

2795-2799 & 2801 Bathurst Street - Zoning By-law Amendment Application - Preliminary Report

Date:	August 19, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	15 152614 NNY 16 OZ

SUMMARY

This application proposes to amend the former City of North York Zoning By-law No. 7625 and new City-wide By-law 569-2013 for the lands at 2795-2799 and 2801 Bathurst Street to permit a 10 storey mixed use residential building fronting onto Bathurst Street and two wings of four storey grade related townhouses on the eastern portion of the site with a total gross floor area of 14,745 square metres.

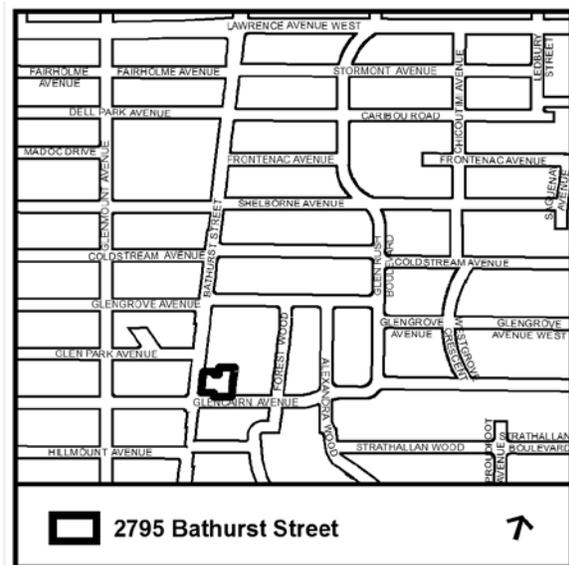
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A final report and public meeting under the Planning Act to consider this application will be scheduled once all required information has been submitted and outstanding issues resolved.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a



- community consultation meeting for the lands at 2795-2799 and 2801 Bathurst Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 240 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 on April 21, 2015 to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The proposed building is C shaped with a 10 storey portion of the building located within the *Mixed Use Areas* designation in the Official Plan located along Bathurst Street and two wings of four storey grade related townhouses located in the *Neighbourhoods* designation of the Official Plan. Included in the proposal is a landscaped courtyard in the *Neighbourhoods* designation. The application proposes a mixed-use 10 storey building along Bathurst Street with ground floor commercial (1,100 square metres) and 9 floors of residential above. The mixed-use building would have a total gross floor area of 14,745 square metres and a Floor Space Index (FSI) of 4.4 times the lot area. The application proposes a 3 metre building setback from the current property line along Bathurst Street to accommodate a road widening to achieve the planned 27 metre right-of-way on Bathurst Street. The ground floor has a height of 6 metres to allow for a sufficient height for ground floor retail space. Fronting onto Glencairn Avenue four 4-storey residential townhouse grade related units are proposed.

A 6 metre ground to floor ceiling height is proposed to accommodate commercial uses on the ground floor and a mezzanine level with residential units framing an interior rear courtyard and an indoor amenity space above the residential lobby. The building is proposed to be setback 3.6 metres along Glencairn Avenue and 3 to 5.5 metres on the north side with residential terraces within these setbacks.

The ground to third floors, would be setback by 3 metres due to a 3 metre road widening along Bathurst Street. On the fourth floor the building would be setback 7 metres from the future property line (10 metres from the existing property line) and 4.5 metres along Glencairn Avenue. An additional indoor residential amenity area is proposed in the middle of the residential portion of the building with access to landscaped outdoor residential amenity terraces. In total there are approximately 410 square metres of indoor

amenity space and 1031 square metres of outdoor amenity space proposed exclusively for residents.

The building would contain approximately 175 residential units with a mixture of suite types including: 9 three-bedroom suites, 38 two-bedroom suites, 122 one-bedroom suites, and 6 studio/bachelor suites.

Pedestrian access would be provided to the building off of Glencairn Avenue. Vehicular access is proposed from a shared private laneway between the site and the abutting synagogue fronting onto Glencairn Avenue (470 Glencairn Avenue). Vehicles would access the parking garage on the most northeastern part of the building. There are a total of 182 car parking spaces proposed including 145 spaces for building residents, 26 spaces for visitors and 11 spaces for the commercial uses. A type G loading space is also proposed within the building with direct connections to the retail service corridor, storage and elevators along with all residential waste handling.

For more information please refer to Attachment #6 - Application Data Sheet.

