

83-95A Bloor Street West – Zoning Amendment and Site Plan Control Applications – Request for Direction Report

Date: November 1, 2022

To: Toronto and East York Community Council

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

Ward: 11 – University Rosedale

Planning Application Number: 21 249697 STE 11 OZ and 21 249696 STE 11 SA

SUMMARY

On December 17, 2021, Zoning By-law Amendment and Site Plan Control applications were submitted to permit a 79-storey mixed use building with 1,153 square metres of commercial uses and 1,118 residential units.

On July 5, 2022, the applicant appealed the Zoning By-law application and referred the Site Plan application to the Ontario Land Tribunal (OLT) due to Council not making a decision within the time frame prescribed in the Planning Act.

This report recommends that the City Solicitor with the appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Zoning By-law Amendment and Site Plan Control appeal for the lands at 83-95A Bloor Street West and to continue discussions with the applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:
 - a) the final form and content of the draft Zoning By-law are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

- b) the owner has addressed all outstanding issues raised by Urban Forestry as they relate to tree planting, soil volume, utility conflicts, tree protection, and Toronto Green Standards, to the satisfaction of the Supervisor, Tree Protection and Plan Review; and
- c) the owner has resolved matters related to roadway widenings and conveyances, as well as matters related to functional servicing and stormwater management, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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 Preliminary Report was adopted by Toronto and East York Community Council on April 21, 2022. Toronto and East York Community Council adopted a motion which required staff to schedule a Community Consultation Meeting, together with the Ward Councillor. The preliminary report, and the motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.TE32.31>

THE SITE

Description: The site is located on the south side of Bloor Street West, west of Bay Street. The site is generally rectangular in shape, with 53 metres of frontage along Bloor Street West, and 30 metres of frontage along St. Thomas Street. The total site area is approximately 1,642 square metres.

Existing Use: Six properties which contain commercial, retail, and office uses with a current height of 2-3 storeys.

THE APPLICATION

Description: A 79-storey (258 metres plus mechanical penthouse) mixed-use building, which includes a 20-storey base building. A total of 1,153 square metres of retail space is proposed at grade and in the mezzanine above.

Density: 43.64 times the area of the lot.

Dwelling Units: The proposed 1,118 dwelling units include 444 studio units (39.7%), 377 one-bedroom units (33.7%), 184 two-bedroom units (16.4%), and 113 three-bedroom units (10.1%).

Access, Parking and Loading: Access to the 4-level underground garage, containing 95 parking spaces, is proposed from a new driveway from St. Thomas Street at the west side of the site. A vehicle elevator is proposed to provide access to the underground levels. The driveway will also provide access to the internalized Type-G and Type-C loading spaces, located at grade.

The proposed 1,118 bicycle parking spaces include 112 short term, and 1,006 long-term spaces, located in level 2 and 3 of the base building.

Additional Information

See Attachments 2, 3, 4, and 5 of this report for the Application Data Sheet, a three-dimensional representation of the project in context, and a site plan of the proposal, respectively. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: [Toronto.ca/83-95BloorStW](https://toronto.ca/83-95BloorStW)

Reasons for Application

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including but not limited to: building height; building setbacks; floor space index; amenity space and parking space requirements.

Site Plan Control

A Site Plan Control application (File Number 21 249696 STE 11 SA) was submitted on December 17, 2021. On July 6, 2022, the applicant referred the application to the OLT due to the City not making a decision within the time frame in the City of Toronto Act.

POLICY 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 Policy Statement (PPS), and shall conform to provincial plans.

Official Plan Designation

The site is located on lands within the Downtown and Central Waterfront area and is designated Mixed Use Areas in the Official Plan. The Downtown Secondary Plan designates the site as Mixed Use Areas 1, as well as being within the Bloor-Bay Office Corridor. The site is also located along a Priority Retail Street.

Bloor Yorkville North Midtown Area (SASP) 211

The site is located within the Height Ridge, and adjacent to the Height Peak, as depicted on Map 2 of SASP 211 - the Bloor Yorkville/North Midtown Area.

