

**4362 – 4370 Bathurst Street
Official Plan Amendment and Zoning By-law
Amendment Applications – Final Report**

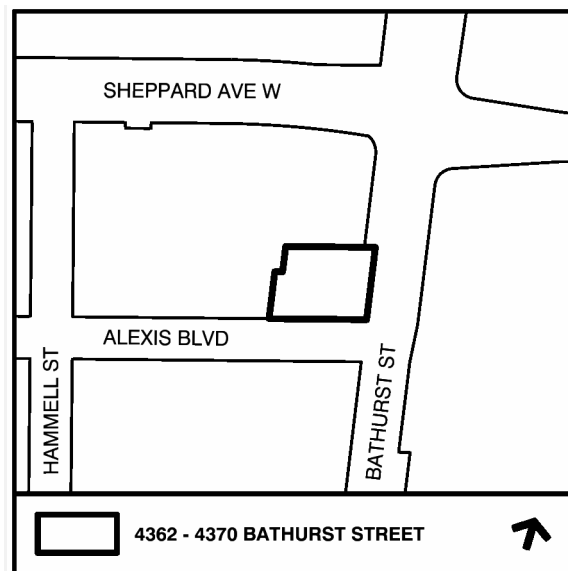
Date:	August 22, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 10 – York Centre
Reference Number:	10 175209 NNY 10 OZ 10 184490 NNY 10 OZ

SUMMARY

This application proposes to amend the Sheppard West/Dublin Secondary Plan and Zoning By-law No. 7625 to permit the construction of an eight storey mixed-use building containing retail uses at grade with three floors of office space and 22 residential units above at 4362-4370 Bathurst Street.

The redevelopment proposal is in keeping with the objectives of the Secondary Plan to encourage a diversity of office, commercial, institutional and residential uses along the Sheppard West/Dublin corridor while protecting the abutting lower density residential uses. The proposal intensifies an underutilized property within the Secondary Plan Area and accommodates an appropriate range and mix of land uses for the infrastructure and public services available and planned.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 4362-4370 Bathurst Street substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 7 to report dated July 27, 2012.
2. City Council amend former City of North York Zoning By-law No. 7625 for the lands at 4362-4370 Bathurst Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to report dated July 27, 2012.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report was adopted by North York Community Council at its August 17, 2010 meeting authorizing staff to conduct a community consultation meeting. The decision of Community Council and Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.NY36.61>

ISSUE BACKGROUND

Proposal

The applicant is proposing an 8 storey (28.2m high) mixed use building at the northwest corner of Bathurst Street and Alexis Boulevard. A total gross floor area of 6,051m² 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 (3,187m²) are proposed to be accessed from a shared commercial/residential lobby. A total of 22 residential units are proposed. Twenty residential apartment units are proposed for the top four floors. Four apartment units on the seventh floor are proposed to be two storey units with small separate rooftop access points to terraces provided on the eighth storey. Two additional grade-related live/work units are proposed to be accessed directly from Alexis Boulevard and are three storeys in height.

The building is generally organized with the tallest portion of the building along Bathurst Street and is articulated with step backs and terraces. The massing of the building reflects the uses on each particular floor. The eastern walls of the non-residential uses

contained on the first four floors would be parallel to Bathurst Street and the four residential floors (floors 5-8) would step back from the main mass of the building and would be rotated away from the Bathurst Street property line. The eighth floor of the building is not a continuous mass, but consists of four separate access stairways associated with apartment units located on the seventh floor and intended to provide access to private rooftop amenity space. The building would terrace towards the west, down to the three storey mass along the western property line containing two live-work units. These units would be accessed directly from Alexis Boulevard and would be provided with a private garage containing one space per unit.

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. Two Type C loading spaces are 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 1,558m². 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 Ontario Municipal Board.

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 by the *Planning Act*, to conform, or not conflict, 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.

Reasons for Application

An application to amend the Sheppard West/Dublin Secondary Plan is required as the proposal exceeds the height and densities provided for in the Secondary Plan. 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.

Community Consultation

A Community Consultation meeting was held on January 19, 2011 at Earl Bales Community Centre that was attended by the local Councillor, the applicant, City staff and 16 members of the community.

The main issue raised at the meeting was related to traffic generated by the site and access from Alexis Boulevard to Bathurst Street. Other comments raised related to how the proposed development would work from an access and built form perspective if the lands on the remainder of the block were to redevelop. A concern was raised with respect to the amount and location of parking designated to service the proposed retail space. In addition to issues discussed related to the proposed development, community members provided commentary on local issues such as traffic control along Alexis Boulevard.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. It accommodates an appropriate range and mix of land uses for the infrastructure and public services available and planned. It is also located within a designated growth area and would be developed with appropriate standards to facilitate intensification in a compact form.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It focuses intensification within an identified intensification corridor providing a mix of land uses and housing types. The proposal is transit supportive and achieves an appropriate transition of built form to surrounding areas.

Land Use

The City of Toronto Official Plan directs future growth in the City to areas that are well served by public transit. The subject site is located within an existing Secondary Plan area that promotes residential intensification along a major arterial road well served by public transit. In general, the *Mixed Use Areas* designation permits a broad range of residential and commercial uses intended to absorb much of the future residential growth in the city. This designation is further refined by the Secondary Plan which promotes the intersection of Sheppard Avenue West and Bathurst Street as a primary commercial area for the corridor.

