

452 Bathurst Street – Zoning By-law Amendment Application and City-Initiated Official Plan Amendment – Decision Report – Approval

Date: November 18, 2024
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Ward: 11 - University-Rosedale

Planning Application Number: 21 226193 STE 11 OZ

SUMMARY

This report reviews and recommends approval of an application to amend the Zoning By-law and a City-initiated Official Plan Amendment to permit a 22-metre (6-storeys, excluding mechanical penthouse) mixed-use building with a maximum permitted total gross floor area of 7,500 square metres, and a minimum non-residential gross floor area of 250 square metres.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council amend the Official Plan for the lands at 452 Bathurst Street in accordance with the draft Official Plan Amendment included as Attachment 6 to this report.
2. City Council amend Zoning By-law 569-2013 for the lands 452 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment included as Attachment 7 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 Amendment as may be required.

FINANCIAL IMPACT

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

DECISION HISTORY

A Preliminary Report on the application was adopted by Toronto and East York Community Council on April 21, 2022, authorizing staff to hold a community consultation meeting. The Toronto and East York Community Council Decision is available here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.TE32.30>

THE SITE

Description

The site is located on the west side of Bathurst Street, south of College Street and backs onto College Place, a public lane. The site is generally rectangular in shape, with an approximate frontage of 37 metres along Bathurst Street, and an approximate area of 1,480 square metres.

Existing Use

The site currently contains a single-storey commercial building and surface parking.

THE APPLICATION

Description

A 6-storey (22-metre, excluding mechanical penthouse) mixed-use building with grade-related retail fronting onto Bathurst Street.

Density

The proposal has a density of 4.03 times the area of the lot.

Dwelling Units

A total of 61 residential dwelling units are proposed, including 4 studio units (6.6%), 33 one-bedroom units (54%), 17 two-bedroom units (27.9%), and 7 three-bedroom units (11.5%).

Amenity Space

A total of 276 square metres of amenity space is proposed, with 128 square metres of indoor amenity space and 148 square metres of outdoor amenity space.

Access, Parking, and Loading

The main pedestrian entrances into the new building will be located at ground level along Bathurst Street.

Vehicular and bicycle access to the building is provided from the public laneway to the west of the site. One Type-G loading space is proposed at grade, and a total of 33

vehicular parking spaces and 83 bicycle parking spaces (27 short-term and 56 long-term) are proposed in a below-grade parking garage.

Additional Information

See Attachments 1, 2, 8 and 9 of this report for the Location Map, Application Data Sheet, site plan, and elevations of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: www.toronto.ca/452BathurstSt

Reasons for Application

City staff are recommending an Official Plan Amendment to Site and Area Specific Policy 465 to allow a building taller than 4-storeys on a site designated Mixed Use Areas. At the time of the Preliminary Application Consultation for this proposal, SASP 465 had not yet come into force and the need for an Official Plan Amendment was not identified. As the application was submitted after SASP 465 came into force on May 28th, 2021, it was subsequently identified by staff that an Official Plan Amendment would be needed.

The proposal requires an amendment to Zoning By-law 569-2013 to vary performance standards, including maximum building height, density, setbacks, maximum projections, landscaping requirements, vehicular and bicycle parking requirements, among other standards.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies: All Council decisions in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans.

Official Plan: The site is designated as Mixed-Use Areas and is located on a Major Street. As the site is located on the western side of Bathurst Street, it falls outside the western boundary of the Downtown Plan. See Attachment 3 of this report for the Official Plan Land Use Map.

Site and Area Specific Policy (SASP) 465: The site is located within the Palmerston-Nassau Character Area which specifies that new buildings in Mixed-Use Areas will have a maximum height of 4-storeys, and that the area will be a new and revitalized Pedestrian Shopping Area and New Main Street with a generous pedestrian realm that connects College Street and Dundas Street West. See Attachment 4 of this report for the Character Area Map.

Zoning: The site is zoned CR 2.5 (c2.0; r2.0) SS2 (x1579) under Zoning By-law 569-2013. The Commercial Residential (CR) zoning category permits a range of commercial and residential uses. The maximum permitted height is 14 metres. See Attachment 5 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 Performance Standards
- Growing Up Guidelines for Children in Vertical Communities

Toronto Green Standard

The [Toronto Green Standard \(TGS\)](#) 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.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on June 1, 2022, where the proposal for a new 6-storey building was introduced to the public. Approximately 10 people attended. Following a presentation by City Staff and the applicant, the following comments and issues were raised:

- Concerns regarding increased vehicular traffic and pedestrian safety in the public laneway;
- A need for affordable housing;
- Impacts on the adjacent property to the south, specifically with respect to setbacks from existing windows;
- Desire for small retail units on the ground floor to provide opportunities for small businesses along Bathurst Street; and
- A request to extend the green wall, facing the public lane, at the rear of 410-446 Bathurst Street onto the rear of this proposal.

The issues raised through Community Consultation have been considered through the review of this application.

Statutory Public Meeting Comments

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

COMMENTS

This proposal for a 6-storey mixed-use building is appropriate intensification of land along a Major Street that is adjacent to the Downtown, and within 800 metres of the dedicated streetcar line on Spadina Avenue. The proposal would replace a one-storey commercial retail building and surface parking lot.

