

PLANNING JUSTIFICATION REPORT

Zoning By-law Amendment
Application

1637-1645 Bathurst Street
City of Toronto

Prepared for:

Starlight Group Property
Holdings Inc.

February 2018

17.531

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1 Introduction

Walker, Nott, Dragicevic Associates Limited (“WND Associates”) has been retained by Starlight Group Property Holdings Inc. (“Starlight”) to assess and address, from a planning perspective, a proposed residential development of the lands known municipally as 1637-1645 Bathurst Street (“the Subject Site”). The Subject Site is located on the east side of Bathurst Street, between Ardmore Road and Burton Road (generally between Eglinton Avenue West and St. Clair Avenue West), in the Forest Hill neighbourhood of Toronto.

The Subject Site is currently occupied by five 3-storey residential rental apartment buildings with 25 units. The buildings share a driveway (with access off Bathurst Street between 1643 and 1645 Bathurst Street) and a rear parking area. There is also an existing easement (benefiting properties abutting the Subject Site to the east) for right-of-way access from Bathurst Street to the rear of the Subject Site.

An application for Zoning By-law Amendment is being submitted to facilitate the development of a 4-storey residential rental apartment building, with 67 units (“the Proposed Development”). The existing 25 rental units will be replaced in the Proposed Development as per the City’s rental housing replacement policies. Landscaping is proposed along Bathurst Street, with indoor and outdoor amenity spaces for residents. Parking is proposed within the building at a parking level for residents and on the surface in the rear (for visitors), with access from a driveway off Bathurst Street to be located in the same location as the existing driveway.

The purpose of this report is to review the planning merits of the Zoning By-law Amendment application to permit the Proposed Development. The review includes an assessment of the Proposal in regard to its consistency/conformity with the Provincial Policy Statement, 2014, its conformity with the Growth Plan for the Greater Golden Horseshoe, 2017, and its conformity with the City of Toronto Official Plan. It also provides a summary of the existing zoning context (under City of Toronto Zoning By-laws 438-86 and 569-2013), and considers the relevance of guideline documents and special studies that are in effect or under way. This report should be read together with other technical reports that have been prepared in support of the application.

Draft Zoning By-law Amendments have also been prepared and are provided with the application submission materials.

2 Summary of Findings

The Proposal represents an appropriate form of infill development in the context of the *Neighbourhoods* designation. In summary, the Proposal:

- Is consistent with the Provincial Policy Statement, 2014 as it represents intensification and efficient development in an existing urban area that is well serviced by existing infrastructure, including transit;
- Conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 as it represents appropriate intensification within a desirable and walkable built-up area;
- Conforms to the City of Toronto Official Plan by providing for appropriate infill development within the *Neighbourhoods* designation that respects and reinforces the existing and emerging character, where existing apartment buildings of a similar scale already exist, where apartment buildings of up to 4 storeys are permitted, and where infill development can be accommodated with no adverse impacts;
- Has appropriate regard for the City's built form guidelines by providing for the development of a building that appropriately transitions to adjacent neighbourhood areas and provides a built form that frames existing public street;
- Provides an improved pedestrian friendly street facade along Bathurst Street;
- Responds to the City's housing policies by replacing the existing rental housing stock on the Subject Site and adding to the supply of purpose-built rental housing in the City of Toronto;
- Can be accommodated by the existing transportation network and proposed parking supply; and
- Can be accommodated by the existing municipal storm sewer and sanitary sewer network.

Additional considerations which support the approval of the Proposal are further examined in the report below, and other supporting reports which accompany the application.

In order to implement the Proposal, Zoning By-law Amendments are required to the Former City of Toronto Zoning By-law 438-86 and the City of Toronto Zoning By-law 569-2013. No Official Plan Amendment is required given the policy permissions for low-rise apartment buildings within the *Neighbourhoods* land use designation.

3 Physical Context

3.1 Subject Site

The Subject Site is located on the east side of Bathurst Street, north of the Cedarvale Ravine between Ardmore Road and Burton Road (generally between Eglinton Avenue West and St. Clair Avenue West) (Figure 1), in the Forest Hill neighbourhood of the City of Toronto. The Subject Site is approximately 4,161 square metres (0.42 hectares) in size with a frontage of approximately 106 metres on Bathurst Street.

The Subject Site is generally rectangular in shape, is elevated from the existing sidewalk along Bathurst Street with a retaining wall, and generally slopes down from south to north.

The Subject Site is currently occupied by five 3-storey residential rental apartment buildings (known municipally as 1637, 1639, 1641, 1643 and 1645 Bathurst Street) with 25 units and associated landscaping. The buildings share a driveway (with access off Bathurst Street between 1643 and 1645 Bathurst Street) and a rear parking area. There is an existing easement for right-of-way access (accommodated within the existing driveway) to the rear of the property. The physical form of this easement is that of a cul-de-sac which, in part, extends beyond the eastern property boundary of the Subject Site and into abutting properties to the east.

Detailed information regarding the unit mix of the Existing Building is included in the Housing Issues Report prepared by WND Associates, which also accompanies the application.

3.2 Adjacent Land Uses

The land uses and building types located adjacent to the Subject Site include (see Figure 2 for aerial photograph):

- North: To the immediate north is a 2-storey multi-unit dwelling building with 4 residential units at 1647 Bathurst Street (this site is the subject of current consent and minor variance applications, see Section 3.4 below). Beyond that is Ardmore Road and a number of 2- and 3-storey walk-up apartment buildings on the east side of Bathurst Street.
- South: To the immediate south is a number of 3-storey residential dwellings, with Burton Road and the Ridgewood Parkette beyond. Further to the south Bathurst Street crosses the Cedarvale Ravine.
- East: To the immediate east are 2-storey detached houses fronting onto Richview Avenue, with a residential neighborhood beyond comprising predominantly of 2-storey detached houses.
- West: To the immediate west is Bathurst Street, with 2- to 3- storey residential buildings on the west side of Bathurst Street in a variety of dwelling types including detached houses and walk-up apartment buildings. The Humewood-Cedarvale residential neighbourhood is located beyond Bathurst Street.

3.3 Broader Context

The Subject Site is located within the Forest Hill neighbourhood of North Toronto, an area generally defined as containing a mix of low and medium density residential uses. The Subject Site is located on Bathurst Street which, between Eglinton Avenue West and St. Clair Avenue West, contains an eclectic mix of residential dwellings in buildings 2- to 5-storeys and a variety of built forms, including a number of apartment buildings. Lands on the east side of Bathurst Street (including the Subject Site) are designated as *Neighbourhoods* in the City of Toronto Official Plan, and there are lands on the west side of Bathurst Street across from the Subject Site which are designated as *Apartment Neighbourhoods*.

