

183 Finch Avenue West – Re-Zoning and Site Plan Control Applications - Preliminary Report

Date:	August 9, 2007
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward No. 23 – Willowdale
Reference Number:	File Nos. 07 223013 NNY 23 OZ & 07 222995 NNY 23 SA

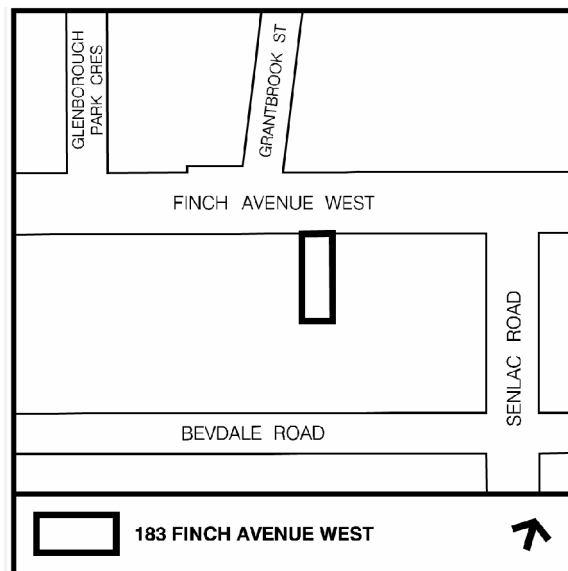
SUMMARY

This application was made on or after January 1, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to convert a portion of the ground floor area in the existing residential dwelling to permit a home office use providing herbal and acupuncture treatments at 183 Finch Avenue West.

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

Staff will continue to process the Re-zoning and Site Plan Control Application and



proceed to schedule a community consultation meeting with area residents, and a statutory public meeting. Provided that the applicant provides any additional required information in a timely manner, it is anticipated that the final report will be completed in the fourth quarter of 2007.

RECOMMENDATIONS

The City Planning Division recommends that:

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

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

This application to permit a re-zoning of the subject lands is as a result of recent complaints to the City's Municipal Licensing and Standards Division of commercial uses along the Finch Avenue West corridor. The proposed use, which has been in operation at this location, is not one of the Home Occupations otherwise permitted in the Residential Fourth Density Zone (R4). Having been made aware of the restriction the applicant has applied for the re-zoning which is the subject of this application.

Proposal

The subject lands have a frontage of 15.23 metres along the south side of Finch Avenue west and a lot area of 661.28 m². The applicant proposes to convert the ground floor of the existing 2-storey dwelling, measuring approximately 137 m² or 50% of the total dwelling, in order to provide herbal and acupuncture treatment and consultation. The area of the proposed conversion represents approximately 21% of the total residential lot area. The proposed use represents a drugless practice that includes acupuncture, massage and herbal treatments.

Other than minor interior renovation, the application does not propose any new additions or construction to the existing dwelling. The applicant is proposing an additional three parking spaces at the rear of the lands which would be located beside an existing two-car

garage. Access to the parking area would be via a paved driveway with provision made for storm water collection and catch-basins.

The resident and operator of the practice intends to continue to reside on the second floor of the dwelling with his family.

Site and Surrounding Area

The site is located on the south side of Finch Avenue West across from the intersection with Grantbrook Street to the north and just west of the intersection with Senlac Road. A recently built two storey single detached residential dwelling exists on the site. Abutting uses are as follows:

North: across Finch Avenue West is located a three storey commercial building and one storey commercial strip plaza to the west and east side respectively of Grantbrook Street;
South: single detached residential dwellings;
East: single detached residential dwellings;
West: single detached residential dwellings.

Provincial Policy Statement and Provincial Plans

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

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

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

Official Plan

The subject lands are designated *Mixed Use Area "B"* in the Central Finch Area Secondary Plan. The *Mixed Use Area "B"* designations permits detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational facilities, and institutional uses.

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For sites with a frontage along Finch Avenue West of less than 30 metres, such as the subject lands, the maximum density permitted is 1.0 times the lot area provided that the maximum height of a mixed use project is 3 storeys or 11 metres, whichever is the lesser, and provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area and that retail uses are located only on the ground floor of mixed use projects.

