

5950 Bathurst Street – Zoning Amendment Application – Final Report

Date: June 24, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: York Centre (Ward 6)

Planning Application Number: 19 229837 NNY 06 OZ

Related Application Number: 22 138660 NNY 06 SA

SUMMARY

The site at 5950 Bathurst Street presently supports a 12-storey rental apartment building.

This application proposes to construct a new 16-storey (48.8 metre, 54.3 metre including the mechanical penthouse) residential apartment building to the west of the existing rental building, a three-storey connection between the 12 and 16 storey buildings on the southern portion of the site, and three-storey (11.5 metre) townhouse building additions to the northeast of the existing building. The application will retain and secure improvements for the existing 129 rental dwelling units, provide 259 new dwelling units, and provide 274 vehicular and 291 bicycle parking spaces in a three-storey below grade garage. The proposed development would have a gross floor area of 34,140 square metres (13,740 square metres existing and 20,400 square metres in the new building and building addition) for a total Floor Space Index (FSI) of 3.84. A new 375 square metre public park would be located to the south of the development block fronting onto Bathurst Street and a 3.0 metre wide strip along the southern boundary of the site will be provided for a future Multi-Use Trail in conjunction with lands from adjacent properties.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposed building represents an appropriate level of intensification on the site and provides for amenity improvements for existing residents while providing the first portion of a future Multi-Use Trail connection which will benefit residents of the site and the surrounding community.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 5950 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the June 24, 2022 report from the Director, Community Planning, North York District.
2. City Council amend Zoning By-law 7625, for the lands at 5950 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the June 24, 2022 report from the Director, Community Planning, North York District.
3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 1. prior to issuance of the first above grade building permit, a Community Benefits monetary contribution of \$800,000.00 towards construction of the Multi-Use Trail on the lands to be conveyed for this purpose, area parks improvements, and/or community center or streetscape improvements, and that the design of the streetscape improvements comply with the Streetscape Manual to the satisfaction of the Chief Planner and Executive Director, City Planning;
 2. The financial contribution pursuant to Recommendation 4.a.1. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date City Council adopts the zoning by-law amendment(s) to the date of payment; and
 3. Prior to the issuance of the first above grade building permit, convey a 3.0 metre wide strip of land along the southern boundary of the site with an area of approximately 276 square metres for the purposes of a future Multi-Use Pathway right-of-way connecting Bathurst Street and Antibes Street, to be combined with lands to be conveyed in the future from adjacent properties to complete the Multi-Use Pathway right-of-way.

b. in the event the cash contribution(s) referred to in Recommendation 4.a.1. above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands;

c. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. the Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard (Version 3) and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the first submission of a Site Plan Control application.

2. The owner shall continue to provide and maintain the one hundred and twenty-nine (129) existing rental dwelling units on the lands at 5950 Bathurst Street as rental housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least twenty (20) years commencing from the date that the Zoning By-law Amendments come into force and effect, with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. The owner shall provide tenants of the 129 existing rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, including a provision of a new indoor pool, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

4. The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the fourteen (14) existing rental dwelling units proposed to be reconfigured at 5950 Bathurst Street, addressing the right to return to occupy one of the reconfigured rental dwelling units at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

5. The owner shall provide, at its expense and at no cost to tenants, improvements to the existing rental housing, taking into account tenant feedback obtained through a tenant survey, to the satisfaction of, the Chief Planner and Executive Director, City Planning Division, as follows:

a. Prior to the issuance of Notice of Approval Conditions for site plan approval:

i. Submit a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction on existing tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. Prior to the first above-grade building permit for any part of the development:

i. Undertake accessibility improvements within the existing rental building at 5950 Bathurst Street, including push button automatic door openers for all common doors and a clothes folding table which is universally accessible within the laundry room;

ii. Provide upgrades to the laundry room in the existing rental building at 5950 Bathurst Street;

c. Prior to first occupancy of any new residential units in the development:

i. Provide a consolidated waste management facility in the new residential building, including indoor storage of garbage, recycling and composting;

ii. Provide tenant bicycle parking within the proposed development;

d. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation and Tenant Communication Plan required in Recommendations 5.a through c. shall not be passed on to tenants of the existing building in any form. For clarity, the owner agrees it shall not apply to the Landlord and Tenant Board or to any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements;

6. The owner shall provide a minimum of ten-percent of all new units in the proposed 16-storey building as three-bedroom units; and

7. The owner shall provide a minimum of twenty-five-percent of all new units in the proposed 16-storey building as two-bedroom units.

5. Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

6. City Council declare, pursuant to subsection 45(1.4) of the Planning Act, R.S.O. 1990, c. P.13 for the purposes of subsection 45(1.3) of the Planning Act, R.S.O. 1990, c. P.13, that the owner, may be permitted to apply to amend the site specific zoning by-

law for the lands at 5950 Bathurst Street before the second anniversary of the first day on which any part of the site specific by-law comes into effect.

7. City Council approve that in accordance with Section 42 of the Planning Act, prior to the first above grade building permit, the Owner shall convey to the City, an on-site parkland dedication, having a minimum size of 375 square metres located in the southeast corner of the site with frontage along Bathurst Street, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;

8. City Council approve the acceptance of the on-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; and,

9. Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PF&R). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PF&R, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

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 pre-application meeting was held on April 17, 2019. The current application was submitted on October 1, 2019 and deemed complete on October 30, 2019 following a further submission of plans and reports. A Preliminary Report on the application was adopted by North York Community Council on December 3, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report is available at the following link:

<http://www.toronto.ca/legdocs/mmis/2019/ny/bgrd/backgroundfile-140208.pdf>

Community consultation is summarized in the Comments section of this Report.

PROPOSAL

Location and Background

The proposed development is sited on a rectangular shaped lot at the southwestern corner of Bathurst Street and Cedarcroft Boulevard, with an area of 8,870 square metres. The site presently supports a 12-storey rental apartment building containing 129 dwelling units and a 347 square metre privately owned daycare centre. Vehicular access is provided via a drop-off driveway from Bathurst Street and a driveway from

Cedarcroft Boulevard on the west side of the property to access surface parking and the existing underground parking garage.

Surrounding Area

East: Immediately east of the site is Bathurst Street. Further east across Bathurst Street is 5949 Bathurst Street/475 Patricia Avenue, a 10-storey residential building which was approved by City Council in 2006.

South: Immediately south of the site is a 17-storey rental apartment building at 155 Antibes Drive. An application has been submitted on this property to construct two additional towers of 34-storeys and 32-storeys and two blocks of three-storey townhouse units.

West: Immediately west of the site is a 13-storey residential apartment building at 25 Cedarcroft Boulevard.

North: Immediately north of the site is Cedarcroft Boulevard. Further north across Cedarcroft Boulevard is a one-storey retail commercial plaza with surface parking.

Site Organization

Vehicular access is proposed via a common private north-south driveway from Cedarcroft Boulevard on the west side of the site which leads to the underground parking garage and the loading space. A reconfigured driveway access is provided to Bathurst Street to provide a pick-up/drop-off area for the daycare which reduces the number of curb cuts from two to one along Bathurst Street.

The revised proposal removes one of the blocks of townhouses at the southern portion of the site and replaces it with a new public park fronting onto Bathurst Street. A three-metre wide multi-use path right-of-way is proposed to be conveyed to the City along the entire southern boundary of the property from Bathurst Street in a westward direction, which will be combined with lands from the adjacent properties to provide a public multi-use pathway connecting Bathurst Street and Antibes Drive.

Landscaping

Landscaping is proposed on the Bathurst Street and Cedarcroft Boulevard street frontages, and the southern and western edges of the site. There is also landscaping proposed in the area between the existing 12-storey and proposed 16-storey buildings which will form the outdoor amenity space for residents of both buildings.

Built Form and Height

This application proposes to amend the Zoning By-law to permit a 16-storey (48.8 metre) residential building as an addition to the existing 12-storey rental residential building and a block of 3-storey (11.5 metre) townhouses which would introduce 259 new residential units, of which 245 are proposed as apartment units and 14 are proposed as townhouse units. The proposed 16-storey building would be located on the western portion of the site, to the west of the existing building. The three-storey townhouses are proposed to be located in an "L" shaped building at the corner of Bathurst Street and Cedarcroft Boulevard to provide a built form relationship to the street. Lastly, there is a three-storey component containing dwelling units proposed at the southern end to connect the 16-storey and 12-storey buildings together. The new

buildings would be connected internally to the existing building both above and below grade and all residents would be able to access the new amenity areas including an indoor pool. The application proposes to retain all 129 existing rental units and the existing daycare which operates within a portion of the ground floor of the existing building. A summary of the revised application's statistics compared to the originally submitted application can be found below:

Category	Original Submission of October 1, 2019	Current Resubmission of March 11, 2022
Site Frontage	Bathurst St: 92.0 metres Cedarcroft Blvd: 102.6 metres	Bathurst St: 92.0 metres Cedarcroft Blvd: 102.6 metres
Site Area	8,870 square metres (2.2 hectares)	8,870 square metres (2.2 hectares)
Existing Units to be Retained	129 units	129 units
Proposed Units	235 rental units within the tower addition 20 townhouse units Total: 255 units	245 rental units within the tower addition 14 townhouse units Total: 259 units
Total Units (New and to Remain)	384 units	388 units
Existing Gross Floor Area (GFA)	Residential GFA: 13,393 m ² , Daycare GFA: 347 m ² Total: 13,740 m ²	Residential GFA: 13,393 m ² , Daycare GFA: 347 m ² Total: 13,740 m ²
Proposed GFA	Residential GFA: 19,660 m ²	Residential GFA: 20,400 m ²
Total GFA (New and to Remain)	Residential GFA: 33,053 m ² Daycare GFA: 347 m ² Total: 33,400 m ²	Residential GFA: 33,793 m ² Daycare GFA: 347 m ² Total: 34,140 m ²
Proposed Floor Space Index (FSI)	3.77 times the lot area	3.97 times the lot area (after dedication of parkland and the multi-use trail Right-of-way)
Height of Tower Addition	14-storeys, 42.8 metres	16-storeys, 48.4 metres, 54.3 metres including mechanical penthouse
Tower Floorplate	6th to 11th - 1,140 m ² 12th-14th - 910 m ²	6th to 13th - 1,078 m ² 14th-16th - 850m ²
Height of Townhouses	3-storeys, 10.9 metres	3-storeys, 11.5 metres
Proposed Setbacks to new tower	North- 4.5 m West- 8.0 m South - 5.5 m	North- 4.5 m West- 10.1 m South 6.25 m to future trail, 9.25m to current property line
Proposed Parking Supply	Resident: 191 spaces Visitor: 38 spaces	Resident: 212 spaces Visitor: 35 spaces

	Car Share: 6 spaces (1 car share space = 4 spaces) Daycare: 3 spaces Total: 238 spaces (256 effective spaces with car share)	Car Share: 6 spaces (1 car share space = 4 spaces) Daycare: 3 spaces Total: 256 spaces (274 effective spaces with car share)
Proposed Bicycle Parking Supply	Long term: 262 spaces Short term: 26 spaces Total: 288 spaces	Long term: 264 spaces Short term: 27 spaces Total: 291 spaces
Proposed public park	0 square metres	375 square metres
Proposed Multi-Use Trail	0 square metres	276 square metres
Proposed Loading Space	1 Type 'G'	1 Type 'G'
Proposed Indoor Amenity Space	470 m2	520 m2
Proposed Outdoor Amenity Space	470 m2	1,154 m2 (778 m2 for residential and 358 m2 for daycare (daycare area accessible to tenants outside daycare hours))

Reasons for Application

The application to amend the Zoning By-laws is required to permit the proposed development. While the proposed residential building is a permitted building type, the proposed townhouses are not permitted in the RAC zone under Zoning By-law 569-2013. The proposal also requires amendments for height, density, setbacks, parking provisions, and other By-law performance standards.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale including Housing Issues Report;
- Public Consultation Strategy;
- Pedestrian Level Wind Assessment;
- Sun/Shadow Study
- Transportation Impact Study;
- Functional Servicing and Stormwater Management Report;
- Energy Strategy Report;
- Geohydrology Assessment;
- Phase One Environmental Site Assessment;
- Block Context Plan; and,
- Arborists Report.

