

914 Bathurst Street – Official Plan and Zoning By-law Amendment Application – Decision Report - Approval

Date: January 8, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 11 - University-Rosedale

Planning Application Number: 22 191848 STE 11 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 12-storey mixed-use building with 155 dwelling units and a minimum of 30 square metres of commercial space on the ground floor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 914 Bathurst Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 914 Bathurst Street in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council requires the owner to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are 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.

THE SITE

Description: The site is rectangular and has an approximate area of 1,532 square metres, with a frontage of 40 metres on Bathurst Street, 36.5 metres on Barton Avenue, and 40 metres on Old Crookshank Lane.

Existing Use: A vacant 7-storey building, previously occupied by a long term care home which ceased operations in 2021.

THE APPLICATION

Description: A 12-storey (39.4 metres, excluding mechanical penthouse) mixed use building.

Density: 7.29 times the area of the lot.

Non-Residential: A minimum of 30 square metres, and a maximum of 282 square metres of non-residential gross floor area at grade, intended to be a micro retail unit.

Dwelling Units: 155 dwelling units, including 93 one-bedroom (60%), 46 two-bedroom (30%), and 13 three-bedroom (10%) units.

Parking and Loading: A total of 80 parking spaces and 1 Type-G loading space are proposed. Vehicular access is from Old Crookshank Lane.

Additional Information: See Attachments 1, 2, 7, and 9 of this report for the Application Data Sheet, project in context, a site plan of the proposal, and three-dimensional representation, respectively. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre.

Revisions: The current proposal incorporates numerous revisions from the original application as summarized below:

- Increased setback to centre line of lane from 4.51 to 5.15 metres;
- Old Crookshank Lane widened to 6 metres along western edge of property;
- Increased stepbacks on west side of development and simplified building massing;
- Ground floor residential units relocated from Bathurst Street to Barton Avenue;
- Retail added to corner of proposal at Bathurst Street and Barton Avenue;

- Balconies removed from lower floors along Old Crookshank Lane and Bathurst Street; and
- Height increased from 10 to 12 storeys.

Reason for the Application: The Official Plan Amendment application is required to amend Site and Area Specific Policy 465 to permit the proposed height and built form.

The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including: height; massing; and density.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: 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, and shall conform to provincial plans.

Official Plan: *Mixed Use Area*. See Attachment 3 of this report for the Official Plan Land Use Map.

Site and Area Specific Policy (SASP) 465: The Seaton Village-West Annex Character Area permits a maximum building height of 4-storeys to allow for a modest built form that is in keeping with the prevailing local, fine grain, low scale character of Bathurst Street. Section 8.1 of SASP 465 states that the existing building at 914 Bathurst Street does not reflect the prevailing character of the area and should not be considered a precedent for development along Bathurst Street.

Zoning: The site is zoned CR 2.5 (c1.0; r2.5) SS2 (x1571) under Zoning By-law 569-2013, which permits a range of commercial and residential uses. The maximum permitted height is 12 metres, and the maximum permitted density is 3.0 times the area of the lot. See Attachment 4 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Mid-Rise Building Design Guidelines; and
- Growing Up Guidelines Planning for Children in New Vertical Communities.

The City's Design Guidelines can be found here:

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

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City staff on December 8, 2021. Approximately 37 people participated, as well as the Ward Councillor at that time. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- concerns about servicing and parking accessed via Old Crookshank Lane;
- lack of retail and activation on the ground floor;
- fit with existing built form, including transition to neighbourhoods; and
- concerns about construction impacts.

An additional consultation with residents immediately adjacent to the development was held on January 12, 2023. City staff, along with a representative from the Councillors office conducted a site walk with approximately 5 residents from the surrounding area. The following comments and issues were discussed:

- concerns about the proposed width of Old Crookshank Lane and the impact of additional services and traffic;
- concerns about the amount of parking proposed;
- appropriateness of demolishing instead of re-using the existing structure; and
- concerns about the privacy impact on backyards adjacent to the proposed building.

A follow-up meeting with the Seaton Village Residents Association and the 914 Bathurst Street Working Group was held on July 13, 2023 where many of the issues listed above were discussed with city staff and representatives from the development group.

