

**1950 Bathurst Street, 89 Dewbourne Avenue –  
Rezoning Application – Preliminary Report**

<b>Date:</b>	March 2, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 21 – St. Paul's
<b>Reference Number:</b>	08-231395 STE 21 OZ

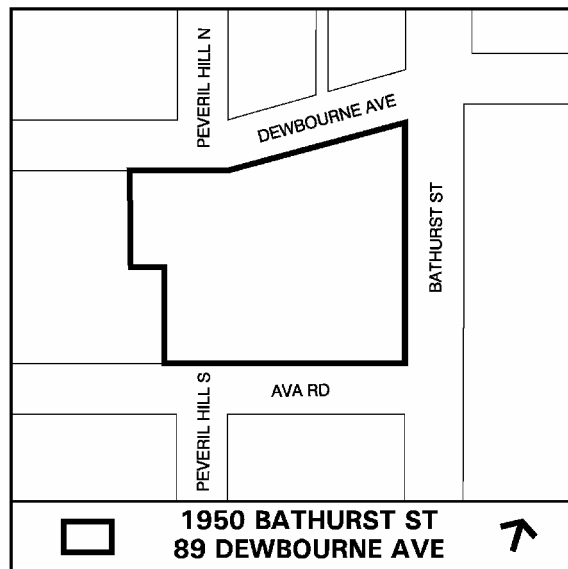
**SUMMARY**

This application is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to demolish the western portion of the existing building that houses the Leo Baeck Day School and the Temple’s own supplementary schools, and to construct in its place a new six storey addition, plus mechanical penthouse, containing facilities used for synagogue and school related functions at 1950 Bathurst Street and 89 Dewbourne Avenue.

This report provides preliminary information on the above-noted application and seeks Community Council’s directions on further processing of the applications and on the community consultation process.

Planning staff circulated the application to other City departments for review and comment. With Council’s direction, staff will host community consultation meetings in April 2009. Staff targets a Final Report in the third quarter of 2009. This target date assumes the applicant will provide all required information in a timely manner.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meetings be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In 2003, the Committee of Adjustment approved variances for the subject site to permit the courtyard area within the religious school portion of the building to be converted into a three storey addition and to permit the construction of a third storey addition above a two storey portion of building.

Requested variances related to the proposed floor space index (1.37 times the area of the lot, whereas 0.4 times the area of the lot is permitted). The Committee of Adjustment approved the variances and the decision was not appealed.

### **Pre-Application Consultation**

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements. In these meetings, staff raised issues with respect to student pick-up and drop-off, building design, and others.

### **ISSUE BACKGROUND**

#### **Proposal**

The proposal is to demolish the rear portion of the building that currently contains the school and nursery and replace it with a new six storey addition, plus mechanical penthouse (see Attachments 1 – 4). The addition will contain facilities used for synagogue and school related functions. The proposal features substantial landscaping (see Attachment 5), modifications to the existing vehicular access into and out of the rear portion of the site (see Attachment 6), retention and reconfiguring the Bathurst Street parking lot, changes to area parking and traffic controls (see Attachment 7) and a parking maximization plan (see Attachment 8). Additional details can be found in the Application Data Sheet (see Attachment 10).

## **Site and Surrounding Area**

The subject site is 8,405 square metres in size (90,473 square feet), and slopes southwards at the rear of the site. There is one contiguous building on the site, comprising the original Holy Blossom Temple and a three-storey addition that was built in 1957. This addition was intended to house additional space for the religious school, administrative offices and flexible space in the basement for the congregational use. Currently, there are two parking areas, one close Bathurst Street accessed off of Dewbourne Avenue to the north, and another one accessed at Ava Road to the south.

The following uses abut the property:

North: Across Dewbourne Avenue to the north and fronting onto Bathurst Street is a three storey walk-up apartment building. Fronting onto Dewbourne Avenue are detached dwellings.

South: Across Ava Road to the south and fronting onto Bathurst Street is a six storey apartment building. Fronting onto Ava Road are detached dwellings.

East: Across Bathurst Street to the east are walk-up triplexes and sixplexes.

West: Directly west are the side and rear yards of the neighbouring detached dwellings.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The City's Official Plan designates the property as a Neighbourhood. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in Neighbourhoods.

The Official Plan permits schools, places of worship and day nurseries in Neighbourhoods, given that they play an important role in the rhythm of daily life. Policy 4.1.2. speaks to schools, indicating that they will provide open space for outdoor student activities and landscaping will be designed and operated to limit noise, privacy and traffic impacts on neighbouring residents.

The Official Plan also includes Development Criteria (Policy 4.1.5.) to help guide new development, such that they respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

## **Zoning**

The property falls within the former City of York and is subject to By-law 1-83 and its amendments. The former City of York's By-law zones the property in a R1 Residential Zone and permits a religious school use provided that it is located on the same lot as a place of worship. A portion of the site is also subject to By-law 12349, which was enacted on November 15, 1943. This By-law restricts the use of the lands in the Cedarvale area to detached private residences.

## **Site Plan Control**

The proposal is subject to Site Plan Control, for which the applicant has yet to submit an application.

## **Heritage**

Holy Blossom Temple is currently listed on the City's Inventory of Heritage Properties. Heritage Preservation Services Staff are considering the designation of the property at this time.

## **Reasons for the Application**

The proposed height at six storeys plus mechanical penthouse and the proposed density of 1.18 times the lot area require an amendment to the zoning by-law. Further areas of non-compliance with the by-law will be identified through the review of the application.