Zoning

The site is zoned Commercial Residential CR 6.0 (c4.5; r6.0) SS1 (x2489) under By-law 569-2013, with a height limit of 46 metres, and a permitted Floor Space Index (FSI) of 6.0. This zone permits a wide range of residential, commercial, industrial, recreational and institutional uses.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Bloor Yorkville/North Midtown Urban Design Guidelines;
- Tall Building Design Guidelines;
- Downtown Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting;
- Retail Design Manual; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

Toronto Green Standard

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. The TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was held on May 17, 2022, and approximately 90 people attended. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by the attendees included:

- Proximity of proposed building to adjacent buildings;
- Traffic impacts on St. Thomas Street, and nearby streets;
- Loading and unloading of delivery and service vehicles;
- Construction management and road closures;
- Cumulative impact of the number of tall building proposals in the area;
- Concerns about wind and shadow impact;
- Support for more non-residential uses to be incorporated into building;
- Support for additional community space.

COMMENTS

Provincial Framework

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Built Form

City Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan, as well as relevant design guidelines.

The proposed development has not demonstrated that the site can accommodate a tall building and achieve the objectives for the site, including tower separation, adequate setbacks from adjacent properties, public realm objectives and fit within the existing and planned context.

Shadow

A sun and shadow study was prepared by IBI Group, dated November 2021. Staff require further revisions to the shadow study to determine the extent of additional new net shadows on Yorkville Park resulting from the proposal.

Wind

A Pedestrian Level Wind Study prepared by Gradient Wind, dated December 6, 2021, shows a number of areas on the site, including the outdoor amenity spaces and in the adjacent public realm that will be negatively impacted by the proposed development. Changes to the built form and/or additional mitigation measures will reduce the overall wind impacts. A revised wind study is required to address these issues.

Streetscape/Tree Preservation

The applicant is proposing a 6 metre wide sidewalk zone along Bloor Street West. A total of seven street trees are also proposed. City Planning is continuing to work with applicant to ensure the proposed streetscape is consistent with the existing streetscape design along this portion of Bloor Street West. Transportation services has requested pedestrian clearways along Bloor Street West and St. Thomas Street.

The Application is subject to the provisions of the City of Toronto Municipal Code. An Arborist Report and Tree Inventory and Preservation Plan were submitted by the applicant. The applicant proposes to remove 8 City-owned trees. Staff require replacement of these trees. Currently the applicant is proposing 7 replacement trees. City staff require additional tree planning along Bloor Street West.

Servicing

A Functional Servicing and Stormwater Management Report and associated plans have been submitted and reviewed by Engineering and Construction Services. A number of revisions and additional information are required. In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, the final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Indoor/Outdoor Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The application is proposing a total of 2,619 square metres (2.34 square meters per unit) of indoor amenity space and 739 square metres (0.66 square metres per unit) of outdoor amenity space. City Planning Staff will continue to work with the applicant to increase the amount of amenity space provided in the proposal.

Parking and Loading

A total of 95 vehicle parking spaces are proposed in a 4-level below-grade parking garage, accessed from the west side of the site from St Thomas. The proposal includes one type-G and one type-C loading space. In support of the application, LEA Consulting Ltd., prepared a Transportation Impact Study, dated December 2021. The proposed parking rates, access/egress route and traffic impact assessment are generally acceptable to Transportation Services.

As per the City's Official Plan, a 0.40 metre right-of-way widening is required along the Bloor Street West frontage of this property to satisfy the requirement of a 27-metre wide right-of-way.

Non-Residential Uses

The proposed development is subject to the non-residential and office gross floor area replacement policies of the Downtown Secondary Plan. The applicant is required to replace the total amount of office space, as well as commercial and retail uses currently on site. Currently, the application is not providing the required replacement office gross floor area. More information is required to determine the total amount of retail and commercial gross floor area that is required to be maintained on site.

Heritage Impact

The property at 95A Bloor Street West is a Listed Heritage property on the City's Heritage Registrar, and is proposed to be altered as part of this proposal. The Heritage Impact Assessment prepared by Goldsmith Borgal & Company Ltd. Architects, has been reviewed by Heritage Planning Staff, and design and restoration comments have been provided to the applicant.

Toronto Green Standard

The applicant is required to meet Tier 1 of the Toronto Green Standard, and is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner.

