

**6040 Bathurst Street and 5 Fisherville Road - Zoning By-law Amendment Application - Request for Direction Report**

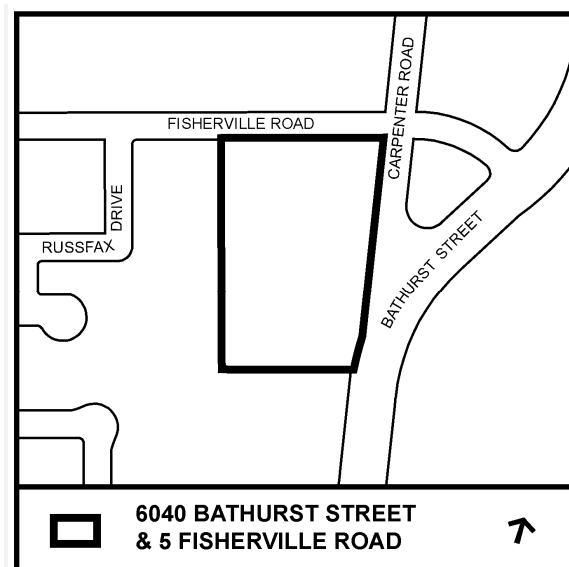
<b>Date:</b>	March 15, 2018
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	16 252547 NNY 10 OZ

**SUMMARY**

The applicant has appealed the Zoning By-law Amendment application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act*. A pre-hearing conference is being scheduled for a date between May and September, 2018. A full hearing is not yet scheduled.

This application proposes a 19-storey rental apartment building at the southwest corner of the site and a 29-storey condominium building at the northeast corner of the site at 6040 Bathurst Street and 5 Fisherville Road. Two existing 17-storey rental apartment buildings on the site would be retained.

This report recommends that the City Solicitor, together with City Planning and any other appropriate staff, attend the OMB hearing in opposition to the current proposal.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Zoning By-law Amendment application in its current form.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant to address the issues outlined in the report, including appropriate site organization, height, appropriate public benefits to be secured and identifying improvements to the existing rental housing, pursuant to Section 37 of the *Planning Act*.
3. Should the Ontario Municipal Board approve the application, City Council direct the City Solicitor to advise the Board that the zoning by-laws should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the ward councillor.
4. Should the OMB approve the application, City Council authorize the City Solicitor to request that the OMB withholds its Order(s) approving the application until such time as:
  - a. The Board has been advised by the City Solicitor that the proposed Zoning By-law Amendment is in a form satisfactory to the City;
  - b. A Section 37 Agreement has been executed to the satisfaction of the City Solicitor; and
  - c. The owner addresses the outstanding items outlined in the memorandum from Engineering and Construction Services dated January 12, 2017 to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

### Financial Impact

There are no financial implications resulting from the adoption of this report.

### DECISION HISTORY

The application was submitted on November 17, 2016 and North York Community Council adopted the Preliminary Report at their meeting on February 22, 2017 <http://www.toronto.ca/legdocs/mmis/2017/ny/bgrd/backgroundfile-101100.pdf>.

On September 15, 2017 the owner appealed Zoning By-law Amendment application to the Ontario Municipal Board, citing City Council's failure to make a decision within the

time frame prescribed by the *Planning Act*. A pre-hearing conference is being scheduled for a date between May and September, 2018. A full hearing is not yet scheduled.

## **ISSUE BACKGROUND**

### **Proposal**

The application proposes to construct two additional apartment buildings on the site, which presently contains two existing rental apartment buildings, which would be retained. A nineteen-storey rental apartment building ("Building A") is proposed in the south-west portion of the site and a twenty-nine storey building ("Building B") is proposed in the north-east portion of the site. Including the existing buildings, the overall development would have a floor space index (FSI) of 3.39.

### Existing Buildings

The two existing buildings have a total Gross Floor Area (GFA) of 33,490 square metres and a FSI of 1.43. Parking is provided in a shared two level underground parking garage with 236 spaces which is accessed by two ramps. Short-term and visitor parking is provided in a surface parking lot. Combined, the buildings have a total of 404 residential rental units as follows:

- One-bedroom Units: 231 (57%)
- Two-bedroom Units: 141 (35%)
- Three-bedroom Units: 32 (8%)

Of the 404 existing residential units, 293 units have affordable rents and 111 units have mid-range rents, as per the rent rolls provided by the applicant. An existing swimming pool, sauna and associated changing rooms are located within the basement and are shared by both buildings. The pool has a glazed walkout to a small outdoor courtyard amenity area which is un-programmed. Each building contains a shared laundry and storage lockers available to residents at a charge. Outdoor amenity space provides passive recreation opportunities in the form of lawns and mature trees.

### Building A

Building A is proposed to be a nineteen-storey rental apartment building with a GFA of 15,500 square metres and a FSI of 0.66. It would be constructed in the landscaped south-west portion of the site over a portion of the existing underground parking structure. The existing underground parking structure, accessed by private driveway from Bathurst Street, would be reconfigured and expanded to provide a total of 362 resident parking spaces for Building A and the two existing buildings. A new surface parking lot would provide twenty visitor parking spaces which would be shared with the existing rental building at 6040 Bathurst Street.

The proposed building would have a six-storey, nineteen metre high base and a thirteen-storey tower (fifty-seven metres, sixty-two metres including the mechanical penthouse). The base building would have a setback from the south and west property lines of 9.5 metres. Building A would be separated by approximately 32 metres from the existing

building at 6040 Bathurst Street and approximately 50 metres from the existing building at 5 Fisherville Road. The tower which is setback from the base by three metres would have a floor plate of approximately 750 square metres. A stepback of three metres would be provided at the seventeenth storey. The ground floor height would range from approximately 3.2 metres to 6.5 metres.

A total of 179 residential units are proposed as follows:

One-bedroom Units: 98 (55%)  
Two-bedroom Units: 54 (30%)  
Three-bedroom Units: 27 (15%)

Along the west edge of the base would be five, two-bedroom townhouse units. They are two-storeys and are accessed by individual front doors to the exterior.

The proposed building includes 200 square metres of indoor amenity space located on the ground floor. There is outdoor amenity space proposed to be provided immediately adjacent to the indoor amenity space, which would be accessed directly from the interior.

The proposal includes 135 bicycle parking spaces, of which thirteen would be for visitors. Bicycle parking spaces for residents would be provided indoors while the visitor spaces would be provided outside. One Type G loading space is proposed.

### Building B

Building B is proposed to be a twenty-nine storey condominium apartment building with a GFA of 30,500 square metres and a FSI of 1.3. It would be constructed in the north-east landscaped portion of the site. Parking would be provided in a two level underground garage accessed by a ramp integral to the building. A total of 323 parking spaces are proposed in the garage including thirty for visitors which would be accessed by the existing private driveway from Fisherville Road.

The proposed building would have an eight-storey, twenty-five metre high "L" shaped base and a twenty-one storey tower (eighty-seven metres, ninety-two metres including the mechanical penthouse). The base would have a setback from the north property line of three metres and the setback from the east property line ranges between 5.9 metres and 9.3 metres. Building B would be separated by approximately 19 metres from the existing building at 6040 Bathurst Street and approximately 34 metres from the existing building at 5 Fisherville Road. The tower is located at the north-east corner of the base and steps back from the base three metres along Fisherville Road. The floor plate of the tower is proposed to be 750 square metres. The ground floor height would range from approximately 3.2 metres to 6.5 metres.

A total of 430 residential units are proposed as follows:

Studio Units: 12 (3%)  
One-bedroom Units: 291 (67%)

Two-bedroom Units: 120 (28%)  
Three-bedroom Units: 7 (2%)

The proposed building includes 730 square metres of indoor amenity space located on the ground floor in two separate areas. One area encompasses the entire ground floor facing Fisherville Road and wraps the corner to also face Carpenter Road. The second room is at the rear of the building and is connected to a 515 square metre outdoor amenity area.

The proposal includes 323 bicycle parking spaces, of which thirty are for visitors. Bicycle parking spaces for residents would be provided indoors while the visitor spaces would be provided outside. One Type G and one Type C loading spaces are proposed.

### **Site and Surrounding Area**

The site is located to the south-west of Bathurst Street and Steeles Avenue West. It is located at the south-west corner of Fisherville Road and Carpenter Road with the southern portion of the site having frontage on Bathurst Street. The site is 2.34 hectares and is currently developed with two seventeen-storey rental apartment buildings with 404 units which are to be retained. The existing buildings have a total GFA of 33,490 square metres and an FSI of 1.43.

Abutting uses include:

North: Fisherville Road and then an apartment complex of three eighteen-storey buildings known as the Primrose Condominiums.

South: An eighteen storey rental apartment building.

East: To the east of the site is Carpenter Road and Bathurst Street. A one-storey retail building containing McDonald's and Cash Money is located on an island created by Carpenter Road, Fisherville Road and Bathurst Street. On the east side of Bathurst Street are apartment buildings ranging in heights of ten to thirteen storeys.

West: An eighteen-storey rental apartment building and then a low-rise residential neighbourhood comprised of detached dwellings.

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

The Provincial Policy Statement (2014) (PPS) provides policy direction on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing types and affordability to meet projected requirements of current and future residents; recreation, parks and

- open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the Planning Act, to conform, or not conflict, as the case may be, with the Growth Plan.

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 Official Plan, on Map 16, designates the site as *Apartment Neighbourhoods*. These areas are stable areas of the City and significant growth is generally not anticipated however there may be opportunities for additional townhouses or apartments on underutilized sites. Where there are opportunities for infill development on underutilized sites, policy 4.2.3 of the Plan sets out criteria to evaluate those situations which includes the need to provide good quality of life for both new and existing residents.

Chapter 2 of the Official Plan includes policies to develop the City's transportation network. Bathurst Street is identified as a *major street* on Map 3 of the Official Plan with a planned right-of-way width of thirty-six metres. Bathurst Street is also identified as a *transit priority segment* on Map 5. Fisherville Road is not identified as a *major street* or a *transit priority segment* in the Official Plan.

