

## **98-100 Bond Street and 54-74 Dundas Street East – Zoning By-law Amendment Application – Decision Report – Approval**

Date: September 29, 2023

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

### **SUMMARY**

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This report reviews and recommends approval of the Zoning By-law Amendment application to permit a 23-storey mixed-use building at 98-100 Bond Street and 54-74 Dundas Street East. The building is proposed to contain 336 dwelling units and 240 square metres of retail space fronting Dundas Street East. As part of the development proposal 4 existing rental dwelling units will be demolished.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 98-100 Bond Street and 54-74 Dundas Street East substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment, as may be required.
3. City Council require the owner to provide and implement an acceptable Tenant Relocation and Assistance Plan, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, for Eligible Tenants of the existing 4 rental dwelling units proposed to be demolished.
4. Before introducing the necessary Bills to City Council for enactment, require the owner to provide a legal undertaking to the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing the

implementation of the Tenant Relocation and Assistance Plan required by Recommendation No.3. above.

## **FINANCIAL IMPACT**

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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**

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A Preliminary Report on the application was adopted by Toronto and East York Community Council on October 15, 2021. The Toronto and East York Community Council Decision is available here:

<https://www.toronto.ca/legdocs/mmis/2021/te/bgrd/backgroundfile-171352.pdf>

## **THE SITE**

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**Description:** The site is rectangular with approximately 36 metres of frontage on Dundas Street East, 31 metres on Bond Street and 31 metres on Victoria Street Lane. The lot area is 1,118 metres square.

**Existing Use and Rental Dwelling Units:** There are four 2-storey mixed-use buildings on the site which are proposed to be demolished. The buildings include four occupied rental dwelling units (2 studio units, 1 one-bedroom unit and 1 two-bedroom unit) and ground floor commercial uses.

## **THE APPLICATION**

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**Description:** A 23-storey (67.45 metres, including the mechanical penthouse) mixed-use building. The proposed development requires the demolition of four existing rental dwelling units.

**Density:** 16.79 times the area of the lot.

**Dwelling Units:** A total of 336 residential dwelling units are proposed including (37.2%) studio, 126 (37.5%) one-bedroom, 51 (15%) two-bedroom and 34 (10.1%) three-bedroom units. Of these, 72 (representing 21.4% of the total units) of the studio and one-bedroom units would be convertible to two or three-bedroom units.

**Tenant Relocation and Assistance Plan:** All tenants who reside in the rental dwelling units at 98-100 Bond Street and 54-74 Dundas Street East at the time of application.

The plan would assist Eligible Tenants in finding and securing alternative accommodation and would require the following:

- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation equal to one month's rent or an alternative unit acceptable to the tenant, as required under the Residential Tenancies Act, 2006 when a tenant receives a notice of termination to terminate their tenancy for the purposes of demolition;
- Additional financial compensation, above and beyond the requirements of the Residential Tenancies Act, 2006, in the form of a rent gap payment. The rent gap payment would assist tenants in transitioning to market rents, calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in CMHC Rental Market Survey (RMS) Zone 1 – Toronto (Central), and be paid out to each tenant in a lump sum on the date they provide vacant possession of their existing rental unit;
- A moving allowance to cover expenses for moving into alternative accommodation;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to provide tenants with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with tenant needs.

Tenants who moved in after the application was submitted on July 6, 2021 would receive the same amount of notice before having to vacate their existing dwelling unit as Eligible Tenants and financial compensation as required under the Residential Tenancies Act, 2006.

**Non-Residential:** A total of 240 square metres of non-residential gross floor area is proposed along Dundas Street East.

**Access, Parking, and Loading:** Vehicular and bicycle access to the site would be from Victoria Street Lane. A single Type G loading space and two vehicular parking spaces are proposed on the ground floor. A total of 371 bicycle parking spaces are proposed with access from a dedicated bicycle elevator.

**Additional Information:** See Attachment No. 1 to this report for the location map, Attachment No. 2 for the project data, Attachment No. 6 for the site plan, Attachments No. 7-8 for a three-dimensional representation of the current proposal in context, and Attachments No. 9-12 for the elevations. 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: [www.toronto.ca/98bondst](http://www.toronto.ca/98bondst)

**Reasons for Application:** The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including building height and setbacks.

**Site Plan Control:** A Site Plan application has been submitted and is under review.

## **POLICY CONSIDERATIONS**

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### **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 (2020), and shall conform to provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe, the Greenbelt Plan, and others.

### **Official Plan**

The site is located on lands within the Downtown and Central Waterfront area and is designated Mixed Use Areas in the Official Plan. See Attachment 3 of this report for the Official Plan Land Use Map. The City's Official Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2022/11/96fd-city-planning-official-plan-consolidation-march-2022.pdf>

Policy 3.2.1.12 of the Official Plan states that new development that would have the effect of removing all or part of a private building or related group of buildings, and would result in the loss of one or more rental units or dwelling rooms will not be approved unless an acceptable tenant relocation and assistance plan is provided to lessen hardship for existing tenants.

### **Downtown Plan**

The Downtown Plan designates the site Mixed Use Areas 2 - Intermediate which would permit a mix of uses and building typologies that respond to their site context including mid-rise and some tall buildings. The Dundas Street frontage of the site is also located along a Priority Retail Street on Map 41-5.

The Downtown Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2022/06/962d-cityplanning-official-plan-41-secondary-plan-downtown-plan.pdf>

### **Tall Building Setback Area Specific Policy (SASP) 517**

SASP 517 contains performance standards for tall building setbacks and separation distances in the Downtown Secondary Plan Area.

### **Zoning**

The site is zoned Commercial Residential CR 4.0 (c2.0; r4.0) SS1 (x2320) for those portions fronting Dundas Street East 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. This zone permits a wide range of residential,

commercial, recreational and institutional uses. See Attachment 4 of this report for the existing Zoning By-law Map.

Zoning By-law 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-lawpreliminary-zoning-reviews/zoning-by-law-569-2013-2/>

### **Airport Zoning Regulation - Helicopter Flight Path - By-law 1432-2017**

The site is subject to the Airport Zoning Regulation for both St. Michael's Hospital and The Hospital for Sick Children. Development on this site is required to be below and outside the Obstacle Limitation Surface identified in By-law 1432-2017 to preserve a flight path for air ambulance and medical transport helicopters accessing these hospitals.

### **Design Guidelines**

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

- Tall Building Design Guidelines;
- Downtown Tall Building Design Guidelines;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet-Friendly Design Guidelines; and
- Retail Design Manual.

