

98 - 100 Bond Street and 54-74 Dundas Street East – Zoning Amendment Application – Preliminary Report

Date: September 16, 2021

To: Toronto and East York Community Council

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

Ward: 13 - Toronto Centre

Planning Application Number: 21 180092 STE 13 OZ

Related Applications: Site Plan Application 21 180095 STE 13 SA

Notice of Complete Application Issued: July 28, 2021

Current Use(s) on Site: Five 2 and 3-storey mixed commercial-residential buildings

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application for a 30-storey mixed use building located at 98-100 Bond Street and 54-74 Dundas Street East. 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 98-100 Bond Street and 54-74 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 applicants on March 23, 2021. During this meeting City Planning identified a number of preliminary issues including: tower setbacks and stepbacks, podium height, cantilevering over the pedestrian realm, amenity space, site access, and potential on-site heritage designations.

ISSUE BACKGROUND

Application Description

This application proposes to amend the zoning by-law for the property at 98-100 Bond Street and 54-74 Dundas Street East to permit a 30-storey mixed-use development with commercial uses at grade and residential units above.

The proposed 30-storey (84.45 metres including the mechanical penthouse) development would contain a total of 231 square metres of ground floor commercial space and 21,342 square metres of residential gross floor area, 21,564 square metres in total. The development would include 287 residential units. The application proposes: 70 studio units (24.3%), 60 one-bedroom units (20.9%), 120 two-bedroom units (41.8%), and 37 three-bedroom units (12.9%). The applicant is also proposing 1,165 square metres of indoor and 165 square metres of outdoor amenity space. The floor space index (FSI) for the development would be 19.2 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 2 and [3](#) of this report for a three dimensional representation of the project in context, Attachment 3 to 6 for elevations, Attachment 1 and 8 for Location Map and Site Plan as well as Attachment 10 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. 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 (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 MTSAs 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.

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 479 and 480 – Public Realm and Built Form Official Plan Policies

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

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. 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, which provide the detailed performance standards for setbacks and separation distances for buildings taller than 36 metres.

The Official Plan Amendment and associated Zoning By-law Amendments can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

Zoning By-laws

The site is zoned CR 4.0 (c2.0; r4.0) SS1 (x2320) for those portions fronting Dundas and CR 4.0 (c0.5; r4.0) SS1 (x2201) for the remainder of the site with a maximum density of 4 times the area of the lot and a maximum height of 30 metres under Zoning By-law 569-2013.

The site is subject to certain permissions, exceptions and site specific provisions, including a prohibition of entertainment facilities and commercial parking garages or private commercial garages, limits on amount of office space and required street retail uses. Additionally, By-law 97-0194 applies to the site, this by-law permits existing uses and requires a 3 m setback above a 20 metre height for those portions of the development fronting Dundas.

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/>

Helicopter Flight Path

The proposal is within the Obstacle Limitation Surface for both the Sick Children's Hospital (Sick Kids) and St. Michael's Hospital as identified in City By-law 1432-2017. The proposal is currently under review by City staff and hospital representatives.

The by-law can be found here:

<https://www.toronto.ca/legdocs/bylaws/2017/law1432.pdf>

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
- Best Practices for Bird-Friendly Glass
- Best Practices for Effective Lighting

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 been submitted.

COMMENTS

Reasons for the Application

The proposal requires an amendment to the Zoning By-law 569-2013 for the properties at 98-100 Bond Street and 54-74 Dundas Street East to permit the proposed density, height and parking requirements, among others.

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 recently approved Downtown Plan (OPA 406), OPA 479, OPA 480, OPA 352 and its associated zoning by-laws.

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 (2020), the City's Official Plan policies including Official Plan Amendment 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 podium and building heights, tower setbacks to the north and west and tower stepbacks particularly along Victoria Lane;
- the appropriate unit mix and size in conformity with OPA 406, the Downtown Secondary Plan, and the Growing up Design Guidelines;
- shadowing and wind impacts on nearby parks including Dundas Square, Ryerson Community Park (Devonian Square), Ryerson Quad, the public realm including the pedestrianized portions of Gould Street, and private outdoor amenity space on nearby developments;
- the appropriate programming and provision of outdoor amenity space; [and](#)
- confirmation that the proposed driveway adequately addresses pedestrian realm and safety issues;

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 which states that there are five City owned trees located within the Dundas Street right-of-way and no trees on site. The application has been circulated to Urban Forestry for review and comment.

Heritage Impact & Conservation

A Heritage Impact Assessment was submitted and is currently under review by City staff. Staff have requested the applicant provide an Ontario Heritage Act Timeline Waiver and Consent to Extend Time Period form as part of their review to determine if any buildings on site warrant a heritage designation.