The area is served by existing transit and will be served by future transit. Future Forest Hill station on the Eglinton Crosstown LRT will be located approximately 800-900 metres (10-12 minute walk) to the north at the intersection of Bathurst Street and Eglinton Avenue West. The Tichester Road entrance to St. Clair West subway station on the TTC Yonge line (Line 1) is also located approximately 1.1 kilometres (13-15 minute walk) to the south.

TTC bus route 7 serves Bathurst Street directly adjacent to the Subject Site (with northbound and southbound stops at Ardmore Road), and bus route 33 is located in proximity to the Subject Site serving Spadina Road. A summary of local bus routes is provided below:

- 7 Bathurst: Service on Bathurst Street between Steeles Avenue West and Bathurst subway station at Bloor Street West, with connections to Line 2 and the 511 Bathurst streetcar at Bathurst subway station, and St. Clair West subway station (Line 1).
- 33 Forest Hill: Service on Spadina Road between Eglinton Avenue West and St. Clair West subway station, with connections to Line 1.

Both Eglinton Avenue West to the north and St. Clair Avenue West to the south contain a variety of community amenities and facilities including retail shops, schools, places of worship, and other services. The area is an attractive residential neighbourhood by reason of the foregoing, its proximity to parkland and the Cedarvale Ravine, its convenient access to transit, and its connectivity with Downtown Toronto and Yonge-Eglinton Centre. Forest Hill Junior and Senior Public School is located within close walking distance, to the east of the Subject Site at Ardmore Road and Spadina Road.

3.4 Area Development Applications

The Subject Site is located in an area that is experiencing investment in the housing stock of the neighbourhood. The following is a list of the recent development activity in the surrounding area (see Figure 3):

Approved

- 1657 Bathurst Street: Draft plan of condominium for a 3-storey building with 8 residential dwelling units. The existing 2-storey building with 5 rental dwelling units obtained minor variance approval for the third storey addition and increase in dwelling units.

Proposed

- 1646-1648 Bathurst Street: Official Plan Amendment and Draft Plan of Condominium applications for rental housing condominium conversion.
- 1647 Bathurst Street: Consent and related minor variance applications for severance to create 5 residential lots to accommodate 2 pairs of 3-storey semi-detached dwellings (4 units) and one 3-storey single detached dwelling.
- 1677 Bathurst Street: Official Plan Amendment and Zoning By-law Amendment applications for the development of a 4-storey apartment building consisting of 45 residential units.
- 3 Markdale Avenue: Minor variance application to construct a third storey on the existing structure, resulting in a 3-storey expanded residential apartment building containing a total of 7 residential units.

4 Proposed Development

The Proposed Development consists of a new 4-storey residential rental building on the Subject Site, along with improvements to the landscaping, vehicular circulation and parking arrangements (see Figure 4). All existing buildings on the Subject Site are proposed to be demolished.

The total proposed residential gross floor area is 8,190 square metres and the total floor space index is 1.97 times the area of the lot. A total of 67 residential rental units are proposed, inclusive of 25 rental replacement units. The proposed residential unit mix includes 9 one-bedroom suites, 22 two-bedroom suites, and 36 three-bedroom suites. The proposed maximum building height is 15.4 metres from established grade (exclusive of a 3.25 metre mechanical penthouse).

The Proposed Development will provide a front door/lobby providing access to the majority of the apartment units and will also include 2-storey apartment units with individual front doors (that will function similar to townhouse units). The proposed built form therefore frames Bathurst Street with active building uses, bringing more eyes on the street.

The Proposed Development minimizes the impact of parking and loading on the public realm and neighbouring properties through landscape and site design by consolidating parking and loading areas to the rear, internal to the proposed building, and underground.

4.1 Built Form and Massing

The Proposed Development consists of the following, and as summarized in Table 1 below. Renderings of the proposed building can be found in Figure 5.

- Building fronts on Bathurst Street;
- A height of 4 storeys and 15.4 metres (excluding 3.25 metre mechanical penthouse);
- 2-level 'townhouse-style' apartment units in the northern portion of the proposed building with individual front door access to the street or rear laneway;
- Drive aisle through the building in the location of the existing driveway, with access to the underground parking, loading space and rear visitor parking area;
- Underground parking for 86 resident spaces through an automated stacker parking system, with additional 3 visitor and 3 accessible parking spaces on the surface at the rear;
- Bicycle storage with 64 resident spaces underground and 8 visitor spaces on the surface;
- Utilization of landscape retaining walls where required to accommodate the grade change between the Subject Site and the existing sidewalk along Bathurst Street;
- Indoor and outdoor amenity space on the ground floor;
- Additional outdoor amenity space on the roof; and
- A total of 67 residential units (inclusive of 25 rental replacement units), with private terraces or balconies.

Table 1: Proposed Residential Unit Mix

Units					Residential GFA	Height (storeys/m)
Studio	1-bed	2-bed	3-bed	Total		
0	9	22	36	67	8,190 m ²	4 / 15.4
0%	13%	33%	54%	100%		

The replacement of the existing rental units on the Subject Site is discussed further in the Housing Issues Report which accompanies the application.

The existing retaining wall and relationship with Bathurst Street is maintained for the majority of the lot frontage, with portions to be removed in the north and replaced by new landscaping for the proposed main entrance to the building. A new egress stairway and retaining wall is proposed in the southwest portion of the Subject Site to replace the existing stairway. Therefore, the relationship and function of the redeveloped site will be essentially identical to the current conditions.

A minimum setback of 4.69 metres is proposed along the Bathurst Street frontages, which generally aligns with the existing setbacks of the neighbouring buildings to the north and south.

The proposed setbacks to the north and south lot lines are 1.12 metres and 1.07 metres, respectively. These setbacks are also generally in line with the existing building setbacks of 1637 and 1645 Bathurst Street to the north and south lot lines.

To the east, a minimum building setback of 9.78 metres is proposed to the lot line with the existing residential properties to the rear. This setback is also effectively increased for the majority of the site where the existing right-of-way access extends beyond the property boundary. This proposed setback is an increase in the rear yard setback with the residential properties which is currently a minimum of 6.29 metres.

The proposed 2nd, 3rd and 4th floors are stepped back at various locations to break up the building massing and to provide for roof terraces. The step backs at the north and south ends of the building provide a transition to the existing adjacent residential buildings. The proposed building does not penetrate a 45-degree angular plane from a height of 16 metres above the property line with Bathurst Street and is largely contained within a 45-degree angular plane from a height of 10.5 metres above the property line with the existing residential dwellings to east. For further information please refer to the section drawings prepared by RAW Design Inc.

The lobby entrance is oriented toward Bathurst Street and the proposed driveway. The at-grade outdoor amenity area is located on a terrace overlooking Bathurst Street and the rooftop outdoor amenity area is located on a terrace on the proposed 4th floor, with planters for screening.

