

**1996-2000 Bathurst St - Zoning Amendment and Rental Housing Demolition and Conversion Applications - Preliminary Report**

<b>Date:</b>	January 28, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 21 – St. Paul's
<b>Reference Number:</b>	15-270565 STE 21 OZ & 15-270570 STE 21 RH

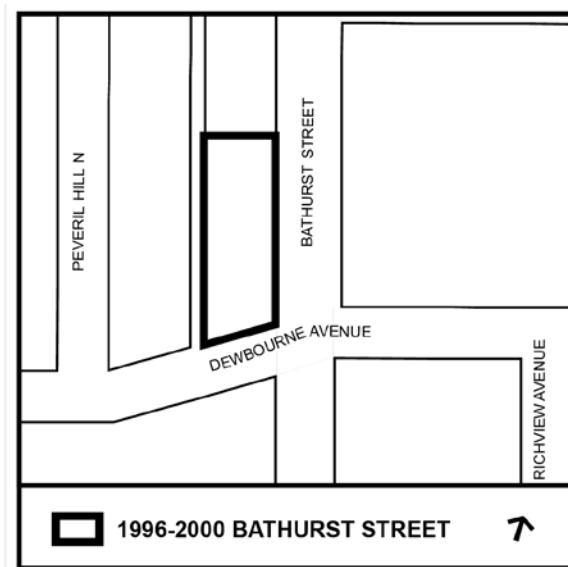
**SUMMARY**

This application proposes two 6-storey rental apartment buildings containing a total of 115 residential units, including 62 rental replacement units. A 2-level below grade parking garage is proposed to extend beneath both buildings. The three existing rental apartment buildings on the site will be demolished.

An application for Rental Housing Demolition and Conversion under Section 111 of the City of Toronto Act (Chapter 667 of the Municipal Code) has also been submitted for the requested demolition of the existing 62 rental housing units.

This report provides preliminary information on the applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The next step is to hold a community consultation meeting, to enable the public to provide input on the applications and ask questions of City staff and the applicant.



The Final Report is targeted for the fourth quarter of 2016. This target date assumes the applicant will provide all required information in a timely manner.

## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 1996-2000 Bathurst Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is to construct two new 6-storey rental apartment buildings in two phases at 1996-2000 Bathurst Street. The three existing rental apartment buildings on the site containing 62 rental dwelling units will be demolished. The northern building (18.93 metres, plus 3.25 metre mechanical penthouse) will be constructed in Phase A, and the southern building (19.7 metres plus 3.25 metre mechanical penthouse) will be constructed in Phase B.

The proposed development consists of 8,834 square metres of residential gross floor area, and a total of 115 residential units including 62 rental replacement units.

	Unit Type			Total
	Bachelor	1 - bedroom	2 - bedroom	
<b>Rental Replacement Units</b>	11	27	24	62
<b>New Market Rental Units</b>	0	39	14	53
<b>Total</b>	11	66	38	<b>115</b>

The proposal provides for 297 square metres of indoor amenity space on the ground floor (Phase A: 125 square metres; Phase B: 172 square metres), and 103 square metres of outdoor amenity space. The proposed Floor Space Index is 3.52 times the area of the lot.

The proposed buildings will be set back a minimum of 4.9 metres from the rear lot line and the abutting public laneway, 0.7 metres from the east lot line on Bathurst Street, 0.0 metres from the north lot line, and 0.0 metres from the south lot line on Dewbourne Avenue. The ground floor and second floor of both buildings will be set back an additional 1.5 metres along the east lot line on Bathurst Street. The two proposed buildings will have a separation distance of 3.5 metres with an approximately 1.1 metre wide walkway located between them, no windows are proposed between the buildings. The proposed buildings will be setback a minimum of 6.5 metres from Bathurst Street and 5.5 metres from Dewbourne Avenue, with a minimum sidewalk width of 2.1 metres on both streets.