The proposal takes advantage of existing municipal infrastructure and the commercial uses at grade will provide a lively pedestrian amenity with an improved streetscape on a

key development block within the Secondary Plan area. The proposed mixture of uses to include a significant non-residential/office component strengthens the existing retail-commercial node at the corner of Bathurst Street and Sheppard Avenue West as intended by the Secondary Plan. The location of the proposed development would promote additional ridership on public transit as it is within walking distance to surface transit stops which serve major north-south (Bathurst 7) and east-west (Sheppard 84, York University Rocket 196) bus routes. The proposed development conforms to the land use provisions of the Official Plan and the site is appropriate for residential and additional non-residential intensification.

Density, Height and Massing

The Sheppard West/Dublin Secondary Plan includes policies intended to protect abutting lands designated *Neighbourhoods* from the increased level of development along the corridor. These policies form the framework that guides the review of any development proposed within the Secondary Plan area, particularly those which request an amendment to the Plan for additional heights or densities. The Secondary Plan provides for a maximum height of five storeys and a total density of 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.

Density

The applicant is proposing an eight storey building with a density of 3.88 times the area of the lot, including a non-residential density of 2.35 times the area of the lot, and residential density of 1.53 times the area of the lot. Although this is an increase in density beyond that which is provided for by the Secondary Plan, the proposal conforms to provisions related to built form and transition to sensitive land uses as outlined below. In addition, the Secondary Plan recognizes the intersection of Bathurst Street and Sheppard Avenue West as a primary commercial area. The significant non-residential component of this building fulfills the intent of the Secondary Plan in this regard.

Height and Massing

During the evaluation of the proposal, the applicant has adjusted the massing of the building in response to staff comments and the City's design guidelines for mid-rise buildings. The proposed eight storey building is similar in height to other buildings recently constructed within the Sheppard West/Dublin Corridor, but also existing buildings along the west side of Bathurst Street which are not part of the Secondary Plan area. The existing apartment buildings on the west side of Bathurst Street between York Downs Drive to the south and the subject lands range in height from three to eleven storeys with the majority of structures being six to eight storeys tall. The proposed height appropriately fits into this context of mid-rise development that creates an appropriate edge to Earl Bales Park on the east side of Bathurst Street.

The proposed massing meets the buffering and transition policies of the Secondary Plan while providing an active and articulated street frontage along Bathurst Street. The proposal meets the minimum 9.5m setback from lands designated *Neighbourhoods*. The

property immediately to the west of the subject site (10 Alexis Boulevard) falls within the Secondary Plan Area and like the subject lands is designated *Mixed Use Areas 'A'*. The closest property designated *Neighbourhoods* is 12 Alexis Boulevard which is a minimum of 13.5m from the subject site. The building also is well below an angular plan projected from the *Neighbourhoods* designated property at 12 Alexis Boulevard as required by the Secondary Plan.

There is no change in designation between the subject lands and the adjacent property (10 Alexis Boulevard) currently occupied by a single detached dwelling. Thus, the Secondary Plan does not require built form to directly transition to the adjacent property. However, the proposal has regard to both the existing use as a single detached dwelling, as well as the planned use as a portion of a consolidated development parcel. The proposal terraces from its maximum height along Bathurst Street to a three storey mass along the west property line containing two live/work units. This three storey portion of the proposal is set back from Alexis Boulevard to create a front yard similar to the houses on the north side of the street including 10 Alexis Boulevard. The terracing and other transitional elements of the proposed massing provides an appropriate relationship between the development parcel and the existing use on 10 Alexis Boulevard in terms of minimizing overlook and shadow impacts.

The proposal responds to the performance standards of the City's Design Guidelines for Mid-rise Buildings. The proposed height of the ground floor is 4.5m to facilitate active retail uses at grade. Along the Bathurst Street and Alexis Boulevard facades, the proposed massing would step back from its initial setback at the fourth floor to create a pedestrian scaled street wall. The upper floors of the building are massed to ensure a minimum five hour sunlight window for sidewalks on the east side of Bathurst Street. The massing proposed for the Alexis Boulevard frontage also steps back at the sixth storey to ensure the height and massing has minimal visual impact of the upper floors looking east on Alexis Boulevard and as well as to allow additional sun penetration. This includes the eighth storey of the building which is not a full floor but consists of four separate pop-up masses associated with the units below to provide access to private rooftop terraces. The mechanical penthouse is also located on the eighth level to minimize visual impact and streamline the massing of the proposal.

Sun, Shadow, Wind

A sun and shadow analysis was submitted with each version of the proposal. The proposed apartment building does not project additional morning shadow on March 21 and September 21 into the rear yards of single detached houses on the north side of Alexis Boulevard which are designated *Neighbourhoods*. During the equinoxes, the proposal mainly shadows the lands designated Mixed Use Areas to the north of the subject site. The proposal also allows for the minimum five hour sunlight window for sidewalks on the east side of Bathurst Street. Staff reviewed the conclusions of the sun-shadow studies and are satisfied that the proposal adequately limits shadow impact on adjacent properties designated *Neighbourhoods*, as directed by the Official Plan.

Traffic Impact, Access, Parking and Loading

The applicant submitted a Traffic and Parking Report and a scoped addendum to respond to comments related to the provision of loading spaces within the proposed development. The report concluded that the number of trips generated by the proposal in the AM and PM Peak hour is not expected to have a significant traffic impact to the local area and can be accommodated by the existing transportation network. Transportation Services staff have reviewed the conclusions of this report and agree with its findings.

Vehicular access to the site would be provided from a driveway off Alexis Boulevard. This driveway would serve the retail, office and residential parking spaces in the below grade garage, as well as two Type-C loading spaces internal to the building. This access arrangement is consistent with Official Plan policies for minimizing curb cuts and consolidating service and access points to the rear of buildings on arterial roads.