Should the height of the proposed addition, excepting the mechanical penthouse exceed the highest point of the existing place of worship, staff may require an Official Plan amendment.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Report (dated January 2009)
- Sun/Shadow Study (dated December 2008)
- Transportation Plan (dated January 2009)
- Heritage Impact Statement (dated December 18, 2008)

Staff issued a Notification of Incomplete Application issued on January 6, 2009 identifying outstanding material required for a complete application submission. The applicant submitted the outstanding material submitted on January 23, 2009 and a Notification of Complete Application was subsequently issued on January 23, 2009.

### **Issues to be Resolved**

#### **Height – Mechanical Penthouse**

The proposed six storey addition measures 22.0 metres (72.2 feet), plus an additional 4.9 metres (16.0 feet) for the mechanical penthouse, for a total of 26.9 metres (88.2 feet) in height. The proposed mechanical penthouse currently rises above the existing tower and essentially adds a seventh storey to the addition (See Attachment 2). Staff have voiced concern over the proposed height and size of the mechanical penthouse. Staff requested and are awaiting additional information on the contents of the mechanical penthouse from the project architect.

#### **Pick up / Drop Off**

The applicant retained a transportation consultant to examine existing pick up and drop off conditions and to design on-site pick up and drop off (See Attachment 6). The comprehensive Transportation Plan submitted by the applicant describes, in detail, the proposed pick up / drop off plan, which Transportation Services and Planning staff are currently reviewing. The existing pick up and drop off conditions on Dewbourne Avenue would be improved through the creation of an on-site drop off area and a through route on site between Ava Road and Dewbourne Avenue.

#### **Parking and Traffic**

The Transportation Plan also addresses and examines existing parking and traffic levels generated by the school and temple users. The applicant's transportation consultant is recommending changes to the area parking regulations and traffic control. In particular, Dewbourne Avenue is proposed to be a two-way street between the existing easterly parking lot and Bathurst Street. (See Attachment 7) Transportation staff are currently reviewing this proposal.

#### **Privacy and Noise Mitigation**

The Official Plan indicates that proposed landscaping will be designed to limit noise and privacy impacts on neighbouring properties. Staff are currently reviewing the proposed Landscape Concept Plan (See Attachment 5) to ensure that these impacts are mitigated through landscape features.

## **Materials**

Staff are reviewing, the selection of materials proposed for the addition. Given the height of the proposed addition, materiality will need to play a large role in mitigating the mass and illumination of the structure, in relation to its neighbouring context. For instance, materials covering the proposed stair wells on the north and south ends of the addition will need to be carefully selected to minimize the impact on neighbouring residents. The materials cladding the mechanical penthouse should not detract from the view of the tower from Bathurst Street.

## **Heritage**

Heritage Preservation Services and Planning staff are currently reviewing the submitted Heritage Impact Statement, and considering the reasons for designating the Temple a Heritage property.

## **Community Consultation**

Since the application, Planning staff received several inquiries and comments on the application from community members. These concerns focused mainly on the proposed design of the addition and traffic and parking generated by the Temple and School activities. Staff intend to host two community consultation meetings that both give a general introduction to the development proposal, but are also focused on these two issues. Staff are also posting the applicant's plans and supporting studies on the City Planning Division website. Staff will update this page as the review of the application progresses to efficiently disseminate information to the community and interested parties. Once posted, the information can be accessed at this link:

<http://www.toronto.ca/planning/south.htm>

## **Additional Comments**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Raymond David, Director  
Community Planning, Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: East Elevation (Bathurst Street frontage)

Attachment 3: South Elevation (Ava Road frontage)

Attachment 4: North Elevation (Dewbourne Avenue frontage)

Attachment 4: West Elevation (Rear)

