

3180 Bathurst Street - Rezoning - Preliminary Report

Date:	December 10, 2009
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 15 – Eglinton-Lawrence
Reference Number:	09 169984 NNY 15 OZ

SUMMARY

This application was made on September 17, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

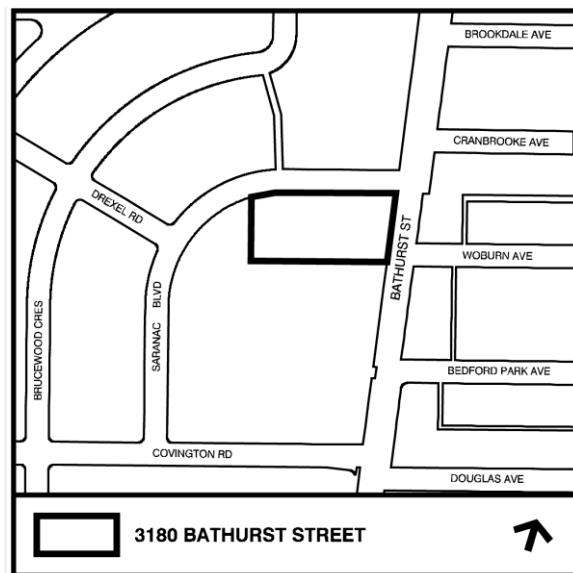
The application proposes to amend the Zoning By-law to permit a mixed-use building fronting both Saranac Boulevard and Bathurst Street. The proposed building consists of a 13 storey (40 metres) residence with ground floor commercial uses fronting Bathurst Street and a 14 storey (43 metres) residence to the rear, fronting Saranac Boulevard. The two residences are proposed to be connected by a one-storey base building with a common entry for the residences accessed from a private mews street. A total of 398 residential units and 30,077 m² of residential gross floor area is proposed with 186 m² of commercial gross floor area.

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

RECOMMENDATIONS

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 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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

City staff met with the owner and applicant of this site on several occasions prior to a formal application. At these meetings, staff identified issues with the height, massing and scale of various proposals put forward and also discussed the heritage attributes of the Asbury and West United Church. However, a formal pre-application consultation meeting to discuss complete application requirements and the *Avenue* segment review was not held with the applicant.

ISSUE BACKGROUND

Proposal

The application proposes to amend the Zoning By-law to permit a mixed-use building fronting both Saranac Boulevard and Bathurst Street. The proposed building consists of a 13 storey (40 metres) residence with ground floor commercial uses fronting Bathurst Street and a 14 storey (43 metres) residence to the rear, fronting Saranac Boulevard. The two residences are proposed to be connected by a one-storey base building with a common entry for the residences accessed from a private mews street. A total of 398 residential units and 30,077 m² of residential gross floor area is proposed with 186 m² of commercial gross floor area.

The residence fronting Bathurst Street is proposed to have a seven-storey expression along the Bathurst Street frontage with a 3 metre setback. The six-storey tower element above the seventh storey is proposed to have a 836 m² floorplate. The proposed residence fronting Saranac Boulevard is in an 'L-shape' form and is also proposed to have a seven storey expression along Saranac Boulevard. The residence would step back above the seventh storey and a further step back would occur above the twelfth storey. The floorplate proposed for the eighth floor to the eleventh floor is 1,393.5 m² and reduces to 1,138 m² from the twelfth floor to the fourteenth floor.

Along the south and west property limits, the base building is proposed to have a 0 metre setback and the residences step back above the first storey. A 4 metre air-right is proposed along the south property limit for the Bathurst residence.

Indoor residential amenity space is proposed, consisting of a library, a fitness room, a lounge and multi-purpose room. No at-grade outdoor amenity space is proposed; outdoor

amenity space would be provided in the form of common terraces on the second storey roof of the common entry and on the penthouse integrated into a solar roof.

Retention and restoration of the two-storey, 1958 portion of the Asbury and West United Church located on the northern portion of the site (2,237 m² of gross floor area) is proposed. The existing for-profit day care facility within the place of worship is also proposed to be upgraded to meet the provincial standards for day nurseries. The site is planned to be severed into two portions, consisting of the retained place of worship and an 'L' shaped property to the south and west for the two residential buildings. An application to sever the property has not been submitted to date.