A combination of brick and glass is proposed to provide a building design which complements the surrounding and nearby buildings (including both detached houses and apartment buildings) while providing for attractive, modern units. The distribution of these materials will also articulate the building massing so to visually divide the building facade into smaller visual components characteristic of the existing individual buildings.

4.2 Parking, Loading, and Vehicular Access

Vehicular access to the Subject Site is proposed from a driveway off Bathurst Street, maintaining the location of the existing site access, and is proposed to be two-way and approximately 6.5 metres in width. The driveway leads to the underground resident parking area, Type 'G' loading space and rear driveway (on the existing right-of-way access easement), which contains surface visitor and accessible parking spaces. All servicing and driveway areas will be located internal to the Subject Site and covered by the building above, or in the rear of the site.

A total of 102 vehicle parking spaces are proposed, with 86 resident parking spaces provided on the parking level in the form of car stackers, 3 accessible resident parking spaces provided on the surface in the rear, and 13 visitor parking spaces also provided on the surface in the rear. A total of 64 resident bicycle parking spaces are proposed in a storage room on the parking level, with 8 visitor bicycle parking spaces on the surface on the Bathurst Street frontage in view of the lobby.

The Proposed Development includes the provision of 1 Type 'G' loading space internal to the building with access from the proposed driveway.

4.3 Amenity Space and Landscaping

The proposed indoor amenity area will be centrally located in the Proposed Development on the ground floor level, generally above the lobby and main entrance. The indoor amenity area will provide for 119 square metres of space for residents. The proposed indoor amenity space is an improvement over the existing conditions for residents, as the existing buildings at 1637-1645 Bathurst Street do not contain indoor amenity spaces. The programming of the new indoor amenity areas is currently proposed to comprise a lounge area and gym, and is to be determined through further consultation with tenants.

Two outdoor amenity areas are proposed for the Subject Site, with access for all residents. The first outdoor amenity space comprises a terrace area and is located adjacent to the proposed indoor amenity area, central to the site. This proposed terrace will provide a seating, dining and barbecue area overlooking Bathurst Street and adjacent to the landscaped areas between the proposed building and the retaining wall. This outdoor terrace is 79 square metres in area. The second outdoor amenity space comprises a terrace area on the 4th floor. This proposed terrace will also provide seating, planters and views to the north of the Subject Site. This outdoor terrace is 52 square metres in area, bringing the total proposed outdoor amenity area in the Proposed Development to 131 square metres.

The Landscape Master Plan, prepared by Marton Smith Landscape Architects, proposes a new landscape vision for the Subject Site. The proposed conceptual landscaping includes the following features:

- new trees and other planting along the Bathurst Street frontage above the existing retaining wall, retaining existing trees as feasible;
- new trees and other planting between the private amenity space and Bathurst Street/rear private lane for proposed 'townhouse-style' apartment units;
- masonry waterfall feature for the proposed outdoor amenity area and feature signage wall to tie into existing retaining wall;
- planters on the 4th floor outdoor amenity terrace for screening;

- new pedestrian walkways through the Subject Site and new permeable pavers for the driveway and rear private lane; and
- new trees and planting in the rear parking area and between the proposed building and the east property line at the end of the rear cul-de-sac.

For further detail, please refer to the proposed landscape drawings.

5 Planning Framework

The Subject Site is subject to Provincial and local municipal planning policies contained in the following statutory planning documents and guidelines:

- Provincial Policy Statement, 2014;
- Growth Plan for the Greater Golden Horseshoe, 2017;
- City of Toronto Official Plan;
- Draft Townhouse and Low-Rise Apartment Guidelines;
- Former City of Toronto Zoning By-law 438-86; and
- City of Toronto Zoning By-law 569-2013

The following sections review and analyze the proposed development in the context of the above noted policy and guideline documents.

5.1 Provincial Policy Statement

The Provincial Policy Statement, 2014 (PPS) came into effect April 30, 2014, and provides direction on matters of Provincial interest related to land use planning and development. The *Planning Act* directs that decisions affecting planning matters “shall be consistent with” the policy statement.

The PPS supports intensification, especially where redevelopment occurs within existing urban areas, and where services and infrastructure already exist to support growth. The following policy directives in the PPS are particularly relevant to the Proposal:

Section 1.1.1 states that “healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; ...
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs”

Section 1.1.3.2 states that “land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion, [...] support *active transportation*, are *transit-supportive*, where transit is planned, exists or may be developed” and “a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated”.

Section 1.1.3.3 directs planning authorities to “identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

Section 1.1.3.4, provides that “Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while maintaining appropriate levels of public health and safety.”

Section 1.4.3 directs planning authorities to “provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- b) permitting and facilitating all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, [...] and all forms of residential intensification [...];
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and
- e) establishing development standards for *residential intensification*, *redevelopment* and *new residential development* which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

Under Section 6.0 of the PPS, the definition of *residential intensification* “means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes ... infill development”.

The Subject Site is located within a defined Settlement Area and no significant or sensitive resources will be impacted by the Proposed Development. The Proposed Development represents an efficient use of land, infrastructure, resources and public service facilities through intensification within the existing urban area where hard and soft infrastructure is available, and where such intensification is anticipated and desirable. The Proposed Development will increase the availability of housing, in particular, rental housing, in the area while replacing the existing rental stock, and the proposal’s location on the Bathurst Street corridor in proximity to existing transit will encourage active transportation and transit use as an alternative to automobile use.

The low-rise apartment built form is consistent and compatible with the existing buildings in the area, which includes many existing examples of apartment buildings and other low-rise multi-unit buildings.

In summary, the Proposed Development is consistent with the Provincial Policy Statement, 2014.

5.2 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe, 2017 (the Growth Plan) took effect on July 1, 2017, and was established under the Places to Grow Act, 2005, for municipalities within the Greater Golden Horseshoe. The Growth Plan replaces the Growth Plan, 2006, that initially took effect on June 16, 2006, and was amended by Amendment 1 (January 19, 2012) and Amendment 2 (June 17, 2013). All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter must conform with the Growth Plan.

The cornerstone of the Growth Plan relates to its vision for the region in 2041. Broadly, the Growth Plan envisages the Greater Golden Horseshoe as continuing to be “a great place to live”, offering “a wide variety of choices for living” in “thriving, livable, vibrant and productive urban and rural areas”. These goals are contingent upon the implementation of, and adherence to, a set of core guiding principles. Key among these guiding principles is to “support the achievement of *complete communities* that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime” and “prioritize *intensification* and higher densities to make efficient use of land and *infrastructure* and support transit viability”.

Schedule 2, the Places to Grow Concept, identifies the Subject Site as being within the *delineated built-up area* (Figure 6) and located in proximity to existing *higher order transit* (TTC subway Line 1) and a *priority transit corridor* (future Eglinton Crosstown LRT). This area is one of the areas of expected intensification and where growth is Provincially directed to occur.

