

**4362 - 4370 Bathurst Street  
Official Plan Amendment and Rezoning Applications -  
Preliminary Report**

<b>Date:</b>	July 20, 2010
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	10 184490 NNY 10 OZ 10 175209 NNY 10 OZ

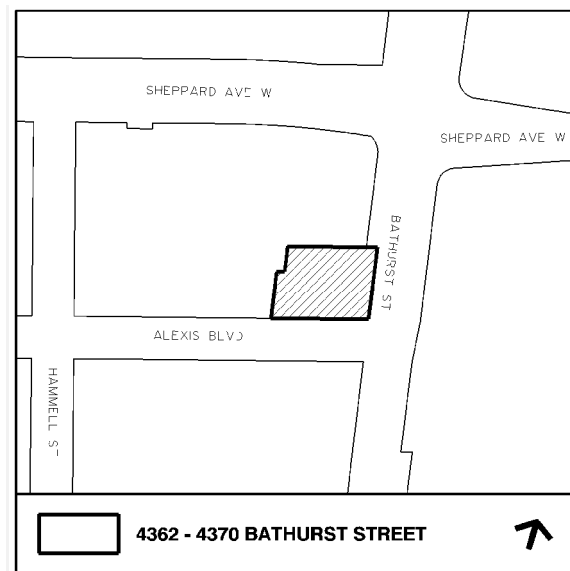
**SUMMARY**

These applications were both submitted in May, 2010 and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

These applications propose to amend the Sheppard West Dublin Secondary Plan and the former City of North York Zoning By-law to permit the construction of a 7-storey building containing ground floor retail uses, three floors of office, and 22 residential dwelling units at 4362-4370 Bathurst Street.

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

It is intended that a community consultation meeting be scheduled by staff in consultation with the Ward Councillor. A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted for the third quarter of 2011 provided any required information is



submitted by the applicant 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 for the lands at 4362-4370 Bathurst Street together with the Ward Councillor.
2. Notice for the community consultation meeting 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**

### **Pre-Application Consultation**

Numerous pre-application consultation meetings were held with the applicant to discuss complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing a 7 storey (24.5m high) mixed use building at the intersection of Bathurst Street and Alexis Boulevard. A total gross floor area of 6,051m<sup>2</sup> is proposed resulting in a density of 3.8 times the area of the lot. Retail uses are proposed for the ground floor with access directly from the Bathurst Street sidewalk. Above the retail uses, three storeys of offices (3,187m<sup>2</sup>) are proposed and 20 residential units are proposed for the top three floors. Two additional grade-related residential units are proposed to be accessed directly from Alexis Boulevard.

The massing of the building reflects the uses with the tallest portion of the building along Bathurst Street. The eastern walls of the non-residential uses contained on the first four floors would be parallel to Bathurst Street and the three residential floors (floors 5-7) would step back from the main mass of the building and would be rotated away from the Bathurst Street property line. The building would terrace towards the west, down to a three storey mass along the western property line containing two semi-detached dwelling units. These units would be accessed directly from Alexis Boulevard and would be provided with a private garage containing one space per unit.

The residential and office uses would have access to private terraces along the west side of the building. Four of the residential units on the seventh floor would have access to

private rooftop terraces via staircases internal to the unit. Units facing east would have access to private balconies. No other amenity space is proposed.

It is proposed that the residential and commercial uses would share a lobby to access the upper floors. Vehicular access would be taken from Alexis Boulevard. A total of 79 parking spaces are proposed. The majority of the parking supply would be provided in a two level underground garage containing 71 spaces for residents, retail and office users, 6 surface parking spaces for residential visitors and two spaces provided in a private garage for the residents of the grade related units. A Type C loading space is provided internal to the building.

The site statistics are presented on the Application Data Sheet (Attachment 6).

### **Site and Surrounding Area**

The site is located on the northwest corner of Bathurst Street and Alexis Boulevard. It has a frontage of 35m along Bathurst Street, a depth of 46.5m along Alexis Boulevard and an area of 1,558m<sup>2</sup>. The site is currently occupied by a two-storey single detached dwelling fronting Bathurst Street.