The applicant is proposing 79 parking spaces, allocating 34 for the residential units and 34 for the office uses and 11 which are to be shared as visitor/retail short term parking. Six of the retail/visitor parking spaces are to be provided at grade screened from public view, as well as two of the residential parking spaces associated with the at-grade units. The remainder of the parking spaces is provided in a two level underground parking garage. The applicant also proposes 18 bicycle parking spaces on the P1 level of the garage.

For the proposed mix of uses, the Zoning By-law requires the provision of 111 parking spaces. The applicant submitted a parking study indicating a minimum of 79 spaces would adequately service the site. Transportation Services has reviewed the recommendations of this report and support its findings.

Servicing

The applicant's consultant was requested as part of the review of the application to conduct a sanitary sewer analysis of the local tributary area and identify any impacts of the proposed development on the downstream infrastructure. The modest size of the development in relation to the full tributary area that it forms part of allowed the analysis to be scoped to the local area. After a review of the submitted Sanitary Infrastructure Analysis report, Technical Services staff have concurred with the analysis that there is minimal impact on the local system from this development.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands subject to these applications are in an area of 0.43 to 0.79 hectares of parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area as per Alternative Parkland Dedication By-law 1420-2007.

The application proposed 22 residential units on a site of 0.16ha (1558m²). At the alternate rate of 0.4 hectares per 300 units specified in By-Law 1420-2007, the parkland

dedication would be 0.0293ha (293m²) which equals 19% of the site. However, a cap of 10% applies and hence the parkland dedication would be 0.01558ha (155.8m²). The non-residential component of the development would be subject to a 2% parkland dedication requirement under former City of North York Parkland Dedication By-law 30152.

The parkland dedication for the subject site is too small to be functional, therefore the applicant shall satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at time of building permit issuance.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The proposed draft site specific Zoning By-law will secure performance measures for the following Tier 1 development features related to Automobile Infrastructure and Cycling Infrastructure. Other applicable TGS performance measures will be secured through the Site Plan Approval process. These include measures related to Urban Heat Island Reduction (rooftop and at grade), Pedestrian Infrastructure, appropriate urban landscaping, as well as Stormwater Retention and Quality Control.

Section 37

Section 37 of the *Planning Act* authorizes a municipality with appropriate Official Plan provisions to pass Zoning By-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law in return for the provision of community benefits by the owner.

Policies in Chapter 5.1.1 of the Official Plan set out the provisions governing the use of Section 37 in Zoning By-laws. Policy 5.1.1.4 provides that Section 37 may be used for development with a gross floor area greater than 10,000m². With a gross floor area of 6.051m², the proposal is not subject to the application of Section 37.

Development Charges

It is estimated that the development charges for this project will be \$265,211. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

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Tel. No. 416-395-7129
Fax No. 416-395-7155
E-mail: cventre@toronto.ca

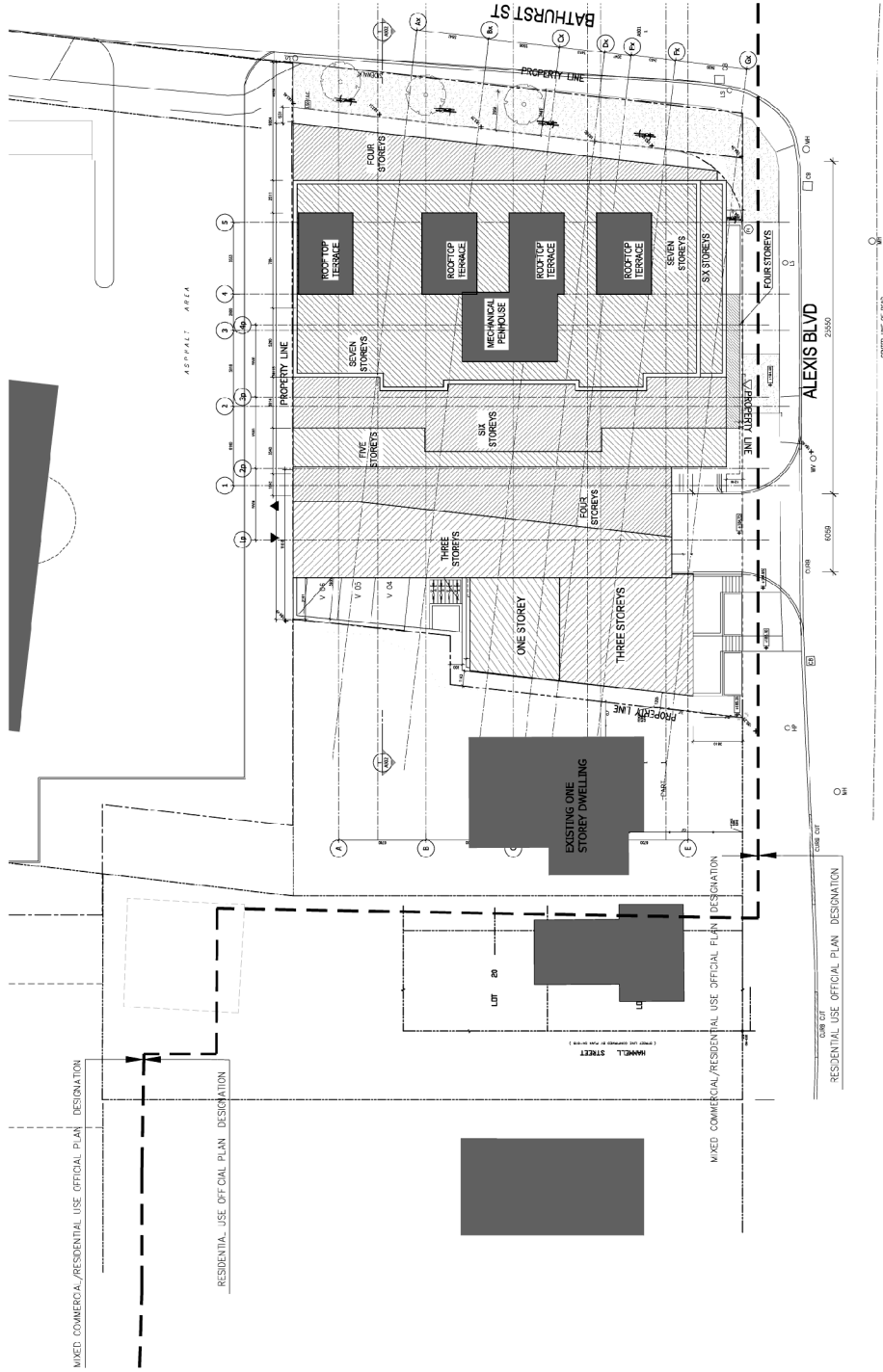
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North and South Elevations
Attachment 3: West and East Elevations
Attachment 4: Official Plan
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Official Plan Amendment
Attachment 8: Draft Zoning By-law Amendment