Section 2.2.1.2 provides that “Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;
- c) within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;

Section 2.2.1.4 provides that “Applying the policies of this Plan will support the achievement of *complete communities* that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) ensure the development of high quality *compact built form*, an attractive and vibrant *public realm*, including public open spaces, through site design and urban design standards;

- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate *green infrastructure* and low impact development.”

Section 2.2.2.4 provides that “All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:

- a. encourage *intensification* generally to achieve the desired urban structure;
- b. identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c. identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- d. ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- e. prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f. be implemented through official plan policies and designations, updated zoning and other supporting documents.”

The Proposed Development represents an appropriate form of intensification within a *delineated built-up area*. The proposed built form typology of a low-rise apartment building is appropriate in the context of the surrounding area and provides appropriate transition to the adjacent neighbourhood, both in type of use and scale. It will bring new rental units, including a majority of 2- and 3-bedroom family-sized units, to the Forest Hill neighbourhood, support transit ridership and allow for further reduced automobile dependency. The Proposed Development is located within a walkable area with many daily convenience services and stores located within walking distance or through the use of existing and planned transit.

In summary, the Proposed conforms to the Growth Plan. The Proposed Development will contribute to the development of a transit-supportive, complete community and compact built form in this area, as envisioned by the Growth Plan.

5.3 Official Plan

The City of Toronto Official Plan (“OP”) is the in-force Official Plan relative to the Subject Site. The following OP map designations and identifications are particularly relevant to the Subject Site and Proposal:

- Map 2 – Urban Structure, indicates the location of the Subject Site within the City’s overall structure (no designation for the Subject Site) (Figure 7);
- Map 4 – Higher Order Transit Corridors, indicates the existing subway, and also indicates a future “Transit Corridor” along Eglinton Avenue, which is now known as the Eglinton Crosstown LRT (Figure 8);
- Map 5 – Surface Transit Priority Network, indicates a Transit Priority Segment Expansion Element along Bathurst Street (Figure 9);
- Map 17 – Land Use Plan, designates the Subject Site as “*Neighbourhoods*” (Figure 10)

The following sub-sections describe the policy framework relative to these designations and other relevant components of the OP as follows.

5.3.1 Healthy Neighbourhoods

Section 2.3.1 of the OP outlines general policies that guide how the neighbourhoods in the City will change over time. The Subject Site and lands to the immediate north, east, south, southwest, are designated *Neighbourhoods*. Lands to the northwest of the Subject Site (northwest of the intersection of Bathurst Street and Croydon Road) are designated *Apartment Neighbourhoods*. In the preamble of this section it is noted that “some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites”. The section notes that *Neighbourhoods* should offer a choice of opportunities to match every stage of life, and speaks to the overall diversity of Toronto’s many neighbourhoods.

Policy 2.3.1.1 states that “*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas”.

The Proposed Development has been carefully designed in order to sensitively integrate within, and transition to, the overall surrounding neighbourhood. The proposed building respects the existing physical character of the *Neighbourhood*, as a 4-storey apartment building located on a street containing numerous examples of 3- to 5-storey low-rise apartment buildings and other multi-unit buildings, including many which share property lines with adjacent detached residential dwellings. The introduction of the Proposed Building will not result in unacceptable adverse impacts.

While the lands are designated *Neighbourhoods*, the Subject Site and other properties fronting on Bathurst Street in the vicinity, are characterized by low-rise apartment buildings and the Proposed Development responds to its location appropriately, respecting the existing physical character of the surrounding area. The proposed built form provides an adequate setback and an effective transition in height and density from the main thoroughfare of Bathurst Street to the surrounding *Neighbourhoods* and *Apartment Neighbourhoods*. Traffic, parking and loading impacts are contained on the Subject Site (and existing access easement), with parking for residents located underground and visitor parking provided in the rear where parking currently exists.

5.3.2 Neighbourhoods

The policies in Section 4.1 of the OP set out a series of detailed criteria for development in *Neighbourhoods*. The preamble notes that “lower scale residential buildings in Toronto’s *Neighbourhoods* consist of detached houses, semi-detached houses, duplexes, triplexes and townhouses as well as interspersed walk-up apartments that are four storeys or less” and Policy 4.1.1 states that “*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”. As such, the use and built form of the Proposed Development is permitted in the *Neighbourhoods* designation.

Development criteria are provided in Section 4.1.5 which states that “development in established *Neighbourhoods* will 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”.

With respect to a), the Proposed Development will maintain the existing pattern of streets and utilize the existing access point for the proposed driveway. With respect to b), the surrounding *Neighbourhood* and *Apartment Neighbourhood* lands comprise lots of various sizes and configurations. The Proposed Development utilizes the lot as currently configured and owned by Starlight.

The Proposed Development’s height, massing and scale at 4-storeys, is permitted by the *Neighbourhoods* designation and has been designed to respect and reinforce the existing physical character of the neighbourhood with properties on Bathurst Street comprising predominantly low-rise apartment buildings and other multi-unit buildings. The proposed setbacks and step backs provide a desirable transition in scale and overall height from the proposed building towards the residential dwellings to the rear within the interior of the neighbourhood. As such, the Proposed Development conforms to c) and d) above.

With respect to e) and f), the Proposed Development provides for an appropriate and varied front yard setback, ranging from a minimum of 4.69 metres in the south to 6.39 metres at the proposed lobby on Bathurst Street and 7.26 metres to the front doors of the proposed ‘townhouse-style’ apartment units in the north of the Subject Site. This is generally consistent with the existing apartment buildings on other properties in the vicinity, and provides for an appropriate relationship with the adjacent existing residential buildings, given the current grade conditions on the Subject Site. The proposed built form and continued use of the retaining wall will create a varied and interesting streetwall along Bathurst Street that responds to the unique grading conditions.

To transition appropriately to the interior neighbourhood area to the east, a rear yard setback of at least 9.78 metres is provided between the proposed building and the rear property line with the existing detached houses (which are further setback from the property line by at least the additional width of the access easement). This rear yard setback exceeds the standard rear yard size of 7.5 metres that is accepted across the City as appropriately preserving privacy and providing adequate separation in residential areas.

There are no special landscape or built-form features that contribute to the unique physical character of the neighbourhood and the Subject Site does not contain, or is not in proximity to, any heritage buildings, structures and landscapes. Therefore, g) and h) are not applicable to the Proposed Development.

Policy 4.1.5 also notes that “no changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood” and also notes that “the prevailing building type will be the predominant form of development in the neighbourhood.”