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 summary of CS&F resources and needs was provided, in accordance with SIPA's direction, as part of the Planning rationale submitted with this application. This is currently under review by City staff.

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 Report and Transportation Report.

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 (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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 TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

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

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

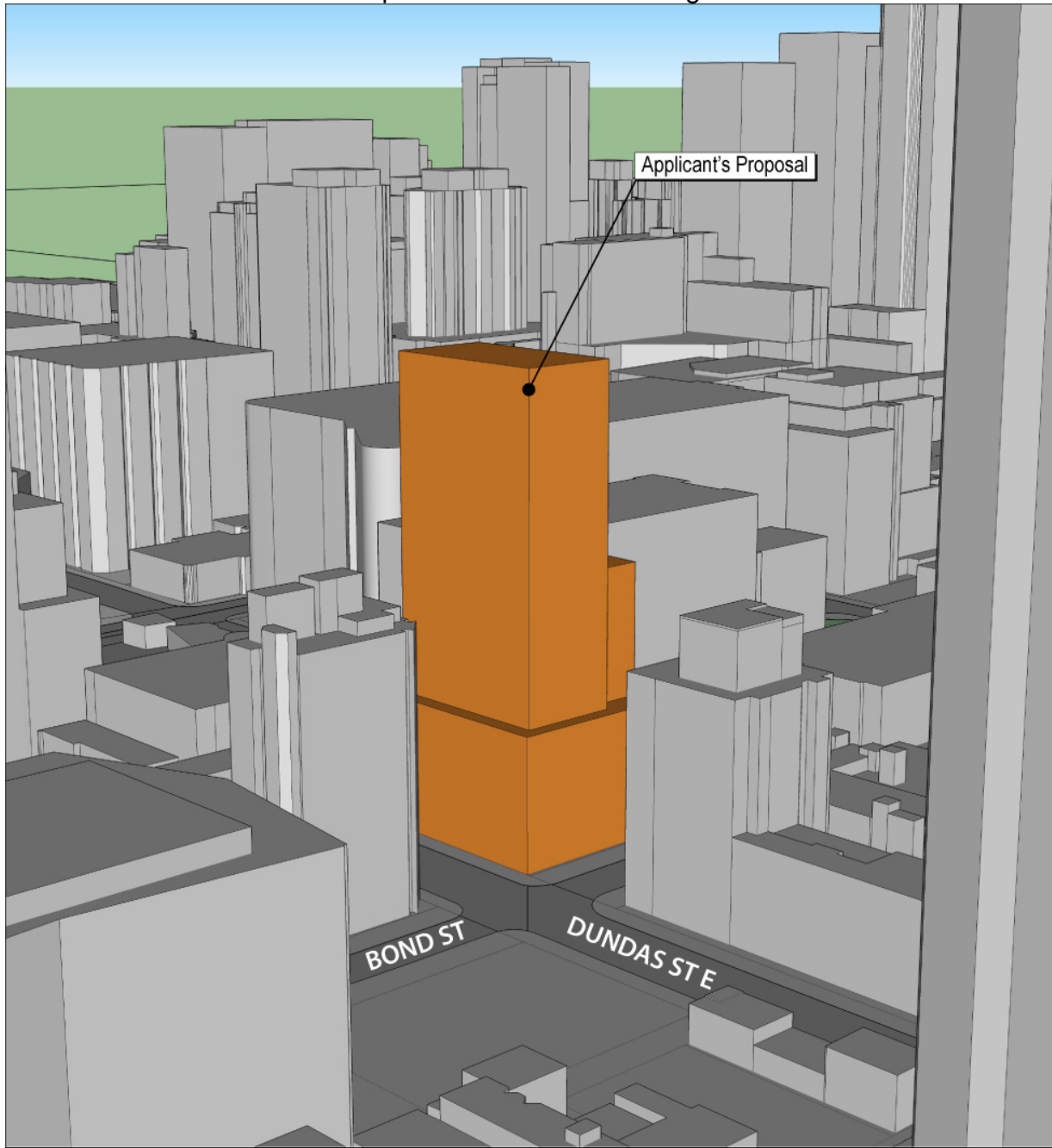
City of Toronto Drawings

- Attachment 1: Location Map
- Attachment 2: 3D Model of Proposal in Context - Looking Northwest
- Attachment 3: 3D Model of Proposal in Context - Looking Southwest
- Attachment 4: North Elevation
- Attachment 5: South Elevation
- Attachment 6: West Elevation
- Attachment 7: East Elevation
- Attachment 8: Site Plan
- Attachment 9: Official Plan Map
- Attachment 10: Application Data Sheet