Further Issues

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputations made by members of the public to Community Council. Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

CONTACT

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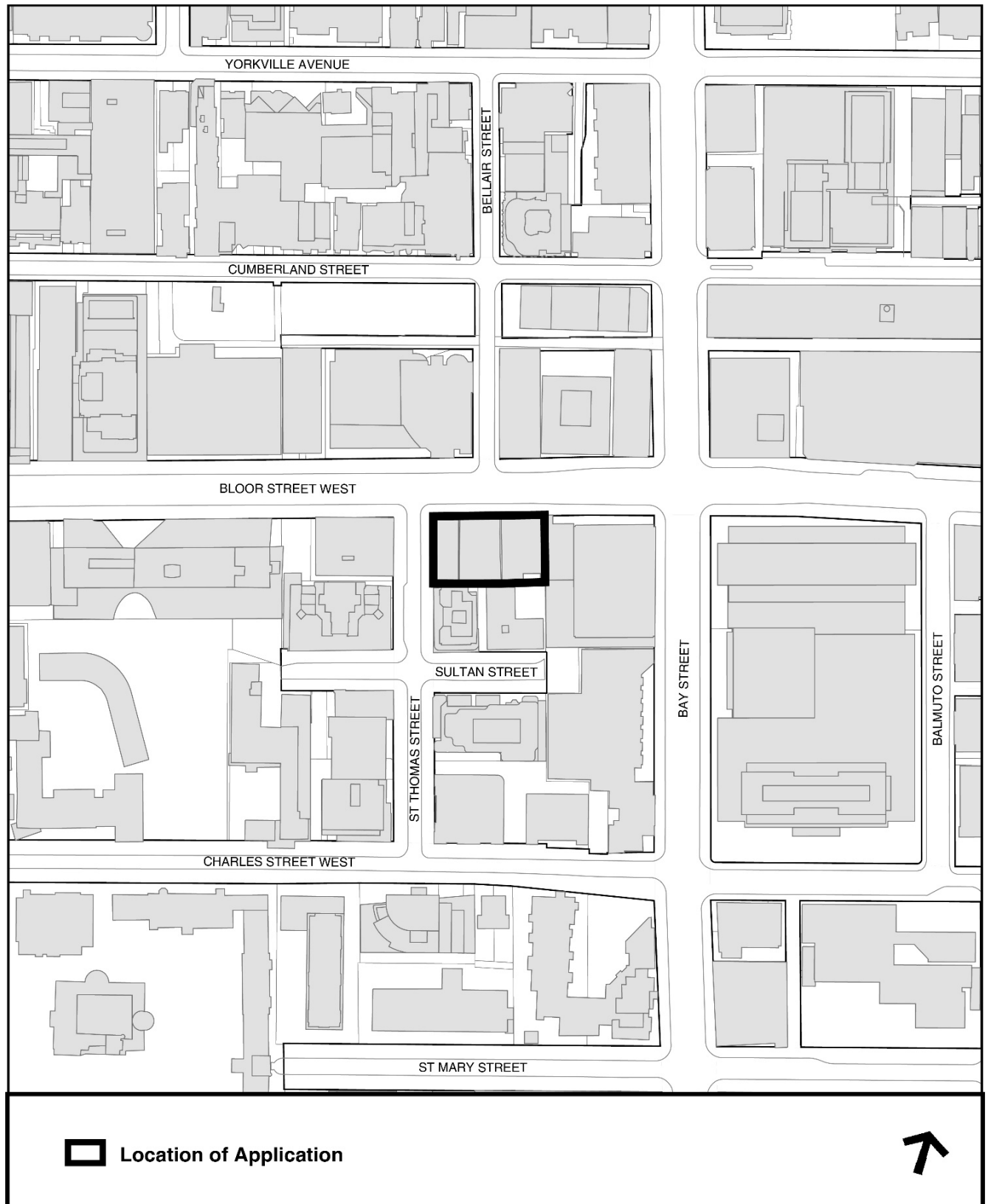
SIGNATURE

