

Bathurst – Bloor Four Corners Study – Official Plan Amendment and Zoning By-law Amendment – Status Report

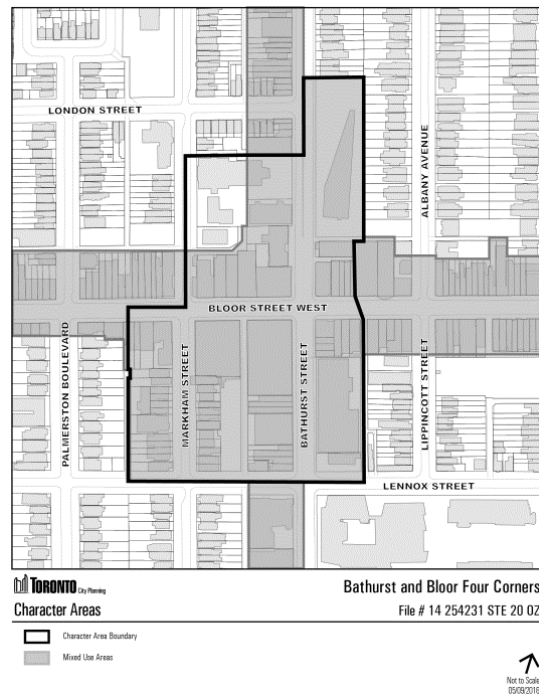
Date:	June 8, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina Ward 20 – Trinity-Spadina
Reference Number:	14-254231 STE 20 OZ

SUMMARY

This report describes draft Official Plan policies and a proposed zoning by-law amendment for the Bathurst-Bloor Character Area and recommends that a statutory meeting be held in the fourth quarter of 2016.

The draft policies include:

- conservation of heritage buildings and properties;
- providing for transition to *Neighbourhoods* and to developments of lesser scale;
- requirements for parkland dedication; and public realm improvements;
- maintaining the prevailing two and three storey streetwall heights on Bloor and Bathurst Streets
- increasing building height permissions to between six and nine stories in three of the four quadrants; and
- allowing a greater level of intensification and height in the southwest quadrant (former Honest Ed's site).



RECOMMENDATIONS

The City Planning Division recommends that:

1. The following reports be brought back to Toronto and East York Community Council in the fourth quarter of 2016:
 - a) A final report to amend the Official Plan, amend the retail and service uses in Section 12(2)270 of Zoning By-law 438-86, and Urban Design Guidelines for the Bathurst-Bloor Character Area from the Director, Community Planning, Toronto and East York District;
 - b) A report on the feasibility and options to make improvements to Ed and Ann Mirvish Parkette to improve its function from the from the Director, Community Planning, Toronto and East York District in consultation with Parks, Forestry and Recreation staff;
 - c) A report on options to improve pedestrian crossings in the Bathurst-Bloor Character Area from the Director, Transportation Services, Toronto and East York District in consultation with the Director, Community Planning, Toronto and East York.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The Bathurst Street Study was initiated at the request of City Council. At its meeting on July 11, 12 and 13, 2012, City Council directed staff to initiate a planning study focussing on built form and land use on both sides of Bathurst Street from Dupont Street to Queen Street West. The motion can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE17.57>

The Bathurst Street Study resulted in a Zoning By-law amendment to regulate the size of retail uses which was approved by City Council at its meeting on July 8, 2014. The by-law amendment has been appealed to the Ontario Municipal Board. The link to that report can be found here:

<http://www.toronto.ca/legdocs/mmis/2014/te/bgrd/backgroundfile-70047.pdf>

The Bathurst Street Study also resulted in Official Plan Amendment No. 465 for Bathurst Street which was adopted by City Council on August 28, 2014. The report requested the initiation of the Bathurst-Bloor Four Corners Study and directed staff to report back on any properties for inclusion on the City's Heritage Register within the Four Corners area.

The Official Plan Amendment has been appealed to the Ontario Municipal Board. The link to that report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.TE34.8>

At its meeting of May 5, 2015 City Council endorsed the March 24, 2015 report titled “Bathurst-Bloor Four Corners Study Official Plan Amendment Principles Report” which included a set of principles which form the basis for the Official Plan policies described in this report. A link to the Principles Report may be found below:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-78545.pdf>

At its meeting of November 3, 2015 City Council adopted the September 8, 2015 report titled “Inclusion in the City’s Heritage Register - Bathurst-Bloor Properties” which included 35 properties for listing on the Register. A link to the report may be found below:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-83789.pdf>

ISSUE BACKGROUND

Study Website

The Bathurst-Bloor Four Corners Study website contains information about the study. The website is: <http://toronto.ca/bathurstbloor>

The Bathurst Street Study website contains detailed background information about the Bathurst Street Study including: background documents, the consultant reports, presentations, information panels, meeting summaries and survey results. The study website is: www.toronto.ca/planning/bathurst.htm

Background

The Bathurst Street Study policies implemented a vision for Bathurst Street according to the following principles: area-appropriate built form and use, reinforcing of existing scale and character, heritage conservation and improving the public realm. Although Bathurst Street is not anticipated to experience significant intensification, the Bathurst Street Study recognized that some intensification would happen at major intersections such as College, Dundas and Bloor. The Study also encouraged fine grain, pedestrian shopping areas along those parts of Bathurst Street that are designated *Mixed Use Areas*.

To direct growth to the major intersections, the Study removed the *Avenue* overlay on the west side of Bathurst, north of Bloor to instead maintain the low scale, fine-grained character of this area. The direction included the initiation of the Bathurst-Bloor Four Corners Study and directed staff to report back on any properties for inclusion on the City’s Heritage Register within the Four Corners area. That work is now complete and the results are included in this report.

Official Plan

Bathurst Street is a boundary line between the Official Plan's *Downtown and Central Waterfront* area and the rest of the city to the west as shown in Map 2: Urban Structure in the Official Plan. In particular, *Downtown* policies in Section 2.2.1 of the Official Plan place a priority on maintaining and upgrading public amenities and infrastructure, including streets, parks and open spaces, preserving architectural and cultural heritage, and improving transit and the pedestrian environment.

Bloor Street is identified as an *Avenue* in the Official Plan as per Section 2.2.3. The study area is designated *Mixed Use Areas* except for a small section on the east side of Markham Street north of Bloor which is designated as *Neighbourhoods*. Section 4.5 of the Official Plan contains policies on *Mixed-Use Areas* and Section 4.1 contains policies on *Neighbourhoods*. The *Mixed Use Area* designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. Chapter 2 – Shaping the City recognizes that *Neighbourhoods* and open spaces are to be protected from development pressures. Bathurst Street, Markham Street south of Bloor Street, and Bloor Street within the Study Area are considered traditional pedestrian shopping streets under Policy 3.5.3 – the Future of Retailing – in the Official Plan.

Many properties in the Bathurst-Bloor area are on the City's Heritage Register. Section 3.1.5 of the Official Plan includes policies on Heritage Conservation. Properties on the Heritage Register will be conserved and maintained.