The proposed buildings provide a 3.0 metre stepback above the 4<sup>th</sup> floor at their rear, with an additional 3.0 metre stepback above the 5<sup>th</sup> floor. The southern building (Phase B) provides an irregular stepback of at least 1.4 metres from the south lot line above the 4<sup>th</sup> floor. The mechanical penthouse for Phase A is stepped back above the 6<sup>th</sup> floor by 5.3 metres to east, 3.55 metres to the west, 2.5 metres to the north, and 3.55 metres to the south. The mechanical penthouse for Phase B is stepped back above the 6<sup>th</sup> floor by 5.3 metres to the east, and 3.55 metres to the west, east, and south. The residential entries for both Phase A and Phase B will be on the Bathurst Street frontage and located on either side of the walkway separating the buildings.

Residential parking is proposed in a 2-level underground parking garage, comprised of 66 residential parking spaces including 10 visitor spaces. The parking garage will extend under both buildings with the access ramp located in Phase A. An additional 2 car share parking spaces will be provided on the ground at the rear of Phase A. One Type G loading space will be provided as part of Phase A, with an informal loading space to be located at the rear of Phase B. Also proposed are 117 bicycle parking spaces including 12 visitor bicycle parking spaces, located on the ground floor and within the below-grade garage.

The site will be accessed from the 5.1 metre wide public laneway to the west of the site. As part of the proposed development, a lane widening of a minimum of 0.9 metres will be provided, increasing the width of the laneway to 6.0 metres. Garbage and loading facilities will be located on-site.

The Site Plan and Elevations are included in Attachments 1 and 4. Additional project information is included in Attachment 6 of this report (Application Data Sheet).

### **Site and Surrounding Area**

The site is located at the northwest corner of Bathurst Street and Dewbourne Avenue. It is rectangular in shape and approximately 2,506 square metres. The site has a frontage of approximately 109 metres on Bathurst Street and 31 metres on Dewbourne Avenue. The site is currently occupied by three rental apartment buildings; two 3.5-storey buildings containing 39 and 19 units respectively, and one 2-storey building containing 4 units. The following uses abut the site:

North: Two-storey detached houses containing a mix of residential and office uses.

South: A place of worship (Holy Blossom Temple) and an associated private school.

East: A low-rise *Neighbourhood* consisting of two and three-storey detached dwellings. To the southeast are two and three-storey walk-up apartment buildings fronting onto Bathurst Street.

West: A public laneway approximately 5.1 metres in width running north-south from Dewbourne Avenue. On the west side of the laneway is a low-rise *Neighbourhood* consisting of two-storey detached dwellings.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; providing an appropriate range of housing types and affordability to meet projected requirements of current and future residents; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; providing housing options to meet the needs of people at any age; and protecting natural systems and cultivating a

culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated in the City's Official Plan as *Mixed Use Areas* on Map 17 - Land Use Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks, open spaces and utilities.

Within *Mixed Use Areas*, the Official Plan policies indicate that new buildings should provide appropriate transition between areas of different intensity and scale, particularly towards lower scale *Neighbourhoods*. New buildings should provide a comfortable, safe pedestrian environment and be located and massed to frame streets with good proportion. New development should take advantage of nearby transit services, and should provide good access, parking and circulation, among other matters.

Section 3.2.1 of the Official Plan includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Official Plan Policy 3.2.1.6 requires that new development that results in the loss of six or more rental housing units which have affordable or mid-range rents will not be approved unless the following are secured:

- At least the same number, size and type of rental housing units are replaced and maintained with rents similar to those in effect at the time the redevelopment application is made;
- For a period of at least 10 years rents for replacement units will be the rent at first occupancy increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship.

This proposal will be reviewed against the policies described above as well as the policies of the Official Plan as a whole, including healthy neighbourhoods, public realm and built form policies.

## **Zoning**

The subject site is zoned RM (Residential Multiple Dwelling) under City-wide Zoning By-law No. 569-2013, as amended. This zoning permits residential units in detached, semi-detached, duplex, townhouse, and triplex dwellings. The maximum permitted gross

floor area is 1.0 times the lot area. The maximum permitted height is 11.0 metres and no more than 3 storeys. The zoning map is included in Attachment 5.