As noted, this *Neighbourhood* contains a diverse range of building types which include low-rise apartment buildings that are well-integrated into, and form part of, the existing fabric of the neighbourhood along a long stretch of Bathurst Street (generally from Burton Road to Eglinton Avenue West). The Proposed Development will be similarly well-integrated into the corridor through the building’s orientation towards Bathurst Street and separation from the existing neighbourhood through the provision of a generous rear yard setback. The Proposed Development has been designed and sited to positively integrate within the surrounding neighbourhood through the proposed building height, setbacks, step backs, and landscape improvements.

Policy 4.1.7 notes that “proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of this Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*”. As noted above, it is our opinion that the Proposed Development meets the development criteria in Policy 4.1.5, is consistent and compatible with the form of development on Bathurst Street and provides for an appropriate relationship with the adjacent lands designated *Neighbourhoods*.

Policy 4.1.10 states that “where development is proposed on a site with an existing apartment building in *Neighbourhoods*, the new development must be grade-related and must also meet the criteria regarding infill development in *Apartment Neighbourhoods*”. While the Proposed Development does not retain the existing low-rise apartment buildings, the proposed low-rise apartment building, which is a permitted use and built form in the *Neighbourhoods* designation, represents a compatible form of infill development that appropriately addresses the intent of this policy.

5.3.3 Built Form

The built form policies within Section 3.1.2 of the OP generally guide the massing, form and fit of new development to ensure its compatibility and fit. The Proposed Development will respond to the existing character of the *Neighbourhood* with a building height which relates to the scale of development in the immediate vicinity, including 3- to 5-storey apartment buildings along Bathurst Street (on sites designated *Neighbourhoods* and *Apartment Neighbourhoods*).

With regard to specific built form policies, Policy 3.1.2.1 provides that “new development will be located and organized to fit with its existing and/or planned context. It will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development.” Subsection a) notes that one of the ways that this is to be accomplished is by “generally locating buildings parallel to the street”.

The proposed development will fit well within both the existing and planned context. The massing will address the Bathurst Street frontage, utilizing the existing retaining wall and removing sections of the existing retaining wall where appropriate, and through a brick and glazed façade that will fit well within the character of the streetscape. The proposal will provide for passive surveillance and animation along Bathurst

Street, improving area safety. The Proposed Development will contribute to the ambience and character of the street, consistent with the ongoing evolution of Forest Hill as a vibrant, complete community.

Subsection 3.1.2.1b) notes that main building entrances should be located “so that they are clearly visible and directly accessible from the public sidewalk” and subsection c) notes that ground floor uses should be provided “that have views into and, where possible, access to, adjacent streets, parks and open spaces”. The Proposed Development will provide a lobby entrance directly from Bathurst Street at the driveway for the Subject Site, with individual entrances to ‘townhouse-style’ apartment units provided in the northern portion of the Subject Site, which will facilitate views to the streets.

Policy 3.1.2.2 provides that “vehicle parking, vehicular access, service areas and utilities [are to] minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces”. Subsections a) through f) note that this is to be accomplished by such means as using shared service areas where possible, minimizing and consolidating curb cuts across the public sidewalk, integrating services and utilities within buildings where possible, providing underground parking where appropriate, and limiting surface parking between the front face of the building and a public street or sidewalk.

The Proposed Development has been designed to respond to these policy considerations. Resident parking is to be accommodated in an underground parking garage with surface parking for visitors and accessible spaces limited to the rear. Vehicular access to the Subject Site is proposed via a driveway from Bathurst Street that will utilize the existing curb cuts. The proposed loading area will be internal to the building and screened so as to mitigate potential effects from loading activities on the proposed residential units and the existing residences abutting to the east.

Policy 3.1.2.3 provides that “new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks and open spaces and properties by:

- a) massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of this Plan;
- c) providing for adequate light and privacy;
- d) adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces, having regard for the varied nature of such areas; and
- e) minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.”

The Proposed Development responds to the foregoing built form policies. With respect to a), as noted, the Proposed Development will include step backs at various heights that will frame the street and relate well to the general proportions of surrounding development.

With respect to b), the height of the building, at 4-storeys will fit well into the existing and emerging built form context. The Forest Hill area is experiencing continued revitalization in the *Neighbourhoods* and *Apartment Neighbourhoods* through infill development that respects the scale and character of the older surrounding built form. It is anticipated that redevelopment will increasingly take place with the introduction

of higher order transit nearby (i.e. the Eglinton Crosstown LRT), which is a highly appropriate and desirable response to this significant public investment.

With respect to c), the Proposed Development will maintain adequate light and privacy, with appropriate front and side yard setbacks and a generous rear yard setback, as discussed previously in this report.

With respect to d) the Proposed Development will adequately limit shadowing on the street and neighbouring properties. On March/September 21, the west sidewalk of Bathurst Street will receive sunlight from 10:18AM onwards, with the east sidewalk in sun from 12:18PM onwards. The net new shadows on the property to the north are incremental and shadowing on the rear yards of properties to the east is incremental from 3:18PM and generally limited to the late afternoon from 4:18PM onwards. For a further analysis of the Shadow Study prepared by RAW Design Inc., please refer to Section 6.4 of this report. Adverse wind conditions are not anticipated given the low-rise nature of the Proposed Development.

With respect to e) no neighbourhood parks are affected by the Proposed Development.

Policy 3.1.2.4, provides that “new development will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas”. The Proposed Development will define the edges of the street at good proportion, with a proposed height of 15.4 metres from established grade, less than the adjacent 20.0 metre Bathurst Street right-of-way width.

Policy 3.1.2.5 contains criteria with respect to new development providing “amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians”. Subsections a) through g) contain specific policies with respect to how this policy objective will be achieved including improvements to boulevards and sidewalks, landscaping, weather protection, on-site landscaped open space, and provision of public art where the developer agrees to do so. The Proposed Development will provide for an improved, animated urban pedestrian realm along Bathurst Street to the extent feasible while maintaining the existing retaining wall for a portion of the lot frontage. The proposed landscaping will enhance the visual appeal of this block and vehicle access is proposed to continue to be limited to the single existing driveway location.

Section 3.1.2.6 provides that “every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development”. As described earlier in this report, the Proposed Development will include indoor and outdoor amenity areas that represent a significant improvement over the existing situation, where no indoor amenity or programmed outdoor amenity space exists. Each unit will also have private balconies or terraces that will provide additional outdoor amenity.

5.3.4 Housing

Section 3.2.1 of the OP contains policies with respect to housing. Policy 3.2.1.1 encourages a “full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods”. The Proposed Development will broaden the range of rental housing opportunities in the area while also providing for new replacement rental housing on the Subject Site.

Policy 3.2.1.2 notes that “new housing supply will be encouraged through intensification and infill that is consistent with this Plan”. The Proposed Development will provide new rental housing within an intensified

built form in an area where it has been demonstrated in this report to be contextually appropriate, and where it can be physically accommodated without adverse impacts.