The City's Design Guidelines can be found here:

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

### **Toronto Green Standard**

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

## **COMMUNITY CONSULTATION**

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A virtual Community Consultation Meeting was held on December 6, 2021. Approximately 17 people participated, as well as a representative from the Ward Councilor's office. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- Questions regarding the design of the building and whether any design cues were taken from heritage architecture in the area;
- Concern about blank wall on the north façade;

- Potential for heritage designation of the existing building on the site;
- Comment about the need to maintain tower setbacks and tower setbacks to avoid a canyon-type built form;
- Potential conflicts with loading access from Bond Street which would directly face an adjacent loading area used by Toronto Metropolitan University;
- Concerns about additional truck traffic on Bond Street;
- Lack of on-site parking and a consequent spill-over of parking into the street/neighbourhood.

Other issues raised include:

- Concern with tower setbacks and setbacks to the north and east, servicing access from Bond Street, lack of bicycle parking, form and nature of proposed ground floor retail, potential impacts to the properties to the west, the historical importance of the Imperial Pub and shadowing impacts on nearby properties.

The issues raised through community consultation have been considered through the review of the application.

## **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcast live over the internet and recorded for review.

## **COMMENTS**

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### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

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 (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

### **Land Use**

The proposed residential and non-residential uses are acceptable and conform to the applicable policies of the Official Plan and Downtown Secondary Plan.

### **Tenant Relocation and Assistance Plan**

The proposed development requires the demolition of four existing rental dwelling units. The tenant relocation and assistance plan is consistent with the City's current practices and will support tenants to access alternative accommodation within the neighbourhood. The tenant assistance obligations will be secured through a legal undertaking prior to the Bills being enacted.

## Built Form

City Planning staff find that the proposal conforms with the Official Plan, Downtown Secondary Plan and SASP 517 policies with respect to built form and massing. Furthermore, the proposal meets the intent of the Tall Building Design Guidelines and Downtown Tall Building Design Guidelines.

### *Base Building*

The proposed development includes a 6-storey base building and a 15-storey middle component on the north side. The base building is setback 3 metres from Victoria Street Lane and 2.3 metres from Dundas Street East for the first 3 storeys, creating a 9.74 metre open space above the sidewalk zone and a wider public realm in these two frontages. In addition, on the southwest side, levels 4 through 6 have been stepped back at the corner to open the view from Dundas Square looking east. The 15-storey middle component steps back 1.5 metres from Bond Street above the 8th floor to reduce the visual impact of the buildings massing on the street.

This base building height and massing is compatible with buildings on and adjacent to the university campus including, 270-288 Church Street, 285 Victoria Street and 277 Victoria Street. The articulation improves the pedestrian scale of the base building and helps mitigate the impacts of the reduced setbacks.

### *Tower*

The existing and planned context contains a mix of built forms and building heights including tall buildings with heights of 52 and 53 storeys (244-260 Church and 241 Dundas). Building heights of recent development approvals within this area are restricted by the helicopter flight paths.

Within this context, the application proposes the following tower setbacks and separation distances.

	Tower Setbacks or Separation Distances for 23-storey tower component
North	10 m to property line
South	20.1 m to tower at 65 Dundas Street East
East	24.5 m to tower at 78-96 Dundas Street East
West	3 m to mid-point of Victoria Street Lane

On the north side of the site, the reduced tower setback from the recommended 12.5 metres to a proposed 10 metres is consistent with recent approvals in the area. To the south and east, the reduced tower separation from the recommended 25 metres to 20.1 and 24.5 metres is also consistent with other developments in the area. In this context, the reduced tower setbacks are acceptable.

To the west, the proposed tower setback is 3 metres from the centre of Victoria Street Lane. The west tower setback is acceptable in this instance given the shape of adjacent lots and the curvature of Dundas Street East, and the potential to off-set a development to the west to provide appropriate tower separation distances.

The tower stepback is 10 metres from the north edge of the base building. On the remaining sides, a 2-metre deep reveal is provided along Dundas Street East to differentiate the tower massing from the lower base building levels. Although this is less than the recommended 3 metres in the Tall Building Guidelines, given the existing context and a 3-storey high overhang, the reduced stepbacks combined with the proposed reveal is acceptable.

### **Airport Zoning Regulation - Helicopter Flight Path**

The proposal is below the Obstacle Limitation Surface for both The Hospital for Sick Children and St. Michael's Hospital as identified in By-law 1432-2017. The proposal and its implementing By-law has been reviewed by both hospital's representatives and determined to be in conformity with By-law 1432-2017 which ensures there are no intrusions into the helicopter flight paths.

### **Heritage Impact & Conservation Strategy**

The applicant submitted a Heritage Impact Assessment which concludes there are no on-site heritage resources and that the existing buildings do not contain sufficient value to meet the criteria contained within Ontario Regulation 9/06. Heritage Planning has reviewed the proposal and concurs with the conclusions of the assessment.

### **Unit Mix**

A total of 336 residential units are proposed, consisting of 125 (37.2%) studio units, 126 (37.5%) one-bedroom units, 51 (15%) two-bedroom units and 34 (10.1%) three-bedroom units. Of these units, 72 (21.4 % of the total units) of the studio and one bedroom units would be convertible to two or three-bedroom units.

The unit mix meets the policy direction of the Official Plan to provide a full range of housing and meets the unit mix objectives of the Downtown Secondary Plan to provide a minimum of 15% two-bedroom units and 10% three-bedroom units and an additional 15% of the units are 2 or 3 bedroom units or convertible to 2 or 3 bedroom units.

### **Amenity Space**

A total of 666 square metres (1.98 square metres per unit) of indoor amenity space and 336 square metres (1.0 square metres per unit) of outdoor amenity space is proposed for a total of 1,002 square metres (2.98 square metres per unit). The amenity space has been designed so that portions of the indoor space are adjacent to the outdoor space. A pet wash area is proposed on the ground floor and a pet amenity and pet relief area is proposed as part of the outdoor amenity area at the 16th level. The proposed amenity space is acceptable. Detailed design of the amenity space will be reviewed and secured through the Site Plan Control process.

### **Public Realm and Streetscape**

The applicant is proposing a 6-metre sidewalk zone (building face to curb) along Dundas Street East, 6.1 metres on Bond Street and 3.0 metres along Victoria Street Lane. The setback along Victoria Street Lane is an improvement over the existing



character of the lane where most buildings are not set back from their property line. The base building setbacks meet the recommended 6-metre sidewalk zone provision identified in the Building Design Guidelines.