Policy 2.3.1.2 states, developments in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- d) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Section 3.1.1 The Public Realm contains policies relating to streets, parks and open spaces. Quality architectural, landscape and urban design and construction will be promoted by high quality public buildings, structures, streetscapes and parks that reflect the broad objectives of this Plan. New streets will be designed to promote a connected grid of streets that offers safe and convenient travel options, divide larger sites into smaller blocks, provide access and addresses for new development and implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way. New streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets. New city blocks and development lots within them will be designed to have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space; promote street-oriented development with buildings fronting onto street and park edges; provide adequate room within the block for parking and servicing needs; and allow for incremental, phased development.

New parks and open spaces will be located and designed to connect and extend, wherever possible, to existing parks, natural areas, and other open spaces such as school yards; provide a comfortable setting for community events as well as individual use; provide appropriate space and layout for recreational needs, including forms of productive recreation such as community gardening; and emphasize and improve unique aspects of

the community's natural and human-made heritage. New parks and other public open spaces such as schoolyards should front onto a street for good visibility, access and safety.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and sky view from adjacent streets. Transition in scale may be achieved with many "geometric relationships and design methods in different combinations" including angular planes, stepping of heights, location and orientation of the buildings and the use of setbacks and stepbacks of building mass. These policies also speak to the exterior façade of buildings to fit harmoniously into the existing and planned context, by incorporating design elements, their form, scale, proportion, pattern and materials that fit with the existing or emerging character of the area.

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. Policy 3.2.1.5 states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development will secure:

- the existing rental housing units which have affordable rents and mid-range rents; and
- any needed improvements and renovations to the existing rental housing, in accordance with and subject to Section 5.1.1 of this Plan, without pass-through of such costs in the rents to tenants.

Section 5.1.1 allows the City to approve height and/or density greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height. The application proposes an additional 46,000 square metres on the site and overall heights of sixty-two and ninety-two metres.

The Toronto Official Plan is available on the City's website at:  
[http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm).

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited



infill on underutilized *Apartment Neighbourhood* sites and to implement the City's Tower Renewal Program.

Most of Toronto's existing apartment buildings are located within built up *Apartment Neighbourhoods* which are stable areas where only limited infill development is anticipated. Usually, apartment building(s) together with ancillary outdoor recreation facilities, pedestrian walkways, parking lots, service areas and landscape space take up/occupy the entire site. In some areas these sites are located in close proximity to each other and form clusters or larger apartment neighbourhoods. There may be sites within *Apartment Neighbourhoods* that contain space that is not well-utilized by the residents of existing apartment buildings. In some instances these sites could be improved through the addition of infill development that will enhance existing site conditions and maintain and/or improve on-site amenities for both new and existing residents.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located in *Mixed Use Areas, Apartment Neighbourhoods* and *Regeneration Areas* that are adjacent and close to *Neighbourhoods*. On sites containing one or more existing apartment building(s) sensitive infill development that improves existing site conditions may take place where there is sufficient space to accommodate additional buildings while providing a good quality of life for both new and existing tenants; including maintaining or replacing and improving indoor and outdoor amenity space and landscaped open space, maintaining sunlight and privacy for residential units, and maintaining sunlight on outdoor amenity space and landscaped open space, provided such infill is in accordance with the criteria in Policies 4.1.10, 4.2.3 and other policies of this Plan. *Apartment Neighbourhoods* contain valuable rental housing apartment buildings that often need physical and social renewal and transformation to achieve an improved living environment.

Policy 2.3.1.2 would be expanded to state, developments in *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent properties in those *Neighbourhoods*; and
- e) locate and screen service areas and access to underground parking, locate any surface parking so as to minimize impacts on adjacent properties in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual and noise impacts upon adjacent properties in those *Neighbourhoods*.

Policy 2.3.1.5 e) states, the functioning of the local network of streets in *Neighbourhoods* and *Apartment Neighbourhoods* will be improved by providing new streets that extend the local street network into larger sites, to provide access and frontage for existing and future development, improve pedestrian and bicycle circulation and improve the prominence, visibility and safe access to parks, open spaces, transit, schools and pedestrian destinations.

Policy 2.3.1.9 encourages owners of existing apartment buildings to improve safety and security, improve indoor and outdoor facilities and improve pedestrian access to the buildings from public sidewalks and through the site as appropriate.

Policy 2.3.1.10 encourages small-scale commercial, community and institutional uses at grade in apartment buildings and on apartment building properties on major streets shown on Map 3 in *Neighbourhoods*, and in *Apartment Neighbourhoods*, to better serve area residents, particularly in areas where residents do not have convenient walking access to a wide range of goods, services and community facilities.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, which decision has been appealed in part. The OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found at the following link: [www.toronto.ca/OPreview/neighbourhoods](http://www.toronto.ca/OPreview/neighbourhoods).

### **Draft Growing Up Urban Design Guidelines**

In July 2017, Toronto City Council adopted the Draft Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The draft Guidelines are available at:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/growing-up-planning-for-children-in-new-vertical-communities>

### **Zoning**

The site is currently zoned Multiple-Family Dwellings Sixth Density Zone (RM6) by former City of North York Zoning By-law 7625. The RM6 zone allows for a number of residential building types including apartment house, converted dwellings, detached dwellings, multiple attached dwellings and double duplexes. All uses permitted in the R4 zone are also permitted. A maximum lot coverage of thirty-five percent and a maximum gross floor area of 150 percent of the lot area is permitted. The RM6 zone also requires a minimum distance between buildings or portions of buildings equal to the height of the highest building or portion thereof.

The site is subject to North York By-law 19956 which permits a maximum height of 150 feet (45.72 metres).

The site is also zoned RAC (f30.0; a1375; d1.5) by City of Toronto Zoning By-law 569-2013. City of Toronto Zoning By-law 569-2013 is currently under appeal. RAC is the Residential Apartment Zone Commercial Zone which permits dwelling units in an apartment building and certain commercial uses, generally on the ground floor of existing apartment buildings. A maximum FSI of 1.5 is permitted. As the site is not included in the height overlay map, the maximum permitted height is twenty-four metres. Bathurst Street, which abuts the southern portion of the site, is identified as a Major Street.

City of Toronto Zoning By-law 569-2013 amended by By-law 572-2014 (Exception 37), which maintained the RAC (f30.0; a1375; d1.5) zone, but requires a minimum 3.0-metre setback from the street, a minimum amount of amenity space of 1.0 square metres per unit and a minimum parking rate of 1.4 spaces per unit.

By-law 569-2013 is available at:

<http://www.toronto.ca/zoning>.

By-law 572-2014 is available at:

<https://www.toronto.ca/legdocs/bylaws/2014/law0572.pdf>.

### **Site Plan Control**

An application for Site Plan Control under Section 41 of the *Planning Act* and Section 114 of the *City of Toronto Act*, is required for the proposal. However, no application has been submitted.

### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

### **Green Roof By-law**

On May 26, 2009 City Council adopted the Green Roof By-law (By-law 583-2009). The by-law requires new residential buildings to provide a green roof if the development has a gross floor area of 2000 square metres or greater and a height of greater than six storeys.

The applicant is proposing a 75 square metre green roof along the northerly portion of the podium of Building A. On Building B a green roof of approximately 750 square metres is proposed on top of the eight-storey base building.

By-law 583-2009 can be accessed at:

<http://www.toronto.ca/legdocs/bylaws/2009/law0583.pdf>.

## **Draft Terms of Reference For The Block Context Plan**

On January 15, 2018, the Planning and Growth Management Committee directed that the draft Official Plan Amendment containing Public Realm policies and draft Terms of Reference for the Block Context Plan be endorsed as the basis for public consultation. The Block Context Plan is a study prepared in cooperation with landowners that shows how the physical form of the proposed development fits within the existing and planned context and conforms to the policies of the Official Plan and implementation tools including site specific and other guidelines. The Block Context Plan may be required for sites with multiple landowners, large sites over 1 hectare, sites with two or more buildings, on-site park dedication, and/or a new public street(s), and sites with a context of large open spaces and few public streets and parks including "Tower in the Park" *Apartment Neighbourhoods* sites.

The applicant previously submitted a scoped Block Context Plan. However, it included only three sites out of the six properties on the block. It illustrated how each site could develop independently of one another but did not provide connectivity across the block. It did not adequately address parks, public roads, servicing, streetscape, transportation impacts and community services and facilities. Staff will facilitate discussions with all landowners in the block to discuss formulating an appropriate Context Plan for the block.

## **Tree Preservation**

The submitted Tree Inventory and Preservation Plan Report identifies 132 trees which are located either on the site, in the adjacent right-of-way or on neighbouring properties, within the vicinity of the proposed development. The report identifies fifty-six trees which require removal to accommodate the proposal, of which forty are protected by the City's tree protection by-laws. According to the report, based on the City's Private Tree By-law 117 trees are required to be planted on site to compensate for the trees to be removed. The submitted landscape plan shows 120 new shade trees are proposed.

The City's tree protection by-laws can be accessed at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=756fdada600f0410VgnVCM10000071d60f89RCRD>.

## **Community Consultation**

Staff held a community consultation meeting on July 12, 2017 to present the proposal to the community and receive their feedback. Approximately 120 members of the public attended the meeting. At the meeting, the following concerns were raised by residents:

- Proposed increase in density and number of units;
- Existing traffic congestion, the potential increase in traffic, speeding, traffic enforcement, infiltration on local roads and pedestrian safety;
- Vehicular access to the site;
- The number of parking spaces proposed;
- Shadow impacts on adjacent properties;

- Proposal will create a nuisance during the construction phase (i.e., noise, dust, fumes, mud, debris, traffic and on-street parking);
- Loss of views, privacy and sunlight;
- The potential for improvements to the existing buildings (such as accessible doors, repairs to the parking garage, new windows and balconies);
- The ability of TTC buses to accommodate the increased ridership;
- The loss of existing green space and the potential for a new park;
- The potential for new affordable housing units;
- The setbacks of the proposed buildings;
- The need for infrastructure upgrades; and
- The ability of the local schools to accommodate more students.