Oren Tamir, Acting Director
Community Planning, Toronto and East York District

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: 3D Model of Proposal in Context Looking Southeast
Attachment 4: 3D Model of Proposal in Context Looking Northwest
Attachment 5: Site Plan
Attachment 6: Official Plan Land Use Map
Attachment 7: Downtown Secondary Plan Mixed Use Areas Map
Attachment 8: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address:	83-95A BLOOR ST W	Date Received:	December 17, 2021
Application Number:	21 249697 STE 11 OZ and 21 249696 STE 11 SA		
Application Type:	Rezoning and Site Plan		
Project Description:	A 79-storey mixed-use building having a non-residential gross floor area of 1153 square metres, and 1118 residential dwelling units.		
Applicant	Agent	Architect	Owner
PR Bloor Street GP Inc as General Partner of PR Bloor Street LP	Parralax Corp	IBI Group Inc.	Jacob Developments Limited

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CR 6.0 (c4.5; r6.0) SS1 (x2489)	Heritage Designation:	95A Bloor Street (Listed)
Height Limit (m):	46	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	1,642	Frontage (m):	54	Depth (m):	30
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	NA			
Residential GFA (sq m):	NA		70,503	70,503
Non-Residential GFA (sq m):	NA		1,153	1,153
Total GFA (sq m):			71,656	71,656
Height - Storeys:	3		79	79
Height - Metres:	NA		271	271

Lot Coverage Ratio (%):	1000	Floor Space Index:	43.64
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	70,503	
Retail GFA:	1,153	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,118	1,118
Other:				
Total Units:			1,118	1,118

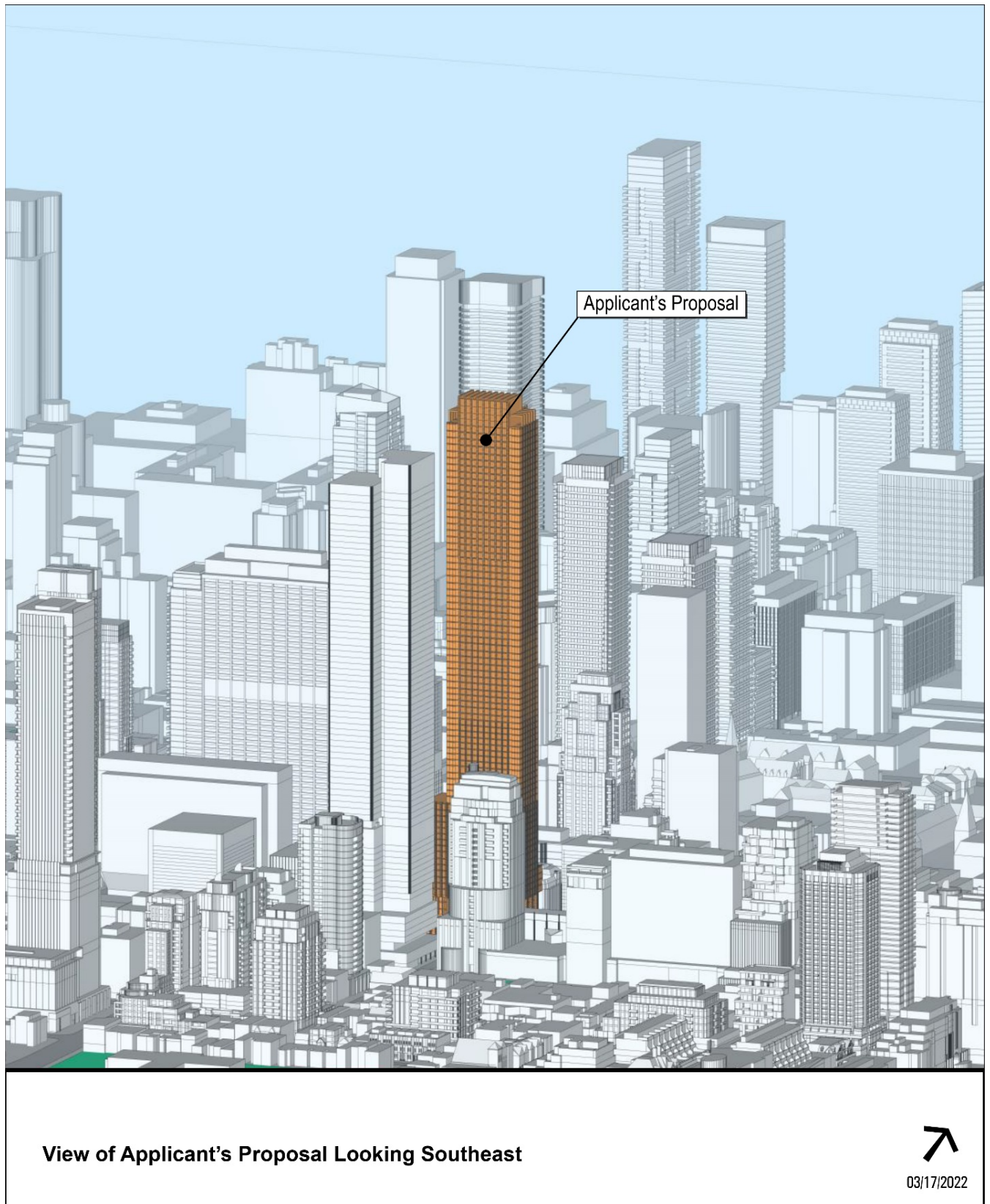
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		444	377	184	113
Total Units:		444	377	184	113