Table 1 – Site Statistics

Total Gross Floor Area	14,745m ²
Floor Space Index	4.4
Vehicular Parking	182
Bicycle Parking	183
Lot Coverage	78%

Site and Surrounding Area

The site is located on the east side of Bathurst Street and on the north side of Glencairn Avenue. The site has an approximate area of 3334 square metres with approximately 43 metres of frontage on Bathurst Street and a depth of 61 metres. It is currently occupied by a single-storey Shopper's Drug Mart retail store and a two-storey commercial building with medical and professional offices known as the Glenhurst Professional Centre. These buildings front Bathurst Street and contain commercial surface (pay) parking to the rear. Parking is currently accessed through a driveway from Glencairn Avenue and is available to customers and the public on a paid basis. The site occupies most of the northeast quadrant of Bathurst Street and Glencairn Avenue, however, it does not include the corner property at 2793 Bathurst Street that is occupied by a single-storey jewelry store.

Surrounding uses are as follows:

North: Directly north of the site along Bathurst Street are 1-2 storey commercial buildings and the Shaarei Shomayim synagogue is located to the north east of the site. North of Glen Park Road on the west side of Bathurst Street is an older low-rise building with two mid-rise 5 and 6 storey buildings, used predominately for offices. Just north of this block is a 13-storey residential

apartment building extending to Coldstream Avenue (2900 Bathurst Street).

East: To the east of the site is a shared private laneway that has an easement in favour of the subject property. To the east of the laneway is the Shaarei Shomayim synagogue. East of the synagogue is a low rise residential neighbourhood consisting of single detached dwellings.

South: At the south-east corner of Bathurst Street and Glencairn Avenue there is a vacant property that is subject to a development proposal for a 12-storey mixed use building at 491 Glencairn Avenue and 278-282 Strathallan Wood Road (Application No. 14 102565 NNY16 OZ). The application proposes a 12 storey mixed use building containing 150 residential units, 428 square metres of commercial space at grade and 149 car parking spaces in 3 levels of underground parking. The south west corner of Bathurst Street and Glencairn Avenue (2788 Bathurst Street) is occupied by a low-rise (3-4 storey) commercial office building.

West: West of Bathurst Street is a mid-rise (5-storey) mixed use building with ground floor retail and service uses and residential units above (500 Glencairn Avenue). Just to the north of this building is another mid-rise (6-7 storey terraced) mixed-use building that extends north and wraps the corner of Glen Park Road (1 Glen Park).

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; 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; 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.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The portion of the subject property fronting onto Bathurst Street is located within a *Mixed Use Areas* designation within the Official 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 and open spaces and utilities.

Development in *Mixed Use Areas* should:

- create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen services areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The rear portion of the site fronting onto Glencairn Avenue is designated as *Neighbourhoods* in the Official Plan. *Neighbourhoods* are considered physically stable areas, which include residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments up to four storeys. Parks, local institutions, home occupations, cultural and recreational facilities and small scale retail service and office uses are also provided for in *Neighbourhoods*. Local institutions include uses such as seniors and nursing homes and long term care facilities.

The Official Plan states that no changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood. In addition, physical changes to established *Neighbourhoods* must be sensitive and fit its existing context and physical character.

Policy 4.1.5 of the Official Plan requires development in established *Neighbourhoods* to respect and reinforce the existing physical character of the neighbourhood, including in particular:

- Size and configuration of lots;
- Heights, massing, scale and dwelling type of nearby residential properties;
- Prevailing building type(s);

- Setbacks of buildings from the street or streets;
- Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- Prevailing patterns of rear and side yard setbacks and landscaped open space.

The subject site is also located within a designated *Avenue* within the Official Plan, Map 2 – Urban Structure. Under Section 2.2.3 the Plan states that reurbanization along *Avenues* can create new housing and jobs whilst improving the pedestrian environment, public realm, shopping opportunities and transit service for community residents. The Plan recognizes that the *Avenues* will be transformed incrementally, that each is different and that there is no one size fits all approach to reurbanizing them. Reurbanization of the *Avenues* is subject to the policies of the Official Plan, including in particular the neighbourhood protection policies. *Avenue* Studies will be conducted to set out a framework for future development. If a development application is located on an *Avenue* that has not undergone an *Avenue* Study, the applicant is generally required to submit a segment study to illustrate that the proposed development would not set a negative precedent along the *Avenue*. Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council's satisfaction that the subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review. Planning staff have requested that an *Avenue* Segment Study be submitted as part of this application.