Hundreds of petition letters were also received at the Community Consultation Meeting that state the proposal does not conform with the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe or the Official Plan. Concerns included the lack of compatibility with Official Plan policies and *Apartment Neighbourhoods* policies.

Other comments received through correspondence include:

- The poor maintenance of the existing buildings (cockroaches, inefficient windows, damaged balcony glass and inconsistent hot water);
- Loss of existing trees;
- Lack of amenity space in the existing buildings;
- Lack of visitor parking spaces for the existing buildings;
- Additional pressure on community services, facilities and amenities;
- Low water pressure; and
- Lack of parks in the neighbourhood.

### **Reasons for the Application**

The application to amend the zoning by-laws is required to permit the proposed development. While the proposed building type is permitted, the proposal requires amendments for building height, density, coverage, massing, locations of the buildings and other amendments.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## COMMENTS

### Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 (PPS) provides for a coordinated and integrated approach to planning matters within municipalities. Policy 4.7 of the PPS states that: "the Official Plan is the most important vehicle for implementation".

Policy 1.4.3 c) of the PPS requires "directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs." Policy 1.4.3 d) of the PPS promotes "densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed."

The provincial policies are implemented in part by the housing policies of Section 3.2.1 of the Official Plan. This is achieved by encouraging a full range of housing including affordable and mid-range ownership housing and rental housing and encouraging new housing development through intensification and providing opportunities for maintaining and replenishing existing housing stock.

Policy 4.2.2 provides that development in *Apartment Neighbourhoods* will contribute to the quality of life by providing transition, limiting shadow impacts, providing sufficient parking, providing ground floor uses to animate public streets and providing indoor and outdoor recreation space for new and existing residents, which is not limited to the new proposed buildings. These provisions are not met for the current proposal. Policy 4.2.3 of the Official Plan permits compatible infill development in *Apartment Neighbourhoods* while: "providing good quality of life for both new and existing residents."

The current application is not consistent with some of the housing policies of the PPS (1.4.3 c) and 1.4.3 d) ). The current proposal does not enhance the well-being of existing or future residents, does not demonstrate appropriate levels of infrastructure and public service facilities and does not propose a suitable density and built form.

The Growth Plan 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. The Growth Plan strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan also directs growth to urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields to provide a key focus for transit and infrastructure investments to support future growth. This site is not located in a growth centre or along an intensification corridor as identified by the Growth Plan. The site is not located on a Higher Order Transit Corridor (Map 4). However, Bathurst Street is identified as a Surface Transit Priority Network (Map 5).

Although the proposal represents intensification of built-up urban areas, it has not addressed the policy direction of the Official Plan (particularly policies 2.3.1.2 b), 2.3.1.2 d), 4.2.2 and 4.2.3) and therefore has not demonstrated conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Land Use**

The proposed development is entirely residential. The *Apartment Neighbourhoods* polices permit small-scale retail, service and office uses that serve the needs of the area residents. A new Healthy Neighbourhoods policy proposed in OPA 320 states, "small-scale commercial, community and institutional uses are encouraged at grade in apartment buildings and on apartment building properties on major streets shown on Map 3 in *Neighbourhoods*, and in *Apartment Neighbourhoods*, to better serve area residents, particularly in areas where residents do not have convenient walking access to a wide range of goods, services and community facilities. Bathurst Street is considered a major street on Map 3. While Building B is not proposed to be located on Bathurst Street, its prominent corner location makes it a suitable candidate for commercial uses at grade to serve the needs of area residents. Building A is less suitable for commercial uses as it is set back from existing public streets.

## **Site and Area Context**

The site is large with an area of 2.34 hectares and has a large amount of landscaped open space. The existing density of 1.43 times the area of the lot is proposed to increase significantly to 3.39 times the area of the lot.

The site is part of a larger block with similar characteristics of older, slab-type, tall buildings within large amounts of landscaped open space. The larger block has an area of approximately 8.0 hectares. The block is generally bounded by Fisherville Road, Carpenter Road, Bathurst Street, Rockford Road and existing dwellings on Stonedene Boulevard. There are seven existing rental apartment buildings on six properties, including 25 Fisherville Road, 5 Fisherville Road and 6040 Bathurst Street (the subject lands), 6020 Bathurst Street, 6030 Bathurst Street, 6010 Bathurst Street and 12 Rockford Road. The owners of 6020 Bathurst Street and 6030 Bathurst Street have recently submitted an application for rezoning to permit a 26-storey residential apartment building and eighteen 3-storey townhouses. Some other properties have attended pre-application meetings with staff. The larger 8.0-hectare block currently lacks street connections, pedestrian connections and City-owned park land.

All of the aforementioned properties contain wide floor plate towers in a landscaped area sometimes called 'towers in the park' that range in height from 11 to 18 storeys. There are two 17-storey condominiums immediately on the north side of Fisherville Road. Existing rental apartment buildings on the east side of Bathurst Street range from 6 to 13 storeys. Given this context, it is likely City Planning will receive additional development applications on this block, which highlights the importance of considering this block comprehensively. The applicant previously submitted a scoped Block Context Plan. However, it included only three sites and illustrated how each site could develop

independently. It did not demonstrate the potential for connectivity across the entire block.

In section 2.3.1, Healthy Neighbourhoods, in the Official Plan, Policy 1, speaks to *Neighbourhoods* and *Apartment Neighbourhoods* and considers these designations to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes, and open space patterns in these areas.

The Plan goes on to say in Policy 3, of the same section, that intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that neighbourhoods are protected from negative impacts. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study or area based study.

As per Official Plan policies in the Healthy Neighbourhoods, The Public Realm and Built Form sections, the built form proposed should take into consideration public realm improvements and the built form context along Bathurst Street and in the surrounding area. This consideration should include the full potential build out of properties on the same block. Development on the subject site has the potential for precedent for future developments on the entire block. Therefore, it is important that careful consideration be made with respect to the scale and height of the proposed buildings and their fit within the existing and planned context of the area.

A comprehensive Block Context Plan for the entire block will be necessary. The Block Context Plan should be prepared by the applicant with input from other land owners, residents, City staff and the local Councillor, for consideration by City Council.

### **Organization of the Site**

OPA 320 proposes to add a new policy that states, "on larger sites which have the opportunity for more than one new building, a framework of additional public streets, shared driveways, new parkland and shared open space may be required to create infill development that meets the objectives of this Plan."

This draft policy implements the direction in the Council-adopted Tall Buildings Guidelines, which promote the coordination of development on larger sites with potential for multiple tall buildings, new internal streets or parks through a Master Plan. A Block Context Plan would also provide a vision for the development of the entire site area, including how new buildings, streets, blocks, pedestrian and cycling routes, parks, and publically accessible and private open spaces will fit within the existing and planned context. A Master Plan for larger sites is required for developments having any one or more of the following characteristics:



- requiring new streets or parks;
- proposing multiple tall buildings;
- containing two or more construction phases;
- using shared servicing; and/or
- covering a site area larger than 2.0 hectares.

Since the application proposes multiple tall buildings, uses shared services and has a site area larger than 2.0 hectares, development on this site would be aided by a comprehensive Block Context Plan.

The Public Realm policies of the Official Plan speak to the importance of new streets to provide connectivity, create appropriately sized building blocks, provide convenient travel options and provide access and addresses to all buildings. The policies also promote parks and open spaces for recreational needs that front onto a street for good visibility, access and safety. Improvements to the public realm should be established first to inform built form potential.

The Built Form policies of the Official Plan speak to new development being located and organized to fit with its existing and/or planned context, by locating main building entrances so that they are clearly visible and directly accessible from the public sidewalk. The Official Plan speaks to locating and organizing vehicle parking, access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by integrating services and utility functions within buildings.

A Block Context Plan would provide a conceptual and comprehensive idea of development on the block and a framework to evaluate proposed future development. It would illustrate and analyze the development proposal in both existing and planned context for an area larger than the development site itself, regarding the layout and design of public streets and other pedestrian and cycling connections, parks and open spaces and built form issues such as building type, location, organization and massing.

A Block Context Plan would also help address staff have concerns with the overall organization of the site. There is the need for a new public road (or a private road designed to look like a public road, if encumbered by existing underground parking garages) and new pedestrian and cycling connections to facilitate future connectivity with this site to adjacent sites. In the current plan, proposed Building A and the existing building at 5 Fisherville Road would not have suitable street addresses and visibility. At-grade parking should be significantly reduced or eliminated. At present, no on-site park is proposed. Parks staff have indicated that an on-site dedication would be appropriate on this site, which will impact the site organization. A new public park would help to mitigate concerns relating to loss of green space. Locating these items first would help inform a suitable site organization.

Staff also have concerns with the location of Building A. It is set back far from the public realm and does not address the public street. Primary building entrances should

front onto public streets, be well-defined, clearly visible, and universally accessible from the adjacent public sidewalk. Bringing new streets internally in the site would help open up the site and give address to all buildings.

## **Height and Density**

The Built Form policies of the Official Plan state that new development will be massed and its exterior facades will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties by massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned context, creating appropriate transitions in scale to neighbouring existing and/or planned buildings, providing for adequate light and privacy and limiting any resulting shadow on neighbouring streets and parks.

The *Apartment Neighbourhoods* policies support the policies found above but add additional detail with respect to locating and massing new buildings to provide a transition between areas of different development intensity and scale through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*.

The existing context of this proposal is buildings in the *Apartment Neighbourhoods* designation along Bathurst Street as well as the *Neighbourhoods* designation to the west. Within this context, building heights range from 2 to 18 storeys. At 19-storeys, proposed Building A is close to the existing heights, but proposed Building B is significantly taller than existing buildings at 29 storeys.

