

6035 Bathurst Street – Zoning By-law Amendment Application – Decision Report – Approval

Date: June 3, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 20 233478 NNY 18 OZ

Related Site Plan Application Number: 21 227502 NNY 18 SA

SUMMARY

This application proposes to amend the Zoning By-laws to permit a 12-storey (39.05 metres exclusive of mechanical) residential building at 6035 Bathurst Street with 205 dwelling units. The proposed building has a gross floor area (“GFA”) of 13,412 square metres, for a Floor Space Index (“FSI”) of 6.18.

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

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposed building is an appropriate scale for the site given the surrounding mid-rise and tall building context, as well as its location separated from *Neighbourhoods* lands by the Bathurst Lawn Memorial Park cemetery.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 6035 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
2. City Council amend former City of North York By-law No. 7625 for the lands at 6035 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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

The subject application was deemed complete as of January 5, 2021. The original proposal was for a 14-storey residential building with 220 units. A Preliminary Report on the application was considered by North York Community Council on April 20, 2021. North York Community Council referred the item back to staff for discussions with the applicant on how to make the application comply with applicable City planning standards. The Preliminary Report and decision can be viewed at the following link: [Agenda Item History - 2021.NY23.12 \(toronto.ca\)](#).

Following discussions with staff, the applicant agreed to reduce the proposed building height to 12-storeys. A supplementary Preliminary Report on the revised application was adopted by North York Community Council on June 23, 2021 authorizing staff to conduct a community consultation meeting. The Preliminary Report can be viewed at the following link: [Agenda Item History - 2021.NY25.14 \(toronto.ca\)](#).

Staff conducted a Community Consultation Meeting for the application on June 28, 2021. Community consultation is summarized in the Community Consultation section of this Report.

THE SITE

Description

The site is located on the east side of Bathurst Street, south of Steeles Avenue West. The site backs onto the Bathurst Lawn Memorial Park Cemetery and has approximately 30 metres of frontage on Bathurst Street.

Existing Use

The site is currently occupied by a one-storey Canada Post distribution centre that is being decommissioned.

Surrounding Land Uses

North: Directly to the north of the site is a 6-storey rental apartment building. Further to the north are 8-storey and 11-storey rental apartment buildings;

East: Bathurst Lawn Memorial Park Cemetery located directly to the east of the site;

South: A 2-storey commercial building with surface parking is located to the south of the site. Detached dwellings are located to the southwest; and

West: Multiple high-rise apartment buildings are located to the west of the site on the west side of Bathurst Street, including an OLT approved development consisting of a 26-storey residential building and two townhouse blocks (File Nos. 17 264641 NNY 10 OZ & 20 179871 NNY 06 SA).

THE APPLICATION

Description

The application proposes to amend the Zoning By-laws to permit a 12-storey (39.05 metres) residential building with a 9-storey (29.2 metres) podium at the Bathurst Street frontage, which has a total gross floor area of 13,412 square metres.

Density

The proposed density is 6.18 times the lot area.

Dwelling Units

The proposed building contains 205 units, including eight bachelor units (4 percent), 142 one-bedroom units (69 percent), 33 two-bedroom units (16 percent) and 22 three-bedroom units (11 percent).

Access, Parking and Loading

There is one proposed vehicular access from Bathurst Street on the north side of the proposed building. The development includes 116 parking spaces in three levels of underground parking, including 26 visitor parking spaces and two pick-up/drop-off spaces. At the ground floor, there is also space for pick-up/drop-off via a depressed curb adjacent the driveway. One Type G loading space is also provided on the ground floor. The development includes 181 bicycle parking spaces, including 18 visitor spaces.

Additional Information

See Attachments 1, 2, 3, 4 and 5 of this report for the Application Data Sheet, the Location Map, the existing Official Plan Land Use Map, and the existing Zoning By-law maps, respectively. See Attachment 8 for the Site Plan and Attachment 9 for the Elevations.

Reasons for Application

A Zoning By-law Amendment application is required to permit the proposed development under City-wide Zoning By-law 569-2013 and former City of North York By-law 7625. The application rezones the site to permit the proposed building type, height, setbacks, parking and other performance standards.

Site Plan Control

A Site Plan Control application (File No. 21 227502 NNY 18 SA) has been submitted and is currently under review.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Arborist Report;
- Community Services and Facilities Report;
- Energy Strategy Report;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Report;
- Hydrogeological Report;
- Noise Feasibility Study;
- Pedestrian Level Wind Assessment;
- Planning Rationale;
- Public Consultation Plan;
- Shadow Study; and
- Urban Transportation Considerations Report.

The submitted materials, including the reports listed above are available on the City's Application Information Centre: <https://www.toronto.ca/city-government/planning-development/application-details/?id=4858861&pid=396601>.

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. Comments are also being used in the evaluation of the Site Plan Control application.

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.

COMMUNITY CONSULTATION

Community Consultation

City Planning staff hosted a virtual community consultation meeting on June 28, 2021, which approximately 14 people attended including the former local Ward Councillor. At

the meeting, City Planning staff presented the planning policy framework and an overview of the application review process, and the applicant presented the development proposal. Concerns raised at the meeting related to:

- Proposed density;
- Overpopulation of the area;
- Affordability;
- School space and overcrowding;
- Traffic impacts; and
- Construction impacts on residents in the area.

The issues raised through community consultation have been considered through the review of the application.

POLICY CONSIDERATIONS

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (“PPS”), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”).