Provincial Policy Statement and Provincial Plans

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 Planning Statement (PPS 2024). The proposal is consistent with the PPS.

Height

SASP 465 restricts new buildings to a maximum of 4-storeys on properties designated Mixed Use Areas in the Palmerston-Nassau Character Area. The proposed height of 22 metres is generally in keeping with the existing and planned context of the area. A recent approval for a 4-storey building at 410-446 Bathurst Street with tall floor-to-ceiling heights results in an overall maximum height of 20 metres. The Toronto Western Hospital, although designated Institutional Areas as opposed to Mixed Use Areas, ranges from 5 to 15 storeys and occupies the entirety of the block on the eastern side of Bathurst Street between Nassau Street and Dundas Street West within the Character Area.

Given the above-noted existing and planned context within the Palmerston-Nassau Character Area, the proposed 6-storey building with a height of 22 metres is acceptable and maintains the vision of the SASP by reinforcing the existing character and function of Bathurst Street.

Community Planning Staff are recommending an Official Plan Amendment to SASP 465 to allow a 6-storey building on the site. With the exception of the proposed number of storeys, all other aspects of the proposal conform with the Official Plan.

Massing

The massing of the proposed building fits within the existing and planned context and conforms with the Official Plan. Along Bathurst Street, the proposed building has a curb to building face distance of 6 metres at the ground floor. From the second to fourth levels, the building cantilevers back out to the property line, and then steps back 2.5 metres above the fourth floor. This massing results in a streetwall height of 15 metres, which aligns with the surrounding context.

To the west, the proposed building is setback 7.5 metres from the low-rise Neighbourhoods designation on the west side of the public lane. The setback from the low-rise Neighborhood meets the existing and emerging rear transition guidelines for Mid-rise Buildings. The applicant has proposed additional terracing at the rear of the building on the fourth through sixth storeys.

The proposed building will be built to the south and north property lines, which is appropriate in this context at the proposed height, and within Mixed Use Areas.

Streetscape and Public Realm

The proposal conforms with the applicable public realm policies of the Official Plan and SASP 465. Along Bathurst Street, SASP 465 identifies the site as being within a New Main Street pedestrian improvement area and a Pedestrian Shopping Area, where an

enlarged sidewalk width, new street trees and fine-grain, grade-related retail, commercial, or service uses are prioritized. The proposal improves the existing condition of the site, including a 6-metre sidewalk area with 5 new street trees planted adjacent to the curb, and two fine-grain, grade-related retail units. The 15-metre streetwall will frame the public realm appropriately and align with the existing and planned context.

Shadow Impact

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

Unit Mix

The Growing Up Guidelines indicate that new development should provide a minimum of 25% large units, of which 10% should be three-bedroom units, and 15% should be two-bedroom units. The proposed development meets these requirements with the provision of 17 two-bedroom (28%), and 7 three-bedroom (11.5%) units.

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

To satisfy Official Plan policies respecting planned right-of-way widths, the applicant will convey a strip of land along College Place Lane measuring 1.62 to 2.01 metres wide, which will result in a total laneway width of 5.5 metres.

Site Access, Parking, and Loading

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 College Place Lane, and the lane can be accessed from College Street and Dundas Street West. A total of 33 vehicular parking spaces are proposed, 24 residential, 5 visitor, and 4 retail spaces. Of this total, two vehicular spaces are proposed to be accessible. A Type G loading space is also proposed at grade and contained within the ground floor of the building.

The applicant is proposing 83 bicycle parking spaces in the new development, including 56 long-term spaces, and 27 short-term spaces.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review. Staff are recommending that the Zoning By-law be subject to holding provisions pending the revision, review, and acceptance of the Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, 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 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. The site-specific zoning by-law and future site plan agreement will secure performance measures for various development features.

CONTACT

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SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: SASP 465 Character Area Map
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Official Plan Amendment