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC) at the following link:
<http://app.toronto.ca/AIC/index.do?folderRsn=GN7n8%2FXS%2BjT2BzVOcRIhzA%3D%3D>

The Application Data Sheet, Location Map, Official Plan Land Use Map, Zoning By-law Maps, Site Plan and elevations are in Attachments 1, 2, 3, 4, 5, 8 and 9 to this report.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Community Consultation

A community consultation meeting (CCM) was held for this proposal on October 8, 2020. Approximately 28 community members attended the CCM, providing feedback on various aspects of the development. The majority of the residents present at the meeting attended to seek information on the proposal and to express their concerns. Major concerns included evictions of tenants, construction noise and traffic impact. These concerns have been taken into consideration while evaluating the merit of the proposal, and City staff have concluded that the proposal will have minimal impact in terms of traffic and the tenant relocations have been addressed through the housing recommendations of this report.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council *for this application, as these* submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

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:

- 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; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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. This was an amendment to the 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).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that *Apartment Neighbourhoods* are residential areas with taller buildings and higher density 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 the Plan. While *Apartment Neighbourhoods* are not areas of significant growth on a city-wide basis, there are sites containing one or more existing apartment building(s) where compatible infill development may take place. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while providing a good quality of life for both new and existing residents and improving site conditions by maintaining or substantially replacing and improving indoor and outdoor amenity space; improving landscaped open space; maintaining adequate sunlight and privacy for residential units;

and adequately limiting shadowing on outdoor amenity space and landscaped open space.

Chapter 3 - Building a Successful City

The Built Form policies in Section 3.1.2 of the Official Plan address key relationships of the location and organization of development, and its massing and appropriate amenity within the existing and planned context to inform the built form. The policies ensure that each new building will promote and achieve the overall objectives of the Official Plan.

Site Organization and Location

The development proposal will be considered under policies 3.1.2.1 to 3.1.2.4 on site organization and location that includes requirements for development to be located and organized to fit with its existing and planned context. Such development will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and will improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by:

- Generally locating buildings parallel to the street or along the edge of a park or open space with consistent front yard setbacks; and,
- Locating main entrances on the prominent building facades so that they front onto a public street, park, or open spaces, are clearly visible and directly accessible from a public street.

Policy 3.1.2.4 states that development will locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and the surrounding by:

- Using shared service areas where possible within development blocks, including public lanes, shared private driveways, and service courts;
- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;
- providing underground parking, where appropriate; and,
- Limiting new, and removing existing, surface parking and vehicular access between the front face of a building and the public street or sidewalk.

Building Shape, Scale and Massing

The proposal will also be considered under Policies 3.1.2.5 to 3.1.2.8 that address the building shape, scale, and massing. The policies include requirements that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm.

Improving the Public Realm through Building Design

The proposal will be considered under Policies 3.1.2.9 to 3.1.2.10 that address improvements to the public realm through building design. The design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to:

- Ensure fit with the adjacent building facades;
- Contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm; and,
- Ensure grade relationships that provide direct access and views into and from the public realm.

Policy 3.1.2.10 states that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing:

- Co-ordinated landscape improvements in setbacks to enhance local character, fit with the public streetscapes, and provide attractive, safe transitions between the private and public realms; and,
- Safe, direct pedestrian routes and tree plantings throughout the site and within surface parking lots, where possible.

Private and Shared Amenity Spaces

Policies 3.1.2.11 to 3.1.2.13 that address private and shared amenity spaces will also be used to access the proposed development. They provide for outdoor amenity spaces to be located at or above grade; have access to daylight; have access to direct sunlight, where possible; provide comfortable wind, shadow and noise conditions; be located away from and physically separated from loading and servicing areas; and promote use in all seasons.

Built Form - Building Types

The development will be accessed under Policy 3.1.3.1 that encourages a mix of building types on sites that can accommodate more than one building. The site will be designed to define and support existing and proposed streets, lanes, parks and open spaces at appropriate scales.

Townhouse units are to be designed in accordance with Policy 3.1.3.3 to provide unit entrances that have direct access to and are visible from public streets, and walkways, integrate with the existing grades at the property line, and allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights and step-backs.

Housing

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 rental tenure of the existing rental units and should secure needed improvements and renovations to extend the life of the building(s) that are to remain and to improve amenities, without pass-through of costs to tenants.

Chapter 4 - Land Use Designations

The subject lands are designated *Apartment Neighbourhoods* on Map 16 of the Official Plan. Policy 4.2.1 provides that *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.

Policy 4.2.2 requires Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale Neighbourhoods;
- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and,
- providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

Policy 4.2.3 states that compatible infill development may be permitted on a site within a developed *Apartment Neighbourhood* with one or more existing apartment buildings which improves the existing site conditions by means such as:

- meeting the development criteria set out in Section 4.2.2;
- being compatible with the scale, including height and massing, of the existing apartment building(s) on and adjacent to the site;

- providing separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy;
- maintaining or replacing and improving indoor and outdoor residential amenities on the site, including, where achievable, equipping and managing indoor and outdoor amenity space to encourage use by residents;
- improving upon the quality of landscaped open space and outdoor amenity space for new and existing residents, including the preservation or replacement of significant landscape features and walkways and creating such features where they did not previously exist;
- providing adequate on-site structured shared vehicular parking for both new and existing development;
- consolidating and where achievable, relocating parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;
- placing parking ramps within the building where achievable;
- providing all residents, including existing residents with access to the community benefits where additional height and/ or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- providing privacy and areas of landscaped open space, and maintaining adequate sunlight to units, outdoor amenity spaces and open spaces, for both new and existing residents;
- organizing development on the site to frame streets, parks and open spaces at good proportion, providing adequate skyviews from the public realm, and creating safe and comfortable open spaces;
- promoting grade-related dwellings at the edge of public streets, parks and landscaped open spaces where achievable, that front onto and provide pedestrian entrances from those public spaces, and provide a generous pedestrian realm adjacent to public streets;
- minimizing curb cuts; and,
- improving waste storage and waste diversion facilities including enclosure of outdoor waste storage areas and enclosed waste storage facilities within a building where achievable.

Policy 4.2.4 states that infill development may be permitted on a site within a developed *Apartment Neighbourhood* that creates a horizontal addition to an existing apartment building provided:

- the development meets the criteria set out in Section 4.2.2 and is considered in the context of the evaluative criteria in Section 4.2.3;
- the horizontal addition, which should be low-rise or mid-rise in form, will:
 - frame and support existing and new streets and parks and open spaces;
 - promote grade-related dwellings with direct access from adjacent streets or mid-block pedestrian connections;
 - adequately limit shadows on the site, the adjacent public realm and nearby properties;
 - improve pedestrian access to the existing residential building;
 - provide improved landscaped open space and amenity space for new and existing residents;

- mitigate wind effects and improve the safety and attractiveness of the public realm, the property and surrounding properties; and,
- provide setbacks from adjacent streets, parks or other public lands that reflect the existing context and are, at a minimum, sufficient in order to maintain privacy, provide space for pedestrian amenities and landscaping, and promote grade-related dwellings at the edge of streets and parks.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

Zoning

The subject site is currently zoned Multiple-Family Dwellings Sixth Density Zone (RM6) under the former City of North York Zoning By-law No. 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 35 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 forming courts equal to the height of the highest building or portion thereof.

The site is zoned RAC (f30.0; a1375; d1.5) under Zoning By-law No. 569-2013, parts of which are currently under appeal. RAC is the Residential Apartment 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 lot coverage of 35 percent and a FSI of 1.5 is permitted. As the site is not included in the height overlay map, the maximum permitted height is 24 metres.

The City of Toronto 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:

- City-Wide Tall Building Design Guidelines;
- Avenues and Mid-rise Buildings Study and Performance Standards
- Townhouse and Low-rise Apartment Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities.

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

City-Wide 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 is here:

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

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf> .

Townhouse and Low-rise Apartment Guidelines

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (File: 22 138660 NNY 06 SA) has been submitted.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020) as follows:

The PPS identifies that the long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and sustainable economy. The PPS contains policies that promote the use of active transportation and transit before other modes of travel. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan contains similar policies to the PPS, and supports the achievement of complete communities that are designed to support health and active living and meet people's needs for daily living throughout an entire lifetime. Policy 1.2.1 prioritizes intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. It supports a range and mix of housing options, including additional residential units, to serve all sizes, incomes, and ages of households.

The proposed development meets the policy objectives of the PPS and Growth Plan by providing an appropriate level of intensification through infill development of the site while contributing to a mix of housing types (both apartment and townhouse units) and densities necessary to meet projected requirements of current and future residents. The proposed development also supports active transportation with the provision of lands for a future multi-use path along the entire south property line of the site.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies.

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

Land Use

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. The proposed introduction of street related townhouse units and the construction of a second apartment building on the property are supported by the policies of the Plan. The introduction of additional apartment units re-enforces the predominant existing land use in the area of residential apartment buildings.

The proposed development provides for compatible infill development that also conforms with the general intent of Policies 4.2.2, 4.2.3 and 4.2.4, which provides that infill development in Apartment Neighbourhoods will be massed to provide transition between areas of different development intensity and scale, locate and mass new buildings to frame the edges of streets with good proportion, ensure that infill developments are compatible with the scale of adjacent apartment buildings on and adjacent to the site, maintain or replacing and improving indoor and outdoor residential amenities on site, and promoting grade-related dwellings with direct access from adjacent streets.

Built Form, Density, Height and Massing

Planning staff have reviewed the proposed built form, including density, height and massing, against the policies of the Official Plan and relevant design guidelines.

Built Form

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the Report. The Official Plan requires that new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the existing character and ensure access to direct sunlight and daylight on the public realm by providing street wall heights and setbacks that fit harmoniously with the existing and/or planned context and stepping back building mass and reducing building foot prints above the street wall height. New development should transition to development on abutting properties using a variety of measures including angular planes, the use of setbacks and step-backs of building mass, and separation distances.

The proposed 16-storey building generally fits within the existing context which presently supports similar building forms in the immediate area including a 16 storey building immediately to the south at 155 Antibes Drive. Further, it is located west of an existing 12-storey building on the site away from Bathurst Street. Along Cedarcroft Boulevard, the new building reads with a narrow massing along the street. The proposed building provides for an appropriate separation of 22.5 metres between the existing and proposed apartment buildings. The proposed building has slightly larger floorplate sizes for the 6th to 13th floors of 1,078 square metres, with the 14th to 16th floors providing 853 square metre floorplates.

Density

The proposed density of 3.97 times the area of the lot after the conveyance of the park and right-of-way for a portion of a future multi-use path is appropriate for the site in the context of other developments approved along Bathurst Street.

Height and Massing

The proposed 16-storey (48.8 metre) building is located to the west of the existing 12-storey apartment building on the site and away from Bathurst Street. Further, it provides for a three-storey interface along the Cedarcroft Boulevard frontage, and steps back the balance of the building to 14.5 metres above the third storey. The three-storey (11.5 metre) townhouse units are located to the north and east of the existing 12-building to provide a transition to Bathurst Street and create an appropriate pedestrian scale along the street. The proposed three-storey component along the southern portion of the site appropriately frames the future multi-use path. The proposed height is consistent with other existing buildings in the area including the 16-storey building on the property to the south, and other recent approvals along Bathurst Street. The proposed development conforms with the intention of policy 4.2.2, 4.2.3 and 4.2.4 of the Official Plan that provides for proposed development in *Apartment Neighbourhoods* is massed to provide a transition between areas of different intensity and scale, frame the edge of streets and

parks with good proportion, and be compatible with the scale of the existing apartment buildings on and adjacent to the site.

The proposed building is massed to fit with its surrounding context. The proposed 16-storey height of the apartment building is appropriate given the surrounding *Apartment Neighbourhoods* Context, and is consistent with other recently approved developments along Bathurst Street within the *Apartment Neighbourhoods*. The proposed 16-storey building is set back from Bathurst Street and located behind the existing 12-storey building, and the three-storey townhouse units along the Bathurst Street and Cedarcroft Boulevard frontages project an appropriate three-storey pedestrian scale on the streets.

Staff are satisfied that the density, height and massing conform with Official Plan policies.

Sun, Shadow, Wind

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Consideration Section of the report. Official Plan Built Form Policies 3.1.2.3 require that new development provide adequate light and limit shadows on streets, properties and open spaces. The Official Plan states that development will be located and massed to fit within the existing and planned contexts, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing street wall heights and setbacks that fit harmoniously with the existing and/or planned context and/or step back building mass above the street wall height.