Toronto Official Plan

The site is currently designated *Apartment Neighbourhoods* in the City of Toronto Official Plan. See Attachment 3 of this report for the Official Plan Land Use Map. The Official Plan states 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. Development in *Apartment Neighbourhoods* is to provide a transition between areas of different development intensity and scale, such as transition to lower-scale *Neighbourhoods*.

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

Zoning

The site is currently zoned RD by City of Toronto By-law 569-2013, and R4 under Former City of North York By-law 7625. The existing zoning permits low-rise residential uses in the form of detached dwellings, duplexes, triplexes and fourplexes.

City-wide Zoning By-law 569-2013 can 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 have been used in the evaluation of this application:

- Mid-Rise Building Performance Standard and Addendum;
- Growing Up: Planning for Children in New Vertical Communities; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-unit Buildings.

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

Toronto Green Standard

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. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>.

COMMENTS

Provincial Policy Statement and Provincial Plans

City staff's review of this application has had regard for the relevant matters of provincial interest as set out in the *Planning Act*. The proposal was reviewed for consistency with the PPS and conformity the Growth Plan. The PPS and the Growth Plan encourage intensification and redevelopment in urban areas and direct planning authorities to identify appropriate locations for growth. Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS.

The site is located in an *Apartments Neighbourhoods* designation in the Official Plan. Although significant growth is not intended within developed *Apartment Neighbourhoods* on a city-wide basis, compatible infill development may be permitted, including on underutilized or vacant sites. The subject site can be considered an underutilized *Apartment Neighbourhoods* site with the ability to accommodate infill development that meets the development criteria of the Official Plan.

Land Use

This application has been reviewed against the Official Plan. The proposed residential use is permitted in *Apartment Neighbourhoods* and is compatible with surrounding land uses. The proposed land use conforms to the Official Plan.

Built Form, Height, Massing

This application has been reviewed against the Official Plan policies and design guidelines described in the Policy Considerations section of this Report. The Built Form policies in Section 3.1 of the Official Plan provide that new development should fit within its existing and planned contexts, and limit its impact on neighbourhood streets, parks, open spaces and nearby properties. The Official Plan development criteria for *Apartment Neighbourhoods* directs that new buildings should be located and massed to

provide transition between areas of different development intensity and scale, such as by providing setbacks from lower-scale *Neighbourhoods*.

The proposed 12-storey building has been massed to frame Bathurst Street with a 9-storey podium that steps up to 12-storeys toward the interior of the site. The proposed site driveway and outdoor at-grade amenity space is located in the side and rear yards, providing for a minimum setback of 5.5 metres from adjacent sites designated *Apartment Neighbourhoods* and *Other Open Space Areas*, with substantial separation from the closest *Neighbourhoods* sites given that the subject site does not border any lands designated *Neighbourhoods*. The proposed height and massing are appropriate and conform to the applicable policies of the Official Plan, especially given the site's location neighbouring an existing cemetery, mid-rise building and commercial use.

Unit Mix

Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide recommendations for the proportion and size of larger units in new multi-residential developments.

Guideline 2.1 of the Growing Up Guidelines states that a building should provide a minimum of 25 percent family-sized units, including 10 percent 3-bedroom units and 15 percent 2-bedroom units. The application proposes to provide 33 (16 percent) 2-bedroom units and 22 (11 percent) 3-bedroom units, which will be secured in the site-specific Zoning By-laws.

Traffic Impact, Access, Parking

Transportation Services staff accept the conclusions of the Urban Transportation Considerations Report submitted in support of the application to evaluate the parking, loading and vehicular trips generated by the proposal. The submitted study concludes that the existing traffic network can accommodate the proposed development without mitigation measures, except for signal phasing optimization at the intersection of Bathurst Street and Steeles Avenue West. The study also demonstrates that the proposed parking rate, access, loading space and pick-up drop-off spaces can appropriately accommodate the proposed development.

The proposal has been revised from its original form to include space at-grade for pick-up drop-off adjacent to the building lobby, in addition to two pick-up drop-off spaces on the first level of the underground parking. Aside from the pick-up drop-off spaces, the P1 level is comprised entirely of visitor parking spaces. A total of 26 visitor parking spaces are proposed, for a rate of 0.13 spaces per unit. Under Zoning By-law 569-2013, as amended by By-law 89-2022, the maximum amount of visitor parking permitted is 25 spaces.

Servicing

The applicant has submitted a Functional Servicing and Stormwater Management Report which concludes that there are no outstanding servicing concerns with respect to the proposed development that should prevent the proposed rezoning from proceeding.

Tree Preservation

The applicant submitted an Arborist Report and Tree Protection Plan in support of the application. The report identified five trees to be removed to accommodate the proposed development, and four trees to be removed due to poor condition. All other trees can be saved provided appropriate tree protection measures are installed prior to development. The application proposes multiple new tree plantings, particularly along the south property line and the Bathurst Street frontage. Urban Forestry staff do not object to the Zoning By-law Amendment application.

Amenity Space

The Built Form policies of the Official Plan state that new indoor and outdoor amenity spaces are to be provided as part of multi-unit residential developments and are to consider the needs of residents of all ages and abilities over time and throughout the year.