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

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcasted live over the internet and recorded for review.

COMMENTS

Provincial Land-Use Policies

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for

consistency with the Provincial Policy Statement, and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Land Use and Residential Unit Mix

The proposal includes a micro retail unit with a minimum of 30 square metres of non-residential gross floor area intended to animate the Bathurst Street frontage. A maximum non-residential gross floor area has been included in the Zoning By-law to allow for the potential expansion of retail along the Bathurst Street frontage.

Planning staff are satisfied with the proposed unit mix. The proposed development exceeds the requirements in the Growing Up Guidelines. The 155 residential units consist of 46 two-bedroom (30%), and 13 three-bedroom (10%) units.

Public Realm

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan. A total of two new street trees are proposed on Bathurst Street, along with an additional three trees on Barton Avenue.

The proposed building is set back approximately 6.5 metres from the curb along the Barton Avenue frontage, providing space for a 2.1-metre pedestrian clearway and expanded public realm to accommodate street trees, benches, and planters. A 4.7-metre setback on the Bathurst Street frontage allows for a 2.5-metre pedestrian clearway, space for street trees, and a relocated TTC shelter. An additional 2.5-metre by 3-metre setback at the south-east corner of the proposed building provides additional public realm space at the corner of Barton Avenue and Bathurst Street.

Built Form

City Planning staff are satisfied with the built form and massing of the proposed building, which meets the intent of the mid-rise design guidelines. An amendment to SASP 465 has been put forward to permit the proposed height and built form.

The base of the proposed building has been massed to respond to the planned context surrounding the site and is appropriate for the site. On Bathurst Street the base building has a height of 5-storeys with a 3 metre stepback above the fifth floor. On Barton Avenue the base building height drops to 4-storeys at the west end of the site, to transition to the adjacent Neighbourhood.

The proposed building provides appropriate transition in scale through setbacks and stepping down in height to the adjacent low-rise Neighbourhood. The Mid-Rise Design Guidelines call for a 7.5-metre separation distance to adjacent Neighbourhoods. The proposal provides a separation of approximately 10.0 metres from the Neighbourhood to the west. The west side of the building includes a 3-metre stepback above the 4th-storey, and an additional 6-metre stepback at the 9th-storey providing additional separation and transition to Neighbourhoods.

The north side of the building is set back 0.6 metres from the property line, with the first 8-storeys designed as a blank wall extending to this point. A 5.5 metre step back at the 9th-storey provides proper separation in the event that the property to the north is redeveloped in the future and allows for the upper storeys of the building to have windows and access to light from the north.

Shadow Impact

The shadow impacts resulting from the proposal are acceptable. The proposal adequately limits shadow impacts on Neighbourhoods and parks, particularly during the spring and fall equinoxes.

The applicant-submitted shadow studies show the extent of the shadow from the proposed building on the spring and fall equinox (March 21 and September 21) and the summer solstice (June 21). The shadow impact on St. Albans Square Park is adequately limited to one hour during the spring and fall equinox, with no impact during the summer solstice.

Wind Impact

A Pedestrian Level Wind Study reflecting the proposed building was submitted in support of the application. The study indicates that all areas at grade will be suitable for their intended uses throughout the year and no pedestrian areas surrounding the subject site at grade level will experience conditions that could be considered dangerous.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

Open Space/Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Lane Widening

Land and Property Surveys staff have determined that additional lands are required for right-of-way purposes to satisfy the Official Plan requirements for public rights-of-way abutting the site. Staff have requested the applicant provide a 1.22 metre strip of land at the west end of the property to be conveyed to the City for required lane widening. The applicant has provided a 0.72 metre strip of land as a conveyance, and staff are accepting the additional 0.50 metres as a stratified conveyance to satisfy the full 1.22 metre widening requirement.

Traffic Impact, Access, Parking

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Vehicular access for loading and parking will be from Old Crookshank Lane, accessed from Barton Avenue. A total of 73 parking spaces are proposed for residents, 6 parking spaces are proposed for visitors, and one space proposed for car-share.