Land uses surrounding the subject site are as follows:

*North:* one storey gas station and garage.

*East:* across Bathurst Street, a site containing two 13 storey apartment buildings. An application to rezone the property to permit the construction of an additional 13 storey apartment building was recently approved by the OMB.

*South:* across Alexis Boulevard, a six storey apartment building.

*West:* single detached dwellings fronting Alexis Boulevard. The property at 10 Alexis Boulevard is within the boundaries of the *Mixed Use Areas* designation, with properties to the west being designated *Neighbourhoods*.

### **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 Official Plan designates the site *Mixed Use Areas* which provides for a wide range of land uses to create animated districts along transit routes that provide opportunities to rely less on private automobile trips. New buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in these districts is to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services. Map 5 of the Plan identifies Bathurst Street and Sheppard Avenue West as Transit Priority Segments demonstrating the intention of maintaining and improving transit service along these corridors over the short and long-term.

The site also is located within the Sheppard West/Dublin Secondary Plan. The objective of this Secondary Plan is to promote a mix of uses and intensification along the Sheppard Avenue West corridor between Bathurst Street and Downsview subway station. The Secondary Plan designates the property *Mixed Use Area 'A'* as Bathurst Street and Sheppard Avenue is one of the primary commercial areas for the Secondary Plan area. The maximum permitted density is 2.0 times the area of the lot, provided the density of commercial uses does not exceed 1.0 times the area of the lot.

The maximum height permitted by the Secondary Plan is five storeys with the height of any building not exceeding the horizontal distance separating that building from any lands designated *Neighbourhoods*. The minimum required rear yard setback is 9.5m, and the Secondary Plan directs that a 1.5m landscaped strip be provided along property lines that abut *Neighbourhoods*.

## **Zoning**

The site is zoned One-Family Detached Dwelling Fourth Density Zone (R4) as indicated in Attachment 5. The R4 zoning permits single detached dwellings and accessory buildings as well as various recreational and institutional uses.

## **Site Plan Control**

An application for Site Plan Control approval will be required but has not yet been filed.

## **Tree Preservation**

The application is subject to the City of Toronto Private Tree By-law. An arborist report has not been submitted in support of the application and will be required for the application to be declared completed. Upon submission, the report will be reviewed by Urban Forestry Services.

## **Green Roof By-law**

The application is subject to the City of Toronto Green Roof By-law. Mixed use buildings with a gross floor area between 5,000m<sup>2</sup> and 9,999m<sup>2</sup> are required to provide 30% coverage of the available roof area with a green roof. A green roof is proposed to cover 61% of the available roof area.

## **Reasons for the Application**

The Sheppard West/Dublin Secondary Plan allows the subject lands to be developed with a mixed use building of a height no greater than five storeys at a density of 2.0 times the area of the lot, provided the commercial component does not exceed 1.0 times the area of the lot. An application to amend the Sheppard West/Dublin Secondary Plan is required as the applicant is proposing a seven storey mixed use building with a density 3.8 times the area of the lot with a commercial density of 2.4 times the area of the lot.

An amendment to the Zoning By-law is required to permit the proposed mixed use development at the proposed height and density, as well as to establish appropriate performance standards to facilitate the proposal.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the applications:

- Plan of Survey and Architectural Drawings
- Landscape Plans
- Planning Rationale
- Transportation Impact Statement and Parking Study
- Stormwater Management and Servicing Report
- Green Standard Checklist

A Notification of Incomplete Application issued on June 14, 2010 identifies the outstanding material required for a complete application submission as follows:

- A statement of consistency of the proposed Official Plan Amendment with the Provincial Policy Statement and conformity of the proposed Official Plan Amendment with the Growth Plan for the Greater Golden Horseshoe.
- Arborist Report.

The outstanding material has not been submitted.

