

329-337 Queen Street East, 135R-141R and 139-141 Berkeley Street – Rental Housing Demolition Application – Decision Report – Approval

Date: June 16, 2026

To: Toronto East York Community Council

From: Director, Strategic Initiatives, Policy and Analysis

Ward: 13 - Toronto-Centre

Rental Housing Demolition Application Number: 25 258492 STE 13 RH

Related Planning Application Number: 25 258479 STE 13 OZ

SUMMARY

This report recommends approval of a Rental Housing Demolition application which proposes to demolish 7 rental dwelling units located at 329-337 Queen Street East, 135R-141R and 139-141 Berkeley Street. The 7 rental units are proposed to be replaced as part of the new development on the site. The proposal includes a Tenant Assistance Plan that addresses the right of existing tenants to return to replacement rental units at similar rents and provides financial compensation to mitigate hardship.

The proposed development on the site at 329-337 Queen Street East, 135R-141R and 139-141 Berkeley Street is the subject of a related Zoning By-law Amendment application (25 258479 STE 13 OZ). The proposed development would permit a 49-storey mixed-use building with 545 dwelling units, including 7 replacement rental units. The proposal includes 350 square metres of non-residential gross floor area and a minimum 143 square metre on-site parkland dedication. 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 25 258492 STE 13 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 7 existing rental dwelling units located at 329, 335 and 337 Queen Street East and 135R and 141 Berkeley Street, subject to the following conditions:

- a. The owner shall provide and maintain 7 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;
- b. The replacement rental dwelling units required by Recommendation 1.a. above shall collectively have a total gross floor area of at least 491 square metres and be comprised of 5 one-bedroom units, 1 two-bedroom unit, and 1 three-bedroom unit, as generally illustrated in the plans submitted to the City dated April 28, 2026. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- c. The owner shall, as part of the 7 replacement rental dwelling units required in Recommendation 1.a above, provide at least 1 one-bedroom unit at affordable rent and 2 one-bedroom units and 1 two-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 3 replacement rental dwelling units shall be unrestricted;
- d. The owner shall provide a Tenant Assistance Plan for tenants of the 7 existing rental dwelling units proposed to be demolished to the satisfaction of the Chief Planner and Executive Director, City Planning;
- e. The owner shall provide tenants of all 7 replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed 49-storey 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;
- f. The owner shall provide ensuite laundry and central air conditioning in each replacement rental dwelling unit at no extra charge;
- g. 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;
- h. 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

i. The owner shall enter into, and register on title to the lands, an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendations 1.a. through 1.h. 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, 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 7 existing rental dwelling units located at 329, 335 and 337 Queen Street East and 135R and 141 Berkeley Street after all the following have occurred:

- a. All conditions in Recommendation 1 above have been fully secured;
- b. The Zoning By-law Amendment for application 25 258479 STE 13 OZ 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 329-337 Queen Street East and 135R and 139-141 Berkeley Street after the Chief Planner and Executive Director, City Planning 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 at 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, 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

There are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

THE SITE

Description

The site has an area of approximately 1,266 square meters and is located south of Queen Street East and east of Berkeley Street (see Attachment 1: Location Map).

Existing Rental Housing

The buildings at 329-337 Queen Street East, 135R and 139-141 Berkeley Street currently contain a total of 7 rental dwelling units, including 6 rental units in two-storey mixed-use buildings at 329, 335 and 337 Queen Street East and 141 Berkeley Street and 1 rental unit in a single-detached dwelling at 135R Berkeley Street. Two of the units are occupied and 5 of the units are vacant. The breakdown by unit type and rent classification of the rental units at the time of application is outlined in Table 1 below.

Table 1: Existing Rental Dwelling Units and Rent Classifications

Unit Type	Affordable	Mid-range (moderate)	Above Mid-range	Total
One-bedroom	1	2	2	5
Two-bedroom	0	1	0	1
Three-bedroom	0	0	1	1
Total	1	3	3	7

THE APPLICATION

Description

The Rental Housing Demolition application proposes the demolition of 7 rental dwelling units within the existing buildings at 329-337 Queen Street East, and 135R-141R and 139-141 Berkeley Street. A related Official Plan and Zoning By-law Amendment application proposes to permit the development of a 49-storey mixed-use building. The proposed development will contain 545 residential units (including 7 replacement rental units).

