

212-218 Dundas St E and 279 1/2 George Street – Official Plan Amendment, Zoning Amendment Applications – Preliminary Report

Date: August 24, 2020

To: Toronto and East York Community Council

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

Wards: Ward 13 - Toronto Centre

Planning Application Number: 20 151363 STE 13 OZ

Notice of Complete Application Issued: June 25, 2020

Listed Heritage Building(s) on Site: Yes

Current Uses on Site: A three-storey commercial building (Filmores Hotel) on the west side and commercial parking lot on the east side of the site

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 46-storey mixed use building located at 212-218 Dundas Street and 279 1/2 George Street. Staff are currently reviewing the application. The application is not supportable at the proposed height. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 212-218 Dundas Street and 279 1/2 George Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

The applicants have inherited the appeals to the Garden District Heritage Conservation District designation which were originally made by both the Filmores site and the adjacent George Dundas Realty site (the existing parking lot). The applicants can therefore be considered an appellant (and therefore a party) to the appeal. These appeals are presently before LPAT (PL150374). A hearing date has not been scheduled.

A number of pre-application meetings have been held with both the former owners of the sites (the Filmores site and separately the adjacent parking lot site) and with potential purchasers as well as the present applicants. During these meetings City Planning has consistently indicated that tower development on Block 1 (which includes the applicant's site) could be permitted with a height in the mid to high 20-storey range and that this would be consistent with the policy direction from Official Plan Amendment 82.

ISSUE BACKGROUND

Application Description

This application proposes to amend zoning by-law for the property at 212-218 Dundas Street and 279 1/2 George Street to permit a 46-storey residential building with commercial units at grade and residential units above. The proposal entails the partial retention of the existing Filmores Hotel.

The proposed 46-storey (154.4 metres including the mechanical penthouse) development would contain a total of 1030 square metres of commercial gross floor area and 35,299 square metres of residential gross floor area, 36,328 square metres in total. The development would include 588 residential units. The application proposes: 433 one-bedroom units (74%), 96 two-bedroom units (16%), and 59 three-bedroom units (10%). The applicant is also proposing 1,290.7 square metres of indoor and 295.6 square metres of outdoor amenity space. The floor space index (FSI) for the development would be 14.5 times the area of the lot (By-law 569-2013).

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 and 2 of this report for a three dimensional representation of the project in context, Attachment 3 to 6 for elevations, Attachment 7 and 8 for Location Map and Site Plan as well as Attachment 10 for the Application Data Sheet.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities. At the time of the MCR, municipalities can make a request to the Province for alternative targets to those set out in the Growth Plan. Major Transit Station Area boundaries will not be delineated until such time as the City initiates and completes an MCR in conformity with the Growth Plan 2019.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as Downtown and Central Waterfront on Map 2 of the Official Plan and Mixed Use Areas on Map 18 as shown on Attachment 5.

The application is subject to Site and Area Specific Policy 461, Garden District Site and Area Specific Policy (Official Plan Amendment 82). The site is within the Dundas Corridor Character Area and constitutes a portion of Block 1. Block 1 permits a tall building subject to a number of Character Area Performance Standards related to building height, stepbacks and setbacks. Additionally a minimum of 60% of the Dundas Street frontage will be retail.

The Downtown Plan

City Council adopted OPA 406 on July 27, 2018. OPA 406 included amendments to the Downtown section of the Official Plan and Map 6 of the Official Plan and brought forward a new Secondary Plan for the entire Downtown area. On August 9, 2018 the City's application under Section 26 of the Planning Act was sent to the Minister of Municipal Affairs and Housing (MMAH) for approval. The Ministry issued its decision regarding OPA 406 on June 5, 2019.

This site is located on Map 41-3 of the Downtown Plan and is designated Mixed Use Areas 2 - Intermediate. This designation will form an intermediate transitional scale between the taller buildings in Mixed Use Areas 1 and the predominantly mid-rise character in Mixed Use Areas 3. Development will include building typologies that respond to their site context including mid-rise and some tall buildings. Scale and massing will be compatible with the existing and planned context of the neighbourhood including prevailing heights, massing, scale, density and building type. Development will be encouraged to provide for a diverse range of uses.

Official Plan Amendment 352 – Downtown Tall Building Setback Area

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area-specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal), which provide the detailed performance standards for portions of buildings above 24 metres in height.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

Zoning By-laws

The site is zoned MCR T1.5 C1.0 R1.0 under Zoning By-law 438-86 with a maximum height of 12 metres. The site is zoned CR 1.5 (c1.0; r1.0) SS2 (x2389) with a maximum height of 12 metres under Zoning By-law 569-2013.

The site is subject to certain permissions, exceptions and site specific provisions, including: requirement for residential uses above the first storey, prohibition of commercial parking garages or private commercial garages, required parking for rooming houses and social housing and restrictions on non-residential gross floor area.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application:

City-wide Tall Building Design Guidelines
Downtown Tall Buildings Vision and Supplementary Design Guidelines; and
Growing up Design Guidelines
Pet Friendly Design Guideline
Retail Design Manual

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff will evaluate these planning applications to determine their consistency with the PPS (2020) and conformity with the Growth Plan (2019). Given the explicit link between Provincial Policy and the Official Plan, consistency with the PPS and conformity with the Growth Plan will largely be determined by conformity with the Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine the application's conformity to the Official Plan including the recently approved Downtown Plan (OPA 406), the Garden District Site and Area Specific Policy (OPA 82), and OPA 352.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Section 2 d), j), p) and r) of the Planning Act; the PPS 2020, the Growth Plan (2019), the City's Official Plan policies including Official Plan Amendment 82 and 406 and the City's Tall Building Design Guidelines and the Downtown Tall Building Design Guidelines.