### **Issues to be Resolved**

On a preliminary basis, the following issues have been identified:

1. The appropriateness of the proposed height and density of the building.
2. The extent of commercial uses proposed within the building.
3. Built form as it relates to the Bathurst Street streetscape.
4. Conformity with the City's Mid-rise Buildings Performance Standards.
5. Issues related to the relationship of the proposed mid-rise building with other sites in the southwest quadrant of the intersection of Bathurst Street and Sheppard Avenue West.

6. Compatibility with the surrounding neighbourhood, including built form transition to the low scale uses to the west in terms of height and massing, but also the character of the Alexis Boulevard frontage.
7. The adequacy and appropriateness of the proposed outdoor terraces as amenity space.
8. The appropriateness of the proposed vehicular access to the site.
9. The adequacy of the proposed parking supply for the mix of uses proposed.
10. The adequacy of the proposed servicing for the mix of uses proposed.

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

### **Toronto Green Standard**

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are intended to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

### **CONTACT**

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### **SIGNATURE**

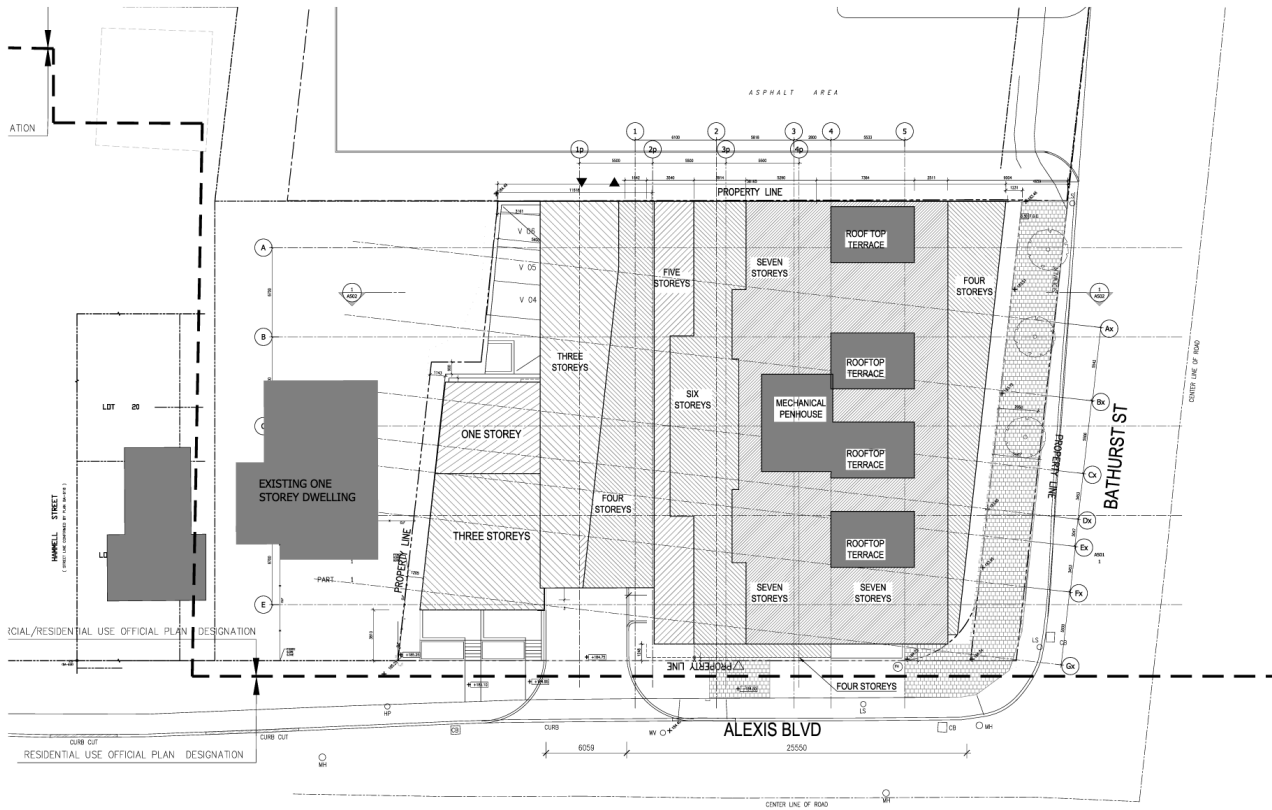
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Thomas C. Keefe, Director  
Community Planning, North York District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations - West and East  
Attachment 3: Elevations – South and North  
Attachment 4: Official Plan  
Attachment 5 Zoning  
Attachment 6: Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