Attachment 7: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 8: Site Plan

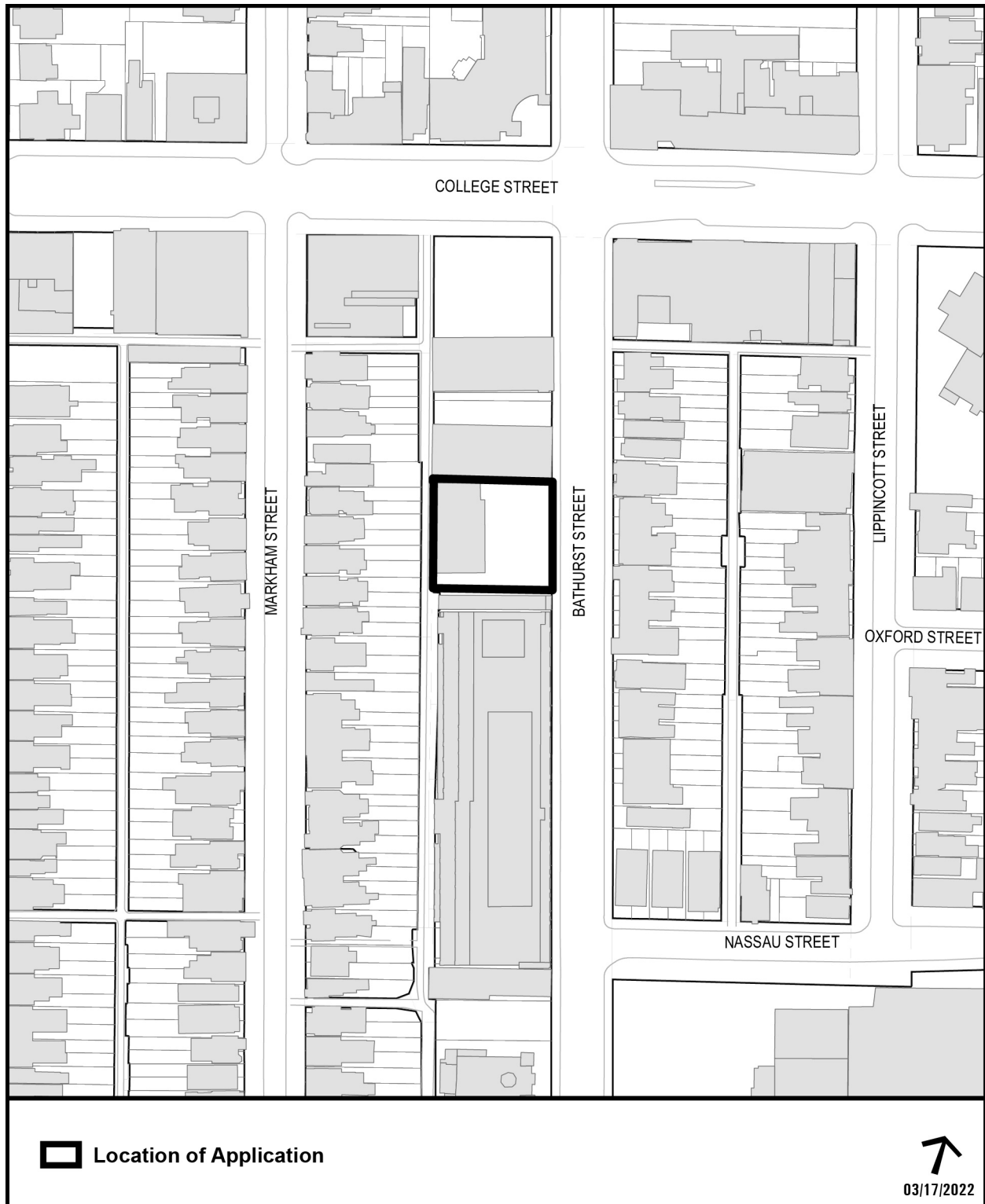
Attachment 9: East Elevation

Attachment 10: West Elevation

Attachment 11: North Elevation

Attachment 12: South Elevation

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 452 Bathurst Street **Date Received:** November 27, 2021

Application Number: 21 226193 STE 11 OZ

Application Type: Rezoning and City-Initiated OPA

Project Description: A 6-storey (22 metre) mixed-use building.

Applicant

Goldberg Group

Architect

BDP Quadrangle

Owner

2822261 Ontario Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	CR 2.5 (c2.0; r2.0) SS2 (x1579)	Heritage Designation:	N
Height Limit (m):	14	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	1,477	Frontage (m):	37	Depth (m):	40.14
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			838.4	838.4
Residential GFA (sq m):			5,563.6	5,563.6
Non-Residential GFA (sq m):			396	396
Total GFA (sq m):			5,959.6	5,959.6
Height - Storeys:			6	6
Height - Metres:			22	22

Lot Coverage Ratio (%):	57	Floor Space Index:	4.03
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	5,427.4	264.2
Retail GFA:	396	
Office GFA:		
Industrial GFA:		

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			61	61
Other:				
Total Units:			61	61

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		4	33	17	7
Total Units:		4	33	17	7