Attachment 1: Site Plan



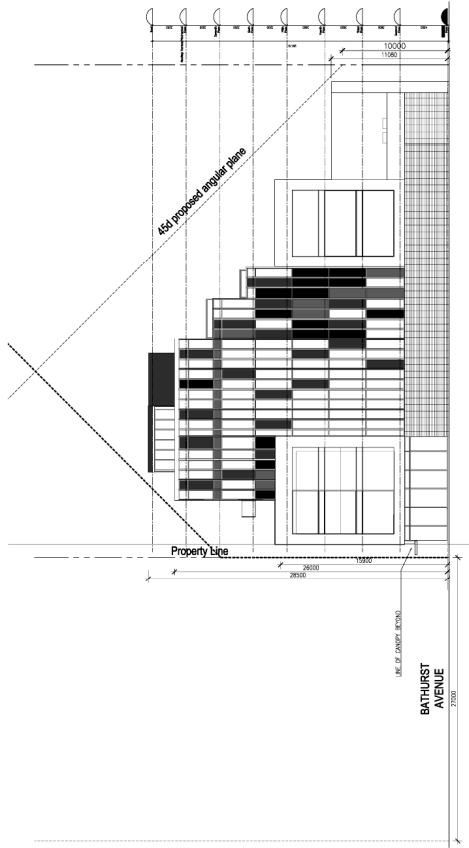
4362 - 4370 Bathurst Street

Site Plan
 Applicant's Submitted Drawing

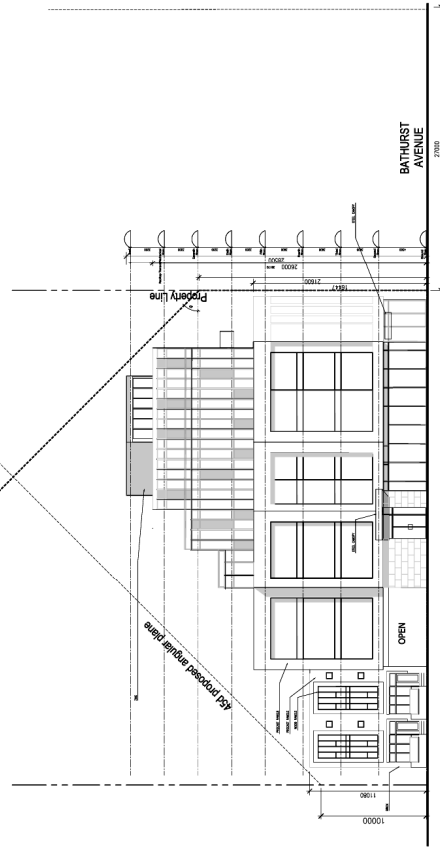
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File # 10 175209 NNY 10 0Z

