



REPORT FOR ACTION

401 Dundas St E – Zoning Amendment Application – Preliminary Report

Date: March 30, 2021

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 20 233607 STE 13 OZ

Notice of Complete Application Issued: December 23, 2020

Current Use on Site: 2-storey commercial building with parking lot on the Dundas Street East frontage.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 401 Dundas Street East for the construction of an 10-storey mixed-use building with underground parking, to replace the existing 2-storey commercial building. Staff are currently reviewing the application. 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 401 Dundas Street East 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 this report in the current budget year or in future years.

DECISION HISTORY

A pre-application meeting was held with the applicant on July 2, 2020 to discuss the proposed development, provide preliminary feedback and to provide the an application checklist.

ISSUE BACKGROUND

Application Description

This application proposes to amend zoning by-law for the property at 401 Dundas Street East in order to permit a 10-storey mixed-use building with commercial at grade and residential units above.

The proposed 10-storey (39.3 metres including the mechanical penthouse) development would contain a total of 298 square metres of commercial gross floor area and 6,488 square metres of residential gross floor area. The development would include 92 residential units. The application proposes: 16 bachelor units (17%), 48 one-bedroom units (52%), 18 two-bedroom units (20%), and 10 three-bedroom units (11%). The applicant is also proposing 326 square metres of indoor and 77 square metres of outdoor amenity space. The floor space index (FSI) for the development would be 5.32 times the area of the lot.

The application proposes 2 levels of underground parking, accessed off of the rear lane, named Coatsworth Street, with a total of 92 parking spaces. Bicycle parking will be provided within the first level of the underground garage and on the first floor, with a total of 98 spaces being proposed.

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 of this report for the location map, Attachemtn 2 for a three dimensional representation of the project in context, Attachments 3 for the Site Plan, Attachment 4 to 7 for elevations, as well as Attachment 8 for the Application Data Sheet.

Provincial Policy Statement and Provincial Plans

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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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, and better connected 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 (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

The Growth Plan (2020) as amended 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. MTSA's 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 (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's are planned for the prescribed densities.

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 9.

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.

Map 41-3-C designates the site as Mixed Use Areas 3 - Main Street. Policy 6.28 provides that development within Mixed Use Areas 3 will be in the form of mid-rise buildings, with some low-rise and tall buildings permitted based on compatibility. The assessment of proposals for mid-rise buildings will be informed by the Mid-Rise Buildings policies in section 9 of the Downtown Plan.

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 guidelines will be used in the evaluation of this application:

Mid-rise Building Performance Standards;
Growing Up Guidelines: Planning for Children in New Vertical Communities;
Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings; and
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

The Zoning By-law Amendment application seeks to obtain relief from the development criteria in Zoning By-law 569-2013 and Zoning By-law 438-86, as amended, including those related to height, density, setbacks and minimum parking requirements. Additional deviations from the Zoning By-law may be identified as part of the application review.

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 (2020). 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 Downtown Plan (OPA 406).

Built Form, Planned and Built Context

Staff will continue to assess the suitability and appropriateness of the proposed height, massing, and other built form issues.

The following preliminary issues have been identified:

- The suitability of the proposed height, massing, stepbacks, and setbacks in relation to the area's existing and planned built form character and scale;
- The impacts of window and balcony overlook onto adjacent properties, particularly Neighbourhood-designated properties;
- The impacts of new shadowing on the public realm and open spaces. A Shadow Study was submitted and is currently under review by City staff; and
- The provision of adequate indoor and outdoor amenity space.

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).

There are 8 trees on or adjacent to the subject property, 7 of which are located on City property. All of the trees are proposed to be removed, according to the submitted Arborist Report, which is currently under review by City staff.

Community Services and Facilities

Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population.

Infrastructure/Servicing 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, Stormwater Management Report; Hydrogeological Investigation; Geotechnical Investigation; and Transportation Impact Study.