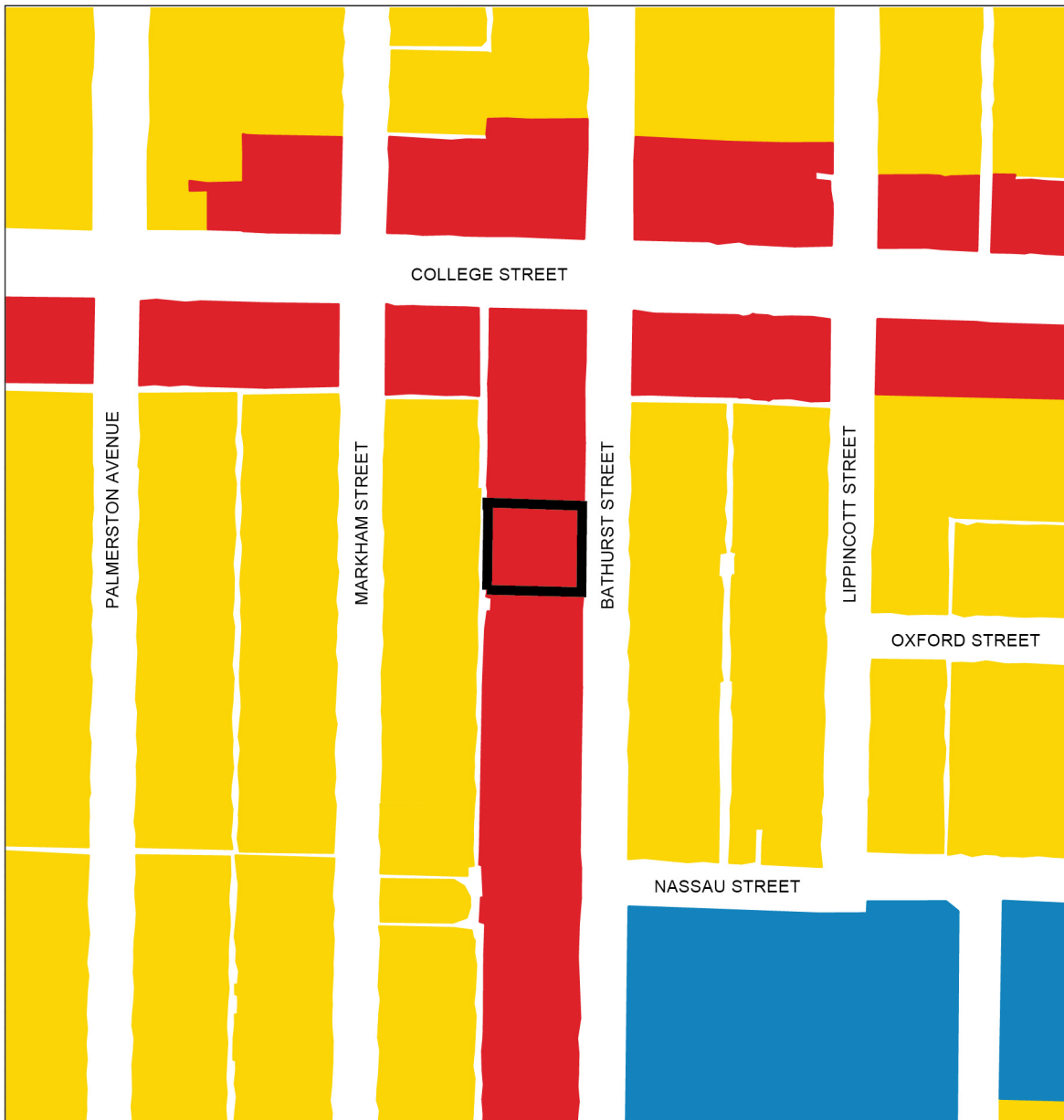
Parking and Loading

Parking Spaces:	33	Bicycle Parking Spaces:	83	Loading Docks:	1 (Type G)
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CONTACT:

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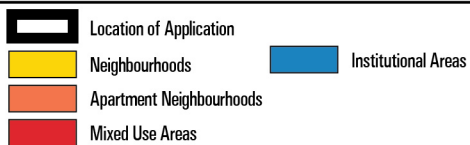
Attachment 3: Official Plan Land Use Map