### **Mid-rise Building Guidelines**

City Council, at its meeting of July 6, 7, and 8, 2010, requested that staff use the Mid-Rise Building Performance Standards in the evaluation of mid-rise development proposals on the *Avenues*. The vision for the *Avenues* is one of animated sidewalks and buildings that frame the street, with heights that are proportionate to the right-of-way widths and transition to *Neighbourhoods*.

The Mid-rise Guidelines set minimum performance standards guided by the objective to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent neighbourhoods.

Although the site is located on a section of Bathurst Street which has not been identified as an *Avenue* in the Official Plan, the Mid-rise Guidelines have also been applied to assist in evaluating mid-rise buildings more generally in *Mixed Use Areas*.

### **Site Plan Control**

The proposal is subject to Site Plan Control. The applicant has not submitted a Site Plan Control application.

### **Rental Housing Demolition and Conversion By-law**

The Rental Housing Demolition and Conversion By-law, contained in Chapter 667 of the City's Municipal Code, implements the City's Official Plan policies protecting rental housing. The By-law prohibits demolition or conversion of rental housing units in buildings containing six or more rental units without obtaining a permit from the City issued under Section 111 of the *City of Toronto Act, 2006* and requires a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike *Planning Act* applications, decisions made by City Council under By-law 885-2007 are not appealable to the OMB. In this case, the applicant has made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code.

As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

## **Tree Preservation**

The proposal calls for the removal of 5 city-owned trees, and 1 private tree along the Bathurst Street frontage. A total of 20 trees will be planted as part of the proposed development, 11 on the Bathurst Street frontage, 4 on the Dewbourne Avenue frontage, and 5 at the rear of the building adjacent to the public laneway. The proposed tree removals and plantings are under review by Urban Forestry staff.

## **Reasons for the Application**

The proposed development does not comply with the zoning for the subject site which does not permit apartment buildings. In addition, the proposal does not comply with certain standards contained in the Zoning By-law, including density and setbacks. The proposed density of 3.52 times the lot area exceeds the maximum total density of 1.0 times permitted by the Zoning By-law. The proposed height of 6-storeys (19.7 metres, plus 3.5 metre mechanical penthouse) exceeds the maximum permitted height of 3-storeys and 11 metres. Additional variances to the Zoning By-law will be confirmed through the review of the application.

The applicant has submitted an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition and replacement of the existing rental housing units as the subject lands contain 6 or more residential rental dwelling units.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale (including Housing Issues Report), prepared by Bousfields Inc;
- Sun/Shadow Study, prepared Quadrangle Architects Ltd;
- Transportation Impact Study, prepared by BA Group;
- Functional Servicing and Stormwater Management Report, prepared by Eldebron Holdings;
- Arborist Report, prepared by Gotfryd Group; and
- Green Development Standards Checklist & Template.

A Notification of Complete Application was issued January 27, 2016.

### **Issues to be Resolved**

Issues to be addressed include, but are not necessarily limited to:

- Massing and transition;
- Rental housing;
- Loading and garbage;
- Bicycle parking;

- Adequacy of outdoor amenity space;
- Phasing of development.

### Massing and transition

The Built Form policies in Section 3.1.2 of the Official Plan require that new development create appropriate transitions in scale to neighbouring existing and planned buildings. Policy 3 in section 3.1.2 of the Official Plan requires that "new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context".

The proposed development will be set back 0.0 metres from the north lot line for the full 6-storey height of the building. This setback will be further reviewed to ensure that the proposed building provides appropriate transition to the property to the north. The materials and design of the north wall of the building will need to be further reviewed to ensure that a large expanse of blank sidewall is avoided.

The Built Form and *Mixed Use Areas* policies require that new buildings frame the edge of streets with good proportion. The Built Form policies also require that new development will fit harmoniously into the existing and/or planned context. On the Bathurst Street frontage, the proposed building has a 6-storey street wall. The building complies with the front angular plane of the mid-rise guidelines, however, Planning staff are of the opinion that a lower street wall height may be more appropriate.