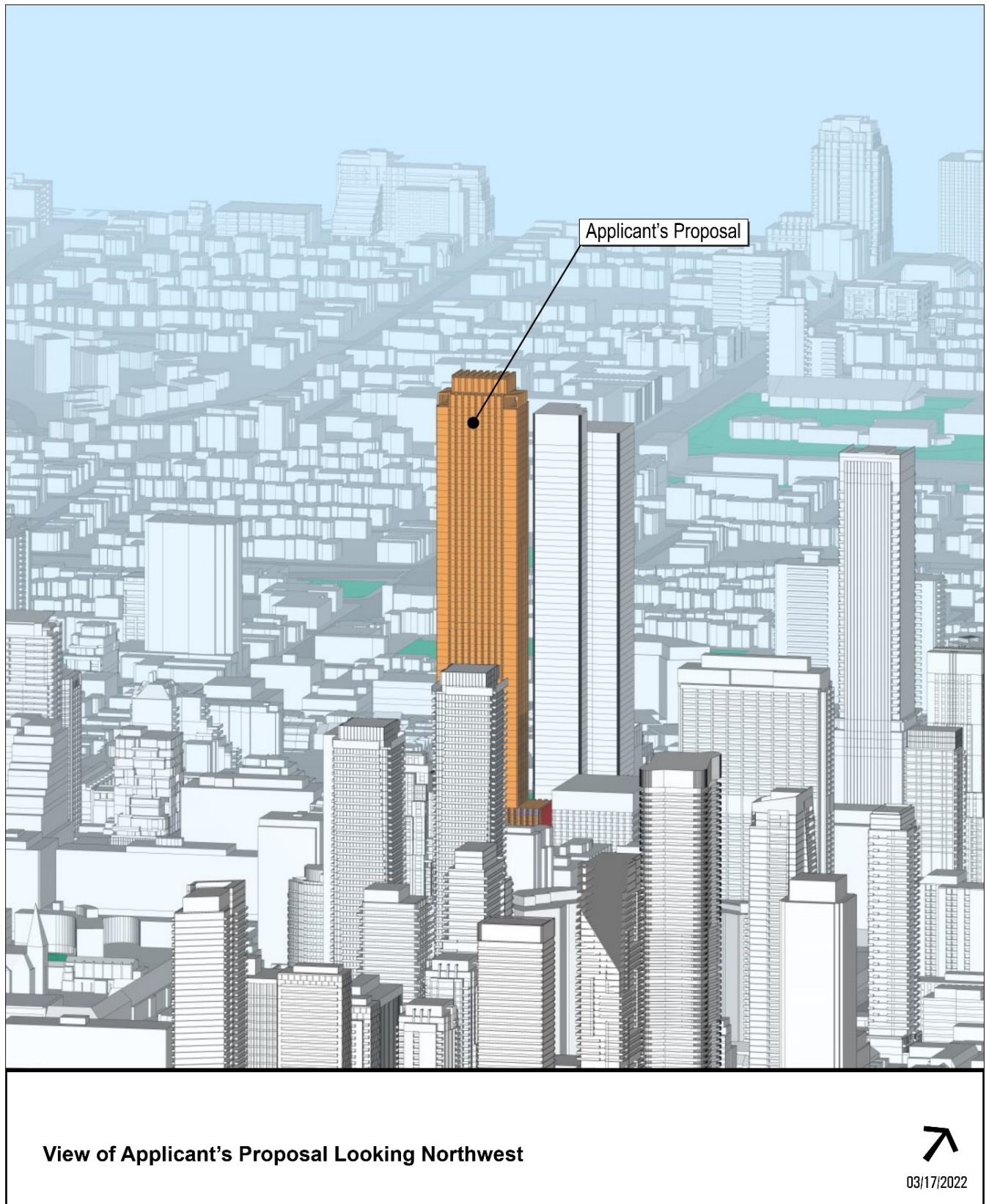
Parking and Loading

Parking Spaces:	95	Bicycle Parking Spaces:	1,118	Loading Docks:	2
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Attachment 3: 3D Model of Proposal in Context Looking Southeast