Zoning

The majority of the study area is zoned *Mixed Use (CR)* with the exception of the rear portion of St. Peter's Church (840 Bathurst Street) and the TTC entrance on Markham Street, which are located in a *Residential Zone* as shown in Attachment 1 to this report. The *Mixed Use* zoning permits a mix of commercial and residential uses to a total of between 1.5 and 3.0 times the area of the lot. The maximum permitted height in the *Mixed Use* areas is between 11 metres and 16 metres. Any redevelopment would also be subject to various development standards established by the Zoning By-law respecting setbacks, parking, loading and amenity space. In addition, retail uses on Bathurst Street are subject to Zoning By-law 714-2014 which limits the total amount of non-residential gross floor area of any one retail establishment to 3,500 square metres, and limits the frontage of any single retail or service use on the ground floor to 12 metres.

Community Consultation

Throughout the community consultation process participants identified heritage and the small-scale and independent retail as important defining elements of the character in the area. A desire to retain the existing cultural uses was also raised, such as the retention of artists and studio spaces on Markham Street, and the need for affordable housing to rent, and to own, as well as for families was raised. The need for infant and child care spaces in the city's core to keep pace with new development is also a concern.

In December 2014, City Planning hosted the first community consultation meeting for the Bathurst-Bloor Four Corners Study. Approximately 120 people were in attendance. Building on the comments received at the October 2013 visioning session co-hosted by the two ward councillors, participants were asked to comment on their level of agreement on a set of Emerging Principles for the study area on Public Realm, Movement, Heritage, Built Form, and Land Use. The Principles were posted to the study website in a survey format for a period of two weeks, which received over 250 responses. Staff also consulted with the area's Business Improvement Associations. The feedback received formed the basis of the Bathurst-Bloor principles which were endorsed by City Council in 2015. The staff report which details the feedback received at that meeting may be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-78545.pdf>

On November 28, 2015, City Planning held the second community consultation meeting attended by approximately 100 people and on January 20, 2016 City Planning met with representatives of the four Resident Associations and Business Improvement Associations. At both meetings City Planning reviewed the draft Official Plan Amendment for the study area. There was a high level of agreement at both on the policy direction for Public Realm, Movement, Heritage, and Land Use. There was generalized agreement on the Built Form policy direction for building heights, streetwall heights and front, rear and side angular planes for three of the Four Corners, or quadrants (northwest, northeast, and south east). While some participants indicated satisfaction with the potential for taller buildings in south-west quadrant, a majority expressed some concern with the potential impacts on the neighbourhoods and public realm that could result from tall buildings in that quadrant related to density, shadows and sunlight, congestion, inadequate transit capacity, and lack of park space in the area.

On February 2, 2016 City Planning held the third and final consultation meeting attended by approximately 90 people. Participants were generally supportive of the draft policy direction described in this report. There was strong support for the creation of a new park, for mid-block connections, for wider sidewalks, improvements to the public realm, improved pedestrian crossings, the proposed streetwall height and stepback, heritage conservation, maximizing sunlight on the sidewalks, and building heights of between 6 and 9 storeys (23-29 metres in height). Consensus was not reached on the appropriate level of intensification for the southwest quadrant of the Character Area.

COMMENTS

POLICY RECOMMENDATIONS

Official Plan Direction for *Avenues* and Mixed Use Areas

Most of the new growth over the next 30 years will occur in Official Plan land use designations covering 25 per cent of the City's geographic area, such as *Mixed Use Areas*.

In particular, the Official Plan states that not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will typically occur *Downtown*, particularly in the *Financial District*. The *Centres* will develop at differing scales and densities, set out in their respective Secondary Plans and zoning by-laws, reflecting the context of their surroundings and transportation infrastructure. Development along the *Avenues* will generally be at a much lower scale than in the *Downtown* and most often at a lower scale than in the *Centres*.

The *Avenues* have been identified at a broad scale on the Urban Structure Map 2 in the Official Plan to help assess urban design, transit and service delivery issues. Each *Avenue* is different in terms of lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential. The Official Plan states that a framework for change on an *Avenue* will be tailored to the situation of each *Avenue* through a local Avenue Study that will involve local residents, businesses and other stakeholders for each *Avenue*, or sections of longer *Avenues*. An appropriate set of performance and built form criteria for Bloor Street to the west of the Bathurst-Bloor Character Area will be determined by an *Avenue* Study.

The Official Plan states that development in *Mixed Use Areas* on *Avenues*, prior to an *Avenue* Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. In addition to the policies for *Mixed Use Areas*, proponents of proposals on an *Avenue* prior to the completion of an *Avenue* Study will address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Site and Area Specific Policy For the Bathurst-Bloor Four Corners

The Bathurst Street Study-Dupont Street to Queen Street West Official Plan Amendment continue to be the underlying foundation for the Bathurst-Bloor Four Corners area. The Bathurst-Bloor Character area is described in the Bathurst Street Study as an eclectic Character Area populated by a variety of mixed use buildings, medical offices, and the TTC station. Buildings at the intersection of Bathurst Street and Bloor Street West are 2 to 3 storeys in height. The large retail store (former Honest Ed's) on the south west corner has evolved over time to introduce individual storefronts on the Bloor and Bathurst frontages that reflect in some ways the fine grain traditional pedestrian shopping area character. The signage on the building is considered by many residents to be a landmark. This Character Area includes a new 9-storey condominium south of Bloor Street on the east side at 783 Bathurst Street (B-Street condos).

The Bathurst Street Study recommended that new development incorporate active ground-floor uses, provide public amenities to animate an enriched pedestrian realm on Bloor Street and on Bathurst Street, and reinforce the existing pedestrian shopping areas. The study also concluded that development at 783 Bathurst is not considered a precedent for the Bathurst-Bloor Character Area because it does not conform with the direction of the Bathurst-Bloor Study, including the streetwall and front angular plane requirements and the rear and side angular plane requirements.

The Bathurst Street Study called for an area specific study for the Bathurst-Bloor Four Corners area to define a vision for the Bathurst-Bloor Character Area to address the complexity of the Four Corners. Proposals for buildings taller than 6-storeys would only be assessed after the area-specific study is complete in order to determine whether increased height is appropriate.

The Bathurst Street Study Official Plan policies (OPA 246) include a set of policies which apply to Bathurst Street from Dupont Street to Queen Street West and will continue to apply generally to the Bathurst-Bloor Character Area but with a greater level of detail added.

The following section includes an explanation of the proposed draft official plan policies for the Bathurst-Bloor Character Area according to the following topic areas: 1. General Policies 2. Vision, 3. Objectives, 4. Public Realm/Open Space/Parkland, 5. Mixed Use Areas, 6. Movement, and 7. Built Form.

1. Bathurst-Bloor General Policies

The Bathurst-Bloor Character Area refines the boundaries of the Study Area as shown in Attachment 3 to this staff report. The policies in this section direct that:

- Urban Design Guidelines be prepared for the Character Area and be used to provide more detailed direction for the form and materials of new buildings, heritage conservation, and private and public realm investment opportunities and priorities;
- The *Mixed Use Areas* shown in Attachment 2 to this staff report on Markham Street south of Bloor Street West, Bathurst Street, and Bloor Street West are Pedestrian Shopping Areas and have a typical built form comprised of a fine grain of pedestrian-oriented commercial, retail or service uses on the ground floor at the street edge with residential, retail, office or service uses above. The policies are intended to protect this character.

