



Toronto Metropolitan University
350 Victoria Street
Toronto, ON
M5B 2K3

October 17, 2023

City Clerk (Attention: Cathrine Regan, Administrator)
Toronto City Hall
100 Queen Street West (2nd floor West Tower)
Toronto, ON
M5H 2N2

Transmitted by email to teycc@toronto.ca

Re: Request to Amend Rezoning Application Number 21 180092 STE 13 OZ (98 Bond Street)

Dear Chair and Council Members,

Toronto Metropolitan University ("TMU") is situated adjacent to Bazis' proposed residential development at 98-100 Bond Street and 54-74 Dundas Street East (the "Site"). TMU is supportive of the proposed residential development on the Site, which provides for significant intensification and new, much needed housing. However, TMU has concerns about some of the proposed design elements, and respectfully requests that Council defer their decision in order for there to be time for meaningful dialogue to occur between the owners, TMU and Councillor Moise.

As discussed further below, TMU's concerns include potential impacts to TMU campus facilities, and the appropriateness of proposed new residential uses in close proximity to existing or future TMU buildings and mechanical equipment across Victoria Lane and to the north of the Site.

In this letter, TMU respectfully provides items for the consideration of the Chair and Council Members in advance of the October 18th Public Meeting. TMU will meet with Councillor Moise to discuss our concerns. We welcome the opportunity for meaningful dialogue to resolve these issues.

Concerns:

(1) The Bazis development at 98 Bond Street will require TMU to change its air-handling equipment. The proposed Bazis-design carries noise and air-quality impacts to TMU properties situated at 104 Bond Street, 110 Bond Street and 277 Victoria Street. The noise reports included in the publicly-available application materials show no consideration for existing air handling units on the roofs of the three TMU buildings listed above (noise or air-emissions).

As a downtown institution, TMU is required to register its emissions through the Ministry of Environment, Conservation and Parks (known as EASR-compliance) and also to update this registry as our campus and the surrounding neighbourhood changes.

The proposed Bazis-development creates an EASR-compliance issue for TMU and essentially exports private development costs to the University. We believe it is appropriate to analyze the scale and cost of the requirements needed to remain in compliance prior to zoning approvals in order that the full extent of the impacts are understood and that options are weighed with respect to how the development might proceed (without requiring TMU to undertake major abatement that is due because of the proposed project). For example, there are mitigation processes that TMU could undertake, such as relocating equipment or replacement with different equipment - each of which requires some study to determine the efforts and costs. Alternatively, there might be ways that the Bazis-residential units (known by the MECP as sensitive "Points of Reception") could be redesigned.

TMU has hired specialist-consultants GHD Ltd. to provide their analysis on EASR-compliance issues and estimated abatement costs that are required due to the proposed Bazis project. TMU is prepared to share these findings with Bazis-representatives as soon as they are available.

(2) The Bazis development at 98 Bond Street will reduce the development potential for 38 Dundas St E. The Bazis redevelopment seeks a 0m-setback towards Victoria Lane and Dundas Square - the west face of almost the entire development. The City's "Tall Buildings" policies call for tower setbacks (above 24m) of 25m between towers in order to allow for a separation between uses (12.5m for each property owner). The Bazis application effectively seeks relief of more than 75% by positioning their tower on their property line, just 3m from the centre-line of the lane. This means that in the event of TMU wishing to add built uses, up to 9.5m of the remaining space between uses will need to come from our lands, resulting in TMU losing the use of its lands in order to achieve the City's stated separations between uses.

The distances noted above referred to the tower separations. What also requires further examination however is how Bazis has drawn its assumptions for how their development would relate to our potential uses across the lane, in the "base-building" levels (starting from the L2-L6). For example, the Bazis proposal assumes that TMU would never build further south than 10m on the 38 Dundas St E site. Closer examination of the Bazis assumptions show that even in the first 10 meters, residences in their "Base-building" could be as close as 6m from a future TMU building. Were this to occur, all the TMU lands situated more than 10m (south) from

the northern property boundary would effectively be sterilized by the presence of the proposed west-facing residences on L2-L23. (see Image 2, areas in red) - and that the 10m depth for a TMU building might also be drastically reduced.