Vehicular and service access is proposed from a 7.5 metre wide mews street through the middle of the site with an all moves access from Saranac Boulevard and a right-in right-out access at Bathurst Street. A screened loading and garbage area is proposed at the surface adjacent to the Saranac Boulevard frontage.

A total of 334 parking spaces are proposed within three levels of below-grade parking with additional parking located in the base building. This parking supply would consist of 259 spaces for the residential units, 70 visitor spaces and five car-sharing spaces. The place of worship would utilize the visitor parking spaces to meet its parking requirements. The proposal also provides 199 bicycle parking spaces (40 for visitors and 159 for residents).

The overall gross floor area proposed for the site is 32,449 m² which would result in a density of 4.5 times the total area of the lot, including the retained site for the Asbury and West United Church. For additional site statistics, refer to the Application Data Sheet attached as Attachment 5.

Site and Surrounding Area

The site is located on the west side of Bathurst Street north of Lawrence Avenue West. The site has a frontage of 60 metres on Bathurst Street, a depth of 125 metres and an area of 7,190 m².

The existing development on site consists of a two-storey place of worship with surface parking provided to the south and west of the existing building. The place of worship structure consists of the remaining elements of the 1899 Asbury church, an administrative wing that was constructed in 1951 and a sanctuary built in 1958. The building is currently not listed on the City of Toronto's Inventory of Heritage Properties or designated under the *Ontario Heritage Act*.

Land uses surrounding the site are as follows:

North: Two to four storey walk-up apartment buildings are located on the north side of Saranac Boulevard directly across from the subject site. Further to the north is a 4 to 8 storey seniors residence.

East: Two-storey mixed use buildings are located on the east side of Bathurst Street directly opposite the subject site.

South: Directly to the south of the site is a 12 storey residential building owned by Toronto Community Housing Corporation with a 3 storey townhouse component (3174 Bathurst Street). Further to the south is a 14-storey apartment building (2 Covington Road) and a 15-storey apartment building (8 Covington Road).

West: The Bais Yaakov School and a playground are located to the southwest and west of the subject site.

Bathurst Street is a busy arterial with 4-lanes of traffic in most areas. There is also 24-hour bus service. A rezoning application was submitted in 2007 for an 11-storey retirement residence in the vicinity of this application at 3101 and 3137 Bathurst Street. This application is currently under review.

Priority Neighbourhoods

The City of Toronto has placed increasing emphasis on identifying vulnerable neighbourhoods and targeting resources to improve outcomes for their residents. Thirteen neighbourhoods were identified for priority infrastructure investment due to the lack of Community Services and Facilities.

The subject site is located in the Lawrence Heights Priority Neighbourhood. The neighbourhood of Lawrence Heights is bounded by Lotherton Pathway and Eugene Street to the west, Bathurst Street to the east, Highway 401 to the north and Briar Hill Avenue to the south. Attachment 4 illustrates the Lawrence Heights Priority Neighbourhood boundary.

Lawrence-Allen Revitalization Project

The subject site is also located within the Lawrence-Allen Revitalization Project study area. At its meeting of July 16-19, 2007, City Council approved the June 14, 2007 Affordable Housing Committee recommendation to Executive Committee that the Chief Planner and Executive Director, City Planning, be authorized to develop a planning framework for the revitalization of the Lawrence Heights community.

This study is currently underway and includes all lands in the area bounded by Lawrence Avenue West in the south to Highway 401 in the north and Dufferin Street in the west to Bathurst Street in the east. The central portion of the area encompasses the Toronto Community Housing Corporation Lawrence Heights housing development and large parcels owned by the Toronto District School Board and Rio-Can.

The subject site is located in the southeast quadrant of the study area and it is expected that the work undertaken for this study will be used to assess the impacts and implications of the redevelopment of the subject site and the Avenue Segment Study submitted with the application.