Policy 3.2.1.6 notes that “new development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved” unless certain criteria are met, including the replacement of at least the same number, size and type of rental housing units.

The Subject Site currently contains 25 rental apartment units, all of which are proposed to be replaced as dedicated rental replacement housing within new units in the Proposed Development.

The Proposed Development will provide 67 new “purpose-built” rental residential units with a range of unit sizes and types (including two-storey units). Larger family-sized units are proposed, with 2- and 3-bedroom units comprising 33% and 54% of the unit mix, respectively. This will serve to broaden the range of rental housing opportunities available in the area and increase the amount of available rental units for families.

The housing policies of the OP are satisfied by providing additional rental housing opportunities on the Subject Site, within an established residential area with access to transit and community services, while also providing replacement rental housing within the Proposed Development. For further information, please refer to the Housing Issues Report prepared in support of this submission.

In summary, the Proposed Development conforms to the City of Toronto Official Plan and no amendment is required to facilitate the Proposed Development.

5.3.5 Official Plan Amendment 320

Official Plan Amendment No. 320 (“OPA 320”) was adopted by City Council in December 2015 as part of the City’s five-year OP review. This amendment was subject to approval by the Ministry of Municipal Affairs and Housing and a Notice of Decision was released on July 4, 2016. The adopted amendment contains changed policy wording for the Healthy Neighbourhoods, *Neighbourhoods*, *Apartment Neighbourhoods* and Housing policies of the OP. The amendment has been appealed to the Ontario Municipal Board and is not yet in force; however, it represents the latest position from City Council as it relates to development within *Neighbourhoods*. Accordingly, it is relevant, but not determinative for the purpose of reviewing the conformity of the Proposed Development to the Official Plan, and is reviewed herein in that context.

The revised OP policies within OPA 320 which are relevant with respect the Proposed Development are Policies 4.1.5 and 4.1.9. The changes to the policies have been bolded below.

Amended Policy 4.1.5 states that “development in established *Neighbourhoods* will respect and reinforce the existing physical character of the **geographic** neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) **prevailing** size and configuration of lots;
- c) **prevailing** heights, massing, scale, **density** and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) **prevailing location, design and elevations relative to the grade of driveways and garages;**
- f) prevailing setbacks of buildings from the street or streets;

- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of a **geographic** neighbourhood; and
- i) conservation of heritage buildings, structures and landscapes”.

This policy also contains a description of what is meant by a geographic neighbourhood for the purposes of the policy, which is delineated by considering the context within the *Neighbourhood* in proximity to the development site. It is also noted that lots fronting onto major streets are to be distinguished from lots in the interior of the block.

As discussed throughout this report, the Proposed Development appropriately responds to the development criteria of the *Neighbourhoods* designation and further responds to the policy direction of OPA 320 by providing a proportionate and respectful height and density, safe and accessible walkways from the public street where appropriate and enclosing and screening service areas, garbage storage and parking. The Proposed Development is appropriate within the context of the Subject Site as well as the adjacent and wider context of the *Neighbourhoods* and *Apartment Neighbourhoods* along Bathurst Street with respect to building design, placement, and massing. The Proposed Development represents an opportunity to provide modern rental units and amenity spaces for new and returning residents.

In summary, although Official Plan Amendment 320 is not yet in force, does not apply to this application, and through the appeal process may be subject to further revisions, the Proposed Development would conform to the amended policy provisions as currently drafted.

5.3.6 Draft Townhouse and Low-Rise Apartment Guidelines

The City of Toronto has prepared Draft Townhouse and Low-rise Apartment Guidelines (“the Draft Guidelines”), dated February 2017. The Draft Guidelines are intended to help implement the policies in the OP by achieving the appropriate design of low-rise, primarily residential buildings for a range of building types. These types include townhouses, stacked townhouses, stacked and back-to-back townhouses, low-rise apartments and low-rise hybrid buildings.

The Draft Guidelines address infill townhouse developments as well as mid to larger sites and the more complex and intense types of low-rise, multi-unit development in terms of site context, site organization, building massing, detailed design and private and public realm. The Draft Guidelines build upon, and once approved by City Council, are intended to replace the Infill Townhouse Guidelines, dated January 2003. The Infill Townhouse Guidelines are not applicable to the Proposed Development and the Draft Guidelines have not been endorsed by City Council.

The Proposed Development is considered a ‘Low-rise Apartment Building’ under the Draft Guidelines as a building of 4 storeys with shared interior corridors, vertical circulation and entrances, and multiple units stacked vertically. The Proposed Development appropriately considers the relevant principle guideline statements set out in Sections 1.0 through 5.0 of the Draft Guidelines, as follows:

- 1.1: This report and the accompanying architectural plans and supporting reports evaluate the existing and planned context and demonstrate how the proposed development responds to its context along Bathurst Street.

- 1.2: The public realm is extended, to the extent feasible, into the Subject Site through the lobby location adjacent to Bathurst Street, the pedestrian walkway adjacent to the driveway, and the provision of visitor bicycle parking spaces and landscape on the Bathurst Street frontage.
- 2.1: The Proposed Development comprises the suitable building type for this site, as this report demonstrated that it will fit well and respond to the site conditions and adjacencies which contain existing low-rise apartment buildings. The front of the building faces the street, there are an appropriate number of entrances on the facade, and no parking is located between the building and the street.
- 3.1: Safe pedestrian walkways will be provided to building entrances, with a single vehicular driveway access to the Subject Site.
- 3.2: A centrally located outdoor amenity space, accessible by all residents, is proposed as a focal point within the Proposed Development.
- 3.3: As demonstrated throughout this report, the Proposed Development has been located to frame the edge of street (or open space behind the existing retaining wall), and the building has been designed to fit harmoniously with the existing context of apartment buildings, and provides opportunities for high-quality landscaping and streetscaping.
- 3.4: "Back of house" activities, including loading, servicing, utilities, storage and parking, have been located underground, internally or in the rear, away from the public realm and public view.
- 4.1: The Proposed Development has been designed to fit within the existing context and provides appropriate transitions in scale to adjacent buildings. Angular planes, setbacks and step backs have been employed to minimize impacts.
- 4.2: The location of the proposed building ensures adequate sunlight and sky views. Overlook conditions are reduced through a generous rear yard setback in excess of 7.5 metres.
- 4.3: The primary entrances have been well-designed with landscaped areas to provide privacy for the residents, while maintaining "eyes on the street". The remainder of the private spaces on the front facade are elevated as a result of the grading of the Subject Site.
- 4.4: The proposed outdoor amenity spaces have been designed to have direct access to sunlight and sky view, to not impact the public realm and neighbours, to have a well-designed landscaped area and rooftop amenity area to offer privacy, screening, and an attractive interface with the public realm.
- 4.5: The Proposed Development relates directly to the existing grading of the Subject Site to the extent feasible.
- 5.1-5.3: The Proposed Development incorporates high quality streetscape and landscape design, site elements and building elements. Further details will be provided as the design development progresses and through the site plan approval process.