The applicant has provided a shadow study illustrating the shadow impacts during the fall and spring equinoxes. Planning staff have reviewed the shadow study and agree that the shadow impacts resulting from the proposed development are acceptable. Combined with the built form comments noted above, the proposed building has been designed to sufficiently minimize potential shadow impacts on existing adjacent buildings, any future development in the area as well as nearby residential areas. Balconies on the west side of the existing building already experience shadow for a large part of the day, with some at the southern portion of the existing building experiencing shade all day at certain times of the year. The proposed building does increase the shadows on the western façade, however units which received direct sunlight continue to do so for a portion of the day.

The applicant provided a Pedestrian Level Wind Study as part of the application. The study did not identify any areas where uncomfortable wind conditions would be created on the site or surrounding the site. A further review of the wind conditions will be undertaken as part of the Site Plan Control application. If any mitigation measures are identified through this review, they will be secured through the Site Plan Control application.

Traffic Impact

The applicant's transportation consultant, LEA Consulting, submitted a Transportation Study report dated September 2019. The consultant concludes that the number of new trips generated by the proposed development is minimal and is expected to have a negligible impact on the surrounding road network with the signal timing optimization adjustments identified in the report. The proposed timing changes are subject to review and comments from Traffic Operations Section and Traffic Signals Section through the Site Plan Control application. The applicant will be responsible for all costs associated with the proposed changes if the changes are deemed acceptable by Transportation Services Division and will be secured through the Site Plan Control application.

Access

All of the proposed townhouse units will have front doors and pedestrian access directly onto Bathurst Street and Cedarcroft Boulevard. The at-grade units facing onto the multi-use trail also proposes direct access.

The primary vehicular access to the site is from a 6.0 metre wide north-south driveway from Cedarcroft Boulevard along the western edge of the site. This driveway leads to the loading space and underground parking garage access. A pick-up/drop-off lay-by for residents and deliveries to the new building is proposed to be provided in this driveway.

A second driveway from Bathurst Street provides access to a pick-up/drop-off loop for the daycare centre and existing building. This new driveway proposes a single curb cut on Bathurst Street and replaces the existing driveway that has two curb cuts on the street, improving the streetscape conditions by reducing the number of curb cuts.

Transportation Services is generally in acceptance of the proposed driveway access and egress to the proposed development as well as the internal circulation proposed. The final details of the design of the pick-up/drop-off areas and their function will be secured through the Site Plan Control application.

Parking

The applicant is also proposing to provide 274 vehicular parking spaces, made up of 236 residential parking spaces (with the inclusion of 6 car-share spaces), 35 visitor parking spaces, and three daycare parking spaces is acceptable. One Type G loading space is proposed to service the entire site located internal to the new apartment building. Transportation Services staff accepts the parking and loading spaces proposed for the development.

Road Widening

Conveyances for road widening purposes are not required at this location in accordance with the City of Toronto Official Plan.

The conveyance of a 6.0m corner rounding is required at the northeast corner of the site, free of any obstructions. The above-noted lands have been explicitly identified on the Site Plan drawing and will be secured through the Site Plan Control application.

Streetscape

The proposed development responds appropriately to the Public Realm policies of the Official Plan. A new 2.1 metre public sidewalk is proposed along both the Bathurst Street and Cedarcroft Boulevard frontages of the proposed development, which will improve pedestrian safety and comfort on the streetscape, consistent with policy 3.1.1 6 (b) of the Official Plan on giving full consideration to the needs of pedestrians, cyclists and public transit users. Further, the applicant is providing land for a portion of a new public multi-use trail right-of-way along the southern property boundary, which when combined with lands from the adjacent properties, will provide for a new connection for active transportation between Bathurst Street and Antibes Drive and improved porosity in the development block.

The entrance lobby of the new apartment building is located adjacent to Cedarcroft Boulevard, and there is a direct connection to the public sidewalk through a pedestrian walkway. The front wall of the lobby includes transparent glazing in order to create opportunities for visual connections with the streetscape, and to promote the Crime Prevention Through Environmental Design (CPTED) principle of "eyes on the street". Similarly, the new townhouse units along Cedarcroft Boulevard and Bathurst Street all have direct entrances from the street with access to the public sidewalk.

New trees and plantings are proposed within the front yard, and will help improve the appearance of the streetscape in front of the proposed development. Staff will continue working with the applicant on streetscape improvements to be secured through the site plan control process.

Servicing

The applicant has provided a Functional Servicing and Stormwater Management Report by IBI Group Engineers. The reports have been reviewed by Engineering and Construction Services staff, who are satisfied that the development would be adequately serviced. Staff will work with the applicant to secure any necessary improvements to the municipal infrastructure at no cost to the City during the site plan control process.

Existing Rental Housing

According to the Housing Issues Report, the existing rental building contains a total of 103 affordable and 26 mid-range rental dwelling units. The applicant proposes to maintain all of the 129 rental dwelling units within the existing rental building located at 5950 Bathurst Street, in accordance with Policy 3.2.1.5.(a) of the Official Plan, with no application for demolition or conversion to condominium or any non-residential rental use, for a period of twenty (20) years. Staff will secure the rental tenure through the Section 37 Agreement and the Zoning By-law Amendments.

The applicant has agreed to provide tenants of the existing rental building with full access to the indoor and outdoor amenity spaces in the new building. In addition, the applicant has agreed to undertake improvements to the existing building, including:

- accessibility improvements within the existing rental building, including push button automatic door openers for all common doors and a clothes folding table which is universally accessible within the laundry room;

- consolidated waste management facilities in the proposed development, including indoor storage of garbage, recycling and composting; and,
- tenant bicycle parking within the proposed development.

The above improvements will not be passed on to tenants in the form of above-guideline rent increases. In addition, as part of Site Plan Approval, the owner will submit to the city a Construction Mitigation and Tenant Communication Plan to ensure construction impacts are mitigated for exiting tenants. City staff are satisfied that the proposed new indoor and outdoor amenity spaces on the subject site and the improvements to the existing building conform to Official Plan Policy 3.2.1.5.(b).

Tenant Relocation and Assistance

The proposed work will require 14 existing two-bedroom rental units located on the first to fourth floors of the existing rental building to be reconfigured and renovated to accommodate the proposed new development. The proposed changes to the two-bedroom rental dwelling units will require tenants of these units to leave their unit during the 12 month construction period. The applicant has proposed to provide any existing tenant occupying one of the 14 rental dwelling proposed to be reconfigured with tenant relocation and assistance, in addition to, and in accordance with the Residential Tenancies Act (RTA). In accordance with the RTA, the tenant also have the right to return to their unit at a similar rent. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and their existing rental dwelling units are being renovated. The plan would consist of the following:

- The right to return to a return to their former rental unit, and at similar rent in accordance with the RTA;
- At least six months' notice before having to vacate their existing dwelling unit;
- Additional financial compensation, above and beyond that required by the RTA, to assist with the hardship of having to move due to construction and renovation;
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into their former rental unit;
- Special needs compensation for applicable tenants; and,
- Upon request, make a rental leasing agent available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, will ensure that tenants can continue to access and afford suitable housing within the neighbourhood until their existing rental units are reconfigured and renovated, and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Open Space/Parkland

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 (2016). Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

The residential nature of this proposal is subject to a 5% parkland dedication. In total, the parkland requirement is 366 square metres. The applicant is required to satisfy the parkland dedication requirement through an on-site dedication with frontage on Bathurst Street, and comply with Policy 3.2.3.8 of the Toronto Official Plan. The parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements.

Drawing 02 of the architectural plans prepared by IBI Group (dated by the Architect 02/28/22), demonstrates that the owner has proposed an on-site parkland dedication of 375 square metres in a generally rectangular shape, in the southeast corner of the site with frontage along Bathurst Street, which is acceptable to Parks, Forestry & Recreation staff.

A minimum 5 metre setback must be provided between the parkland dedication and the building face to the west.

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). Urban Forestry staff comments on proposals to remove, preserve or protect street and private trees. An arborist report was submitted in support of the proposal.

The applicant is to submit a tree planting deposit to ensure the planting and survival of four (4) new City trees. In addition, Forestry requires the planting of 93 new trees to replace the 31 private trees proposed for removal. The Landscape Plan proposes the planting of 40 replacement trees, which does not satisfy the minimum requirements. If additional trees cannot be provided, Urban Forestry will require an additional \$583.00 per tree cash in lieu payment for any outstanding replacement trees not being proposed in the landscape plan.

Family Sized Units

The Planning for Children in New Vertical Communities (Growing Up Guidelines) are to be used to evaluate development applications that propose multi-residential mid-rise and tall buildings that include 20 units or more. This application proposes 259 new dwelling units so the guidelines are applicable. The applicant is proposing 10 bachelor units (4%), 137 one-bedroom units (56%), 75 two-bedroom units (30%) and 24 three-bedroom units (10%). The guidelines require a minimum of 25% large units comprising a minimum of 10% 3-bedroom units and a minimum of 15% 2-bedroom units. The Guidelines also prescribe a size range for the 2- and 3-bedroom units. Two bedroom

units should be between 87 and 90 square metres and a 3-bedroom unit should be between 100 and 106 square metres. The proposed unit mix exceeds the policy direction of the Official Plan to provide a full range of housing and unit mix and size objectives of the Growing up Guidelines. A mix of 25 percent two-bedroom units and 10 percent three-bedroom units will be secured and included in the Zoning By-law for the site.

Amenity Space

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law No. 7625 requires a minimum of 2 square metres per dwelling unit each of indoor and outdoor amenity space and Bylaw No. 569-2013 requires a combined amenity space of 4.0 square metres per dwelling unit. The proposal provides for an indoor amenity space of 520 square metres and outdoor amenity space of 778 square metres and would meet these requirements. The indoor amenity space is proposed to be provided on the ground floor and the third floor. Both the ground floor and third floor interior amenity spaces will be adjacent to outdoor amenity areas on the ground level and on a roof-top terrace. The indoor amenity space include a new indoor pool to replace an existing closed outdoor pool to be removed as part of the proposed development. All the amenity spaces will be accessible to residents of the existing and proposed residential buildings and are a substantial improvement to the existing available amenities for residents of the existing building. Further, the proposal will result in improved landscaping around the entirety of the existing and new building, removing surface parking and areas and providing usable outdoor space for tenants of the existing and proposed buildings.

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. 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. Performance measures for the Tier 1 development features will be secured through the site plan approval process.

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. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

1. Prior to issuance of the first above grade building permit, a Community Benefits monetary contribution of \$800,000.00 towards construction of the Multi-Use Trail on the lands to be conveyed for this purpose, area parks improvements, and/or community center or streetscape improvements, with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date City Council adopts the Zoning By-law amendments to the date the payment is made and that the design of the streetscape improvements comply with the Streetscape Manual to the satisfaction of the Chief Planner and Executive Director, City Planning; and
2. Prior to issuance of the first above grade building permit, convey a 3.0 metre wide strip of land along the southern boundary of the site with an area of approximately 276 square metres for the purposes of a future Multi-Use Pathway connecting Bathurst Street and Antibes Street, to be combined with lands to be conveyed in the future from adjacent properties to complete the Multi-Use Pathway.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. the Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard (Version 3) and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the first submission of a Site Plan Control application.
2. The owner shall continue to provide and maintain the one hundred and twenty-nine (129) existing rental dwelling units on the lands at 5950 Bathurst Street as rental housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least twenty (20) years commencing from the date that the Zoning By-law Amendments come into force and effect, with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
3. The owner shall provide tenants of the 129 existing rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, including a provision of a new indoor pool, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;
4. The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the fourteen (14) existing rental dwelling units proposed to be reconfigured at 5950 Bathurst Street, addressing the right to return to occupy one of the reconfigured rental dwelling units at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

5. The owner shall provide, at its expense and at no cost to tenants, improvements to the existing rental housing, taking into account tenant feedback obtained through a tenant survey, to the satisfaction of, the Chief Planner and Executive Director, City Planning Division, as follows:

a. Prior to the issuance of Notice of Approval Conditions for site plan approval:

i. Submit a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction on existing tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. Prior to the first above-grade building permit for any part of the development:

i. Undertake accessibility improvements within the existing rental building at 5950 Bathurst Street, including push button automatic door openers for all common doors and a clothes folding table which is universally accessible within the laundry room;

ii. Provide upgrades to the laundry room in the existing rental building at 5950 Bathurst Street;

c. Prior to first occupancy of any new residential units in the development:

i. Provide a consolidated waste management facilities in the new residential building, including indoor storage of garbage, recycling and composting;

ii. Provide tenant bicycle parking within the proposed development;

d. The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation and Tenant Communication Plan required in Recommendations 5.a through c. shall not be passed on to tenants of the existing building in any form. For clarity, the owner agrees it shall not apply to the Landlord and Tenant Board or to any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements;

