

4926 Bathurst Street – Official Plan and Zoning Amendment Application – Request for Direction Report

Date: January 26, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: York Centre - Ward 6

Planning Application Number: 20 219407 NNY 06 OZ

Related Application: File No. 21 249568 NNY 06 SA

SUMMARY

On November 17, 2020, an Official Plan and Zoning By-law Amendment was submitted to permit an 26 storey mixed use building with a total gross floor area (GFA) of 21,644 square metres resulting in a density of 8.54 times the area of the lot. The application was deemed complete on March 14, 2019.

On December 3, 2021, the applicant filed an appeal with the Ontario Land Tribunal ("OLT") on the application due to Council not making a decision within the 120-day time frame in the Planning Act.

This report recommends that the City Solicitor with the appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Application regarding the Official Plan and Zoning By-law Amendment appeal for the lands at 4926 Bathurst Street and to continue discussions with the Applicant in an attempt to resolve outstanding issues.
2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Official Plan and Zoning By-law amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the owner has addressed the outstanding issues raised by Engineering and Construction Services as they relate to the Official Plan Amendment and Zoning By-law Amendment applications identified in the Memorandum dated July 21, 2021, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

c) community benefits and other matters in support of the development are secured in a Section 37 Agreement, if applicable, executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision

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.

DECISION HISTORY

A preliminary report was adopted by North York Community Council on March 1, 2021 authorizing staff to conduct a community consultation meeting with an expanded notification boundary. The decision of North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.7>

SITE AND SURROUNDING AREA

Site Description and Dimensions: The site is located on the west side of Bathurst Street, south of Finch Avenue West. The site is roughly rectangular shaped and is approximately 0.25 hectares (0.61 acres) in size, with frontages along Bathurst Street and Finch Avenue West.

Existing Uses on Site: The site is currently occupied by a one storey gas station.

Surrounding uses include:

North of the site is Finch Avenue West. On the north side of Finch Avenue West is Northview Heights Secondary School. The school playing fields are located immediately north of Finch Avenue West from the site.

East of the site is Bathurst Street. On the east side of Bathurst Street is a two storey commercial plaza with a surface parking lot.

South and west of the site are existing six storey residential apartment buildings.

Refer to Attachment 1 for the Location Map.

THE APPLICATION

Description

Height: 26-storeys (89.5 metres, including mechanical penthouse) fronting onto the corner of Bathurst Street and Finch Avenue West. The proposal includes a 6 storey base building (19.0 metres) with the 20 storey tower element located above it. It is proposed as a predominantly residential building with one retail space of 920 metres on the ground floor.

Density (Floor Space Index): 8.54 times the area of the lot.

Unit count: 263 dwelling units (3 bachelor units (1.1%) 106 one-bedroom units (40.3%), 127 two-bedroom units (48.3%) and 27 three-bedroom units (10.3%)).

Parking: The development would include three levels of underground parking with a total of 197 vehicular parking spaces (158 resident and 39 visitor) and 198 bicycle parking spaces.

Amenity Space: The applicant is proposing a total of 1,052 square metres of amenity space: 526 square metres of outdoor amenity space and 526 square metres of indoor amenity space

Additional Information

See attachments 1-5 of this report for a location map, Application Data sheet, three dimensional representations of the project in context and a site plan of the proposal. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

All plans and reports submitted as part of the application can be found on the City's Application Information Centre at:

<http://app.toronto.ca/AIC/index.do?folderRsn=KEAaZ6EVj89fOxKECDqYTg%3D%3D>

Reasons for Application

The Official Plan Amendment originally proposed to clarify that the amount of retail use proposed is "small-scale" as permitted in *Apartment Neighbourhoods* by the Official Plan.

On June 10, 2021, the applicant submitted a revised application requesting that the site be redesignated from *Apartment Neighbourhoods* to *Mixed Use Areas*.

The Zoning Amendment application proposes to amend Zoning By-law 7625 and to incorporate the site into Zoning By-law 569-2013 to vary performance standards including: building height, density, setbacks, and parking, among other areas of non-compliance.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application was submitted on December 17, 2021 (File No. 21 249568 NNY 06 SA). Staff are currently reviewing the application which is not under appeal.

POLICY CONSIDERATIONS

Official Plan Designation: The subject site is designated *Apartment Neighbourhoods* on Map 16 of the Official Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. *Apartment Neighbourhoods* typically contain taller buildings and higher densities than *Neighbourhoods* and are considered to be physically stable. Finch Avenue West at the subject site is identified as an *Avenue* in the Official Plan on Map 2 - Urban Structure. An Avenue Study for this segment of Finch Avenue West has not been completed. The applicant submitted an Avenue Segment Study with their application.