Transportation Services staff have reviewed the Transportation Impact Study and accepted its conclusions.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review, and requires the owner to enter into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required.

Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan approval process.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, local schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site specific Zoning By-law, and future site plan agreement, will secure performance measures for various development features, including, but not limited to, the following:

- A total of 184 bicycle parking spaces; and
- Two new street trees on Bathurst Street, and three new street trees with additional soft landscaping on Barton Avenue.

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.

CONTACT

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SIGNATURE



Oren Tamir
Director, Community Planning
Toronto and East 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
Attachment 5: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan
Attachment 8: Elevations
Attachment 9: 3D Model of Proposal in Context

Attachment 1: Application Data Sheet

Municipal Address: 914 Bathurst Street Date Received: August 17, 2022

Application Number: 22 191848 STE 11 OZ

Application Type: OPA & Rezoning

Project Description: a 12-storey (39.4 metre) residential building, containing 155 residential units.

Applicant	Architect	Owner
Stafford Bathurst Inc	Turner Fleischer Architects	601092 Ontario Limited

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: Site and Area Specific Policy 465 (SASP 465).

Zoning: CR 2.5 (c1.0; r2.5) SS2 (x1571) Heritage Designation:

Height Limit (m): 12 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 1,532 Frontage (m): 40 Depth (m): 38

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	410		1,143	1,143
Residential GFA (sq m):			11,151	11,151
Non-Residential GFA (sq m):	4,624		34	34
Total GFA (sq m):	4,624		11,185	11,185
Height - Storeys:	7		12	12
Height - Metres:			32	32

Lot Coverage Ratio (%): 74.61 Floor Space Index: 7.3

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	10,911	240
Retail GFA:	34	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			155	155
Other:				
Total Units:			155	155

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			93	46	16
Total Units:			93	46	16

Parking and Loading

Parking Spaces:	80	Bicycle Parking Spaces:	184	Loading Docks:	1
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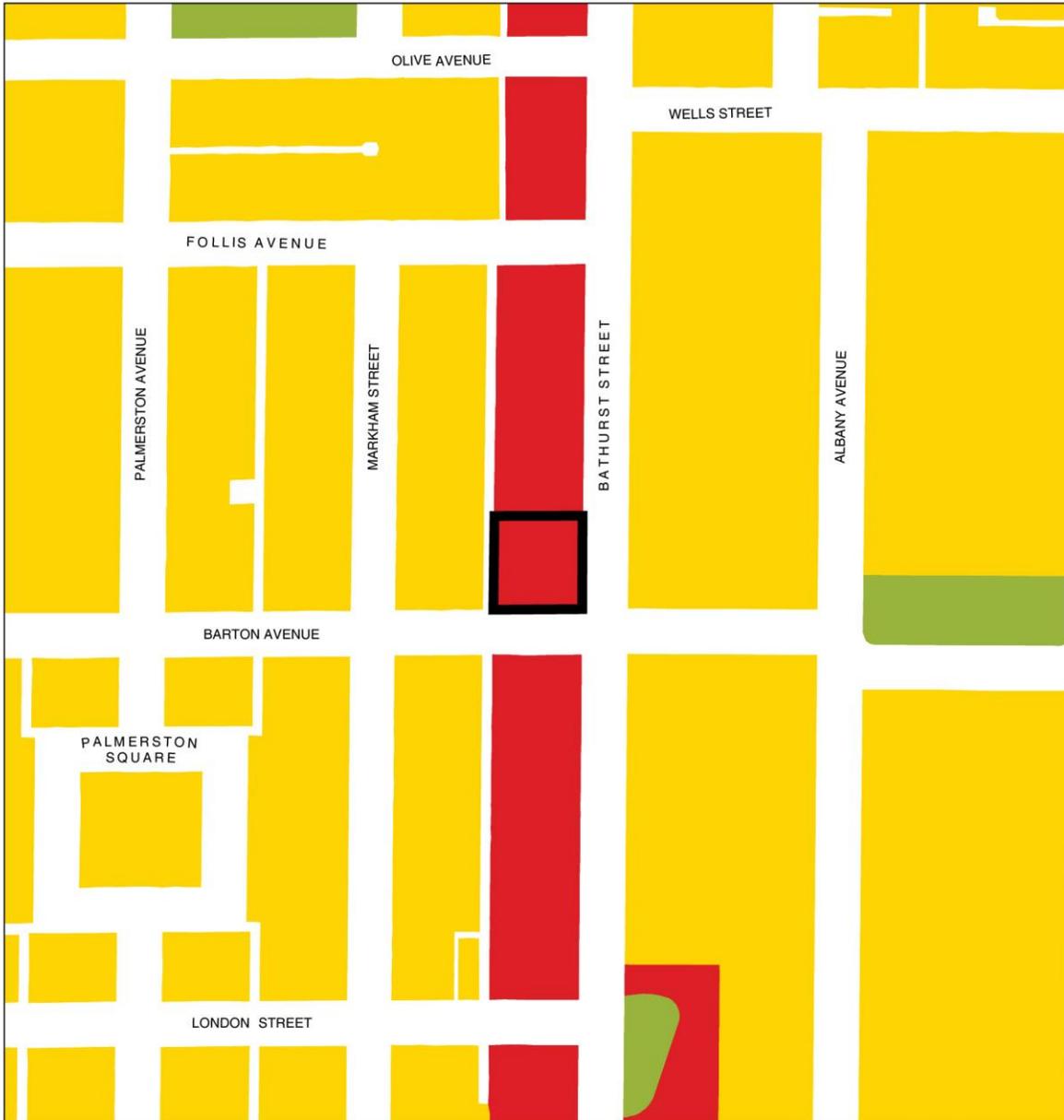
CONTACT:

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Chris.Pereira@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

914 Bathurst Street
File # 22 191848 STE 11 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks


 Not to Scale
 Extracted: 08/22/2022

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

914 Bathurst Street

File # 22 191848 STE 11 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- OR** Open Space Recreation

-  See Former City of Toronto By-law No. 438-86
- R2** Residential District
- MCR** Mixed-Use District


 Not to Scale
 Extracted: 08/22/2022

Attachment 5: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2022, as
914 Bathurst Street**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 704 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

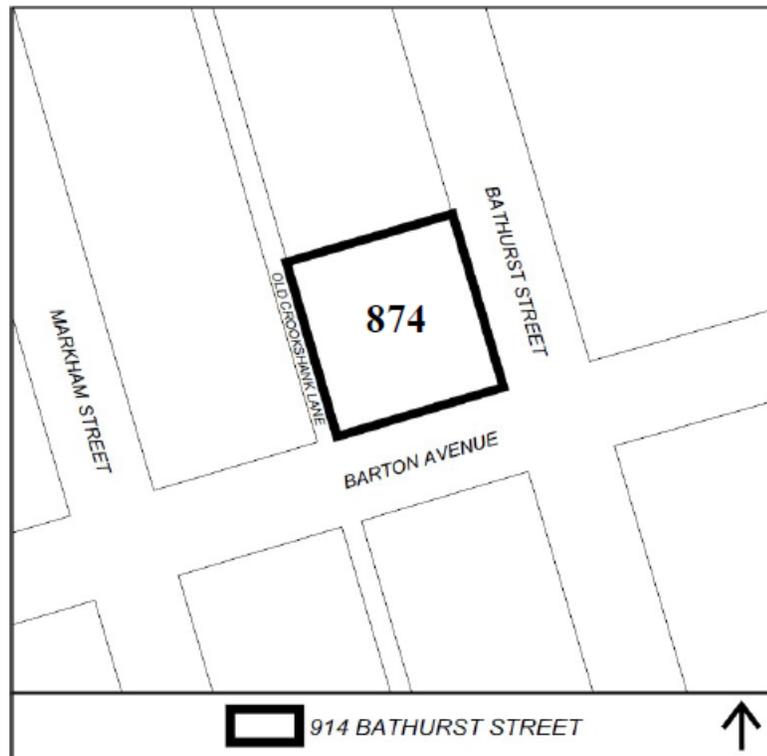
AMENDMENT NO. 704 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS
914 BATHURST STREET

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 874 for lands known municipally in 2022 as 914 Bathurst Street, as follows:

874. 914 Bathurst Street

For the lands outlined in black below, the maximum permitted height for the building is 43.96 metres to the top of the mechanical penthouse roof.