## **Height**

Building A is proposed to be 19 storeys and 57.0 metres in height, plus a 5-metre mechanical penthouse for a total of 62.0 metres. It would have a 6-storey (19.0-metre) base building. Building B is proposed to be 29 storeys and 87.0 metres in height, plus a 5-metre mechanical penthouse for a total of 92.0 metres. It would have an 8-storey (25.0-metre) base building. Floor-to-ceiling heights have not been indicated on the drawings. Tall buildings should fit within the existing or planned context and provide appropriate transition in scale down to lower-scaled buildings, parks and open space. Transition in scale helps to limit shadow and overlook on neighbouring properties that are lower in scale, and limit shadow and loss of sky view on adjacent streets and open spaces. Transition from a *Neighbourhoods* designation is typically demonstrated with a 45-degree angular plane. This transition has not been demonstrated. Building B is significantly taller than the existing buildings in the area.

## **Density**

The current density for the subject lands is 1.43 times the area of the lot. The proposed density is 3.39 times the area of the lot, which would more than double the existing density. This would be a precedent for this area and has implications on available infrastructure.

There is no planned context for the height and density of the proposed 29-storey building, either through zoning or through the framework of the Official Plan. The current framework is governed by the *Apartment Neighbourhoods* policies of the Official Plan, which are not considered growth areas, but rather infill must be sensitive to the area context.

### **Access, Traffic Impact**

Transportation Services staff reviewed the Urban Transportation Considerations Report by BA Group and determined the data inputs used in the capacity analyses of the study do not conform to the values normally accepted by the City. Actual lane widths must be used in the traffic analyses. The traffic impacts of the proposal have not been accepted.

The applicant is proposing to maintain the two existing full-moves driveways on both Bathurst Street and Fisherville Road. The driveways lead to the underground parking, pick-up and drop-off areas and loading spaces. The applicant must review the location of the Bathurst Street driveway with respect to the driveway on the east side of Bathurst Street to eliminate conflicting left turn movements. Ideally the two driveways would align, or would be located in such a way as to minimize turning conflicts on Bathurst Street.

The owner conducted parking surveys of the existing occupied apartment units. Transportation Services staff concurred with the study and applied a 10% buffer from the surveyed rates to Building A (also proposed to be a rental building). However, since Building B is proposed to be a condominium, Transportation Services staff require it meet the parking requirements set out in City of Toronto Zoning By-law 569-2013. There are currently 419 parking spaces proposed, whereas 438 parking spaces are required by City of Toronto Zoning By-law 569-2013.

Bicycle parking spaces are proposed for the new buildings only (Buildings A and B). Building A would provide long-term spaces at a rate of 0.68/unit, resulting in 122 spaces, and short-term spaces at a rate of 0.07/unit, resulting in 13 spaces, for a total of 135 spaces. Building B would provide long term spaces at a rate of 0.68/unit, resulting in 293 spaces, and short term spaces at a rate of 0.07/unit, resulting in 30 spaces, for a total of 323 spaces. In Bicycle Zone 2, a minimum of 0.75 bicycle parking spaces for each dwelling unit, allocated as 0.68 long-term bicycle parking space per dwelling unit and 0.07 short-term bicycle parking space per dwelling unit are required. The bicycle parking rates proposed for the new buildings comply with City of Toronto Zoning By-law 569-2013. However, re-development of the site should provide for an opportunity to establish secure bicycle parking spaces for the existing residents.

Given the scale of the proposal, Building A, C and D would each require one Type G loading space. Building B (the proposed condominium) would require one Type G and one Type C loading space. The applicant is meeting the loading requirements for each building. However, the Type C loading space for Building B must be relocated to be adjacent to the building, as per comments from Transportation Services staff.

## **Amenity Space**

An indoor below grade swimming pool is situated in-between the two existing buildings, and serves as a shared amenity for the residents of both buildings. The applicant estimates the existing buildings have 970 square metres of indoor amenity space for the 404 dwelling units. Outdoor amenity space for the existing buildings is proposed to be provided by the existing landscaped open space (approximately 10,450 square metres in size).

Building A would have 200 square metres of indoor amenity space for 179 dwelling units. Building A's indoor amenity space is proposed to be located adjacent to the residential lobby on the ground floor. It would be directly connected to outdoor amenity space at grade. Residents in Building A would also share the existing landscaped open space.

Building B would have 860 square metres of indoor amenity space for 430 dwelling units. The indoor amenity space would be located in two rooms, one of which is centrally located adjacent to the residential lobby on the ground floor and another which is located adjacent to the elevators and fronting Fisherville Road. Both amenity spaces would be directly accessible to two common outdoor amenity spaces.

The drawings indicate the outdoor amenity space for all buildings would total over 10,000 square metres. However, this number refers to the on-site landscaped open space in general, not defined, programmed, outdoor amenity space. By-law 572-2014 requires 1.0 square metre of amenity space (indoor and/or outdoor) per dwelling unit. This proposed amount of amenity space satisfies this requirement for each building. However, the northerly amenity space of Building B should be relocated away from the corner of Fisherville Road and Carpenter Road. This prominent, corner location is better suited for the building entrance and/or commercial uses. The existing buildings require defined, programmed, outdoor amenity space.

## **Servicing and Stormwater Management**

The applicant submitted a Functional Servicing Report, Stormwater Management Report and Hydrogeologic Study and Water Balance. Development Engineering staff identified a number of issues and outstanding requirements, with many revisions required. The subject lands are within Basement Study Area 28.

## **Parkland Dedication**

The residential nature of this proposal is subject to a 5% parkland dedication. The 5% parkland dedication is applied to the proposed residential GFA in proportion to the total site residential GFA. Therefore, the parkland dedication requirement is 678 square metres. The applicant is required to satisfy the parkland requirements through an on-site dedication. No on-site park has been provided in the current application. Further discussion is required pertaining to the specific configuration and location of the on-site parkland dedication. The land to be conveyed should meet the requirements set out in Policy 8 of Section 3.2.3 of the Official Plan. Once the park location has been

determined to the satisfaction of the General Manager, Parks, Forestry and Recreation, additional detailed comments and conditions will be provided.

### **Community Services and Facilities**

The proposed development would introduce a significant amount of residential GFA on the site that will impact the existing community services and facilities in the area. The Community Services and Facilities Study submitted by the applicant concludes that "development charges as well as potential Section 37 contributions accumulated from the study area's development activity would be best applied to improvements and/or expansion of library services and community recreation facilities". Notwithstanding this, it is also recommended that additional non-profit licensed child care facilities, particularly for infants and toddlers, be secured to respond to the growth needs for the area. These priorities for additional and/or expanded libraries, recreation facilities and child care facilities, may be considered appropriate Section 37 community benefits to help support the proposed growth and change in the area.

Toronto Public Library staff commented that there is a capital project planned for the Centennial branch in 2021-22 to bring the branch to the minimum neighbourhood branch size of 10,000 square feet. The population increase resulting from this development is anticipated to affect the provision of library services in the area. Centennial branch usage is high. It is the 16<sup>th</sup> busiest neighbourhood branch in the system (2015).

The existing community services and facilities would be strained by this amount of new residential units, which reinforces the need for comprehensive planning. The applicant's study takes an inventory of existing community services and facilities. It states, "development charges, as well as potential Section 37 contributions accumulated from the study area's development activity would be best applied to improvements and/ or expansion of library services and community recreation facilities", but does not propose specific improvements. Additional consideration should be given with respect to improving the existing community services and facilities.

### **Rental Housing Intensification**

The proposed development would introduce 46,000 square metres of additional residential GFA on the site. Policy 3.2.1.5 (a) requires the securing of existing rental units which have affordable and mid-range rents. All rental dwelling units in the residential complex have affordable or mid-range rents. The Housing Issues Report submitted by the applicant identifies and confirms that all 404 existing rental housing units would have their rental tenure secured for a period of at least 20 years, which would meet the policy above.

Policy 3.2.1.5 (b) requires the identification and securing of needed improvements and repairs, without pass through of costs to tenants. The Housing Issues Report submitted by the applicant does not identify any improvements to the existing rental housing buildings, beyond outdoor landscape improvements. The Housing Issues Report confirms that the

owner of the buildings is prepared to provide improvements and renovations, without pass through of costs to tenants. It describes improvements to the existing building as, "comprehensive landscaped private open space with different areas that will serve both the existing rental buildings and the new buildings." These are not considered sufficient improvements to the existing rental buildings.

To manage effects on tenants remaining on site during construction, the owner must submit a construction mitigation plan. A tenant communications plan to keep tenants informed of construction activity must also be submitted by the owner. The Housing Issues Report submitted by the applicant states that the owner will develop a communications strategy. The Housing Issues Report provides some preliminary considerations for a strategy, including tenant access, notice periods of construction activity and car parking.

Policy Staff are in discussion with the applicant with respect to identifying and securing potential improvements and needed renovations to the existing rental housing. A survey was distributed to current tenants to help determine possible improvements. The survey was conducted online primarily and hard copies were available for completion. A total of 35 survey responses were received.

Improvements sought to current shared amenity spaces included laundry room upgrades, accessibility features (such as automatic doors), additional security cameras and improvements to stairwells and corridors. New amenities sought include an upgraded lobby with a waiting area, a party room, an exercise room, indoor visitor parking, outdoor seating, a garbage enclosure and a barbeque area.

### **Draft Growing Up Urban Design Guidelines**

At the neighbourhood scale, the Guidelines encourage site organization to be designed to promote safe mobility networks to encourage children's independence and active transportation. There should be a variety of types of parks and open spaces that are easily accessible and meet a range of needs. Small-scale, commercial uses at grade would afford an active street life with a mix of community services and fine-grained retail spaces. At the building scale, a critical mass of larger units should be primarily located in lower portions of the building. In the current proposal, the lower floors would primarily consist of one-bedroom units. Child-specific POPS could expand the network of open spaces within the public realm. At the unit scale, two and three-bedroom units would ideally be 969 square feet and 1140 square feet, respectively, to support families. Detailed unit floor plans have not been submitted.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The

applicant is required to meet Tier 1 of the TGS. The two proposed buildings have regard for the Toronto Green Standards and would have features such as bicycle parking, weather protection, green roofs over 60% of the roof area, waste collection and sorting and erosion and sediment control.

### **Section 37**

Staff have not had discussions with the applicant regarding Section 37 of the *Planning Act*. Any Section 37 community benefits discussions would have been premature as an acceptable site organization and built form has not been agreed upon, nor does the proposal represent good planning.