Zoning:

Former City of North York Zoning By-law 7625

The subject site is currently zoned C1 General Commercial (C1) under the former City of North York Zoning By-law 7625. The C1 zone permits a wide range of commercial uses including but not limited to, business and professional offices, restaurants, retail stores, personal service shops, banks, studios, dry-cleaning and laundry establishments, fitness centres, gas stations, as well as a variety of residential uses, including apartment house dwellings. Some institutional uses are also permitted, including home for the aged, crisis care facility, day nursery, and college. The C1 zone permits a Floor Space Index (a "FSI") of 1.0 times the area of the lot, a maximum height of 9.2 metres or three-storeys for a commercial building having dwelling units above the first floor, and a maximum lot coverage of 33.3 percent.

Citywide Zoning By-law 569-2013

The subject site is currently exempt from the City-wide Zoning By-law 569-2013. If the application is approved by the OLT the site will be incorporated into the City-wide Zoning By-law.

Additional information on applicable policy documents can be found in Attachment 6.

COMMUNITY CONSULTATION

A Virtual Community Consultation meeting was hosted by City Staff on May 25, 2021 to discuss the proposal. Approximately 21 people were in attendance, as well as the Ward Councillor. Following a presentation by City Staff and the Applicant the following issues were raised by the community:

- Height of the proposal;
- traffic generated as a result of the proposed development;
- shadow impacts on the surrounding neighbours; and
- appropriateness of the proposed parking supply.

COMMENTS

The proposal has been reviewed against the Planning Act, PPS, Growth Plan and Official Plan policies, planning studies and design guidelines.

Planning Act

The review of this application has had regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

Provincial Policy Statement (2020)

Planning staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is generally consistent with the PPS. A City Council decision to oppose the current proposal given the non-conformity with the Official Plan as described below is also consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

Planning staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations Section in this report and find the proposal generally conforms with the Growth Plan. A City Council decision to oppose the current proposal given the non-conformity to the Official Plan as described below conforms with the Growth Plan.

Land Use

The residential uses proposed align with the *Apartment Neighbourhoods* designation. The original application proposed an amendment to the Official Plan to ensure that the proposed amount of retail was "small-scale" as permitted in *Apartment Neighbourhoods*. The revised application proposes to redesignate the site to *Mixed Use Areas*. The *Mixed Use Areas* designation if applied would permit all the uses proposed on the site.

The site is unique in the lands designated *Apartment Neighbourhoods* at the southwest of Bathurst Street and Finch Avenue West as it is the only site with exclusively non-

residential uses located on it. The proposed redesignation to *Mixed Use Areas* as opposed to adding a Site and Area Specific Policy to permit the proposed amount of retail floor area still requires further assessment to ensure that it does not destabilize the remaining lands designated *Apartment Neighbourhoods* at the southwest corner of Bathurst Street and Finch Avenue West and encourage redevelopment of these lands which would be inconsistent with the provisions of the *Apartment Neighbourhoods* designation.

Built Form

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and the Tall Buildings Guidelines.

The building is in an area characterized by lower height six-storey apartment buildings and two-storey commercial buildings. The nearest tall buildings are located approximately 0.5 kilometers west of the site on Finch Avenue West. The proposed tower will be the first tall building at the intersection of Bathurst Street and Finch Avenue West, and there is limited context for tall buildings in the area. The closest subway station is Finch Station, approximately 2.3 kilometres east of the site.

The proposed building height and massing, including setbacks and stepbacks, is not appropriate and does not achieve the policies of the Official Plan or the Tall Buildings Guidelines. The tower is proposed to have floorplates in excess of 750 square metres gross construction area which are not appropriate when coupled with the proposed height in the context of the existing area developments. Reducing the floor plate sizes along with a reduction in height would ensure that the proposed building does not overwhelm the existing buildings on adjacent properties.

Sun/Shadow

The Official Plan requires that development in *Apartment Neighbourhoods* locate and mass new buildings to frame the street edge with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks, and open spaces. The Official Plan also states that the tower portion of a tall building should be designed to limit shadow impacts on the public realm and surrounding properties.

The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes and the summer solstice. The shadow study is generally acceptable. A reduction in height and revisions to the massing would reduce the shadow the proposed building casts on the school to the north and to the neighbourhoods on the east and ensure that no shadow impacts occur on lands outside those designated *Mixed Use Areas*.

Wind

The applicant has also submitted a preliminary Pedestrian Level Wind Study prepared by Gradient Wind Engineers & Scientists dated October 13, 2020 in support of the application. The study finds that the wind conditions at most areas on and around the proposed development are generally acceptable, being suitable for sitting in the public

realm and amenity spaces during the summer. The report finds that there are uncomfortable conditions for sitting, standing and walking at the northeast corner (intersection of Bathurst Street and Finch Avenue West), particularly in the public realm and the southeast corner during the winter period.