4362 - 4370 Bathurst Street

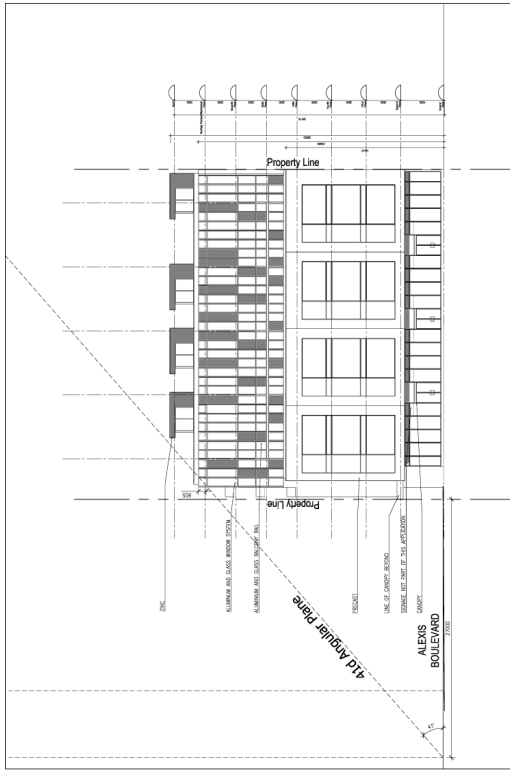
Applicant's Submitted Drawing

Not to Scale  
06/15/2010

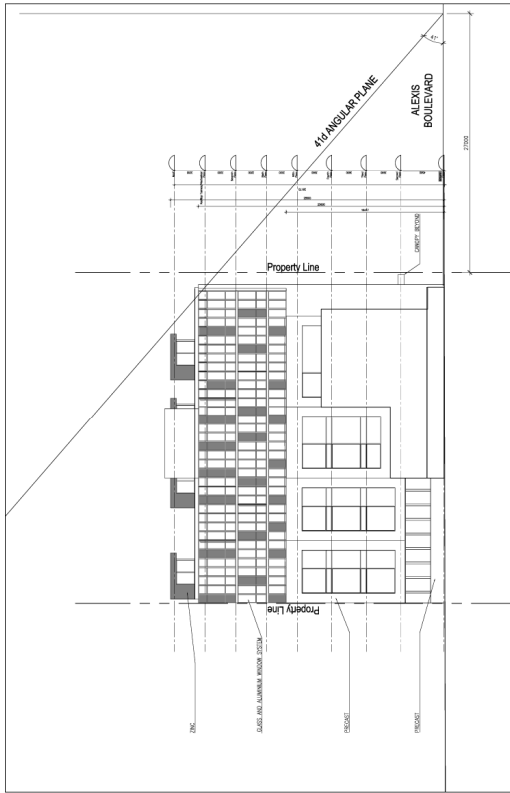


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**Attachment 2: Elevations**