6. The owner shall provide a minimum of ten-percent of all new units in the proposed 16-storey building as three-bedroom units; and

7. The owner shall provide a minimum of twenty-five-percent of all new units in the proposed 16-storey building as two-bedroom units.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to infill development in Apartment Neighbourhoods. Staff worked with the applicant and the community to address and resolve the following key concerns: including the built form, provision of on-site parkland and protections for tenants to be directly affected by the construction of the new buildings. Staff recommends that Council support approval of the application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map By-law 569-2013
- Attachment 5: Existing Zoning By-law Map By-law 7625
- Attachment 6: Draft Zoning By-law Amendment By-law 569-2013
- Attachment 7: Draft Zoning By-law Amendment By-law 7625

Applicant Submitted Drawings

- Attachment 8: Site Plan/Draft Plan of Subdivision
- Attachment 9: East and West Elevations
- Attachment 10: North and South Elevation

Attachment 1: Application Data Sheet

Municipal Address: 5950 BATHURST ST **Date Received:** October 1, 2019

Application Number: 19 229837 NNY 06 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The revised application proposes to amend the zoning by-laws to permit a 16-storey rental residential building with a 3-storey addition connecting to the existing 12-storey residential building and a single 'L' shaped block of 3-storey townhouses. The revised application increases the number of proposed units from 255 to 259. The total FSI proposed is 3.97 times the lot area. The application also proposes a 375 sqm public park along Bathurst St and a 276 sqm dedication of land to be put towards a MUP along the southern property line. The revised application continues to propose an access off both Bathurst St and Cedarcroft Dr. The applicant has pulled back the access into the loading to ensure a greater buffer between the site driveway and MUP.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC 3 CHURCH STREET, STE 200 TORONTO, ON M5E 1M2	BOUSFIELDS INC 3 CHURCH STREET, STE 200 TORONTO, ON M5E 1M2	IBI GROUP 7th FLOOR, 55 ST CLAIR AVE W TORONTO, ON M4V 2Y7	587310 ONTARIO LTD 333 WILSON AVE STE 200 TORONTO, ON M3H 1T2

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	RAC (f30.0; a1375; d1.5)	Heritage Designation:	N
Height Limit (m):	24	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 8,870 Frontage (m): 103 Depth (m): 92

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,150	1,150	2,500	3,650
Residential GFA (sq m):	13,393	13,393	20,400	33,793
Non-Residential GFA (sq m):	347	347	0	347

Total GFA (sq m):	13,740	13,740	20,400	34,140
Height - Storeys:	12	12	16	16
Height - Metres:	32	32	49	49

Lot Coverage Ratio (%) : 41.15 Floor Space Index: 3.97

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	32,397	1,396
Retail GFA:	0	0
Office GFA:	0	0
Industrial GFA:	0	0
Institutional/Other GFA:	347	347

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	129	129	245	374
Freehold:				
Condominium:				
Other: TBD (townhouses)			14	14
Total Units:	129	129	259	388

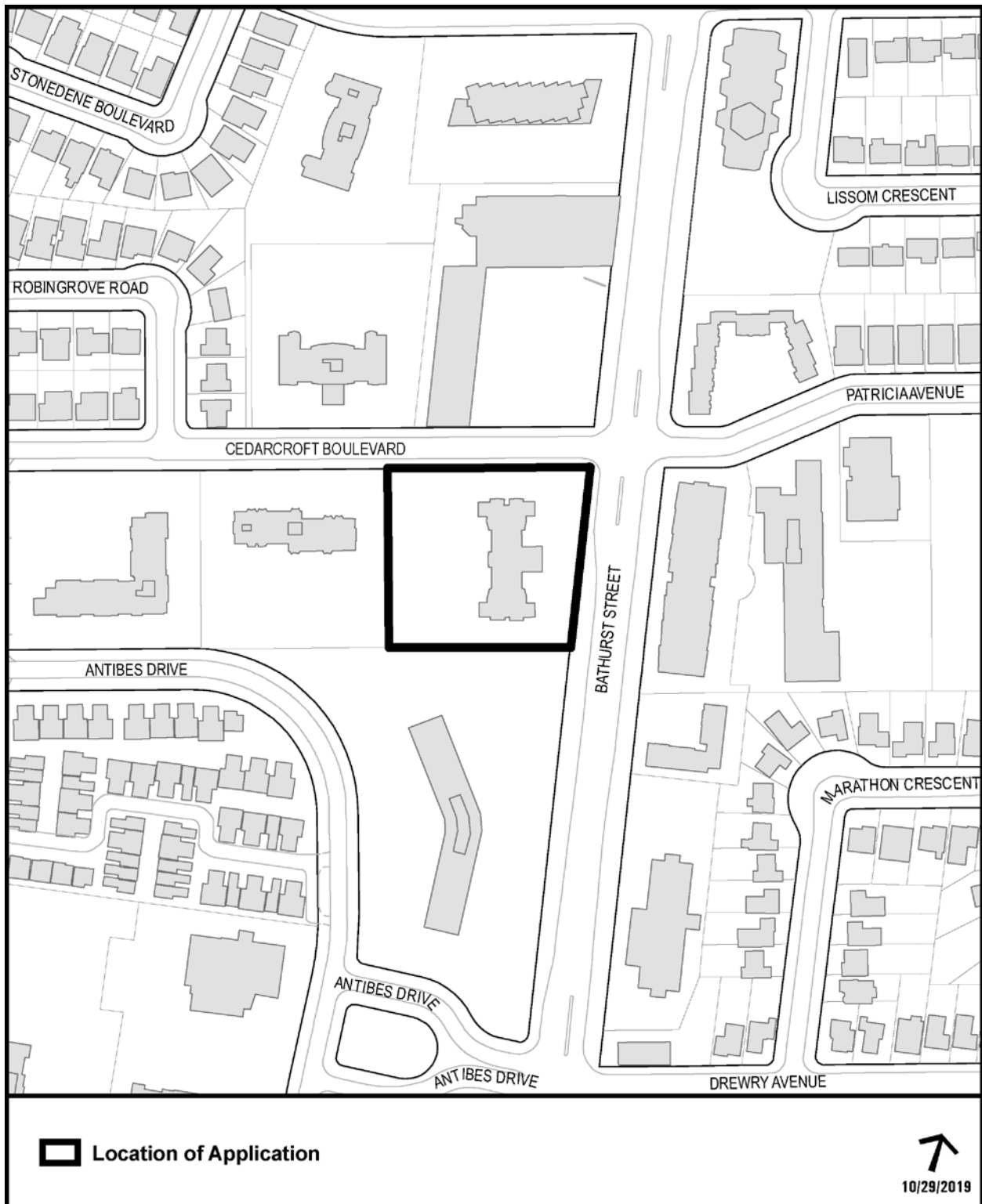
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		3	34	69	23
Proposed:		10	137	74	38
Total Units:		13	171	143	61

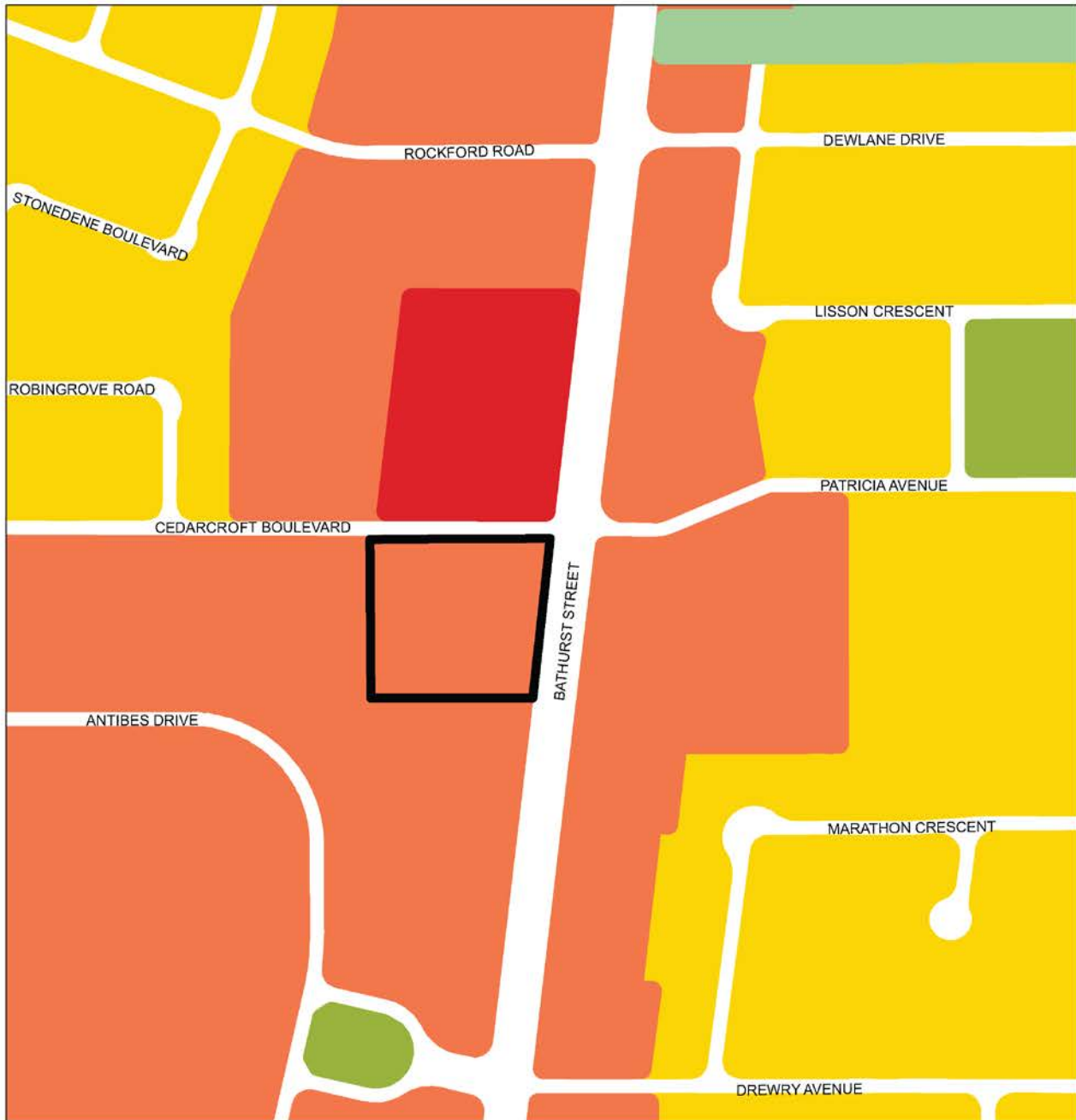
Parking and Loading

Parking Spaces: 274 Bicycle Parking Spaces: 291 Loading Docks: 1

Attachment 2: Location Map



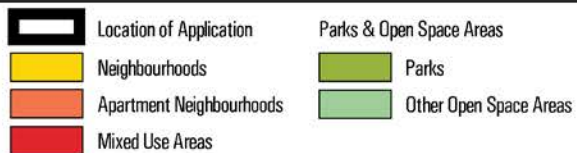
Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

5950 Bathurst Street

File # 19 229837 NNY 06 0Z



Not to Scale
10/29/2019

Attachment 4: Existing Zoning By-law Map By-law 569-2013



Zoning By-law 569-2013

5950 Bathurst Street

File # 19 229837 NNY 06 02



Location of Application

RD	Residential Detached	RAC	Residential Apartment Commercial
RT	Residential Townhouse	CL	Commercial Local
RM	Residential Multiple	CR	Commercial Residential
RA	Residential Apartment	O	Open Space



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

R4	One-Family Detached Dwelling Fourth Density Zone
RM4	Multiple-Family Dwellings Fourth Density Zone
RM6	Multiple-Family Dwellings Sixth Density Zone



Not to Scale
Extracted: 10/29/2019

Attachment 5: Existing Zoning By-law Map By-law 7625



Zoning By-law 7625

5950 Bathurst Street

File # 19 229837 NNY 06 02



Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone
RM1 Multiple-Family Dwellings First Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
O1 Open Space Zone



Not to Scale
 Extracted: 10/29/2019

CITY OF TORONTO

BY-LAW [XXXX]-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 5950 Bathurst Street.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a By-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the By-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the By-law; and

Whereas pursuant to Section 37 of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020., c. 18 ("COVID-19 Economic Recovery Act, 2020") came into force, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.