Zoning

The subject lands are zoned “Residential Fourth Density Zone (R4)” in Zoning By-law No. 7625 for the former City of North York. A Home Occupation is a permitted use in an R4 zone provided that it is for private instruction in music or music related subjects only by a teacher that is resident of the dwelling.

Site Plan Control

The applicant has submitted a concurrent site plan control application (07 222995 NNY 23 SA) for the subject lands.

Reasons for the Application

The proposed use is not one of the Home Occupations otherwise permitted in the Residential Fourth Density Zone (R4). Having been made aware of the restriction the applicant has applied for the re-zoning which is the subject of this application.

COMMENTS

Issues to be Resolved

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

The application will be reviewed with regard to the Central Finch Area Secondary Plan policies. In order to determine the appropriateness of the proposal, zoning standards as well as the following matters will be addressed:

- 1) Compatibility of the proposed use with the adjacent neighbourhood;
- 2) Appropriate regulations of the proposed use;
- 3) The extent of hard surfaces area and requirements for landscaping;

- 4) Driveway access and storm water management;
- 5) Conveyance requirements for the future road widening of Finch Avenue West.

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

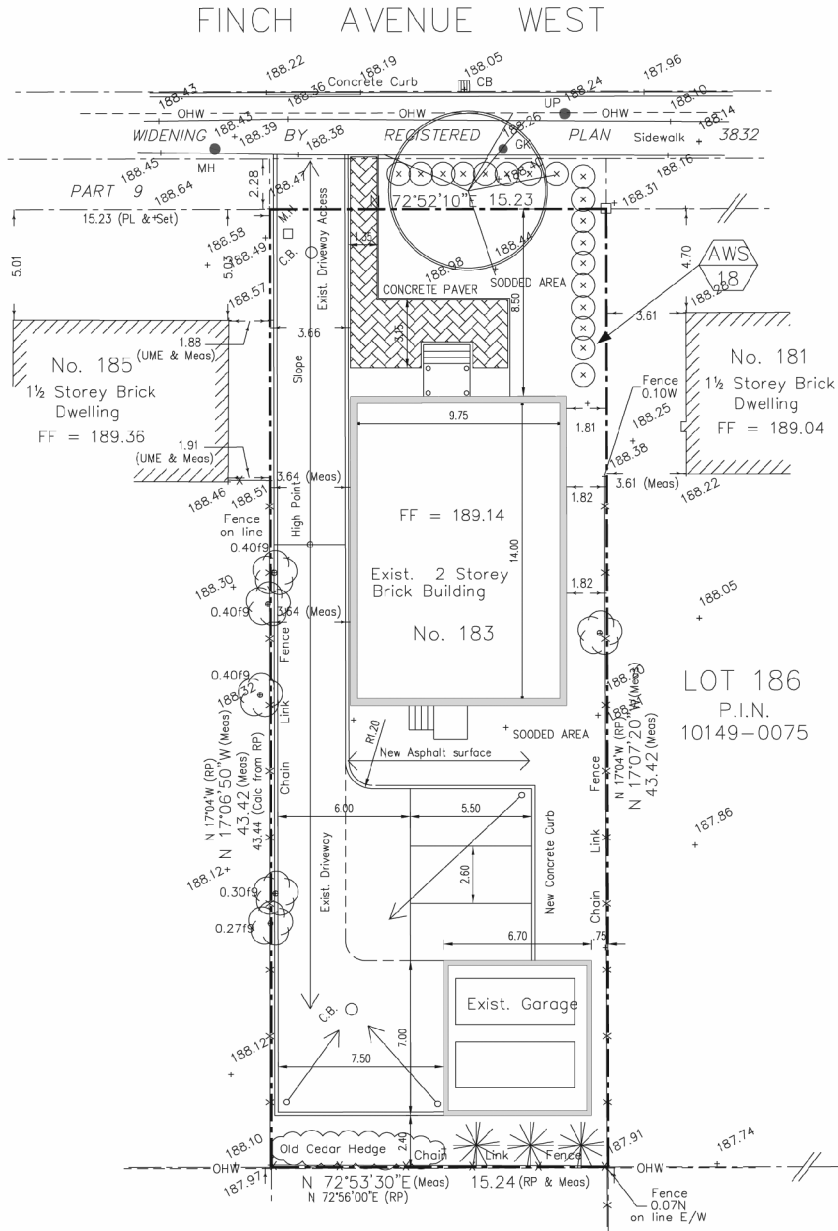
Attachment 1: Site Plan

Attachment 2: Elevations [as provided by applicant]