The applicant should address this concern through massing and design changes to be secure in the zoning bylaw as well as provide a more detailed Pedestrian Level Wind Study including wind tunnel testing to address the findings of the report and recommend potential strategies to mitigate wind impact.

Transportation

Traffic Impact

In support of the application a Transportation Impact Study ("a TIS") prepared by LEA Consulting dated May 2021 has been submitted. The report estimates that the project will generate approximately 43 and 55 trips two-way trips during the a.m. and p.m. peak hours, respectively. The consultant concludes that under future total conditions the development is expected to have minor increases in delays when compared to the future background traffic conditions; The site generated traffic is not expected to adversely impact the local road network within the study area.

Driveway Access and Site Circulation

Vehicular access to the site is proposed to be provided via a two-way driveway connection onto Bathurst Street. This driveway leads to the underground and loading space at-grade. The proposed location of the driveway access is acceptable. However, the applicant must provide and maintain an unobstructed 6.0 metres wide two-way drive aisle.

Parking

Proposed is a total of 197 vehicle parking spaces (158 resident and 39 visitor and retail spaces). Citywide Zoning By-law 569-2013 requires 321 vehicle parking spaces (256 resident, 52 visitor and 13 retail).

The proposed parking does not meet the minimum parking requirement as per Zoning By-law 569-2013 under "All Other Areas" and results in a deficit of 124 parking spaces. To justify the significantly reduced parking supply, proxy sites were analysed in the TIS. However, the parking utilization data that was provided in the TIS is close to 5 years old and is not acceptable.

The provision of additional Transportation Demand ("TDM") measures in support of the proposed parking rates and supply such as the provision of a bike share station, car share spaces and car/bike membership for all units will improve the reduction of automobile use on site. Staff will continue to work with the applicant to ensure adequate TDM measures are provided.

Streetscape

Bathurst Street

The proposed streetscape design along Bathurst Street includes a setback of approximately 6.25 metres from the curb to the building face, of which 4.8 metres is within the public realm. This space is proposed to provide a 2.1 metre wide sidewalk, a 2.4 metre wide by 16.0 metre long TTC bus stop pad and street trees. The applicant is proposing additional pedestrian space within the 1.5 metre setback from the property line to the building face with entrances to the retail space. The residential lobby is accessed from Bathurst Street with an additional setback to the entrance vestibule to provide weather protection from the building above.

Finch Avenue West

The proposed streetscape design along Finch Avenue West includes a setback of approximately 6.4 metres from the curb to the building face, of which a minimum width of 4.4 metres is within the public realm. This space is proposed to provide a 2.1 metre wide sidewalk, a 2.4 metre wide by 16.0 metre long TTC bus stop pad and street trees. Within the private 1.5 metre space between the property line and building face the applicant is proposing café style seating for the retail space within the building.

The plans at this time are not clear insofar as demonstrating that the streetscape elements and street trees can be accommodated within the setbacks being provided. Further clarity will be required through a revision to the application. Ensuring a good public realm is created is essential to supporting the proposed scale of development on the site.

Servicing and Stormwater Management

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the Site. Engineering and Construction Services has not accepted the findings of the study as yet and revised materials addressing the questions identified in the July 20, 2021 memorandum are required to be provided prior to the finalization of any Official Plan or Zoning By-law Amendment.

In the event that the OLT allows the Official Plan and Zoning By-law Amendment appeal in whole or in part, staff recommend that the final Order be withheld, pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The Site is in an area with 12 - 28 square metres of parkland per person, which is less than 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, while the non-residential component is subject to a 2% parkland dedication

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above grade building permit and is valid for six months. Payment will be required prior to the issuance of the permit.

Tree Preservation

An Arborist Report and Tree Inventory and Preservation Plan were submitted by the Applicant. Urban Forestry has reviewed the Arborist Report and Tree Preservation Removal Plan and provided conditions for approval of the Site Plan Control application as outlined in the Memorandum from Urban Forestry dated July 30, 2021.

The Applicant proposes to remove two City-owned trees regulated by the Street Tree By-law and injure/remove one privately-owned neighbouring tree regulated by the Private Tree By-law.

Toronto Green Standard

The Applicant is required to meet Tier 1 of the TGS that is in effect at the time of site plan application and provide enhanced bird friendly window treatments. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. TGS performance measures for the property will be further secured through the future site plan approval process.

Toronto District School Board

The Toronto District School Board ("TDSB") has determined that there is insufficient capacity at the local elementary school to accommodate students anticipated from this development. The locally assigned elementary schools are Yorkview Public School and Willowdale Middle School, and the assigned secondary school is Northview Heights Secondary School.