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 subject site as *Mixed Use Areas*, one of four land use designations intended to accommodate growth. The *Mixed Use Areas* designation encourages a broad range of commercial, residential, institutional and open space uses to accommodate increases in population and jobs along transit lines and reduce automobile dependency.

The Official Plan establishes criteria for development in *Mixed Use Areas* including a requirement for buildings to be located and massed to provide a transition between areas of different development intensity, providing setbacks for, and stepping down of, building heights towards existing lower scale development. The Plan also contains requirements to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open space.

The Urban Structure Map identifies four categories of growth areas including the *Avenues* overlay. The *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents. The Official Plan identifies that development along the *Avenues* will generally be at a much lower scale than in the *Downtown* and generally at a lower scale than in the *Centres*. Bathurst Street is identified as an *Avenue* on Map 2 of the Official Plan.

Development in *Avenues* prior to the City undertaking an Avenue Study has the potential to set a precedent for the form and scale of re-urbanization along the *Avenue*. For this reason, proponents of such proposals are required to address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located. Section 2.2.3, Policy 3(b) of the Official Plan, sets out the criteria that must be examined in an Avenue Segment Study.

The Official Plan defines “tall buildings” as those whose height is greater than the width of the adjacent road allowance, and generally limits these buildings to parts of the *Downtown, Centres* and other areas where they are specifically permitted by a Secondary Plan or Zoning By-law. The Official Plan establishes a maximum right-of-way of 27 metres for Bathurst Street. Saranac Boulevard has a 20 metre right-of-way.

The Official Plan also contains a policy that encourages the inclusion of public art in all significant private sector developments across the City. The Percent for Public Art program recommends that a minimum of one percent of the gross construction cost of each significant development be contributed to public art. The governing principle for the Percent for Public Art Program is that art is a public benefit to be enjoyed and experienced by residents and visitors throughout the City.

The Plan provides for the use of Section 37 of the *Planning Act* to secure the provision of community benefits in return for an increase in height and/or density of a development. The City may require the owner to enter into an agreement to secure these matters.

Tenure

The applicant advises the proposed residential units will be affordable home ownership housing. Affordable ownership housing is defined in the Official Plan as housing which is priced at or below an amount where the total monthly shelter cost equals the average City of Toronto rent by unit type. A number of criteria are identified for determining the monthly shelter cost. The applicant also advises that some larger units may be provided to accommodate Orthodox Jewish families, in which case the total unit count may be reduced. Applications for draft plan of condominium approval will be required.

Zoning

The site is currently zoned Single Detached Dwelling Fifth Density (R5) zone, by the former City of North York Zoning By-law 7625. The R5 zone permits single-detached dwellings and accessory buildings with a minimum lot frontage of 15 meters and maximum lot coverage of 30%. Home occupations, recreational and institutional uses, including places of worship, are also permitted.

Site Plan Control

The proposal is subject to Site Plan Control approval. An application has not been submitted to date.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. According to the Tree Inventory Plan submitted by the applicant, there is one City tree and six private trees on the subject site that qualify for protection. There are also three private trees abutting private property within 6 metres of the development site having a diameter equal to or greater than 30 cm (12 in.). The applicant will be required to undertake appropriate retention and protection measures as determined through the review of a Site Plan Control application.

Reasons for the Application

An amendment to the Zoning By-law is required to permit the proposed mixed-use development and establish development standards regarding height, density, vehicle and bicycle parking, residential amenity space and other matters.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale and Avenue Segment Review;
- Sun/Shadow Study;
- Heritage Impact Assessment;
- Environmental Site Assessment;
- Functional Servicing Report;
- Pedestrian Comfort Wind Assessment;
- Transportation and Parking Study (Urban Transportation Considerations); and
- Toronto Green Development Standard Checklist.