TMU respectfully suggests the proposed development inappropriately exports tower setback requirements for neighbouring lands (38 Dundas Street East and 104 Bond Street). The net impact to TMU is that a potentially large space (possibly almost 5,500 m² or 60,000 ft²) for university uses at 38 Dundas alone is being removed from the medium and long-term uses of the property we have recently acquired.

(3) The Bazis development will reduce the development potential for 104 Bond (and other west-Bond properties). The amendment to the rezoning application seeks to add density on the north face (towards 104 Bond Street) and seeks relief from the City's recommended 12.5m setback by setting the windows of the Bazis-tower just 10m from their northern property line. This creates the potential that should TMU ever build at 104 Bond, there could be an expectation that the 2.5m of relief Bazis wishes to obtain on their side is taken from our side (in order to achieve the 25m separation). Hence, the usual 12.5m between our southern face and the property line would grow to 15m on our side above the podium. This would have impacts on the amount of floor space we could build in our development. (The amount of space could be approximately 580m² or 6,250 square feet - assuming there would be no distance at all between the buildings to the fifteenth floor.)

TMU recognizes that in some instances, the City has approved 20m separations between uses, and the Staff Report for this proposal appears to support this. In this instance, in the absence of a block plan that neighbours and the City have agreed to, TMU has no assurances regarding the future development potential of its lands facing the proposed residential units.

(4) The revised design narrows the visual corridor on Bond Street, thereby negatively affecting the public realm. TMU's Campus Master Plan recognizes the potential for densification on Bond Street, while also demonstrating sensitivity for the character of the street and creating conditions for a welcoming public realm. The original Bazis design allowed for a wider space between the existing residence tower (co-op, east side of Bond) and the tower proposed by Bazis. TMU is concerned that the revised design, which appears to reflect a "land-economics" decision, will contribute negatively to a visual "canyon effect" that will reduce the appeal the street currently offers and negatively impact the public realm. We respectfully request the City's urban design officials take another look and that Bazis be encouraged to work with neighbours to support an attractive public realm on Bond Street.

(5) The Developers have not engaged neighbours in a block-planning exercise. TMU recognizes that Bazis has undertaken some block-planning efforts (seen in their earlier application, but not included in the revised submission) and sees merit in some parts of their work. We do not believe their work meets the intent of OPA 352 (from November 9, 2016). TMU has examined the block with the assistance of Urban Strategies Inc. and as the examples above (and in the images below) show, we have drawn different conclusions about what is possible and fair - in terms of how far one land-owner can export consequences on to another. We

believe a successful block-plan requires participation from all impacted property owners, including the City.

Conclusion:

As stated, TMU is not opposed to this development. The university believes that additional dwellings are important to fostering a vibrant downtown where all will feel welcome. That said, these dwellings must adhere to the intent of the City's policies and bylaws and to recognize best-practices of urban design.

To that end, TMU respectfully requests that the Community Council defer its decision so that TMU might pursue positive dialogue with Bazis Developments and City Staff in order to achieve a design that is more appropriate and respectful of its neighbouring lands and context.

Sincerely,



Saeed Zolfaghari, PhD
Vice-President, Administration and Operations

CC: Councillor C. Moise, Ward 13, City of Toronto.

CC: Alex Teixeira, Manager, Community Planning - Toronto and East York District, City of Toronto.

CC: Derek Waltho, Senior Planner, Community Planning - Toronto and East York District, City of Toronto.