3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands subject to this By-law from a zone label of RAC (f30.0; a1375; d1.5) to a zone label of RAC (f30.0; a1375; d1.5) (x186) and OR as shown on Diagram 2 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.8.10 Exception Number 186 so that it reads:

[186] Exception RAC 186

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

(A) On 5950 Bathurst Street, if the requirements of By-law [Clerks to insert By-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (B) to (Y) below:

(B) The **buildings** and **structures** permitted on the **lot** include the "Existing Building" and "New Building" as shown on Diagram 3 of By-law [Clerks to supply By-law ##]:

(i) For the purposes of this exception, "Existing Building" means the existing **apartment building** located on the lands municipally known as 5950 Bathurst Street in the year 2021 as shown on Diagram 3 of By-law ##### [clerks to provide by-law number], subject to alterations, additions and internal modifications that do not result in any additional **gross floor area**;

(ii) For the purposes of this exception, "New Buildings" means the proposed **apartment building** and **townhouses** on the lands as shown on Diagram 3 of By-law ##### [clerks to provide by-law number]

(C) Despite Regulation 15.20.20.40(1), **dwelling units** are permitted within an **apartment building** or **townhouse**;

(D) Despite Regulation 15.5.40.10(1), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 186.70 metres and elevation of the highest point of the **building** or **structure**;

(E) Despite Regulation 15.20.30.40 (1)(A), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 45 percent;

(F) Despite Regulation 15.20.40.40(1), the "New Buildings" must not exceed a total floor space index of 2.49;

- (G) Despite Regulation 15.5.40.40(1), the total **gross floor area** located within the "Existing Building" must not exceed the **gross floor area** existing therein as of September 1, 2019;
- (H) A maximum of 260 **dwelling units** are permitted in the "New Buildings" of which:
- (i) a minimum of 25 percent must be two-bedroom **dwelling units**;
 - (ii) a minimum of 10 percent must be three-bedroom **dwelling units**; and
 - (iii) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (I) A maximum of 129 **dwelling units** are permitted in the "Existing Building";
- (J) Despite Regulation 15.20.40.10(1), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres as shown on Diagram 3 of By-law [Clerks to supply By-law ##];
- (K) Despite Regulations 15.5.40.10 (3) to (6) and (I) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents to a maximum of 6.0 metres;
 - (ii) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (i) above, inclusive of a mechanical penthouse, to a maximum of 6.0 metres;
 - (iii) architectural features, parapets, elements and **structures** associated with a **green roof**, planters, bollards, fences, retaining walls, vents, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace by a maximum of 2.5 metres;
 - (iv) building maintenance units and window washing equipment, by a maximum of 5.5 metres;
 - (v) trellises, pergolas, lighting fixtures and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres; and
 - (vi) additional equipment and structures not identified in (i) to (v) above that existed above the height of the "Existing Building" as shown on Diagram 3 as of September 1, 2019;
- (L) Despite Regulation 15.20.40.50(1), a **building** with 20 or more **dwelling units** must provide **amenity space** at the following rate:

- (i) at least 2.0 square metres for each **dwelling unit** in the New Buildings as indoor amenity space;
- (ii) at least 2.0 square metres of outdoor amenity space for each **dwelling unit** in the "New Buildings" of which 40.0 square metres must be in a location adjoining or directly accessible to the indoor amenity space;
- (iii) The 3.0 metre wide strip of lands shown as "Trail Connection" on Schedule RM6(278) cannot be counted towards the achievement of the required outdoor **amenity space** in (ii); and
- (iv) The **amenity space** provided in accordance with Regulations (i) and (ii) above must be available and accessible to the residents of the "Existing Building";
- (M) Despite Clause 15.20.40.70, the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (N) Despite Clause 15.20.40.80, the required separation of **main walls** are as shown in metres on Diagram 3 of By-law [Clerks to supply By-law ##];
- (O) Despite Clauses 15.5.40.60 and (M) and (N) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
 - (i) decks, porches, terraces, exterior stairs and stair enclosures, access ramps, elevating devices, lighting fixtures, and bicycle racks, by a maximum of 6.25 metres at the first floor;
 - (ii) canopies, awnings and screens by a maximum of 3.0 metres;
 - (iii) balconies and guardrails, by a maximum of 2.0 metres;
 - (iv) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast and cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 1.5 metres;
 - (v) eaves, dormers, cornices, chimneys, vents, pipes, windowsills, stacks, by a maximum of 1.0 metres; and
 - (vi) fences, planters, and retaining walls;
- (P) Regulations 15.5.50.10(1) and (3), with respect to minimum **landscaping** requirements does not apply;
- (Q) Despite Regulation 15.5.100.1(1) a **driveway** within 4.5 metres of a **lot line** abutting a **street** must have:
 - (i) A minimum width of 3.0 metres for each lane; and

- (ii) A maximum width of 6.0 metres;
- (R) Regulation 15.5.100.1(2), with respect to **driveway** access to **apartment buildings**, does not apply;
- (S) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
 - (i) a minimum of 0.61 residential occupant **parking spaces** for each **dwelling unit**;
 - (ii) a minimum of 0.09 residential visitor **parking spaces** for each **dwelling unit**;
and
 - (iii) a minimum of 3 **parking spaces** for the **Day Nursery** use;
- (T) Despite (S) above, "car-share parking spaces" may replace **parking spaces** required for residential occupants, subject to the following:
 - (i) a reduction of four (4) resident occupant **parking spaces** will be permitted for each "car-share parking space" provided and that the maximum reduction permitted be capped by the application of the following formula:
 - (a) four (4) multiplied by (total number of **dwelling units** divided by 60), rounded down to the nearest whole number;
 - (ii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
 - (iii) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (U) Despite Regulation 200.5.1(1), within the "Existing Building" a minimum **drive aisle** width of 5.0 metres is permitted;
- (V) Despite Regulation 200.5.1.10(2), within the "Existing Building" a maximum of 20 **parking spaces** may have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 2.2 metres; and
 - (iii) vertical clearance of 2.0 metres;
- (W) Despite Regulations 200.15.1(1) and (3), an accessible **parking space** must have the following minimum dimensions:

- (i) length of 5.6 metres;
- (ii) width of 3.4 metres;
- (iii) vertical clearance of 2.1 metres; and
- (iv) a 1.5 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an accessible **parking space**, and such aisle or path may be shared by 2 accessible **parking spaces**;

(X) Despite Regulation 230.5.1.10(4)(B)(i), the required minimum length or vertical clearance of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is 1.2 metres;

(Y) Despite Regulation 230.5.1.10(4)(C), if a **stacked bicycle parking space** is provided, the minimum width for each **bicycle parking space** is 0.4 metres and the minimum vertical clearance for each bicycle parking space is 1.0 metres;

Prevailing By-laws and Prevailing Sections: (None Apply)

5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

6. Section 37 Provisions:

(A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule 1 hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

(B) Where Schedule 1 of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

(C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule 1 are satisfied.

Enacted and passed on [month day, year].

Francis Nunziata, John D. Elvidge,
Speaker City Clerk

(Seal of the City)

SCHEDULE 1

Section 37 Provisions

Prior to the issuance of any Building Permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. Prior to issuance of the first above-grade permit, the owner shall convey a three metre (3.0 metre) wide strip of land along the southern property boundary having an area of 276 square metres to the satisfaction of the General Manager of Transportation Services and the Chief Planner and Executive Director, City Planning
2. Prior to issuance of the first above-grade permit, the owner shall pay to the City a cash contribution of Eight Hundred Thousand Dollars (\$800,000.00) (the "Cash Contribution") to the City to be allocated towards the construction of a Multi-Use Trail on the lands to be conveyed in Subsection 1, and capital community services and facilities in the vicinity of the lands to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.
3. The financial contribution pursuant to Subsection 2. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date City Council adopts the zoning by-law amendment(s) to the date of payment;
4. In the event the Cash Contribution in Subsection 2 has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the Cash Contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the Property.
5. The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (A) the Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard (Version 3) and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the first submission of a Site Plan Control application.
 - (B) The owner shall continue to provide and maintain the one hundred and twenty-nine (129) existing rental dwelling units on the lands at 5950 Bathurst Street as rental

housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least twenty (20) years commencing from the date that the Zoning By-law Amendments come into force and effect, with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

(C) The owner shall provide tenants of the 129 existing rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, including a provision of a new indoor pool, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

(D) The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the fourteen (14) existing rental dwelling units proposed to be reconfigured at 5950 Bathurst Street, addressing the right to return to occupy one of the reconfigured rental dwelling units at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

(E) The owner shall provide, at its expense and at no cost to tenants, improvements to the existing rental housing, taking into account tenant feedback obtained through a tenant survey, to the satisfaction of, the Chief Planner and Executive Director, City Planning Division, as follows:

(i) Prior to the issuance of Notice of Approval Conditions for site plan approval:

(a) Submit a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction on existing tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

(ii) Prior to the first above-grade building permit for any part of the development:

(a) Undertake accessibility improvements within the existing rental building at 5950 Bathurst Street, including push button automatic door openers for all common doors and a clothes folding table which is universally accessible within the laundry room;

(b) Provide upgrades to the laundry room in the existing rental building at 5950 Bathurst Street;

(iii) Prior to first occupancy of any new residential units in the development:

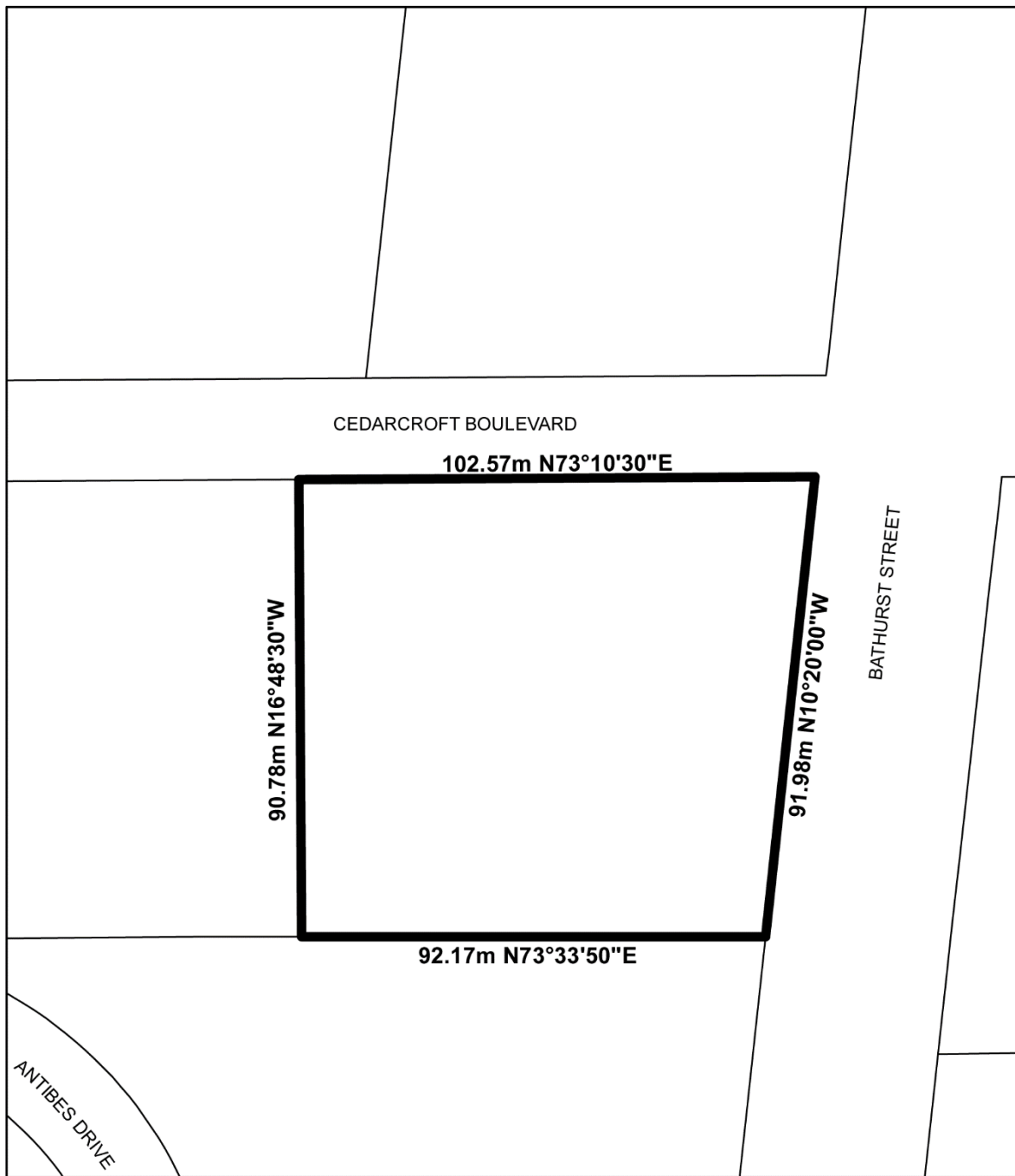
(a) Provide a consolidated waste management facilities in the new residential building, including indoor storage of garbage, recycling and composting;

(b) Provide tenant bicycle parking within the proposed development;

(F) The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation and Tenant Communication Plan required in Recommendations 6.a through c. shall not be passed on to tenants of the existing building in any form. For clarity, the owner agrees it shall not apply to the Landlord and Tenant Board or to any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements;

(G) The owner shall provide a minimum of ten-percent of all new units in the proposed 16-storey building as three-bedroom units; and

(H) The owner shall provide a minimum of twenty-five-percent of all new units in the proposed 16-storey building as two-bedroom units.