A Notification of Incomplete Application issued on October 21, 2009 identifies that an Archaeological Assessment is required for a complete application submission. The site is located in an area with archaeological potential

Issues to be Resolved

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

1. Conformity with the Official Plan's policies.
2. The appropriateness of the height, density and massing of the proposal.
3. Built form as it relates to:
 - Creating appropriate transitions in scale to the low scale residential context to the north and northwest of the subject site and the Asbury and West United Church;
 - Shadowing of, and other possible impacts, to the Asbury and West United Church and associated open space, adjacent streets and neighbouring properties; and
 - Providing an appropriate massing of the building that respects the existing and planned street proportion of Saranac Boulevard and Bathurst Street.
4. The location, orientation and organization of buildings and servicing areas.
5. The appropriateness of the buildings' setbacks and the requirement for a 4.0 metre proposed air-right on the property to the south.
6. The adequacy and appropriateness of proposed indoor and outdoor amenity space.
7. The appropriateness of the requested reduced parking supply and the amount of bicycle parking.
8. The appropriate conservation of the Asbury and West United Church.
9. Traffic impacts and assessment.
10. The proposed width of the mews street and its access on Bathurst Street.
11. The assessment of the *Avenue* segment review and the policies respecting development on an *Avenue* prior to the completion of an *Avenue* Study.

12. How this proposal will be addressed in the context of the larger study underway through the Lawrence-Allen Revitalization Project.
13. The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

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

Summary of issues

The preliminary issues identified with the proposal, in particular the proposed building heights, massing and scale, the proposed density and site organization are significant and could be grounds for recommending refusal of the application if these issues are not addressed through revisions to the proposal. Staff will be encouraging the applicant to resolve the issues identified in this report.

CONTACT

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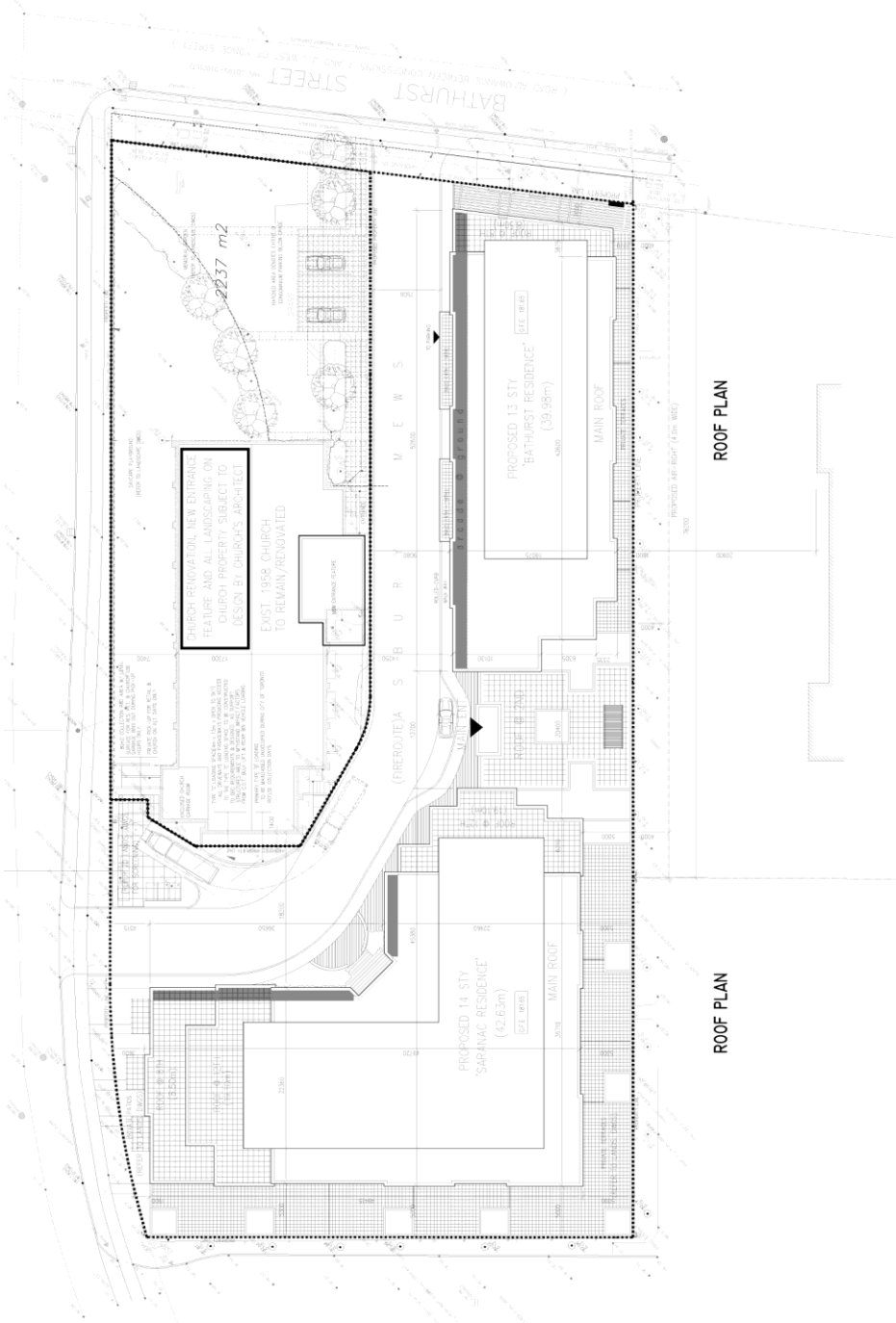
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Lawrence Heights Priority Neighbourhood Boundary
Attachment 5: Application Data Sheet