2. Objectives

The objectives of the Character Policy are to:

- Reinforce the existing character and function of Markham Street, Lennox Street, London Street, Bathurst Street and Bloor Street West while allowing for contextually sensitive development;
- Conserve and respect heritage properties;
- Ensure an appropriate transition between new development *and Neighbourhood Areas*;

- Ensure an appropriate transition in the scale of development to lands which are adjacent to the Character Area;
- Shape development and private and public investment within the Character Area; and
- Ensure all new development in the Bathurst-Bloor Character Area supports the Character Area vision statement.

3. Character Area Vision

The following character area vision builds on both the Bathurst Street Study and this Four Corners Study. Development in the Bathurst-Bloor Character Area will support the following character area vision statement:

The Bathurst-Bloor Character Area is a diverse, historic and walkable hub of activity located at the junction of four Neighbourhoods. The fine grain, small-scale character frames the public realm at a human scale and creates a sense of place and opportunities for the spontaneous and casual interactions which support public life. Any development will maintain and respect the function of the Pedestrian Shopping Streets, adjacent Character Areas on Bathurst Street, and existing character on Bloor Street.

4. Public Realm / Open Space / Parkland

Public life is a defining feature of the Character Area. Priority public realm improvements which will enable continued support for public life include the need for a gathering place and cultural hub (i.e. a flexible space for live theater, farmers market, festivals) and increased parkland, streetscaping, soft landscape areas and POPS (Privately-owned, Publicly Accessible Open Space).

The front yards and setbacks on Markham Street were also identified by staff as key elements of the public realm which contribute to the character and unique sense of place on Markham Street south of Bloor Street West. These front yards are experienced as a continuous open space along the street edge which contributes to the pedestrian amenity through variable use as landscaped spaces, patios, and places for outdoor merchandising.

The map in Attachment 5 illustrates some of the key public realm components included in the Official Plan Amendment as follows:

- a proposed new park on Markham Street, potential improvements to Ed and Ann Mirvish Parkette and identifying opportunities to secure new parkland and publicly accessible open space

- strengthening policies to require on-site parkland dedication in the development approvals process for larger developments and creating opportunities for smaller developments to assemble on-site parkland areas rather than collecting individual cash-in-lieu payments for smaller developments;
- an approximate location for a community gathering place and cultural hub on Markham Street south of Bloor Street West;
- wider sidewalks on Bathurst and Bloor Street with opportunities for further widening of the public realm at all four corners of the intersections at Markham Street and Bloor Street West and the four corners of Bathurst and Bloor Streets to ease pedestrian congestion;
- new mid – block connections as shown in Attachment 6 to connect parks and open spaces to the streets and to provide increased access to the subway stations.
- maintaining access to sunlight on the sidewalks in order to support public life and successful Pedestrian Shopping Areas by minimizing shadows cast by development, including no new shadow on parkland beyond the as-of-right zoning permissions; and
- planting of trees in the private and public realm.

5. Land Use

The Bathurst Street Study includes policies which identify the *Mixed Use Areas* as Pedestrian Shopping Areas. These have a fine grain of pedestrian-oriented commercial, retail or service uses on the ground floor with residential, retail, office or service uses above. The Character Area policies are intended to support and maintain Pedestrian Shopping Areas on Bloor Street, Markham Street and Bathurst Street including the provision of local opportunities for small businesses, and include:

- The size of ground floor uses should maintain the scale and rhythm of existing storefronts on the streets;
- Office uses are encouraged;
- Residential uses excepting lobby entrances are not permitted on the ground floor. Instead, active ground floor uses will animate and enrich the pedestrian realm; and
- New non-residential uses will be compatible with the existing residential uses in the surrounding *Neighbourhood Areas*.

The land use policies also include the following:

- It is a priority to secure affordable housing for rent, and to own, including options for families, a minimum of 10% of housing units to contain three or more bedrooms, and a minimum of 20% of housing units to contain two bedroom units;
- Affordable and adaptable spaces for social, cultural and business enterprises are encouraged by policies to support local arts and businesses;
- The current mix of uses in Markham Village is encouraged to remain, such as the retention of affordable artists and studio spaces and small businesses; and
- The provision of infant and child care spaces commensurate with the increase in population in new development is a priority.

6. Movement

Pedestrian priority improvements to support increased walkability in the Character Area are shown in Attachment 6 to this report and include:

- Improved pedestrian crossings at key locations including a new crossing at Markham Street and Bloor Street to facilitate pedestrian access to the TTC entrance on Markham Street.
- Improved pedestrian crossings at Bathurst Street and Bloor Street linking to new mid – block connections, improving pedestrian access to transit stations and stops as well linking open spaces; and
- Widened sidewalk dimensions of generally between 4.8 and 6.0 metres wide.

The Character Area policies also include direction for:

- Conveniently located car share and bike share spaces in any new development;
- Seeking improvements to the bicycle network, including the new pilot bicycle route along Bloor Street; and
- Prioritizing pedestrians on Markham Street.

7. Built Form

Heritage

The built form policies seek to conserve and reference the heritage properties located within the Character Area. As part of the Bathurst-Bloor Four Corners Study, staff reviewed all properties for potential inclusion on the City's Heritage Register. Staff

concluded that while a variety of properties merit inclusion on the Heritage Register, the heritage character of the area is not sufficiently cohesive to warrant a heritage conservation district plan and district designation. The review has resulted in the listing of 35 properties on the City of Toronto's Heritage register and are identified in Attachment 4 to this report. Heritage properties are considered to be a key defining feature of the Character Area. To protect this, new heritage policies will:

- Require new developments and alterations to existing buildings to respect and conserve the integrity of identified cultural heritage resources.
- Distinguish between the house-form buildings on Markham Street and the main street buildings on Bathurst Street and Bloor Street in order to address the different built forms. In both instances the policies protect the three-dimensional volume of the buildings in recognition that a heritage building contains four sides. Retention of only the façade will not be permitted; and
- New additions will need to step back from the heritage buildings.

Built Form

The proposed built form policies are also intended to reinforce the small scale, pedestrian friendly streets and blocks and the existing pedestrian shopping areas on Bathurst Street and on Bloor Street West. Markham Street south of Bloor Street West is considered to be a pedestrian shopping area in a house form, rather than the main street form on Bathurst Street and Bloor Street. Any new development will be required to be consistent with either the house form, or main street form on the block on which it is situated. The following proposed policies are intended to regulate this existing character:

- New development will be massed to reference and relate appropriately to the historic fine-grain character, scale and format of buildings and lot sizes, and width of the street right-of-way.
- New development will include building articulation, windows and entrances that are generally consistent with the prevailing building characteristics of the street.
- The building located at 783 Bathurst Street does not reflect the prevailing character of Bathurst Street or the built form and other policies of this Character Area, and therefore should not be considered a precedent for new development.
- On Markham Street new development will reinforce the house form, scale and character south of Bloor Street to maintain the existing character and sense of place.