The proposal would be subject to Section 37 provisions due to the increase in density and height proposed. This report recommends that City Council authorize the City Solicitor to request the Ontario Municipal Board to withhold any final Orders approving the Zoning By-law Amendment until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor. Appropriate Section 37 benefits would be discussed between City staff, the applicant and the local Councillor, should the outstanding issues be resolved.

Section 37 of the Planning Act would also be employed to secure the aforementioned housing policy requirements, including: any identified improvements and renovations; securing of existing rental tenure for a period of no less than 20 years; and a construction mitigation strategy and a communications plan for tenants.

### **Conclusion**

The current proposal is not consistent with some of the housing policies of the PPS and does not conform to the housing policies of the Official Plan, as it does not enhance the well-being of existing or future residents, does not demonstrate appropriate levels of infrastructure and public service facilities and does not propose a suitable built form. Although the proposal represents intensification of built-up urban areas, it has not addressed the policy direction of the Official Plan including the *Apartment Neighbourhoods* designation and therefore has not demonstrated conformity with the Growth Plan for the Greater Golden Horseshoe.

Rental housing intensification Policy 3.2.1.5 has not been addressed regarding needed improvements and renovations to the existing rental housing buildings and site.

City Staff oppose the proposed development in its current form as it does not represent good planning. Given the interest in re-development of the immediate area, the area should be studied comprehensively, pursuant to the Official Plan, Official Plan Amendment 320 and Public Realm policies, to look at the opportunity for new streets, parks, open space, connectivity and consolidation of services across the entire block. New streets would help to give all buildings (particularly proposed Building A and existing 5 Fisherville Road) a street presence. A Block Context Plan will be required to be prepared by the applicant, with input from other land owners, residents, City staff and the local Councillor.

There is currently no context or policy framework to support the proposed 29-storey height of Building B and overall level of density proposed on these lands and therefore the height and density should be reduced. Small-scale commercial uses at grade should be proposed to support any increased density on site. Improvements to the existing community services and facilities are also required. Rental housing improvements have not been demonstrated. There is an opportunity to improve living conditions for existing tenants that should be explored, as required by the Official Plan policies.

The Urban Transportation Considerations Report is not sufficient in justifying the traffic impacts and further study is required. The Functional Servicing Report, Stormwater Management Report and Hydrogeologic Study and Water Balance have not been accepted. Development Engineering staff identified a number of issues and outstanding requirements, with many revisions required.

The applicant made only one initial submission of plans and reports and did not address concerns by City staff and local residents with respect to site organization, improvements to existing buildings and height. This report recommends that Staff attend the Ontario Municipal Board hearing in opposition of the current proposal and continue discussions with the applicant to address the issues outlined in this report.

## **CONTACT**

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Tel. No. 416-395-7145  
Fax No. 416-395-7155  
E-mail: [doug.stiles@toronto.ca](mailto:doug.stiles@toronto.ca)

## **SIGNATURE**

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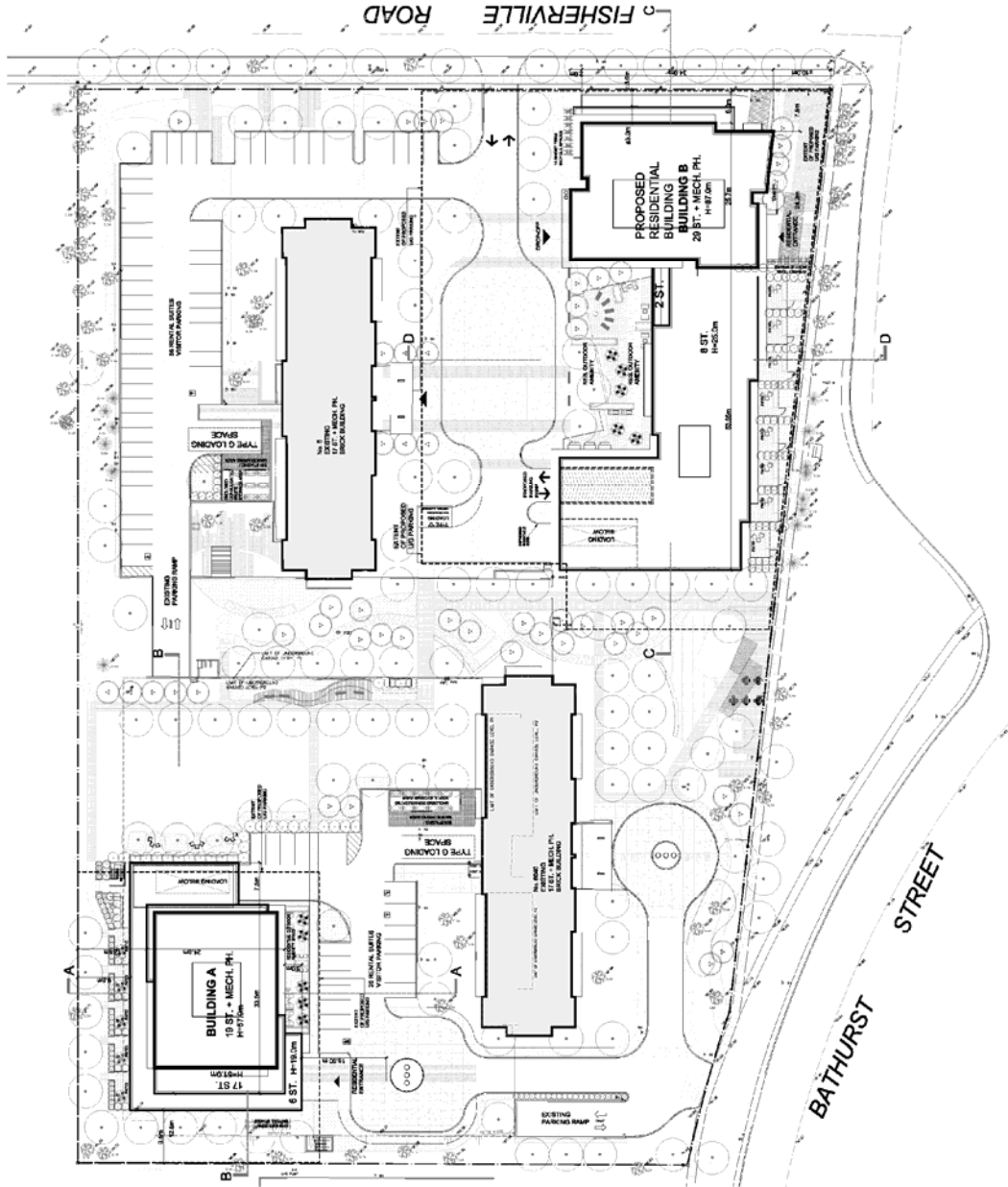
Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3a: Former City of North York Zoning By-law 7625  
Attachment 3b: City of Toronto Zoning By-law 569-2013  
Attachment 4: Official Plan  
Attachment 5: Application Data Sheet



Attachment 1: Site Plan



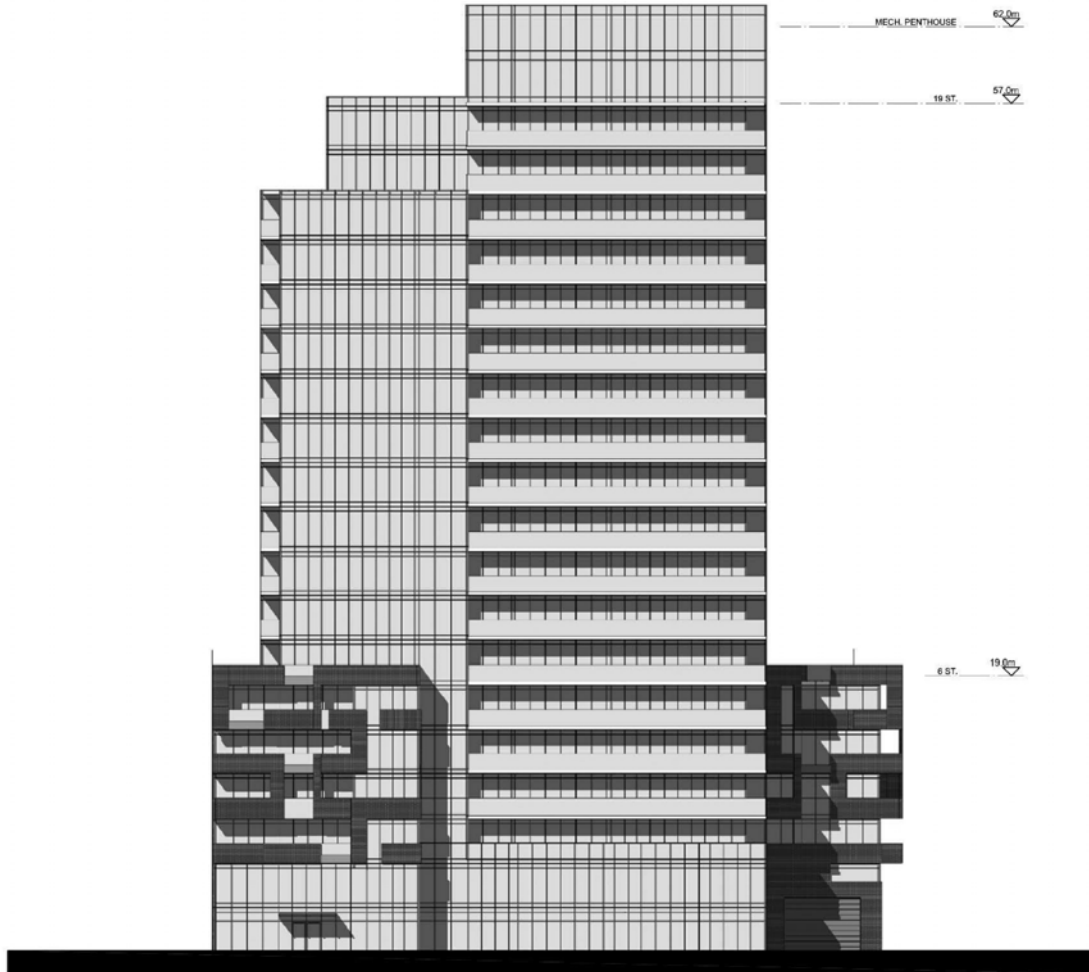
6040 Bathurst Street & 5 Fisherville Road

