

4700 Bathurst Street – Zoning Amendment Application – Preliminary Report

Date: February 1, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: York Centre

Planning Application Number: 20 187617 NNY 06 OZ

Notice of Complete Application Issued: November 17, 2020.

Current Use on Site: The site has an approximate lot area of 3,495 square metres and a lot frontage of approximately 98 metres. A 2-storey building, occupied by the National Council of Jewish Women of Canada (Toronto Section), is currently located on the site.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 4700 Bathurst Street. The proposed development is a 9-storey (28 metre high) mid-rise condominium building, consisting of 142 residential units. The ground floor would incorporate a mix of amenity space, residential uses, and a lobby area. The building would have a total gross floor area (GFA) of 10,466.44 square metres, which would equate to a Floor Space Index (FSI) of 3.0, and a lot coverage of approximately 62%. The proposed development also includes underground parking through two levels, providing a total of 157 spaces for residents and visitors. The proposed development provides for a vehicle entrance off of Bathurst Street beneath the cantilevered building. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 4700 Bathurst Street together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

ISSUE BACKGROUND

Application Description

This application proposes to amend the zoning by-law for the property at 4700 Bathurst Street to permit a 9-storey (28 metre high) mid-rise condominium building, consisting of 142 residential units. The ground floor would incorporate a mix of amenity space, residential uses, and a lobby area. The building would have a total gross floor area (GFA) of 10,466.44 square metres, which would equate to a floor space index (FSI) of 3.0 times the site area, and a lot coverage of approximately 62%. The proposed development also includes two levels of underground parking, providing a total of 157 spaces for residents and visitors. The proposed development is located on Bathurst Street which is characterized by a mix of residential, commercial and institutional uses. On the south and west side of the proposed development is a Neighbourhoods designation which includes semi-detached dwellings. See statistics table below for further details:

Category	October 15, 2020 Submission	
Site Area	3,486 square metres	
Building Setbacks from Property Line	North	0.42 metre
	South	1.38 metres
	East (Bathurst Street)	2.4 metres
	West	8.26 metres
Building Stepbacks along Bathurst Street	No stepbacks provided along Bathurst Street	
Rear Building Stepbacks	Stepbacks are provided at the 7th, 8th and 9th storey but dimensions have not been provided on the applicant's submitted plans	
Total Residential Gross Floor Area	10,466.44 square metres	
Floor Space Index (FSI)	3.0 times the lot area	
Building Height	28 metres	
Proposed Residential Units		
Studio	4 (3%)	
1 Bedroom	101 (71%)	

2 Bedroom	16 (11%)
3 Bedroom	20 (14%)
4 Bedroom	1 (0.7%)
Total	142
Amenity Area	
Indoor	257.12 square metres
Outdoor	606.1 square metres
Total	863.22 square metres
Proposed Vehicular Parking (residential / visitor)	157 spaces (129 / 28)
Loading Spaces	1 Type 'G'
Bicycle Parking (long-term residential / short term)	134 spaces (124 / 10)
Proposed Parkland Dedication	Through cash-in-lieu

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment No. 1 - 2 of this report, for a three dimensional representation of the project in context, Attachment No. 3 - Location Map, Attachment No. 4 - Site Plan, and Attachment No. 6 - Application Data Sheet for additional information.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is designated Mixed Use Areas on Map 16, Land Use Plan in the Official Plan - see Attachment No. 5. Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities.

Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Not all Mixed Use Areas will experience the same scale or intensity of development. This segment of Bathurst Street is not identified as an Avenue on Map 2 - Urban

Structure in the Official Plan, and Map 3 - Right-of-way Widths Associated with Existing Major Streets indicates the planned width is 36 metres.

On September 11, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. There are new or revised policies regarding building types (including midrise buildings), building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. The proposal will be evaluated against these policies.

Zoning By-laws

The subject site is zoned Multiple-Family Dwellings Third Density (RM3) Zone under the former City of North York Zoning By-law No. 7625. This zoning permits a range of dwelling types, including apartment house dwelling, double duplex dwelling, duplex dwelling, multiple attached dwelling, single-family dwelling, and semi-detached dwelling. It also permits a hospital, nursing home, and religious institution. The RM3 Zone also sets out a variety of development standards for the different permitted uses.