② East Elevation  
SCALE 1/320



④ West Elevation  
SCALE 1/320

**4362 - 4370 Bathurst St.**

**Elevations - West & East**

Applicant's Submitted Drawing

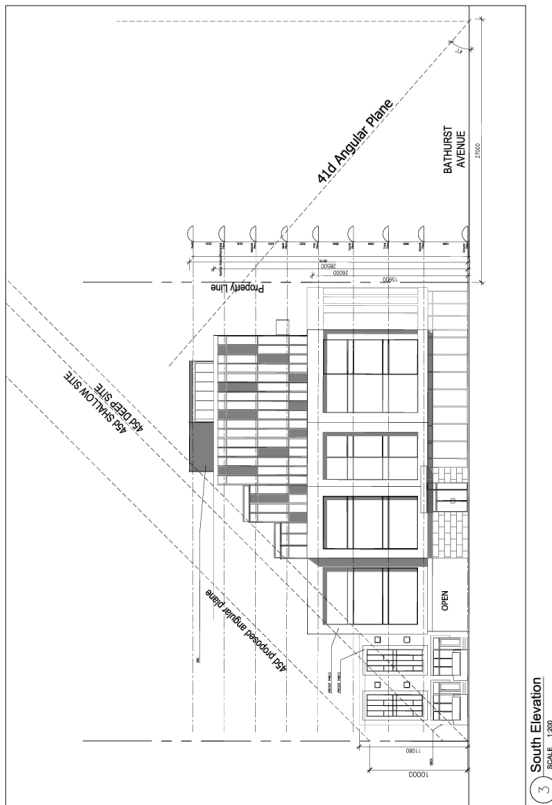
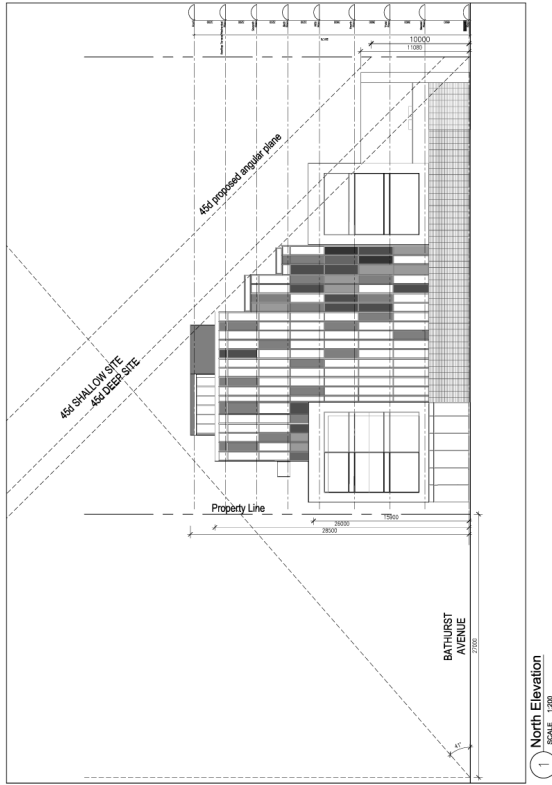
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Attachment 3: Elevations



4362 - 4370 Bathurst St.