Attachment 5: Landscape Concept Plan

Attachment 6: Pick up / Drop off Plan

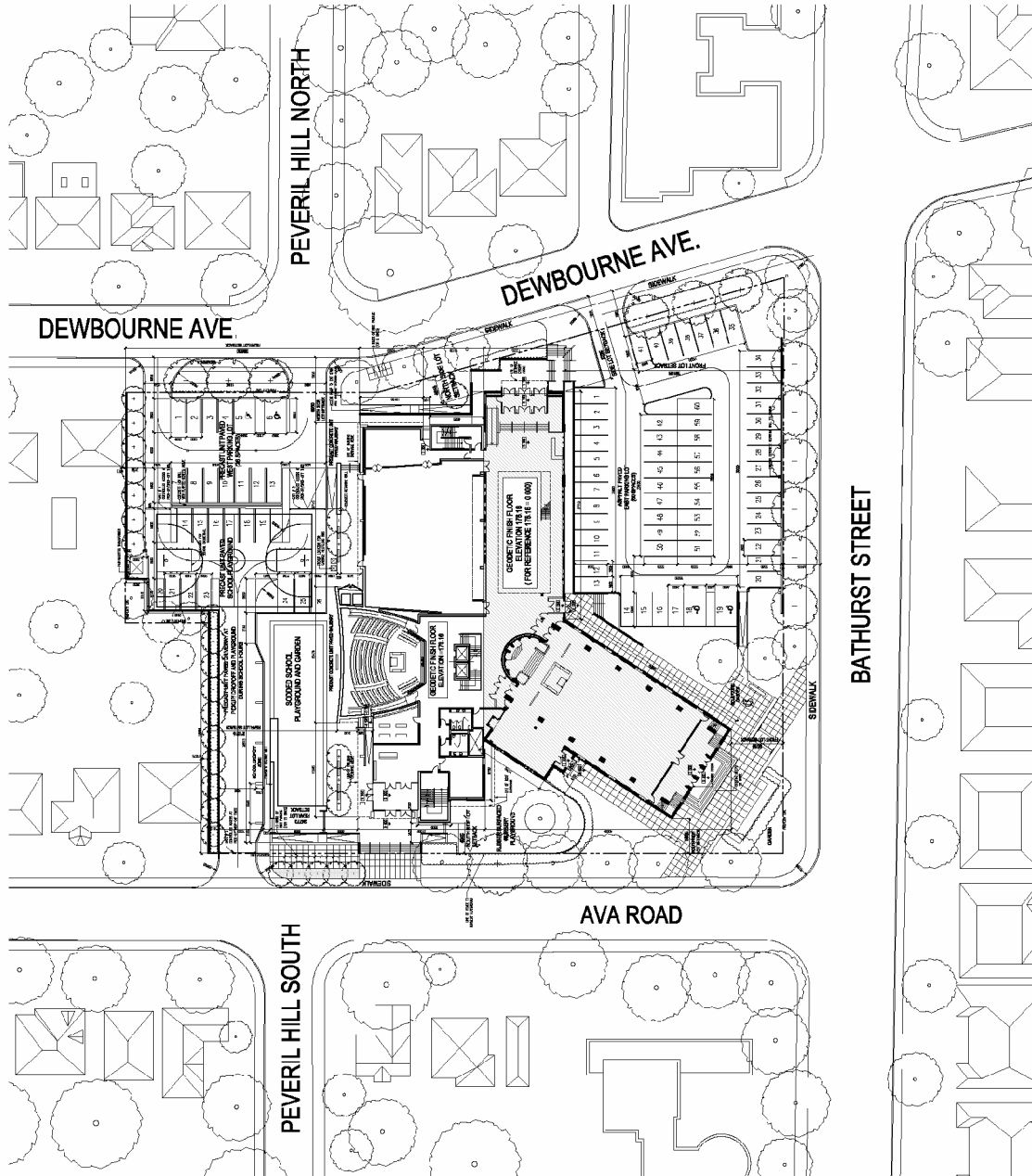
Attachment 7: Recommended changes to Area Parking Regulations and Traffic Control

Attachment 8: Special Events (Parking Maximization) Plan

Attachment 9: Zoning

Attachment 10: Application Data Sheet

**Attachment 1: Site Plan**



**Site Plan**

Applicant's Submitted Drawing

Not to Scale 

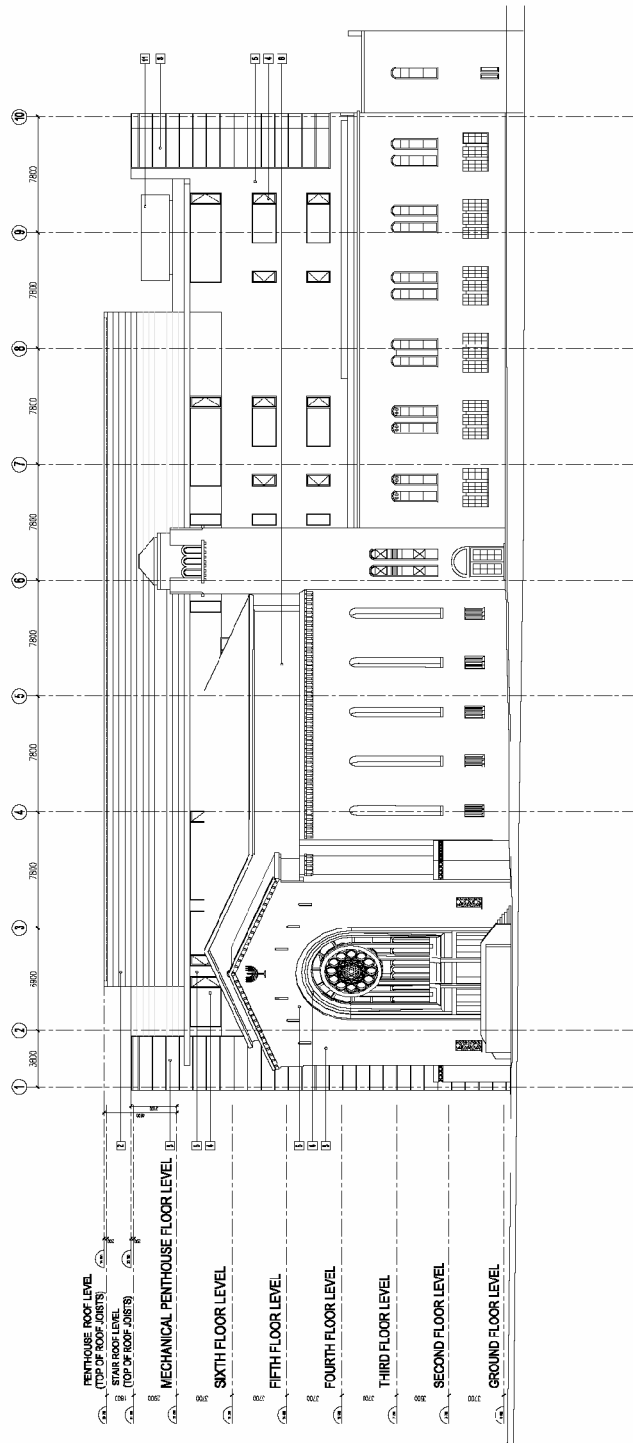
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**1950 Bathurst Street and  
89 Dewbourne Avenue**