Staff will continue to assess:

- the appropriate mix of land-uses including the potential for the inclusion of an on-site community facility and/or on-site affordable housing as part of a complete community;
- the appropriate response to and confirmation of the number of existing on-site rooming units;
- the need to reduce the tower height and the appropriate podium height and more specifically; the transition in building heights from adjacent developments, setbacks to adjacent Neighbourhoods and stepbacks from the podium edge;
- the potential to preserve the entirety of the Filmores Hotel as a heritage structure and the appropriate heritage preservation strategy for the on-site listed resources;
- the appropriate unit mix in conformity with OPA 406, the Downtown Secondary Plan;
- shadowing and wind impacts on nearby parks including Allan Gardens, the public realm and private outdoor amenity space on adjacent developments;
- the appropriate location (which is proposed on the north side of the building) and provision of outdoor amenity space as well as the appropriate provision of indoor amenity space;
- confirmation that the proposed driveway location adequately provides for sufficient sight lines to address safety issues; and
- need to protect for and/or provide for, the north-south green linkage identified by Official Plan Amendment 82.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted an Arborist Report and Tree Protection Plan which states that there are 3 City owned trees, none of which are located within the City road allowance, and 4 privately owned trees which will be required to be removed. The application has been circulated to Urban Forestry for review and comment.

Housing

A Housing Issues Report is required for Official Plan Amendments / Zoning By-law Amendments and Plans of Condominium for applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares. A Housing Issues Report and Rental housing Demolition and Conversion Declaration of Use and Screening Form has been submitted for review by staff.

The development site includes 279 1/2 George Street which is a licensed rooming house in addition to the Filmores hotel. The development proposal would retain the existing rooming house in its current form and location with no alterations proposed. The applicant is providing additional information confirming existing rents and an acceptable tenant assistance plan which would be secured should the development application be approved. Staff will also confirm the nature of any rental arrangements that may be occurring within the existing hotel for any residential tenancies.

The proposed unit mix does not support the unit mix requirements of the Downtown Secondary Plan, which requires 15% two-bedroom units, 10% three-bedroom units plus an additional 15% two or three bedroom units or convertible units. Additionally the unit sizes and layouts need to be reviewed in the context of the Growing Up Design Guidelines.

Archaeological Assessment

The site was identified as having potential archaeological resources. An archaeological stage 1 and stage 2 assessment was submitted and is currently under review by City staff.

Heritage Impact & Conservation

A portion of the existing Filmores Hotel, being the northerly part fronting George Street with an entry address of 275 George Street, is a listed heritage property known as the Tasker House. A Heritage Impact Assessment was submitted and is currently under review by City staff.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in

community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A CS&F Study was submitted with the application and is currently under review by City staff.

Infrastructure/Service Capacity

Staff is reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro) to accommodate the proposed development. The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing Report including a stormwater management report; Preliminary Hydrogeological Investigation; Preliminary Geotechnical Investigation; and Transportation Impact Study.

Staff will continue to assess:

- the servicing report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the transportation report submitted by the applicant, to evaluate the effects of the development on the transportation system including impacts to parking, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The Application is being reviewed by staff for compliance with Tier 1 performance standards. Staff will encourage the applicant to pursue Tier 2 performance measures.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in

return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

Further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits should the proposal proceed to approval in some form.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,
Director, Community Planning,
Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context - Looking Southeast