Planning staff have concerns with the proposed front yard setback of 0.7 metres on Bathurst Street and 0.0 metres on Dewbourne Avenue. The existing apartment buildings on the site have front yard setbacks of at least 3.0 metres. The surrounding context along Bathurst Street is of buildings with setbacks of greater than 2.0 metres which provide greater amounts of on-site soft landscaping than the proposed development.

A walkway is proposed between Phase A and Phase B of the proposed development. The proposed separation distance between the buildings is 3.5 metres, with a walkway width of approximately 1.1 metres. The proposed separation distance of 3.5 metres is insufficient and should be increased. As well, the walkway width should be increased to a minimum of 2.1 metres.

The mechanical penthouse for each of the proposed buildings is very large given the size of the development. The mechanical penthouses should be reduced in size if possible.

### Rental housing replacement

The application for Rental Housing Demolition and Conversion will be assessed under the requirements of the Planning Act, the City of Toronto Act, Official Plan policies relating to rental housing, and Chapter 667 of the Toronto Municipal Code. A meeting with the tenants will be held at a future date.

### Loading and garbage

Planning staff and Development Engineering staff will review the proposed loading space and garbage facilities. The applicant has proposed one Type G loading space in Phase A of the proposed development with only an informal loading space as part of Phase B. It is unclear how garbage pick-up will occur for Phase B as there is no direct access between the garbage room for this building and the Type G loading space located in Phase A.

### Bicycle parking

The proposed development provides the required number of bicycle parking spaces, however, adequate aisle space between the bicycle racks has not been provided. In addition, 5 of the short term bicycle parking spaces are blocked by one of the proposed car share spaces. The application should be revised so that adequate aisle space between bicycle racks is provided and that all bicycle parking spaces can be easily accessed.

### Amenity space

A total of 230 square metres of outdoor amenity space is required by the Zoning By-law. The proposed development will provide 109 square metres of outdoor amenity space. The application should be revised to provide the required amount of outdoor amenity space.

### Phasing of development

The phasing of the development will need further review to ensure that all required services are appropriately provided during all phases, and that the interim conditions between Phase A and the existing building that will be replaced as part of Phase B are acceptable.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

David Driedger, Planner  
Tel. No. 416-392-7613  
Fax No. 416-392-1330  
E-mail: ddriedg@toronto.ca