File # 08\_231395



**Attachment 2: East Elevation (Bathurst Street frontage)**



**1950 Bathurst Street and 89 Dewbourne Avenue**

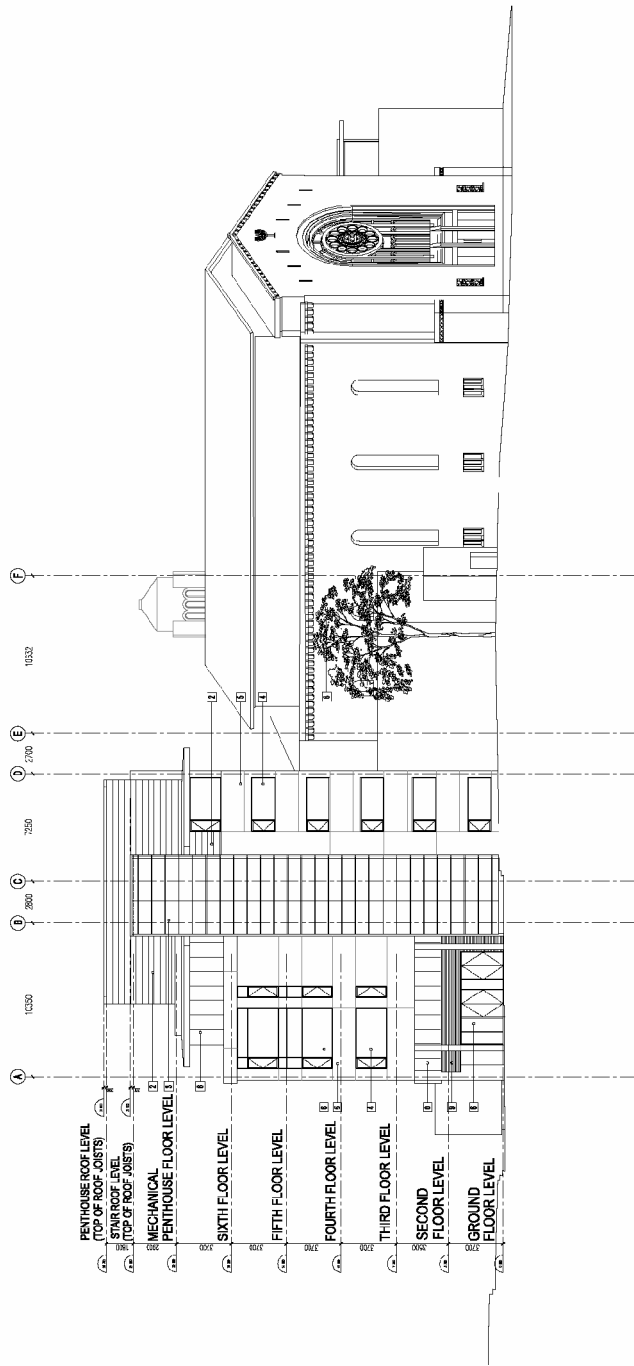
**East Elevation**

Applicant's Submitted Drawing

Not to Scale  
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**Attachment 3: South Elevation (Ava Road frontage)**



**1950 Bathurst Street and 89 Dewbourne Avenue**

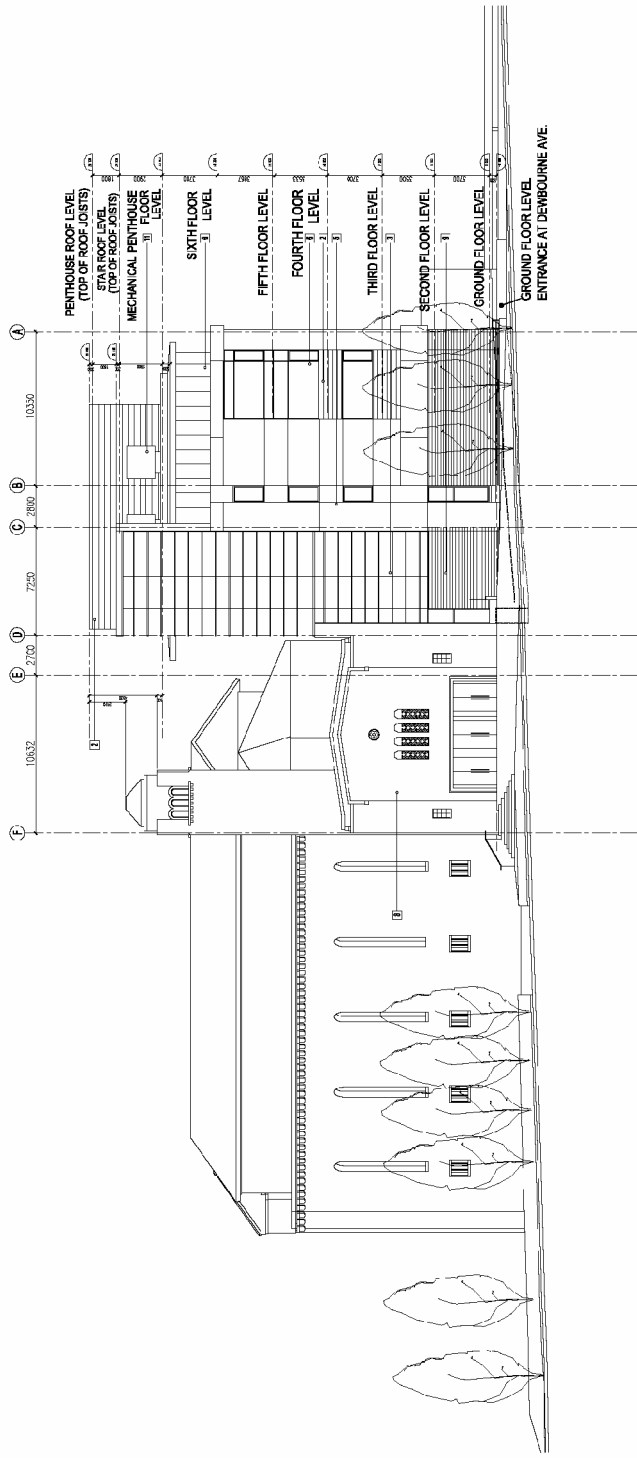
**South Elevation**

Applicant's Submitted Drawing

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**Attachment 4: North Elevation (Dewbourne Avenue frontage)**