Attachment 2: North and South Elevations



North Elevation



South Elevation

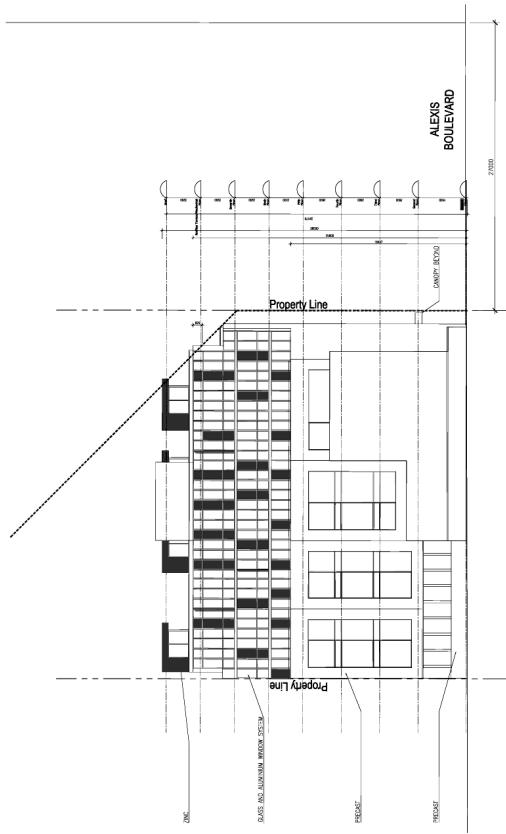
Elevations 4362 - 4370 Bathurst Street

Applicant's Submitted Drawing

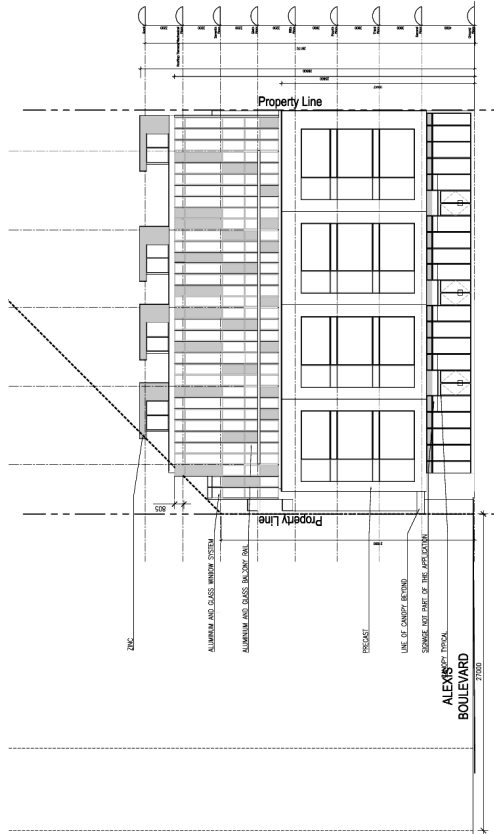
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File # 10 175209 NNY 10 0Z

Attachment 3: West and East Elevations



West Elevation



East Elevation

Elevations 4362 - 4370 Bathurst Street

Applicant's Submitted Drawing

Not to Scale
07/25/2012

File # 10 175209 NNY 10 0Z

Attachment 4: Official Plan



TORONTO City Planning
Official Plan

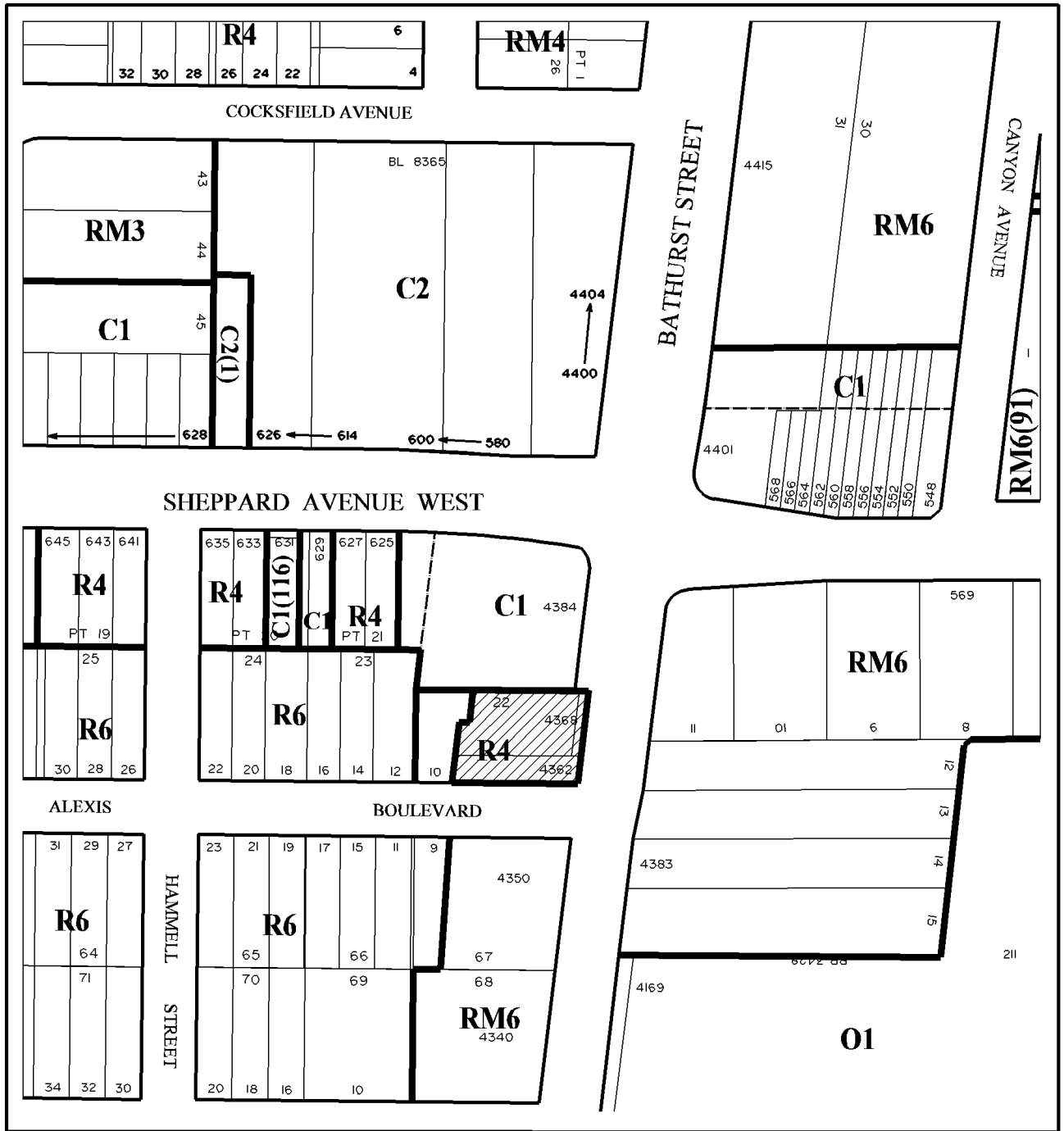
4362 - 4370 Bathurst Street

File # 10_175209



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 06/15/2010

Attachment 5: Zoning



4362 - 4370 Bathurst Street
File # 10_175209

- 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: Eight 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.