Attachment 2: 3D Model of Proposal in Context - Looking Northwest

Attachment 3: North Elevation

Attachment 4: South Elevation

Attachment 5: West Elevation

Attachment 6: East Elevation

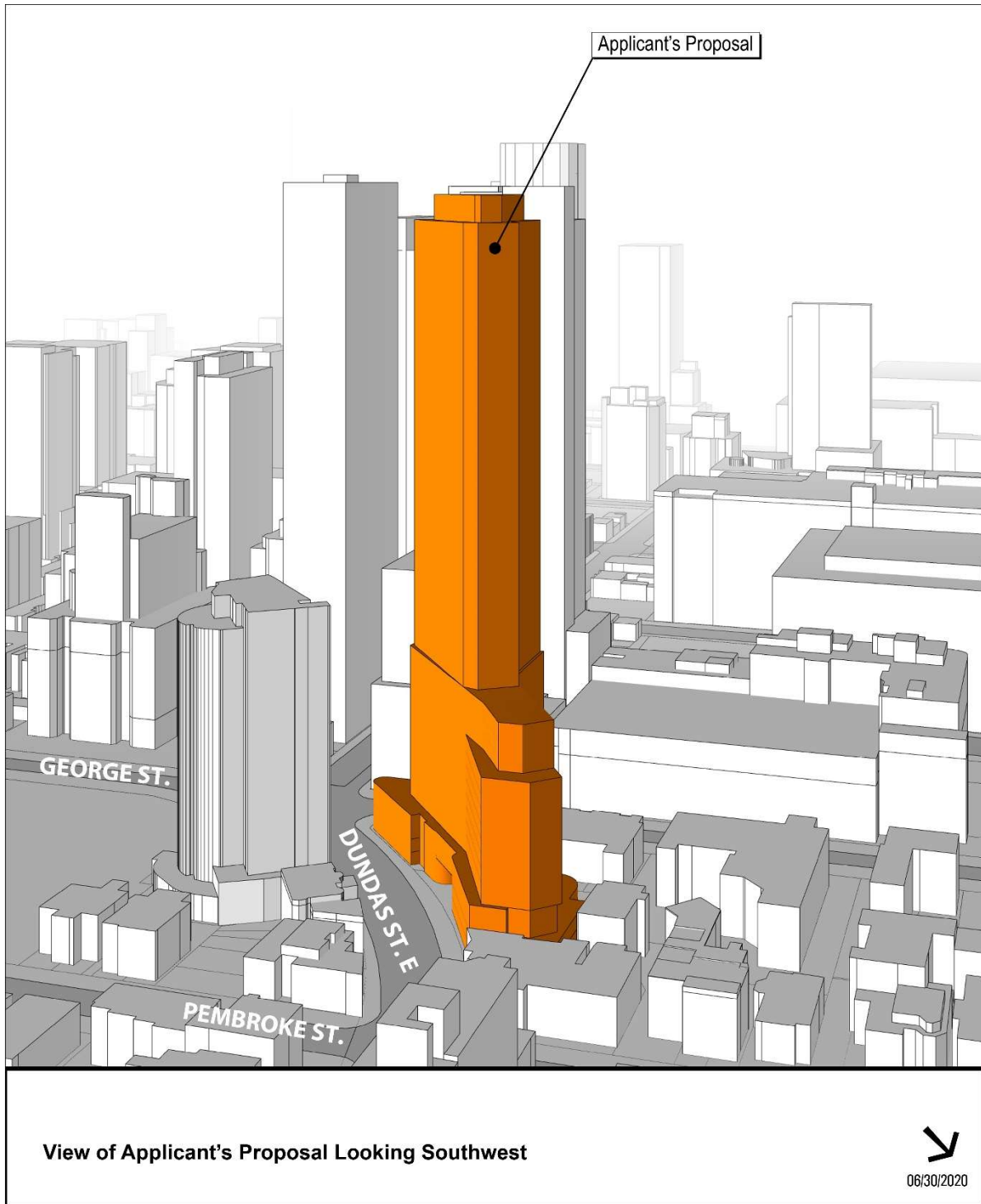
Attachment 7: Location Map

Attachment 8: Site Plan

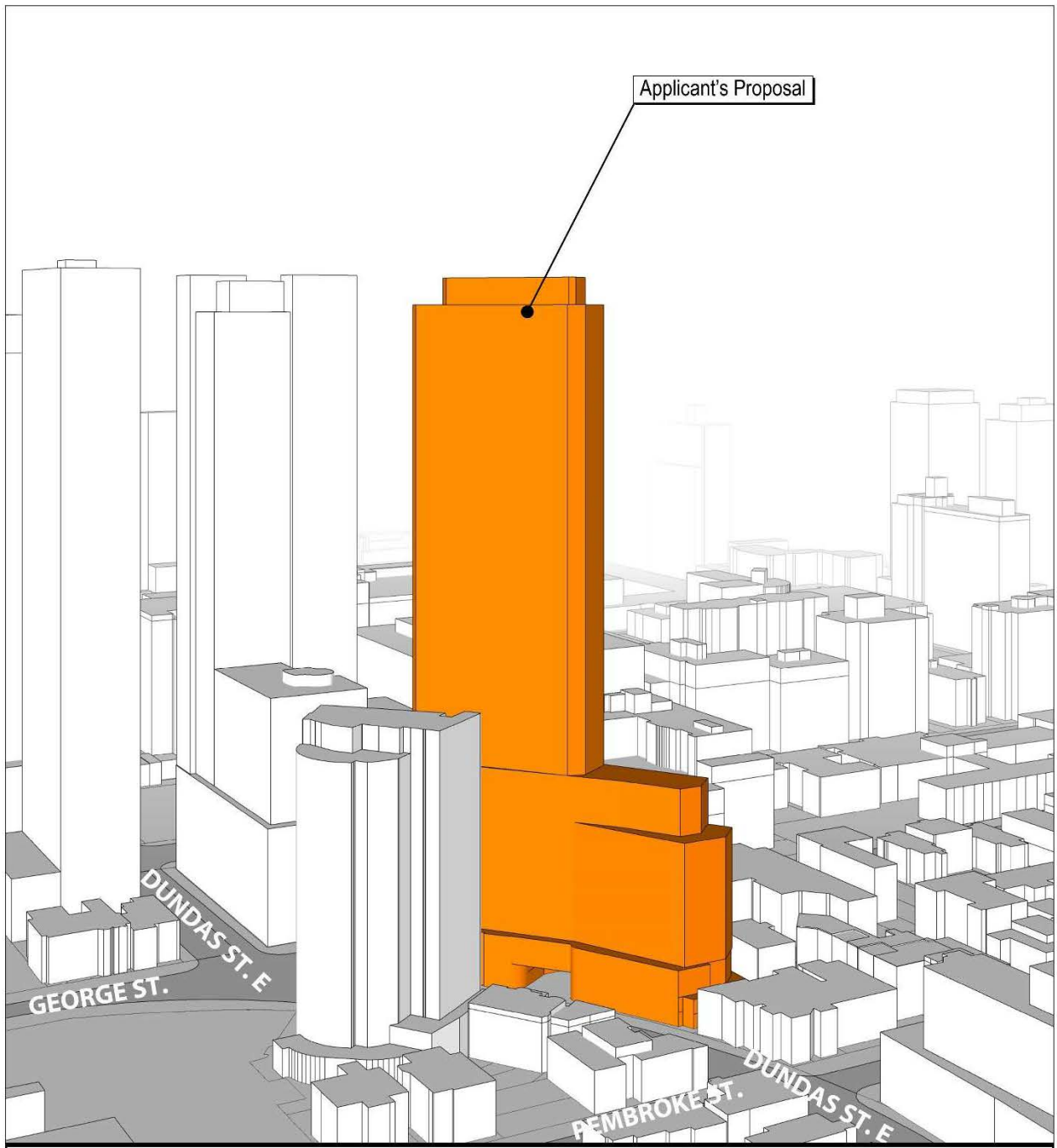
Attachment 9: Official Plan Map

Attachment 10: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context - Looking Southwest



