

## **90 Eastdale Avenue and 2 Secord Avenue – Rental Housing Demolition Application – Decision Report – Approval**

Date: December 18, 2024

To: Toronto and East York Community Council

From: Acting Director, Strategic Initiatives, Policy and Analysis

Ward: 19 - Beaches-East York

**Rental Housing Demolition Application Number:** 24 123653 STE 19 RH

**Related Planning Application Number:** 24 123646 STE 19 OZ

### **SUMMARY**

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This report reviews and recommends approval of the Rental Housing Demolition Application which proposes to demolish 31 townhouse rental dwelling units located at 90 Eastdale Avenue and 2 Secord Avenue. The 31 townhouse units are subject to secondary addresses inclusive of 20-38 Secord Avenue and 48-88 Eastdale Avenue.

The 31 rental units are proposed to be replaced by 35 new rental units 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 new development on the site is the subject of a related Zoning By-law Amendment application (24 123646 STE 19 OZ). The proposed development would permit a 40-storey residential building at 90 Eastdale Avenue and 2 Secord Avenue with 535 dwelling units, including 35 replacement units, 38,806 square metres of residential gross floor area and two levels of underground vehicular parking. An approval report for the Zoning By-law Amendment application has been advanced concurrently with this Rental Housing Demolition Application approval report.

The proposal is for phase 2 of the development block on the south east side of Eastdale Avenue. On May 24, 2019, The Local Planning Appeal Tribunal (LPAT) approved Zoning By-law and Official Plan Amendment applications for Phase 1 to permit a 35-storey tower consisting of 404 units on the north end of the block and a 7-storey apartment building consisting of 80 units, including 22 rental replacement units, on the western side of the block.

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

## **RECOMMENDATIONS**

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

1. City Council approve the Rental Housing Demolition Application File Number 24 123653 STE 19 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 31 existing rental dwelling units located at 90 Eastdale Avenue and 2 Secord Avenue, subject to the following conditions:

a. The owner shall provide and maintain 35 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 3,953 square metres and be comprised of 2 studio units, 2 one-bedroom units, 27 three-bedroom units and 4 four-bedroom units, as generally illustrated in the plans submitted to the City Planning dated May 8, 2024. 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 35 replacement rental dwelling units required in Recommendation 1.a above, provide at least 2 studio, 2 one-bedroom, 13 three-bedroom at affordable rents, 4 four-bedroom units at mid-range (affordable) rents, and 1 three-bedroom unit at mid-range (moderate) 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. The rents of the remaining 13 three-bedroom replacement rental dwelling units shall be unrestricted;

c. The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all eligible tenants of the 31 existing rental dwelling units proposed to be demolished at 90 Eastdale Avenue and 2 Secord Avenue, 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 35 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 27 three-bedroom and 4 four-bedroom 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 16 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 owner shall provide and make available for rent a minimum of 21 storage lockers to eligible tenants of the replacement rental dwelling units at no charge;
- j. 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
- k. The owner shall enter into, and register on title to the lands at 90 Eastdale Avenue and 2 Secord Avenue an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 1.a. through 1.j. 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 31 existing rental dwelling units located at 90 Eastdale Avenue and 2 Secord Avenue 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 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 90 Eastdale Avenue and 2 Secord Avenue 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**

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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**

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On July 16, 2013, City Council approved the application for a Rental Demolition permit under the Municipal Code to demolish 22 residential rental townhouse units located at 90 Eastdale Avenue (Units 92-108 and 101A) and 2 Secord Avenue (Units 8-18 and 40-50) to replace them with 24 three-bedroom stacked townhouses.

<https://secure.toronto.ca/council/agenda-item.do?item=2013.TE25.16>

A Rental Housing Demolition application for phase 2 of this project was submitted on April 8, 2024. Staff conducted a Tenant Meeting on September 9, 2024, details of which are summarized in the Public Engagement section of this report.

## **THE SITE AND SURROUNDING LANDS**

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### **Existing Rental Housing**

The site contains 31 rental townhouse units situated across 90 Eastdale Avenue and 2 Secord Avenue, all of which are proposed for demolition, and two existing apartment buildings, with 687 units, which are proposed to be retained.

At the time that staff was drafting this report, 21 of the units proposed for demolition were occupied by tenants, 4 units were occupied by property management staff, and the remaining 6 units were vacant. The 6 vacant units were recently occupied by tenants who were displaced as part of phase 1 of this development and have since moved into completed replacement units.

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 April 8, 2024 to verify the number and type of rental units.

The site includes both indoor and surface level parking. Existing tenants currently rent a total of 22 parking spaces.