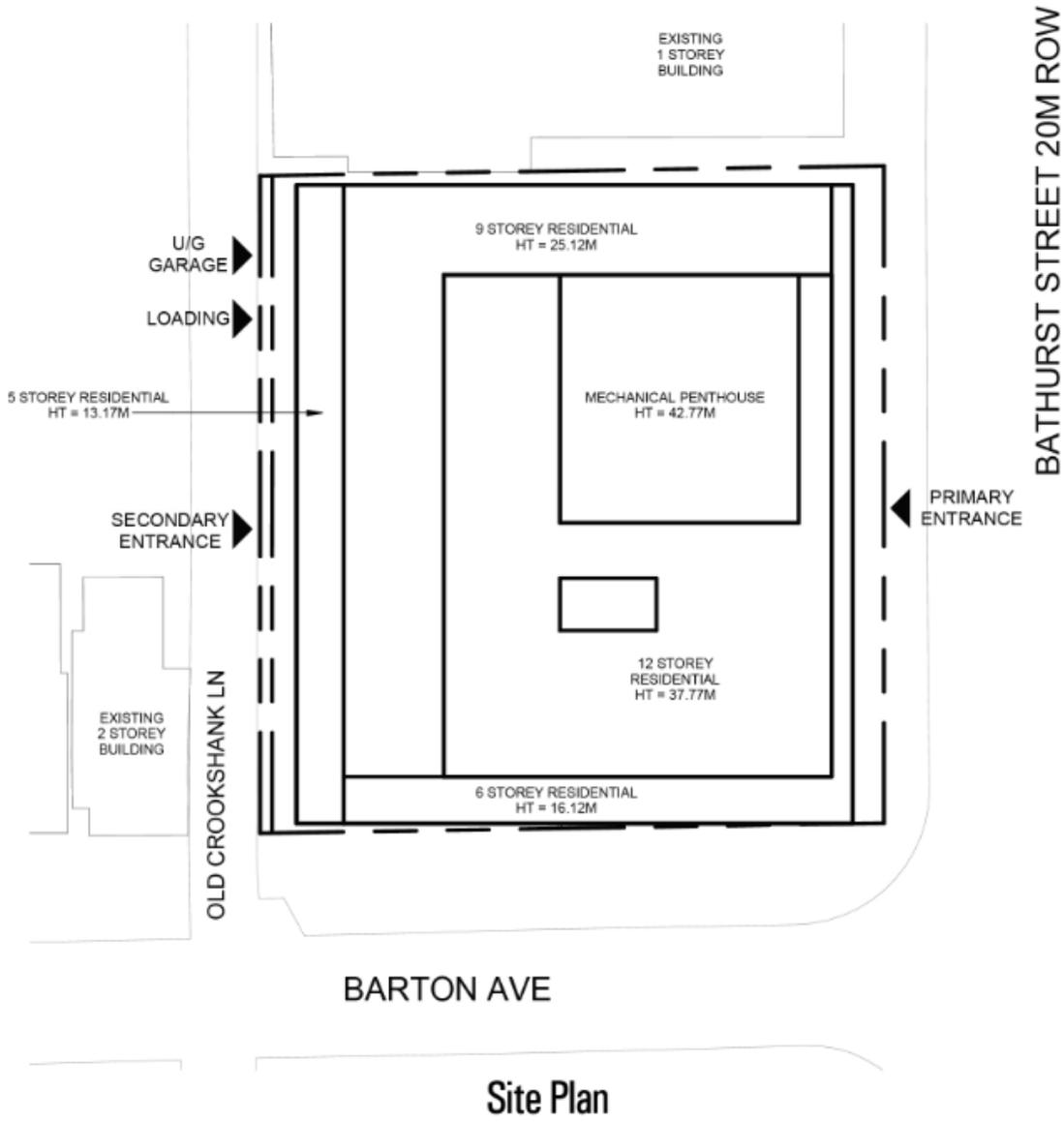


2. Chapter 7, Map 28, Site and Area Specific Policies, is revised to add the lands known municipally in 2022, as 914 Bathurst Street shown on the map above as Site and Area Specific Policy No. 874.