Other relevant policies which will be used to review this development proposal include those in the “Public Realm” and “Built Form” sections of the Official Plan.

Under the application's review planning staff will examine the appropriateness of the proposed building being built on a *Mixed Use Areas* and *Neighbourhoods* designation under the Official Plan and its impact on the adjacent neighbourhood and precedent for other properties along *Avenues* throughout the City. This will include the requirement of an Official Plan amendment from *Neighbourhoods* to *Mixed Use Areas* that should be applied to the site.

Zoning

The site is subject to the former City of North York Zoning By-law 7625 and the new City-wide Zoning By-law 569-2013.

Under the former North York Zoning By-law 7625 the portion of the site fronting Bathurst Street is designated C1 (Commercial 1 Zone) and the portion to the east adjacent to the synagogue is designated R4 (Residential Density 4). The C1 zoning permits a mixture of commercial and residential uses with a total maximum density of 1.0 times the lot area and a maximum permitted building height (for commercial with dwelling units above the first floor) of 9.2 metres or 3 storeys whichever is lesser. The R4 zoning permits a full range of residential uses including apartments to a maximum lot coverage of 30% and a maximum height of 8.8 metres.

Under the new City-wide Zoning By-law 569-2013, the portion of the site facing Bathurst Street is zoned CR (Commercial Residential) and the east part of the site is zoned RD (Residential). The CR zone permits a maximum density of 1 times the area of the lot and a height limit of 14 metres. The RD zone permits a maximum height of 10 metres.

Site Plan Control

A Site Plan Control application is required. The applicant has not submitted a Site Plan Control application at this time.

Tree Preservation

An arborist report has been submitted with this application. The report has been circulated to Urban Forestry staff for review.

Reasons for the Application

An application is required to amend the former City of North York By-law 7625 and new City-wide By-law 569-2013 to increase the permitted height and density on site and to provide for appropriate performance standards to accommodate the proposed development.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Architectural Plans
- Arborist Report
- Site Survey
- Green Development Standards Checklist
- Shadow Study
- Landscape Plan
- Site Servicing Plan
- Utility Plan
- Erosion and Sediment Control Plan
- Grading Plan
- Traffic Impact Study
- Stormwater Management Report
- Planning Rationale

A Notification of Incomplete Application was issued on June 9, 2015 and identified the following outstanding material required for a complete application submission:

- North Elevation
- East Elevation

These outstanding materials were submitted on June 22, 2015 and a Notification of Complete Application was subsequently issued on June 23, 2015.

Planning staff have also requested an Avenue Segment Study be submitted. The applicant intends to submit the study shortly.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