### **Shadow Impacts**

The applicant has submitted studies illustrating the extent of shadowing that would result from the proposed development. The submitted shadow studies show that there will be no new shadows on City Parks and Open Spaces and no shadows on nearby Neighbourhood designated lands.

### **Wind Impacts**

A Pedestrian Level Wind Study was submitted in support of the application. The study concludes that wind conditions of all grade-level areas surrounding the site will be suitable for their intended pedestrian uses throughout the year. On the elevated amenity terrace, wind conditions will be comfortable for sitting during all seasons, without the need for mitigation. City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

### **Parkland**

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above-grade building permit.

### **Tree Preservation**

The applicant submitted an Arborist Report indicating that there are 5 existing trees within the City road allowance which will be removed. The application proposes to replace these trees with 8 new street trees along the Dundas Street East and Bond Street frontages. Urban Forestry is satisfied with the proposal. As part of the Site Plan Control process, the applicant will be required to provide revised landscape and utility overlay plans to address any remaining issues associated with the proposed street trees.

### **Parking and Loading**

A Transportation Impact Study was submitted with the application and has been reviewed by staff. Vehicular access and egress to the site would be from Victoria Street Lane with vehicles entering and leaving in a forward motion. The proposed development would provide a single Type G loading space and 2 vehicular parking spaces within the base building. The proposal also includes 371 bicycle parking spaces with a dedicated bicycle elevator to access the bicycle parking area, Transportation Services staff have reviewed the proposal and commented that a minimum of 2 car share parking spaces per dwelling unit would be required. Additionally, one Type G loading space would be required. These requirements are reflected in the draft by-law attached to this report.

## **Servicing**

The applicant submitted a Functional Servicing Report, Hydrogeological Report, and Stormwater Management Report. Engineering and Construction Services has reviewed the reports and advises they have no further concerns or conditions with respect to the Zoning By-law Amendment application.

## **Community Services and Facilities**

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

## **Toronto Green Standard**

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

## **CONTACT**

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## **SIGNATURE**

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Oren Tamir  
Director, Community Planning  
Toronto and East York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map

Attachment 5: Draft Zoning By-law Amendment to Amend Zoning By-law 569-2013

### **Applicant Submitted Drawings**

Attachment 6: Site Plan

Attachment 7: 3D Model of Proposal in Context - Northwest

Attachment 8: 3D Model of Proposal in Context - Southeast

Attachment 9: East Elevation

Attachment 10: South Elevation

Attachment 11: West Elevation

Attachment 12: North Elevation

# Attachment 1: Location Map



## Attachment 2: Application Data Sheet

Municipal Address: 98-100 Bond St and 54-74 Dundas St E Date Received: July 6, 2021

Application Number: 21 180092 STE 13 OZ

Application Type: Rezoning

Project Description: The application proposed to permit a 23-storey mixed-use building.

Applicant	Agent	Architect	Owner
Bousefields Inc	Bousefields Inc	R. Varacalli	98 Bond Street Ryerson Partners Inc.

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: N

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

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

### 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		926	926
Residential GFA (sq m):			18,527	18,527
Non-Residential GFA (sq m):	2,050		240	240
Total GFA (sq m):	2,050		18,767	18,767
Height - Storeys:	3		23	23
Height - Metres:	12		68	68

Lot Coverage Ratio (%): 83.57 Floor Space Index: 16.94

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	18,285	242
Retail GFA:	240	
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			336	336
Other:				
Total Units:			336	336

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		125	126	51	34
Total Units:		125	126	51	34

Parking and Loading

Parking Spaces: 2      Bicycle Parking Spaces: 371      Loading Docks: 1

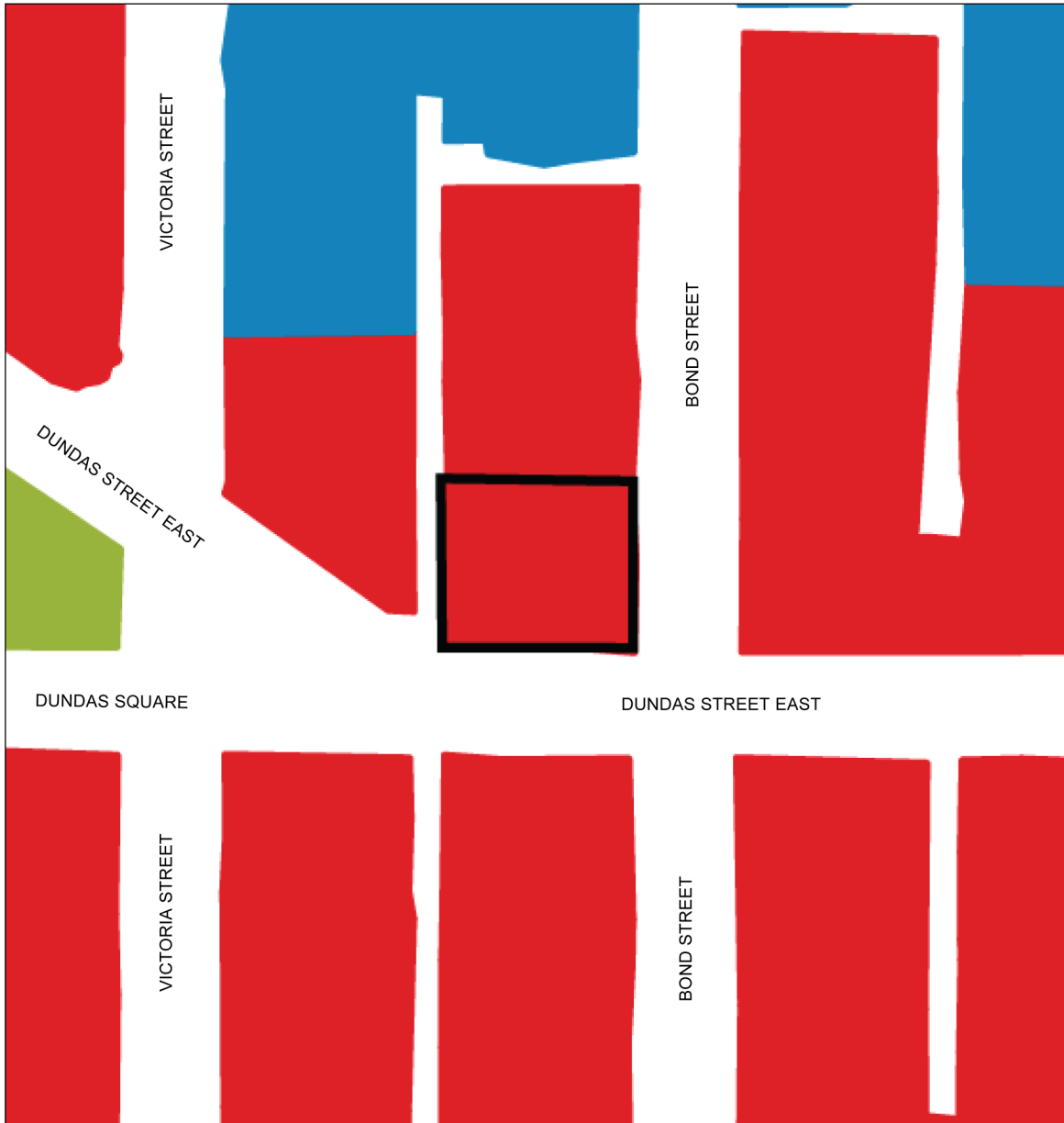
CONTACT:

Derek Waltho, Senior Planner

416-392-0412

Derek.Waltho@toronto.ca

Attachment 3: Official Plan Land Use Map



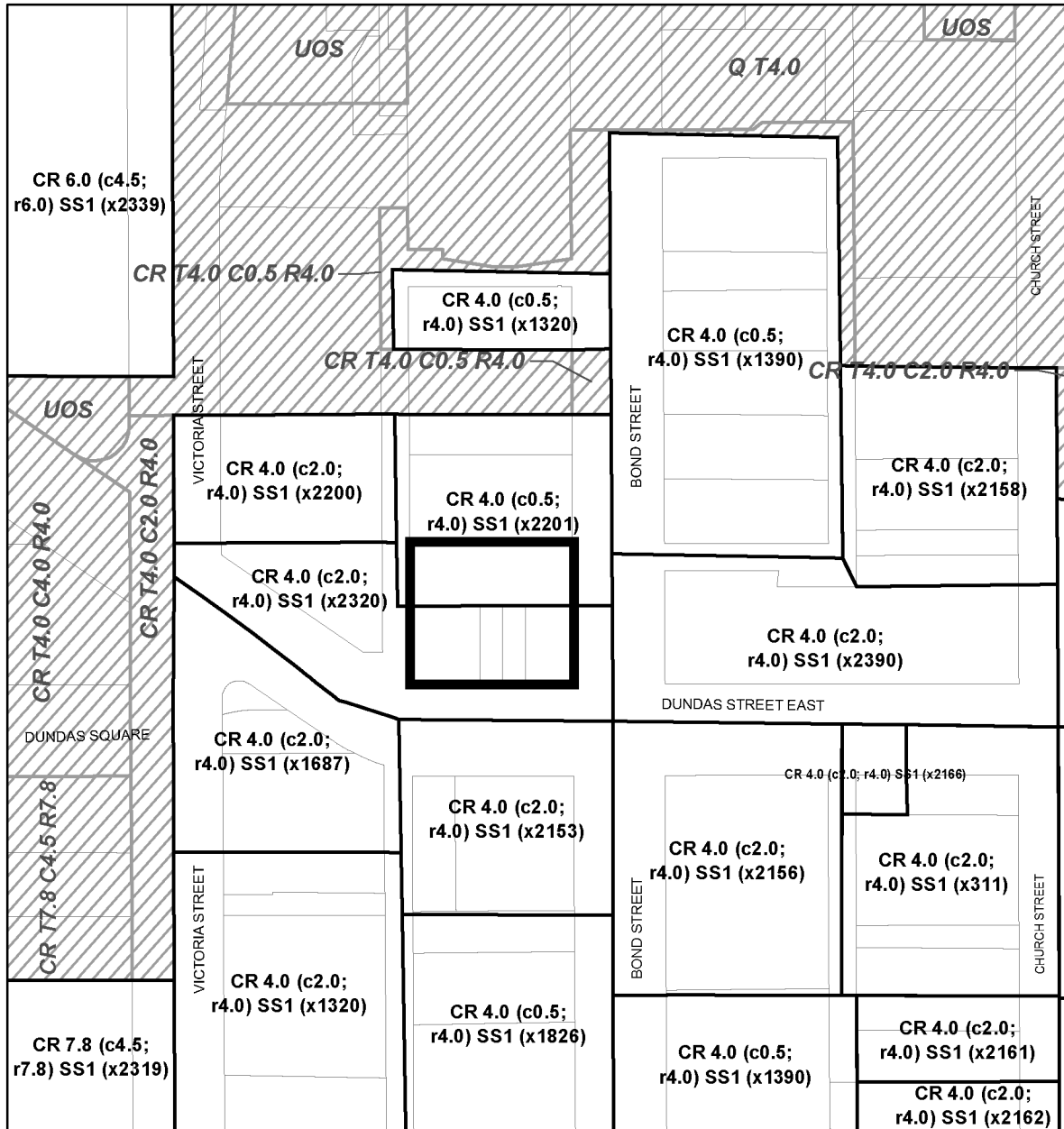
Official Plan Land Use Map #18

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

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

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

Location of Application  
CR Commercial Residential

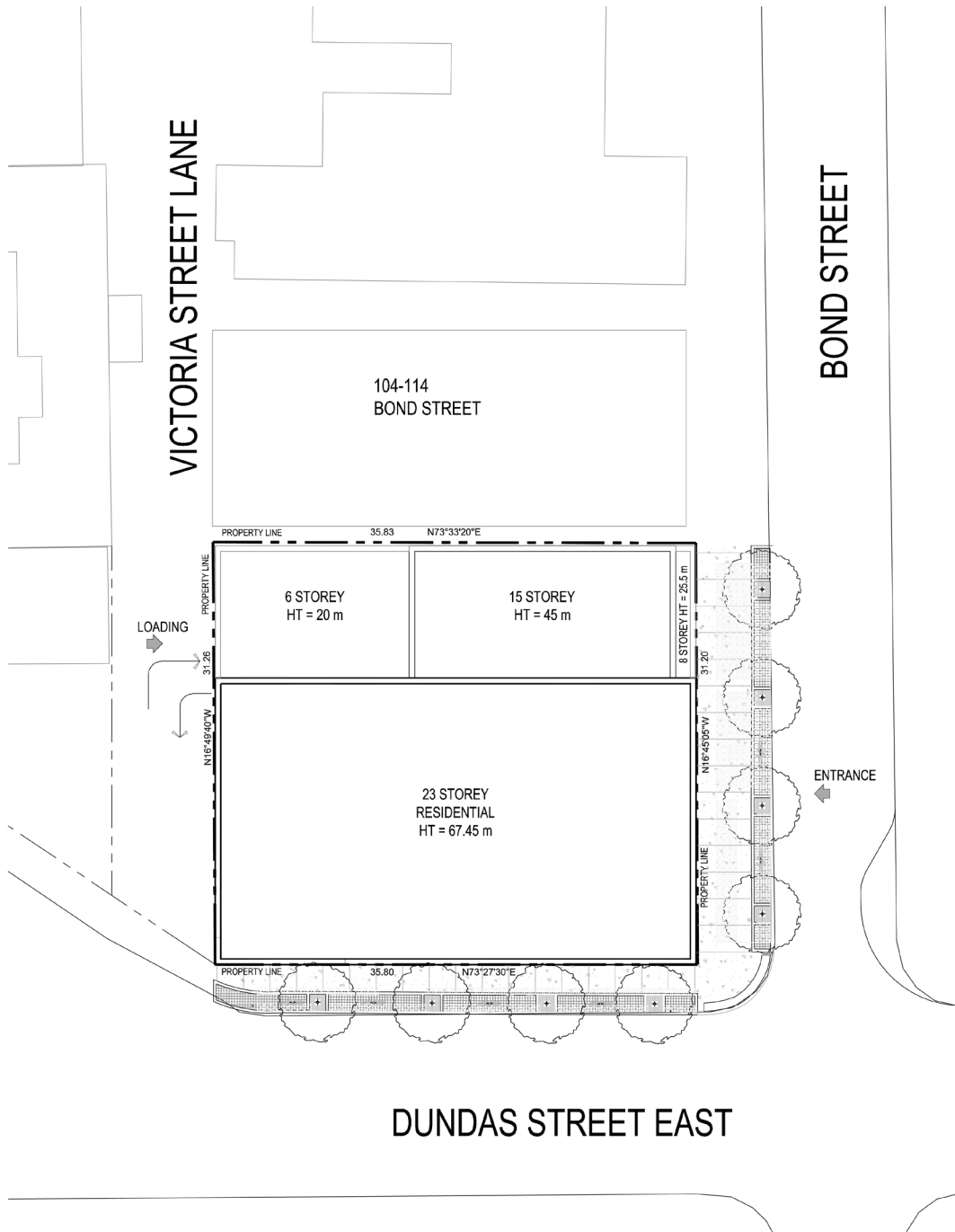
See Former City of Toronto By-law No. 438-86  
CR Mixed-Use District  
Q Mixed-Use District  
UOS Parks District

Not to Scale  
Extracted: 03/29/2023



Attachment 5: Draft Zoning By-law Amendment to Amend zoning By-law 569-2013  
To be provided prior to TEYCC meeting