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 and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement. The applicant has submitted the required Toronto Green Standards Checklist for Mid to High Rise Non-Residential Development. The checklist is being reviewed for conformity with Tier 1 requirements and full compliance will be required prior to approval of the requested applications. Staff will encourage the applicant to pursue the enhanced Tier 2 performance measures.

Other Matters

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

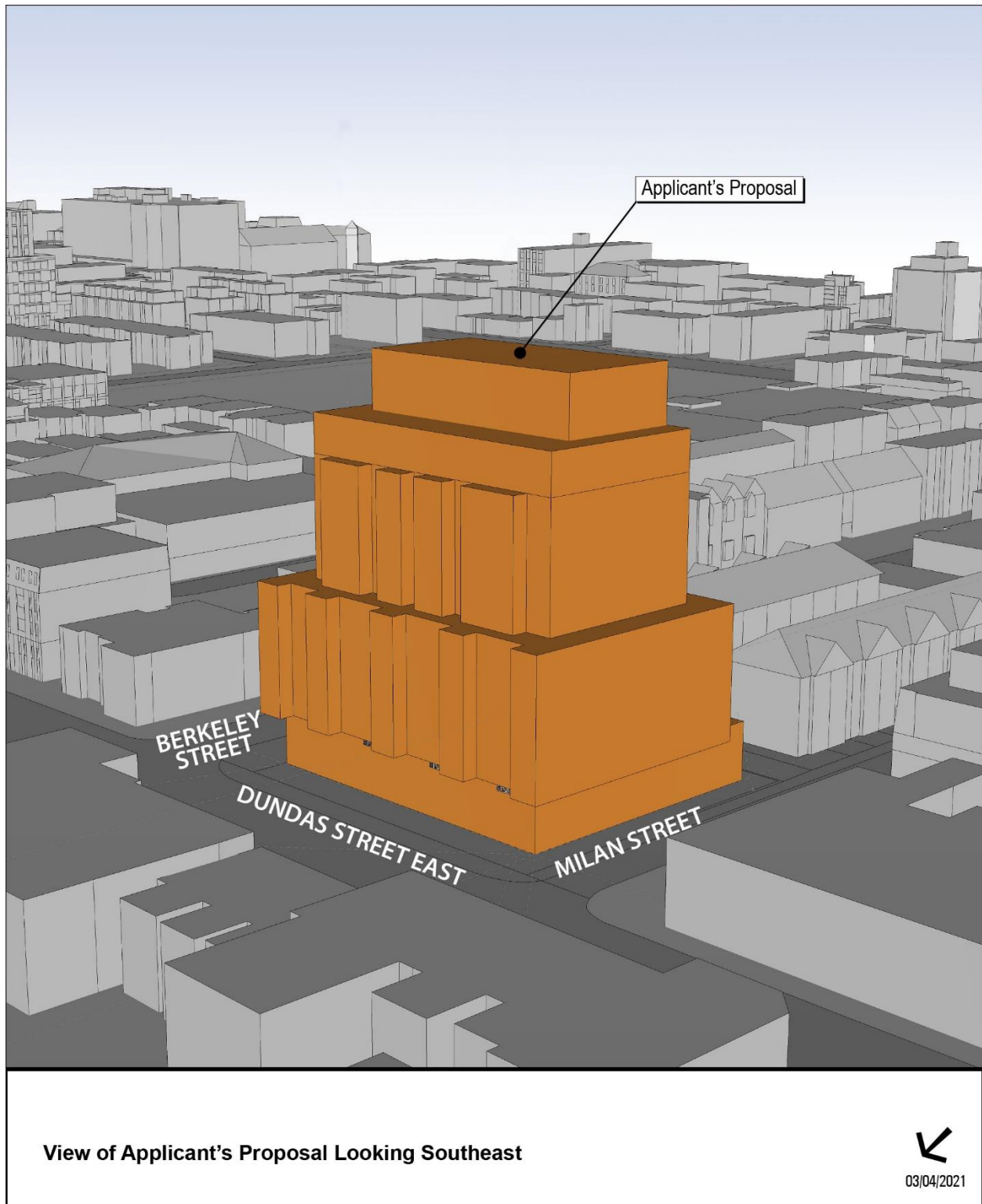
Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context
Attachment 3: Site Plan
Attachment 4: North Elevation
Attachment 5: South Elevation
Attachment 6: East Elevation
Attachment 7: West Elevation
Attachment 8: Application Data Sheet
Attachment 9: Official Plan Map