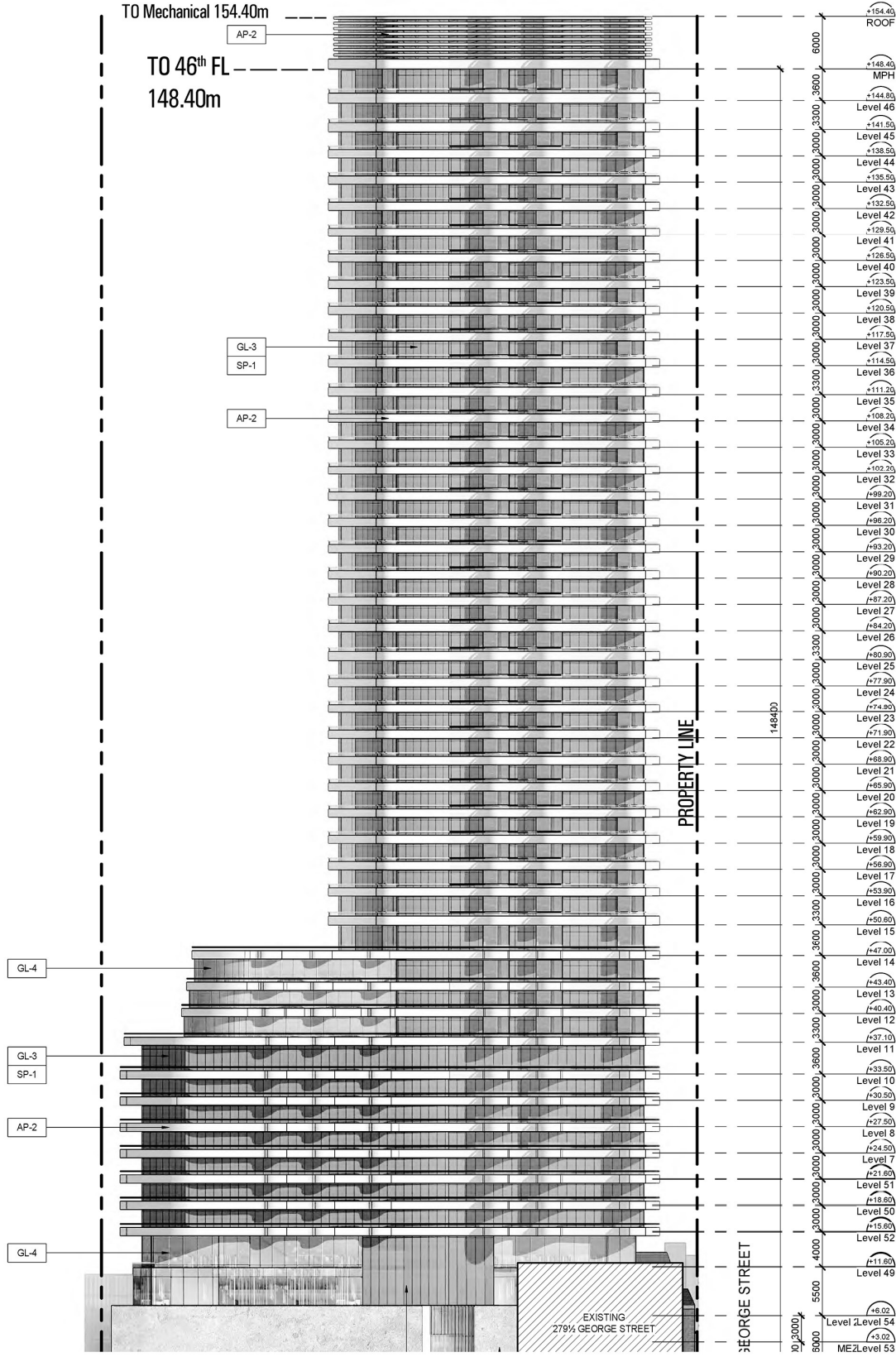
Attachment 2: 3D Model of Proposal in context - Looking Northwest



