vehicle parking spaces will be made available to tenants of the replacement rental dwelling units to the satisfaction of the Chief Planner and Executive Director, City Planning.

The 8 replacement rental units and associated conditions address the replacement requirements of Official Plan policy 3.2.1.6 and will be secured through an agreement pursuant to Section 111 of the City of Toronto Act, 2006, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Tenant Relocation and Assistance Plan

The recommended Tenant Relocation and Assistance Plan, which includes an extended notice period for all tenants and compensation beyond the requirements of the Residential Tenancies Act for eligible tenants, is consistent with Official Plan policy 3.2.1.6 and the City's current practices.

The Tenant Relocation and Assistance Plan will be secured through an agreement pursuant to Section 111 of the City of Toronto Act, 2006, to the satisfaction of the Chief Planner and Executive Director, City Planning.

CONTACT

Andrew Cohrs, Planner, Strategic Initiatives, Policy and Analysis, 416-392-4730,
Andrew.Cohrs@toronto.ca

SIGNATURE

Corwin Cambray, MCIP, RPP
Director, Strategic Initiatives, Policy and Analysis
City Planning

ATTACHMENTS

Attachment 1: Location Map

Attachment 1: Location Map