Applicant:	Agent:	Architect:	Owner:
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			Total
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

CONTACT: PLANNER NAME: Christian Ventresca, Senior Planner
TELEPHONE: (416) 395-7129

Attachment 7: Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan for the City of Toronto
respecting the lands known municipally in the year 2012 as
4362-4370 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 HEREBY ENACTS as follows:

1. The attached Amendment No. 193 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 193 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2012 AS

4362-4370 BATHURST STREET

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

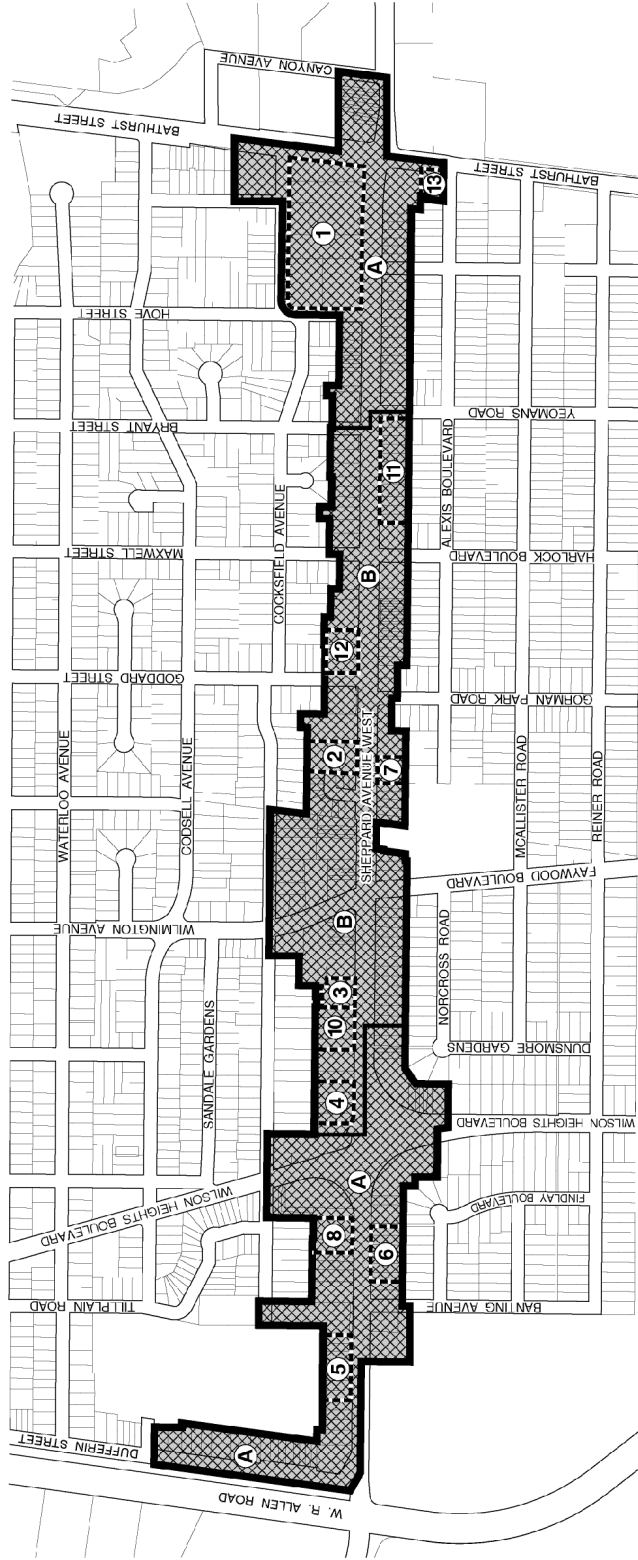
1. Chapter 6, Section 23, Sheppard West/Dublin Secondary Plan is amended by adding the following subsection to Section 4, Specific Policies:

4.13. 4362-4370 Bathurst Street

For the lands shown as Site and Area Specific Policy 13 on Map 23-1:

An 8-storey (28.5m) mixed-use building with a total density of 3.8 times the area of the lot, including a non-residential density of 2.3 times the area of the lot, is permitted.

2. Map 23-1, Sheppard West/Dublin Secondary Plan, Consolidated Land Use Map, is amended to show the lands known municipally in 2012 as 4362-4370 Bathurst Street as Site and Area Specific Policy Area Number 13, as shown on the attached Schedule 1.



Not to Scale



4362-4370 Bathurst Street

File # 10_175209 NNY 10 0Z

Map 23-1, Sheppard West/Dublin Secondary Plan Consolidated Land Use Map of Chapter 6, Secondary Plans.
 23, Sheppard West/Dublin Secondary Plan is amended by adding Site and Area Specific Policy Area 13.

- Secondary Plan Boundary
- ▨ Mixed Use Areas
- ② Site and Area Specific Policy Areas

July 2012

Attachment 8: Draft Zoning By-law

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2012

Enacted by Council: ~, 2012

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2012

**To amend the former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands municipally known as
4362-4370 Bathurst Street**

WHEREAS authority is given to Council by Section 34 of 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 HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule “1” of this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (209) RM6(209)

DEFINITIONS

- a. For the purpose of this exception, “established grade” is defined as 184.5 metres above sea level.
- b. For the purposes of this exception, “live/work unit” is defined as a multi-storey dwelling unit containing non-residential uses permitted in this exception located on the ground floor that:
 - i. are conducted only by a member or members of the household who reside in the dwelling unit; and
 - ii. is their principal residence; and
 - iii. has direct pedestrian access to a public sidewalk.

