

September 3, 2021

Graham Haines – Senior Planner
Strategic Initiatives, Policy, and Analysis
City Planning Division
Metro Hall, 55 John Street, 22nd Floor
Toronto, ON M5V 3C6

Dear Mr. Haines,

Re: *Housing Issues Letter*
21-53 Broadview Avenue, 344 Eastern Avenue and 18-34 & 40
Lewis Street

As you are aware, we are the planning consultant to 21 Broadview Avenue Inc., the owner and applicant of the lands municipally known as 21-53 Broadview Avenue, 344 Eastern Avenue, and 18-34 & 40 Lewis Street (the “subject site”). This Housing Issues Letter has been prepared in support of an application by 21 Broadview Avenue Inc., to amend the City of Toronto Official Plan, the City-wide Zoning By-law 569-2013, as amended, and the former City of Toronto Zoning By-law 438-86, as amended, to permit a mixed-use development on the subject site.

The subject site is currently occupied with a variety of land uses, including:

21 Broadview Avenue – a 1-storey automotive dealership (Downtown Hyundai Toronto) and associated cartage yard occupying the northeast corner of Broadview Avenue and Eastern Avenue. The property has existing curb cuts at the northwest and southeast corners of the lot accessing both Broadview Avenue and Eastern Avenue;

35-53 Broadview Avenue – ten properties comprised of eight 1-to 2-story brick and siding clad rowhouse dwellings (35-49 Broadview Avenue), in addition to two 2-story brick clad semi-detached dwellings featuring a pitched roof (51-53 Broadview Avenue). The 35-53 Broadview Avenue properties are currently vacant and have been in a derelict condition for at least 10 years. The Applicant’s records indicate that these properties previously contained a total of 4 rental dwelling units.

344 Eastern Avenue – a 2-storey automotive repair garage with a front facing parking area accessed from Eastern Avenue;

18-22, 24-34 & 40 Lewis Street – twelve properties containing a total of eleven 1-to 3-storey brick and siding clad, single-detached, semi-detached and rowhouse dwellings fronting Lewis Street (18-22, 24-34, & 40 Lewis Street). Each property

contains a landscaped front yard and a deep and narrow rear yard ranging from approximately 15 to 25 metres. The subject site will assume a 14.5 metre deep portion of the rear yards of these properties through a future consent application. The balance of these properties, consisting of the remaining rear yard area, existing residential dwelling and front yard are to be entirely maintained.

22A Lewis Street – a single property comprised of a 2-storey accessory dwelling located to the rear of 20, 20A and 22 Lewis Street (22A Lewis Street) and accessed via a private laneway from Lewis Street.

21 Broadview Avenue Inc. is filing an application to amend the Official Plan and subsequent Zoning By-laws to permit the redevelopment of the subject site with a 12-storey mid-rise, mixed-use building fronting along Broadview Avenue and Eastern Avenue, in addition to a block of fifteen 3-storey courtyard-facing townhouse units to the rear, containing a total of 340 residential dwelling units. A new public park of approximately 466 square metres is also proposed along Eastern Avenue. As part of the development proposal, the eleven existing residential dwelling units at 35-53 Broadview Avenue and 22A Lewis Street would be demolished. The existing dwellings at 18-22, 24-34 & 40 Lewis Street will be retained, with only a portion of their rear-yards being included within the boundaries of the subject site.

Section 111 of the *City of Toronto Act* provides the City of Toronto authority to protect rental housing within its jurisdiction. In accordance with the provisions of Section 111, the City of Toronto prohibits the demolition and conversion of any rental housing (on properties that contain six or more rental units) unless a permit has been issued under Chapter 667 of the Municipal Code. Under Chapter 667 of the Municipal Code, a 'rental unit' is defined as "*a dwelling unit used, or intended for use, for residential rental purposes, including a dwelling unit that has been used for residential rental purposes and is vacant*". Furthermore, under Chapter 667, a 'dwelling unit' is defined as "*a self-contained set of rooms located in a building or structure that: Is operated as a single housekeeping unit, used or intended to be used as residential premises for one or more persons; and contains kitchen and bathroom facilities that are intended for the use of the unit only*". To that end, as the proposal will result in the demolition of at least one rental unit, a Section 111 permit will be required.

The City of Toronto Official Plan (the "Official Plan") also contains relevant housing policies which apply to the proposed development. In particular, Policy 3.2.1(6) applies when six or more rental dwelling units are proposed to be removed as part of a new development. Particularly, Policy 3.2.1(6) provides conditions of approval for new development that would remove all or part of a private building or related group of buildings and would result in the loss of six or more rental housing units. This policy states that new development that would result in the loss of six or more rental housing units will not be approved unless:

- a) All of the rental housing units have rents that exceed 'Mid-range' rents at the time of the application; or
- b) in cases where planning approvals other than site plan are sought, the following are secured:
 - (i) The replacement and maintenance of at least the same number, size and type of rental housing units, with rents similar to those in effect at the time the redevelopment application is made;
 - (ii) for a period of at least 10 years, rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
 - (iii) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternate accommodation at similar rents, and other assistance to lessen hardship.

In regard to the above noted policies, records provided by 21 Broadview Avenue Inc. indicate that there were previously four rental dwelling units contained within the existing residential dwellings which are proposed to be demolished. Furthermore, at the time of acquisition by 21 Broadview Avenue Inc., all four rental units were noted to be vacant and either partially demolished or in poor condition. The remaining residential dwellings on the subject site have all been identified as owner-occupied.

Of the properties containing former rental dwelling units, it was noted that 37 Broadview Avenue formerly contained one rental dwelling unit, which was assumed by the previous owner of the property and subsequently vacated and partially demolished several years prior to the transfer of the site to 21 Broadview Avenue Inc. Similarly, the remaining three rental dwelling units which were identified were noted to have been located at 53 Broadview Avenue, and were vacant and in poor condition at the time the site was transferred to 21 Broadview Avenue Inc.

Based on the information provided by 21 Broadview Avenue Inc., the proposed development would result in the loss of four rental dwelling units formerly located at 37 & 53 Broadview Avenue on the site. In this regard, the loss of four rental dwelling units would not trigger the applicability of Official Plan Policy 3.2.1(6), which is explicit to the loss of six or more rental dwelling units.

To assist in our conclusions, a follow-up letter indicating the details relating to the dates in which each property in the assembly was acquired, the state in which in property was in at the time of acquisition, the tenure of each property, and the condition of each property will be prepared by 21 Broadview Inc. and will be provided as part of a confidential submission.

We trust that these materials are satisfactory for your purposes. However, should you require any additional information or clarification, please do not hesitate to contact the undersigned or Ryan Doherty of our office.

Yours truly,

Bousfields Inc.



David Huynh, MCIP, RPP

cc. Jeff Schnitter, 21 Broadview Avenue Inc.;
Zack Bradley, 21 Broadview Avenue Inc.;