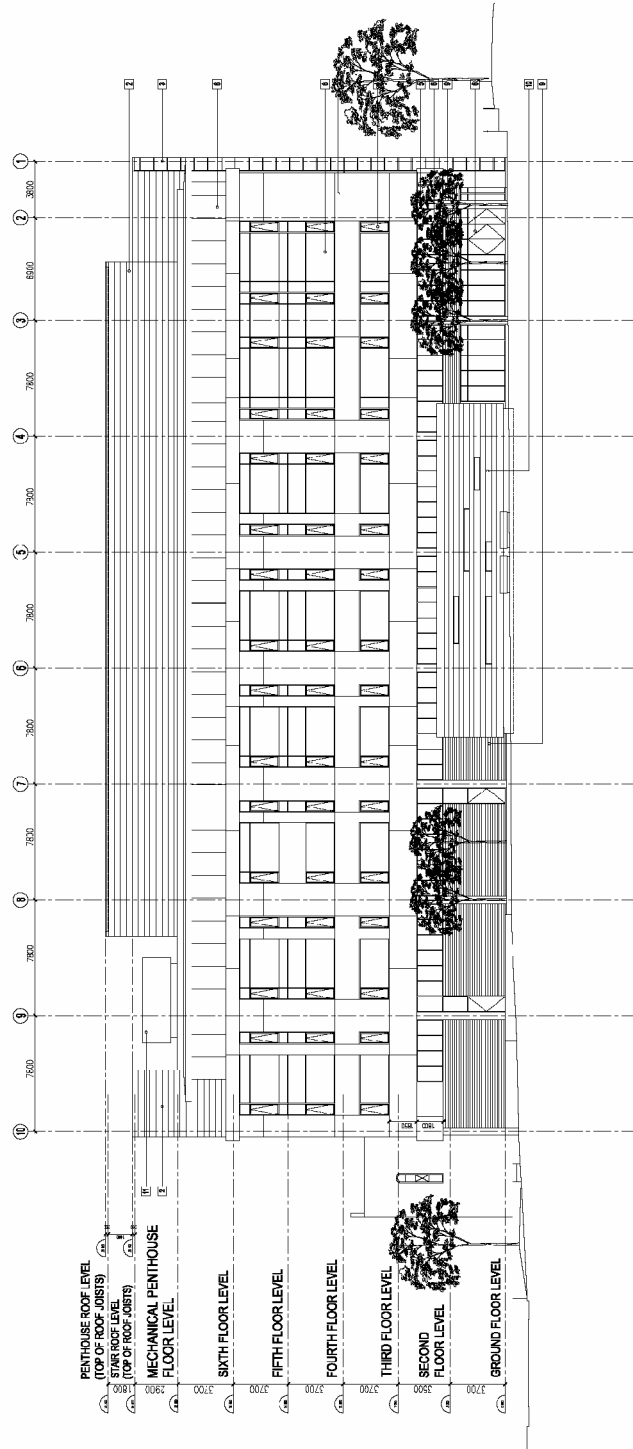
**1950 Bathurst Street and 89 Dewbourne Avenue**

**North Elevation**  
 Applicant's Submitted Drawing

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**Attachment 4: West Elevation (Rear)**