Attachment 1: Location Map



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

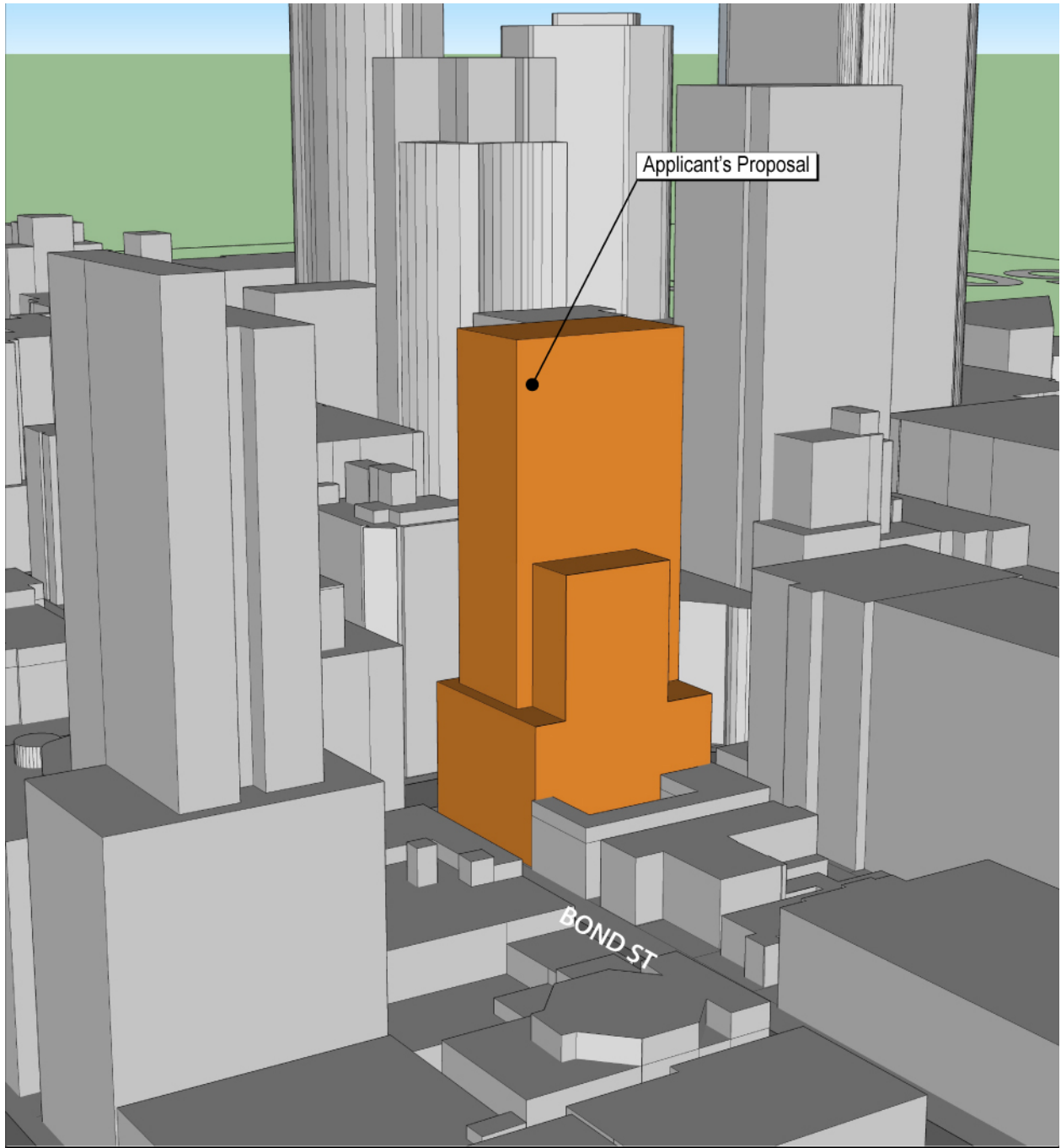


View of Applicant's Proposal Looking Northwest



09/09/2021

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