Attachment 1: Site Plan



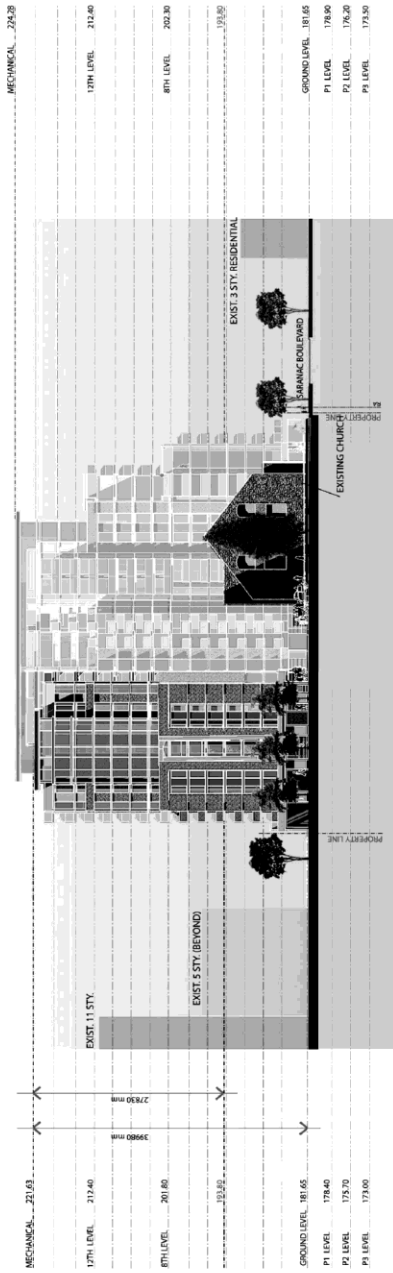
3180 Bathurst Street

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 10/26/09

File # 09 169984

Attachment 2: Elevations



EAST SIDE ELEVATION (ALONG BATHURST STREET)



NORTH SIDE ELEVATION (ALONG SARANAC BOULEVARD)