- Need for an Official Plan Amendment for the portion of the property in the *Neighbourhoods* designation;
- Appropriateness of the proposed height, density and massing;
- Compatibility and fit with neighbouring residential uses, including building type, setbacks, built form and streetscape;
- Potential consolidation of the existing building at the northeast corner of Bathurst Street and Glencairn Avenue;
- The appropriateness of spandrel glass at the prominent corner of Bathurst Street and Glencairn Avenue;
- The location, orientation and organization of the building and site including service areas, building entrance and ground floor uses;
- Review of the loading/unloading areas and site access/circulation;
- Potential overlook and privacy issues with adjacent properties;
- Assessing potential traffic impacts generated by the proposed building;
- The adequate provision of vehicular and bicycle parking spaces;
- Location and design of servicing, garbage pick-up and access to underground garage;
- Submission and review of an Avenue Segment Study;
- Compliance with the 45 degree angular plane; and
- The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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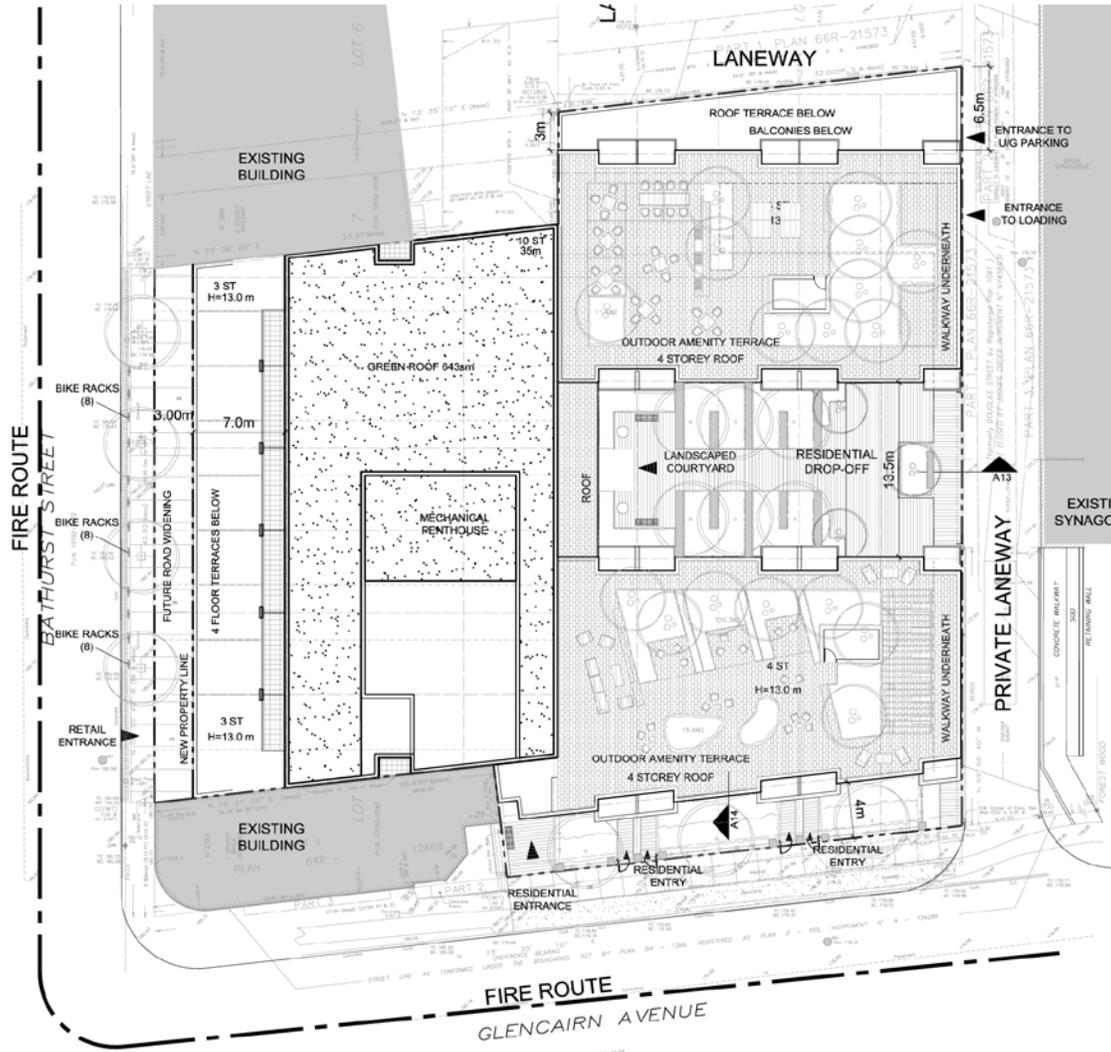
SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North and East Elevations
Attachment 3: South and West Elevations
Attachment 4: Official Plan Map
Attachment 5: Toronto Consolidated Zoning By-law 569-2013
Attachment 6: Former North York Zoning By-law 7625
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