The application proposes 416 square metres of indoor amenity space (2.03 square metres per unit) and 442 square metres of outdoor amenity space (2.15 square metres per unit), which meets the requirements of 2.0 square metres of indoor amenity and 2.0 square metres of outdoor amenity space per unit. The indoor and outdoor amenity space ratios will be secured in the site-specific Zoning By-laws.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The development site is currently in an area with 4 - 12 square metres of parkland per person, which is less than the City-wide average provision of 28 square metres of parkland per person. In accordance with Section 42 of the *Planning Act*, the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

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 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan and the City of Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Growth Plan. Furthermore, the proposal conforms to the Official Plan, particularly as it relates to development in *Apartment Neighbourhoods*. Staff worked with the applicant to address and resolve concerns around building massing, impact on the surrounding neighbourhood, site design, servicing and parking. Staff recommend 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 569-2013 Map
- Attachment 5: Existing Zoning By-law 7625 Map
- Attachment 6: Draft Zoning By-law 569-2013 Amendment
- Attachment 7: Draft Zoning By-law 7625 Amendment

Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 6035 BATHURST ST **Date Received:** December 23, 2020

Application Number: 20 233478 NNY 18 OZ

Application Type: Rezoning

Project Description: A 12-storey residential apartment building. The proposal would contain a total of 205 residential units and 13,412 m2 of residential gross floor area with a Floor Space Index (FSI) of 6.18.

| | | | |
|------------------|--------------|------------------|---------------------------------|
| Applicant | Agent | Architect | Owner |
| MORGAN DUNDAS | | | 6035 BATHURST STREET LIMITED |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|--|--------------------------|---|
| Official Plan Designation: | Apartment Neighbourhood RD (f15.0; a550) (x5) | Site Specific Provision: | N |
| Zoning: | | Heritage Designation: | N |
| Height Limit (m): | 10 | Site Plan Control Area: | Y |

PROJECT INFORMATION

Site Area (sq m): 2,170 Frontage (m): 23 Depth (m): 79

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|------------|----------|---------------|---------------|
| Ground Floor Area (sq m): | 658 | 0 | 1,125 | 1,125 |
| Residential GFA (sq m): | | | 13,412 | 13,412 |
| Non-Residential GFA (sq m): | 658 | 0 | 0 | 0 |
| Total GFA (sq m): | 658 | 0 | 13,412 | 13,412 |
| Height - Storeys: | 1 | | 12 | 12 |
| Height - Metres: | | | 39 | 39 |

Lot Coverage Ratio (%): 51.84 Floor Space Index: 6.18

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|--------------------------|--------------------|--------------------|
| Residential GFA: | 13,012 | 400 |
| Retail GFA: | | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--|-----------------|-----------------|-----------------|--------------|
| Rental: | | | | |
| Freehold: | | | | |
| Condominium: | | | 205 | 205 |
| Other: | | | | |
| Total Units: | 0 | 0 | 205 | 205 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|--------------|-----------------|------------------|------------------|-------------------|
| Retained: | | | | | |
| Proposed: | | 8 | 142 | 33 | 22 |
| Total Units: | | 8 | 142 | 33 | 22 |