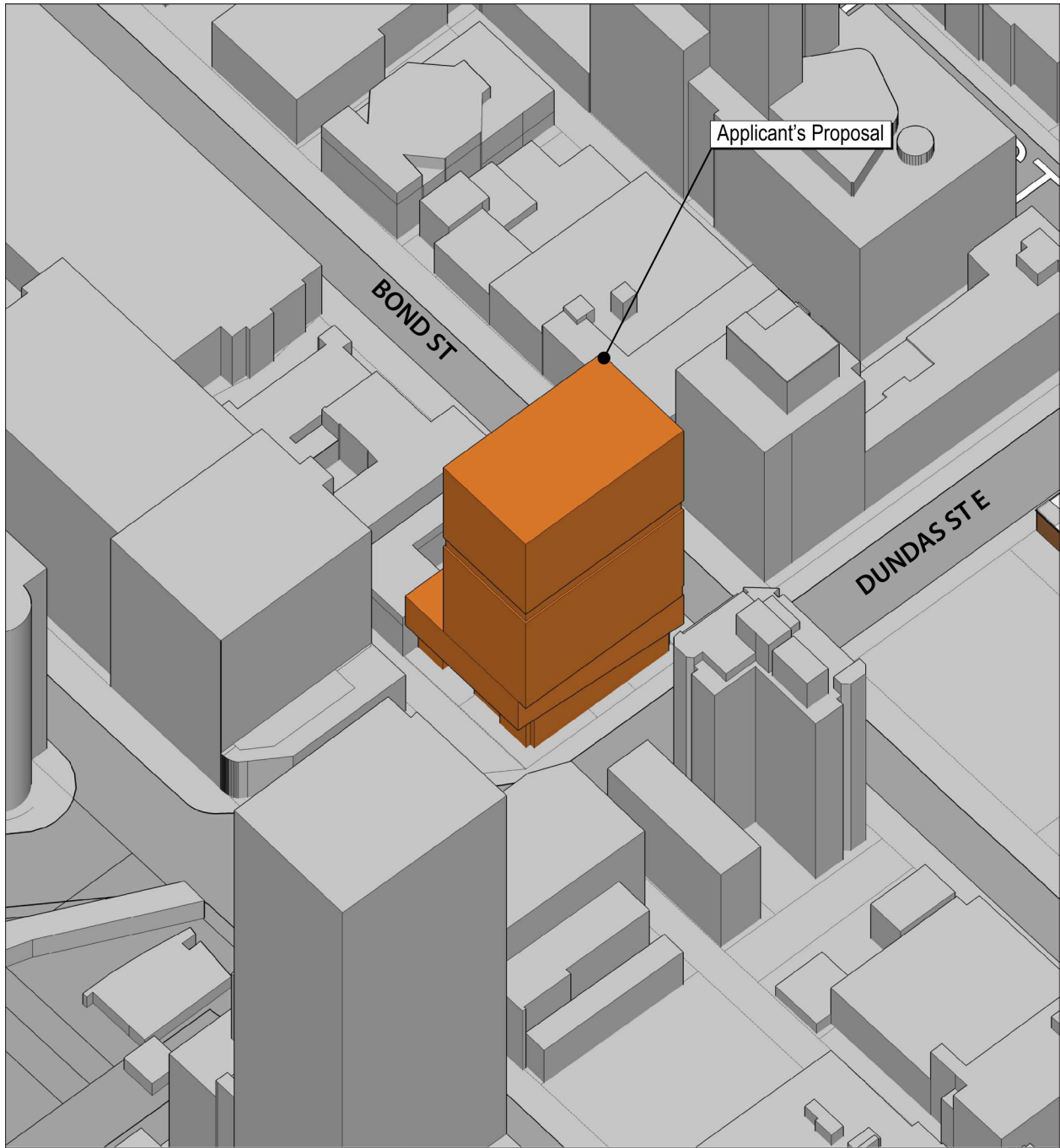
Attachment 6: Site Plan



Site Plan



Attachment 7: 3D Model of Proposal in Context

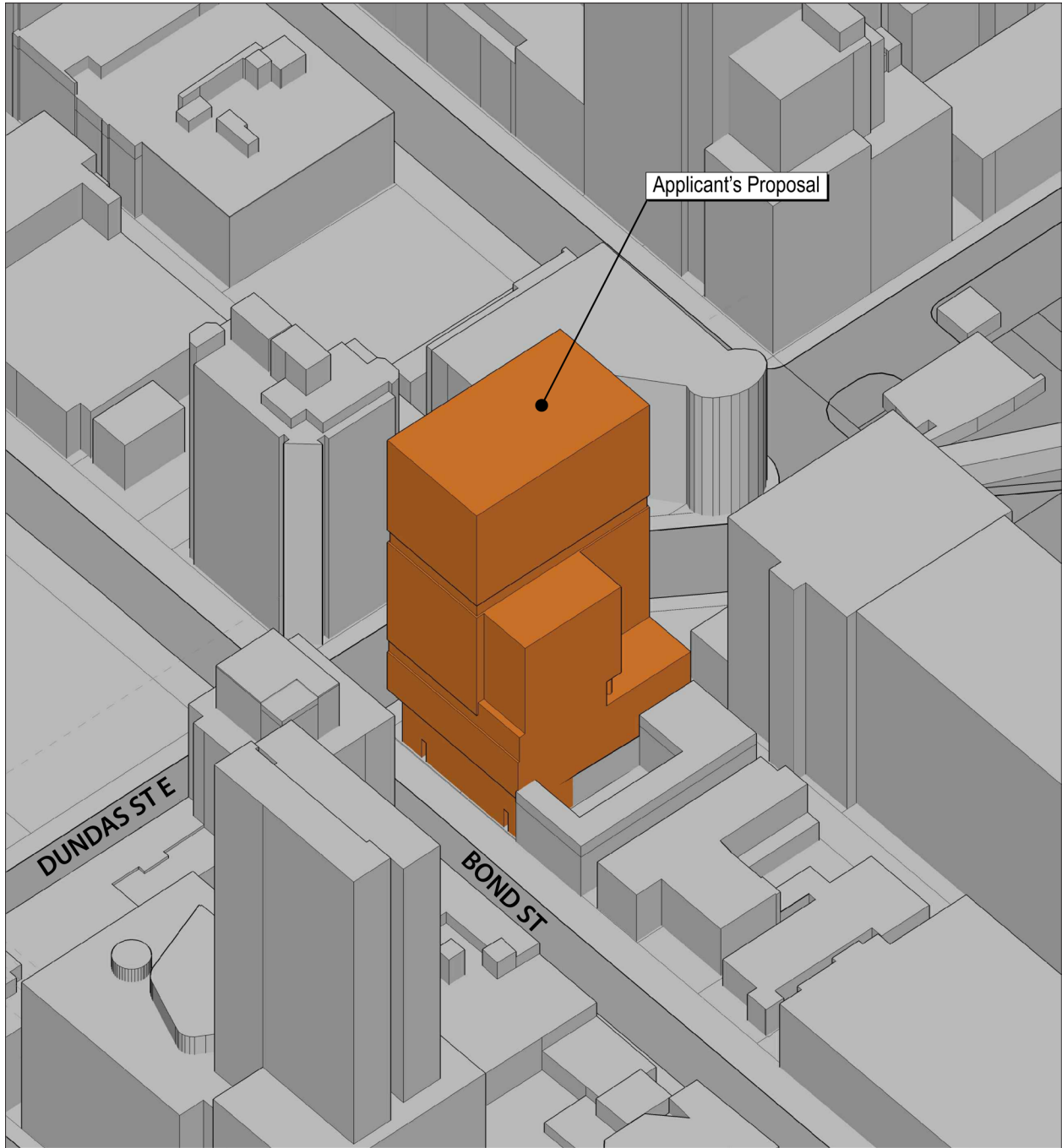