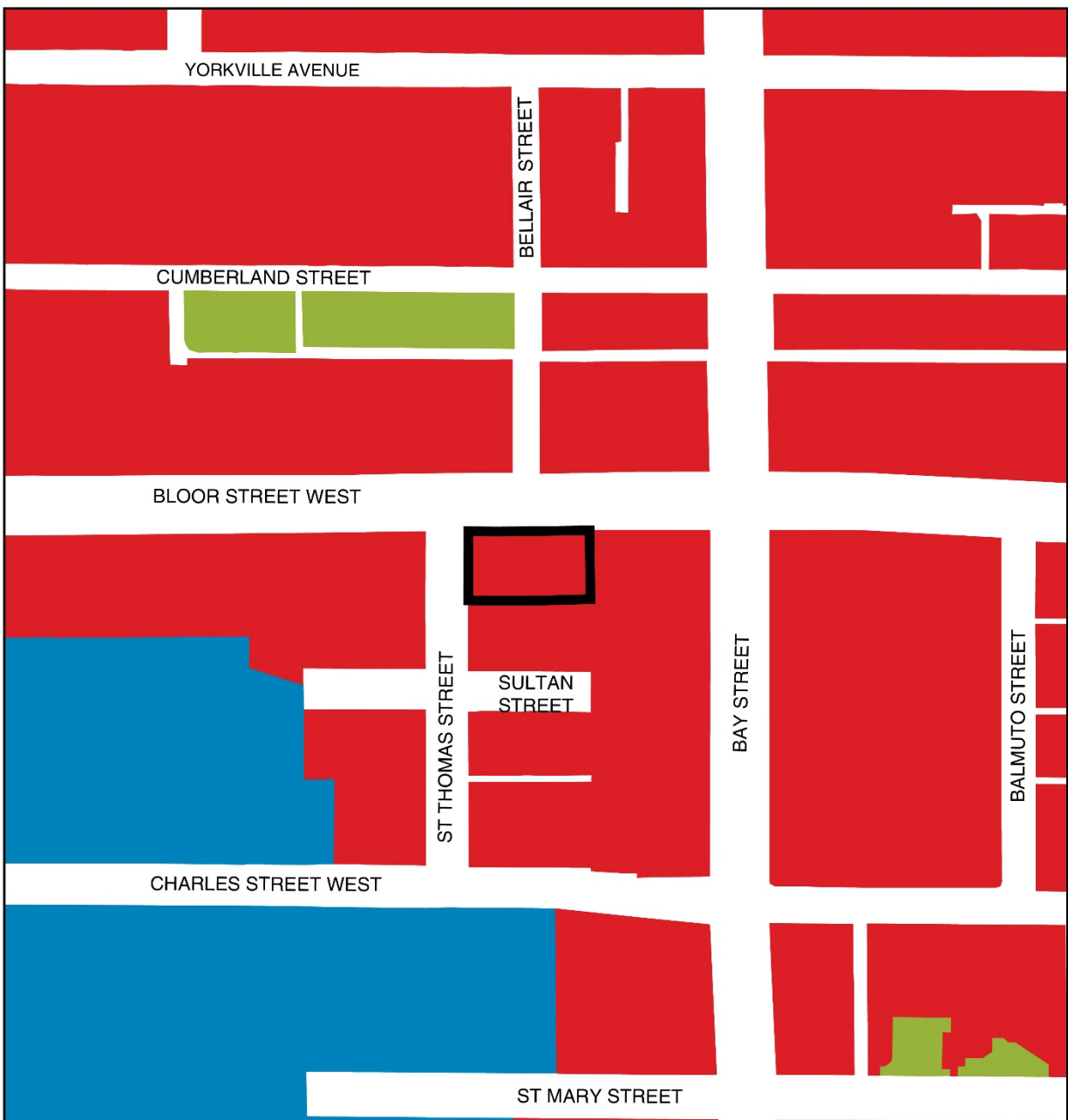


Attachment 4: 3D Model of Proposal in Context Looking Northwest





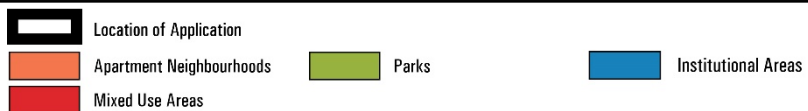
Attachment 6: Official Plan Land Use Map