Encl. Image 1 2D Separations between properties

Image 2 Plan View of Site, with approximate impacts to TMU lands

Summary of GHD's preliminary Findings (dated October 16, 2023)

Image 1: 2D Separations between properties for L1-L8 only (same conditions to L23)

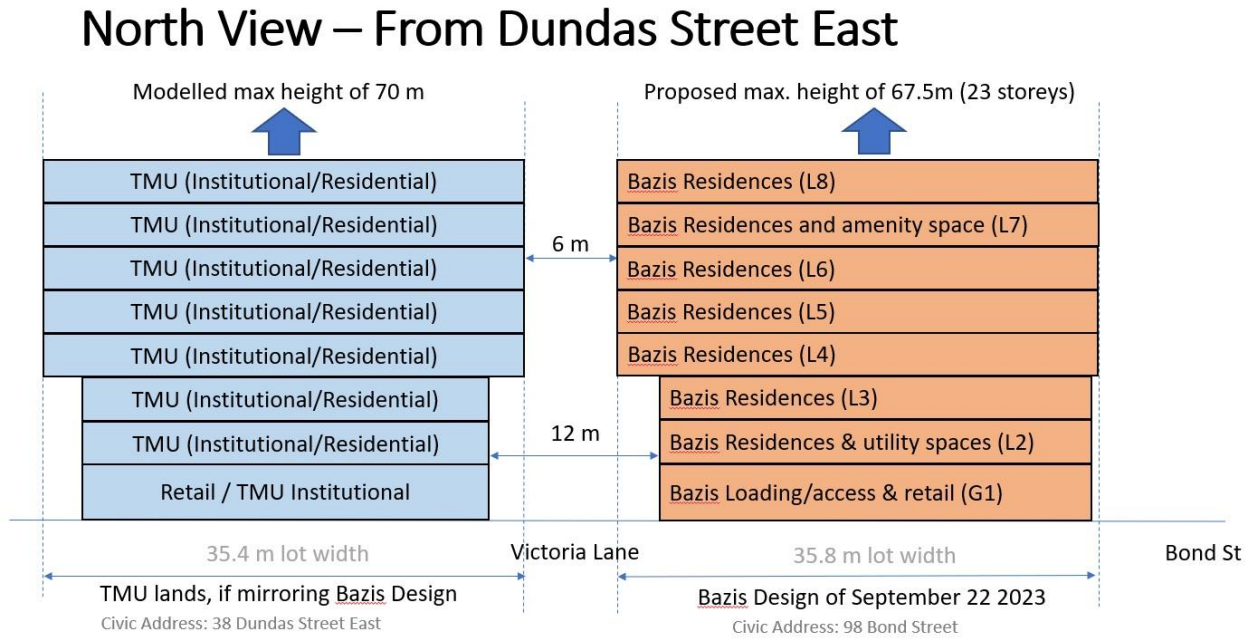
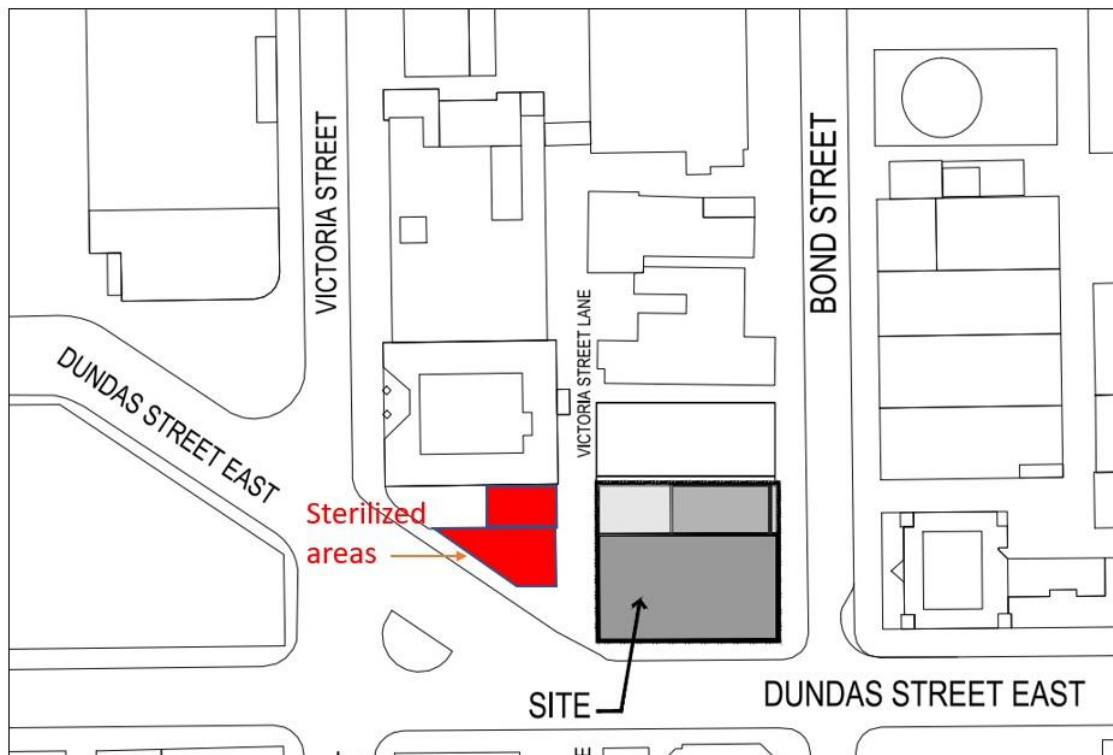