**View of Applicant's Proposal Looking Northeast**



08/16/2023

Attachment 8: 3D Model of Proposal in Context

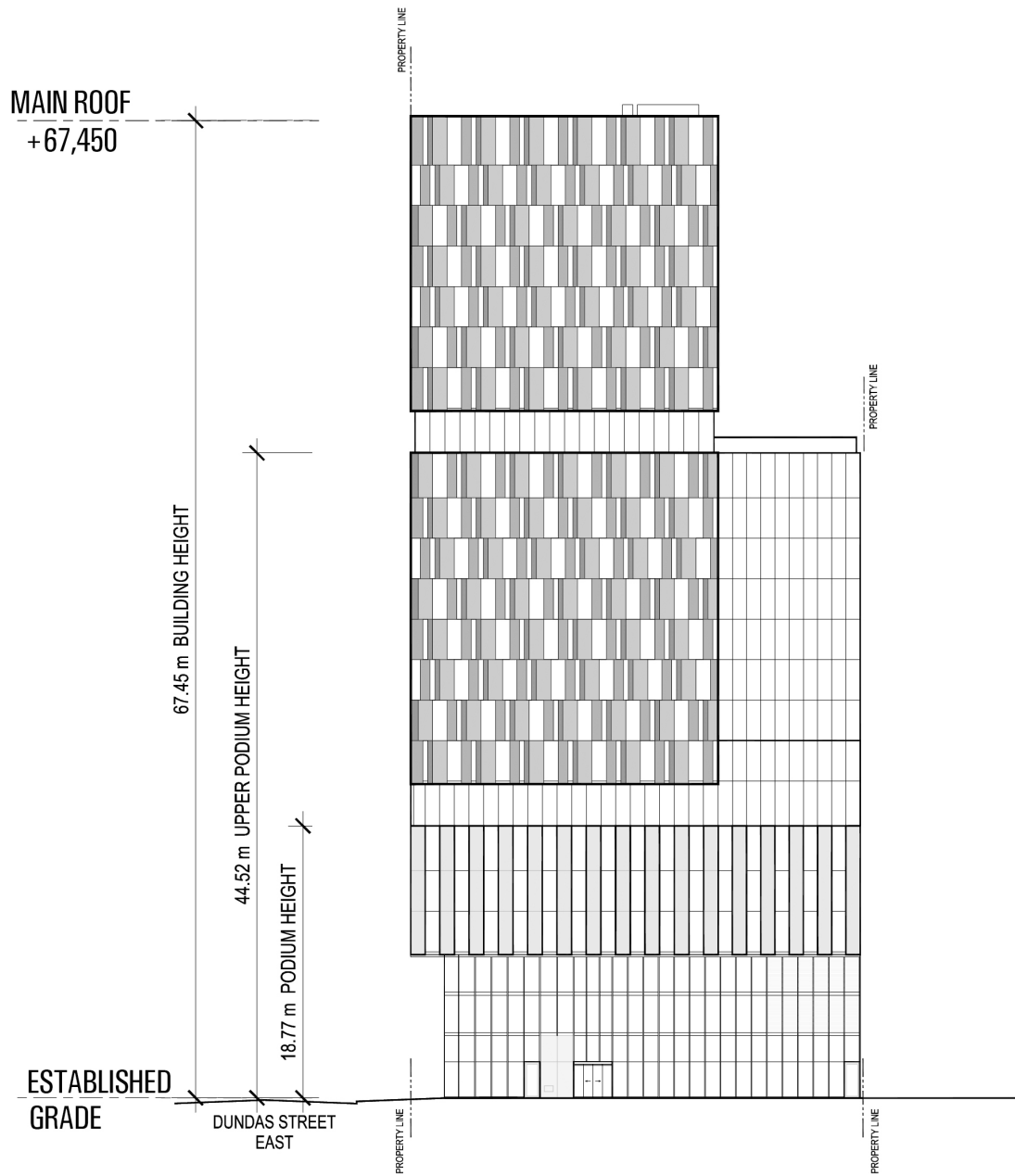