The sun/shadow study prepared by IBI Group shows some shadowing on the Northview Heights SS property, including onto outdoor space and roof-top solar panels during the March and September equinoxes. While the impact appears relatively limited on the multi-use sports field, the impact on the function/power output of the solar panels will need to be reviewed in more detail by the Toronto Land Corporation and the City's solar energy partners.

The status of local school accommodation should be communicated to new and existing residents to inform them that students from new development will not displace existing students at local schools.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act.

Section 37 benefits were not discussed in the absence of an agreement on the proposal's density and height. Should this proposal be approved in some form by the OLT, City Planning staff recommends staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, if applicable, in consultation with the Ward Councillor.

Further Issues

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions and agencies and materials submitted in support of the proposal. Staff are also reviewing the Site Plan Control application submitted after the appeal was filed, and may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Planning staff may continue to identify further issues or supplement the reasons for the recommendations made in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council, as necessary.

Conclusion

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan and Urban Design Guidelines, as well as applicable City guidelines intended to implement Official Plan policies. As currently proposed, the application does not conform to the Official Plan and does not meet the intent of the Tall Building Design Guidelines. Additionally the uncomfortable wind conditions created in the public realm will need to be addressed through building massing revisions if necessary, prior to any Official Plan or Zoning By-law being approved.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS and conforms with the Growth Plan.

CONTACT

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SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: 3D Model of Proposal in Context Looking Northeast

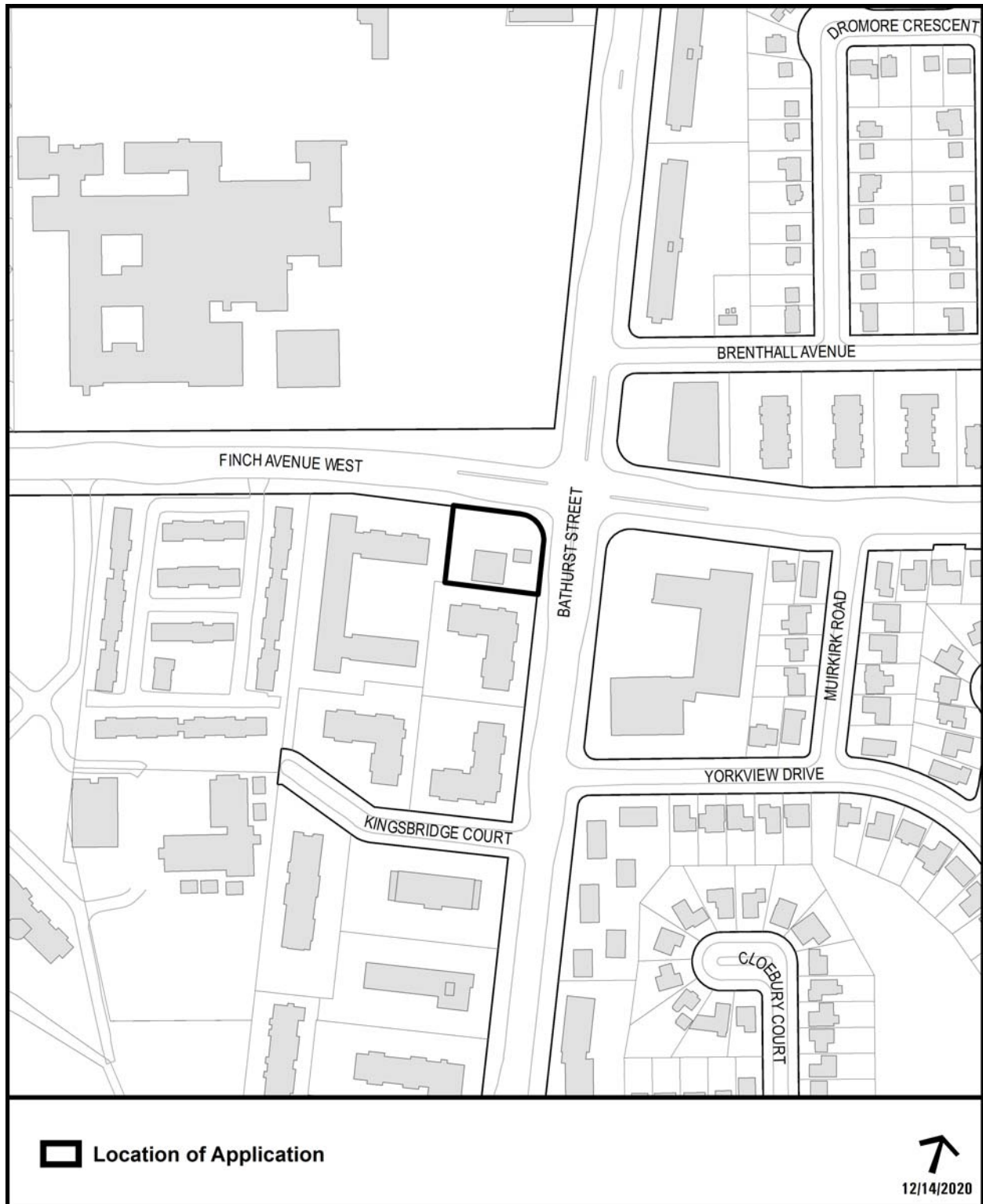
Attachment 4: 3D Model of Proposal in Context Looking Southwest