452 Bathurst Street

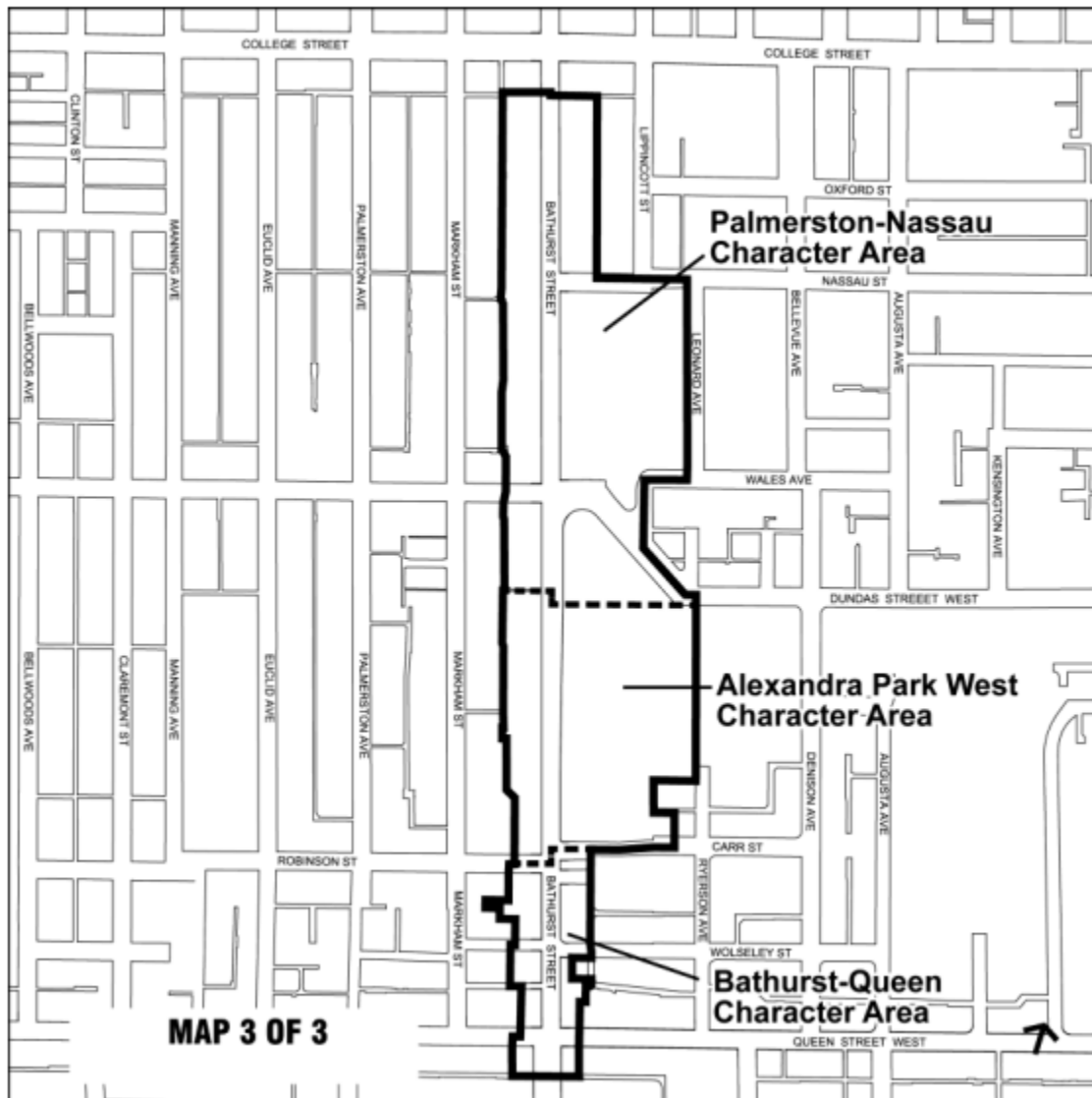
Official Plan Land Use Map #18

File # 21 226193 STE 11 0Z

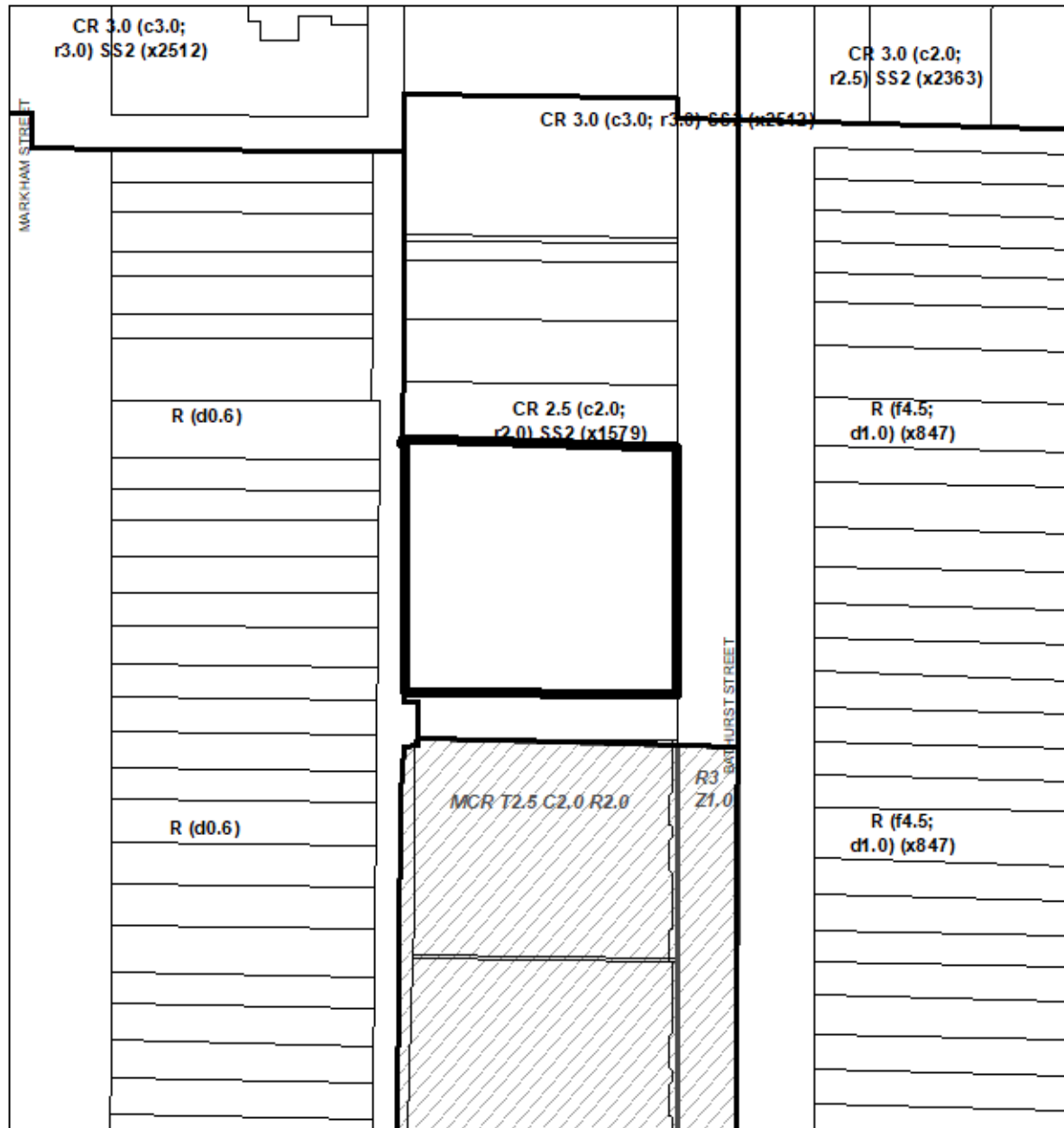



 Not to Scale
 03/17/2022

Attachment 4: SASP 465 Character Area Map



Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

452 Bathurst Street

File # 21 226193 STE 11 0Z



Location of Application

R Residential CR Commercial Residential



See Former City of Toronto By-law No. 438-80

R3 Residential District

MCR Mixed-Use District



Not to Scale
Extracted: 03/22/2022

Attachment 6: 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~

Bill XXX
CITY OF TORONTO
BY-LAW XXX

To adopt Official Plan Amendment XXX to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023 as 452 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; 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; The Council of the City of Toronto enacts:

The Council of the City of Toronto enacts:

1. The attached Amendment No. ~~~ 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

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. ~ TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 452 BATHURST STREET

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

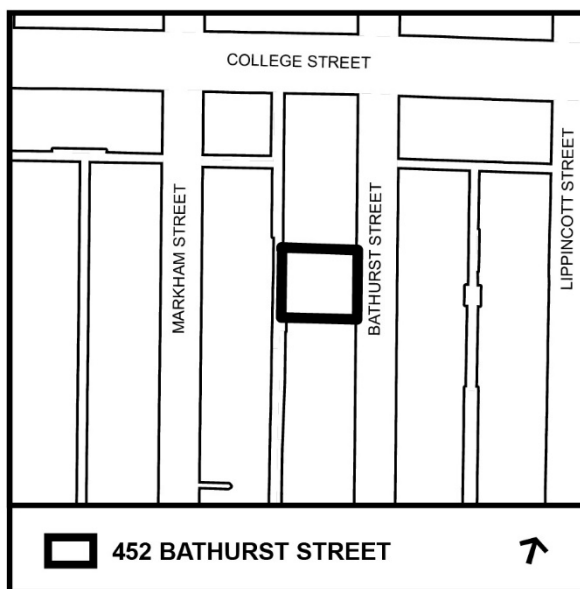
1. Chapter 7, Site and Area Specific Policy 465, is amended by adding a Section 15. Site Specific Policies, and adding Site Specific Policy 15.1 for the lands known municipally in 2023 as 452 Bathurst Street as follows:

15. Site Specific Policies

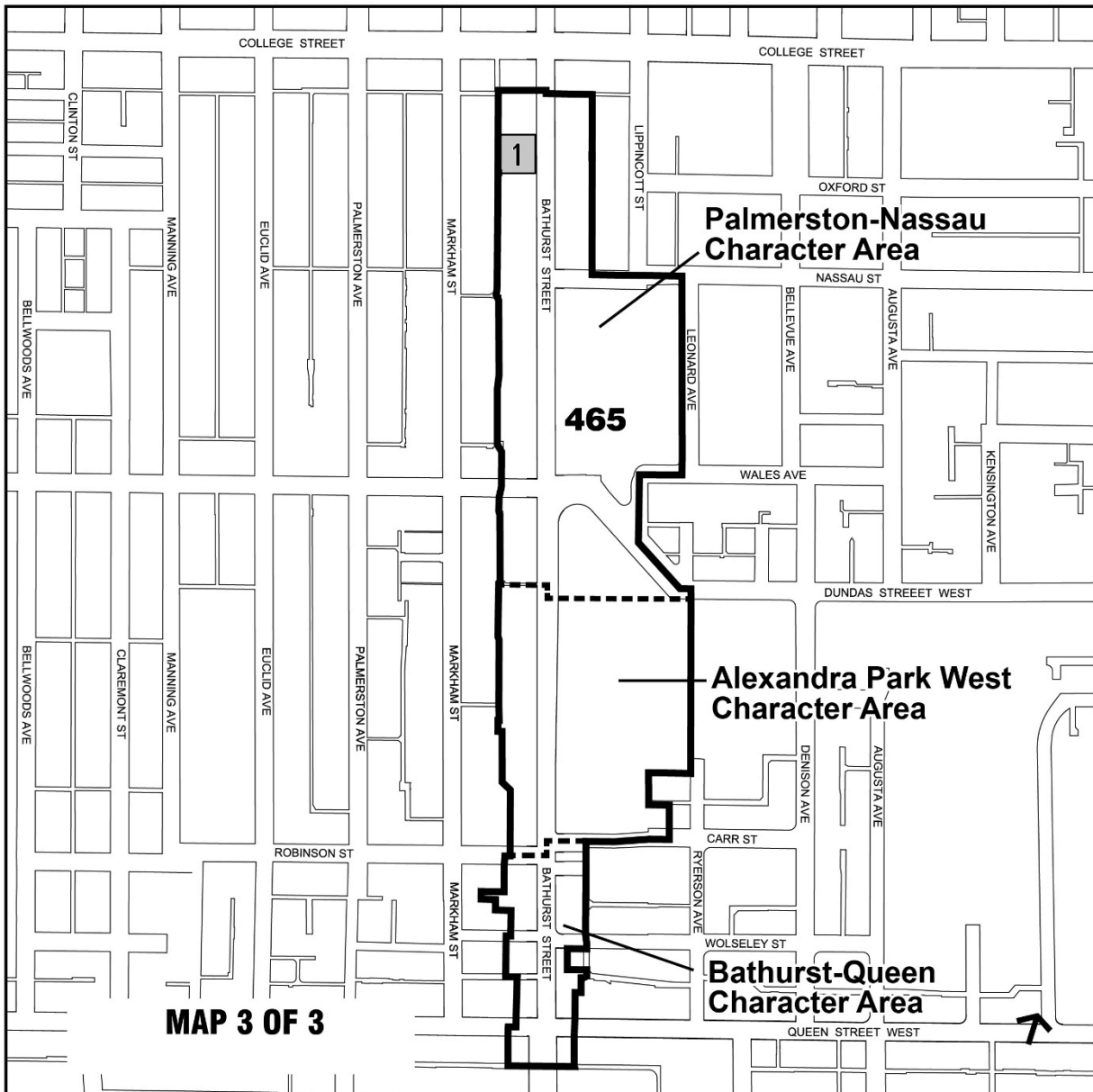
This section contains site specific policies which apply to the lands respectively identified in the following policies and Schedule H – Site Specific Policies.