**View of Applicant's Proposal Looking Southwest**



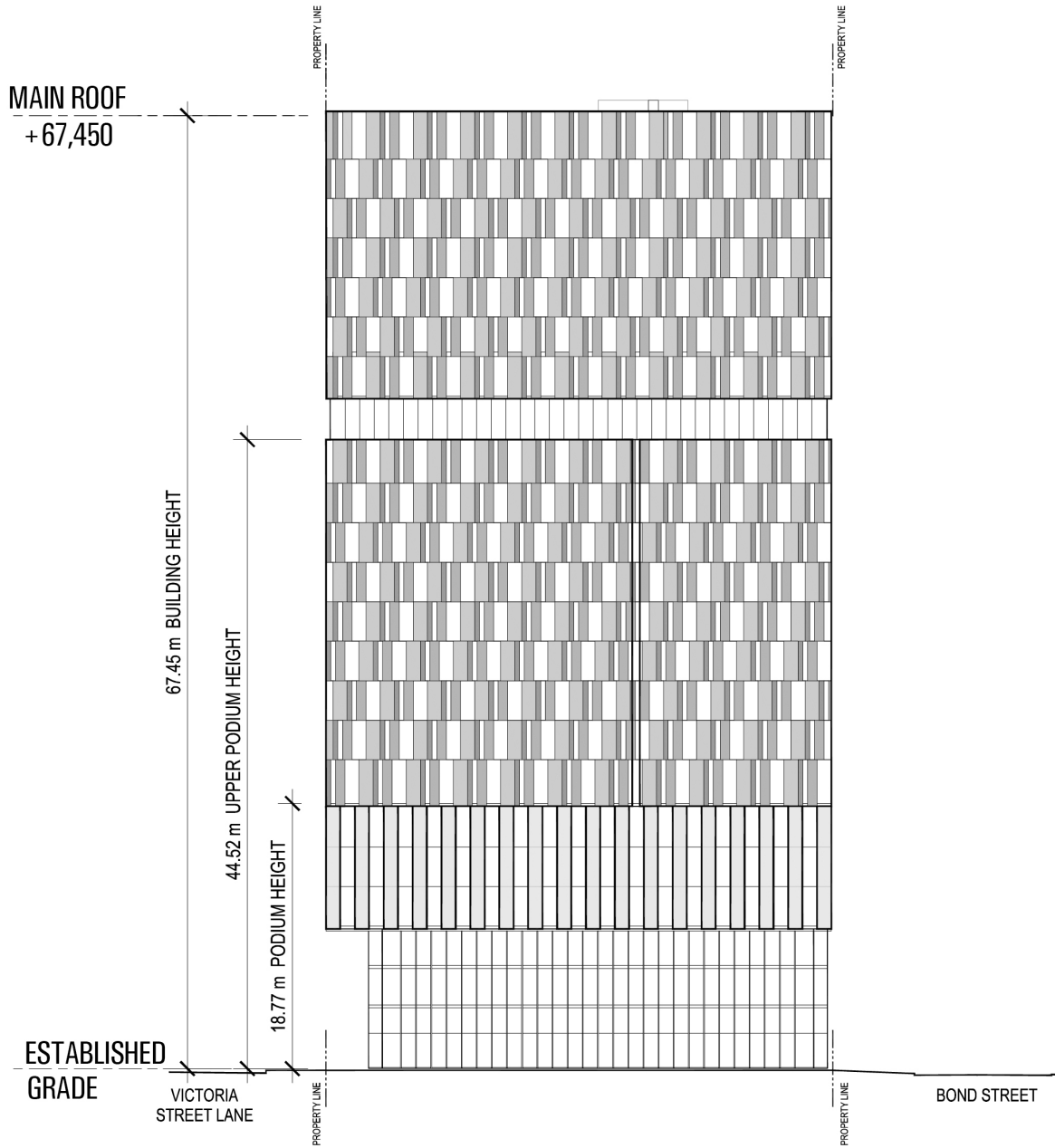
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# Attachment 9: East Elevation