The subject site is also subject to City-wide Zoning By-law No. 569-2013 and is zoned Residential Multiple Dwelling Zone (RM (f21.0; a780)). The uses permitted in the RM Zone include a dwelling unit in a permitted residential building type, municipal shelter, and park. The permitted residential building types include detached house, semi-detached house, duplex, triplex, fourplex, and apartment building. The Lot Coverage Overlay Map permits a maximum lot coverage of 35% and the Height Overlay Map permits a maximum height of 11.5 metres.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study including Performance Standards and Addendum;
- Growing Up: Planning for Children in New Vertical Communities Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Bird Friendly Development Guidelines; and
- Accessible Design Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

A Zoning By-law amendment is required as the application proposes to exceed the maximum building height and coverage permitted by the existing Zoning By-laws. The application is also required to establish new development standards related, but not limited to: building setbacks, density, angular planes, parking, and loading.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Planning staff will continue to evaluate the application to determine its consistency with the PPS (2020) and conformity with A Place to Grow (2020).

Given the recognition in Provincial Policy of the importance of official plans and long term planning, conformity with the PPS and A Place to Grow will be informed by conformity with the City's Official Plan.

Official Plan Conformity

Staff will continue to evaluate this planning application to determine its conformity with the Official Plan, including the application's conformity with the Avenues and Healthy Neighbourhoods policies in Chapter 2, the Built Form policies in Chapter 3 and the Mixed Use Areas policies in Chapter 4.

Height, Density, Built Form, Massing and Transition

Staff are assessing the suitability of the proposed height, density, built form, massing, site organization, building placement, setbacks, stepbacks and transition based on the City's Official Plan including Healthy Neighbourhoods Section 2.3.1, Public Realm Section 3.1.1, Built Form Section 3.1.2, and Mixed Use Areas Section 4.5. Staff will also be assessing the proposal against the Mid-Rise Building Performance Standards and Addendum.

On a preliminary basis, issues of concern include:

- Demonstrating how the proposed building height and massing relate to the existing and/or planned context;
- Review the proposal's transition to the adjacent Neighbourhoods designated areas to the west and south. The applicant has shown a 45 degree angular plane from the rear (west), however, there are intrusions from the 6th to the 9th storey. The applicant has not shown a 45 degree angular plane from the southerly Neighbourhood designated properties;

- The building envelop should allow for a minimum of 5 hours of sunlight onto the sidewalk from March 21st - September 21st, the applicant has not shown a front angular plane from Bathurst Street;
- Appropriateness of the proposed building setbacks and setbacks;
- The north side yard setback at its narrowest point ranges from 0.42 metre to 1.11 metres. Where adjacent sites have walls with windows, new buildings must ensure a minimum 5.5 metres from the existing building wall;
- The south side yard setback at its narrowest point ranges from 0.7 metres to 1.38 metres to a Neighbourhoods designated property. An appropriate south side yard setback, angular plane and transition will be determined through the review of the development application;
- Review of vehicular circulation and loading;
- Retail space at grade with a ground floor ceiling height of 4.5 metres would be preferred to animate the street, if this is not possible, residential uses should have a landscape setback in addition to space for private amenity; and
- Review of the proposed locations for the air shaft grills and public and private landscaping.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study in support of the application that are currently being reviewed by City staff.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The applicant has submitted a Tree Inventory and Arborist Report which are currently under review by City staff.

The report concludes that there are a total of 19 trees on and within six metres of the subject property. The removal of 8 trees is required to accommodate the proposed development.

Staff will assess the appropriateness of the applicant's proposal and tree protection and replacement measures.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas

experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

A Community Services and Facilities study has been submitted with the application and is currently under review.