Official Plan Land Use Map #18

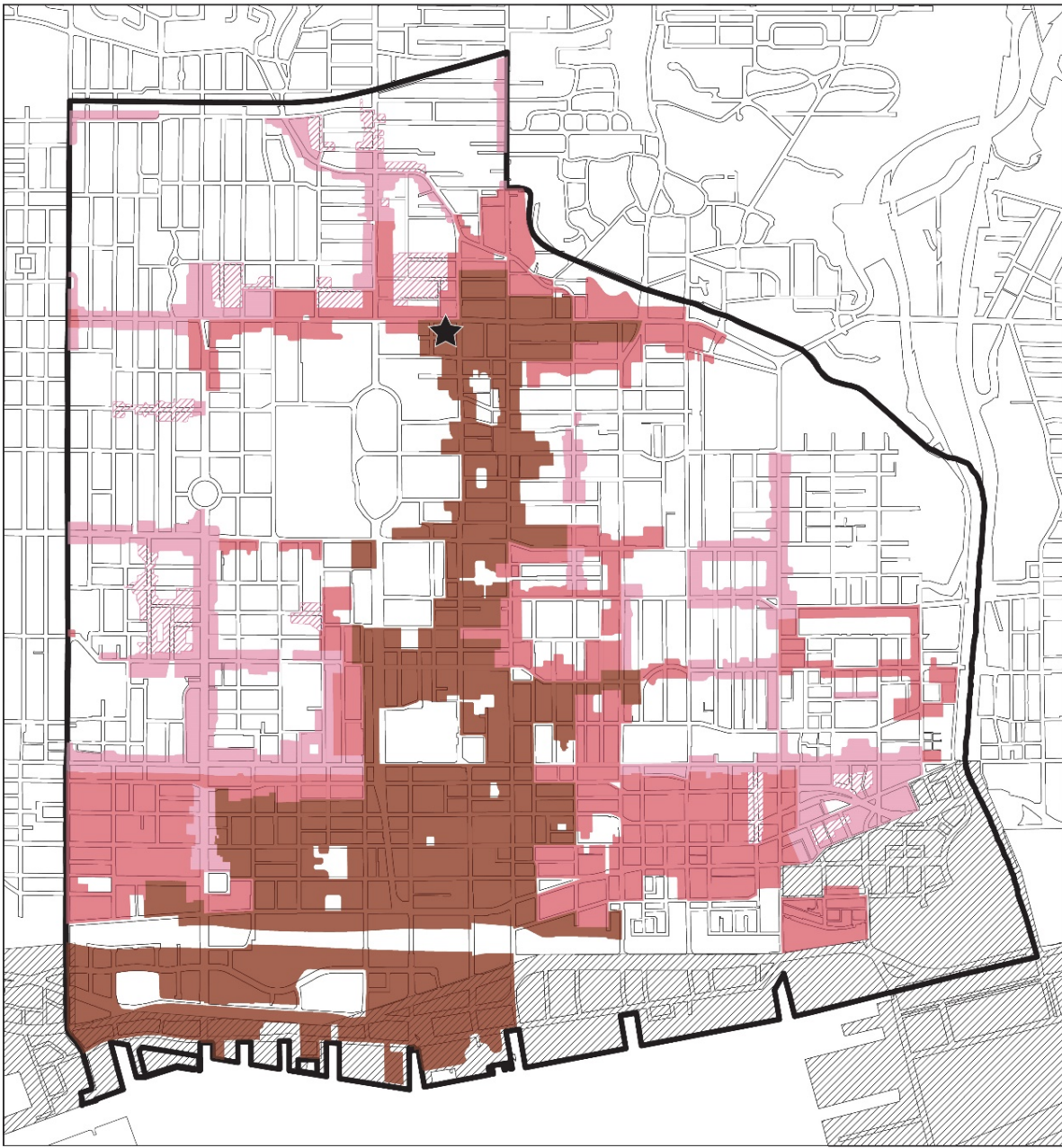
83-95a Bloor Street West

File # 21 249697 STE 11 0Z



Not to Scale
Extracted: 12/20/2021

Attachment 7: Downtown Secondary Plan Mixed Use Areas Map



Downtown Plan

MAP 41-3 Mixed Use Areas

83-95a Bloor Street West

File # 21 249697 STE 11 02

- | | |
|----------------------------------|-----------------------------------|
| Downtown Plan Boundary | Central Waterfront Secondary Plan |
| Mixed Use Areas 1 - Growth | Location of Application |
| Mixed Use Areas 2 - Intermediate | |
| Mixed Use Areas 3 - Main Street | |
| Mixed Use Areas 4 - Local | |



Not to Scale
Extracted: 03/14/2022

The map illustrates a city block with the following streets and zoning designations:

- YORKVILLE AVENUE** (top): CR 3.0 (c2.5; r3.0) SS1 (x2271), CR T3.0 C2.5 R3.0, CR 7.8 (c4.5; r7.8) SS1 (x1517), CR T3.0 C1.75 R3.0.
- CUMBERLAND STREET** (second from top): CR 6.0 (c4.5; r6.0) SS1 (x2489), CR 6.0 (c4.5; r6.0) SS1 (x2475) OR CR 6.0 (c4.5; r6.0) SS1 (x1477), CR 6.0 (c4.5; r6.0) SS1 (x1177), CR 6.0 (c4.5; r6.0) SS1 (x2489), CR 6.0 (c4.5; r6.0) SS1 (x2456), CR 6.0 (c4.5; r6.0) SS1 (x2489), CR 7.8 (c4.5; r7.8) SS1 (x1517), CR T7.8 C4.5 R7.8.