In summary, the Proposed Development has adequate regard for the Draft Townhouse and Low-Rise Apartment Guidelines.

5.4 Zoning By-law

The City of Toronto adopted a harmonized City-wide zoning by-law in May 2013. City of Toronto Zoning By-law 569-2013 is currently under appeal at the Ontario Municipal Board, which has granted partial approval of the by-law. As such, the City of Toronto takes the position that development must comply with both the adopted and in-force former City of Toronto Zoning By-law 438-86 until such time as appeals of the new Zoning By-law 569-2013 are resolved.

The following lists applicable zoning permissions in relation to the Subject Site:

Zoning By-law 438-86

The Subject Site is located in a Residential District 1S (R1S) zone and permitted a maximum density of 1.0 times the area of the lot, with a maximum permitted height of 10.0 metres (Figures 11 and 12). The R1S District permits a range of residential uses including detached houses, duplexes, semi-detached duplexes, and semi-detached dwellings. The zoning also permits accessory residential uses (e.g. parking area, private home day care, private garage), parks, playgrounds, and non-residential uses such as community centres, day nurseries, places of worship and public schools, subject to conditions.

The Subject Site is also subject to site-specific exception 12(1)365 which permits apartment buildings on lots on the east side of Bathurst Street (generally between Burton Road and Eglinton Avenue West), subject to a number of provisions related to landscaped open space, lot frontage, floor areas of dwelling units, and parking.

Site-specific exception 12(1)320 allows for the replacement of buildings existing as of February 28, 1977 with buildings having a height exceeding the height prescribed by the zoning by-law, if the height of the new building does not exceed the height of the building being replaced. Site-specific exception 12(2)274 permits the offices of physicians or dentists in the basement or first floor of detached houses on the east side of Bathurst Street (generally between Burton Road and Eglinton Avenue West).

Zoning By-law 569-2013

The Subject Site is located in the Residential (R) Zone and permitted a maximum density of 1.0 times the area of the lot, with a maximum permitted height of 10.0 metres and a maximum of 2 dwelling units per lot (Figures 13 and 14). The zoning permits dwelling units within a detached house, semi-detached house, townhouse, duplex, triplex, fourplex and apartment building. The zoning also permits non-residential uses such as community centres, day nurseries, group homes, libraries, places of worship and retail stores, subject to conditions.

The Subject Site is also subject to site-specific Exception R946, which carried forward the site-specific exemptions under sections 12(1)320 and 12(2)274 of Former City of Toronto Zoning By-law 438-86 noted above. Site-specific Exception R946 also identifies Section 12(1)365 of Former City of Toronto Zoning By-law 438-86 (also noted above) as a Prevailing Section.

Summary

The current zoning permissions under Zoning By-laws 438-86 and 569-2013 do not adequately respond to and implement the intent and policy direction of the OP, and Provincial plans and policies, for the reasons outlined in this report and summarized as follows:

- Provincial policies and the OP encourage greater intensification of underutilized sites in areas with existing infrastructure that can accommodate such growth, especially within *delineated built up areas*, whereas the existing site-specific zoning permissions effectively do not contemplate any additional development on the Subject Site (particularly the restriction of 2 dwelling units per lot under Zoning By-law 569-2013, notwithstanding that 25 units currently exist on the lot);

- The OP's Built Form policies encourage development to address the street and create a safe, active and attractive streetscape environment. The current site-specific zoning permissions facilitate the continuation of the existing built form with inefficient open space requirements on the Subject Site and effectively no permission for infill development that would improve the existing conditions;
- The OP and Provincial policies encourage new rental housing development and the improvement of the existing rental housing stock. The existing zoning effectively does not permit any additional development on the Subject Site that would provide for additional rental units in the Forest Hill neighbourhood, along with new indoor and outdoor amenity space on the Subject Site; and

A Zoning By-law Amendment is required to both Zoning By-laws 438-86 and 596-2013 to accommodate the Proposal, particularly to provide for appropriate standards for height, density, setbacks and parking provisions. Draft zoning by-law amendments are included as part of the application package. The Proposed Development complies with the policies of the Official Plan, which do not provide any numeric density considerations for the Subject Site, but instead require that the Proposed Development conform to a series of built form and design policies. As has been discussed in previous sections of this report, the Proposed Development fits within the existing *Neighbourhoods* designation context and is an appropriate development in the context of the surrounding area.

It should be noted that the difference between the numeric development standards in the draft zoning by-law amendments and the architectural drawings are to allow for slight variation as may be necessary during the construction of the building. This is to accommodate unforeseen situations where certain building elements may not be able to meet the specific parameters as set out in the architectural drawings. This is a precautionary measure in response to Bill 73 which amended the *Planning Act* and introduced new restrictions which state that no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building and structure before the second anniversary of the day on which the by-law was amended.

6 Supporting Studies

The following studies have been included with this submission to support the proposed application(s):

6.1 Stormwater Management and Servicing Report

A Preliminary Stormwater Management and Servicing Report (FSR) has been prepared by LEA Consulting Ltd. in support of the Proposed Development. The FSR analyzes the proposed stormwater management plan and site servicing requirements, and concludes the following:

Stormwater Management Plan

- **Water Balance:** An on-site storage volume of approximately 6.2 m³ will be provided for retention of the first 5 mm of rainfall runoff as required to achieve water balance criteria.
- **Water Quantity:** An on-site storage volume of approximately 121.93 m³ will be required in order to control the post-development stormwater flows to pre-development levels. A cistern is provided to satisfy the on-site storage requirement.
- **Water Quality:** In addition to landscaped areas, permeable paving, green roof and clean roof, will be sufficient to satisfy the water quality control requirement, i.e. 80% of total suspended solids (TSS) removal.
- **Temporary erosion and sediment control measures** should be provided before construction and maintained during construction in accordance with the Erosion & Sediment Control Guidelines for Urban Construction and other requirements.

Site Servicing Requirement

- **Sanitary Service:** The proposed sanitary service connection for the Subject Site will reutilize the two existing sanitary connections connected to the existing 225 mm diameter sanitary sewer on the private laneway which ultimately connects to the 225 mm sanitary sewer on Bathurst Street. Based on the sanitary sewer network model, there is sufficient flow capacity within the existing sanitary sewers on Bathurst Street to accommodate the Proposed Development.
- **Storm Service:** The proposed storm service connection for the Subject Site will be a 200 mm diameter in size that connects to the proposed catchbasin manhole on the driveway, which ultimately drains to the 1350 mm storm sewer on Bathurst Street. The implementation of the stormwater management plan will improve the existing hydraulic condition. A backflow check valve will be required.
- **Water Services:** The Proposed Development will be fed by the existing 150 mm watermain along the private laneway, which is connected to the 150 mm watermain along the west side of Richview Avenue. New water service for the site will consist of a 150 mm combined domestic water and fire service connection. The total water demand for the development is 107.2 L/s (or 1,698.6 USGPM).