PERMITTED USES

- a. The only permitted uses shall be:
 - i. an Apartment House Dwelling and uses accessory thereto;
 - ii. live/work unit,
 - iii. retail store, service shop, and personal service shop provided they are located on the ground floor;
 - iv. business office; and
 - v. professional office.

EXCEPTION REGULATIONS

DWELLING UNITS

- b. A maximum of 22 dwellings units shall be permitted or which a maximum of two may be live/work units.

LOT COVERAGE

- c. The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

YARD SETBACKS

- d. The minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule “RM6(209)”.
- e. Notwithstanding (d) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres.

DISTANCE BETWEEN BUILDINGS AND/OR PORTIONS OF BUILDINGS FORMING COURTS

- f. The provisions of Section 20A.2.4.1 (Distance between Buildings and/or Portions of Buildings Forming Courts) shall not apply.

GROSS FLOOR AREA

- g. A maximum gross floor area of 6,100m² shall be permitted, of which a minimum of 2,500m² shall be for non-residential uses.

BUILDING HEIGHT

- h. The maximum building height, excluding mechanical penthouses, landscape open structures and parapets, shall be as shown on Schedule “RM6(209)”.

LANDSCAPING

- i. The provisions of Section 15.8 (Landscaping) shall not apply.

PARKING

- j. Parking for residential uses within the site shall be provided in accordance with the following:
 - i. A minimum of 0.8 parking spaces per bachelor apartment house dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors;
 - ii. A minimum of 0.9 parking spaces per 1-bedroom apartment house dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors;
 - iii. A minimum of 1.0 parking spaces per 2-bedroom apartment house dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors; and
 - iv. A minimum of 1.2 parking spaces per 3-bedroom apartment house dwelling unit, of which 0.2 parking spaces per dwelling unit shall be for the use of visitors.
- k. Parking for non-residential uses within the site shall be provided in accordance with the following:
 - i. A minimum of 1.5 parking spaces per 100m² of retail or service shop gross floor area.
 - ii. A minimum of 1.5 parking spaces per 100m² of office gross floor area.
- l. Any parking spaces provided for uses permitted on the ground floor may be used as parking spaces to satisfy the visitor parking requirement.

BICYCLE PARKING

- m. Bicycle parking shall be provided on-site in accordance with the following:
 - i. For apartment house dwellings a minimum rate of 0.7 long term spaces per dwelling unit and a minimum of 0.08 short term spaces per dwelling unit;
 - ii. For retail uses, a minimum of 0.13 long term spaces per 100m² of gross floor area, and a minimum of three short term spaces plus 0.25 short term spaces per 100m² of gross floor area; and

- iii. For office uses, a minimum of 0.13 long term spaces per 100m² of gross floor area, and a minimum of three short term spaces plus 0.15 short term spaces per 100m² of gross floor area.

LOADING SPACE REQUIREMENTS

- n. The provisions of Section 6A(16)(a)(Loading Spaces Required) shall not apply.
- o. A minimum of two (2) Type C loading spaces shall be provided with a minimum dimension of 3.5m wide, 6.0m long and 3.0m height clearance.

EXCLUSIONS

- p. The provisions of Section 6A(8)(c) and (d) (Parking Regulations for RM Zones Other Than RM2 Zones) shall not apply.

DIVISION OF LANDS

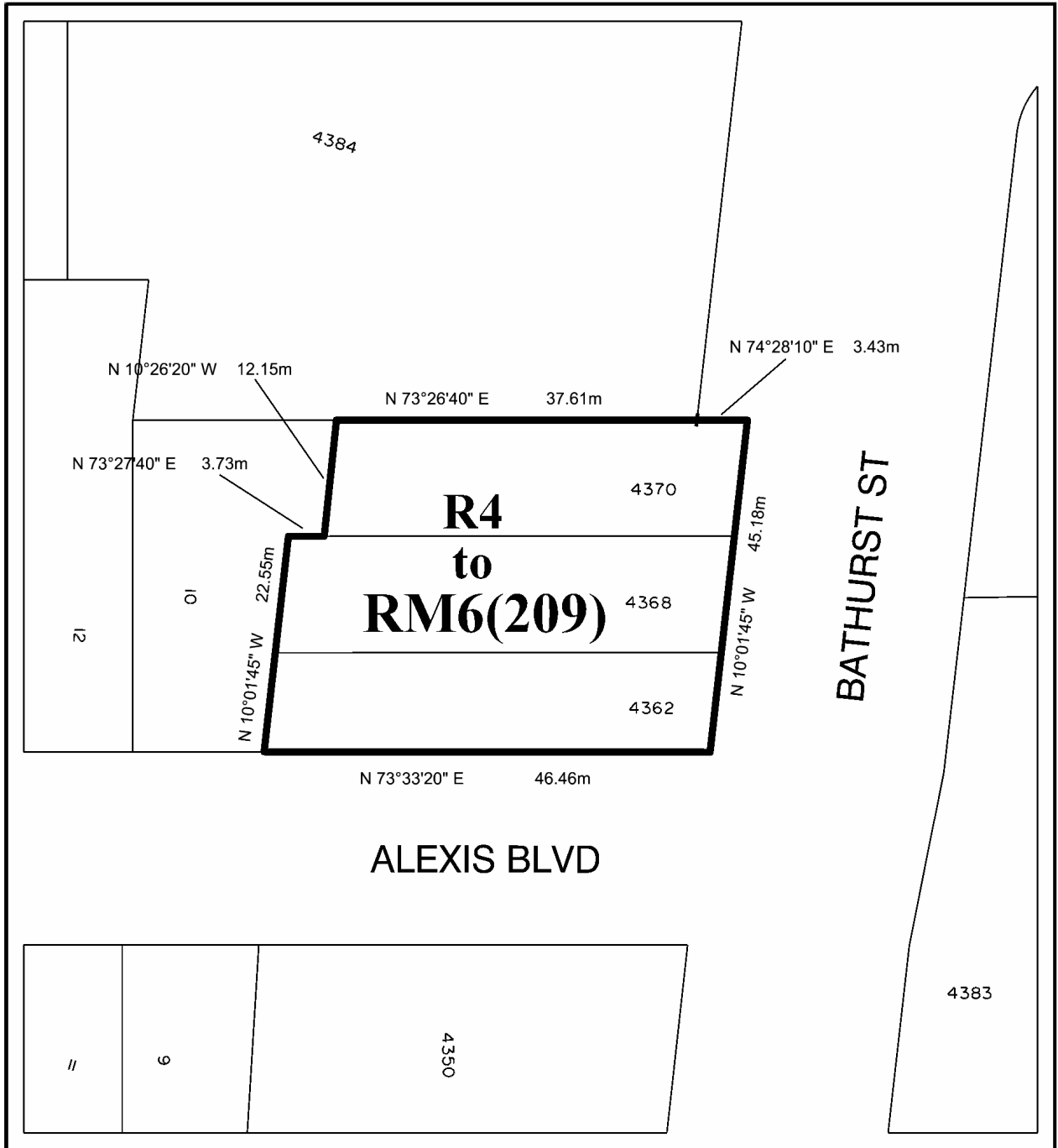
- q. Notwithstanding any severance, partition or division of the lands shown on Schedule "RM6(209)", the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule "RM6(209)", attached to this By-law.
 4. Within the lands shown on Schedule "~" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