Parkland Dedication

The site is across the street from Ellerslie Park, a 14,148 square metre park which contains a playground and a horticulture display.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 28+ square metres of parkland per person, which is comparable to the city-wide average provision of 28 square metres of parkland per person in 2016.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines (Growing Up Guidelines), which is applicable to the proposed development. The Growing Up Guidelines seeks to integrate family oriented design into new multi-unit developments. One of the objectives of the Growing Up Guidelines is to ensure that new developments have a variety of housing to meet the needs of people in all stages of life. The proposed development would contain a total of 142 residential units consisting of 4 studio units, 101 one-bedroom units, 16 two-bedroom units, 20 three-bedroom units, and 1 four-bedroom unit. Staff will evaluate the units mix and units sizes to determine if they meet the intent of the Growing Up Guidelines. Staff will also review the appropriateness of the amount of indoor and outdoor amenity areas, as well as the suitability and configuration of amenity spaces for families with children and for pets.

Infrastructure / Servicing Capacity

The applicant has submitted a Functional Servicing and Stormwater Management Report, a Geotechnical Report, and a Hydrogeological Investigation. These reports will allow City staff to review and evaluate the effects of the proposed development on the City's municipal servicing infrastructure. It will also identify and provide the rationale for whether the City requires the applicant to provide new infrastructure and/or upgrades to the existing infrastructure in order to accommodate the proposed development. These reports are currently under review by Engineering and Construction Services staff.

A Transportation Impact Study prepared by Next Trans Consulting Engineers was also submitted by the applicant to evaluate the effects of the development on the transportation system, and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. This report is currently under review by Transportation Services and Transportation Planning staff.

Section 37 Community Benefits

The Official Plan authorizes the City to apply Section 37 of the Planning Act to pass by-laws to allow for increases in height and/or density that are not otherwise permitted by the Zoning By-law in return for the provision, by the applicant, of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title for projects that meet the development thresholds identified in the Official Plan. However, the current proposal at 10,466 square metres is just over the threshold for Section 37 to apply, if there are reductions in height and density, it may make the project ineligible for Section 37.

If Section 37 remains applicable, further discussion with the Ward Councillor, City staff, residents and the applicant will be required to determine the extent and nature of the Section 37 community benefits that the applicant would be required to provide, should the proposal proceed to approval in some form.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff are reviewing the TGS checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Additional information on the Toronto Green Standard may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

Other Matters

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

CONTACT

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SIGNATURE

Al Rezoski, AICP
Acting Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context Looking Northwest