Attachment 6: Draft Zoning By-law Amendment

The draft by-law amendment will be made available on or before the January 24, 2024, Toronto and East York Community Council meeting.

Attachment 7: Site Plan



Attachment 8: Elevations

TO Mechanical 42.77m

TO 12 FL 37.77m



East Elevation

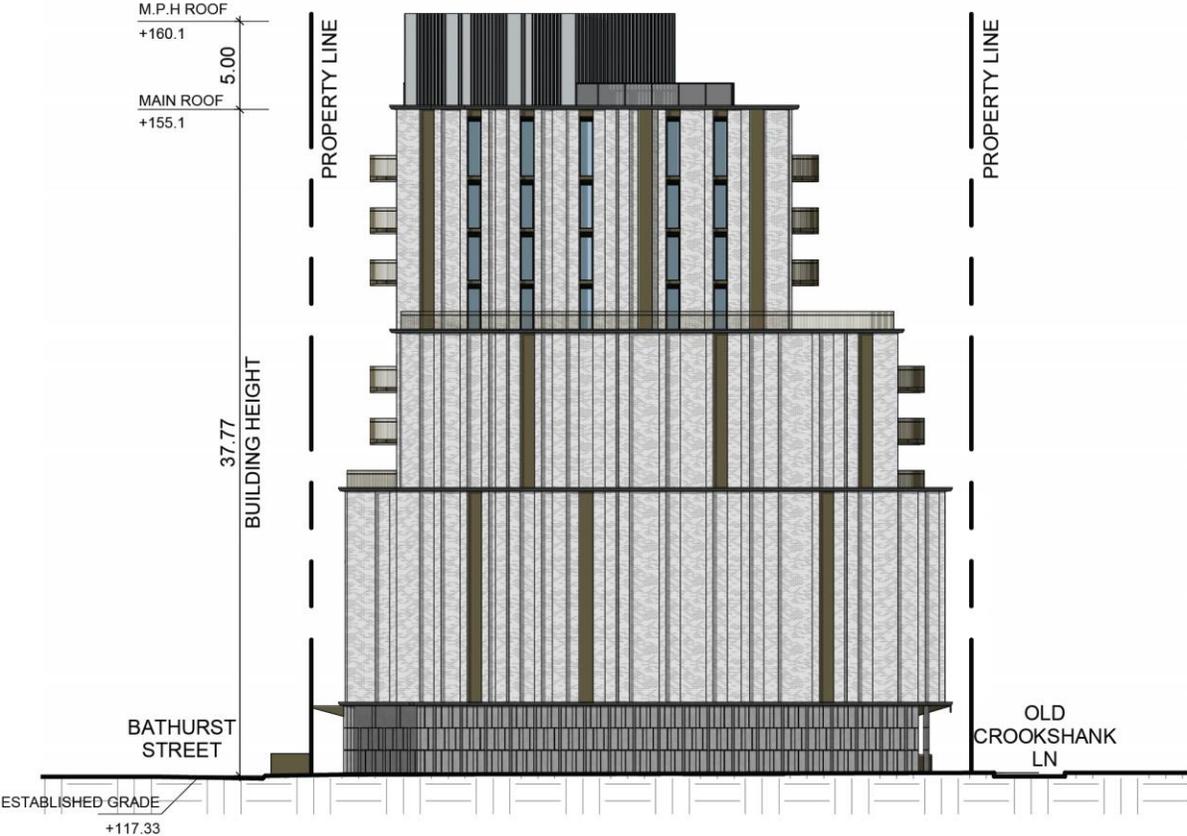
