

## **Commercial Loading Zone - Bathurst Street**

**Date:** August 26, 2019  
**To:** Toronto and East York Community Council  
**From:** Acting Director, Traffic Management, Transportation Services  
**Wards:** Ward 10, Spadina - Fort York

### **SUMMARY**

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As the Toronto Transit Commission (TTC) operates a transit service on Bathurst Street, City Council approval of this report is required.

Transportation Services is recommending that a commercial loading zone be designated on Bathurst Street, as it relates to the development at 216-218 Bathurst Street, a two-storey commercial building. The proposed commercial loading zone will address requirements of the Toronto Local Appeal Body Decision for 216-218 Bathurst Street & 5 Robinson Street (File # 17 274561 S45 19 TLAB) from June 17, 2019, particularly with regards to loading variances as well as facilitating curbside commercial loading/unloading of goods and pick-up/drop-off activities associated with the proposed development.

### **RECOMMENDATIONS**

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The Acting Director, Traffic Management, Transportation Services, recommends that:

1. City Council designate a commercial loading zone to operate at all times except from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., Monday to Friday, on the west side of Bathurst Street, between a point 31 metres north of Wolseley Street and a point 14 metres further north.

### **FINANCIAL IMPACT**

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There are no financial implications to this report. The estimated amount of \$105.61 for installation, plus the annual fee of \$396.07 for the commercial loading zone and the estimated amount of \$35,824.00 associated with the loss of two pay-and-display parking spaces in connection with the installation of the commercial loading zone will be borne by the applicant.

## **DECISION HISTORY**

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An application to convert an existing two-storey commercial building, 216-218 Bathurst Street, into a hotel containing 30 suites was submitted to the Committee of Adjustment on March 14, 2017. On July 26, 2017, the development application was heard by the Committee of Adjustment and was deferred in order to provide the applicant with an opportunity to complete the reports requested by the Toronto Transit Commission and Transportation Planning staff. The application was brought before the Committee of Adjustment for a second time on November 22, 2017 and was refused at that time.

The applicants then appealed to the Toronto Local Appeal Body (TLAB) on December 12, 2017. The Appellants and City staff participated in a TLAB facilitated mediation held on March 21, 2018 and reached a settlement on April 3, 2018. Hearings to complete the appeal were held on April 25, 2018 and October 12, 2018, followed by a teleconference on November 15, 2018.

The TLAB issued a Decision and Order on June 17, 2019 which sets aside the November 22, 2017 decision of the Committee Adjustment. Among other things, the TLAB Decision and Order requires that the owner, prior to the issuance of the first above-grade building permit, shall submit an application to permit a Commercial Loading Zone along the west side of Bathurst Street, directly adjacent to the property at 216-218 Bathurst Street, and obtain approval from City Council for the Commercial Loading Zone and should approval be granted by City Council:

- a) the applicant/owner shall enter into any necessary arrangements or agreements including the removal of two Toronto Parking Authority parking spaces adjacent to the site, that are required to secure the Commercial Loading Zone to the satisfaction of the General Manager, Transportation Services;
- b) the commercial loading zone shall be restricted in use during rush hour times that shall be indicated in appropriate signage to the satisfaction of the General Manager, Transportation Services; and
- c) the enactment date of the commercial loading zone through a by-law passed by City Council is not part of this condition for issuance of the first above-grade building permit.

## **COMMENTS**

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Bathurst Street, in the vicinity of the site, is a north-south major arterial roadway and consists of a four-lane (two northbound and two southbound) cross-section. TTC service on Bathurst Street is provided by the "511 Bathurst" streetcar, which operates in the median lanes on a shared right-of-way with general traffic.

The following parking regulations are in effect on the subject section of Bathurst Street:

**East side**

- No stopping from 4:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays; and
- No standing anytime.

**West Side**

- No parking from 4:00 p.m. to 6:00 p.m., Monday to Friday, except public holidays;
- No stopping from 7:00 a.m. to 9:00 a.m., Monday to Friday, except public holidays; and
- Pay-and-display parking from 9:00 a.m. to 4:00 p.m. and from 6:00 p.m. to 9:00 p.m., Monday to Friday; from 8:00 a.m. to 9:00 p.m., Saturday; from 1:00 p.m. to 9:00 p.m. Sunday.

Traffic operations and TTC streetcar service on Bathurst Street will not be negatively impacted by the commercial loading zone. It is feasible to establish the commercial loading zone on the west side of Bathurst Street, from a point 31 metres north of Wolseley Street and a point 14 metres further north generally as depicted on drawing No. 421G-3494 attached.

The proposed commercial loading zone will eliminate two pay-and-display parking spaces. The loss of pay-and-display parking revenue is estimated to be \$35,824.00. This will fulfil the requirement as agreed upon in the Toronto Local Appeal Body Decision for 216-218 Bathurst Street & 5 Robinson Street (File # 17 274561 S45 19 TLAB).

The following should be noted:

- A commercial loading zone is a public facility, which may be used by anyone for the purpose of and while actually engaged in loading or unloading merchandise, and no one has exclusive rights to the loading zone;
- The proposed commercial loading zone will operate at all times except from 7:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:00 p.m., Monday to Friday; and
- The applicant will be responsible for all incurred costs associated with the designation of a commercial loading zone, which includes installation, maintenance and the cost associated with the loss of two pay-and-display parking spaces.

Councillor Joe Cressy has been advised of the recommendation of this staff report.

## **CONTACT**

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## **SIGNATURE**

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Roger Browne, M.A.Sc., P.Eng.,  
Acting Director,  
Traffic Management  
Transportation Services

## **ATTACHMENTS**

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1. Drawing No. 421G-3494, dated August 2019.

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