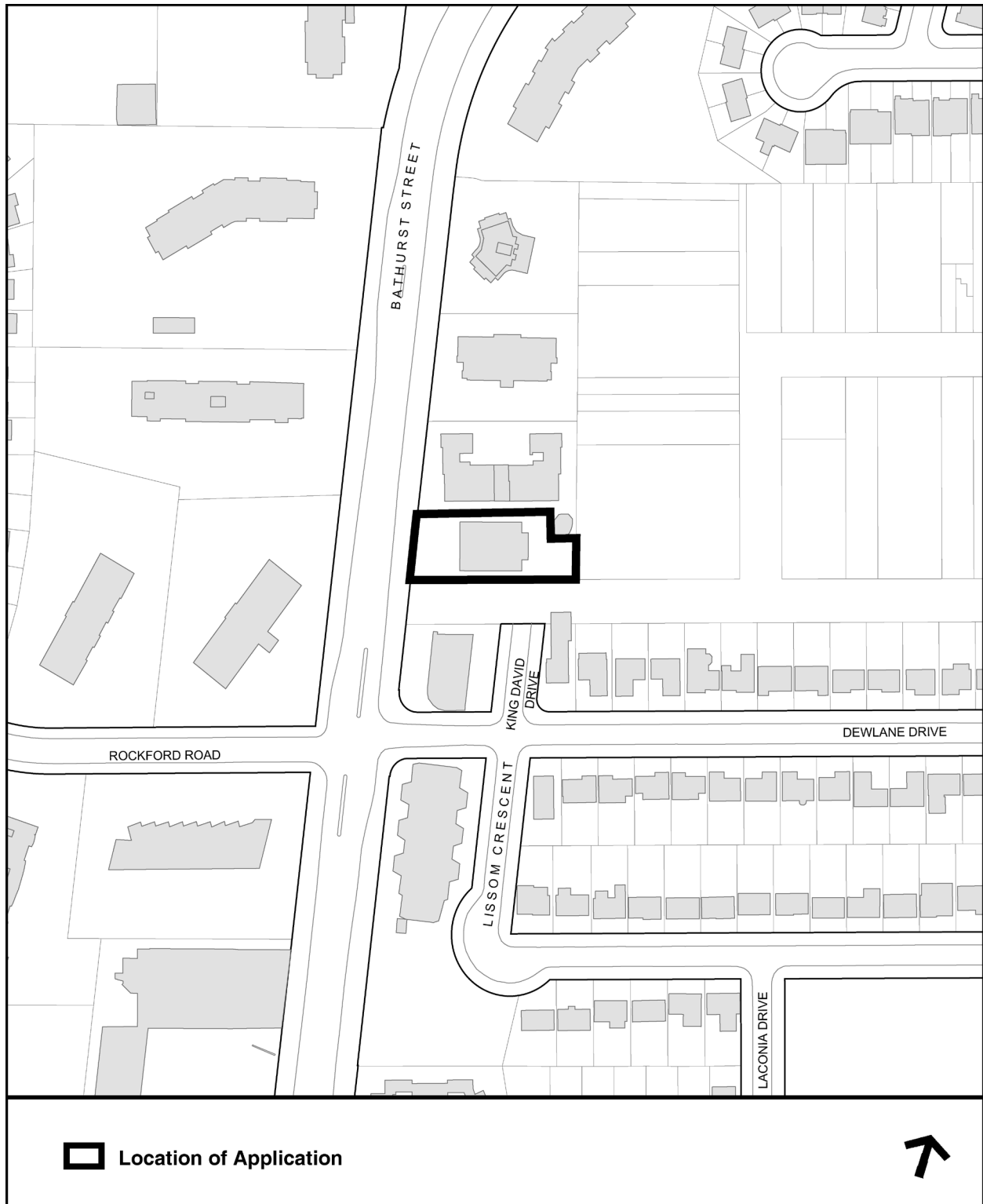
Parking and Loading

Parking Spaces: 116 Bicycle Parking Spaces: 181 Loading Docks: 1

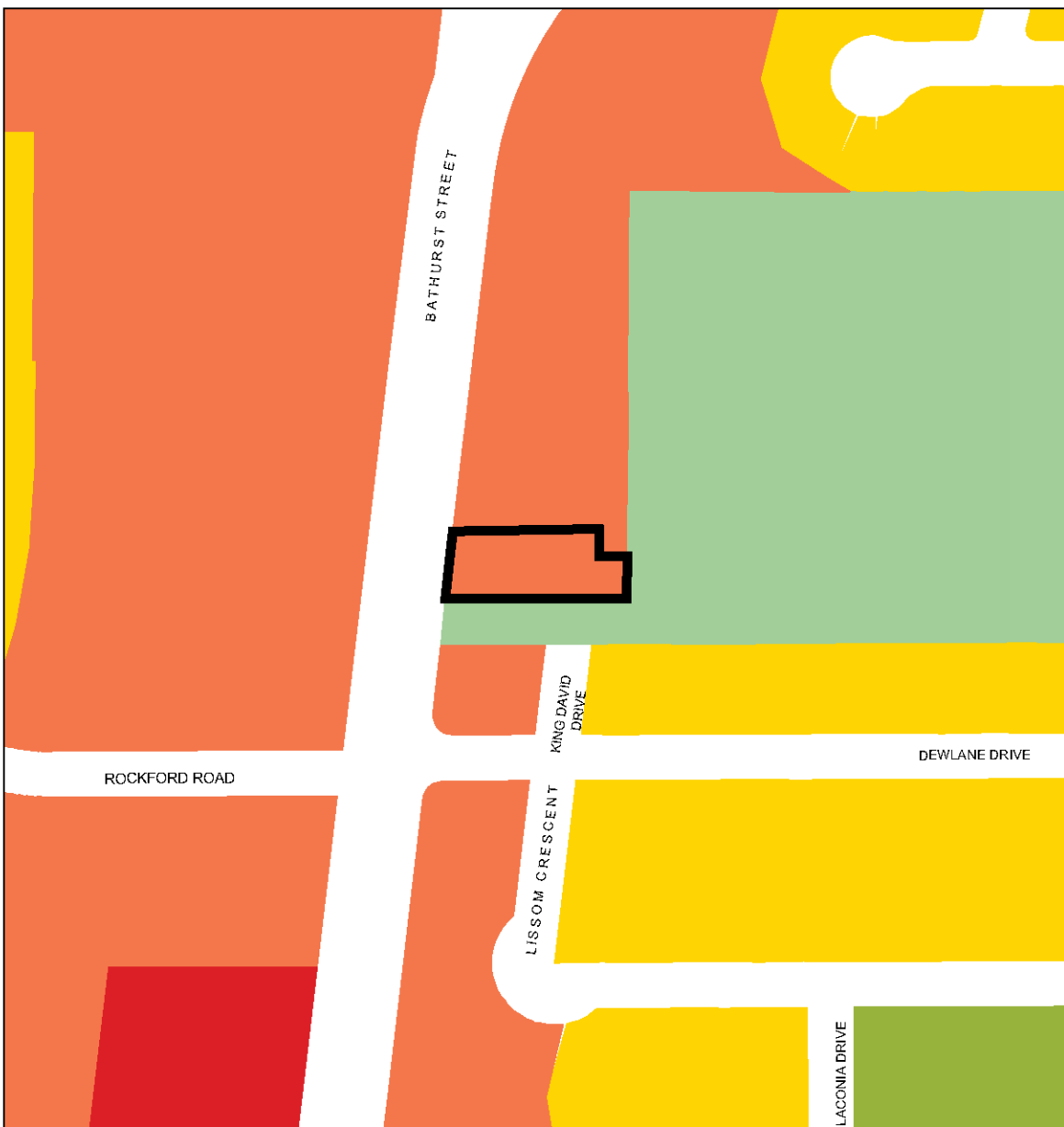
CONTACT:

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(416) 396-5570
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Attachment 2: Location Map