- BLOOR STREET WEST** (third from top): CR 6.0 (c4.5; r6.0) SS1 (x2489), CR 6.0 (c4.5; r6.0) SS1 (x2489), CR 6.0 (c4.5; r6.0) SS1 (x2188), CR 6.0 (c4.5; r6.0) SS1 (x2188), CR 7.8 (c4.5; r7.8) SS1 (x2486), CR 7.8 (c4.5; r7.8) SS1 (x2486), CR 7.8 (c4.5; r7.8) SS1 (x2486).
- BAY STREET** (right side): CR 7.8 (c4.5; r7.8) SS1 (x2486), CR 7.8 (c4.5; r7.8) SS1 (x2486), CR 6.0 (c1.0; r6.0) SS1 (x2377), CR T6.0 C1.0 R6.0, R3 Z2.0.
- ST. THOMAS STREET** (bottom left): CR 3.0 (c2.0; r3.0) SS1 (x1401), CR 3.0 (c2.0; r3.0) SS1 (x2364), CR T3.0 C2.0 R3.0, CR 3.0 (c2.0; r3.0) SS1 (x2364), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2350), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2377), CR T6.0 C1.0 R6.0, R3 Z2.0.
- CHARLES STREET WEST** (bottom): CR 3.0 (c2.0; r3.0) SS1 (x1401), CR 3.0 (c2.0; r3.0) SS1 (x2364), CR T3.0 C2.0 R3.0, CR 3.0 (c2.0; r3.0) SS1 (x2364), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2350), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2377), CR T6.0 C1.0 R6.0, R3 Z2.0.
- ST. MARY STREET** (bottom right): CR 3.0 (c2.0; r3.0) SS1 (x1401), CR 3.0 (c2.0; r3.0) SS1 (x2364), CR T3.0 C2.0 R3.0, CR 3.0 (c2.0; r3.0) SS1 (x2364), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2350), CR 6.0 (c1.0; r6.0) SS1 (x2397), CR 6.0 (c1.0; r6.0) SS1 (x2377), CR T6.0 C1.0 R6.0, R3 Z2.0.