15.1 452 Bathurst Street

For the lands municipally known in 2023 as 452 Bathurst Street a new building may have a maximum height of generally 6 storeys.



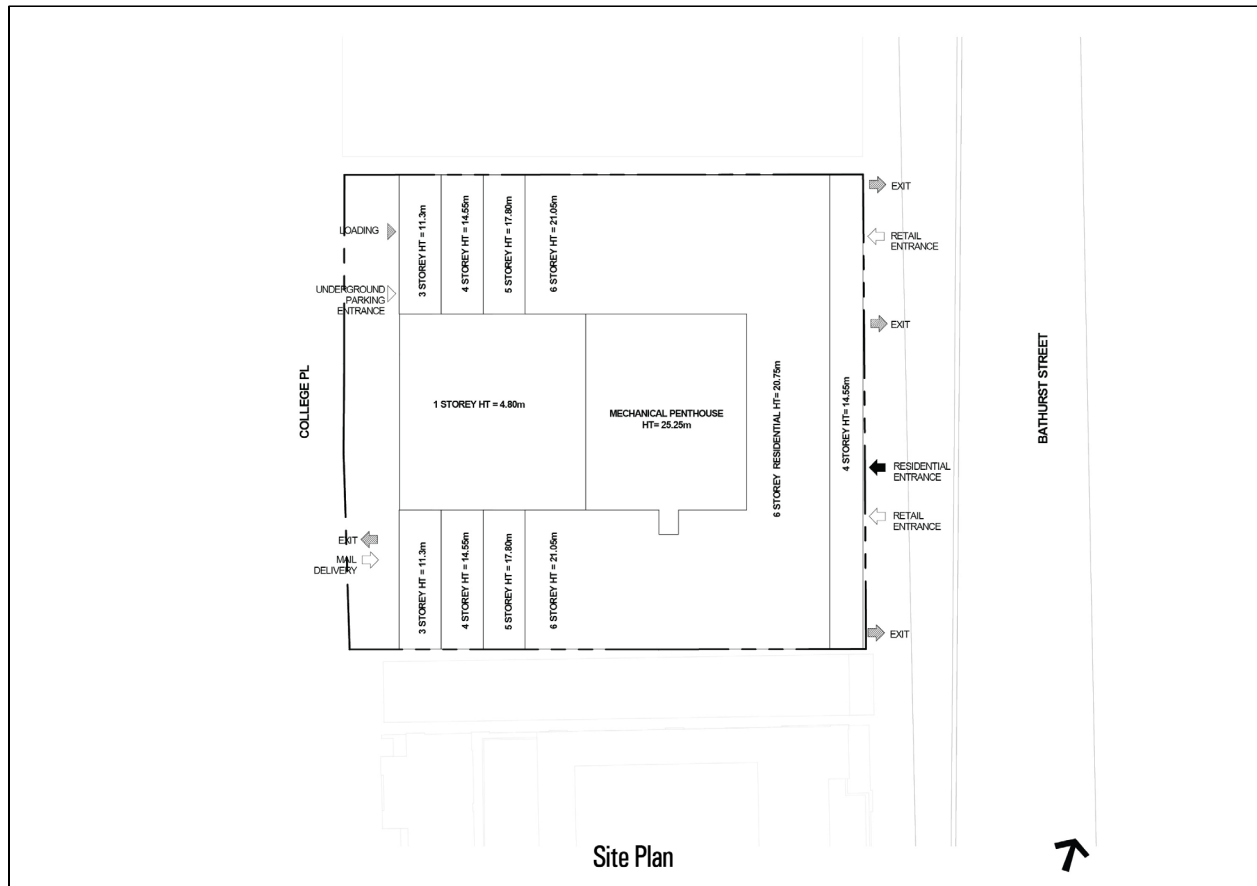
2. Chapter 7, Site and Area Specific Policy 465, is amended by adding a Schedule H – Site Specific Policies, and showing the lands known municipally in 2023 as 452 Bathurst Street as Site Specific Policy 1 as shown on the attached Appendix A.