View of Applicant's Proposal Looking Northwest

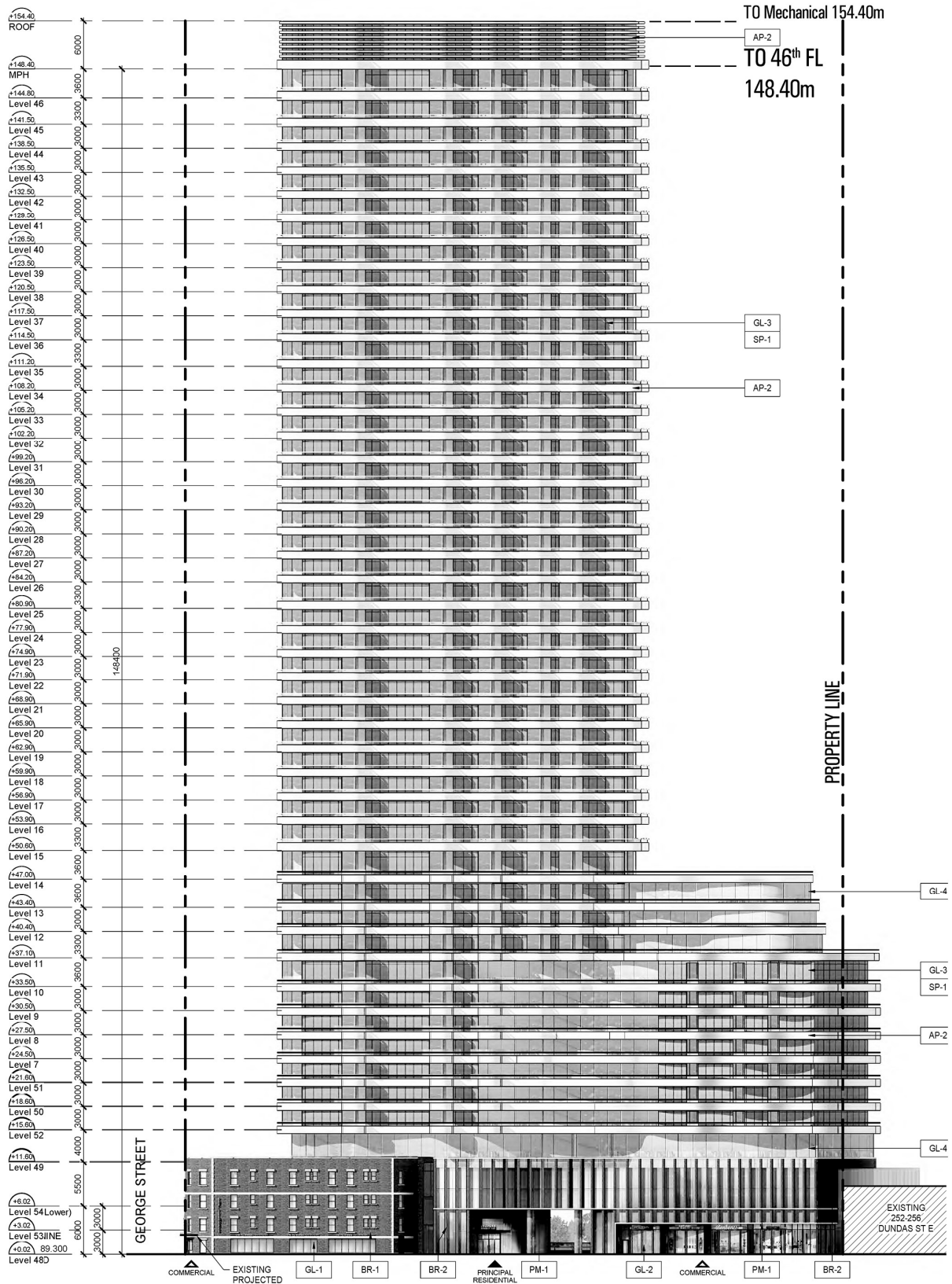


Attachment 3: North Elevation



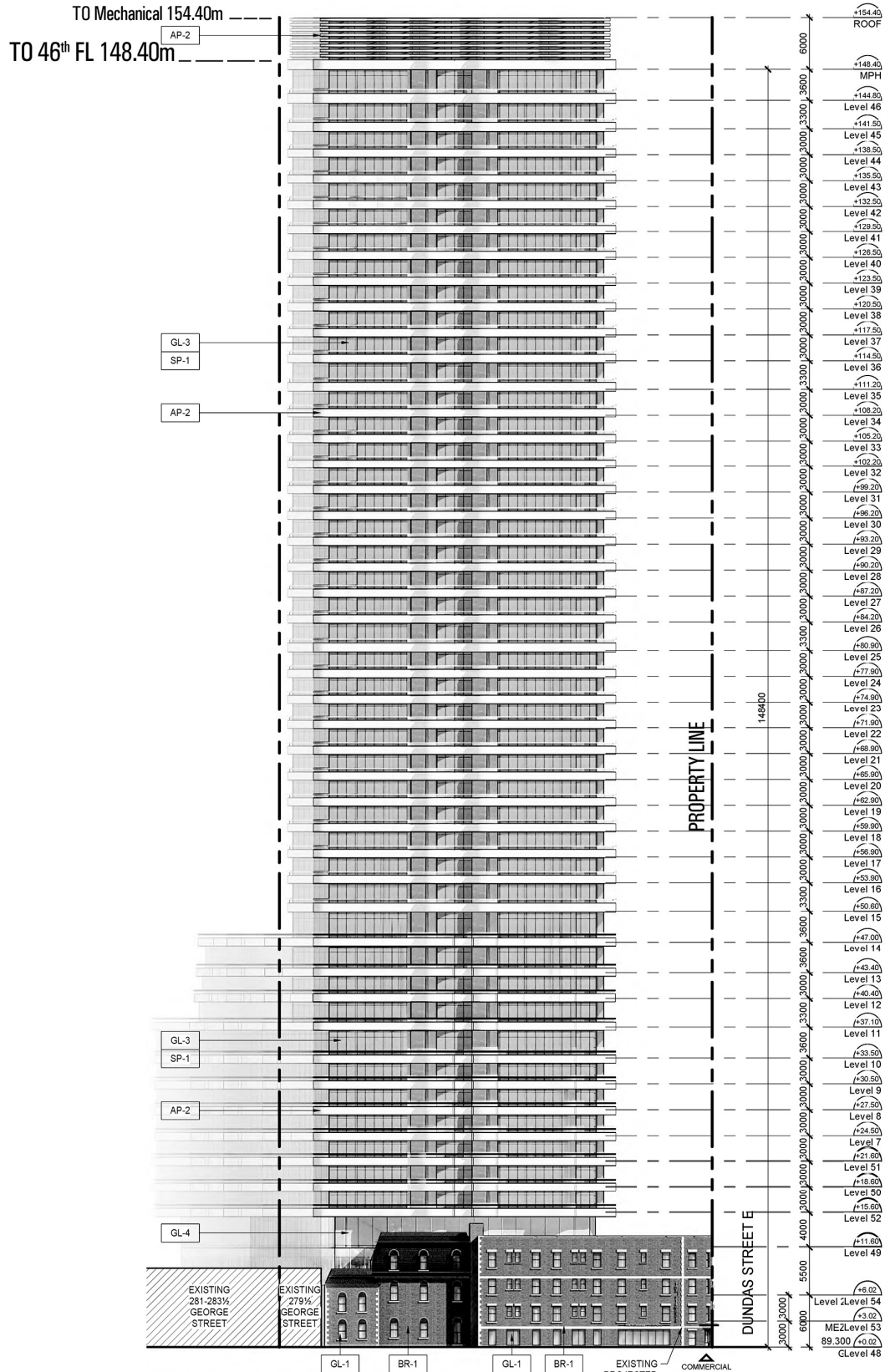
North Elevation

Attachment 4: South Elevation



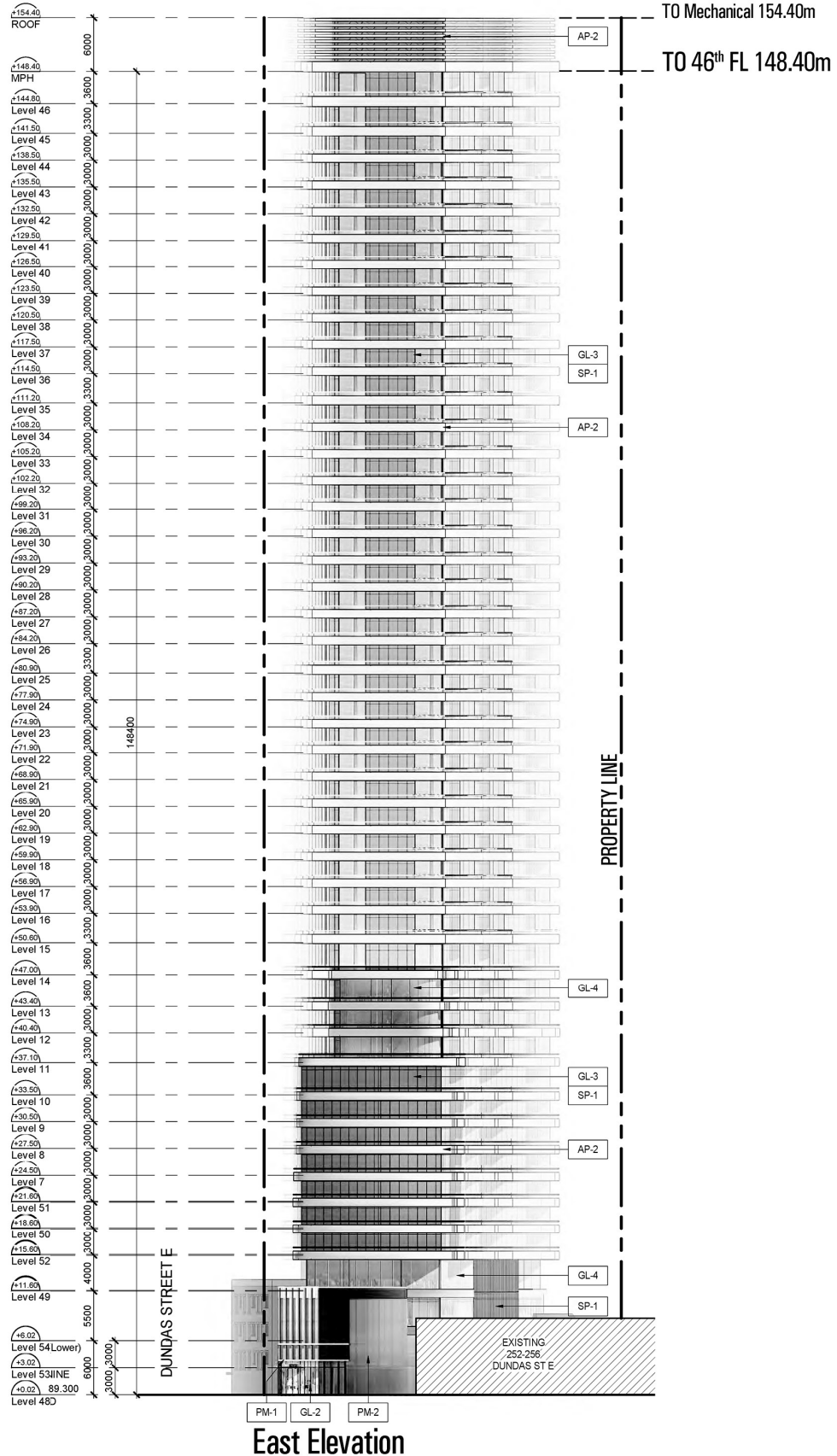
South Elevation

Attachment 5: West Elevation

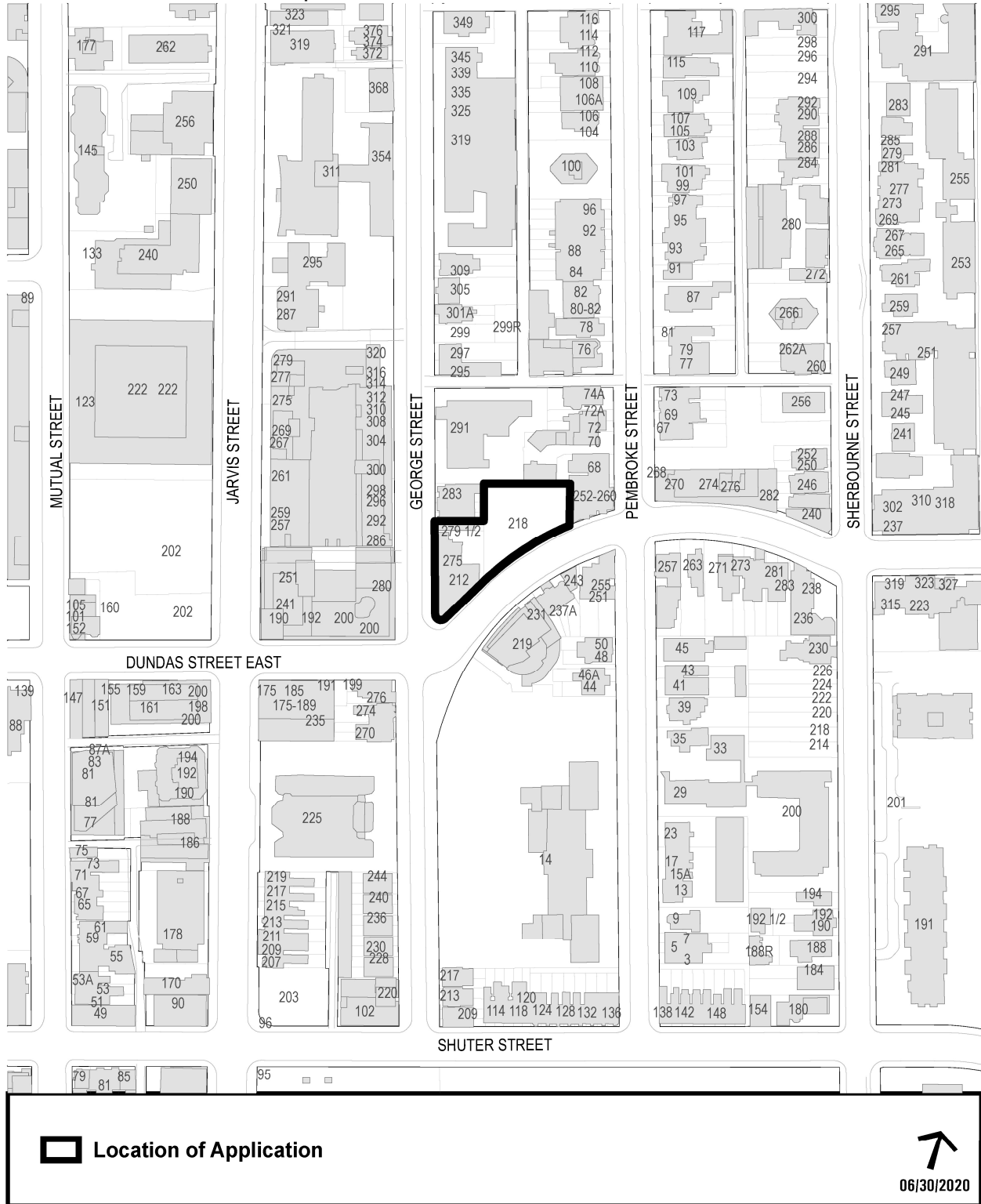


West Elevation

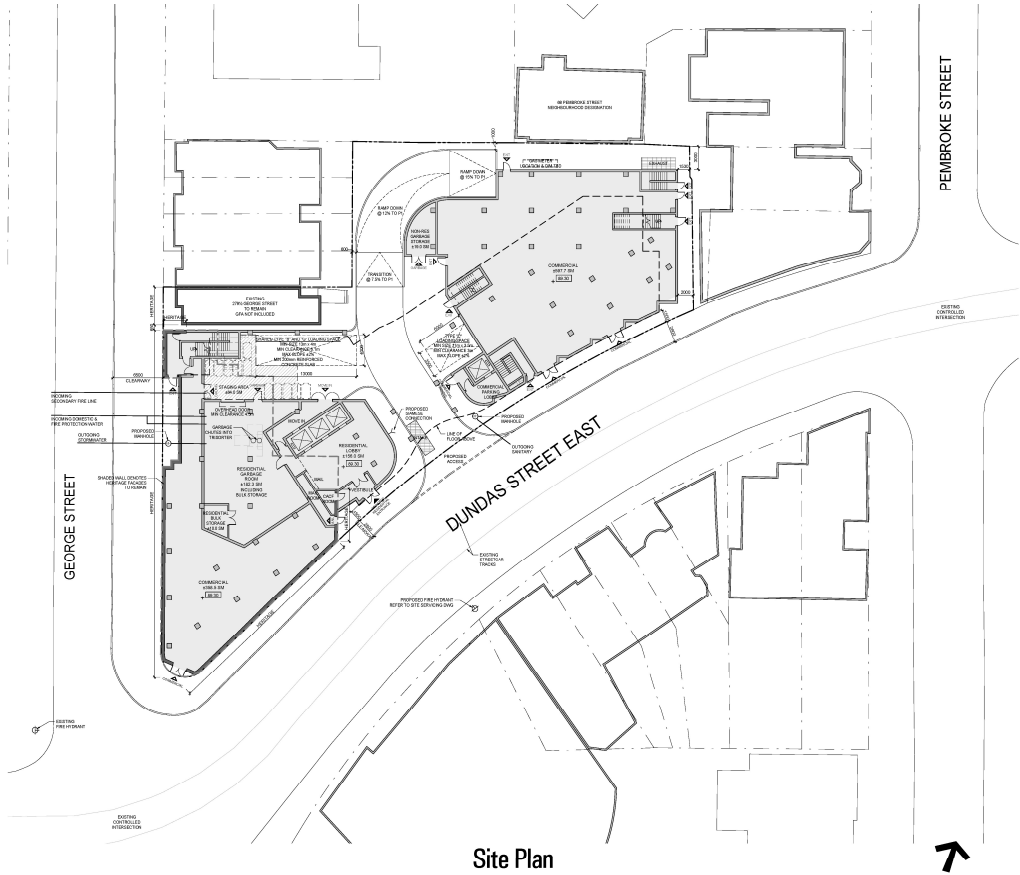
Attachment 6: East Elevation



Attachment 7: Location Map

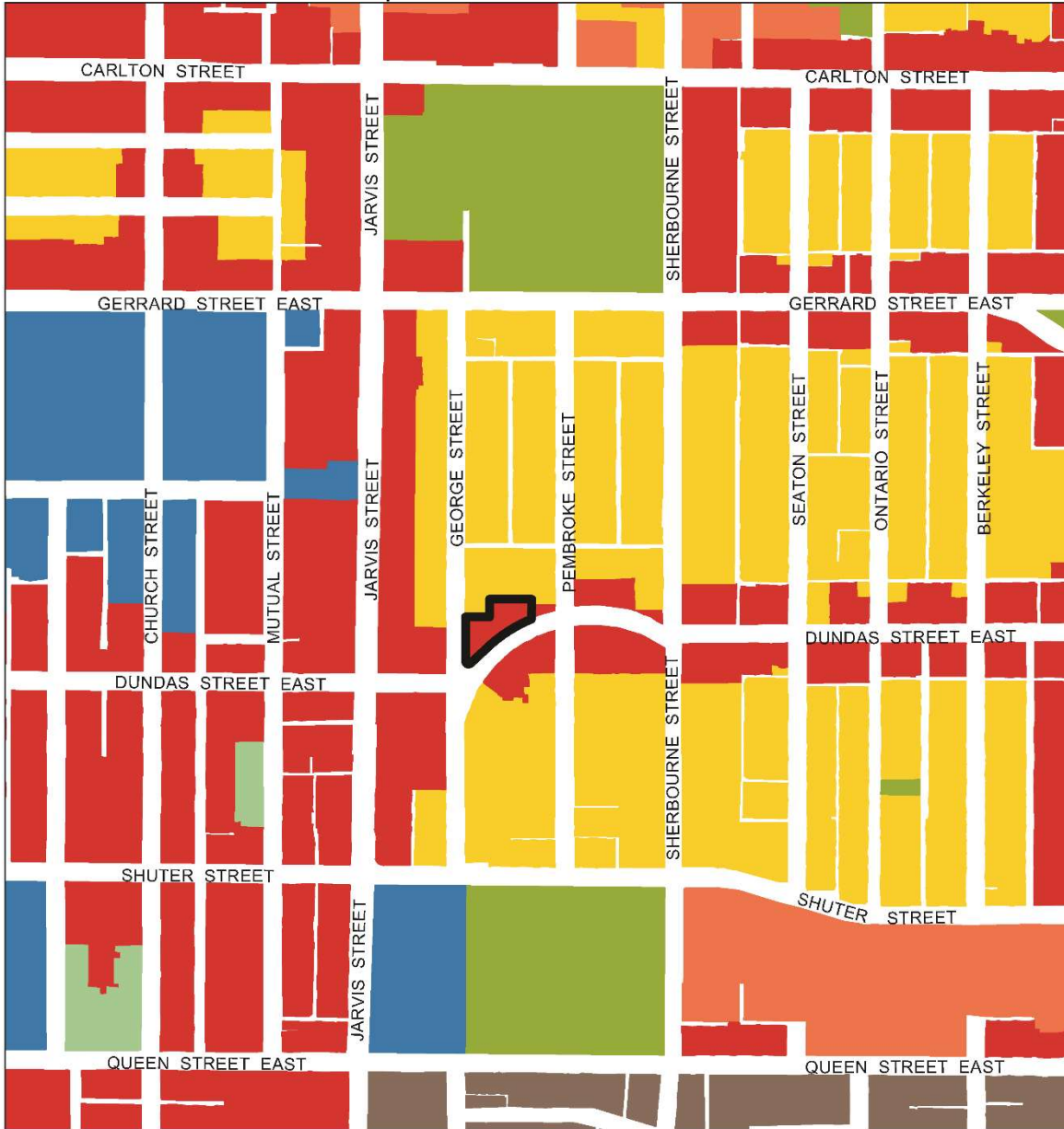


Attachment 8: Site Plan



Site Plan

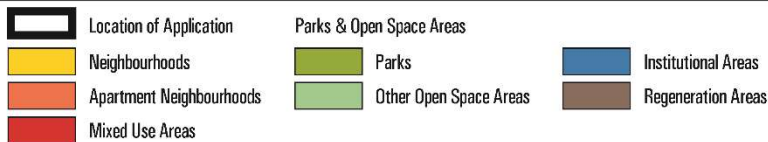