Image 2: Red areas show “sterilized” areas that TMU could not develop

Plan View – with TMU Overlay in Red

(Image Source: [Bazis drawings dated September 22 2023](#))



Summary of GHD's Preliminary Findings (October 16, 2023)

GHD has reviewed the proposed development drawings for 98 Bond Street and added in the rooftop equipment for 277 Victoria based on library data for like equipment.

Based on these inputs the campus acoustical model determined that the planned development at 98 Bond St. will indeed result in the nearby TMU-owned buildings becoming out of compliance with MECF Noise limits per NPC-300.

Our noise modelling indicates that the rooftop equipment for both 104 Bond St. and 277 Victoria St. would be above the existing sound level limits for both Class 1 and Class 4 areas.

The noise sources which are driving the noise issue at 98 Bond are:

1. Cooling Tower – 277 Vic (biggest contributor by far)
2. x5 HVAC fans – 104 Bond Street
3. x2 HVAC units – CIS Building

The figure below indicates the locations of the noise sources on both 277 Victoria and 104 Bond, as well as the noise impact at various positions along the façades of 98 Bond St. The coloured numbers indicate locations that are above the existing 58 dBA daytime sound level limit.

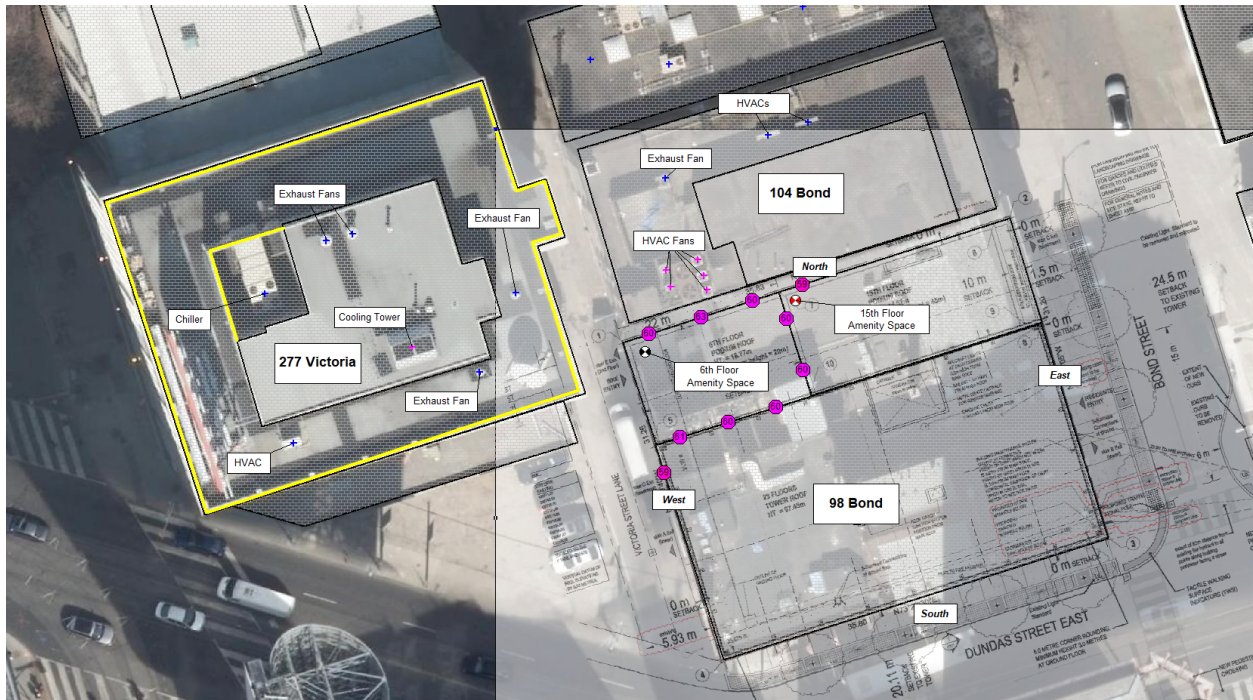
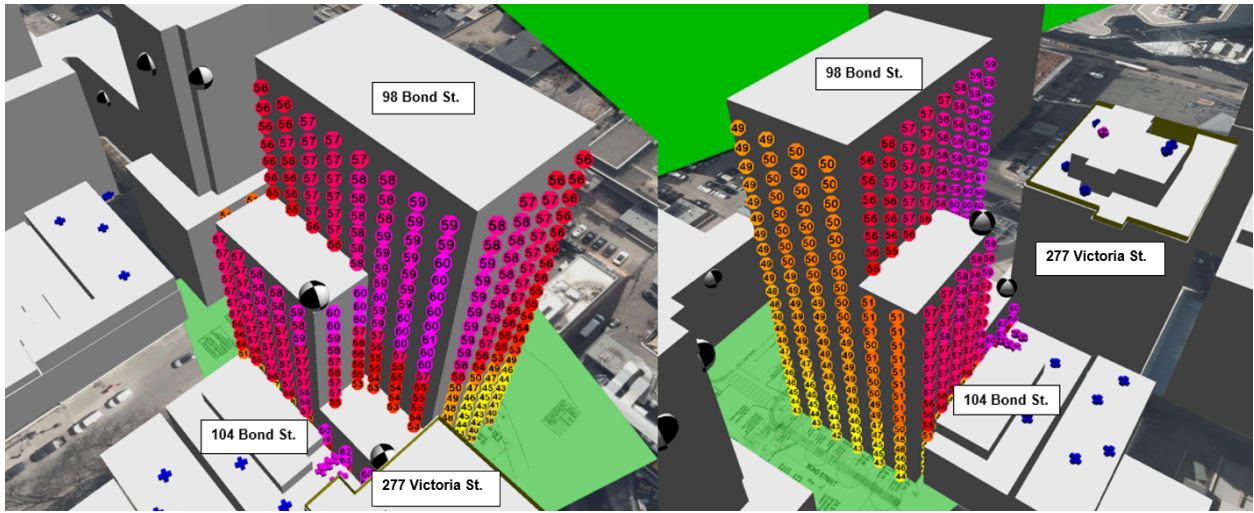


Figure 1: Daytime Sound Level at 98 Bond St.

See below for a 3D model of 98 Bond St. Note how many locations on the building are in exceedance of the 58 dBA daytime limit and 52 dBA nighttime limit.



These findings indicate that noise abatement would be necessary for the TMU-owned buildings to meet compliance at 98 Bond Street. GHD therefore suggests that you proceed with submitting an objection to the city.

Next Steps

We recommend engaging in a secondary scope in which GHD goes on the roof to validate our sound estimates for this equipment which will refine the results and allow us to determine potential noise abatement costing for any future negotiations with the development.

Regards,

Michael Masschaele | A GHD ASSOCIATE
BES LEL
 Noise and Vibration Practice Leader – North America

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