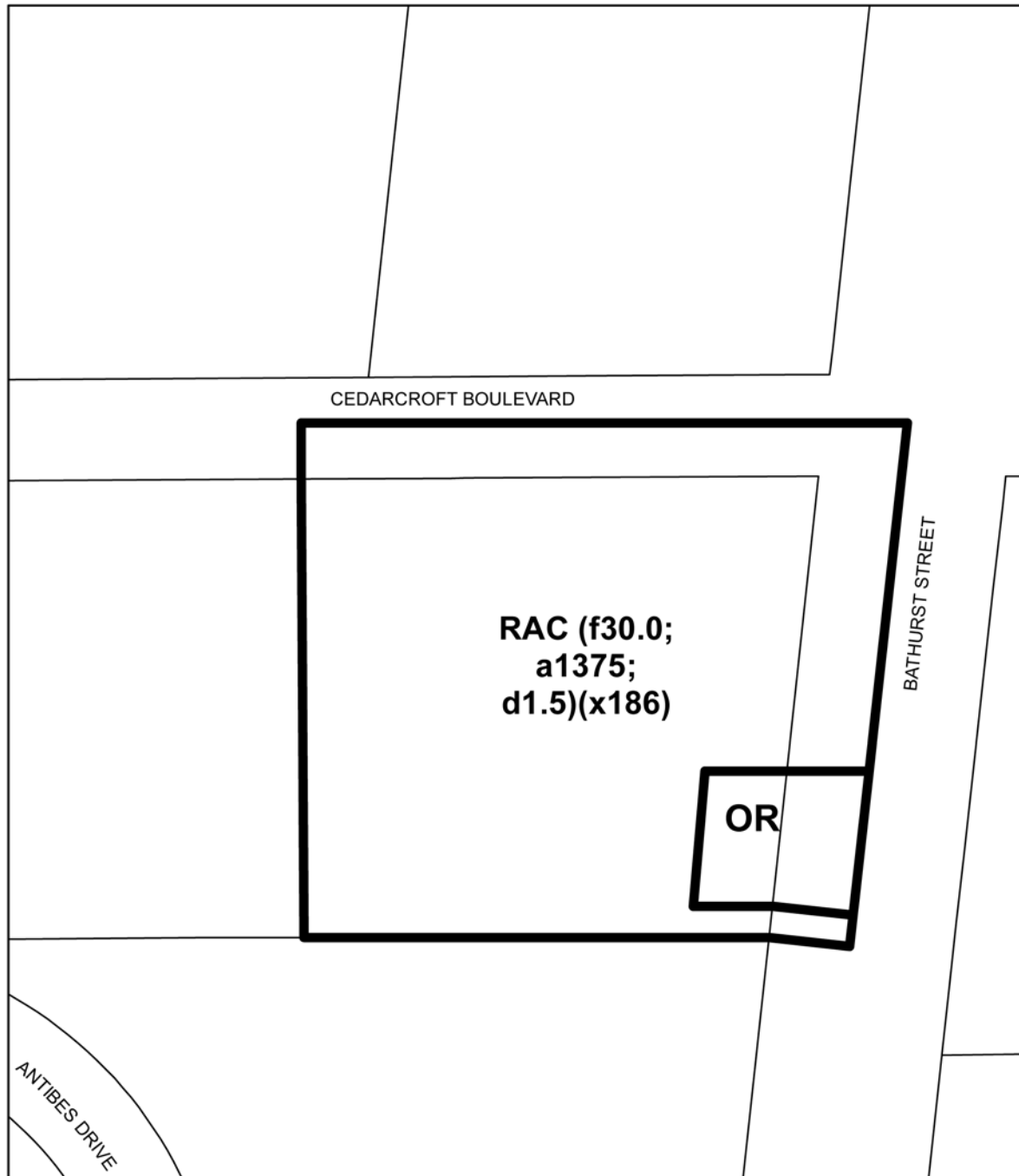


Toronto
Diagram 1

5950 Bathurst Street

File #: 19 229837 NNY 06 02

City of Toronto By-law 569-2013
Not to Scale
05/10/2022

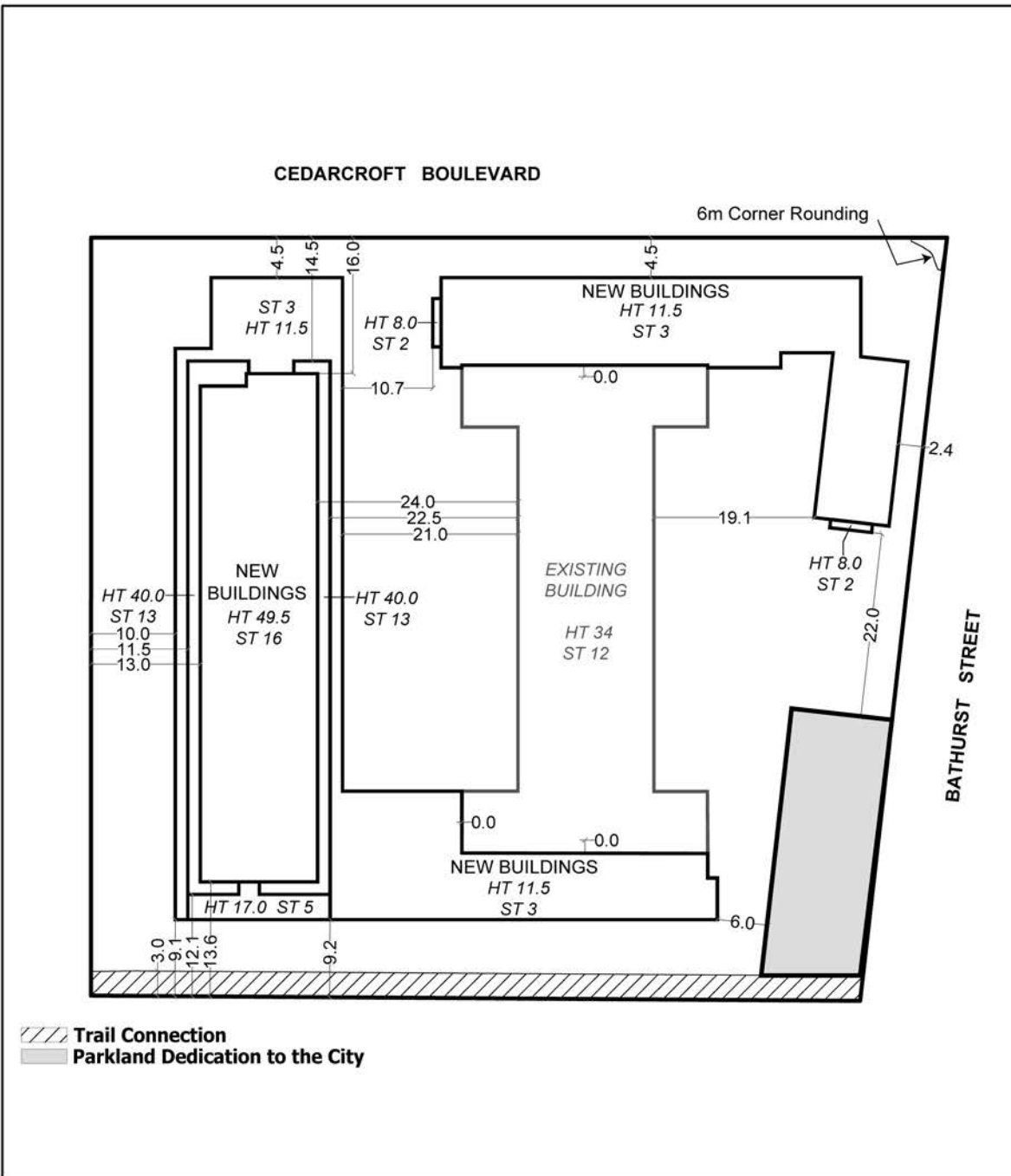


Toronto
Diagram 2

5950 Bathurst Street

File #: 19 229837 NNY 06 02

City of Toronto By-law 569-2013
Not to Scale
05/10/2022



Toronto
Diagram 3

5950 Bathurst Street

File #: 19 229837 NNY 06 02

City of Toronto By-law 569-2013
Not to Scale
05/10/2022

CITY OF TORONTO

BY-LAW No. ####-2022

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect with lands municipally known in the year 2021 as 5950 Bathurst Street.

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in the height or density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act may authorize increases in height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as are set out in the by-law; and

Whereas pursuant to Section 37 of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020., c. 18 ("COVID-19 Economic Recovery Act, 2020") came into force, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act, as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force, provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by the former City of North York Zoning By-law 7625, as amended, is permitted in return for the provision of the facilities, services and matters set out in the By-law which is secured by one or more agreements between the owner and the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York, as amended, are further amended in accordance with Schedule 1 attached to this By-law.
2. Section 64.20-A of By-law 7625 of the former City of North York, as amended, is further amended by adding the following new subsection:

64.20-A (278) RM6(278)

DEFINITIONS

- (a) For the purposes of this exception “car-share” shall mean the practice whereby a number of people share the use of one or more motor vehicles and such “car-share” motor vehicles are made available to at least the occupants of the building for short-term rental, including hourly rental.
- (b) For the purposes of this exception “car-share parking space” shall mean a parking space exclusively reserved and signed for a vehicle used only for “car-share” purposes.
- (c) For the purposes of this exception, “apartment house dwelling” shall mean a building containing five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area.
- (d) For the purposes of this exception, “established grade” shall mean the Canadian Geodetic Datum Elevation of 186.70 metres.
- (e) For the purposes of this exception, “Existing Building” means the existing apartment house dwelling municipally known as 5950 Bathurst Street located on the lands in the year 2021 as shown on Schedule RM6(278) of By-law ##### [clerks to provide by-law number], subject to alterations, additions and internal modifications that do not result in any additional gross floor area.
- (f) For the purposes of this exception, “floor space index” shall mean the value resulting from the gross floor area of a building, minus the excepted areas set out in (g) below, divided by the area of the lot.
- (g) For the purposes of this exception, “gross floor area” shall mean the total area of all floors in a building, above and below ground, measured from the exterior of the main wall of each floor level, but shall not include the following:
- (i) parking, loading and bicycle parking below-ground;
 - (ii) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
 - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) shower and change facilities required by this By-law for required bicycle parking spaces;
 - (v) indoor recreational amenity space required by this By-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;

- (viii) mechanical penthouse; and
- (ix) exit stairwells in the building;
- (h) For the purposes of this exception, “lot” shall mean lands zoned RM6(278) as shown on Schedule 1 of By-law ##### [clerks to provide by-law number].
- (i) For the purposes of this exception, “New Buildings” means the proposed apartment house dwelling and multiple attached dwelling on the lands as shown on Schedule RM6(278) of By-law ##### [clerks to provide by-law number].
- (j) For the purposes of this exception, “recreational amenity area” shall mean an indoor or outdoor space on a lot that is communal and available to all occupants of a building on the lot for recreational or social activities.
- (k) For the purposes of this exception, “Type ‘G’ loading space” shall mean an area used for the loading or unloading of goods or commodities from a vehicle, with the following dimensions:
 - (i) minimum length of 13.0 metres;
 - (ii) minimum width of 4.0 metres; and
 - (iii) minimum vertical clearance of 6.1 metres.