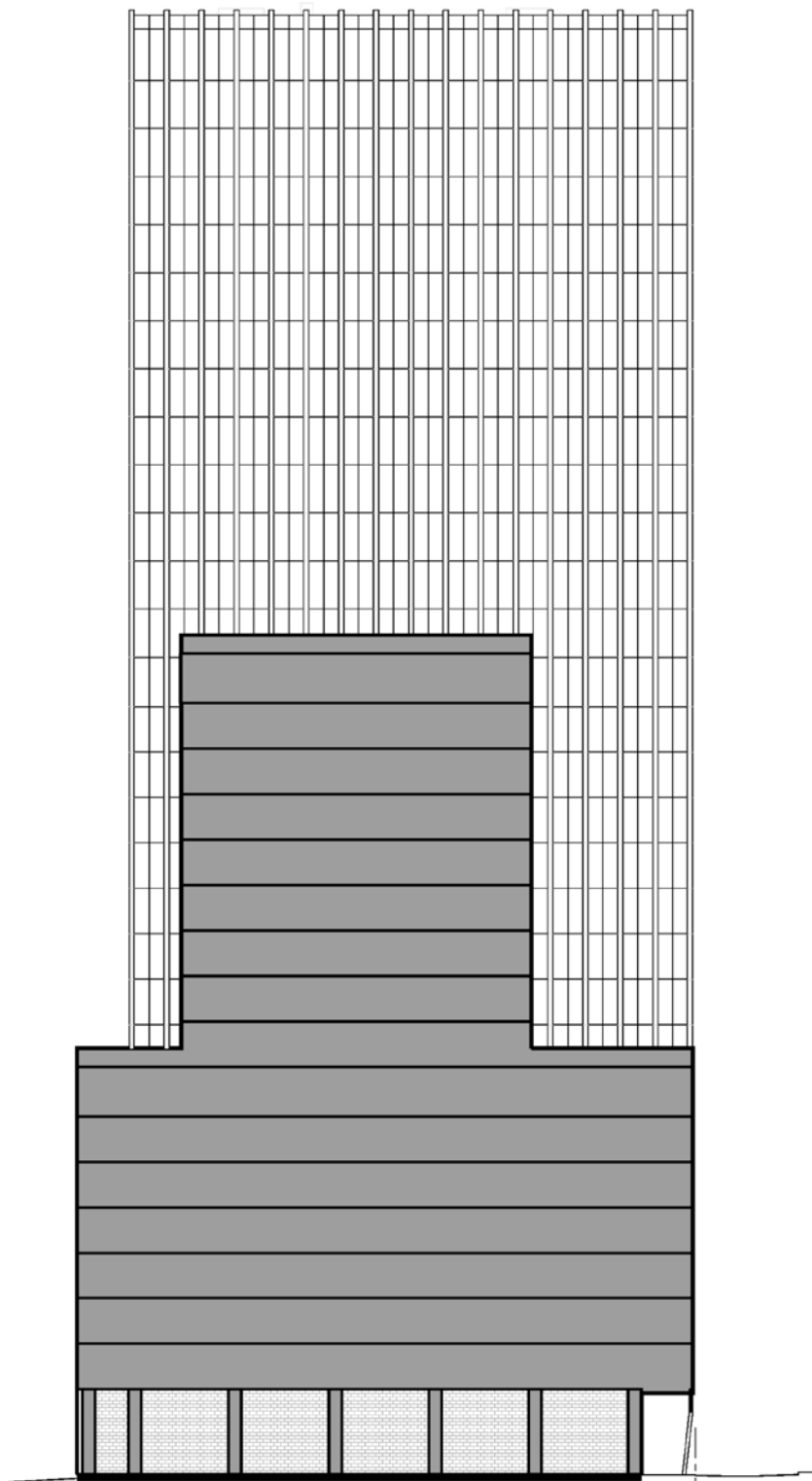


View of Applicant's Proposal Looking Southwest



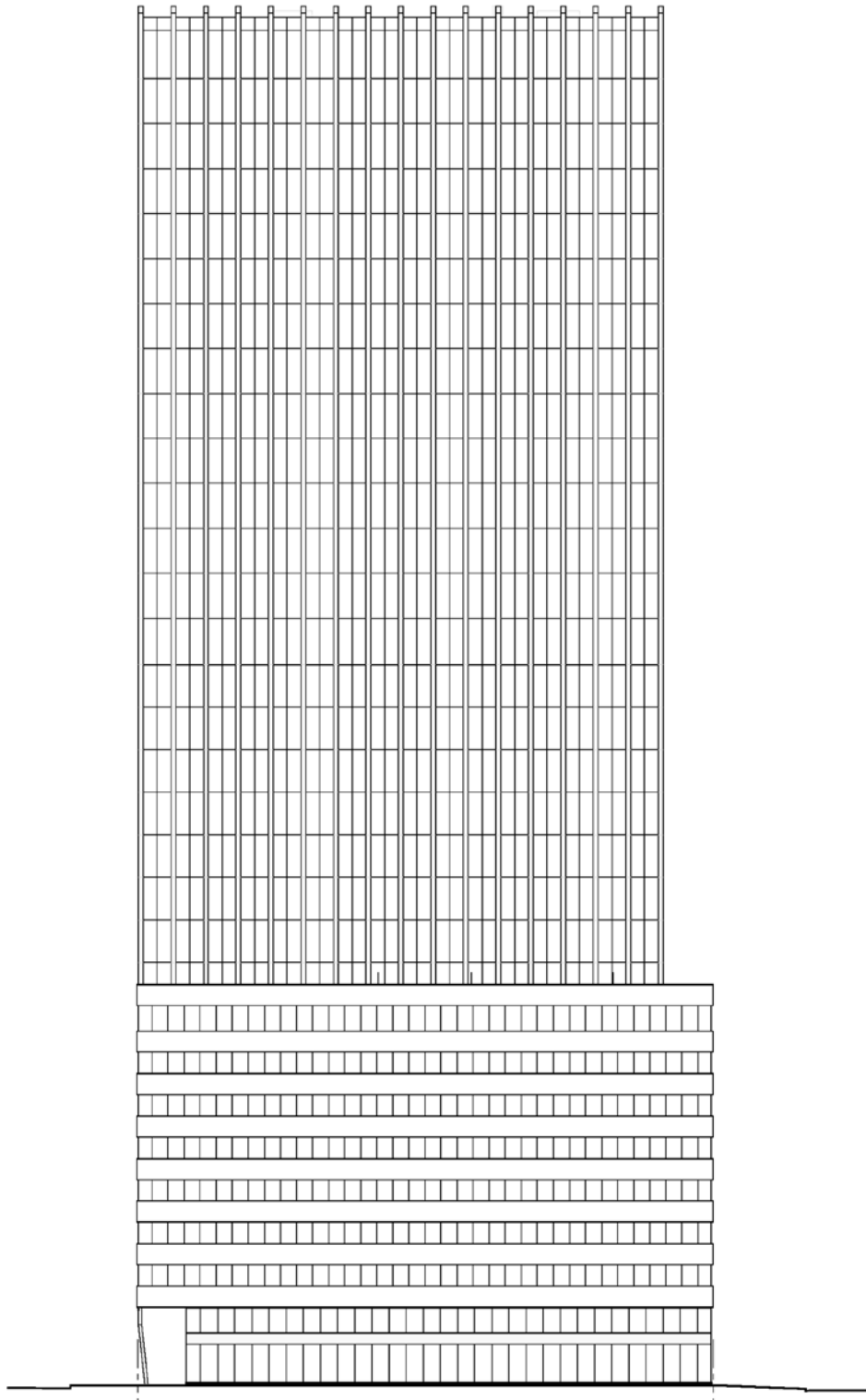
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Attachment 4: North Elevation