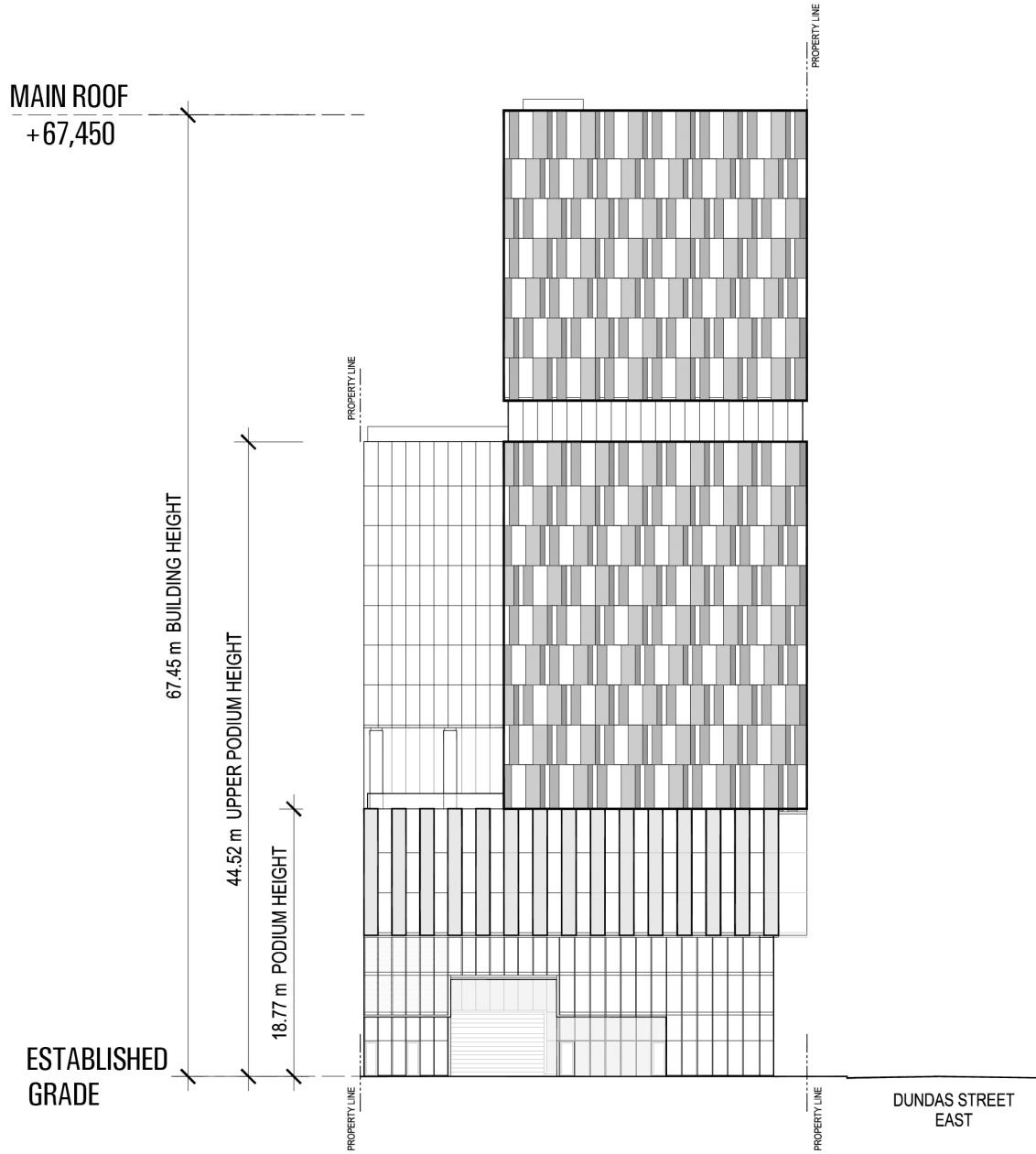
East Elevation

Attachment 10: South Elevation



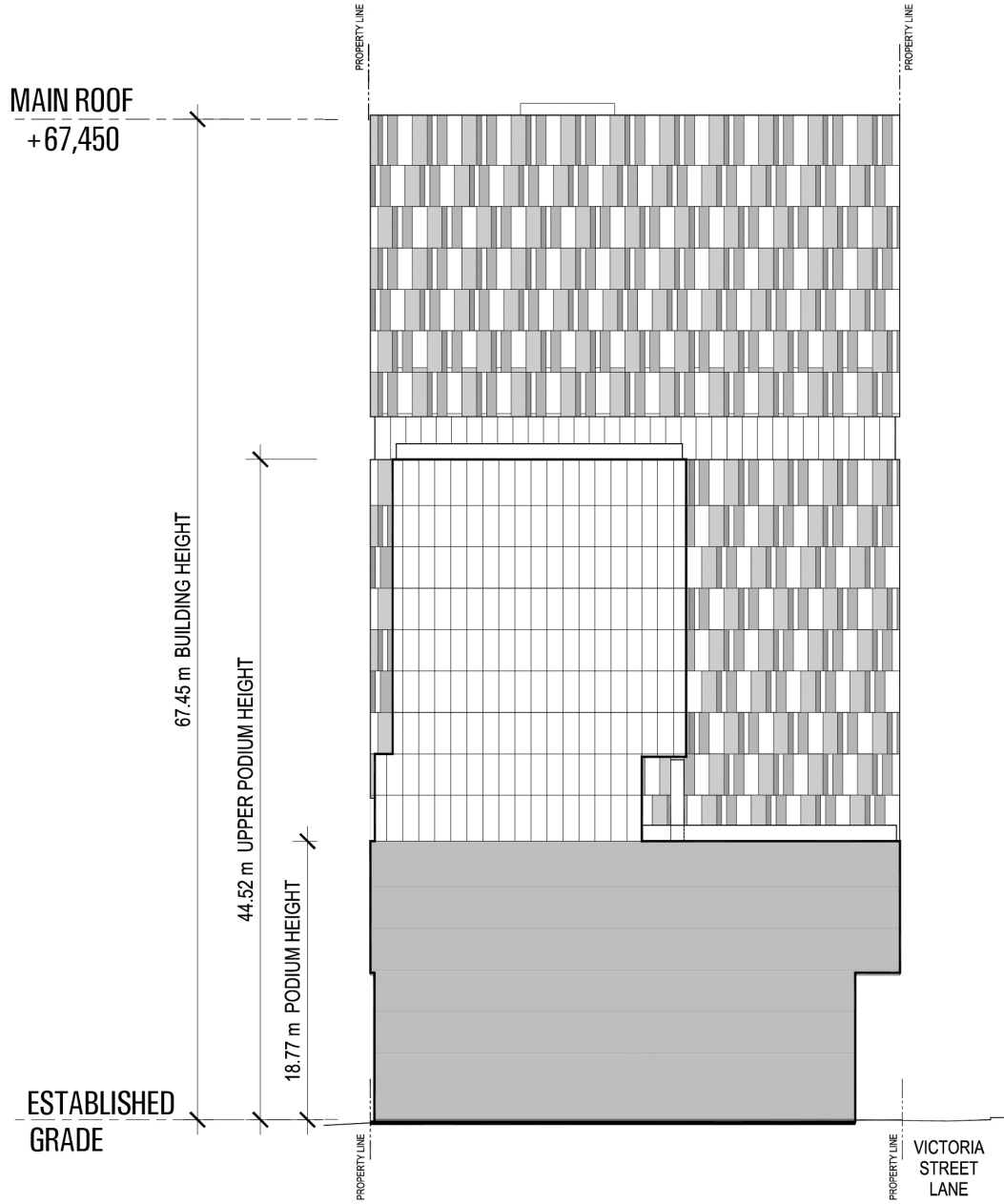
South Elevation

Attachment 11: West Elevation



West Elevation

Attachment 12: North Elevation



North Elevation