The map displays a section of Dundas Street East, bounded by Ontario Street to the west and Poulett Street to the east. The street is labeled "DUNDAS STREET EAST" in the center. The map shows various property lots, many of which are numbered. A specific lot, located between Milan Street and Berkeley Street, is highlighted with a thick black border. This lot is numbered 397 and 401. The map also shows the locations of several other streets: Ontario Street, Milan Street, Berkeley Street, and Poulett Street. The map is oriented with North at the top, as indicated by a north arrow in the bottom right corner. The date "03/04/2021" is printed in the bottom right corner.

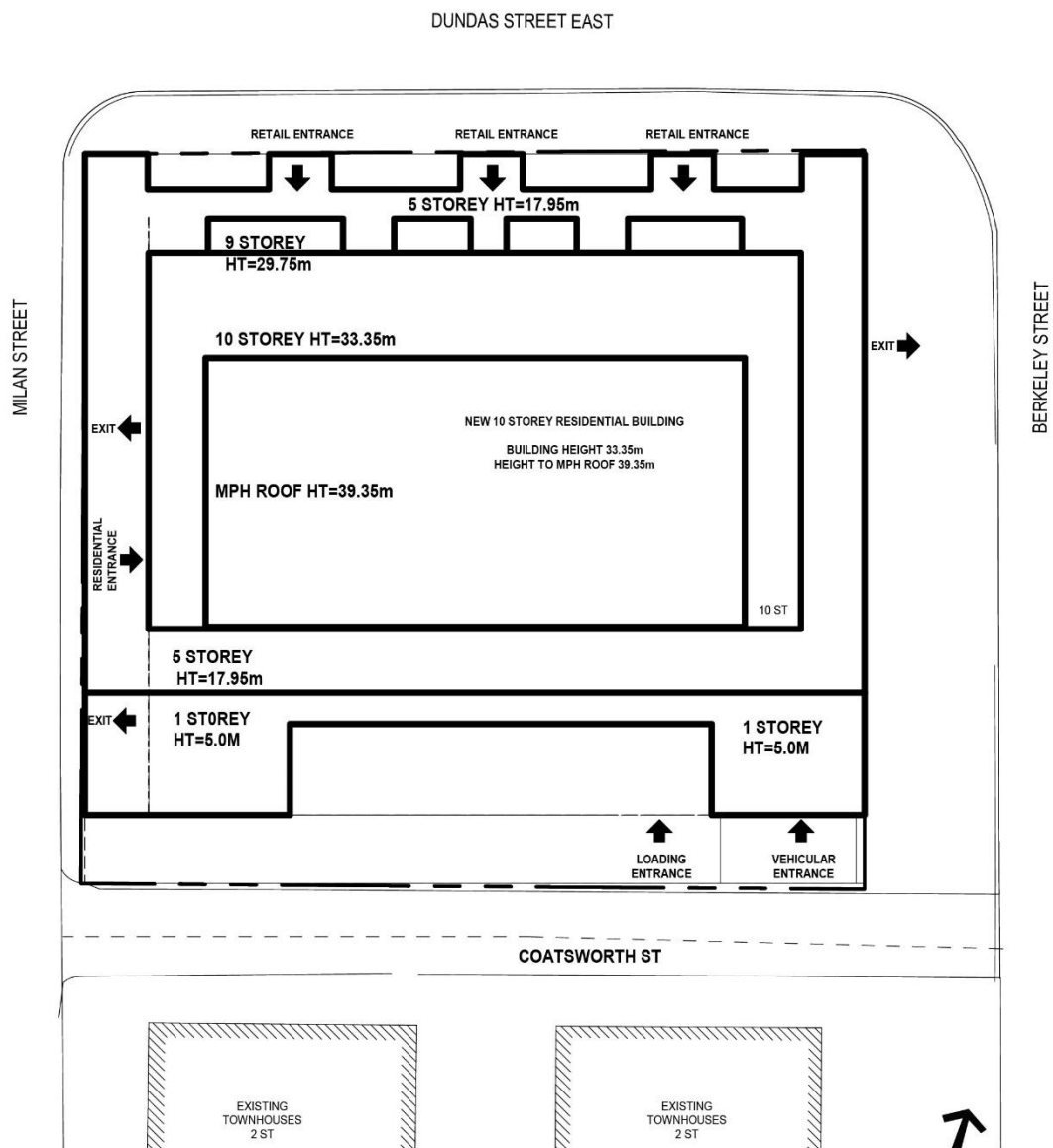
Location of Application

03/04/2021

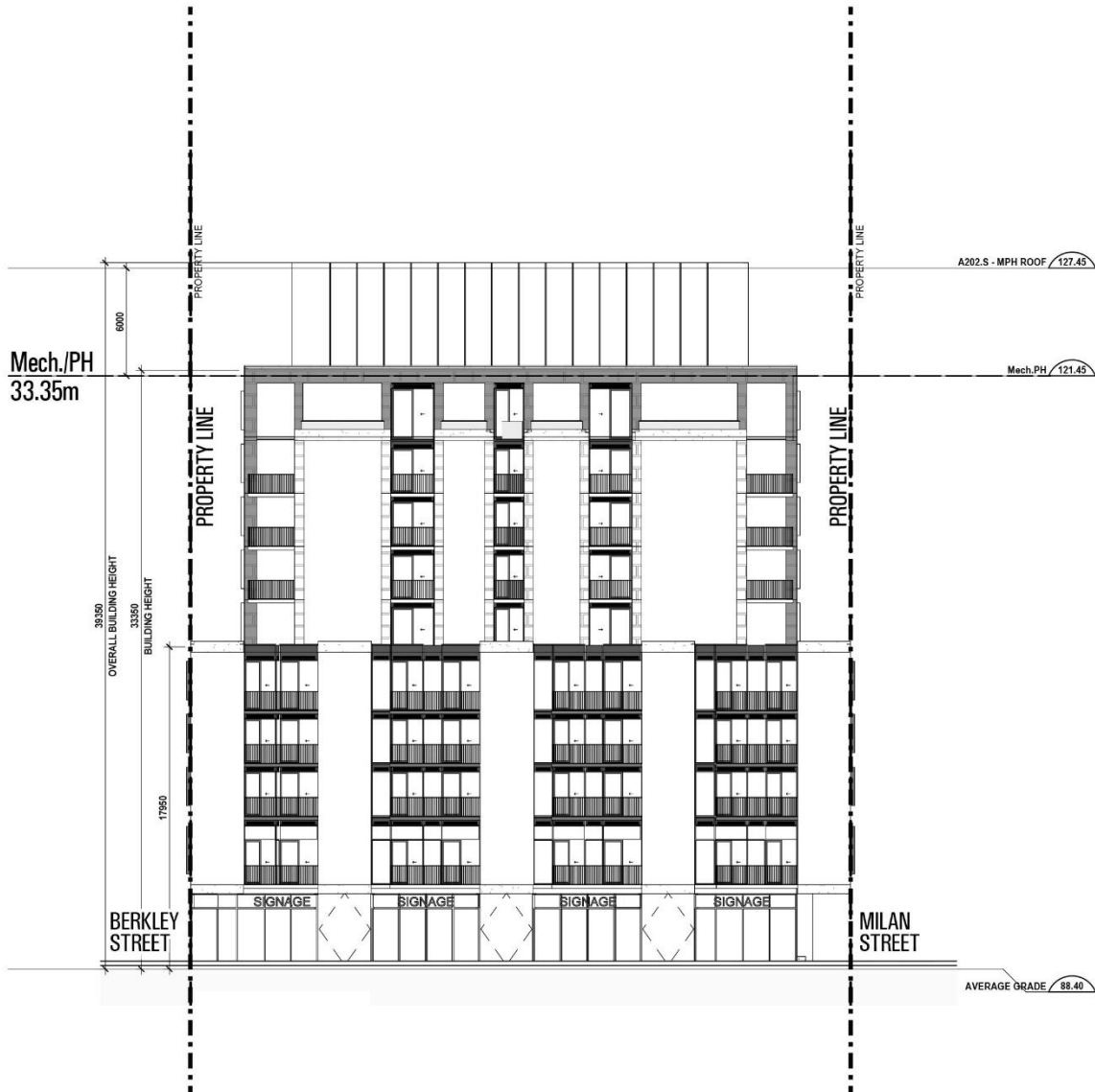
Attachment 2: 3D Model of Proposal in Context