Attachment 2: 3D Model of Proposal in Context Looking South

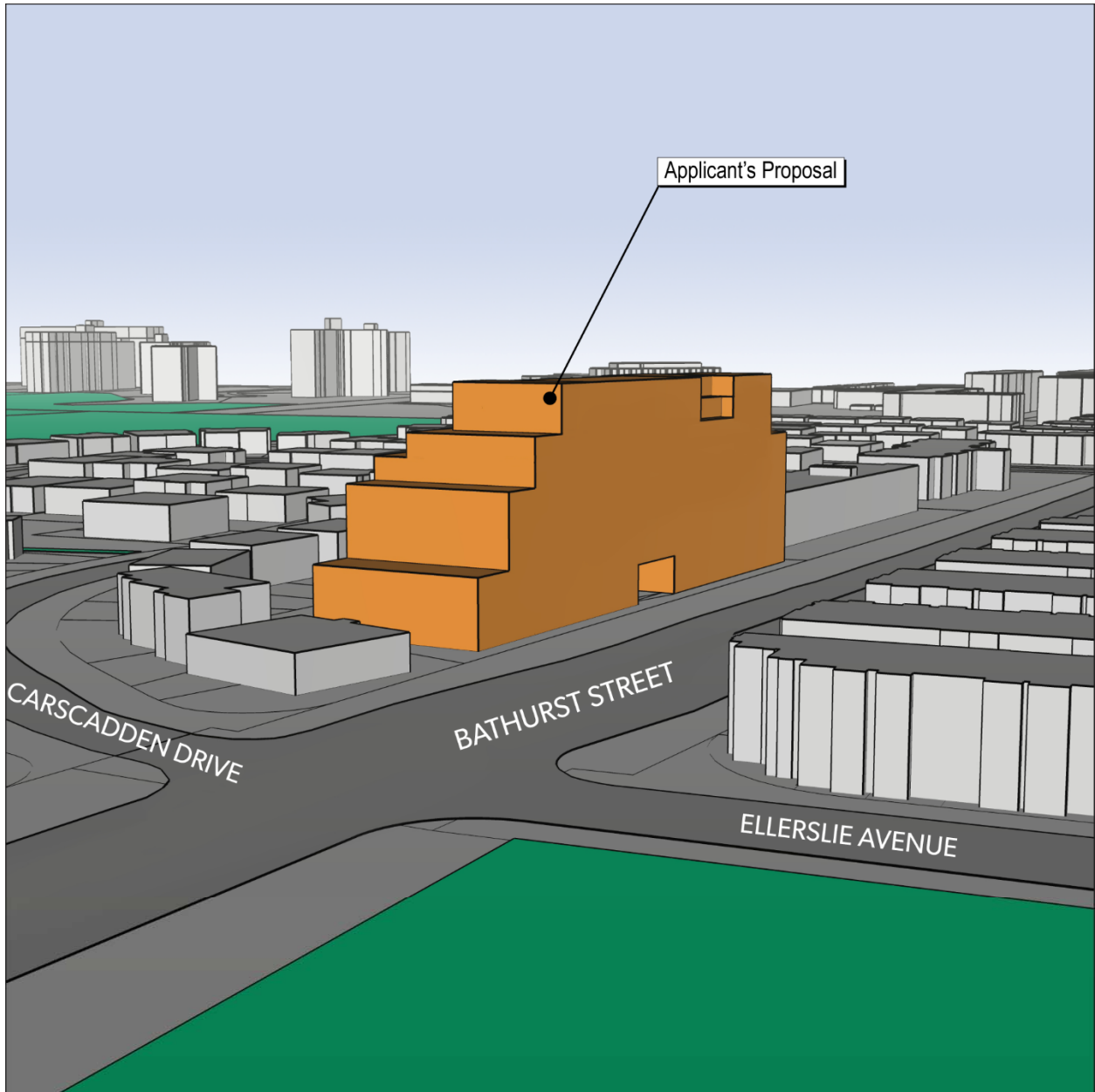
Attachment 3: Location Map

Attachment 4: Site Plan

Attachment 5: Official Plan Map

Attachment 6: Application Data Sheet

Attachment 1: 3D Model of Proposal in Context Looking Northwest

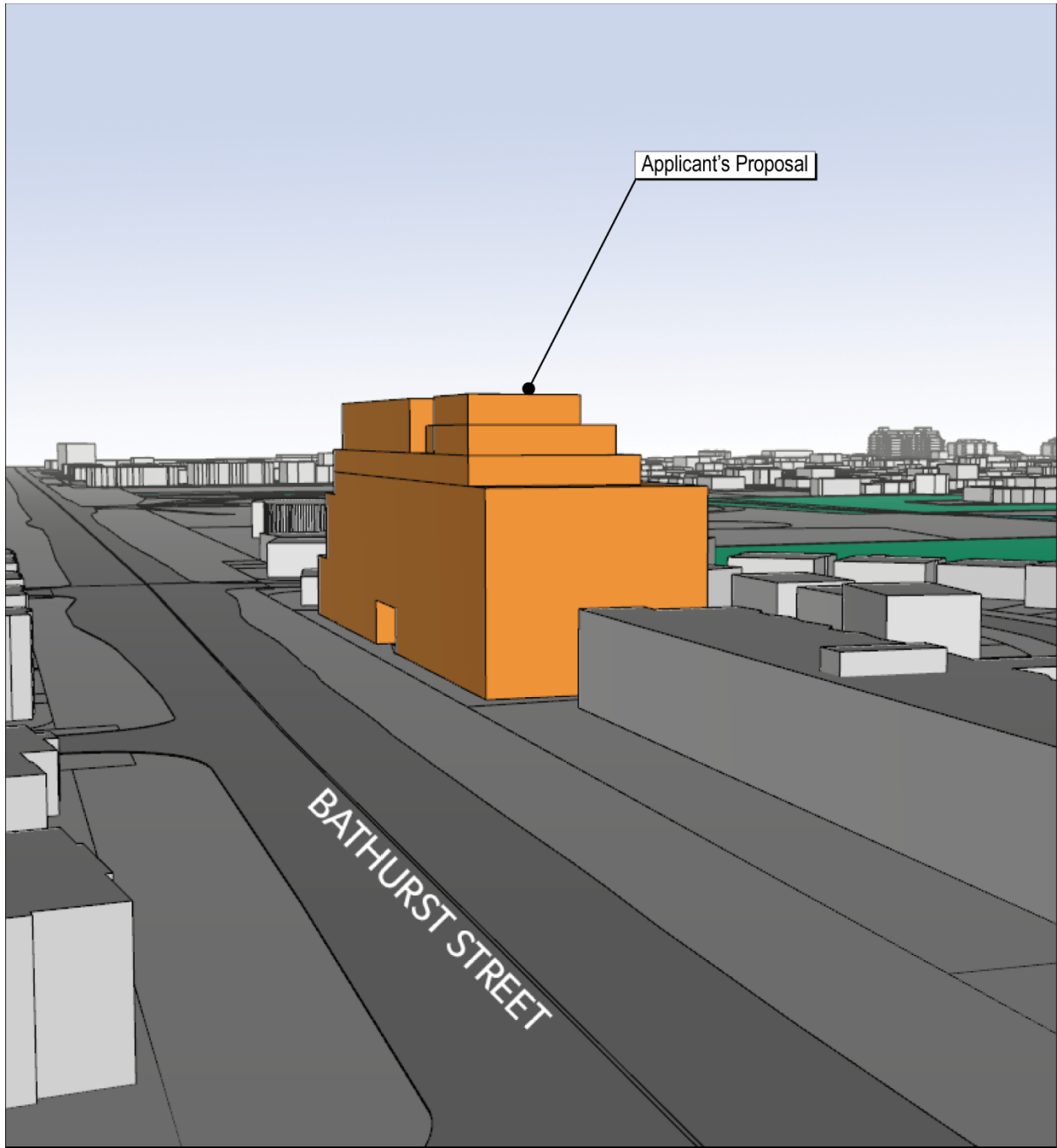


View of Applicant's Proposal Looking Northwest



01/08/2021

Attachment 2: 3D Model of Proposal in Context Looking South

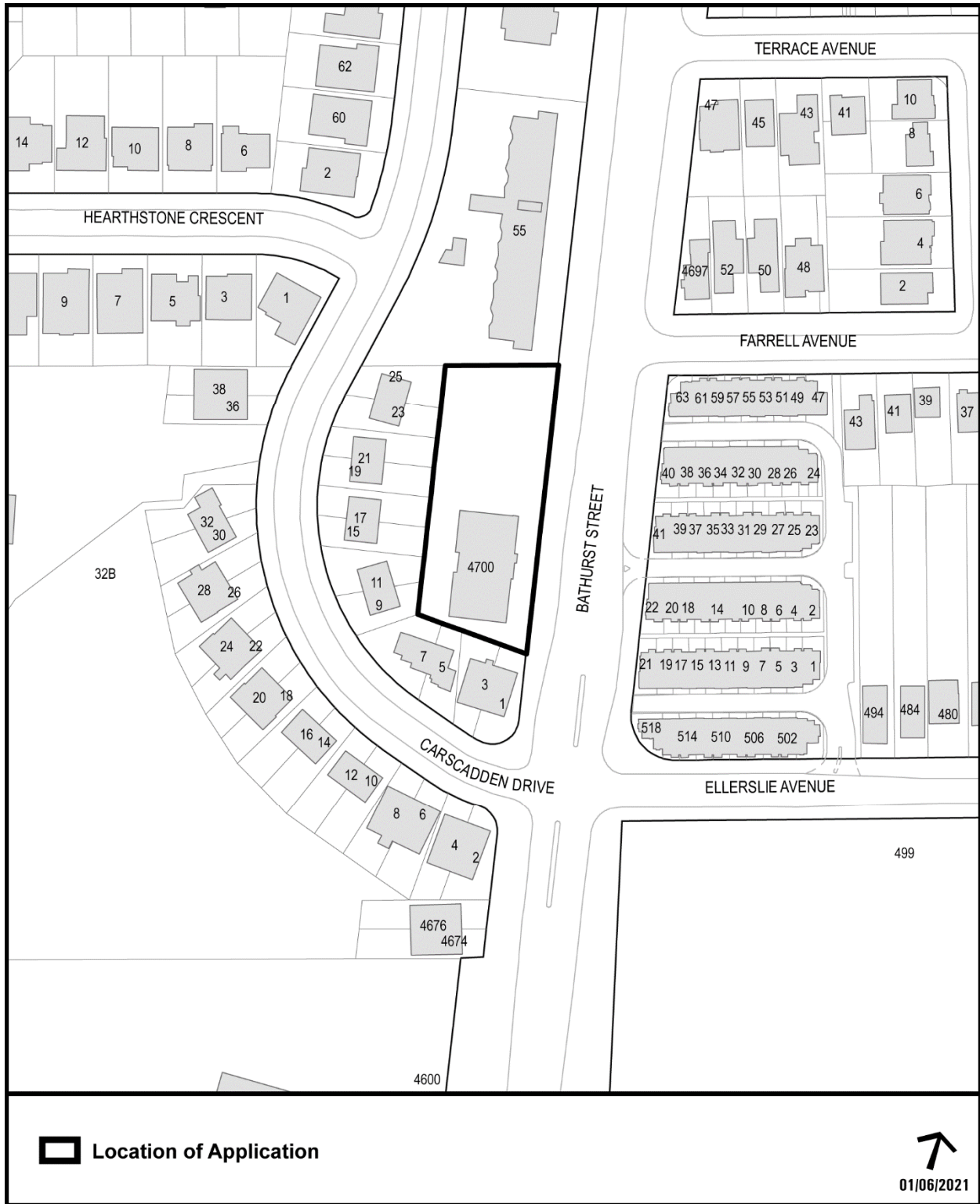


View of Applicant's Proposal Looking South

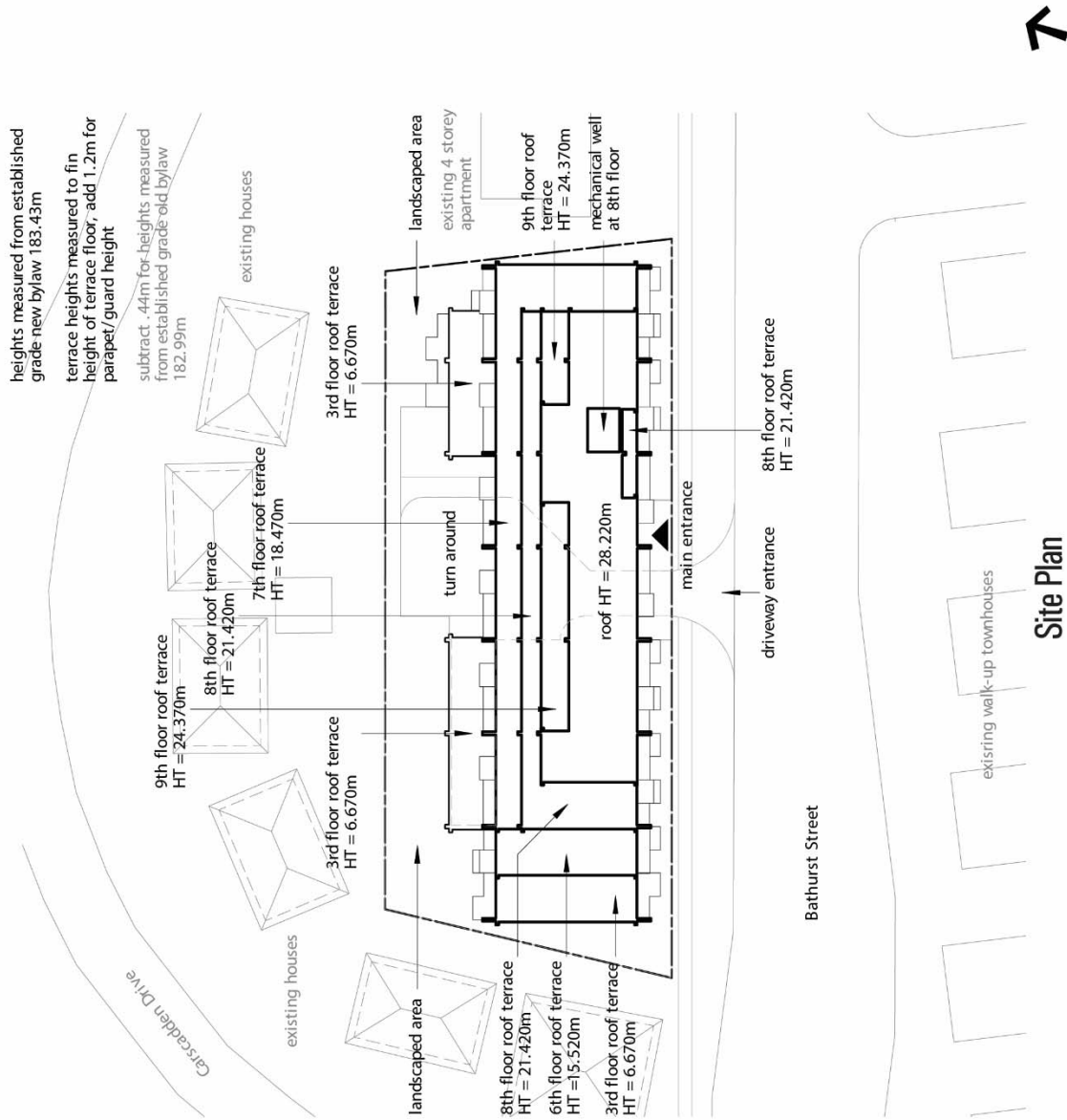


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Attachment 3: Location Map