**Table 1: Existing Rental Dwelling Units and Rent Classifications**

<b>Rent Classification</b>	3-Bedroom
<b>Affordable</b>	17
<b>Mid-Range (Moderate)</b>	1
<b>Unrestricted</b>	13
<b>Total</b>	31

See Attachment 1 for the Location Map.

## THE APPLICATION

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### Description

The Rental Housing Demolition application proposes the demolition of 31 townhouse rental units across 90 Eastdale Avenue and 2 Secord Avenue. A related Zoning By-law Amendment application proposes to amend the Zoning By-law to permit the development of a 40-storey residential building with a six-storey podium consisting of 535 dwelling units (including 35 replacement rental units) and 38,848 square metres of residential gross floor area.

### Replacement Rental Units

The proposed development would contain a total of 35 rental replacement dwelling units and 508 new dwelling units with the affordability and unit mix outlined in Table 2 below.

**Table 2: Replacement Rental Dwelling Units and Rent Classifications**

<b>Rent Classification</b>	<b>Studio</b>	<b>One-Bedroom</b>	<b>Three-Bedroom</b>	<b>Four-bedroom</b>
Affordable	2	2	13	4
Mid-Range (Moderate)	-	-	1	-
Unrestricted	-	-	13	-
<b>Total</b>	<b>2</b>	<b>2</b>	<b>27</b>	<b>4</b>

The 35 rental replacement units will be comprised of 26 townhouse units located at the base of the proposed residential building and 9 apartment units located in the podium. The 26 townhouse units include 13 three-bedroom units with affordable rents, 4 four-

bedroom units with mid-range (affordable) rents, 1 three-bedroom unit with mid-range (moderate) rents and 8 units with unrestricted rents. The 9 apartment units will include 2 studio units and 2 one-bedroom units with affordable rents and the remaining 5 three-bedroom units with unrestricted rents. Each eligible tenant will have the right to return to a townhouse unit.

The average unit size for the three-bedroom and four-bedroom replacement units is 122 square metres, whereas the average unit size of the existing three-bedroom units is 125 square metres. The slightly smaller size is a result of 5 of the existing vacant townhouse units being replaced as smaller three-bedroom apartment units. In lieu of these smaller unit sizes, the replacement townhouse units will have an average size of 129 square metres, which is larger than the existing townhouse units. In addition, some of the existing rental gross floor area will be replaced with 4 new units with affordable rent, comprised of 2 studio and 2 one-bedroom units. Overall, the replacement rental units represent over 100 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.

The applicant also indicated to staff that at the time tenants are issued notices to vacate, there may be an option for tenants to relocate to recently constructed rental units from phase 1 on site, pending availability, at the same rent they were paying for their existing unit. Through this option, tenants would still be provided with the same notice period, moving allowances and special needs assistance as noted above.

## **Reasons 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.

## **POLICY & REGULATION 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 Planning Statement (2024), and shall conform to provincial plans, including the Greenbelt Plan (2017), and others.

### **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.

## **PUBLIC ENGAGEMENT**

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### **Tenant Meeting**

An in-person meeting was held on September 9, 2024 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 30 tenants, 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;
- The size of appliances and private outdoor space in the replacement units;

- Access to parking, storage lockers and amenity area 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;
- Challenges with finding similar larger units to relocate to during the displacement period;
- The length of the notice period to vacate; and
- Whether the City has contingencies in place for construction delays.

## COMMENTS

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### 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 31 existing townhouse rental housing units by their respective bedroom type and size, while providing 4 net new rental units comprised of 2 studios and 2 one-bedroom units. The applicant is proposing to replace 26 of the existing units as townhouses that have a larger average floor area than the existing townhouse units. As a result of the larger units, staff agreed that the 5 remaining existing townhouse units could be replaced as 5 smaller three-bedroom apartment units, and 4 net new rental studio and one-bedroom units to account for the remaining existing gross floor area. The replacement proposal accounts for over 100% 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 35 replacement units will include 21 units with affordable rents, 4 units with mid-range (affordable) rents, 1 unit with mid-range (moderate) rents, and 13 units with unrestricted rents. Based on feedback from tenants, existing three-bedroom units that contained an additional above-grade recreation room will be replaced as 4 four-bedroom units and 6 three-bedroom plus den units to accommodate returning tenants with larger households. 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 of the three-bedroom and four-bedroom 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 16 parking spaces and 21 storage lockers 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. One storage locker will be provided to each unit with a returning tenant at no charge. Any remaining vehicle parking spaces and storage lockers 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 35 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**

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### **SIGNATURE**

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Jeffrey Cantos, MCIP, RPP, PLE  
Acting Director, Strategic Initiatives, Policy and Analysis  
City Planning

### **ATTACHMENTS**

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Attachment 1: Location Map

# Attachment 1: Location Map