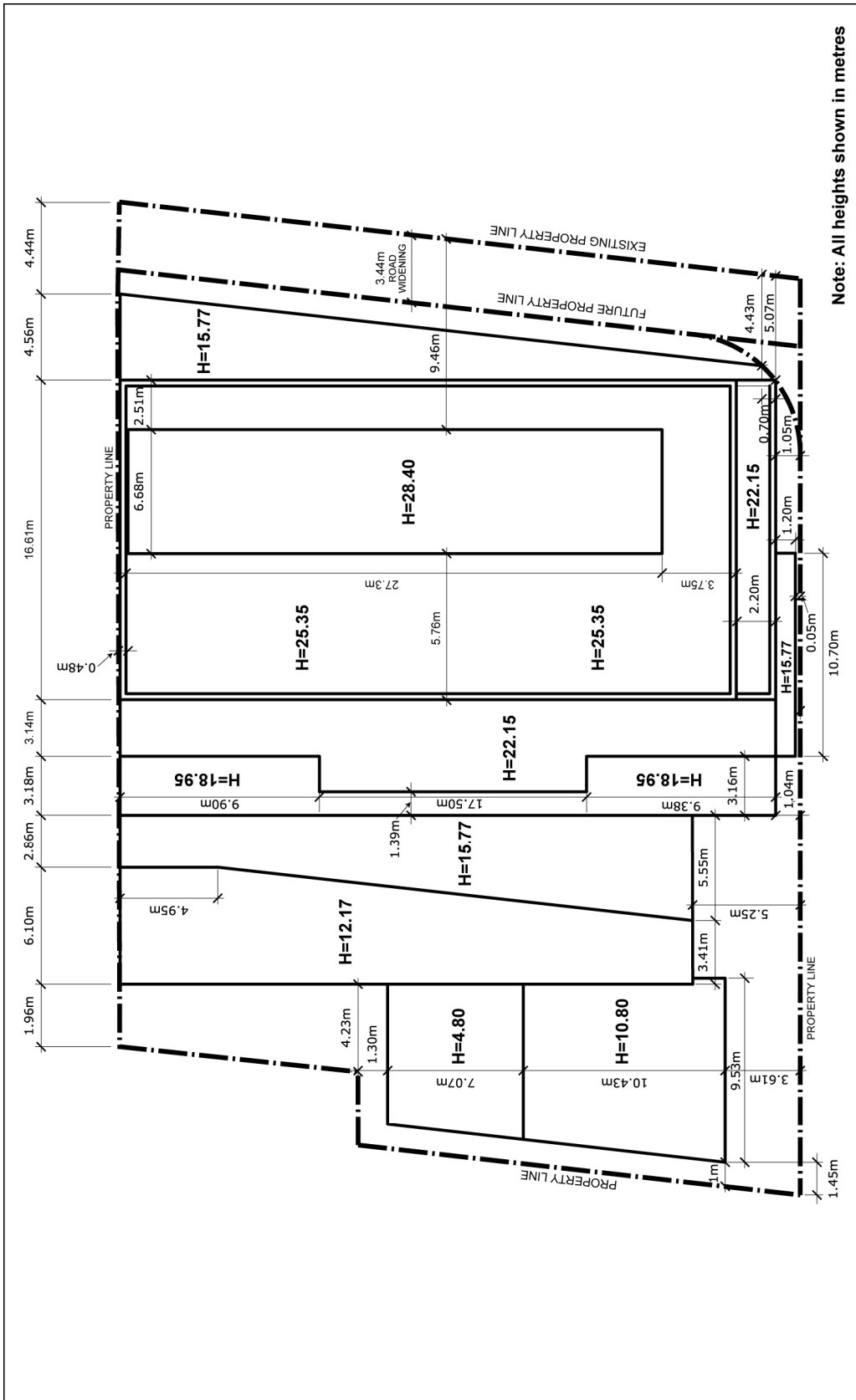
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





Schedule 2

File # 10 175209 NNY OZ



Not to Scale



Applicants Supplied Drawing

Date: 08/15/2012
Approved by: C.V.