Attachment 3: Site Plan

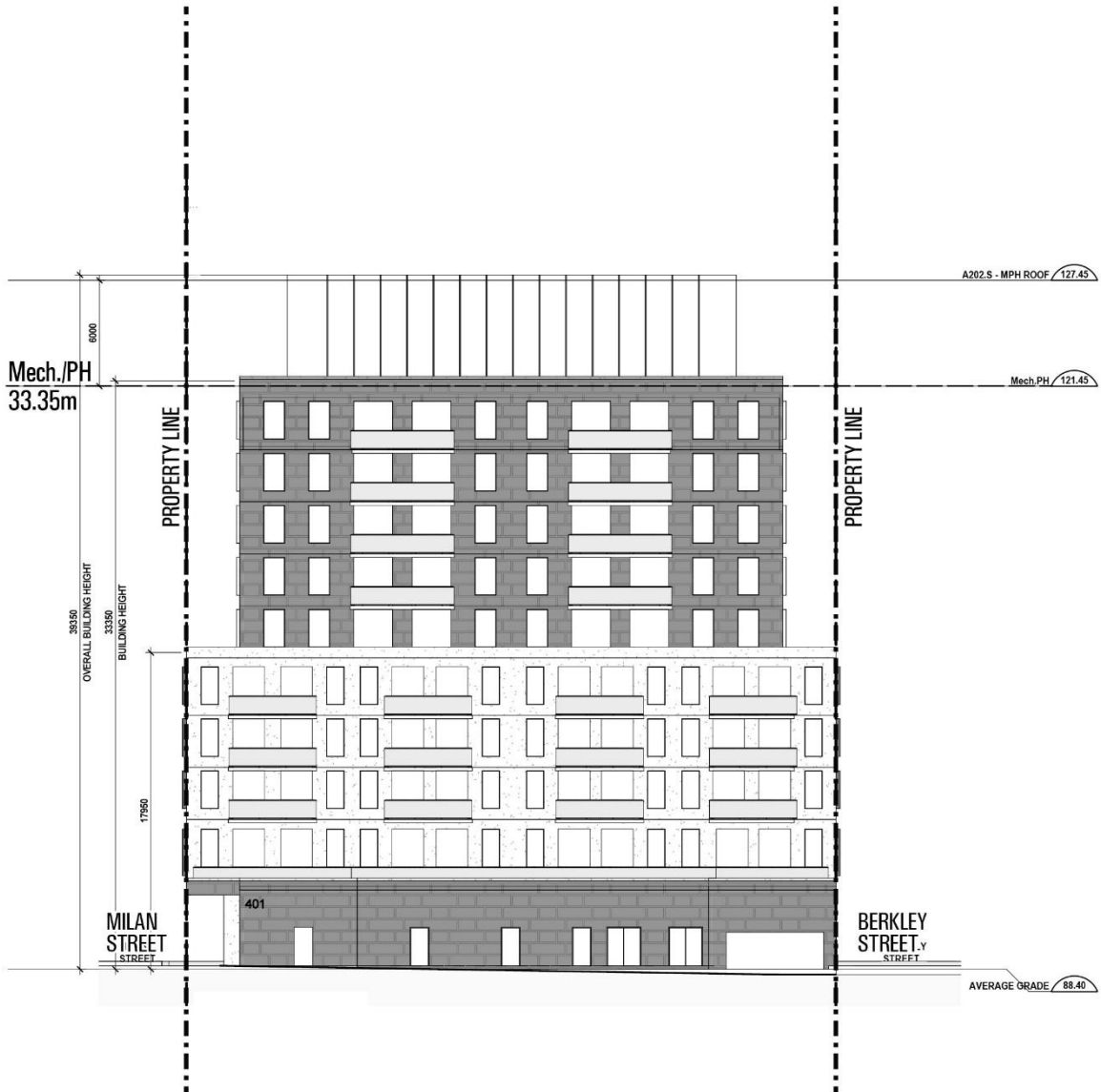


Attachment 4: North Elevation



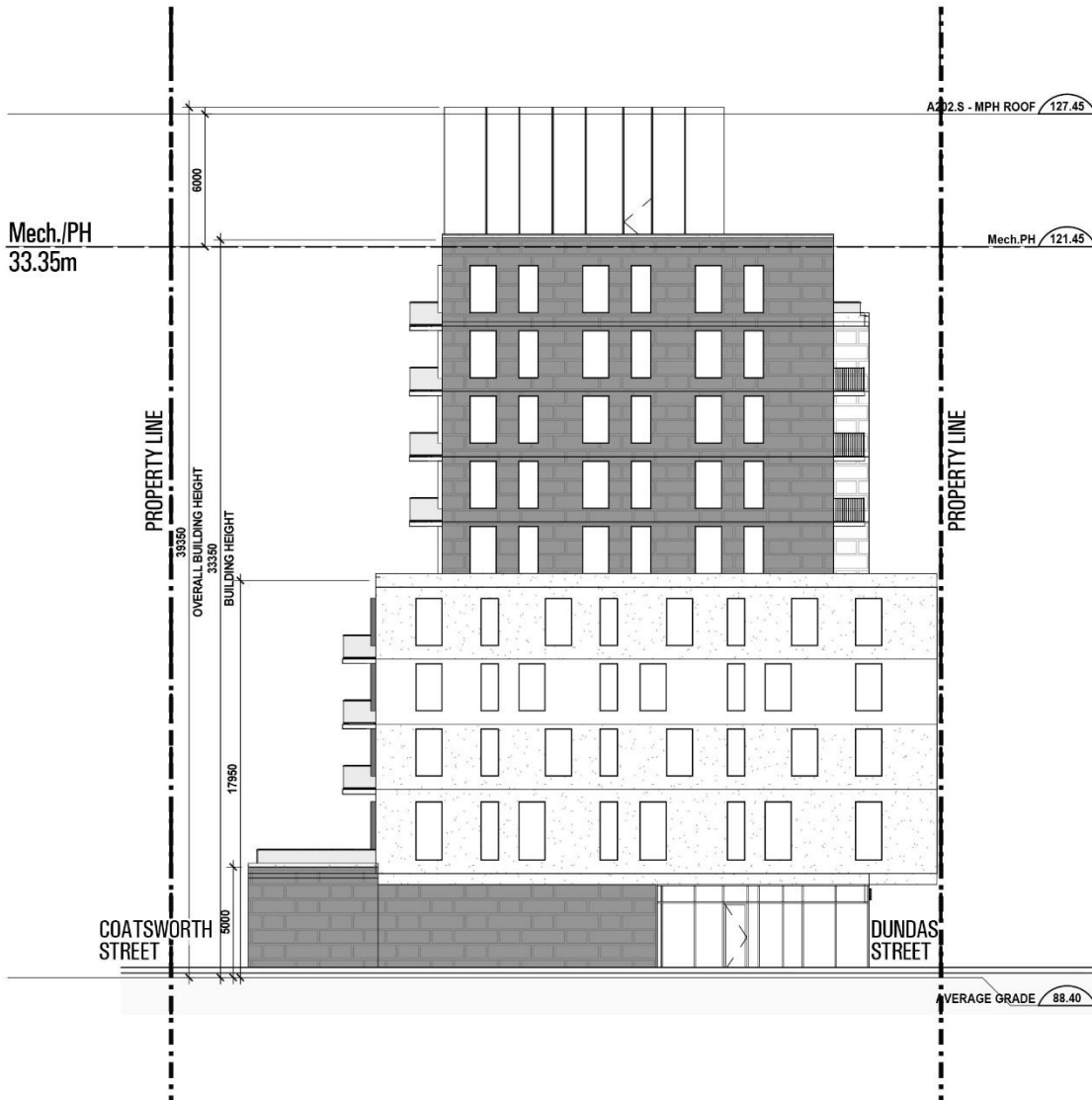
North Elevation

Attachment 5: South Elevation



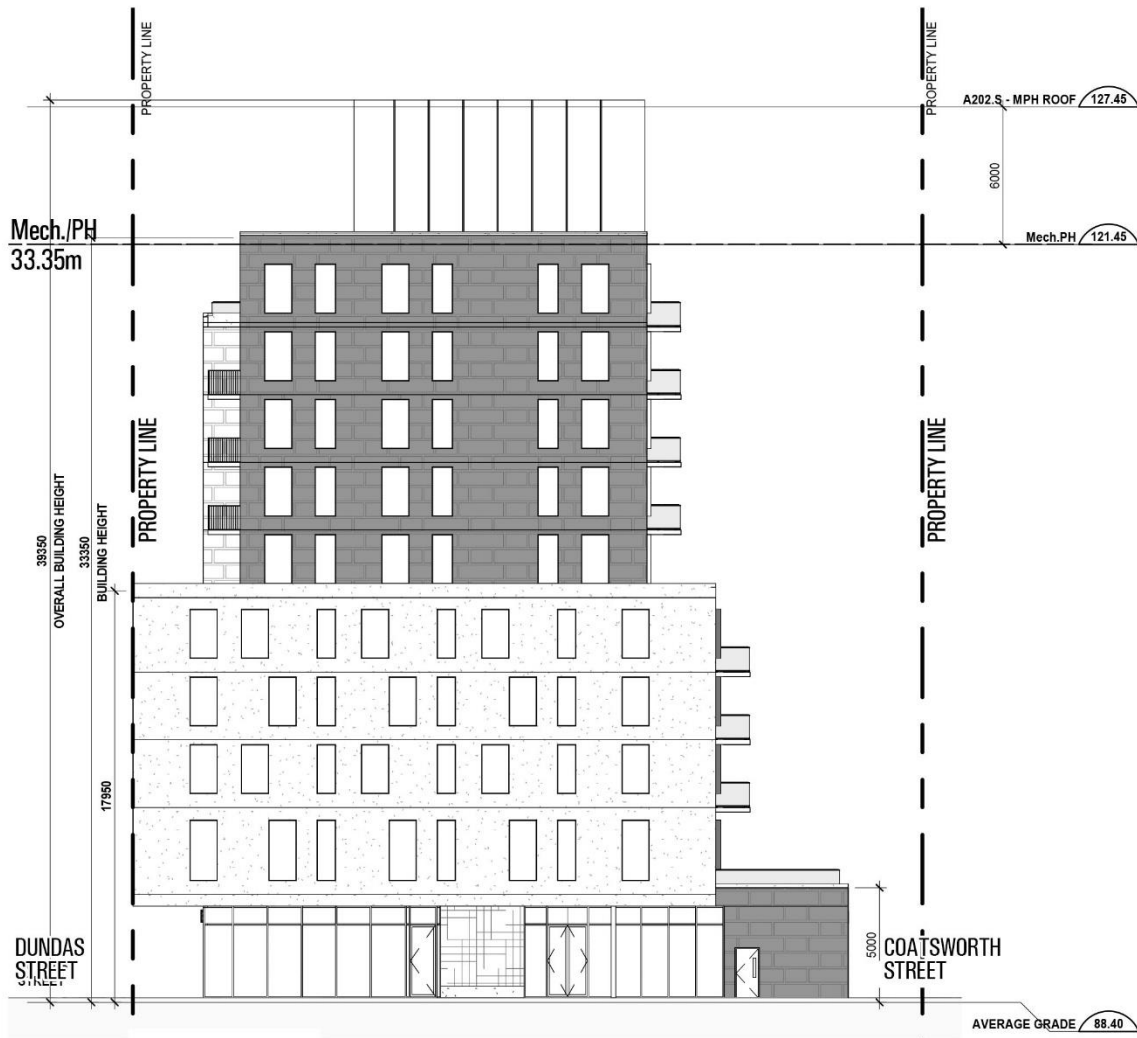
South Elevation

Attachment 6: East Elevation



East Elevation

Attachment 7: West Elevation



West Elevation

Attachment 8: Project Data Sheet

Municipal Address: 401 DUNDAS ST E Date Received: December 23, 2020

Application Number: 20 233607 STE 13 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Proposed 10 storey mixed-use condominium building, including amenity, and 2 levels of below grade parking. Commercial retail and service space on the ground floor level facing Dundas Street. Height 39.3 metres including MPH.