**West Elevation**

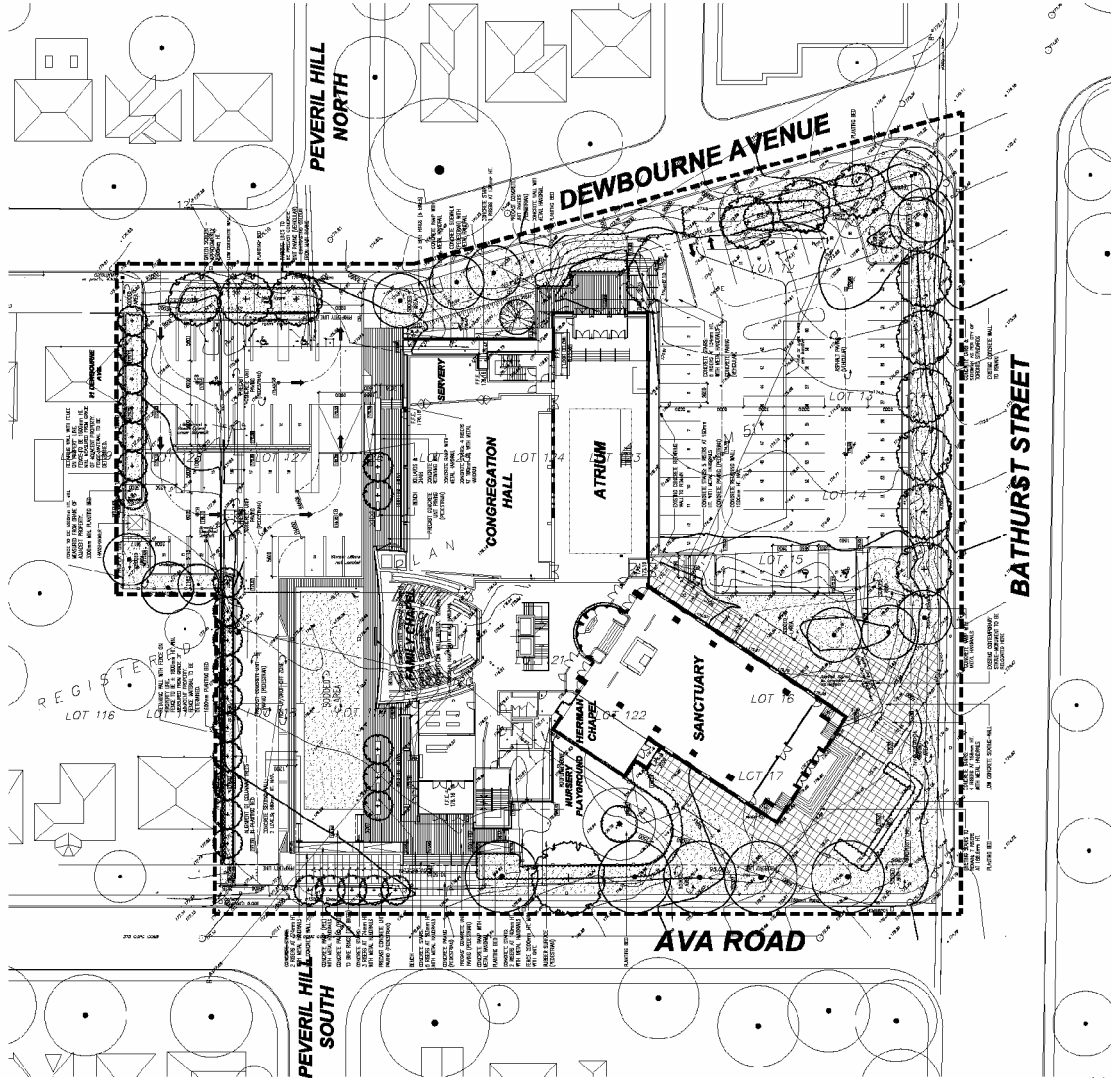
**1950 Bathurst Street and 89 Dewbourne Avenue**

Applicant's Submitted Drawing

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# Attachment 5: Landscape Concept Plan



## Landscape Concept Plan

Applicant's Submitted Drawing

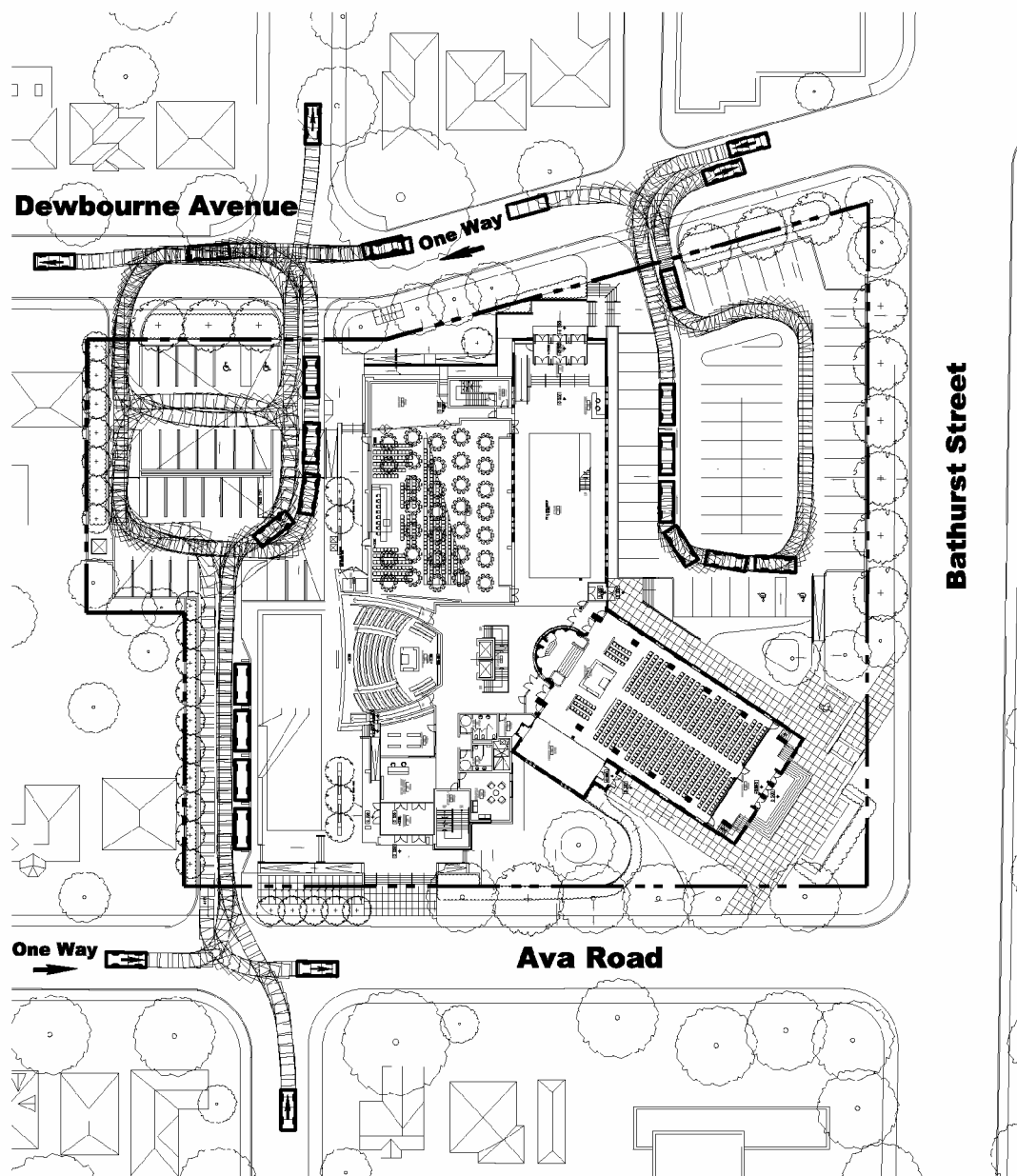
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1950 Bathurst Street and  
89 Dewbourne Avenue