Site Plan  
 Applicant's Submitted Drawing

Not to Scale  
 11/29/2016

File # 16 252547 NNY 10 OZ

## Attachment 2: Elevations



Building A - East Elevation

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### Elevations

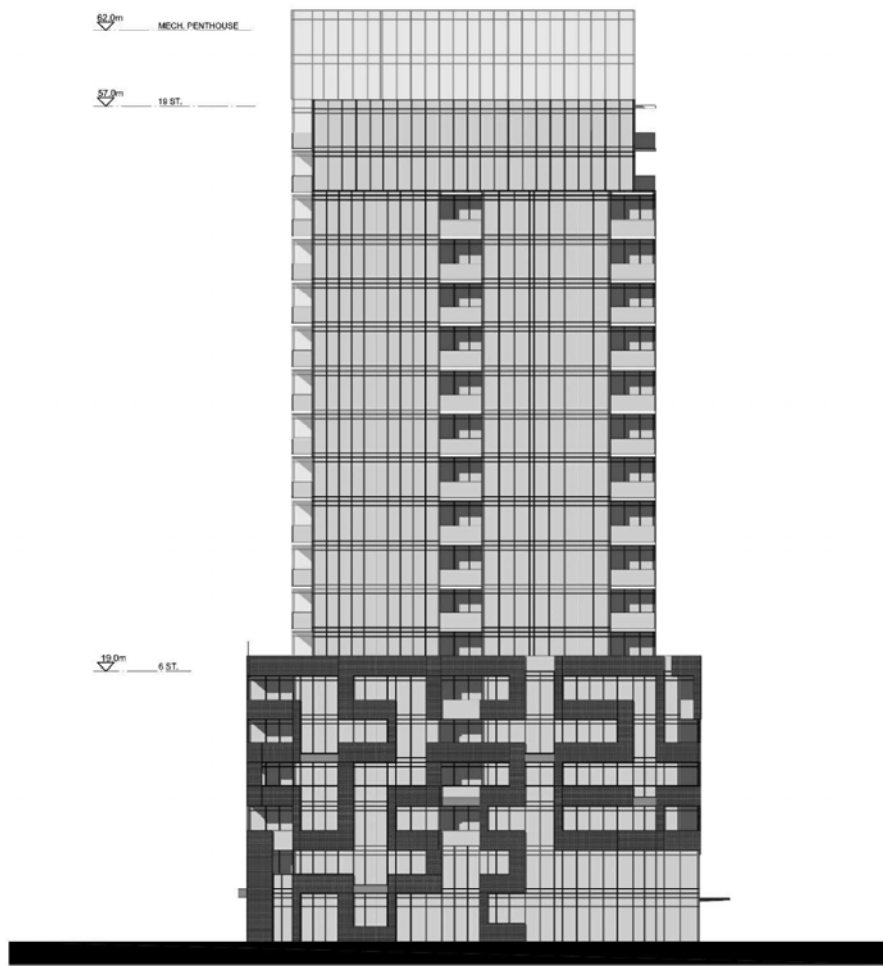
6040 Bathurst Street & 5 Fisherville Road

Applicant's Submitted Drawing

Not to Scale  
11/29/2016

File # 16 252547 NNY 10 0Z

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Building A - South Elevation

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**Elevations**

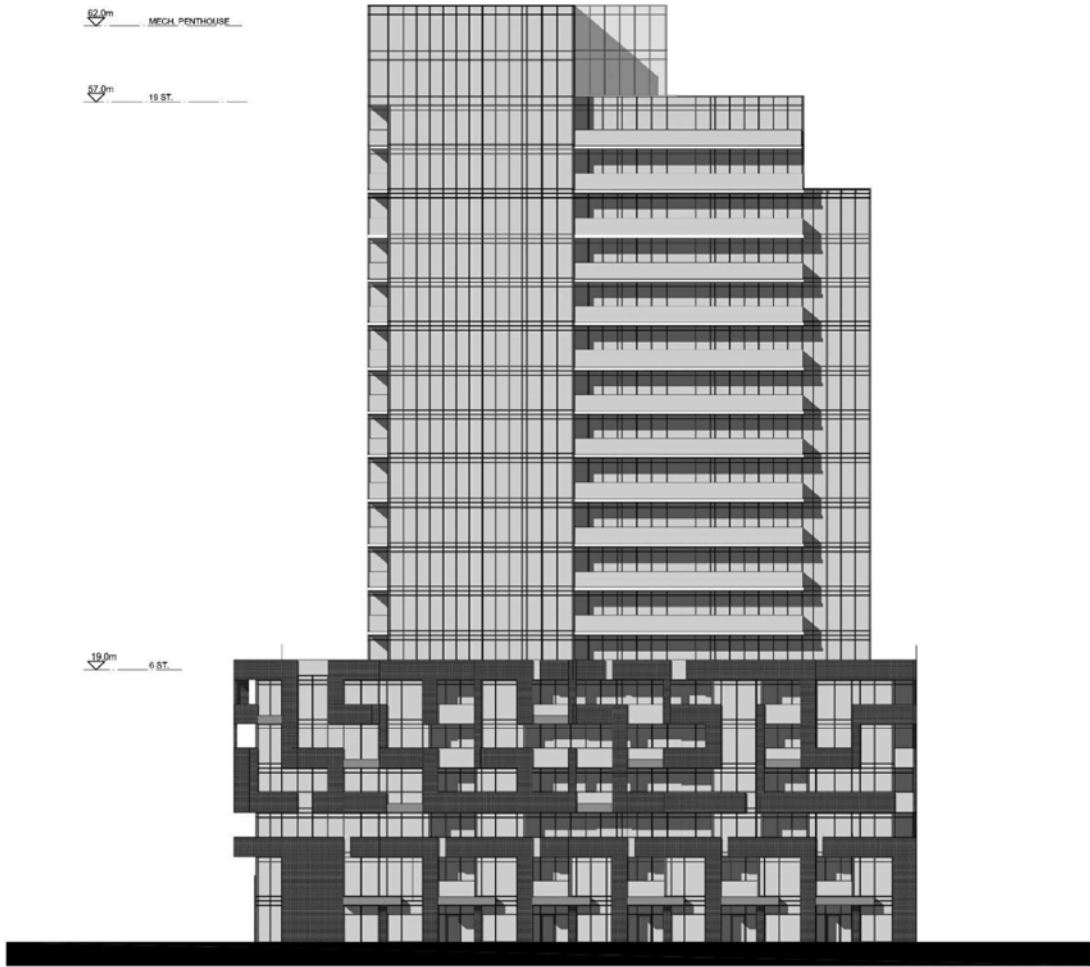
**6040 Bathurst Street & 5 Fisherville Road**

Applicant's Submitted Drawing

Not to Scale  
11/29/2016

File # 16 252547 NNY 10 0Z

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Building A - West Elevation

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## Elevations

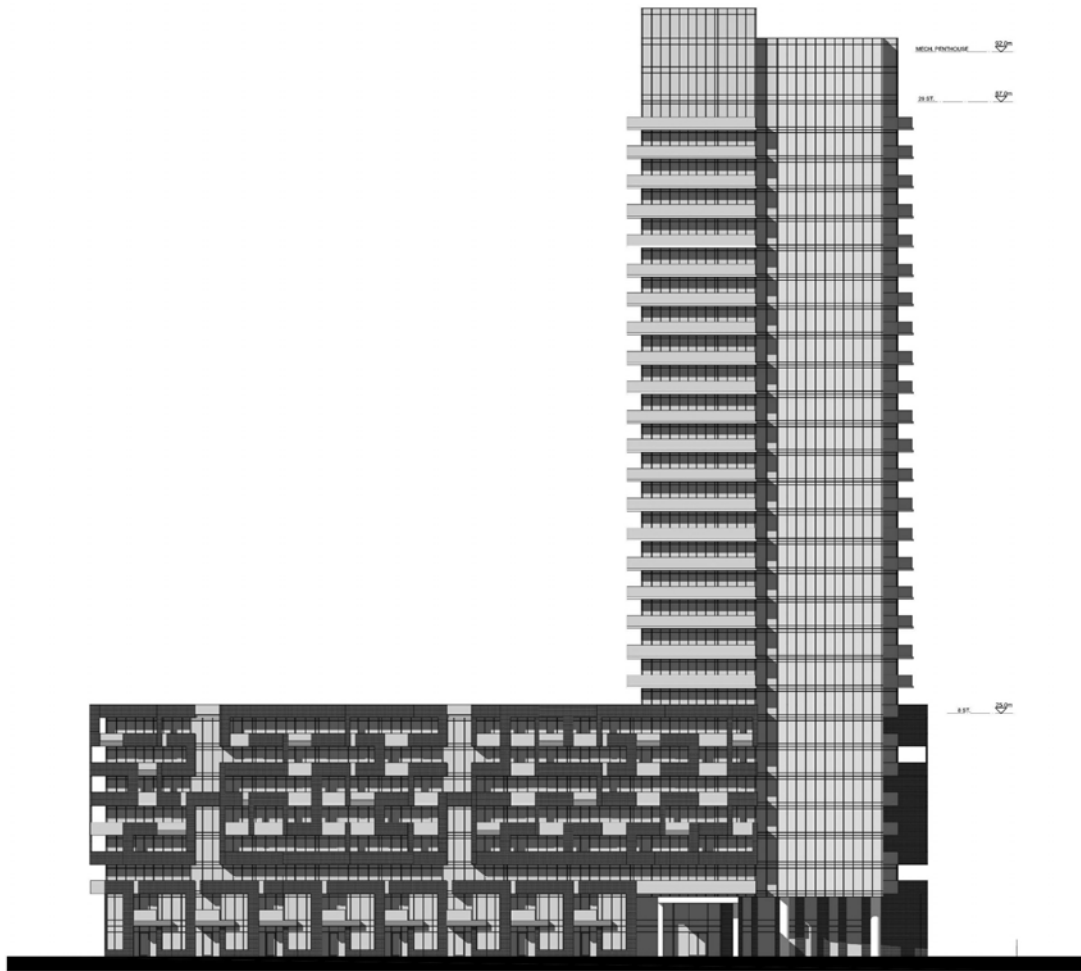
6040 Bathurst Street & 5 Fisherville Road