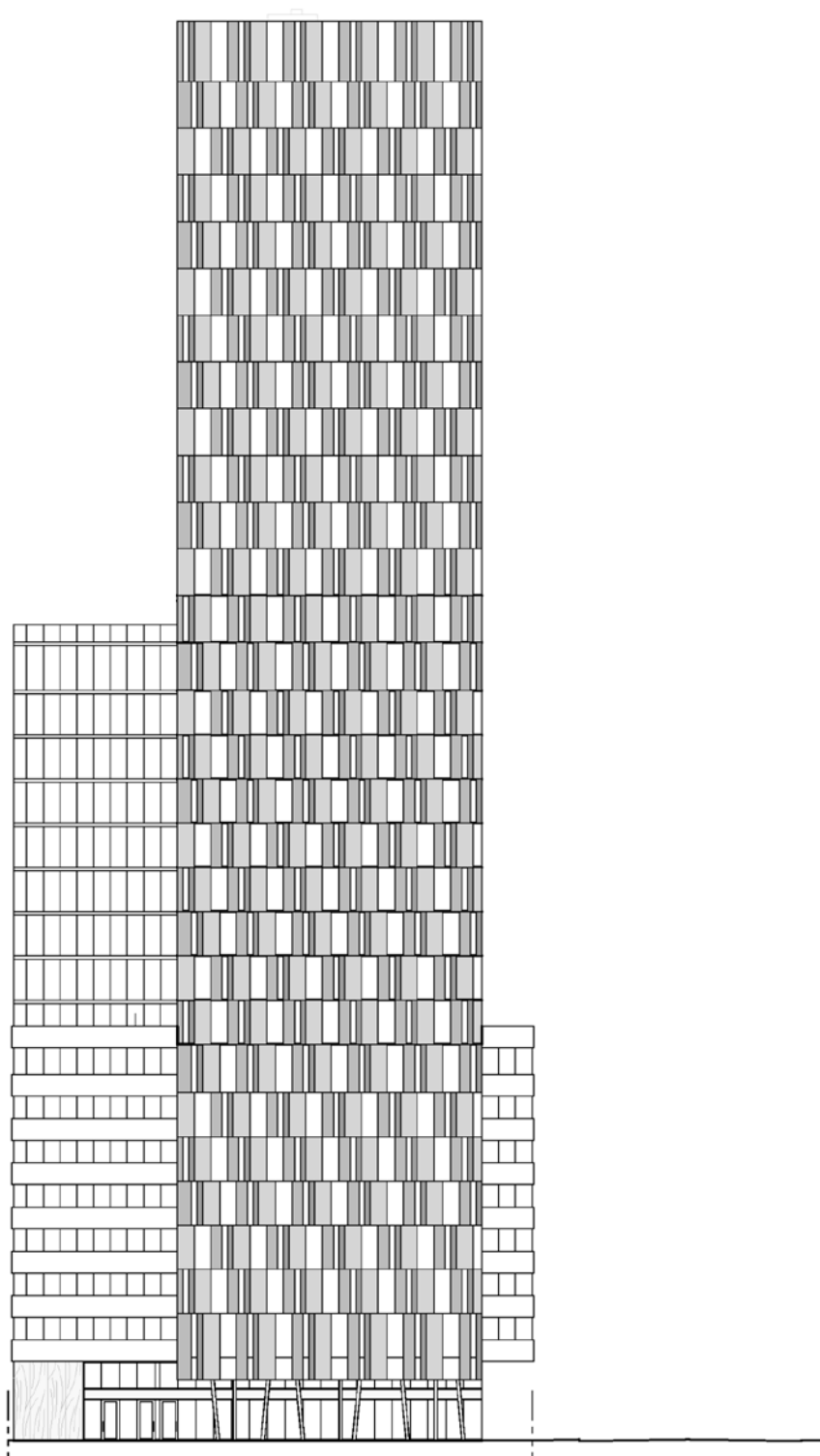
North Elevation

Attachment 5: South Elevation



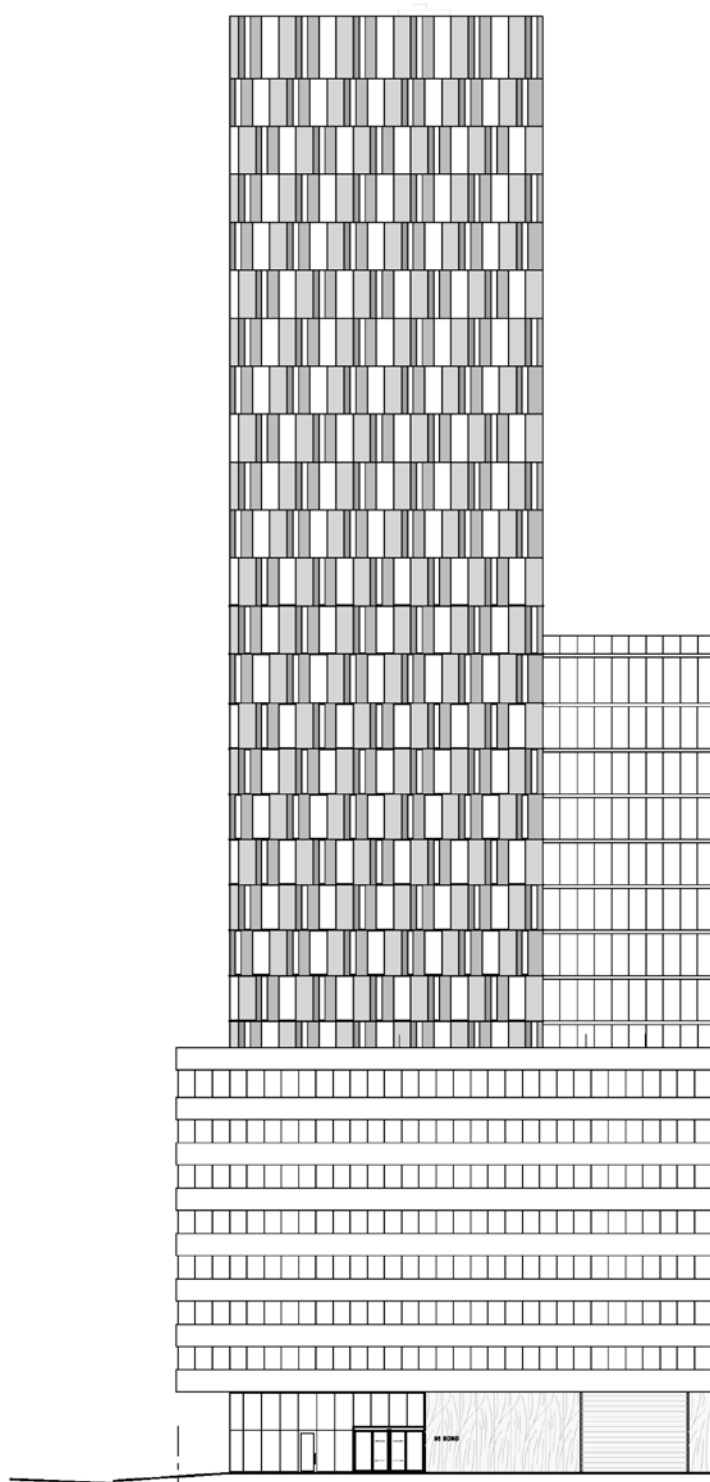
South Elevation

Attachment 6: West Elevation



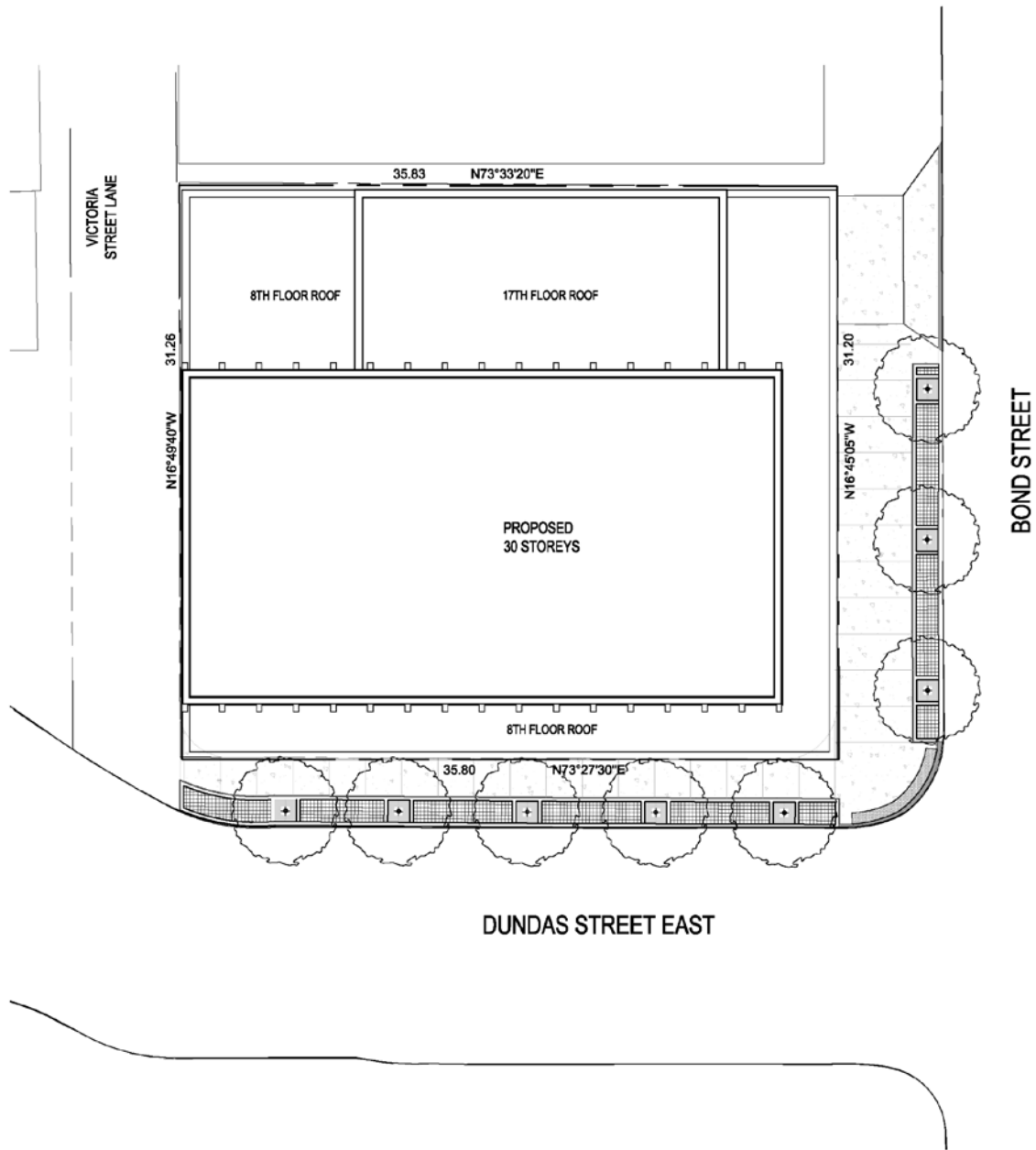
West Elevation

Attachment 7: East Elevation



East Elevation

Attachment 8: Site Plan

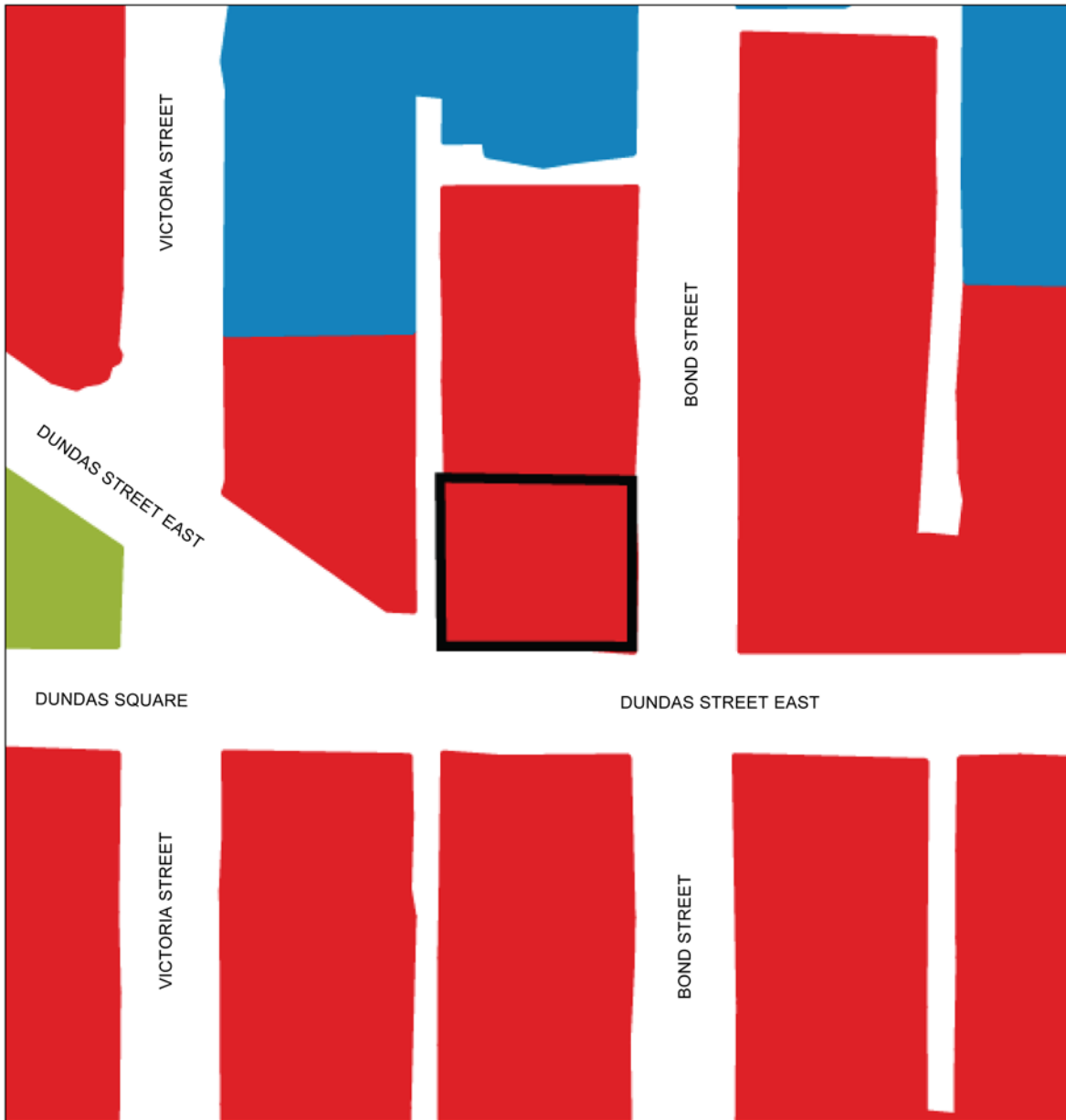


DUNDAS STREET EAST

Site Plan



Attachment 9: Official Plan Map



Official Plan Land Use Map #18

98-100 Bond Street &
54-74 Dundas Street East