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**Attachment 6: Pick up / Drop off Plan**



**Pick up/Drop off Plan**

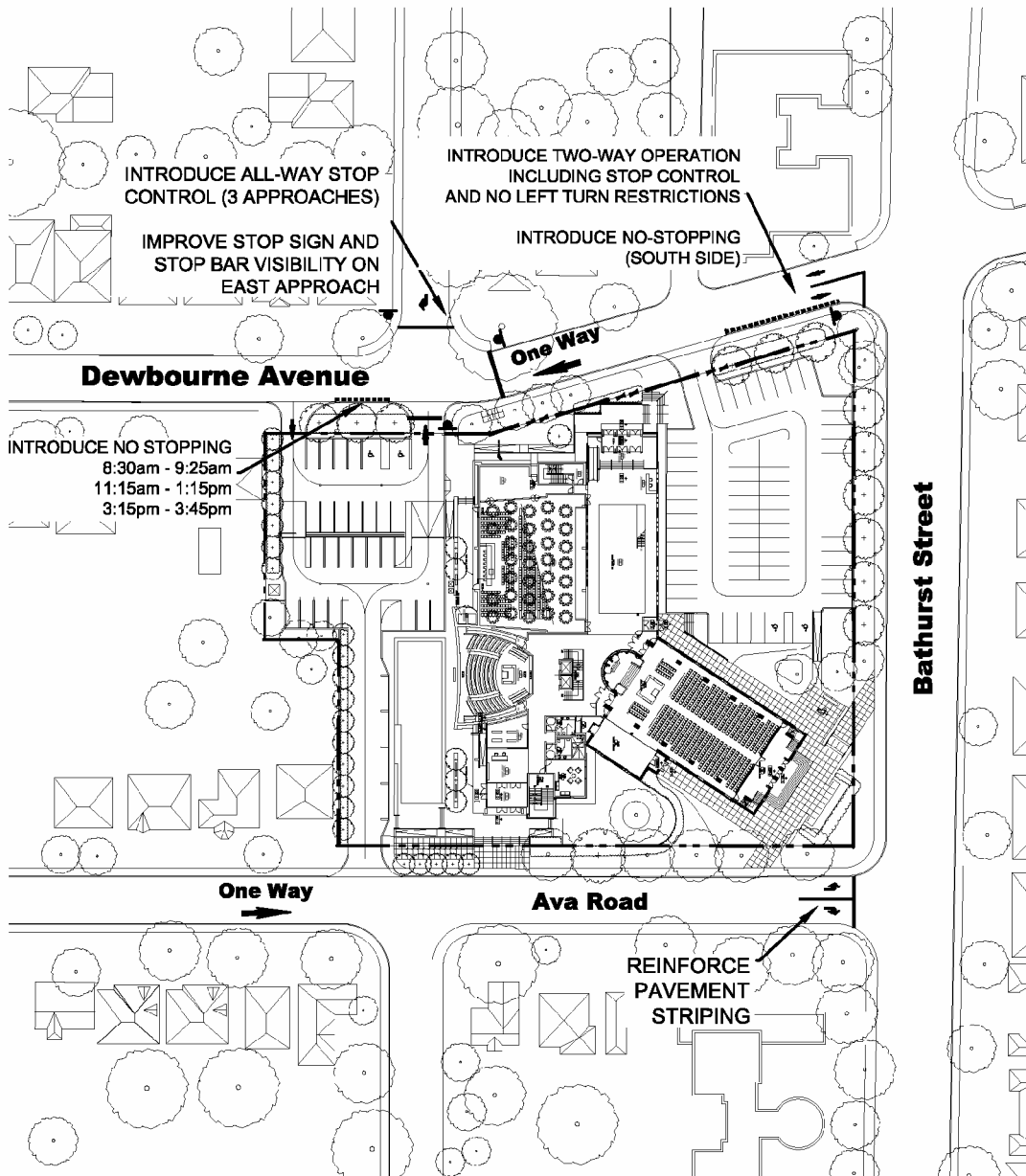
Applicant's Submitted Drawing

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**1950 Bathurst Street and  
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File # 08\_231395