Applicant's Submitted Drawing

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11/29/2016

File # 16 252547 NNY 10 0Z

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Building B - East Elevation

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## Elevations

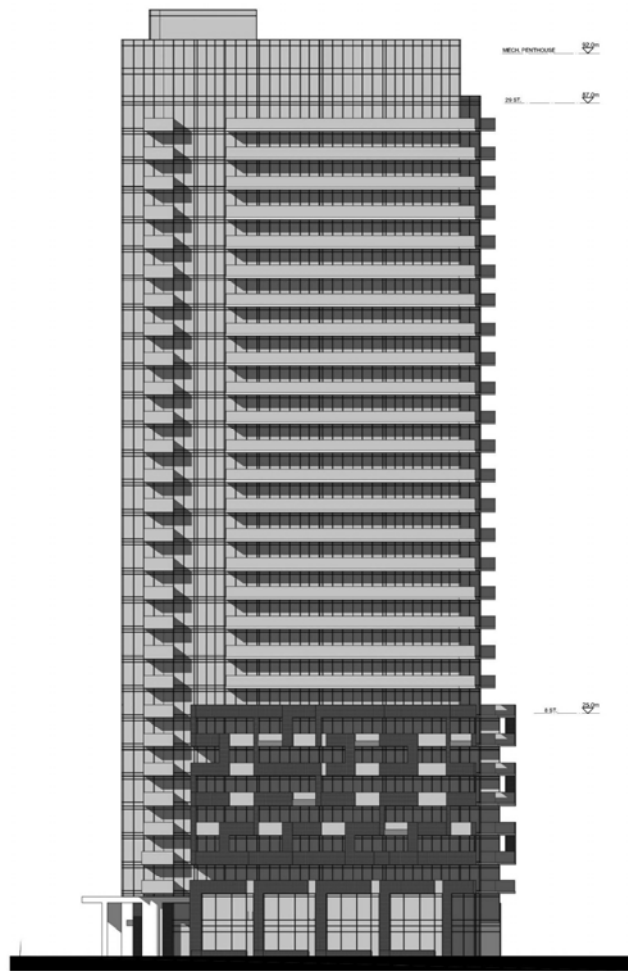
6040 Bathurst Street & 5 Fisherville Road

Applicant's Submitted Drawing

Not to Scale  
11/29/2016

File # 16 252547 NNY 10 0Z

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Building B - North Elevation

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## Elevations

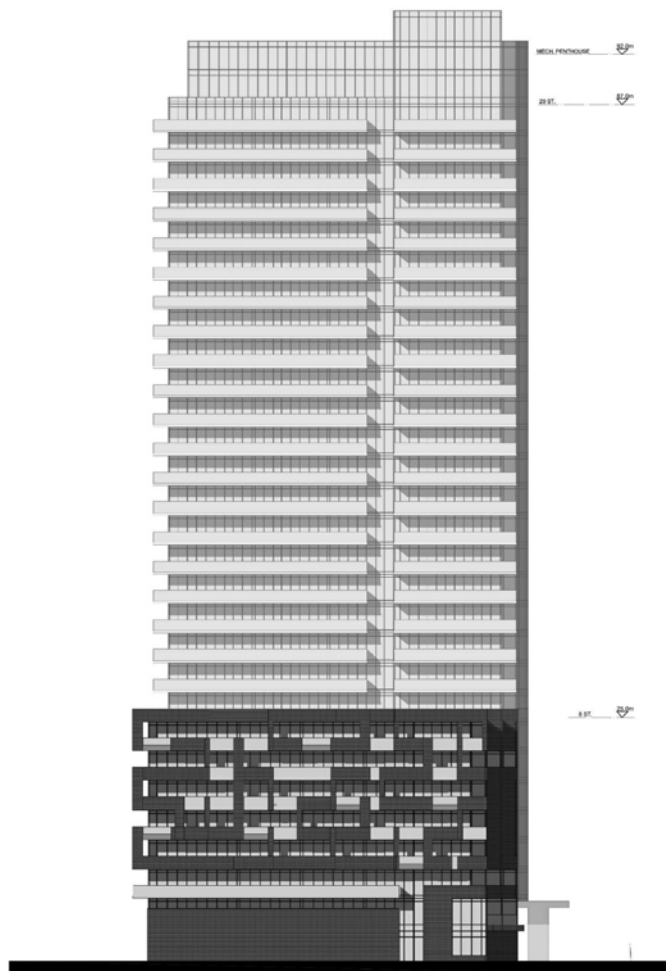
6040 Bathurst Street & 5 Fisherville Road

Applicant's Submitted Drawing

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11/29/2016

File # 16 252547 NNY 10 0Z

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Building B - South Elevation

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## Elevations

6040 Bathurst Street & 5 Fisherville Road

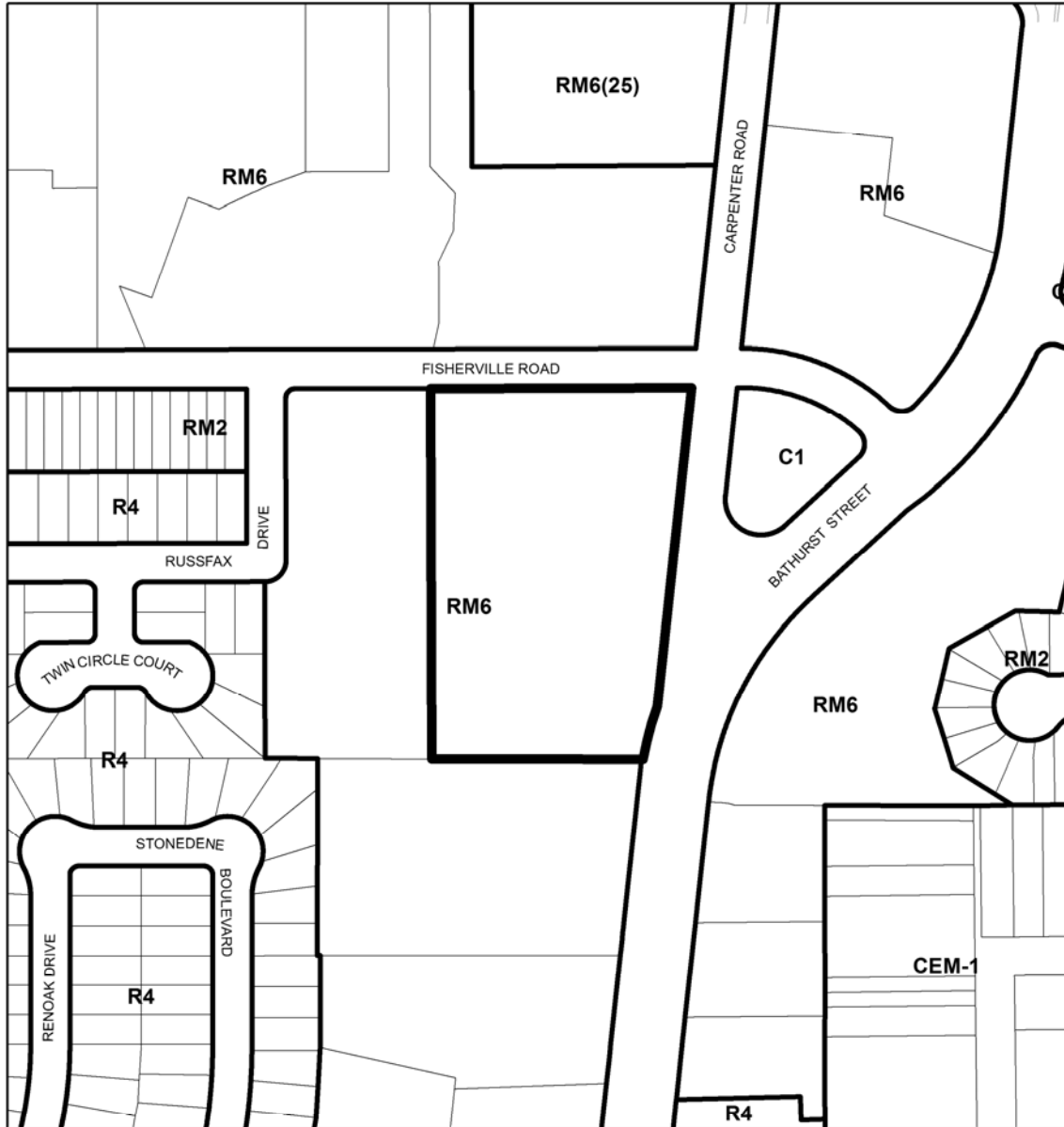
Applicant's Submitted Drawing

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11/29/2016

File # 16 252547 NNY 10 0Z

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**Attachment 3a: Former City of North York Zoning By-law 7625**