Attachment 9: Official Plan Map



212 - 218 Dundas Street East And
279 ½ George Street

Official Plan Land Use Map #18

File # 20 151363 STE 13 0Z



↑
Not to Scale
06/30/2020

Attachment 10: Application Data Sheet

Municipal Address: 218 DUNDAS ST E Date Received: June 2, 2020

Application Number: 20 151363 STE 13 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan & Zoning By-law Amendment Application to facilitate the development of a 46-storey mixed-use building comprised of 1029.2 square metres of non-residential gross floor area, and 35,299.2 square metres of residential gross floor area including 588 residential dwelling units.

Applicant	Agent	Architect	Owner
MENFOR DUNDAS DEVELOPMENTS INC		Giannone Petricone associates	MENFOR DUNDAS DEVELOPMENTS INC.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR1.5 (c1.0; r1.0) SS2 (x2389)	Heritage Designation:	Listed
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 2,514 Frontage (m): Depth (m):

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	650		1,478	1,478
Residential GFA (sq m):	2,600		35,299	35,299
Non-Residential GFA (sq m):	650		1,029	1,029
Total GFA (sq m):	3,250		36,328	36,328
Height - Storeys:	4	4	46	46
Height - Metres:			148	148

Lot Coverage Ratio (%): 58.8 Floor Space Index: 14.5

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 35,299
 Retail GFA: 1,029
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	10		10	10
Freehold:				
Condominium:			578	578
Other:				
Total Units:	10		588	588

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			433	96	59
Total Units:			433	96	59

Parking and Loading

Parking Spaces: 116 Bicycle Parking Spaces: 596 Loading Docks: 3

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