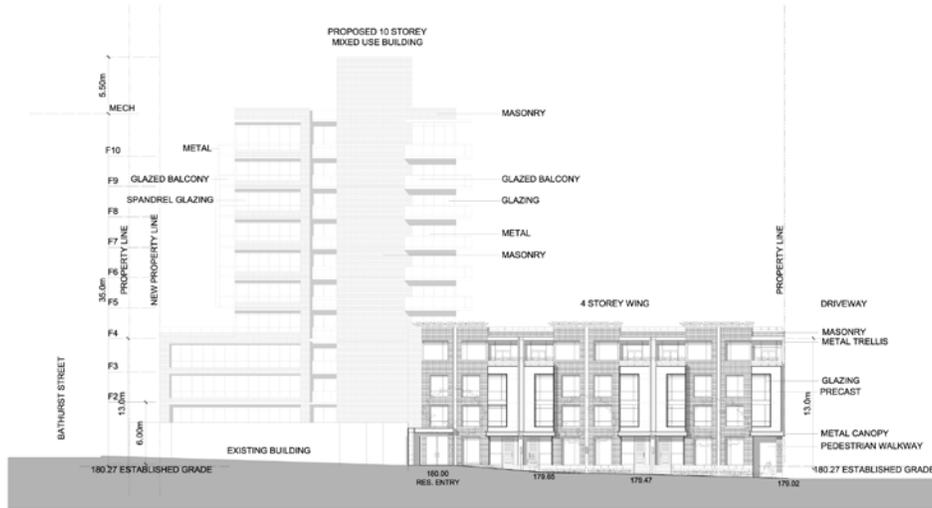
Not to Scale
05/26/2015



2795 Bathurst Street

File # 15 152614 NNY 16 0Z

Attachment 3: South and West Elevations



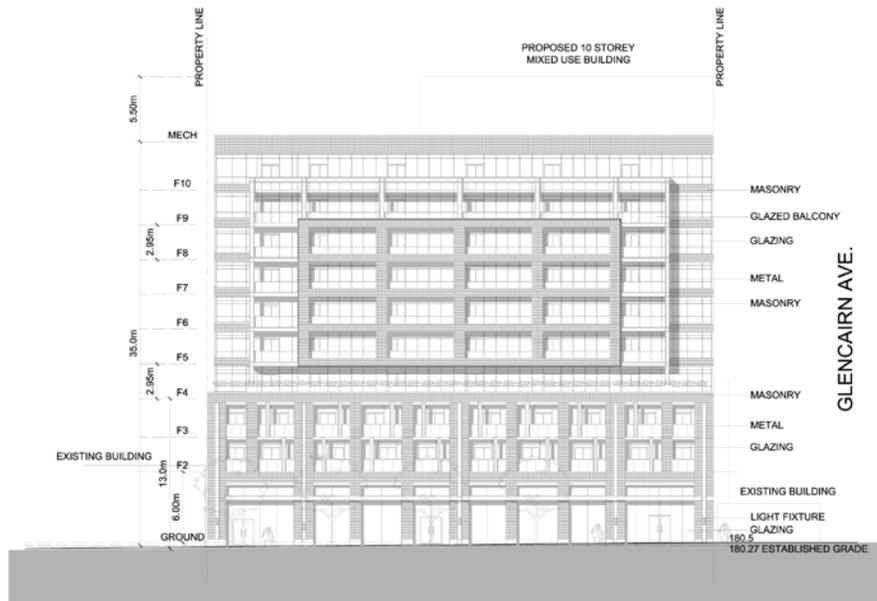
South Elevation

2795 Bathurst Street

Applicant's Submitted Drawing

Not to Scale
05/26/2015

File # 15 152614 NNY 16 02



West Elevation