Attachment 5: Site Plan

Attachment 6: Policy Considerations

Attachment 7: Official Plan Land Use Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 4926 BATHURST ST **Date Received:** November 17, 2020

Application Number: 20 219407 NNY 06 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning By Law Amendment Application to permit the proposal for a 26 storey mixed use building.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC. 3 CHURCH ST. UNIT 3, TORONTO, ON	BOUSFIELDS INC. 3 CHURCH ST. UNIT 3, TORONTO, ON	IBI Group 95 ST CLAIR AVE W, SUITE 200 TORONTO, ON	4926 BATHURST INC.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N/A
Zoning:	C1	Heritage Designation:	N/A
Height Limit (m):	9.2	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq m): 2,483 Frontage (m): 43 Depth (m): 45

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	330	0	1,995	1,995
Residential GFA (sq m):	0	0	20,275	20,275
Non-Residential GFA (sq m):	330	0	920	920
Total GFA (sq m):	330		21,195	21,195
Height - Storeys:	1		26	26
Height - Metres:			83	83
Lot Coverage Ratio (%)	80.35	Floor Space Index:	8.54	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	20,212	63
Retail GFA:	920	
Office GFA:	0	
Industrial GFA:	0	
Institutional/Other GFA:	0	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0	0	0
Freehold:	0	0	0	0
Condominium:	0	0	263	263
Other:				
Total Units:	0	0	263	263

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:	3	106	127	27	
Total Units:	3	106	127	27	