- On Bathurst Street, Lennox and Bloor Street development will be required to continue the pedestrian scale street wall, as described in the policies below and illustrated in Attachment 7:
 - The ground floor should generally be a maximum of 4.5 metres or, where higher, the architectural treatment should be expressed architecturally such that the height of the first floor appears to pedestrians to be no higher than 4.5 metres;
 - The street wall height will be 3 to 4 storeys in the range of 10.5 m to 13.5 metres in height;
 - Streetwalls and base buildings will step back by a minimum of 5 metres at the street wall height and the streetwall or base building will continue to step back to fit underneath a 45° angular plane measured from a height of 16 metres at the front property line; and
 - For a heritage property, there will be a minimum stepback of 5 metres above the heritage building. Base building additions above the heritage building will continue to step back to fit underneath a 45° angular plane measured from a height of 16 metres at the front property line.

Access to Sunlight

The success of pedestrian shopping areas are due at least in part to not only the existing fine grain character described in the above set of policies, but also to the ability for sunlight to penetrate onto the sidewalks, which encourages pedestrian activity. The following policies are intended to maintain a minimum of five hours of sunlight between the spring and fall equinoxes wherever possible, and to minimize shadows on existing and potential parkland:

It is a priority to maintain access to sunlight in order to support public life and successful Pedestrian Shopping Areas. Therefore:

- New development up to nine storeys in height will ensure a minimum of five hours of continuous sunlight over the solar noon hour on the sidewalks on Bathurst Street and the north sidewalk on Bloor street between March 21 and September 21; and
- Where tower form buildings are considered, the tower portion will be reviewed with the objective of achieving more than 50% of the sidewalk on the north side of Bloor Street being in sunlight at any one time generally between 12 p.m. and 4 p.m. and more than 50% of the Bathurst sidewalks will be in sunlight generally between 11 a.m. and 3 p.m. between March 21 and September 21.

Transition / Side and Rear Yards

The Character Area is surrounded by mature and stable *Neighbourhoods*. The following policies are intended to provide clarity on how any new development in a *Mixed Use Area* will transition appropriately downwards in scale to be compatible with the *Neighbourhoods*, which have a maximum height of four stories in the Official Plan. The 45° angular plane is measured at the rear and side of a Mixed Use property taken from the adjacent Neighbourhood property line to create this transition. The use of this angular plane is intended to create a scaling down of development towards Neighbourhoods, and is commonly employed in *Mixed Use Areas* as a means to implement the intent of the Official Plan policies.

In addition, these policies are intended to provide clarity on transition downwards in scale to the *Mixed Use Areas* on Bloor Street West and Bathurst Street which are located outside of the Bathurst – Bloor Character Area. In both instances, the scale of the existing development adjacent to the character area, on Bathurst Street and Bloor Street is generally less than the new policies for the Character Area will permit, and new development should decrease to reflect these lower scaled pedestrian shopping areas.

The policies below describe the side and rear yard transition to adjacent *Neighbourhoods* and adjacent *Mixed Use Areas* along Bathurst Street and Bloor Street West:

- New development will transition downwards in scale towards *Neighbourhoods* subject to 45° angular planes measured from grade at the property line of any property designated *Neighbourhoods* in the Official Plan as illustrated in Attachment 7;
- Any increase in height or density in the Character Area will transition downwards in scale to reflect and protect the fine grain character of the Pedestrian Shopping Area on Bloor Street and Bathurst Street beyond the boundaries of the Character Area. The transition shall be achieved within the Character Area boundary and shall not rely on properties outside the study area. In particular:
 - On Bloor Street West, east and west of the Bathurst-Bloor intersection the scale will transition to a six storey overall height with a streetwall height of between 3 and 4 storeys; and
 - On Bathurst Street, to the north and south of the Bathurst-Bloor intersection the scale will transition downwards away from the intersection in order to be consistent with the Site and Area Specific policies for the Seaton Village-West Annex and Palmerston-Harbord Character Areas.

Criteria for New Development

There is potential for new development within the Bathurst Bloor Character Area in keeping with the policies of the Official Plan. Rather than applying density numbers or targets for intensification, the Official Plan Amendment includes built form and other performance criteria which new development is meant to satisfy in order for a development proposal beyond the as-of-right zoning to be considered. For instance, development must be planned to include appropriate levels of community services and facilities, open spaces, parks, sky view, direct sunlight, hard servicing and infrastructure, and make a positive contribution to the neighbourhoods. The greater the level of intensification proposed beyond the as-of-right zoning, the greater the level of amenity and investment in improvements to hard and soft infrastructure beyond the existing conditions may be needed in order to accommodate development. These investments should be delivered either prior to development or in conjunction with development and respond to the anticipated level of growth.

The performance criteria which are applied to all quadrants in the Character Area include:

- building envelopes massed to be appropriate to the existing lot depths and appropriate to the 20 metre width of the right-of-way on Bathurst and Bloor Streets;
- the application of a front angular plane (as illustrated in Attachment 7 to this staff report);
- the application of a rear and side 45 degree angular plane from the *Neighbourhoods*;
- requiring the prevailing two and three storey streetwall heights to be maintained;
- conservation of heritage buildings and properties identified in Attachment 4 to this report;
- a minimum 5 metre step back at the streetwall height to maintain the perception of the predominant character and scale of the pedestrian-oriented shopping area;
- preserving the opportunity to improve the public realm such as widening sidewalks, creating mid-block connections, new publically accessible open space, and planting trees;
- preserving access to sunlight on streets; and
- parkland contributions.

Four Quadrants

For three of the four quadrants, the application of side and rear yard transition requirements, streetwall, and angular plane requirements to each property in the Character Area results in heights of between six and nine stories or 20 – 30 metres. New development must meet all policies in order to achieve the maximum height.

The southwest quadrant has a much larger *Mixed Use Area* than the other three quadrants. When the same side and rear yard transition, streetwall and angular plane criteria are applied to this quadrant, an opportunity for buildings taller than nine stories is presented. The following policies are intended to regulate the scale and number of potential tall buildings in the southwest quadrant. In addition, a zoning by-law amendment application will be required for any taller building.

In order to be considered for a builder higher than nine stories, a development proposal will need to meet additional performance criteria which are outlined in the proposed policies. The previous criteria outlined above also continue to apply, including the application of the 45 degree angular plane for the side and rear transition from *Neighbourhoods*. The Tall Building Guidelines indicate that angular planes are a commonly applied measure to provide transition in scale from tall buildings down to lower scale areas. The Tall Building Guidelines also explain that "unless otherwise specified in a Secondary Plan or other City approved policy, standard, guideline, or study which would apply to a specific site, a 45 degree angular plane, measured from the relevant property line(s), is typically used to provide transition in scale from growth areas/tall building developments down to lower scale areas, such as stable residential *Neighbourhoods*."

The proposed additional policies to be applied to the southwest quadrant of the Character Area, between Bathurst Street and east of Markham Street are listed below:

- In the southwest quadrant of the character area between Bathurst Street and Markham Street it may be possible to achieve a building height east of Markham Street that is taller than 9 storeys provided all Official Plan and Site and Area Specific Policies are met, and provided the following policies are also met:
- On-site parkland provision;
- Provision of identified community services and facilities;
- Commercial units suitable for small businesses;
- Publically accessible open space suitable for a range of programming;
- Affordable and mid-range housing to rent or to own, including housing suitable for families;

- Any building element that is taller than nine stories will be designed in a slender tower form that has a maximum floor plate size of 600 square metres in area to minimize the visual and physical above the smaller scale streetwall;
- The minimum separation distance between the building face of any 2 tower forms will be a minimum of 25 metres;
- The minimum distance between the building face of any tower form and the side or rear lot line will be 12.5 metres, or 12.5 metres to the centre line of a public lane where a lot line is adjacent to a public lane; and
- The maximum number of tower form buildings in the Character Area will be determined through the Zoning By-law amendment process.