File # 21 180092 STE 13 0Z

-  Location of Application
-  Mixed Use Areas
-  Parks
-  Institutional Areas


Not to Scale
09/09/2021

Attachment10: Application Data Sheet

Municipal Address: 98 BOND ST Date Received: July 6, 2021

Application Number: 21 180092 STE 13 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-law Amendment Application for a 30-storey mixed-use building having a non-residential gross floor area of 231.09 square metres, and a residential gross floor area of 21,342.41 square metres.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		R. Varacalli	THE DN TRUST

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 4.0 (c0.5; r4.0) SS1 (x2201) Heritage Designation:

Height Limit (m): 30 m Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m): 1,108 Frontage (m): 36 Depth (m): 31

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	978		915	915
Residential GFA (sq m):			21,342	21,342
Non-Residential GFA (sq m):	2,050		231	231
Total GFA (sq m):	2,050		21,573	21,573
Height - Storeys:	3		30	30
Height - Metres:	12		85	85

Lot Coverage Ratio (%): 82.58 Floor Space Index: 19.47

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	21,342	

Retail GFA: 231
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			287	287
Other:				
Total Units:			287	287

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		70	60	120	37
Total Units:		70	60	120	37

Parking and Loading

Parking Spaces: 4 Bicycle Parking Spaces: 349 Loading Docks: 1

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