Elevations - South & North

Applicant's Submitted Drawing

Not to Scale  
06/23/2010

File # 10\_175209

## Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

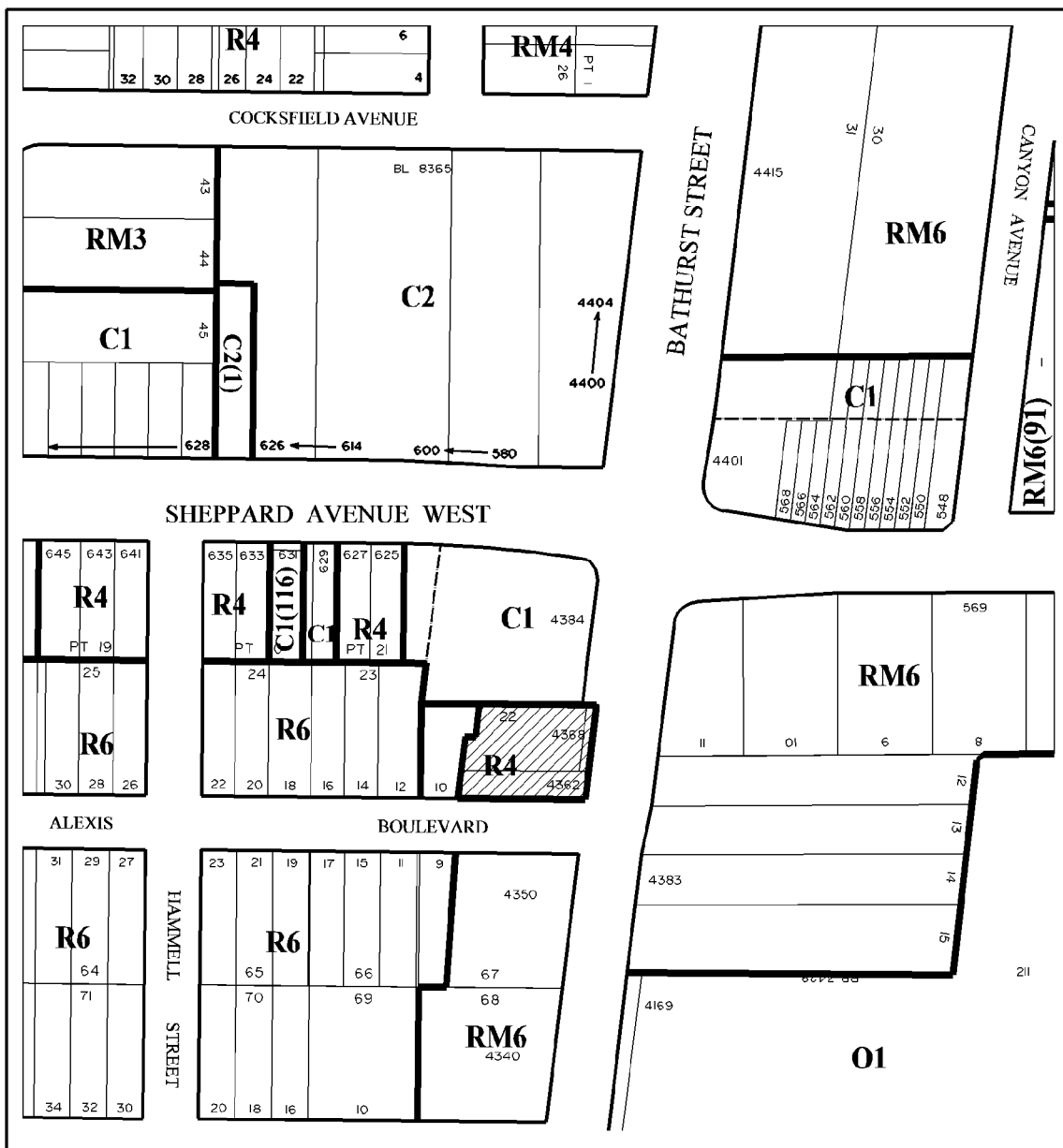
**4362 - 4370 Bathurst Street**

File # 10\_175209



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### Attachment 5 – Zoning



4362 - 4370 Bathurst Street

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- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone

- C2 Local Shopping Centre Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale  
Zoning By-law 7625  
Extracted 06/10/2010

## Attachment 6 – Application Data Sheet

Application Type	Rezoning	Application Number:	10 175209 NNY 10 OZ
Details	Rezoning, Standard	Application Date:	May 14, 2010
Municipal Address:	4362 BATHURST ST		
Location Description:	PLAN 1938 PT LOT 22 **GRID N1004		
Project Description:	Seven storey mixed use building containing ground floor retail, three floors of office/commercial, 23 dwelling units and two levels of underground parking. The proposed density of the project is 3.8 times the area of the lot.		
<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
ALAN SLOBODSKY			SUDCORP GROUP INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1558	Height:	Storeys:	8
Frontage (m):	34.7		Metres:	28.5
Depth (m):	6.3			
Total Ground Floor Area (sq. m):	703			<b>Total</b>
Total Residential GFA (sq. m):	2389		Parking Spaces:	79
Total Non-Residential GFA (sq. m):	3662		Loading Docks	0
Total GFA (sq. m):	6051			
Lot Coverage Ratio (%):	45			
Floor Space Index:	3.8			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	9
2 Bedroom:	13
3 + Bedroom:	0
Total Units:	22

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	2389	0
Retail GFA (sq. m):	475	0
Office GFA (sq. m):	3187	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Christian Ventresca, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7129</b>