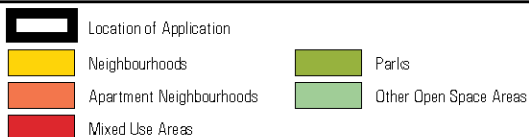


Attachment 3: Official Plan Land Use Map



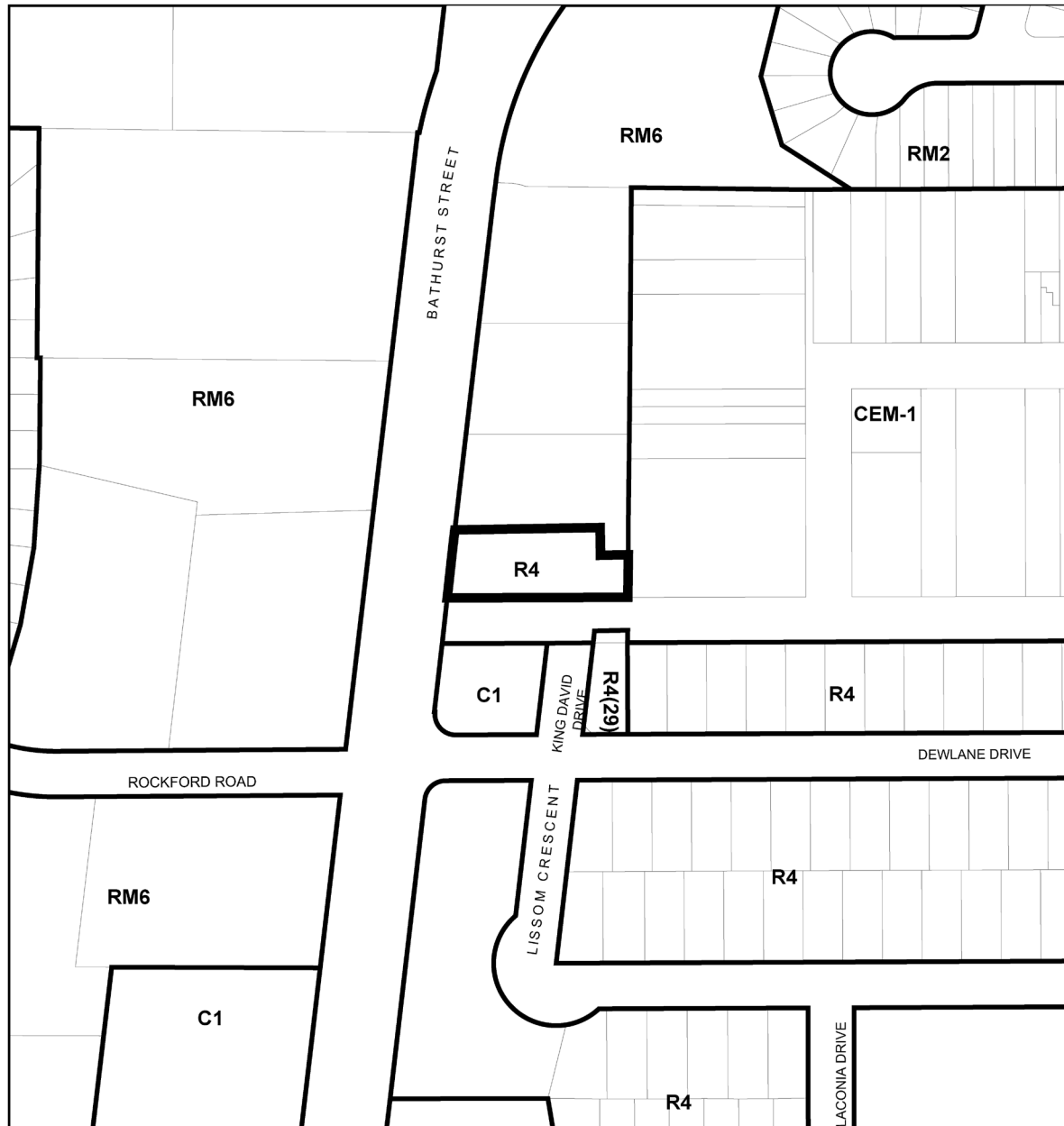
Official Plan Land Use Map #16

6035 Bathurst Street
File # 20 233478 NNY OZ



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Not to Scale
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Attachment 4: Existing Zoning By-law 569-2013 Map