Amendments To The Zoning By-law To Regulate The Size Of Retail Use

As part of the Bathurst Street Study, a Zoning By-law amendment (By-law No.714-2014 to amend By-law 438-86) was passed by City Council in July 2014 to regulate the size of a single retail use. Through the study process it was determined that the areas of Bloor Street and Markham Street which are currently not included in the zoning bylaw amendment should now be included in order to protect the existing fine-grained retail character and extend this character to any new development. The detailed Retail Study undertaken by the City's consultants for the Bathurst Street Study reviewed the existing Zoning By-law permissions and concluded that though in principle, they were supportable, the 8,000 square metre permission for a single retail unit has the potential to have a negative effect on nearby shopping streets and smaller scale retailers. As a result, the Zoning By-law was changed: the by-law retains the existing provision for an additional 1,800 square metres of retail commercial gross floor area to allow relatively small scale incremental additions to the retail fabric. The by-law reduces the maximum permitted size of a single retail unit from 8,000 to 3,500 square metres provided that the proposal does not exceed the density permissions for non-residential uses. Proposed stores larger than 3,500 square metres will require submission of a full assessment of their impacts as part of a Zoning By-law amendment application in order to determine whether the increase in permissions is appropriate. In addition, the width of any one storefront at the street level is restricted to 12 metres in order to maintain a fine grain rhythm of storefronts.

A zoning by-law amendment will be brought forward with the Official Plan Amendment for the Four Corners in late 2016 to extend the existing retail zoning to include the full Bathurst – Bloor Character Area.

Conclusion and Next Steps

This report outlines the policy content of an Official Plan Amendment that will be brought forward in late 2016. Over the summer, staff will continue to refine the policies for the Bathurst Bloor Character Area. Staff will also continue to work with the Mirvish Village application to align the proposal with the policy direction for the Bathurst Bloor Character Area.

Staff also recommend that Urban Design Guidelines for the Bathurst-Bloor Character be prepared. The Guidelines will supplement the Official Plan Policy and provide further guidance on appropriate development in the Character Area and for potential improvements to the public realm. It is recommended that these Guidelines be submitted together with the final staff report and Official Plan and Zoning By-law Amendment.

CONTACT

Liora Freedman, Community Planner
Tel. No. (416) 338-5747
Fax No. (416) 392-1330
E-mail: lfreedm@toronto.ca

SIGNATURE

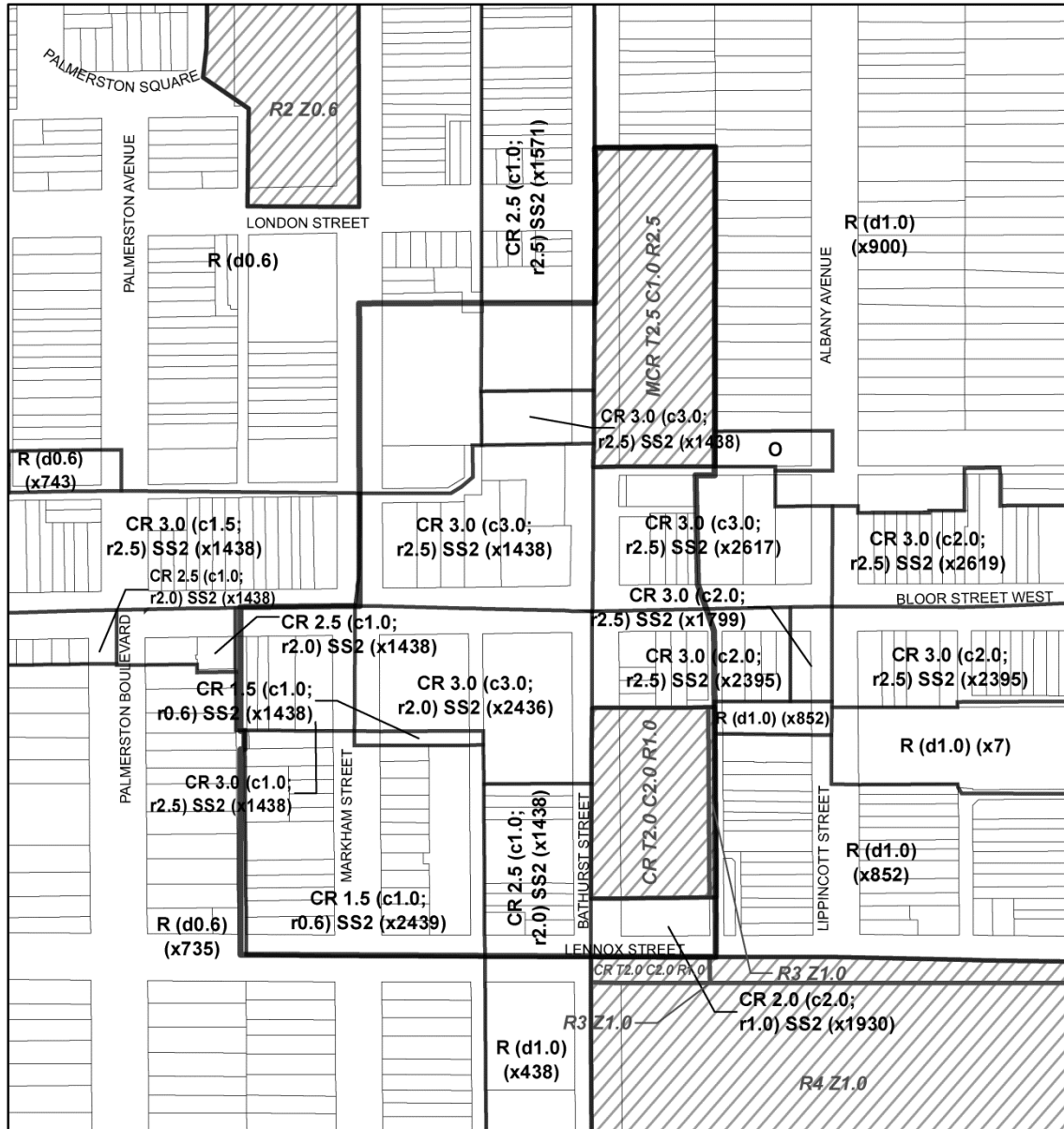
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(P:\2016\Cluster B\pln\TEYCC\16823582043.doc) – smc

ATTACHMENTS

Attachment 1: Zoning Map
Attachment 2: Land Use Designations
Attachment 3: Character Area Boundary
Attachment 4: Properties on the City's Heritage Register
Attachment 5: Public Realm
Attachment 6: Pedestrian Improvements
Attachment 7: Streetwall and Angular Planes