**Attachment 7: Recommended changes to Area Parking Regulations and Traffic Control**



**Recommended changes to  
Area Parking Regulations and Traffic Control**

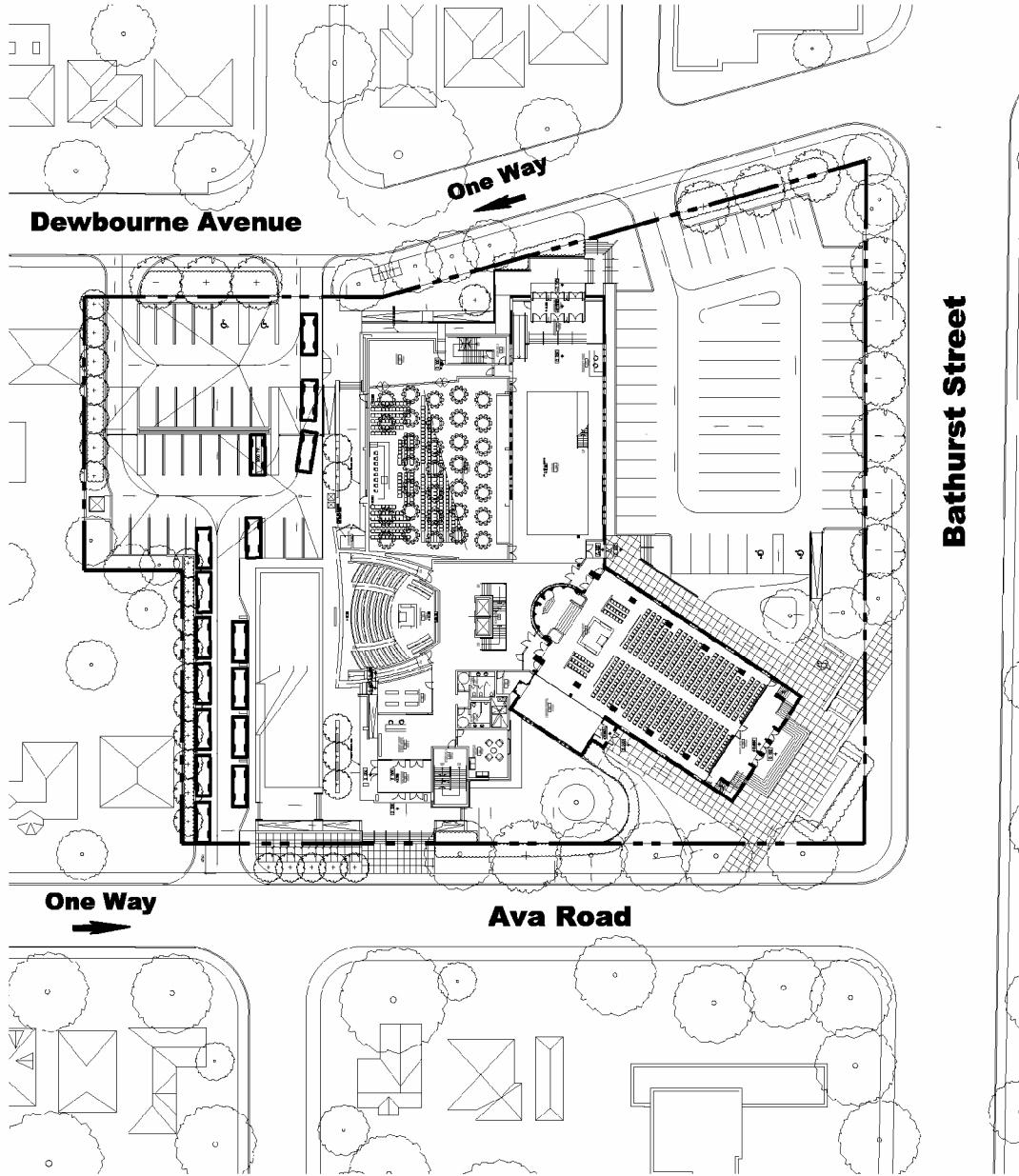
Applicant's Submitted Drawing

Not to Scale   
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**1950 Bathurst Street and  
89 Dewbourne Avenue**

File # 08\_231395

**Attachment 8: Special Events (Parking Maximization) Plan**



**Special Events (Parking Maximization) Plan**

Applicant's Submitted Drawing

Not to Scale  
01/30/09 

**1950 Bathurst Street and  
89 Dewbourne Avenue**

File # 08\_231395



# Attachment 9: Zoning



## 1950 Bathurst Street and 89 Dewbourne Avenue

File # 08\_231395

**YORK ZONING**  
 R1 Residential Zone  
 R3 Residential Zone  
 S16 (191) Site Specific

**TORONTO ZONING**  
 R1 Residential District  
 R1S Residential District



Not to Scale  
 Zoning By-law 1-83 as amended  
 Extracted 01/28/09 - PL

## Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	08 231395 STE 21 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2008

Municipal Address: 1950 BATHURST ST  
 Location Description: PL M511 LTS 12 TO 17 LTS 118 TO 127 INCL \*\*GRID S2102  
 Project Description: Re zoning application to construct Private day school attached to existing Place of worship (sanctuary hall to be maintained on site) New Floor area is 783m2.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
AIRD & BERLIS LLP			HOLY BLOSSOM TEMPLE

### PLANNING CONTROLS

Official Plan Designation:	Site Specific Provision:
Zoning:	Historical Status:
Height Limit (m):	Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	8405	Height:	Storeys:	6	
Frontage (m):	96.17		Metres:	24.9	
Depth (m):	108.8				
Total Ground Floor Area (sq. m):	1640				<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	86	
Total Non-Residential GFA (sq. m):	9930		Loading Docks	0	
Total GFA (sq. m):	9930				
Lot Coverage Ratio (%):	31				
Floor Space Index:	1.18				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	9930	0
Total Units:	0			

**CONTACT: PLANNER NAME: Jeffrey Cantos, Planner**  
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