## **SIGNATURE**

---

Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

(P:\2016\Cluster B\pIn\TEYCC\3860736023.doc) - smc

## **ATTACHMENTS**

Attachment 1: Site Plan/Subdivision Plan

Attachment 2: East Elevation

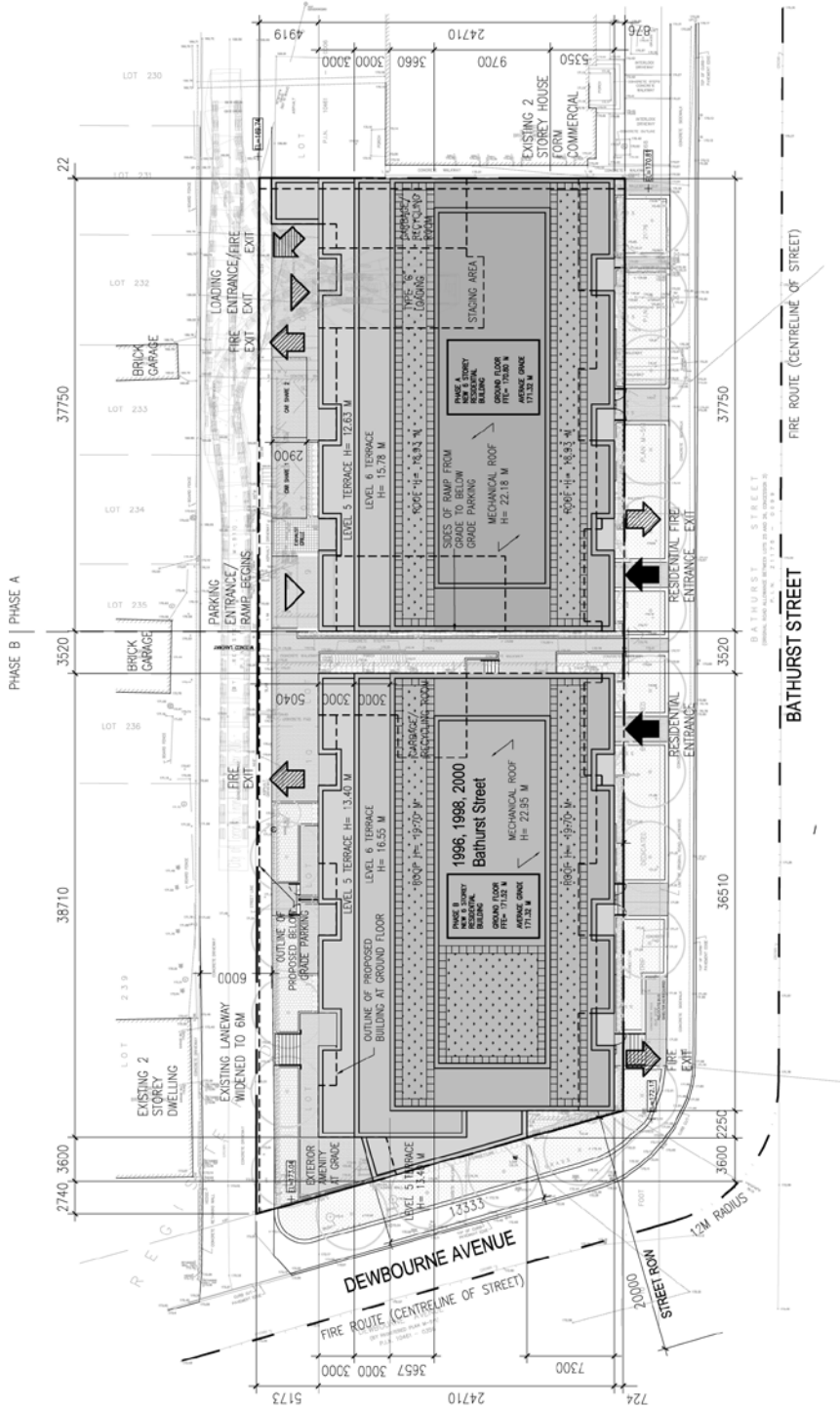
Attachment 3: North and South Elevations

Attachment 4: West Elevation

Attachment 5: Zoning

Attachment 6: Application Data Sheet

# Attachment 1: Site Plan



1996-2000 Bathurst Street

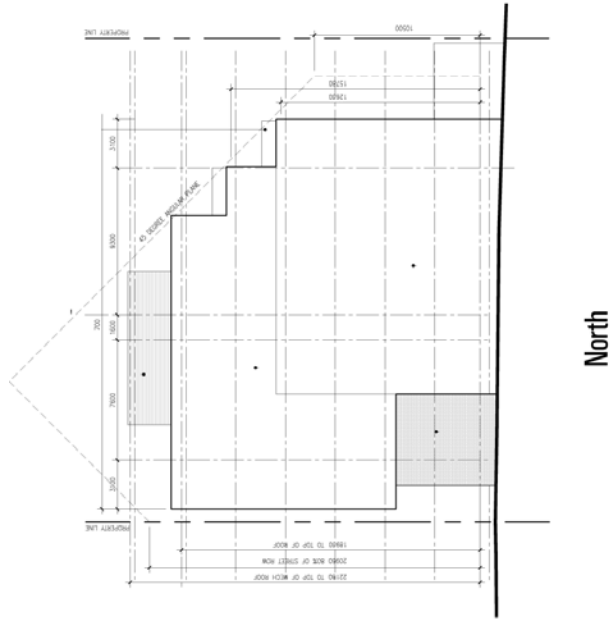
Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 1/28/16