Attachment 1: Zoning Map



Zoning By-Law No. 569-2013

Bathurst and Bloor Four Corners Study

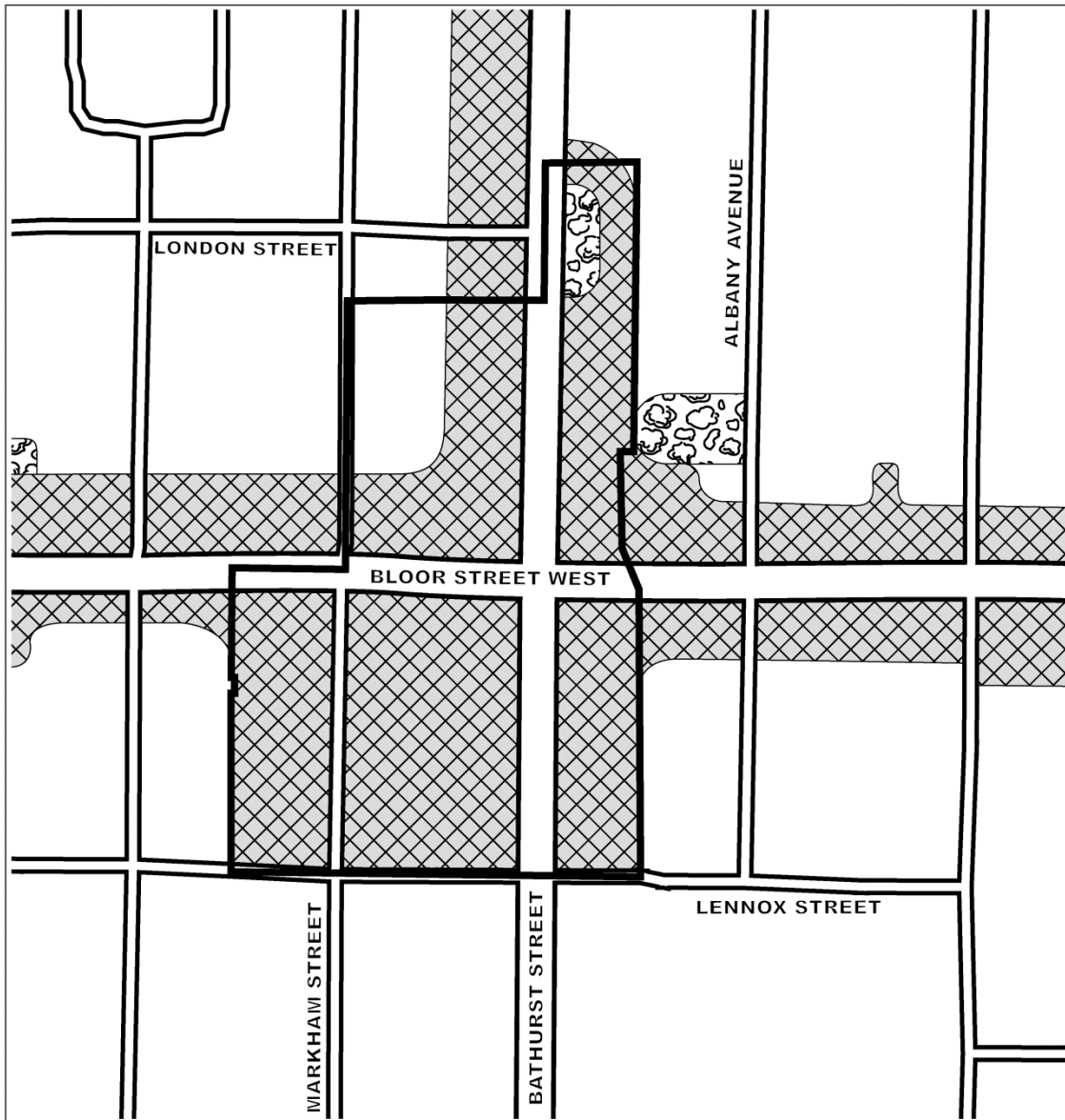
File # 14 254231 STE 20 02

- Location of Application
- R Residential
- CR Commercial Residential
- O Open Space

- See Former City of Toronto By-Law No. 438-86
- R2 Residential District
- R3 Residential District
- R4 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District

↑
Not to Scale
Extracted: 05/24/2016






Attachment 2: Land Use Designations



Toronto City Planning
Official Plan Land Use Map

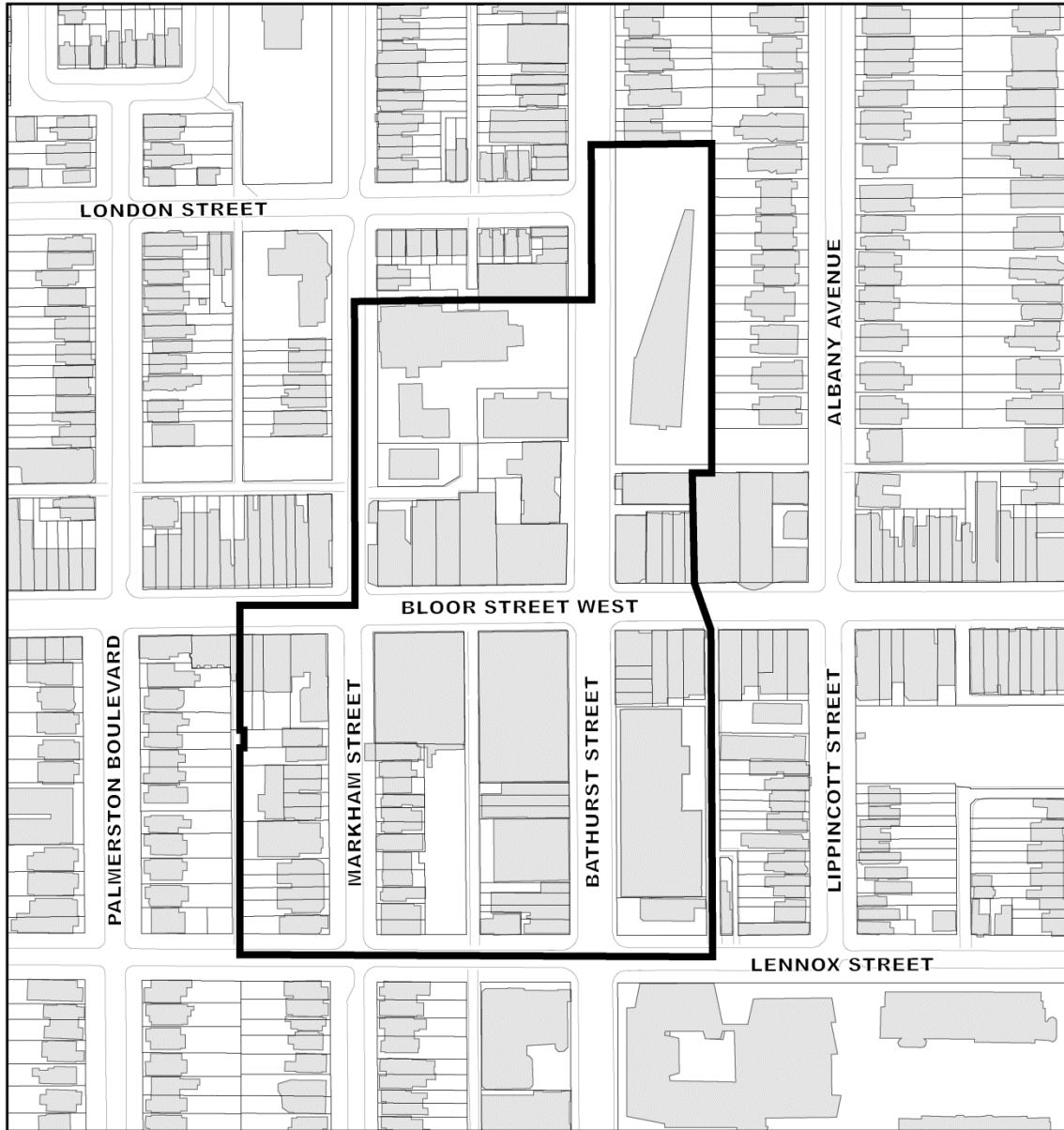
Bathurst and Bloor Four Corners

File # 14 254231 STE 20 0Z

- | | |
|---|--|
|  Bathurst-Bloor Character Area |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |


 Not to Scale
 05/24/2016

Attachment 3: Character Area Boundary



Bathurst-Bloor Character Area - Schedule E

Bathurst and Bloor Four Corners

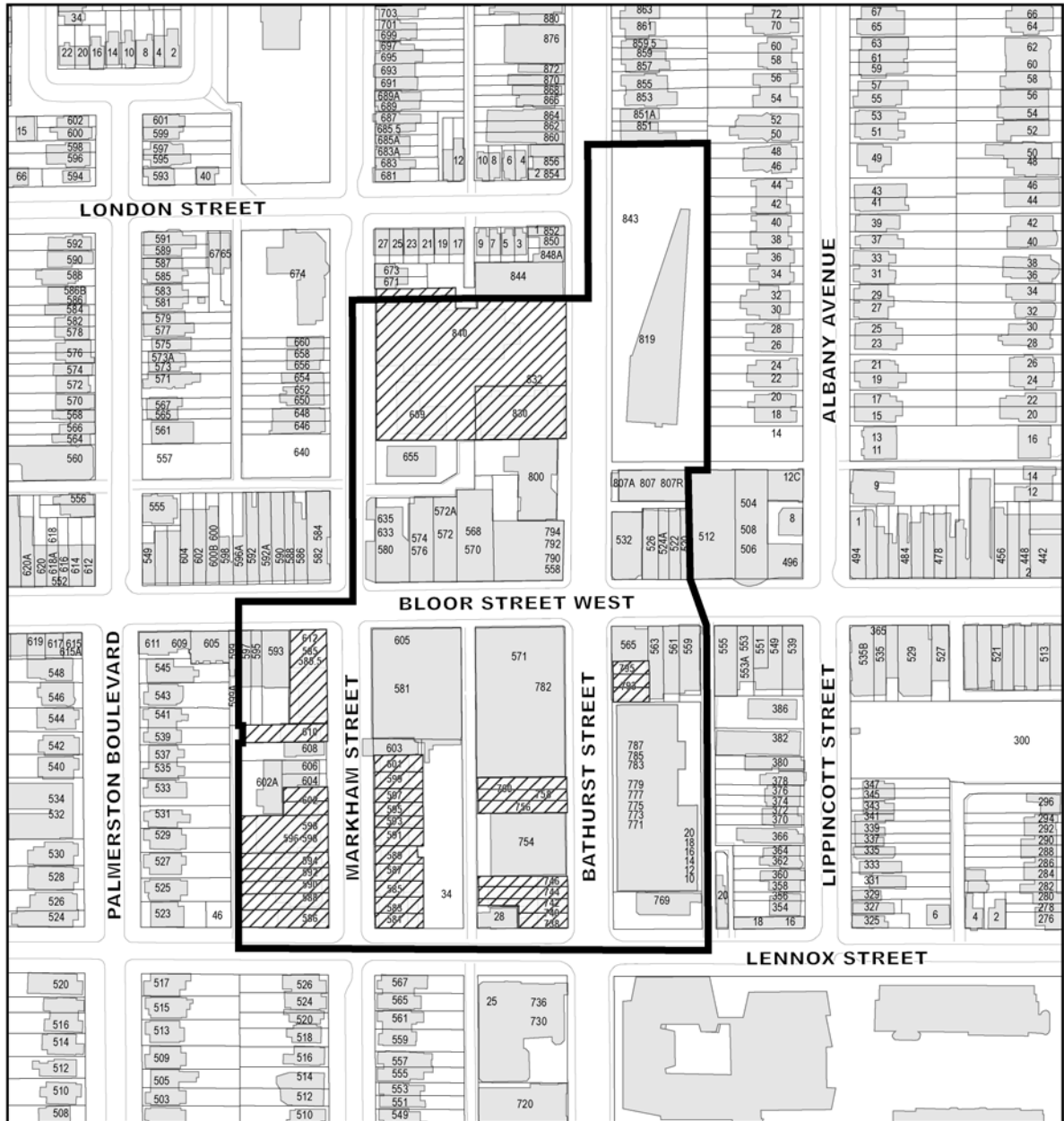
File # 14 254231 STE 20 0Z

 Bathurst-Bloor Character Area



Not to Scale
05/24/2016

Attachment 4: Properties on the City's Heritage Register



Properties on the City's Heritage Register - Schedule G

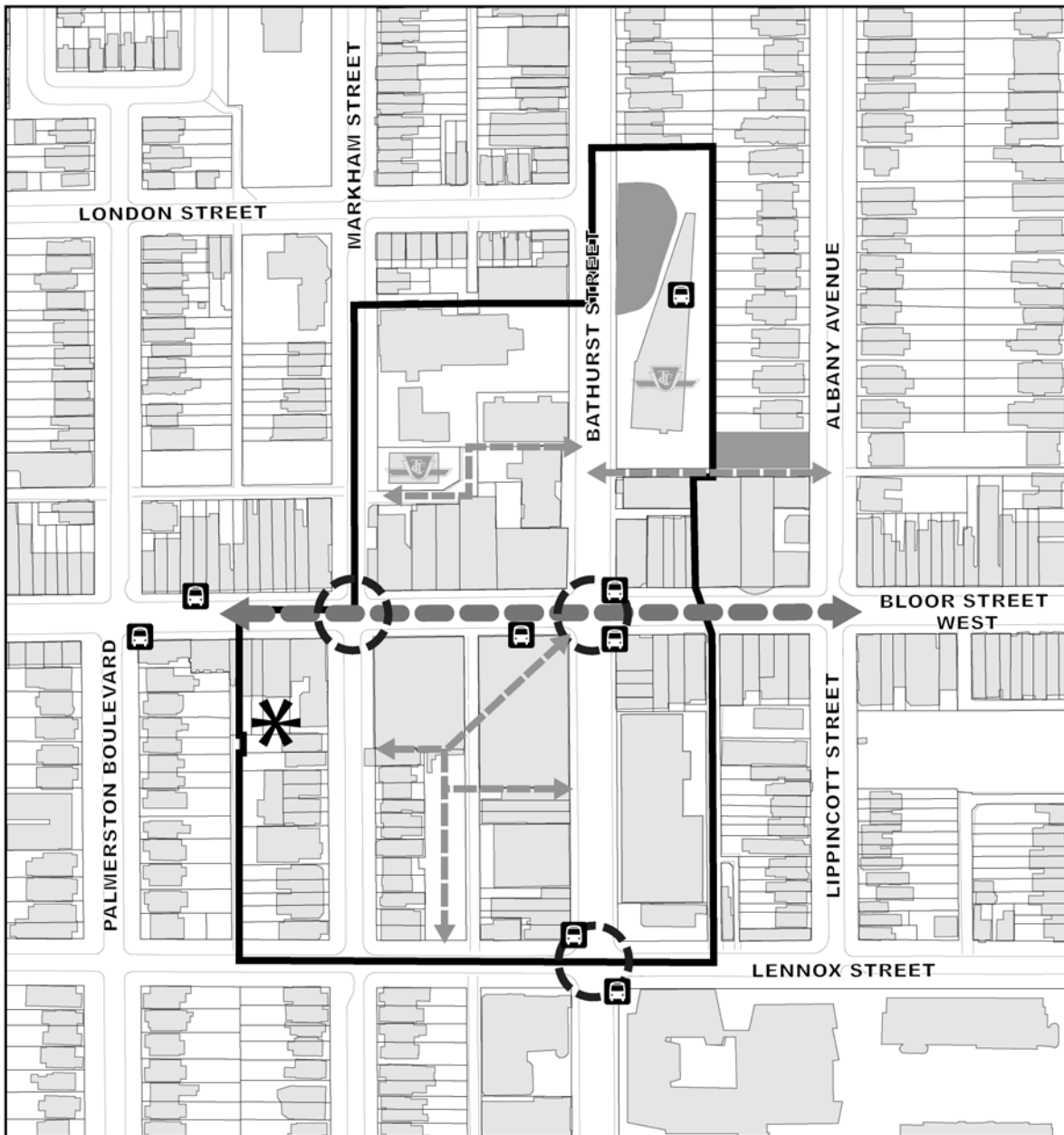
Bathurst and Bloor Four Corners

File # 14 254231 STE 20 OZ

-  Bathurst-Bloor Character Area
-  Heritage Properties


Not to Scale
05/24/2016






Attachment 5: Public Realm



Bathurst and Bloor Four Corners

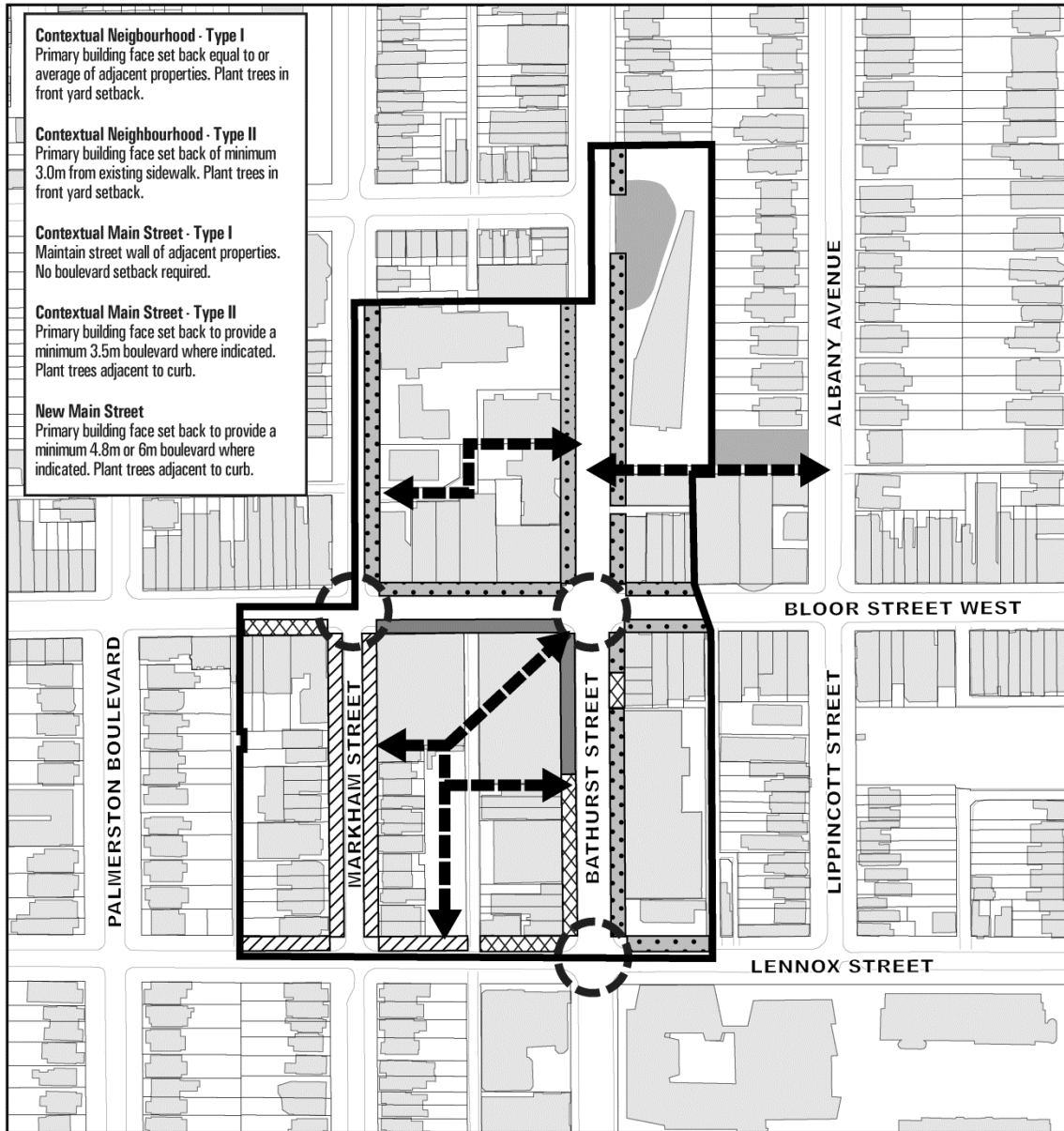
Public Realm and Movement - Schedule H

File # 14 254231 STE 20 0Z

-  Bathurst-Bloor Character Area
-  Approximate Location of New Park
-  Potential Pedestrian / Bicycle Crossing Improvements
-  Existing TTC Entrances (for information purposes only)
-  Existing Park
-  Pilot Bike Lane
-  Existing TTC Stops (for information purposes only)
-  Mid Block Connection

↑
Not to Scale
05/24/2016

Attachment 6: Pedestrian Improvements



Bathurst and Bloor Four Corners

Pedestrian Improvements - Schedule I

File # 14 254231 STE 20 0Z

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> Bathurst-Bloor Character Area Contextual Neighbourhood - Type I Contextual Main Street - Type I | <ul style="list-style-type: none"> New Main Street (4.8m) New Main Street (6m) Mid Block Connection | <ul style="list-style-type: none"> Existing Parks Potential Pedestrian / Bicycle Crossing Improvements |
|--|---|--|

Not to Scale
 05/24/2016

Attachment 7: Streetwall and Angular Planes