Elevation

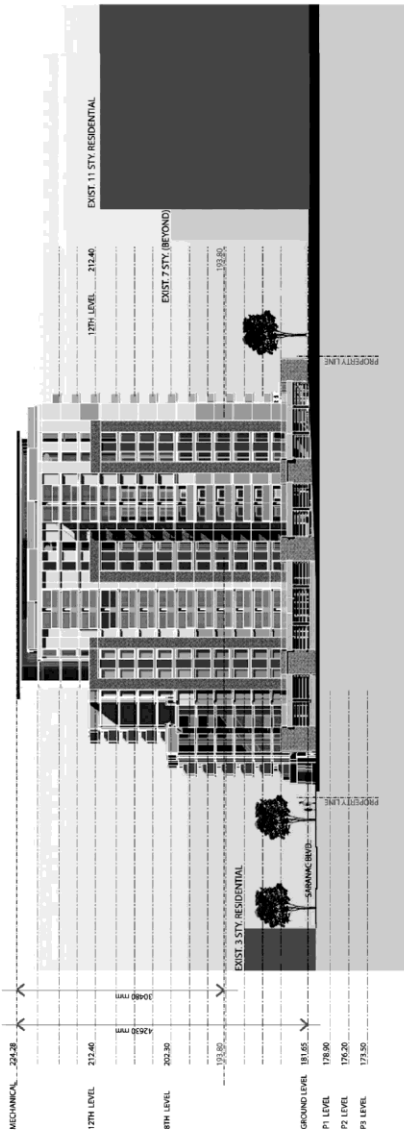
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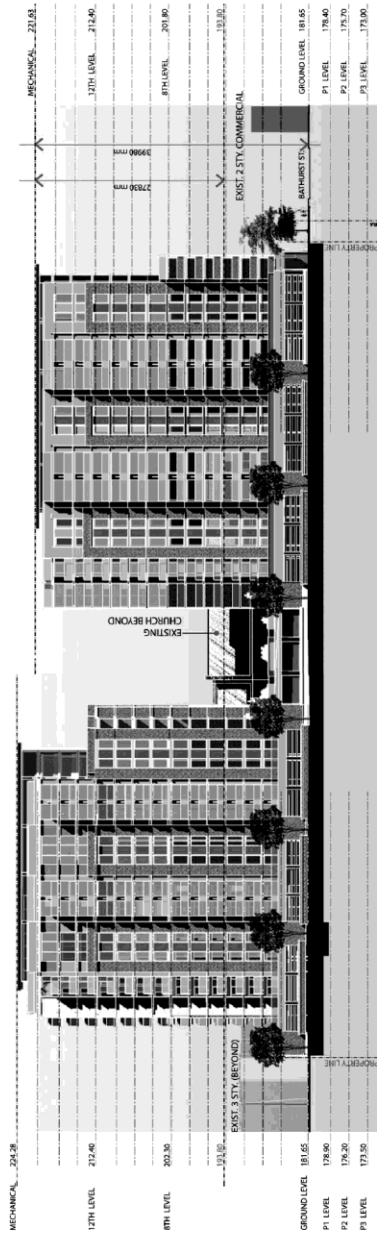