Zoning By-law 7625

6035 Bathurst Street

File # 20 233478 NNY OZ



Location of Application

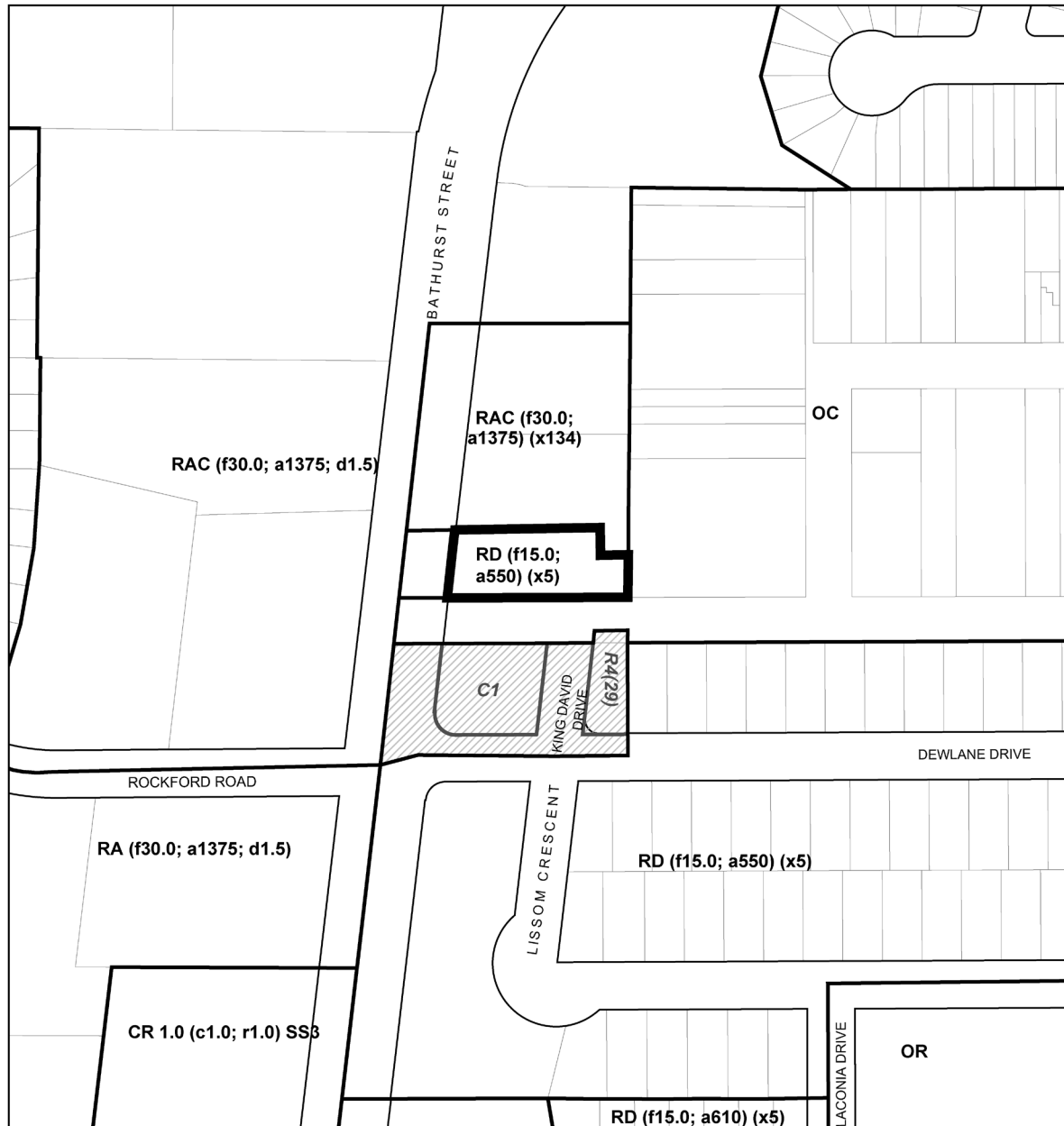
- R4** One-Family Detached Dwelling Fourth Density Zone
- R7** One-Family Detached Dwelling Seventh Density Zone
- RM1** Multiple-Family Dwellings First Density Zone
- RM2** Multiple-Family Dwellings Second Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- C1** General Commercial Zone

CEM-1 General Cemetery Zone



Not to Scale
Extracted: 03/04/2021

Attachment 5: Existing Zoning By-law 7625 Map



Zoning By-law 569-2013

6035 Bathurst Street

File # 20 233478 NNY OZ



Location of Application

RD Residential Detached
RT Residential Townhouse
RM Residential Multiple
RA Residential Apartment
RAC Residential Apartment Commercial
CR Commercial Residential

OR Open Space Recreation
OC Open Space Cemetery



See Former City of North York By-law No. 7625
R4 One-Family Detached Dwelling Fourth Density Zone
C1 General Commercial Zone