Attachment 7: Zoning By-law Amendment

The draft zoning by-law amendment will be made available on or before the December 4, 2024, Toronto and East York Community Council meeting.

Attachment 8: Site Plan



Attachment 9: East Elevation



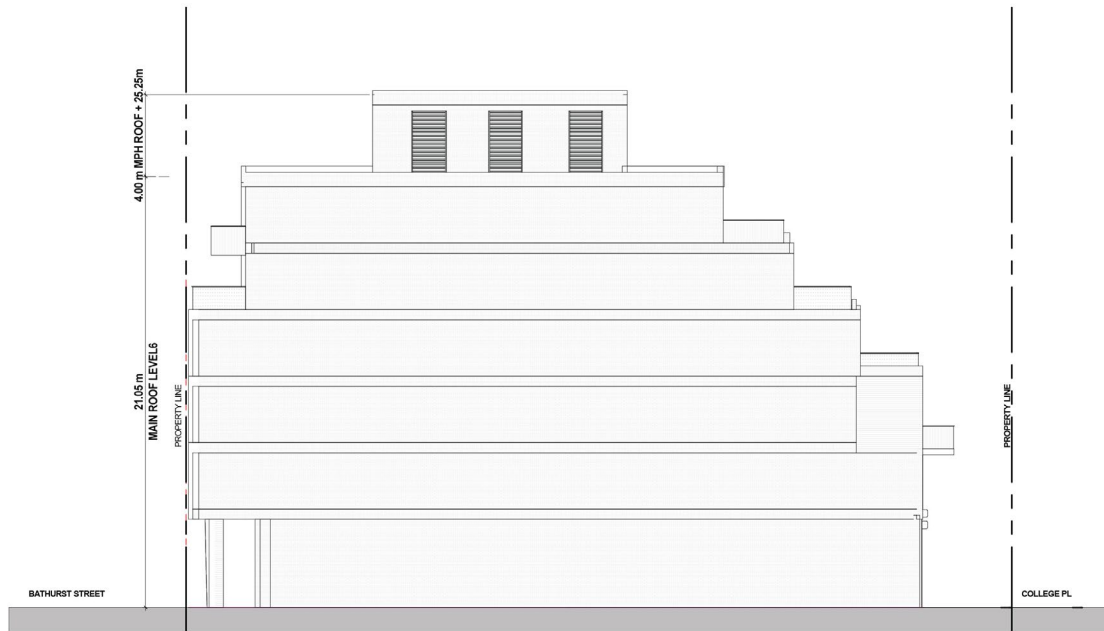
East Elevation

Attachment 10: West Elevation



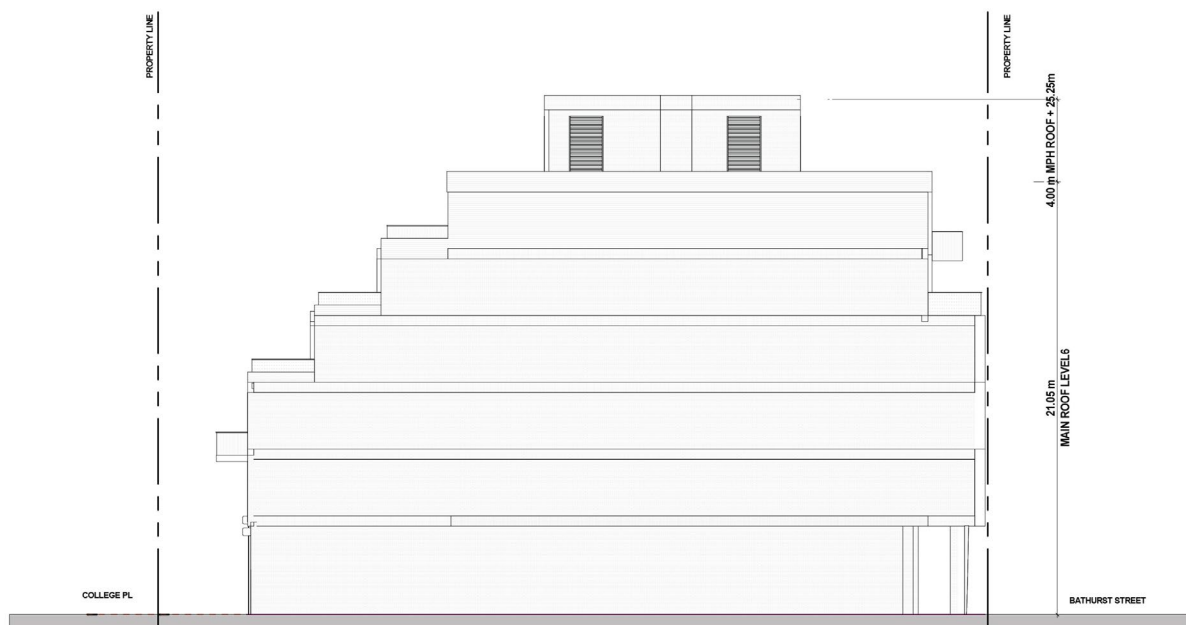
West Elevation

Attachment 11: North Elevation



North Elevation

Attachment 12: South Elevation



South Elevation