3180 Bathurst Street

File # 09_16684



WEST SIDE ELEVATION



SOUTH SIDE ELEVATION

Elevation

Applicant's Submitted Drawing

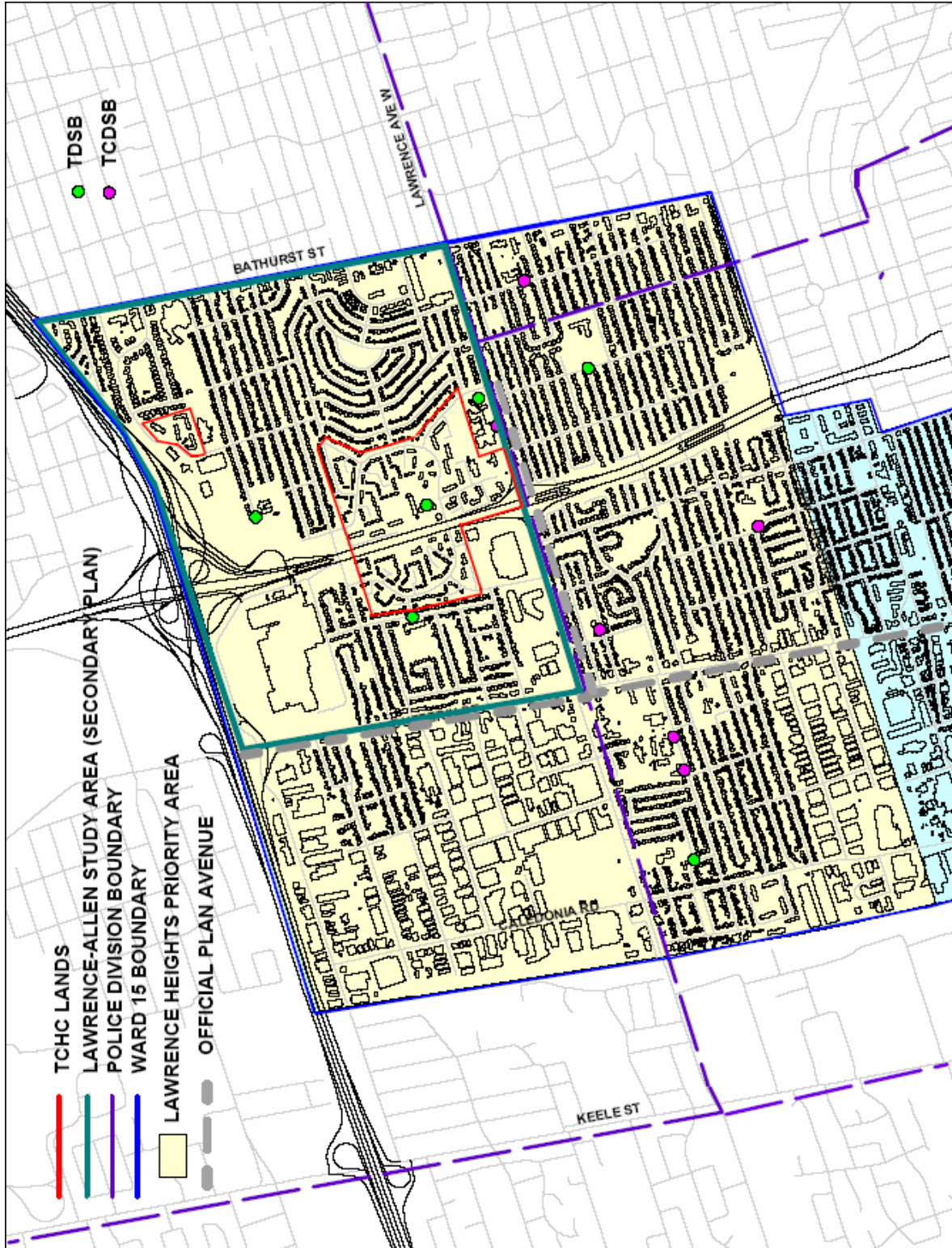
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3180 Bathurst Street

File # 09_16684

Attachment 4: Lawrence Heights Priority Neighbourhood Boundary



Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	09 169984 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	September 17, 2009

Municipal Address: 3180 BATHURST ST

Location Description: CON 2 WY PT LOT 6 PT LOT 3826 PTBLK G **GRID N1502

Project Description: Proposed mixed use development including:

- A 13 storey residential building fronting Bathurst Street and a 14-storey residential building fronting Saranac Boulevard totalling 30,077m² of GFA for a total of 398 units; and
- Retail at grade in the residential building along Bathurst Street totalling 185.6 m² of GFA

Applicant:
PINO DI MASCIO

Agent:

Architect:

Owner:
UNITED CHURCH
CANADA ASBURY AND
WEST CHURCH

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R5	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	7190	Height:	Storeys:	43
Frontage (m):	125		Metres:	0
Depth (m):	124			
Total Ground Floor Area (sq. m):	1361.96			Total
Total Residential GFA (sq. m):	30077		Parking Spaces:	361
Total Non-Residential GFA (sq. m):	2370.81		Loading Docks	0
Total GFA (sq. m):	32447.81			
Lot Coverage Ratio (%):	18.94			
Floor Space Index:	4.51			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo, Other			
Rooms:	0	Residential GFA (sq. m):	30077	0
Bachelor:	56	Retail GFA (sq. m):	186	0
1 Bedroom:	207	Office GFA (sq. m):	0	0
2 Bedroom:	132	Industrial GFA (sq. m):	0	0
3 + Bedroom:	3	Institutional/Other GFA (sq. m):	2185	0
Total Units:	398			

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