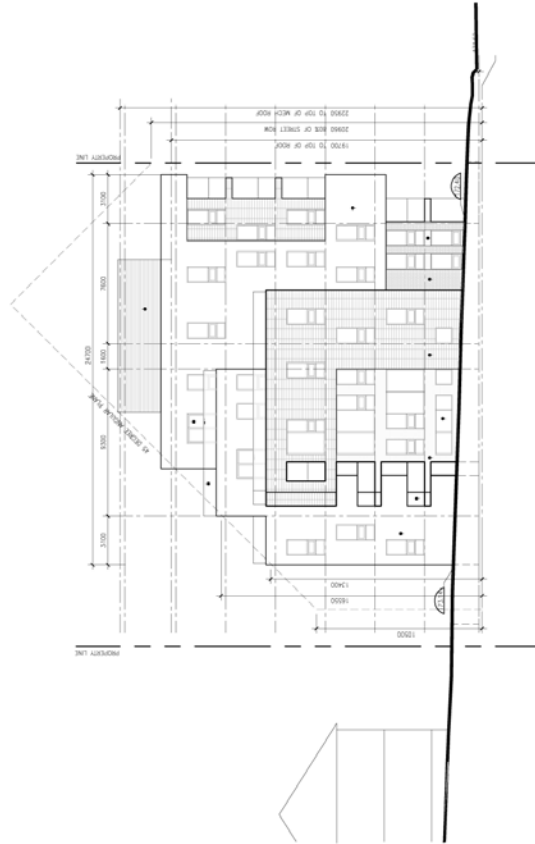
File # 15 270565 STE 21 0Z



**Attachment 3: North and South Elevations**



North



South

**1996-2000 Bathurst Street**

**Elevations**

Applicant's Submitted Drawing

Not to Scale  
1/28/16

File # 15 270565 STE 21 0Z

Attachment 4: West Elevation



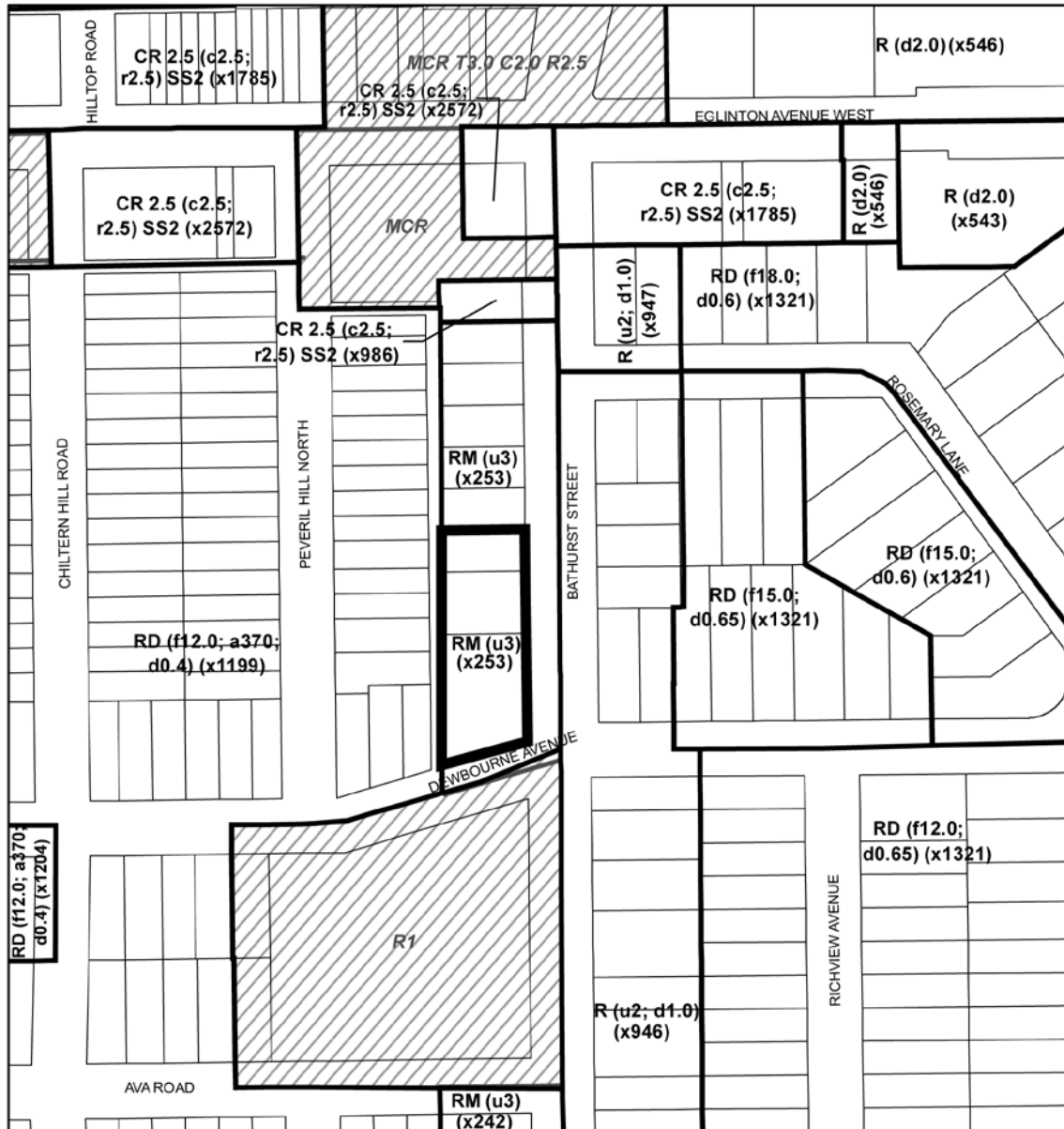
1996-2000 Bathurst Street

File # 15 270565 STE 21 OZ

Elevations  
Applicant's Submitted Drawing

Not to Scale  
1/26/16

## Attachment 5: Zoning



**Zoning By-Law No. 569-2013**

**1996-2000 Bathurst Street**

**File # 15 270565 STE 21 OZ**

Location of Application

**R** Residential  
**RD** Residential Detached  
**RM** Residential Multiple  
**CR** Commercial Residential

See Former City of Toronto By-Law No. 438-86

**MCR** Mixed-Use District  
 See Former City of York By-Law No. 1-83  
**R1** Residential Zone  
**MCR** Mixed Commercial Zone



Not to Scale  
 Extracted: 01/14/2016

## Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	15 270565 STE 21 OZ
Details	Rezoning, Standard	Application Date:	December 30, 2015
Municipal Address:	1996 BATHURST ST		
Location Description:	PLAN 511 LOTS 10 & 11 PT LOT 9 **GRID S2102		