| | | | |
|----------------|-------|-------------------|--------------------------------------|
| Applicant | Agent | Architect | Owner |
| GOLDBERG GROUP | | BDP QUADRANGLE | 401 DUNDAS STREET EAST LIMITED |

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 1.5 (c1.0;
R1.0) SS2 Heritage Designation:
(x2389)

Height Limit (m): 12 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,275 Frontage (m): 37 Depth (m): 35

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Ground Floor Area (sq m): | | | 861 | 861 |
| Residential GFA (sq m): | | | 6,488 | 6,488 |
| Non-Residential GFA (sq m): | | | 298 | 298 |
| Total GFA (sq m): | | | 6,786 | 6,786 |
| Height - Storeys: | 2 | | 10 | 10 |
| Height - Metres: | | | 33 | 33 |

Lot Coverage Ratio (%) 67.54 Floor Space Index: 5.32

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|--------------------------|--------------------|--------------------|
| Residential GFA: | 6,316 | 172 |
| Retail GFA: | 298 | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--------------------------------|----------|----------|----------|-------|
| Rental: | | | | |
| Freehold: | | | | |
| Condominium: | | | 92 | 92 |
| Other: | | | | |
| Total Units: | | | 92 | 92 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|----------|-----------|-----------|------------|
| Retained: | | | | | |
| Proposed: | | 16 | 48 | 18 | 10 |
| Total Units: | | 16 | 48 | 18 | 10 |

Parking and Loading

| | | | | | |
|--------------------|----|-------------------------|----|----------------|---|
| Parking Spaces: | 37 | Bicycle Parking Spaces: | 98 | Loading Docks: | 1 |
|--------------------|----|-------------------------|----|----------------|---|

CONTACT:

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Attachment 9: Official Plan Map



 **Toronto**

401 Dundas Street East

Official Plan Land Use Map18

File # 20 233607 STE 13 02

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
03/05/2021