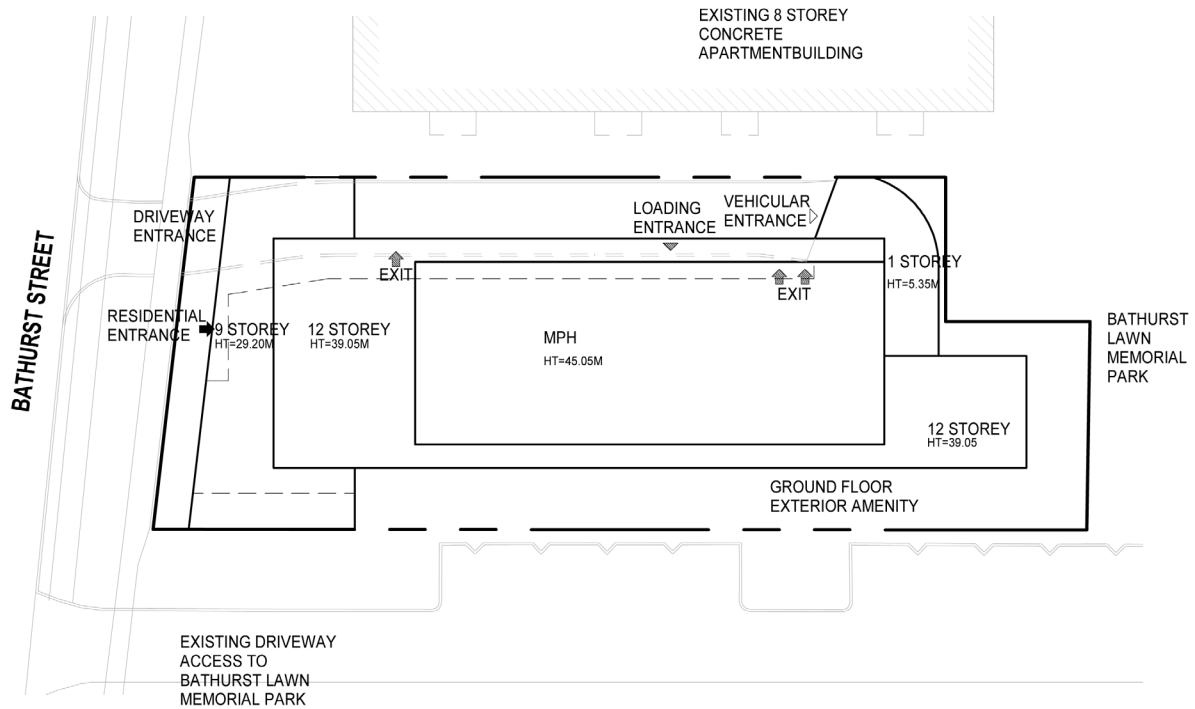


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Attachment 6: Draft Zoning By-law 569-2013 Amendment
(provided as separate attachment)

Attachment 7: Draft Zoning By-law 7625 Amendment
(provided as separate attachment)