Project Description:	To demolish two existing rental apartment buildings and construct two new 6- storey rental apartment buildings containing a total of 115 residential units, including 62 rental replacement units. A 2-level below grade parking garage is proposed to extend beneath both buildings at 1996-2000 Bathurst St.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Robert Glover Bousfields Inc, 3 Church St., #200, Toronto ON, M5E 1M2	Robert Glover Bousfields Inc, 3 Church St., # 200, Toronto ON, M5E 1M2	Quadrangle, 901 King Street West, Suite 701, Toronto ON, M5V 3H5	Mar-Kal Property Mgmt., 525 Chaplin Cres, Ste. 104, Toronto ON, M5N 2N2

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use	Site Specific Provision:	N
Zoning:	RM (u3) (x253)	Historical Status:	N
Height Limit (m):	11 metres	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	2506	Height:	Storeys:	19.7
Frontage (m):	109.4		Metres:	6
Depth (m):	31			
Total Ground Floor Area (sq. m):	1078			<b>Total</b>
Total Residential GFA (sq. m):	8834		Parking Spaces:	66
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	8834			
Lot Coverage Ratio (%):	43			
Floor Space Index:	3.52			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Rental		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	8834	0
Bachelor:	11	Retail GFA (sq. m):	0	0
1 Bedroom:	66	Office GFA (sq. m):	0	0
2 Bedroom:	38	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	115			

**CONTACT: PLANNER NAME:** David Driedger, Planner **TELEPHONE: 416-392-7613**  
**EMAIL: ddriedg@toronto.ca**