Attachment 4: Site Plan



Attachment 5: Official Plan Map



4700 Bathurst Street

Official Plan Land Use Map #16

File # 20 187617 NNY 06 02

- | | |
|--|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Natural Areas |
|  Apartment Neighbourhoods |  Parks |
|  Mixed Use Areas | |

↑
Not to Scale
01/08/2021

Attachment 6: Application Data Sheet

Municipal Address: 4700 BATHURST ST Date Received: October 7, 2020
 Application Number: 20 187617 NNY 06 OZ
 Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By-Law Amendment application to permit the development of a 9-storey midrise residential building.

Applicant	Architect	Owner
WESTON CONSULTING	Daniel Johnston	FRONT DOOR DEV
201 Millway Ave, Suite 19	25 Isabella St	1 West Pearce, Suite
Vaughn, ON L4K 5K8	Toronto, ON M4Y1M7	Richmond Hill, ON L4B3K3

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas	Site Specific Provision: N
Zoning: RM (f21.0; a780)	Heritage Designation: N
Height Limit (m): 11.5	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 3,486 Frontage (m): 98 Depth (m): 38

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			2,146	2,146
Residential GFA (sq m):			10,466	10,466
Non-Residential GFA (sq m):			1,092	1,092
Total GFA (sq m):			10,466	10,466
Height - Storeys:			9	9
Height - Metres:			28	28

Lot Coverage Ratio (%): 61.56 Floor Space Index: 3

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	10,417	49
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units

by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			142	142
Other:				
Total Units:			142	142

Total Residential Units by Size

Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom	4 Bedroom
Retained:					
Proposed:	4	101	16	20	1
Total Units:	4	101	16	20	1

Parking and Loading

Parking Spaces: 157 Bicycle Parking Spaces: 134 Loading Docks: 1

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