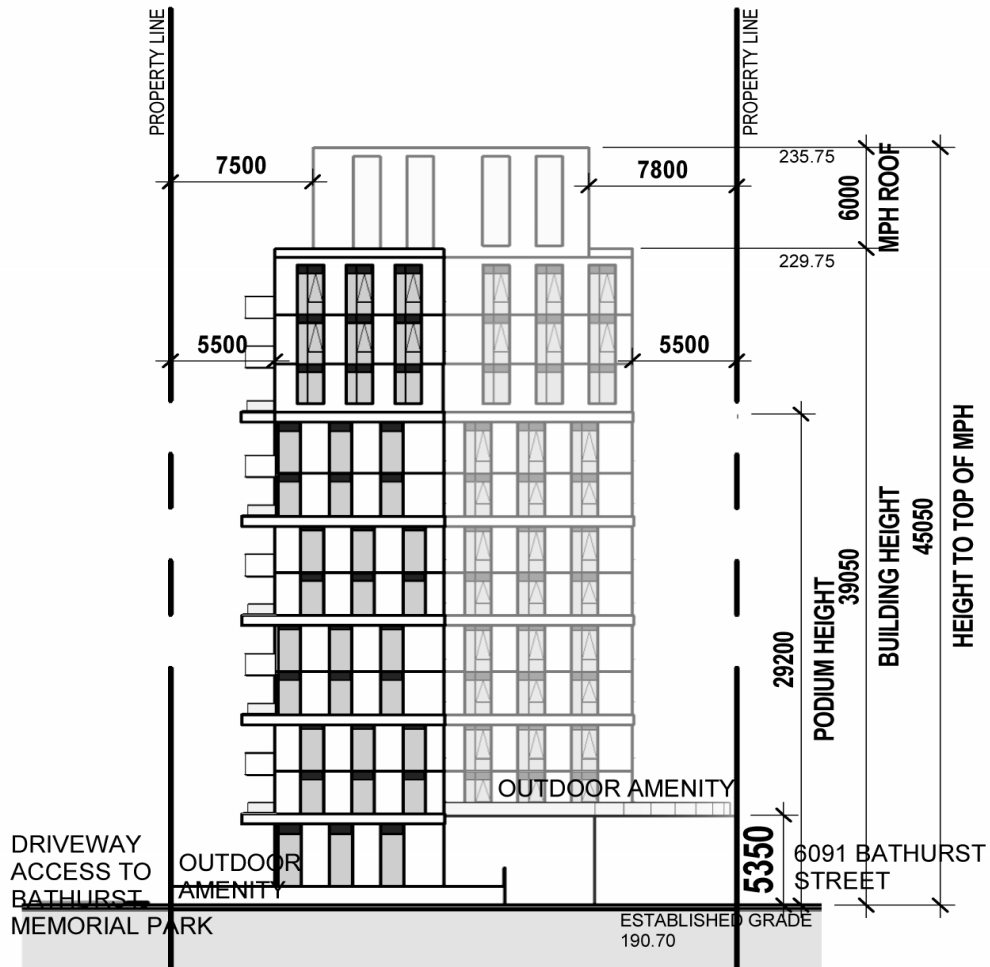
Attachment 8: Site Plan



Site Plan



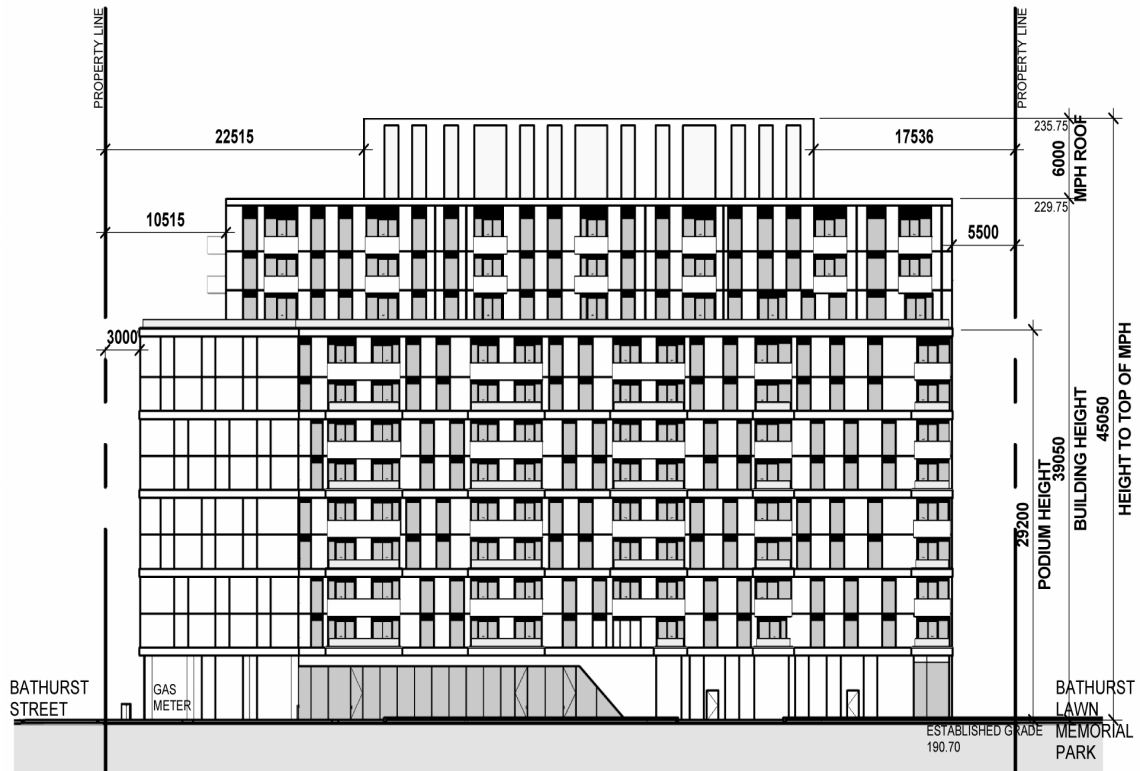
Attachment 9: Elevations



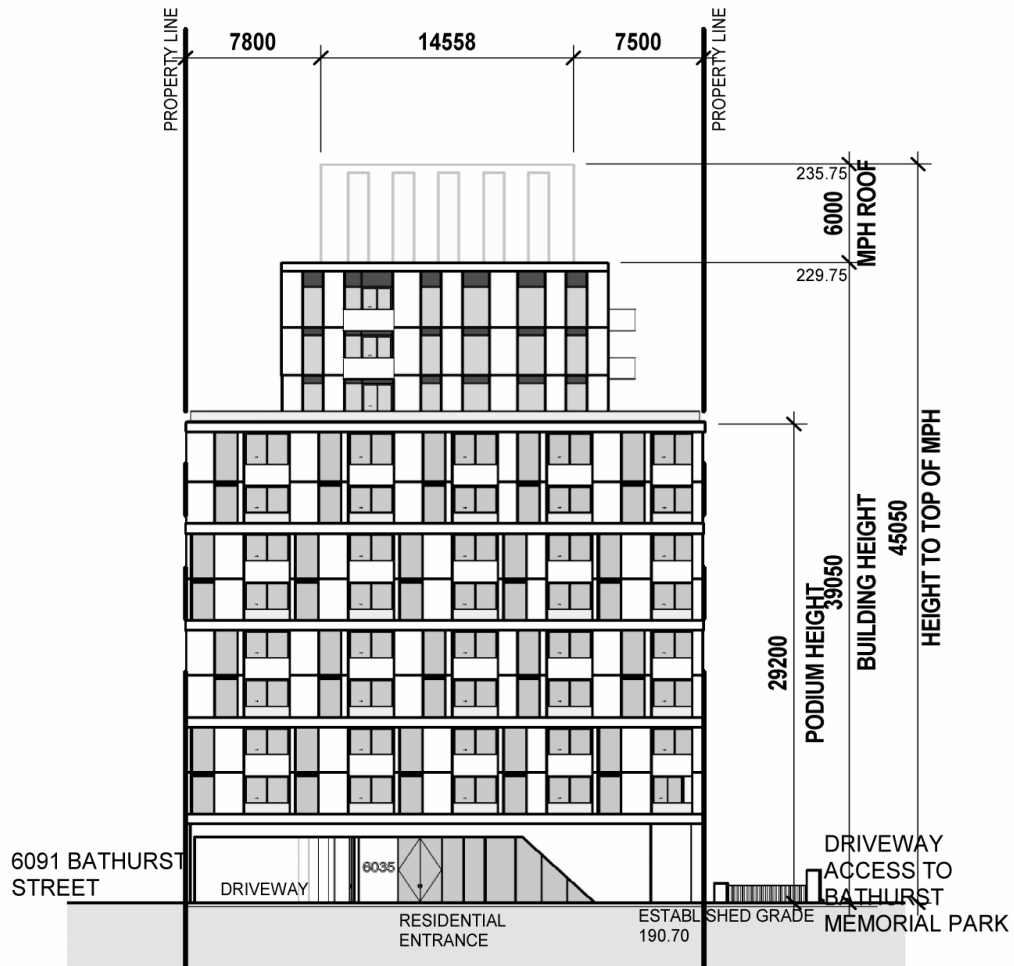
East Elevation



North Elevation



South Elevation



West Elevation