PERMITTED USES

- (l) The following uses shall be permitted:
 - (i) Apartment House Dwelling;
 - (ii) Day Nursery; and
 - (iii) Multiple Attached Dwelling.

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (m) The provisions of Section 20-A.2.5 (Gross Floor Area) shall not apply.
- (n) The maximum permitted residential gross floor area of the New Buildings shall not exceed a total floor space index of 2.49.
- (o) The total gross floor area of located within the Existing Building shall not exceed the total gross floor area existing therein as of September 1, 2019.

DWELLING UNITS

- (p) A maximum of 260 dwelling units are permitted in the New Buildings, of which:
 - (i) a minimum of 25 percent shall be two-bedroom dwelling units;

- (ii) a minimum of 10 percent shall be three-bedroom dwelling units; and
- (iii) any dwelling units with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above.

(q) A maximum of 129 dwelling units are permitted in the Existing Building;

LANDSCAPING

(r) The provisions of Section 15.8 (Landscaping) shall not apply.

LOT AREA

(s) The provisions of Section 20-A.2.1 (Lot Area) shall not apply.

LOT COVERAGE

(t) The provisions of Section 20-A2.2 (Lot Coverage) shall not apply.

(u) The permitted maximum lot coverage, as a percentage of the lot, shall be 45 percent.

FRONTAGE

(v) The provisions of Section 20-A.2.3 (Lot Frontage) shall not apply

RECREATIONAL AMENITY AREA

(w) A minimum of 2.0 square metres of indoor recreational amenity area per dwelling unit in the New Buildings shall be provided.

(x) A minimum of 2.0 square metres of outdoor recreational amenity area per dwelling unit in the New Buildings shall be provided.

(y) The 3.0 metre wide strip of lands shown as "Trail Connection" on Schedule RM6(278) cannot be counted towards the achievement of the required outdoor recreational amenity area in (x).

(z) The indoor and outdoor recreational amenity space provided in accordance with (w) and (x) above must be available and accessible to all residents on the lot, including residents of the Existing Building.

YARD SETBACKS

(aa) The minimum yard setbacks for buildings and structures above ground shall be shown on Schedule "RM6(278)".

(bb) Notwithstanding (aa) above, the following elements shall be permitted to project beyond the building envelope shown on Schedule "RM6(278)":

- (i) decks, porches, terraces, exterior stairs and stair enclosures, access ramps, elevating devices, lighting fixtures, and bicycle racks, by a maximum of 6.25 metres;

- (ii) canopies, awnings and screens by a maximum of 3.0 metres;
 - (iii) balconies and guardrails, by a maximum of 2.0 metres;
 - (iv) balconies, by a maximum of 2.0 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast and cladding added to the exterior surface of the main wall of a building, by a maximum of 1.5 metres;
 - (vi) eaves, dormers, cornices, chimneys, vents, pipes, windowsills, stacks, by a maximum of 1.0 metres; and
 - (vii) fences, planters, and retaining walls;
- (cc) Notwithstanding (aa) and (bb) above, the minimum yard setbacks for parking structures and structures associated thereto above and below established grade shall be 0 metres from any given property line.

DISTANCE BETWEEN BUILDINGS

- (dd) The provisions of Section 20-A.2.4.1 (Distance between Buildings and/or Portions of Buildings Forming Courts) shall not apply.

HEIGHT

- (ee) The provisions of Section 20-A.2.6 (Building Height) shall not apply.
- (ff) The building height shall not exceed the maximum building heights in storeys and in metres above established grade as shown on Schedule "RM6(278)".
- (gg) Notwithstanding (ff) above, the following elements shall be permitted to exceed the noted height limit on Schedule "RM6(278)":
- (i) parapets for a green roof and weather vanes may project above the height limits to a maximum of 1.5 metres;
 - (ii) antennae, flagpoles and satellite dishes may project above the height limits to a maximum of 5.0 metres;
 - (iii) equipment used for the functional operation of the building including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents may project above the height limits to a maximum of 6.0 metres;
 - (iv) structures that enclose, screen or cover the equipment, structures and parts of a building listed in (iii) above, inclusive of a mechanical penthouse, may project above the height limits to a maximum of 6.0 metres;
 - (v) architectural features, parapets, elements and structures associated with a green roof, planters, bollards, fences, retaining walls, vents, landscaping

features, guard rails, and divider screens on a balcony and/or terrace by a maximum of 2.5 metres;

(vi) building maintenance units and window washing equipment, by a maximum of 5.5 metres;

(vii) trellises, pergolas, lighting fixtures and unenclosed structures providing safety or wind protection to rooftop amenity space, by a maximum of 3.5 metres; and

(viii) additional equipment and structures not identified in (i) to (vii) above that existed above the height of the "Existing Building" as shown on Diagram 3 as of September 1, 2019.

PARKING

(hh) Notwithstanding Section 6A(2), parking spaces shall be provided on the lot in accordance with the following:

- (i) 0.61 parking spaces per dwelling unit for residents;
 - (ii) 0.09 parking spaces per dwelling unit for residential visitors; and
 - (iii) 3 parking spaces for the Day Nursery use.
- (ii) Notwithstanding (hh) above, "car-share parking spaces" may replace parking spaces required for residents subject to the following:

(i) a reduction of four (4) resident parking spaces will be permitted for each "car-share parking space" provided that the maximum reduction permitted be capped by the application of the following formula:

i. four (4) multiplied by (total number of dwelling units divided by 60), rounded down to the nearest whole number.

(jj) Notwithstanding 6A(3), within the "Existing Building" a maximum of 20 parking spaces shall be subject to the following minimum dimensions:

- (i) length – 5.6 metres
- (ii) height – 2.0 metres
- (iii) width – 2.2 metres

(kk) If the total parking space requirement set out in (hh) above is 5 or more, clearly identified accessible parking spaces shall be provided on the lot, as follows:

- (i) if the number of required parking spaces is less than 13, a minimum of 1 accessible parking space shall be provided;
- (ii) if the number of required parking spaces is 13 to 100, a minimum of 1 accessible parking space for every 25 required parking spaces or part thereof; or

(iii) if the number of required parking spaces is more than 100, a minimum of 5 accessible parking spaces plus 1 accessible parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces.

(ll) An accessible parking space required by (kk) above, shall be subject to the following minimum dimensions:

(i) length – 5.6 metres;

(ii) height – 2.1 metres;

(iii) width – 3.4 metres; and

(iv) a 1.5 metre wide accessible barrier free aisle or path is required along the entire length of one side of an accessible parking space and such aisle or path may be shared by 2 accessible parking spaces.

(mm) Notwithstanding Section 6(A)5, a driveway within 4.5 metres of a lot line abutting a street, must have:

(i) a minimum width of 3.0 metres for each lane; and

(ii) a maximum width of 6.0 metres.

(nn) Notwithstanding Section 6(A)5, parking aisles leading to parking spaces within the “Existing Building” shall have a minimum width of 5.0 metres.

BICYCLE PARKING

(oo) A minimum of 0.68 bicycle parking spaces per dwelling unit shall be provided for the use of residents.

(pp) A minimum of 0.07 bicycle parking spaces per dwelling unit shall be provided for the use of visitors.

LOADING

(qq) The provisions of Sections 6A(16)(a) and 6A(16)(b) for loading shall not apply.

(rr) A minimum of one Type ‘G’ loading space shall be provided on the site.

DIVISION OF LANDS

(ss) Notwithstanding any severance, partition or division of the lands shown on Schedule “RM6(278)”, the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred

SECTION 37 AGREEMENT

(tt) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Schedule 1 in return for the provision by the

owner, at the owner's expense, of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

(uu) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

(vv) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

3. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding Schedule "RM6(278)" attached to this By-law.

4. Where the provisions of this By-law conflict with By-law 7625 of the former City of North York, the provisions of this By-law shall apply.

Enacted and passed on [month] [day], 2022.

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

(Seal of the City)

SCHEDULE A

Section 37 Provisions

Prior to the issuance of any Building Permit, the owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37 of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. Prior to issuance of the first above-grade permit, the owner shall convey a three metre (3.0 metre) wide strip of land along the southern property boundary having an area of 276 square metres to the satisfaction of the General Manager of Transportation Services and the Chief Planner and Executive Director, City Planning
2. Prior to issuance of the first above-grade permit, the owner shall pay to the City a cash contribution of Eight Hundred Thousand Dollars (\$800,000.00) (the "Cash Contribution") to the City to be allocated towards the construction of a Multi-Use Trail on the lands to be conveyed in Subsection 1, and capital community services and facilities in the vicinity of the lands to be allocated at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.
3. The cash contribution set out in Subsection 2 above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the Cash Contribution by the owner to the City.
4. In the event the Cash Contribution in Subsection 2 has not been used for the intended purpose within three (3) years of the By-law coming into full force and effect, the Cash Contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the Property.
5. The following matters are to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (A) the Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard (Version 3) and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the first submission of a Site Plan Control application.
 - (B) The owner shall continue to provide and maintain the one hundred and twenty-nine (129) existing rental dwelling units on the lands at 5950 Bathurst Street as rental

housing, together with the new and retained associated facilities and amenities of the existing residential rental property, for a period of at least twenty (20) years commencing from the date that the Zoning By-law Amendments come into force and effect, with no applications for demolition or conversion from residential rental use during such 20 year period, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

(C) The owner shall provide tenants of the 129 existing rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, including a provision of a new indoor pool, at no extra charge, and on the same terms and conditions as any other resident of the development, without the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

(D) The owner shall provide an acceptable tenant relocation and assistance plan for all Eligible Tenants of the fourteen (14) existing rental dwelling units proposed to be reconfigured at 5950 Bathurst Street, addressing the right to return to occupy one of the reconfigured rental dwelling units at similar rents and other assistance to mitigate hardship. The tenant relocation and assistance plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

(E) The owner shall provide, at its expense and at no cost to tenants, improvements to the existing rental housing, taking into account tenant feedback obtained through a tenant survey, to the satisfaction of, the Chief Planner and Executive Director, City Planning Division, as follows:

(i) Prior to the issuance of Notice of Approval Conditions for site plan approval:

(a) Submit a Construction Mitigation Strategy and Tenant Communication Plan to mitigate the impacts of construction on existing tenants, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

(ii) Prior to the first above-grade building permit for any part of the development:

(a) Undertake accessibility improvements within the existing rental building at 5950 Bathurst Street, including push button automatic door openers for all common doors and a clothes folding table which is universally accessible within the laundry room;

(b) Provide upgrades to the laundry room in the existing rental building at 5950 Bathurst Street;

(iii) Prior to first occupancy of any new residential units in the development:

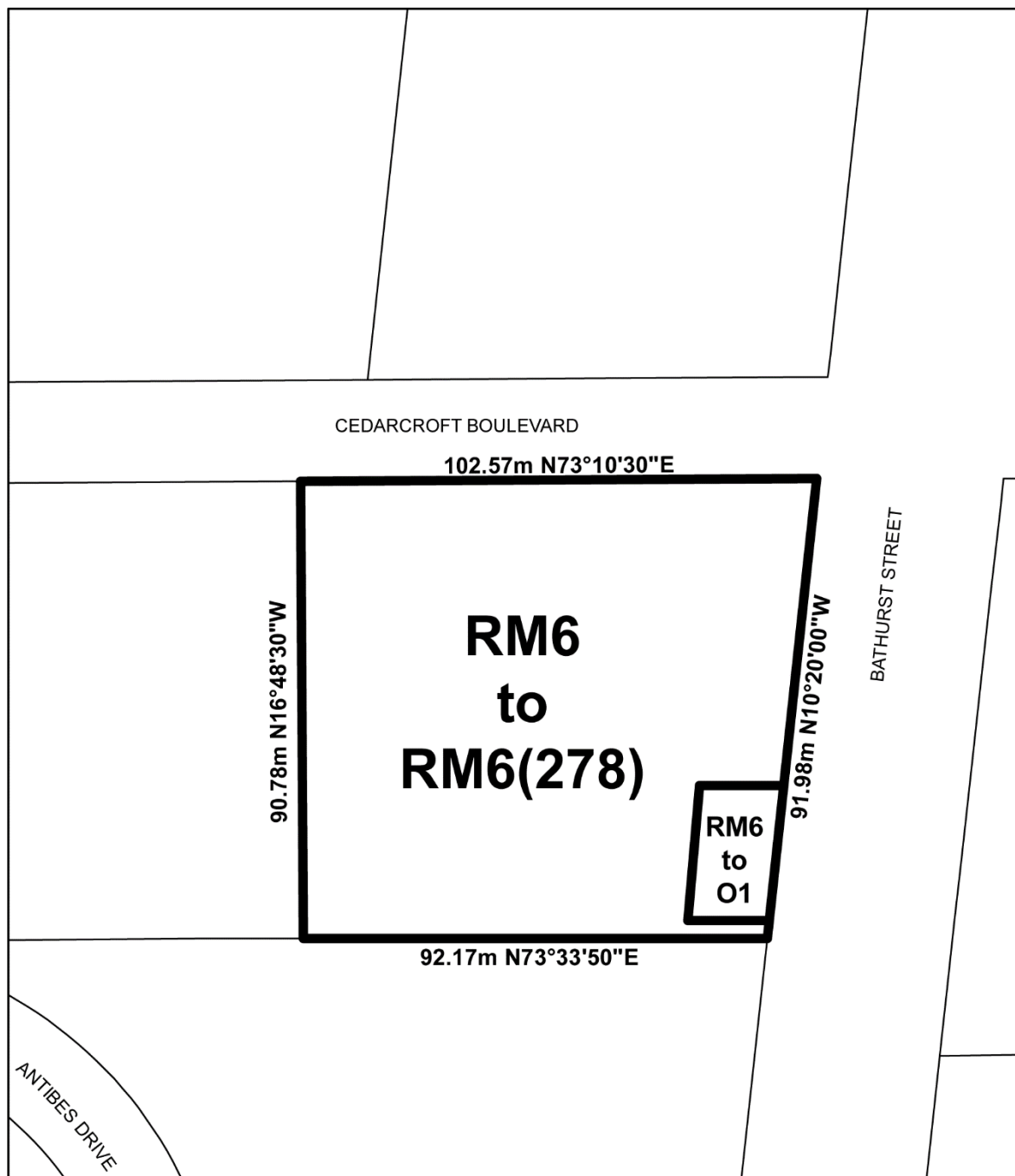
(a) Provide a consolidated waste management facilities in the new residential building, including indoor storage of garbage, recycling and composting;

(b) Provide tenant bicycle parking within the proposed development;

(F) The costs associated with the provision and maintenance of the rental housing improvements and Construction Mitigation and Tenant Communication Plan required in Recommendations 6.a through c. shall not be passed on to tenants of the existing building in any form. For clarity, the owner agrees it shall not apply to the Landlord and Tenant Board or to any successor tribunal with jurisdiction to hear applications made under the legislation governing residential tenancies in Ontario, for an above-guideline increase in rent to recover expenses incurred in completing the rental housing improvements;

(G) The owner shall provide a minimum of ten-percent of all new units in the proposed 16-storey building as three-bedroom units; and

(H) The owner shall provide a minimum of twenty-five-percent of all new units in the proposed 16-storey building as two-bedroom units.



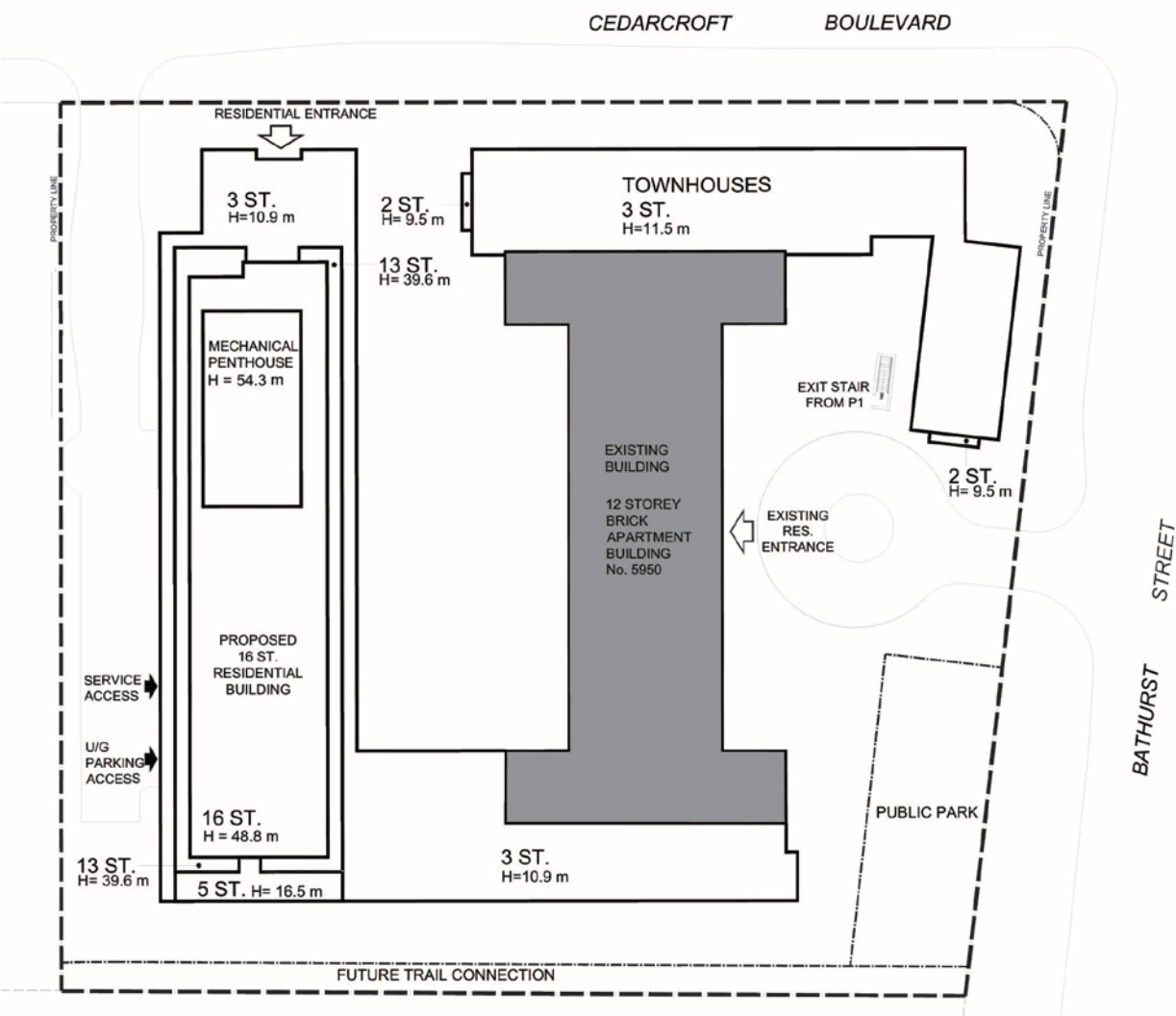
Toronto
Schedule 1

5950 Bathurst Street

File #: 19 229837 NNY 06 02


 City of Toronto By-law 569-2013
 Not to Scale
 05/10/2022

Attachment 8: Site Plan



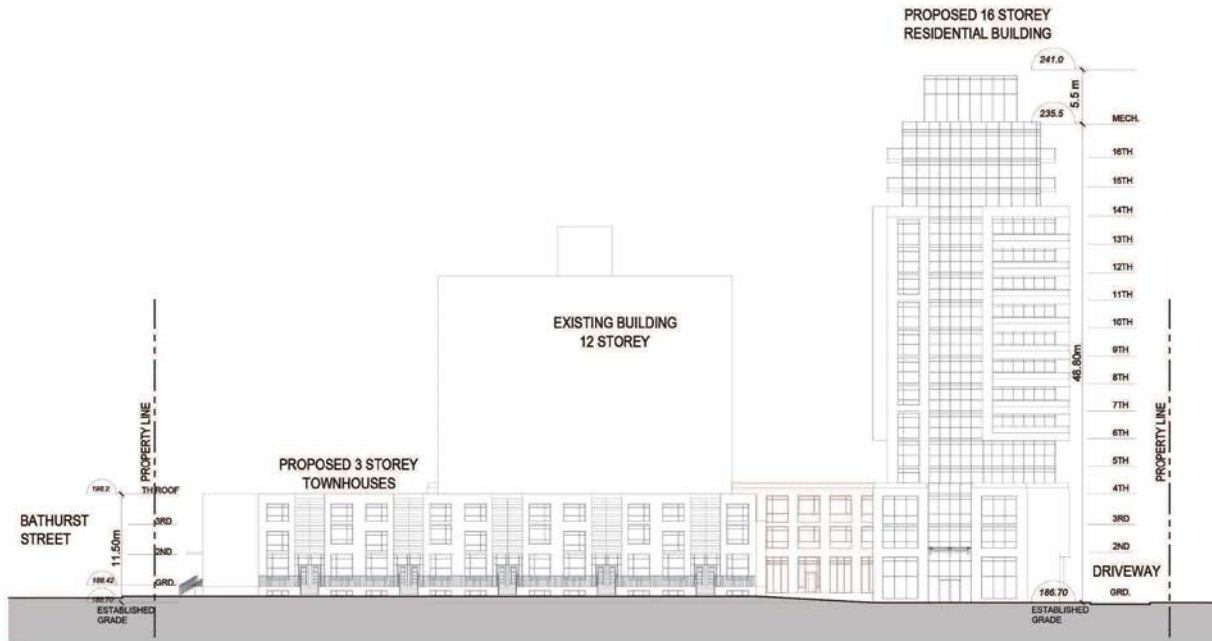
Site Plan



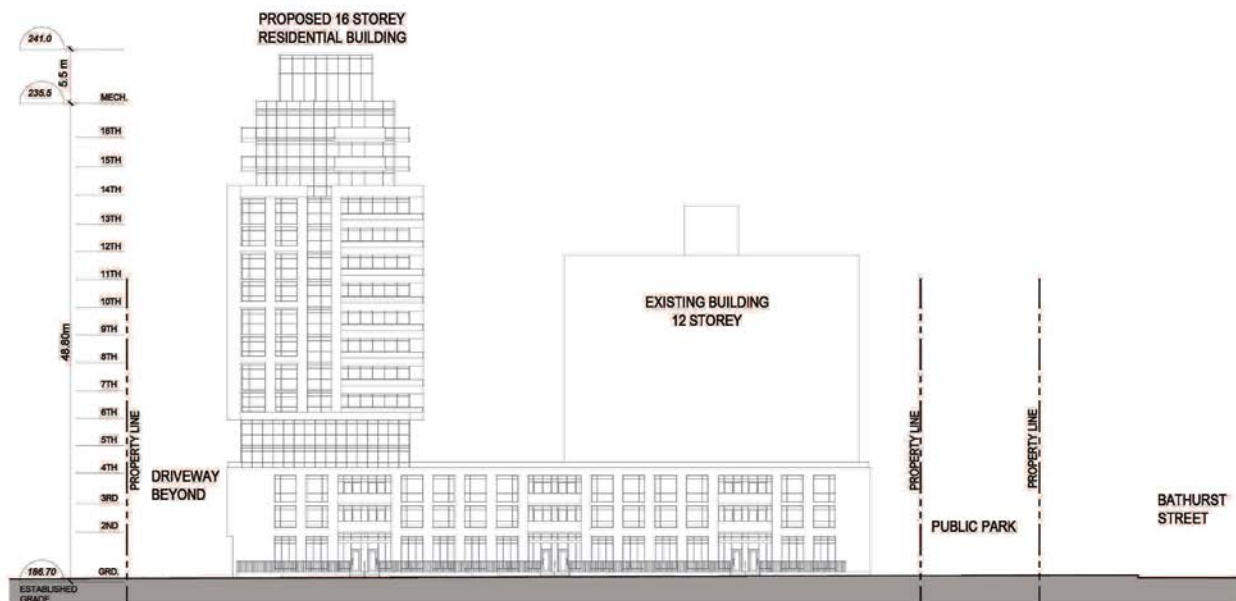
5950 Bathurst Street - Final Report



Attachment 10: North and South Elevations



North Elevation



South Elevation