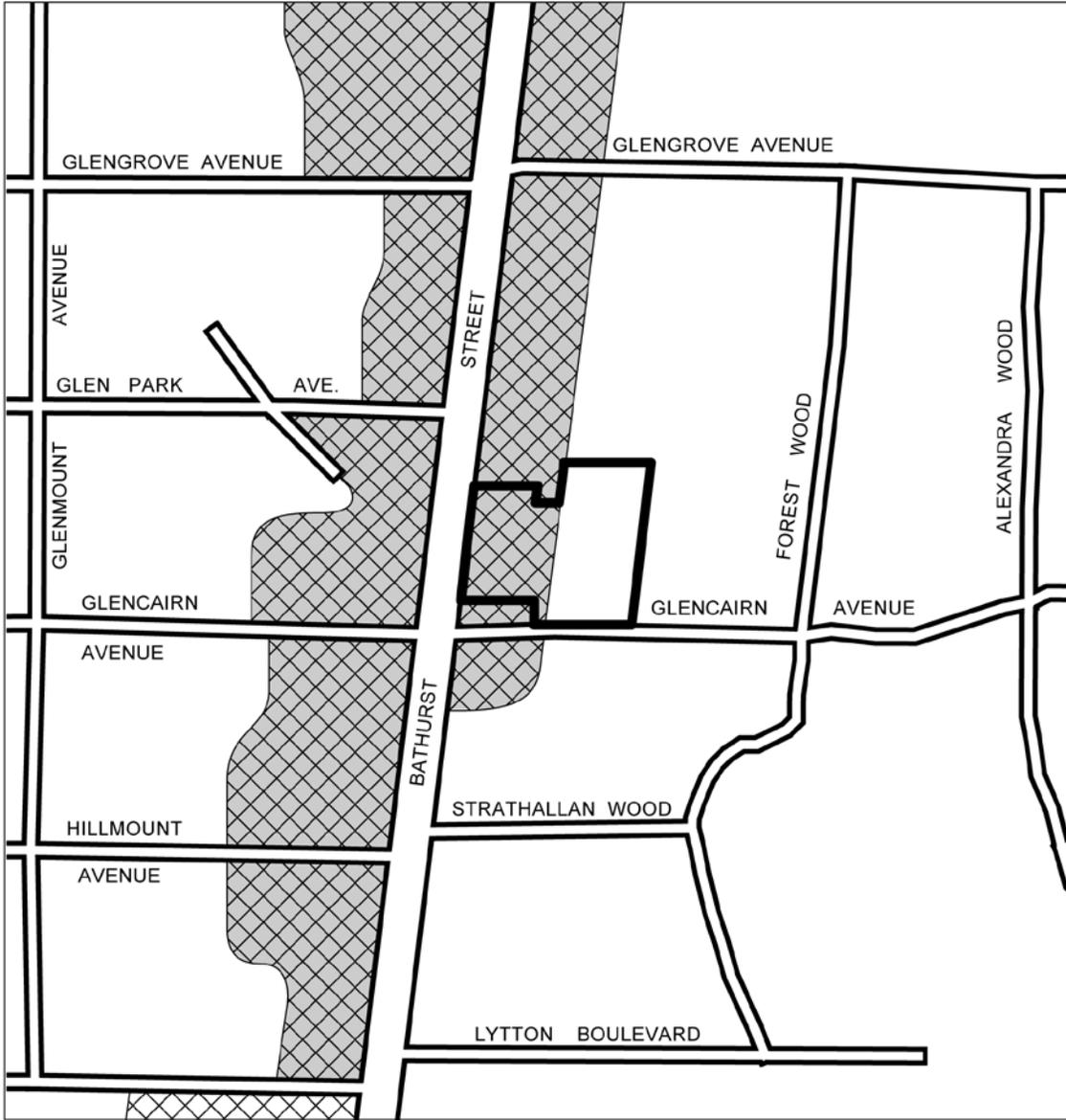
2795 Bathurst Street

Applicant's Submitted Drawing

Not to Scale
05/27/2015

File # 15 152614 NNY 16 02

Attachment 4: Official Plan Map



TORONTO City Planning
Extract from Official Plan

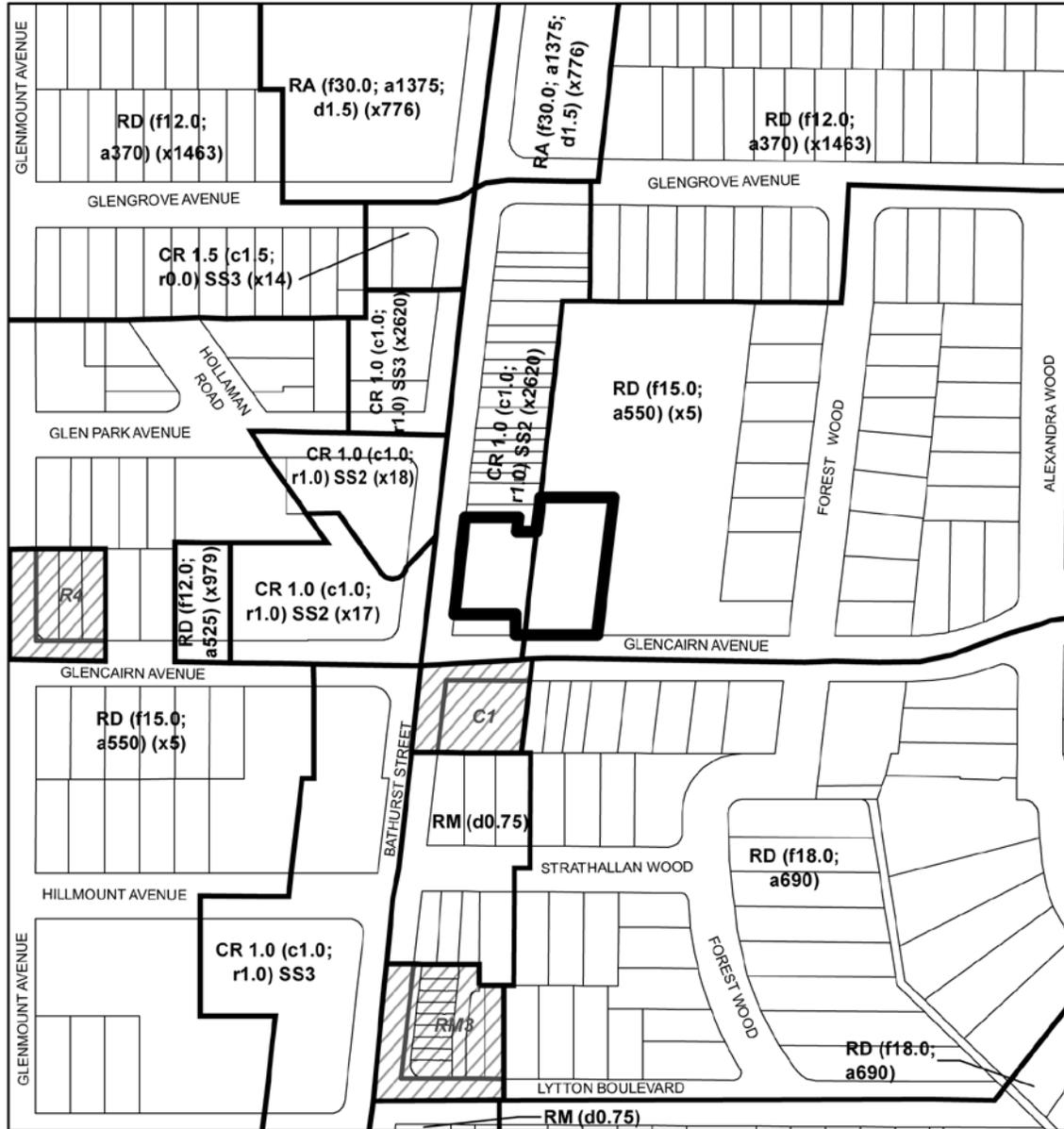
2795 Bathurst Street

File # 15 152614 NNY 16 0Z

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas
-  Apartment Neighbourhoods


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Attachment 5: Toronto Consolidated Zoning By-law 569-2013



Zoning By-Law No. 569-2013

2795 Bathurst Street

File # 15 152614 NNY 16 02

Location of Application

RD Residential Detached **RA** Residential Apartment
RM Residential Multiple **CR** Commercial Residential