TO Mechanical 42.77m

TO 12 FL 37.77m



West Elevation

TO Mechanical 42.77m
TO 12 FL 37.77m



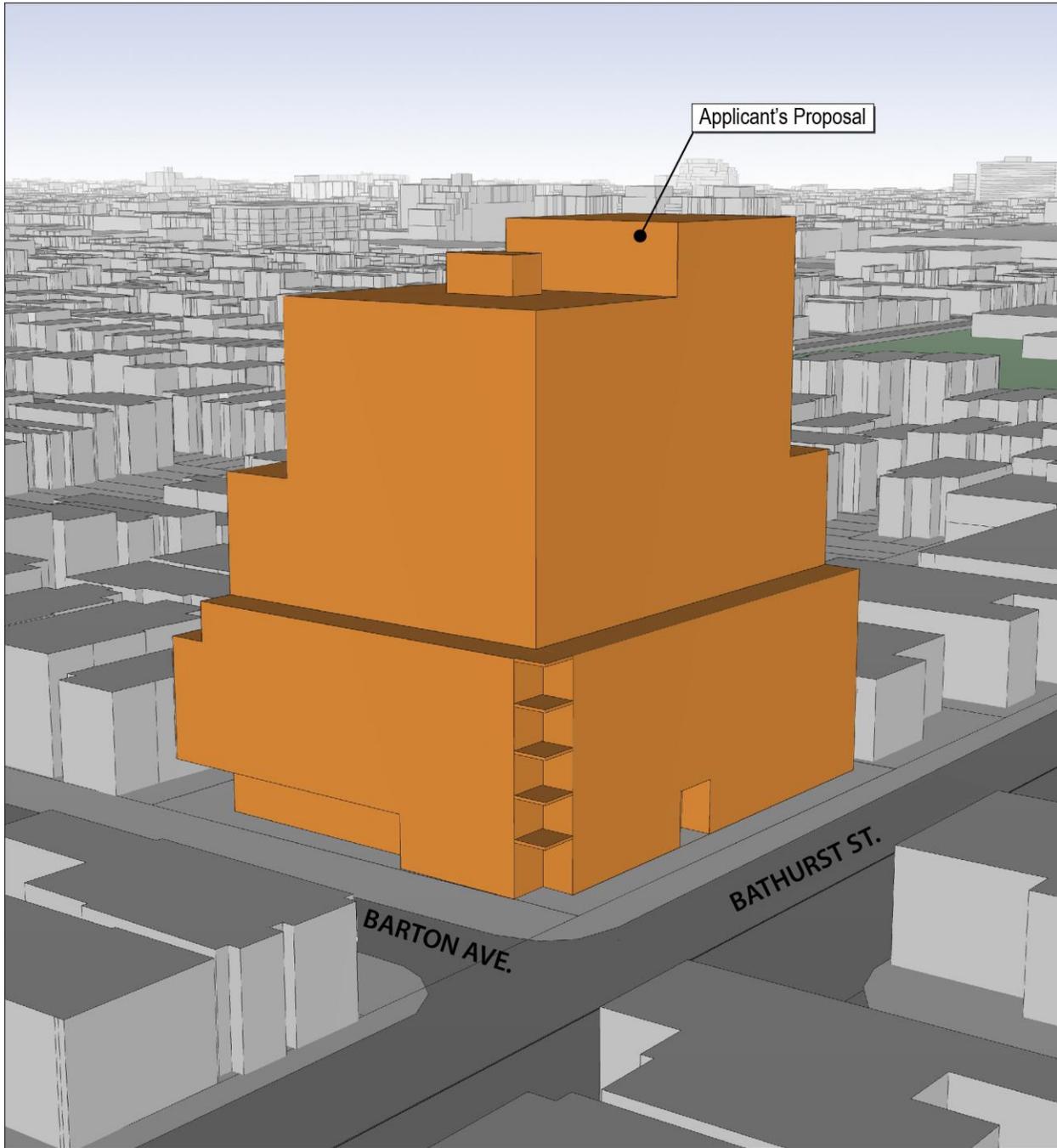
North Elevation

TO Mechanical 42.77m
TO 12 FL 37.77m



South Elevation

Attachment 9: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



11/9/2023