Replacement Rental Units

The total gross floor area of the 7 replacement rental units is 491 square metres, which is 105% of the gross floor area of the existing rental units proposed to be demolished.

The proposed replacement rental units will have the same unit type and rent classification as the existing rental dwelling units, as outlined in Table 1 above.

Tenant Assistance Plan

A Tenant Assistance Plan that addresses tenants' right to return to a replacement unit and assistance to lessen hardship will be provided to all eligible tenants residing in the existing rental dwelling units. Tenant assistance is provided to tenants upon move out after they receive a formal eviction notice.

All tenants, regardless of when they moved in, will receive the following:

- at least six months' notice before having to vacate their existing dwelling unit;
- compensation equal to three months' rent, pursuant to the Residential Tenancies Act (RTA); and
- additional compensation for tenants with special needs, as determined by the Chief Planner.

Eligible tenants—those tenants who moved in prior to the Rental Housing Demolition application being submitted—will receive the following additional assistance:

- the right to return to a rental replacement unit of the same type, at similar rent;
- rent gap assistance to assist tenants in paying market rents for the period between when they move out and can return, estimated at 36 months;
- additional rent gap assistance if tenants cannot return as scheduled;
- move-out and move-back moving allowances; and
- services of a rental leasing agent to help tenants find and apply to suitable interim housing.

Reasons for Application

The proposal to redevelop the site involves the demolition of rental housing. Since the 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 November 25, 2025 and updated floor plans for the replacement rental units were submitted to the City dated April 28, 2026. Staff conducted a site visit on February 17, 2026, and a Tenant Meeting on May 7, 2026, details of which are summarized in the Public Engagement section of this report.

The related rezoning application 25 258479 STE 13 OZ was submitted on November 25, 2025.

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 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 assistance plan, addressing the right to return to the replacement units at similar rents and other assistance to lessen hardship.

The City's [Rental Housing Demolition and Replacement Handbook](#) outlines how Policy 3.2.1.6 is typically implemented.

PUBLIC ENGAGEMENT

Tenant Meeting

An in-person meeting was held on May 7, 2026, to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Assistance Plan. The meeting was attended by 2 tenants, representatives of the applicant, and City Planning and Development Review staff.

Tenants asked questions and expressed concerns about:

- Whether tenants need to remain in their units until they receive an eviction notice in order to maintain the right to return and receive rent gap payments; and
- Live/work permissions in the replacement rental units.

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 proposed approach to replacing the rental dwelling units proposed to be demolished, which includes replacement of all 7 existing rental dwelling units by their respective bedroom type, and affordability classification.

The replacement rental units will be provided with ensuite laundry facilities and central air conditioning. Tenants of the replacement rental units will also 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.

Currently, the applicant is not proposing vehicle parking for tenants of the replacement rental units. If vehicle parking is not available for a returning tenant who had parking included in their previous rent, compensation or a reduction of their new rent will be provided.

The replacement units will be maintained as rental housing for at least 20 years, beginning on the date the replacement rental units are first occupied, and 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 RTA.

The replacement rental units and associated conditions address the replacement requirements of Official Plan policy 3.2.1.6 and are consistent with the City's implementation approach as outlined in the Rental Housing Demolition and Replacement Handbook.

Tenant Assistance Plan

The Tenant Assistance Plan is consistent with the City's current practices as outlined in the [Rental Housing Demolition and Replacement Handbook](#). The Tenant Assistance Plan will support tenants to access and afford suitable housing within the neighbourhood until the new building and replacement rental units are available for occupancy.

The rental replacement matters and tenant 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

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

ATTACHMENTS

Attachment 1: Location Map- 329-337 Queen Street East and 135R and 139-141 Berkeley Street

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