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

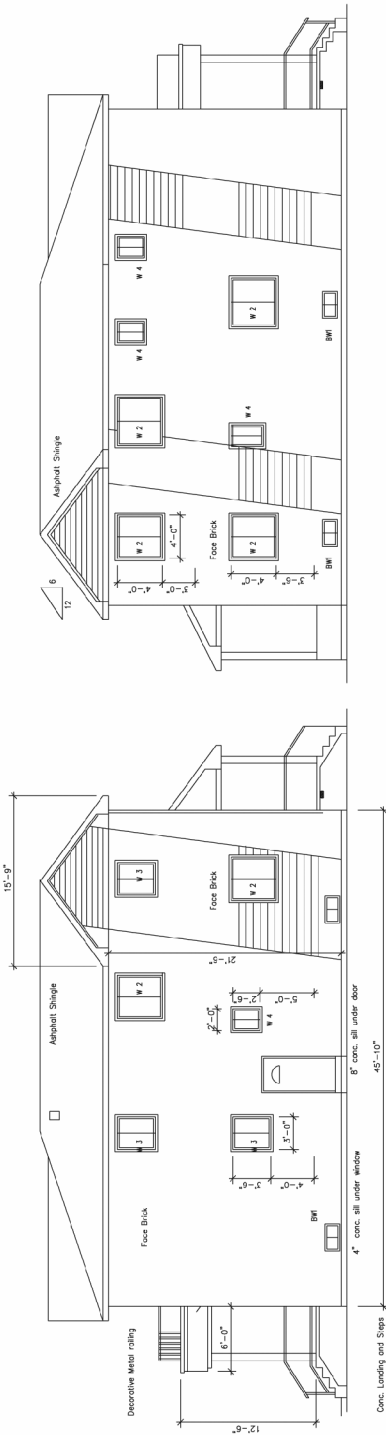
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183 Finch Avenue West

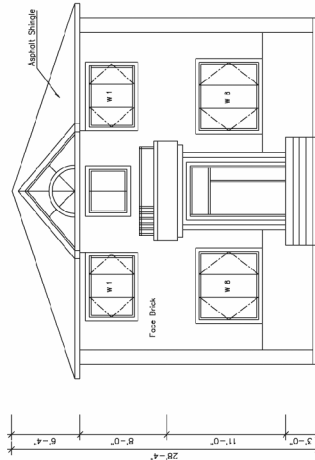
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Attachment 2: Elevations