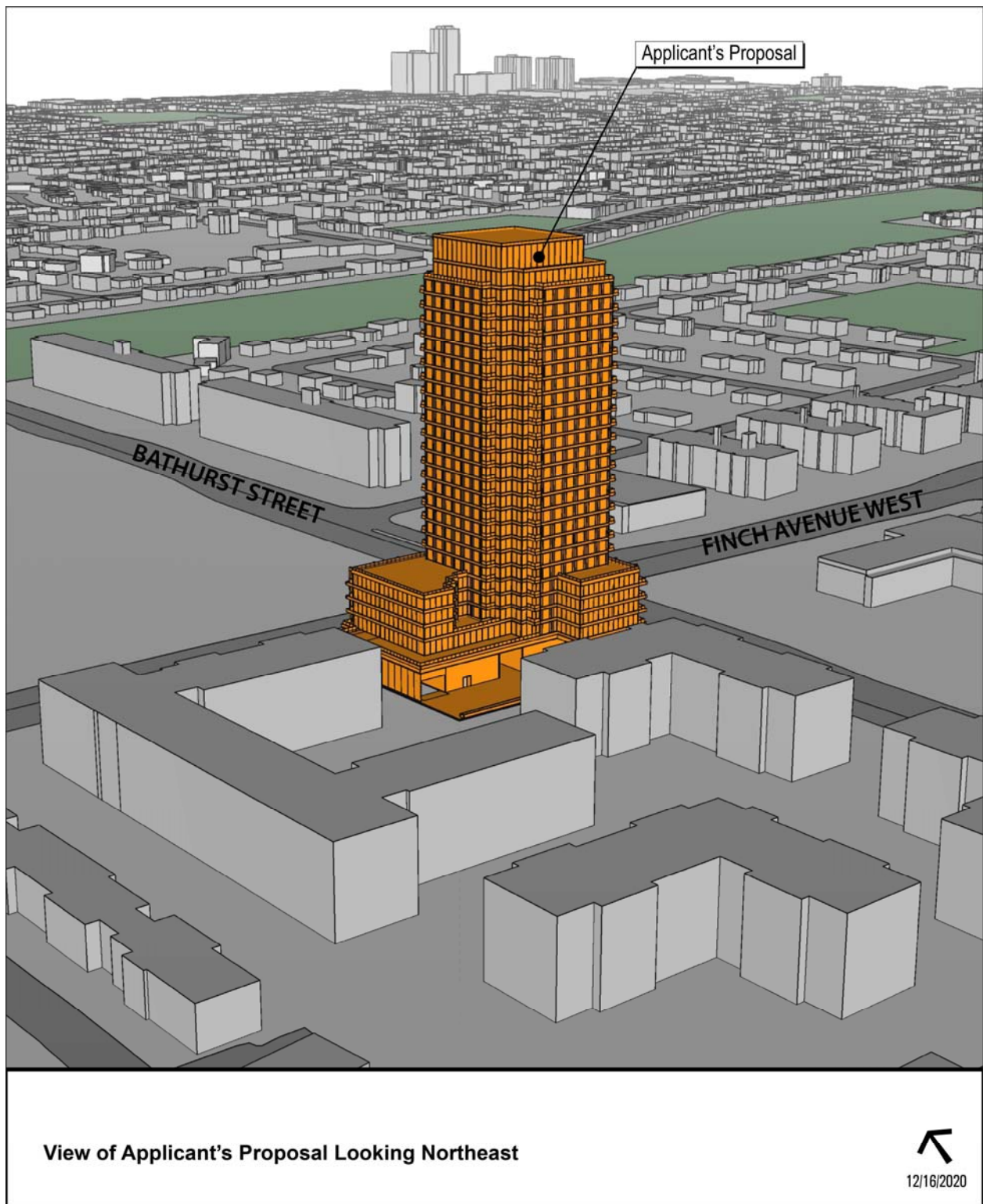
Parking and Loading

Parking Spaces:	197	Bicycle Parking Spaces:	198	Loading Docks:	1
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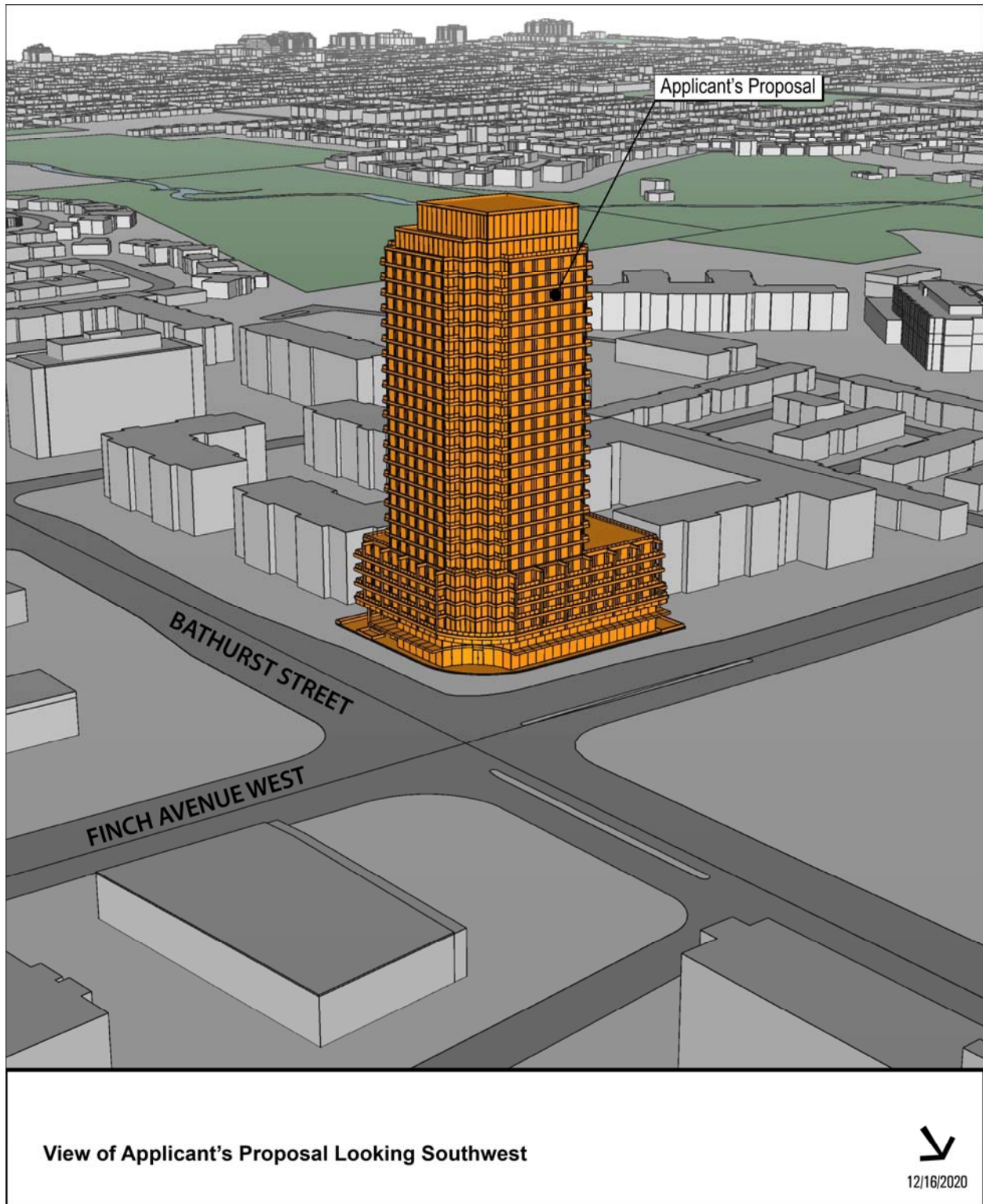
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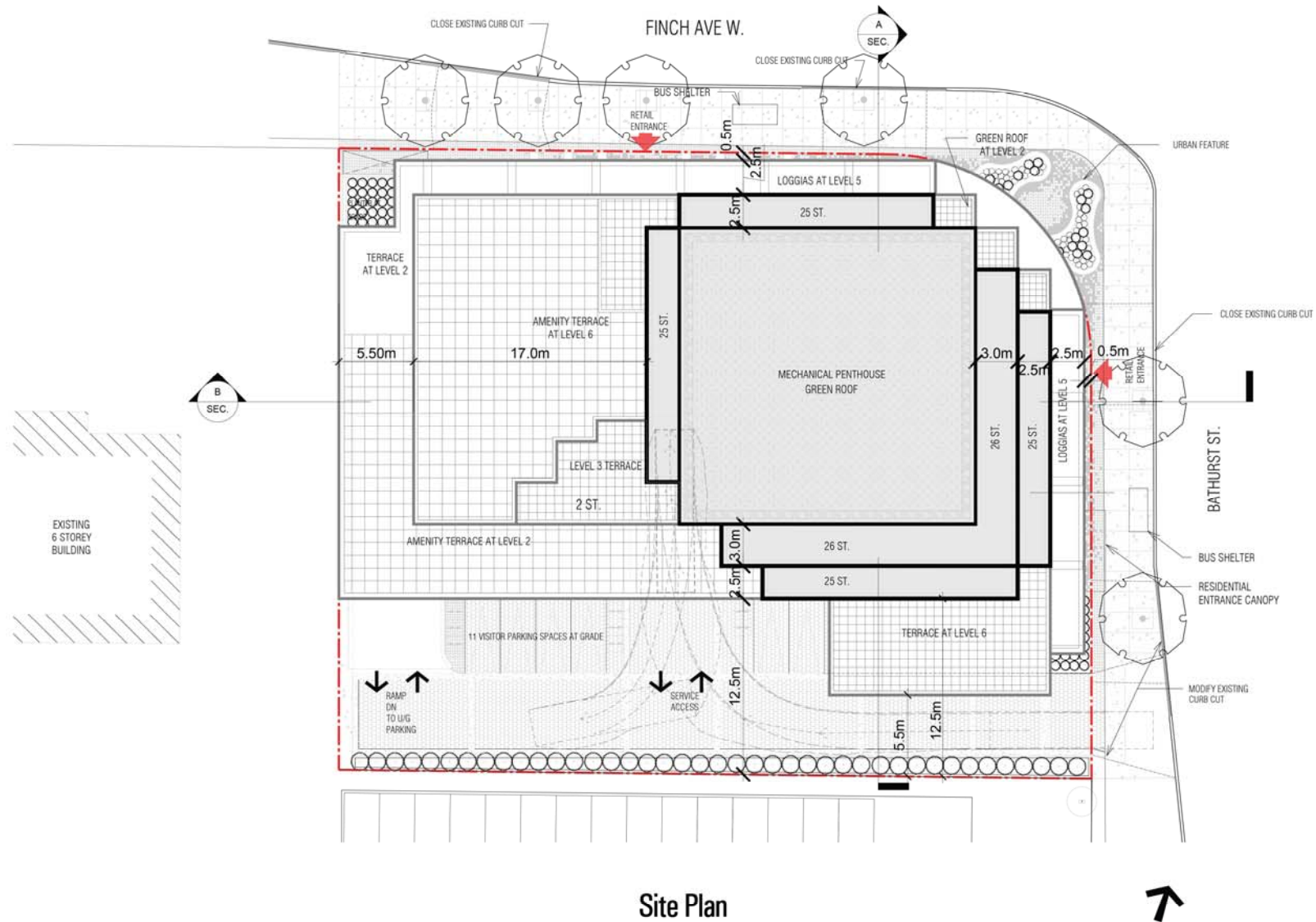
Attachment 3: 3D Model of Proposal in Context Looking Northeast



Attachment 4: 3D Model of Proposal in Context Looking Southwest



Attachment 5: Site Plan



Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide 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:

- encouraging a sense of place, by promoting well-designed built form;
- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs;
- protecting people, property and community resources by directing development away from natural or human-made hazards; and
- conserving significant built heritage resources and significant heritage landscapes.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards.

Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020 (the "Growth Plan"). This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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, 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;
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas; and
- Conserving Cultural Heritage Resources in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

The Growth Plan, 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, 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. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Official Plan

The City of Toronto Official Plan (the "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.

The Official Plan contains policies related to building complete communities, built form, public realm, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The segment of Finch Avenue West in which the site fronts is designated *Avenues* on Map 2 of the Official Plan. *Avenues* are considered important corridors along *major streets* where reurbanization is anticipated and encouraged to create new housing and employment opportunities. The Official Plan recognizes that each *Avenue* is different in terms of lot sizes and configurations, street width, existing uses, neighbouring uses, transit service, and streetscape potential. Reurbanizing the *Avenues* will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2 of the Official Plan. Not all *Avenues* can be studied at once, and some, which may not need further study at all. Ultimately, all *Avenues* should serve as "main streets" that are focal points for the local community with attractive and bustling sidewalks and become meeting places for local neighbours and the wider community.

Development on *Avenues* prior to an Avenue Study has the potential to set a precedent for the form and scale of the reurbanization along the Avenue. Avenue Segment Studies will address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located. Policy 2.2.3.4 of the Official Plan identifies that the course of an Avenue Segment Study will:

- a) Include an assessment of the impacts of the incremental development of the entire Avenue segment at a similar form, scale and intensity, appropriately allowing for distinguishing circumstances;
- b) Consider whether incremental development of the entire Avenue segment as identified in the above assessment would adversely impact any adjacent Neighbourhoods or Apartment Neighbourhoods;
- c) Consider whether the proposed development is supportable by available infrastructure; and
- d) Be considered together with an amendment to the Official Plan or Zoning By-law for the statutory public meeting for the proposed development.

The site is designated *Apartment Neighbourhoods* as shown on Land Use Map 16. See Attachment 7 of this report for the Official Land Use Map.

Apartment Neighbourhoods are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. *Apartment Neighbourhoods* typically contain taller buildings and higher densities than *Neighbourhoods* and are considered to be physically stable. Development in *Apartment Neighbourhoods* will be consistent with this objective and will respect the criteria contained in Section 4.2 and other relevant sections of the Official Plan. While *Apartment Neighbourhoods* are not areas of significant growth on a citywide basis, development in *Apartment Neighbourhoods* may also include redevelopment of underutilized or vacant sites.

Zoning By-laws

Former City of Toronto Zoning By-law 438-86

The subject site is currently zoned C1 General Commercial (C1) under the former City of North York Zoning By-law 7625. The C1 zone permits a wide range of commercial uses including but not limited to, business and professional offices, restaurants, retail stores, personal service shops, banks, studios, dry-cleaning and laundry establishments, fitness centres, gas stations, as well as a variety of residential uses, including apartment house dwellings. Some institutional uses are also permitted, including home for the aged, crisis care facility, day nursery, and college.

The C1 zone permits a Floor Space Index of 1.0 times the area of the lot, a maximum height of 9.2 metres or three-storeys for a commercial building having dwelling units above the first floor, and a maximum lot coverage of 33.3 percent.

Citywide Zoning By-law 569-2013

The site is not subject to Citywide Zoning By-law 569-2013. The site will be incorporated into the By-law through this application if it is approved. 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/>

Urban Forestry/Environment

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).

Design Guidelines

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

- Tall Building Design Guidelines;
- Bird Friendly Guidelines
- Growing Up Guidelines Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/>

Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of 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 link to the guidelines may be found here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up Guidelines: Planning for Children in New Vertical Communities

In July 2020, City Council adopted updated 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 greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The link to the Growing Up Guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studiesinitiatives/growing-up-planning-forchildren-in-new-vertical-communities/>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

The link to the guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/pet-friendly-designguidelines-for-high-density-communities/>

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 TGS. 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.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial application.

TGS Version 3.0: new applications submitted on or after May 1, 2018. Visit <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/tier-1-planning-application-requirements/>

To support the application of the TGS standards related to Bird Collision Deterrance and Light Pollution, the City also relies on the Bird-Friendly Guidelines, through the Bird-Friendly Glass and Best Practices for Effective Lighting documents. The link to these documents may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/bird-friendly-guidelines/>

Attachment 7: Official Plan Land Use Map



Toronto

4926 Bathurst Street

Official Plan Land Use Map #16

File # 20 219407 NNY 06 02



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Not to Scale
12/14/2020