**Zoning By-Law No. 7625**


**6040 Bathurst Street & 5 Fisherville Road**

File # 16 252547 NNY 10 02

 Location of Application

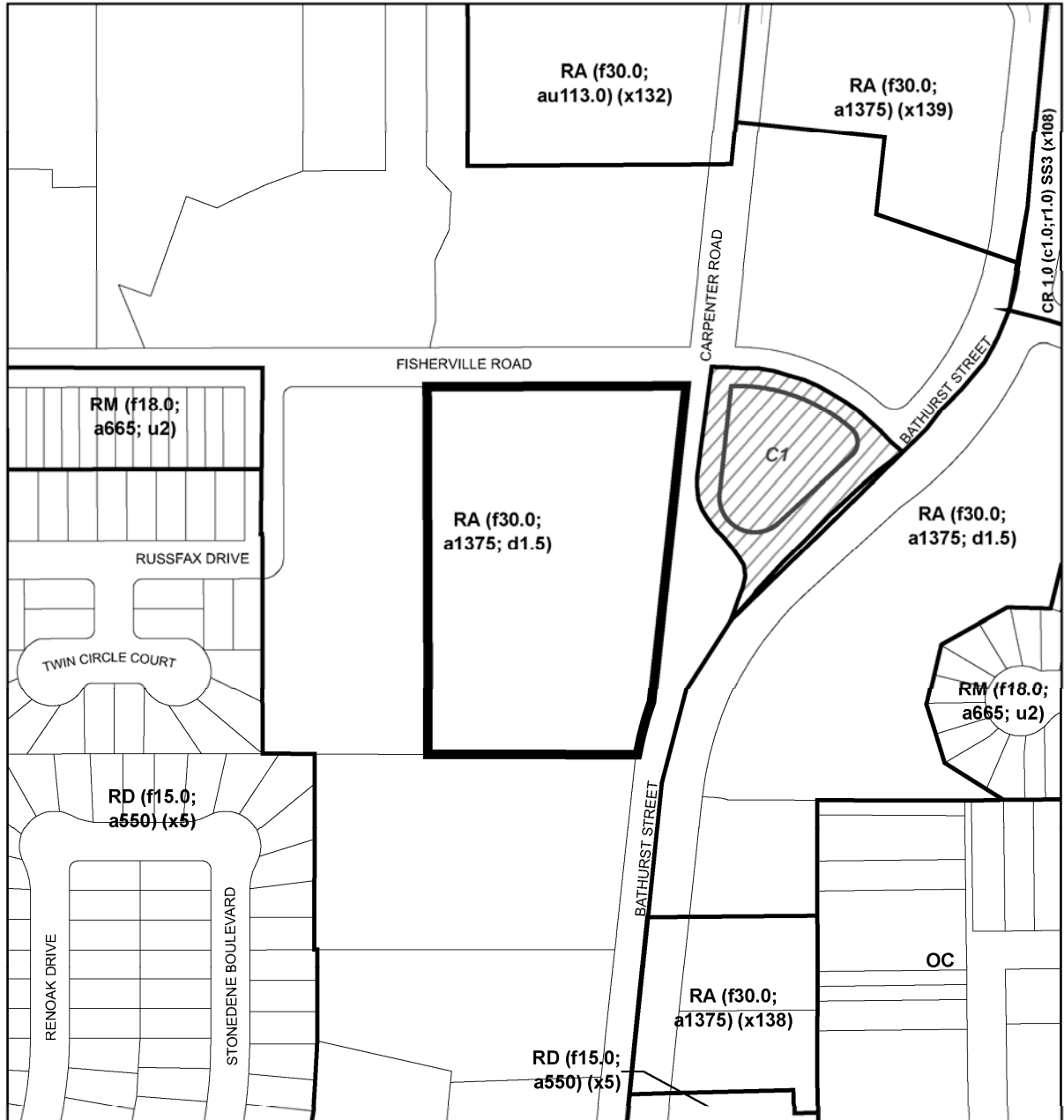
**R4** One-Family Detached Dwelling Fourth Density Zone  
**RM2** Multiple-Family Dwellings Second Density Zone

**RM6** Multiple-Family Dwellings Sixth Density Zone  
**C1** General Commercial Zone  
**CEM-1** General Cemetery Zone

  
 Not to Scale  
 Extracted: 01/30/2018



Attachment 3b: City of Toronto Zoning By-law 569-2013



6040 Bathurst Street & 5 Fisherville Road

Zoning By-Law No. 569-2013

File # 16 252547 NNY 10 0Z

Location of Application

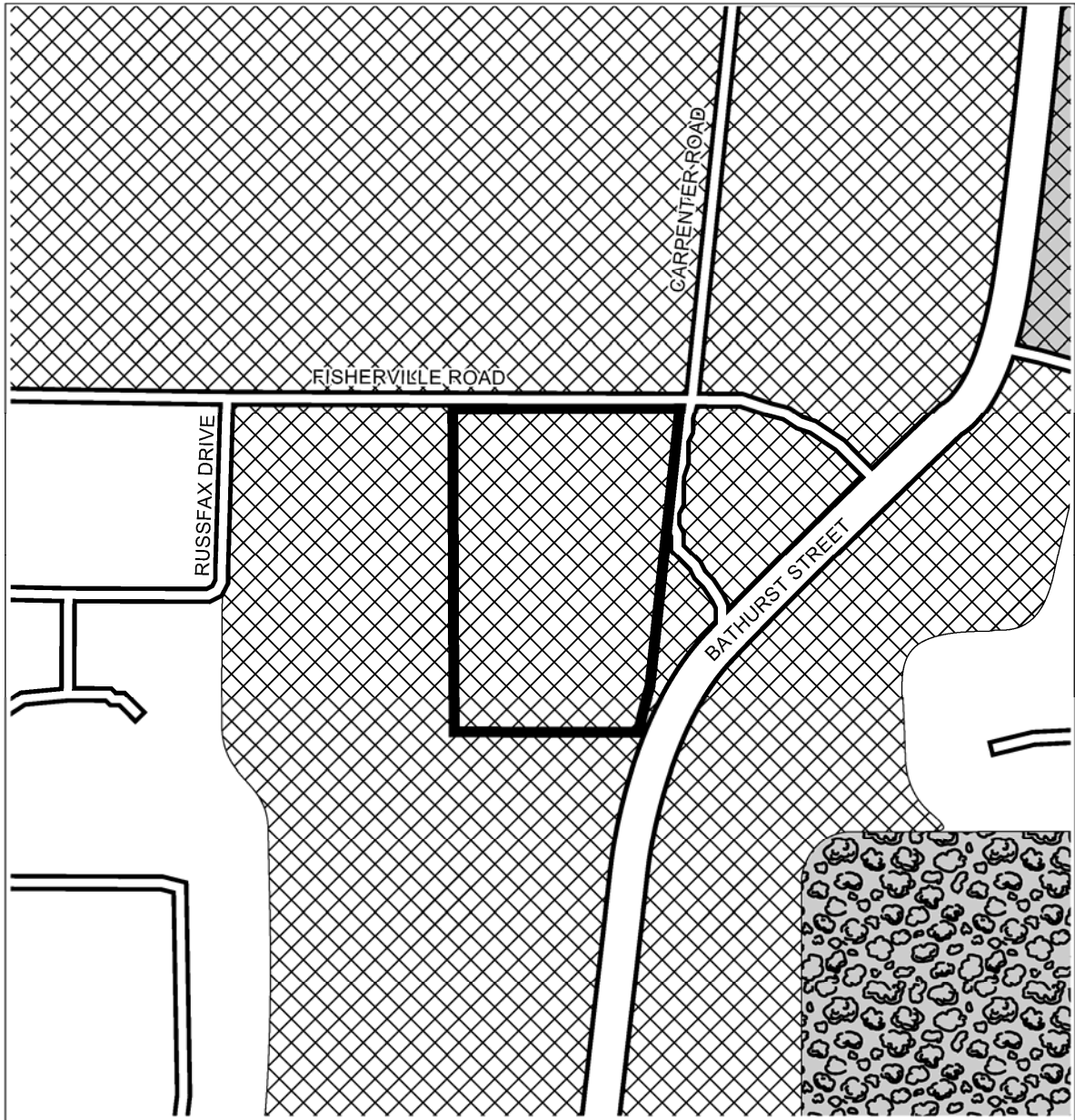
See Former City of North York By-Law No. 7625  
C1 General Commercial Zone

- |                         |                           |
|-------------------------|---------------------------|
| RD Residential Detached | RA Residential Apartment  |
| RM Residential Multiple | CR Commercial Residential |
|                         | OC Open Space Cemetery    |



Not to Scale  
Extracted: 11/28/2016

Attachment 4: Official Plan



**TORONTO** City Planning  
 Extract from Official Plan

6040 Bathurst Street & 5 Fisherville Road

File # 16 252547 NNY 10 0Z

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Other Open Space Areas   |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

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 Not to Scale  
 11/28/2016

## Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	16 252547 NNY 10 OZ
Details	Rezoning, Standard	Application Date:	November 17, 2016
Municipal Address:	6040 BATHURST STREET & 5 FISHERVILLE ROAD		
Location Description:	PLAN 2570 BLK 24		
Project Description:	A nineteen storey rental apartment building and a twenty-nine storey condominium building are proposed. The two buildings would add an additional 430 dwelling units on the site.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
FISHERVILLE AND BATHURST LIMITED 303-970 Lawrence Ave W Toronto, ON M6A 3B6	BOUSFIELDS INC. 300 Church St., Ste 300 Toronto, ON M5E 1M2	PAGE + STEELE/IBI GROUP 200-95 St. Clair Ave W Toronto, ON M4V 1N6	FISHERVILLE AND BATHURST LIMITED 303-970 Lawrence Ave W Toronto, ON M6A 3B6

### PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RA (f30.0; a1375; d1.5)	Historical Status:	N
Height Limit (m):	By-law 7625: 45.72 By-law 569-2013: 24	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	23436	Height:	Storeys:	29
Frontage (m):	133.69		Metres:	87
Depth (m):	190.61			
Total Ground Floor Area (sq. m):	5170			<b>Total</b>
Total Residential GFA (sq. m):	79490		Parking Spaces:	761
Total Non-Residential GFA (sq. m):	0		Loading Docks	5
Total GFA (sq. m):	79490			
Lot Coverage Ratio (%):	22.1			
Floor Space Index:	3.39			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

	Rental & Condo		Above Grade	Below Grade
Tenure Type:	Rental & Condo			
Rooms:	0	Residential GFA (sq. m):	79490	0
Bachelor:	12 (1%)	Retail GFA (sq. m):	0	0
1 Bedroom:	620 (61%)	Office GFA (sq. m):	0	0
2 Bedroom:	315 (31%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	66 (7%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	1013 (100%)			

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