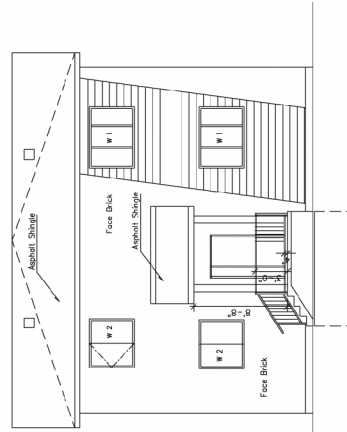


West Elevation

East Elevation



North Elevation



South Elevation

Elevations

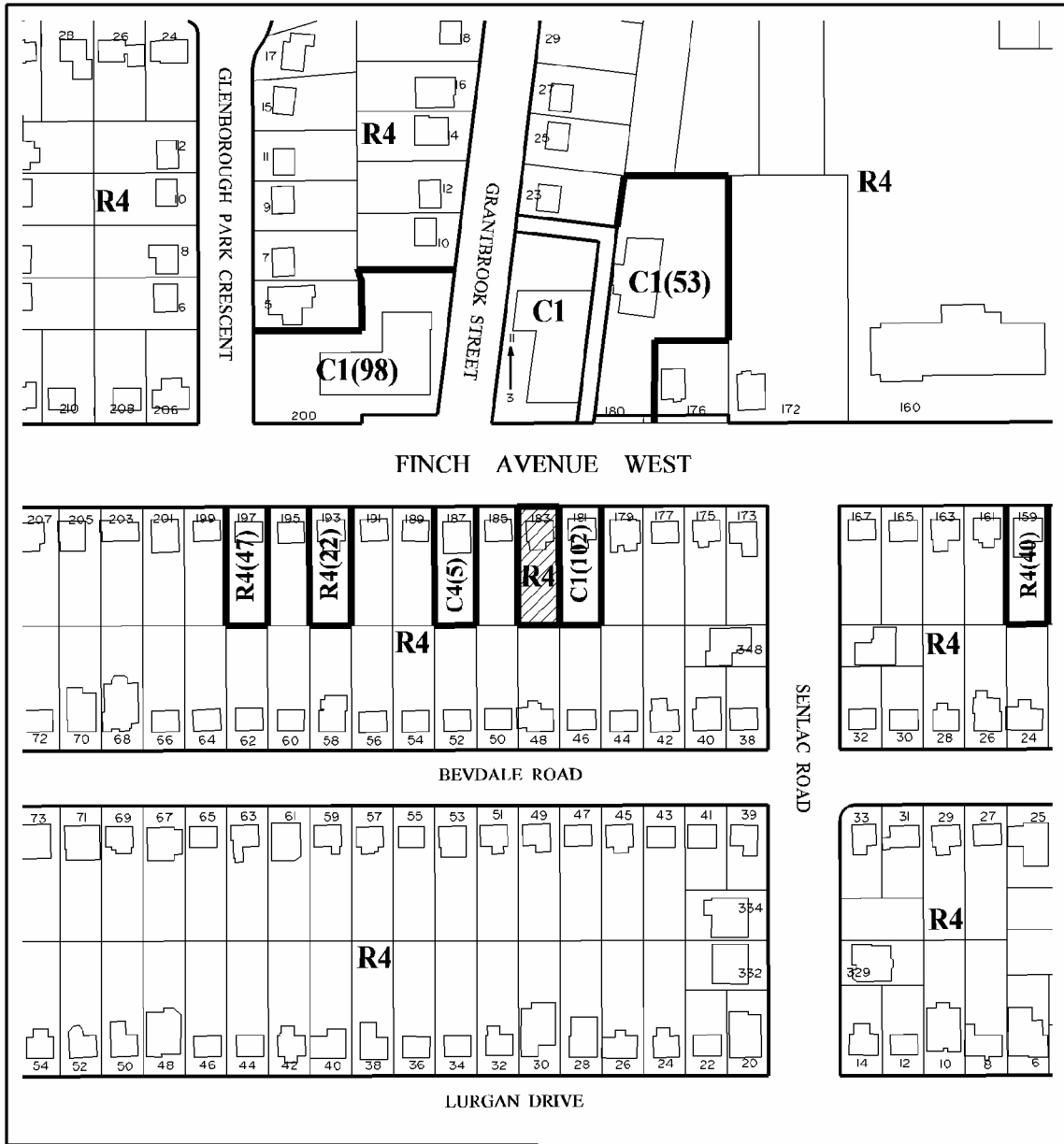
Applicant's Submitted Drawing

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Attachment 3: Zoning



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- R4 One-Family Detached Dwelling Fourth Density Zone
- C1 General Commercial Zone
- C4 Mixed Use Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
Not to Scale
Zoning By-law 7625
Extracted 07/18/07

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	07 223013 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	May 28, 2007

Municipal Address: 183 FINCH AVE W, TORONTO ON M2R 1M2

Location Description: PLAN 2399 W PT LOT 24 << STRUCTURE ADDRESS FOR 183 FINCH AVE E
**GRID N2302

Project Description: Proposed conversion of portion of ground floor area of existing residential dwelling to permit home office use (live/work). Note concurrent site plan application.

Applicant:	Agent:	Architect:	Owner:
RICHARD MIN			KARDEL DEVELOPMENTS INC

PLANNING CONTROLS

Official Plan Designation: MUA	Site Specific Provision:
Zoning: R4	Historical Status:
Height Limit (m):	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	661.28	Height:	Storeys:	2	
Frontage (m):	15.23		Metres:	8.63	
Depth (m):	43.44				
Total Ground Floor Area (sq. m):	136.54				Total
Total Residential GFA (sq. m):	163.78		Parking Spaces:	5	
Total Non-Residential GFA (sq. m):	109.3		Loading Docks	0	
Total GFA (sq. m):	273.08				
Lot Coverage Ratio (%):	20.6				
Floor Space Index:	0.41				

DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	1
Total Units:	1

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	163.78	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	109.3	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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