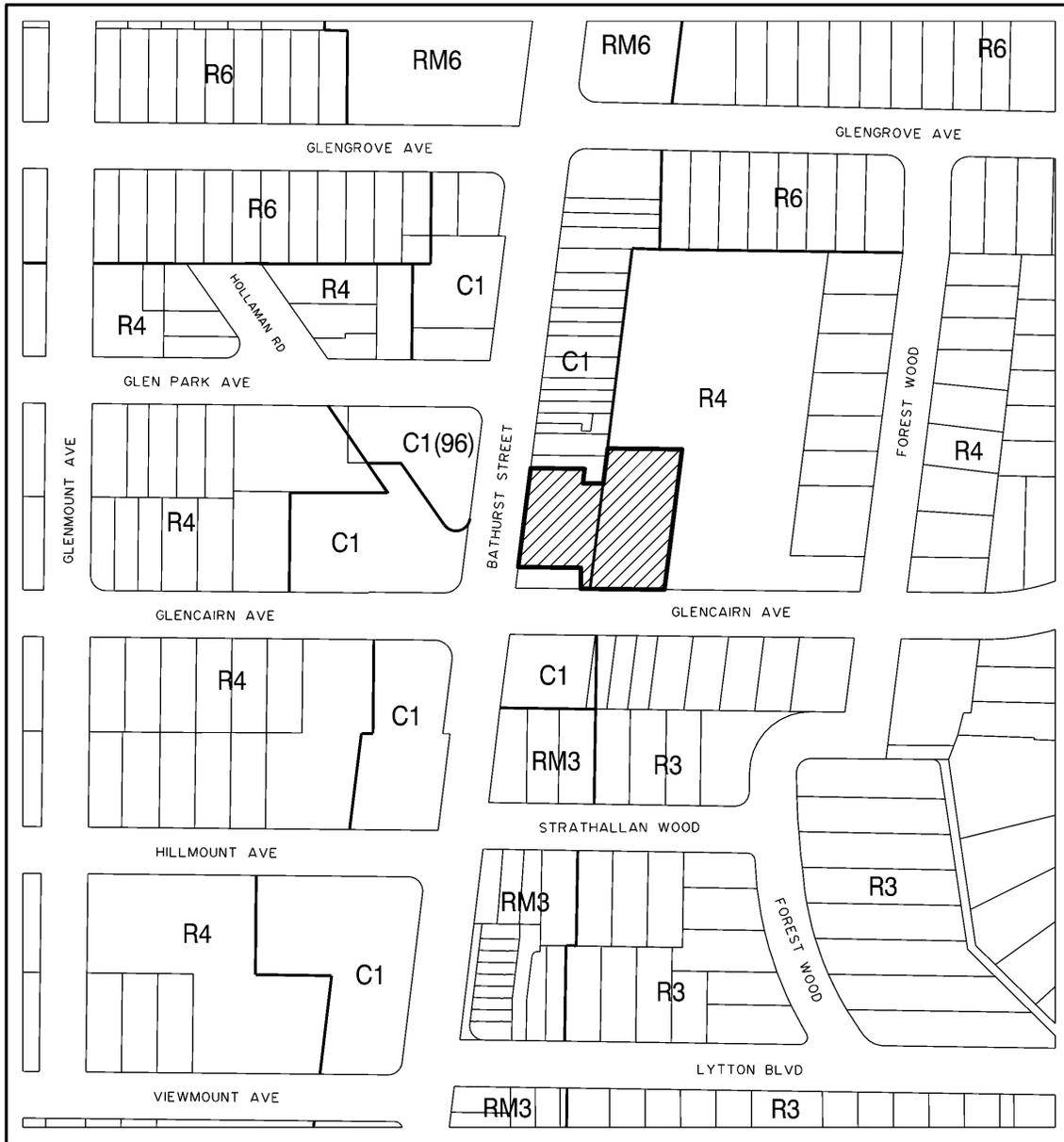
See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
RM3 Multiple-Family Dwellings Third Density Zone
C1 General Commercial Zone



Not to Scale
 Extracted: 05/26/2015

Attachment 6: Former North York Zoning By-law 7625



Toronto City Planning
Zoning By-Law No. 7625

2795 Bathurst Street
 File # 15 152614 NNY 16 0Z

-  Location of Application
- R3 One-Family Detached Dwelling Third Density Zone
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone

- RM3 Multiple-Family Dwellings Third Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category


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 Extracted 05/27/2015

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	15 152614 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	May 6, 2015

Municipal Address: 2795-2799 and 2801 BATHURST ST
 Location Description: PLAN 1061 LOTS 9 17 TO 20 PT LOTS 7 8 AND 10 **GRID N1604
 Project Description:

Applicant:	Agent:	Architect:	Owner:
Hunter and Associates 555 Richmond Street, Suite 405 Toronto, Ontario M5V 3B1	N/A	Page and Steele Architects 95 St. Clair West, Suite 200 Toronto, Ontario M4V 1N6	Riverking Developments LP 145 Adelaide Street West, Suite 500 Toronto, Ontario M5H 4E5

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas, Neighbourhoods	Site Specific Provision:	No
Zoning:	Zoning By-law 7625: C1 & R4 Zoning By-law 569-2013: CR & RD	Historical Status:	No
Height Limit (m):	Zoning By-law 7625: 9.2m or 3 storeys & 8.8m Zoning By-law 569-2013: 14m & 10m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	3344	Height:	Storeys:	10	
Frontage (m):	42.92		Metres:	35	
Depth (m):	60.95				
Total Ground Floor Area (sq. m):	2600				Total
Total Residential GFA (sq. m):	13375		Parking Spaces:	182	
Total Non-Residential GFA (sq. m):	1100		Loading Docks	1	
Total GFA (sq. m):	14475				
Lot Coverage Ratio (%):	77.75				
Floor Space Index:	4.4				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Rental		Above Grade	Below Grade
Tenure Type:	Rental			
Rooms:	0	Residential GFA (sq. m):	13375	0
Bachelor:	6	Retail GFA (sq. m):	1100	0
1 Bedroom:	122	Office GFA (sq. m):	0	0
2 Bedroom:	38	Industrial GFA (sq. m):	0	0
3 + Bedroom:	9	Institutional/Other GFA (sq. m):	0	0
Total Units:	175			

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