In summary, the Proposed Development can be accommodated from a stormwater management and servicing perspective.

6.2 Transportation Impact Assessment

A Transportation Impact Assessment (TIA) has been prepared by LEA Consulting Ltd. in support of the Proposed Development. The TIA evaluates the traffic impacts of the Proposal, the proposed parking and loading, and on-site vehicular movements. The TIA concludes the following:

- The Proposed Development will replace the existing residential land uses on-site with new residential units. A total of 67 units are proposed. The redevelopment of the subject site proposes to maintain the single access to Bathurst Street.
- The Subject Site is situated in a fairly walkable area with cycling facilities located nearby. TTC surface transit services are accessible on the doorstep of the site.
- Under existing conditions, the TTC Bathurst bus operates within capacity, with the greatest observed demand in the southbound direction during the weekday AM peak hour.
- Under future background (2022) conditions, the TTC Bathurst bus is forecasted to operate at capacity in the southbound direction during the weekday AM peak hour. All other branches are forecasted to operate without constraint.
- It is estimated that the Subject Site will generate 25 two-way net auto trips (6 inbound and 19 outbound) during the weekday AM peak hour and 24 two-way net auto trips (11 inbound and 13 outbound) during the weekday PM peak hour.
- As a result of the minimal number of auto trips forecasted to be generated by the Subject Site, minimal traffic effects are anticipated on the surrounding road network. Furthermore, future total (2022) transit analyses reveals the proposed redevelopment will have no adverse effect on the transit network.
- It is estimated that the Subject Site will generate 15 two-way transit trips during the weekday AM peak hour (7 inbound and 8 outbound), and 8 two-way transit trips during the weekday PM peak hour (3 inbound and 5 outbound).
- The Proposed Development will satisfy the vehicular parking requirements of the City of Toronto Zoning By-Law.
- The Proposed Development will satisfy the bicycle parking requirements of the City of Toronto Zoning By-Law.
- The Proposed Development will satisfy City of Toronto Zoning By-Law requirements for loading by providing one (1) Type “G” loading space.

In summary, the Proposed Development can be accommodated from a transportation impact perspective.

6.3 Arborist Report

An Arborist Report has been prepared by D. Andrew White Certified Arborist in support of the Proposed Development. The Arborist Report concludes that in order to allow for the construction of the Proposed Development at 1637-1645 Bathurst Street, no off-site trees are proposed to be removed or placed at risk of injury. Ten (10) private non-exempt trees are proposed for removal, no (0) road allowance trees are to be injured or removed and no (0) trees on neighbouring properties are to be removed.

For further information please refer to the Refer to Tree Preservation Plan and Landscape Plan prepared by Marton Smith Landscape Architects.

6.4 Shadow Study

A Shadow Study has been prepared by RAW Design Inc. for March 21 and September 21, in accordance with the requirements of the City of Toronto. The study has been prepared to identify incremental shadows cast by the Proposed Development both on its own and in relation to existing buildings in the immediate area. Proposed but not yet approved buildings in the vicinity have not been included in the study. The study indicates that shadows cast by the Proposed Building on neighbouring streets, properties and open spaces have been adequately limited in accordance with Official Plan policy.

On the spring and fall equinoxes (March 21 and September 21), new shadow cast by the Proposed Development is evident on the west sidewalk of Bathurst Street and in the front yards of buildings located on the west side of Bathurst Street at 9:18 AM, but it moves quickly away and is not evident from 10:18AM onwards. From 10:18-11:18AM, new shadow is cast on the east sidewalk of Bathurst Street, but this also moves quickly away and is not evident from 12:18PM, where shadows are generally limited to the Subject Site itself. From 11:18AM-2:18M minor incremental shadow is evident on the property to the north. From 3:18PM-6:18PM incremental shadowing increases on the rear yards of the properties to the east, as could be expected in an urban area at that time of day.

At no time will the Proposed Building cast any shadow on shadow-sensitive areas (such as parks, schools, cemeteries, etc.), during the time periods and time of year tested in these analyses.

The cumulative effect of the additional shadow cast by the Proposed Development is acceptable and adequately minimizes shadow impacts on neighbouring properties and open spaces, including City streets, in the immediate vicinity. Therefore, the Proposal conforms to the OP policies regarding sunlight access and shadow impact.

7 Conclusion

The Proposed Development represents appropriate infill intensification of the Subject Site in the context of the existing *Neighbourhoods* designation.

The Proposal implements all relevant “in-force” Provincial and municipal policies. It is consistent with the PPS, and conforms with the Growth Plan and the OP, while having regard for the City’s relevant design guideline documents and emerging policies.

By way of summary, this planning analysis (and other supporting studies) demonstrates that the Proposed Development:

- Is consistent with the Provincial Policy Statement, 2014 as it represents intensification and efficient development in an existing urban area that is well serviced by existing infrastructure, including transit;
- Conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 as it represents appropriate intensification within a desirable and walkable built-up area;
- Conforms to the City of Toronto Official Plan by providing for appropriate infill development within the *Neighbourhoods* designation that respects and reinforces the existing and emerging character, where existing apartment buildings of a similar scale already exist, where apartment buildings of up to 4 storeys are permitted, and where infill development can be accommodated with no adverse impacts;
- Has appropriate regard for the City’s built form guidelines by providing for the development of a building that appropriately transitions to adjacent neighbourhood areas and provides a built form that frames existing public street;
- Provides an improved pedestrian friendly street facade along Bathurst Street, and indoor and outdoor amenity space with access to all amenity spaces for tenants;
- Responds to the City’s housing policies by replacing the existing rental housing stock on the Subject Site and adding to the supply of purpose-built rental housing in the City of Toronto;
- Will implement the City’s requirements for tenant relocation and assistance benefits through an implementing Section 37 agreement;
- Provides rental apartment units with contemporary en-suite amenities;
- Provides appropriate and adequate indoor and outdoor amenity space with access to all amenity spaces for tenants;
- Can be accommodated by the existing transportation network and proposed parking supply; and
- Can be accommodated by the existing municipal storm sewer and sanitary sewer network.

Zoning By-law Amendments are required to facilitate the Proposed Development and draft amendments are included as part of the application submission.

Having had regard to the many factors discussed in this report, the Proposed Development conforms to and is consistent with the prevailing planning policies of the Province and the City, reflects appropriate consideration of City guidelines and represents good planning. For these reasons the Proposed Development warrants the support of Council and City staff.

WND associates

planning + urban design



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