

## 184 Finch Avenue East - Rezoning Application – Final Report

|                          |   |
|--------------------------|---|
| <b>Date:</b>             | July 22, 2010                                     |
| <b>To:</b>               | North York Community Council                      |
| <b>From:</b>             | Director, Community Planning, North York District |
| <b>Wards:</b>            | Ward 24 – Willowdale                              |
| <b>Reference Number:</b> | 10 118540 NNY 24 OZ                               |

### SUMMARY

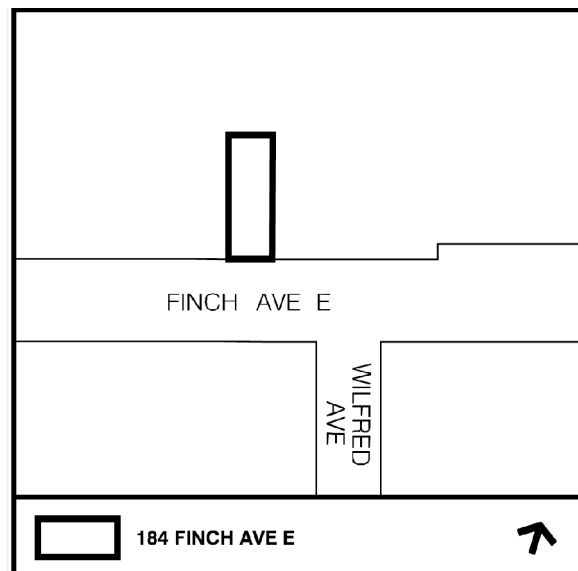
This application was made on February 16, 2010 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to convert a portion of the ground floor area of an existing residential building to allow for a live/work home occupation (acupuncture clinic) at 184 Finch Avenue East. This report reviews and recommends approval of the application to amend the Zoning By-law.

### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law No. 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7;
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



## **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to convert a portion of the ground floor of the existing 1-storey dwelling, approximately 31.70 m<sup>2</sup> or 35% of the total gross floor area of the dwelling, for home occupation purposes (acupuncture clinic). The remainder of the ground floor contains a kitchen, bed/sitting area, access to the basement and a foyer at the entrance of the dwelling and will continue to be used for residential purposes.

The application does not propose any new additions or construction to the existing dwelling other than minor interior renovations. The applicant is proposing two additional parking spaces at the east side of the dwelling which would be located on the driveway leading to an existing detached one-car garage on the subject lands.

### **Site and Surrounding Area**

The site is located on the north side of Finch Avenue East, immediately west of Wilfred Avenue and has a frontage of approximately 14 metres and a lot area of 535 m<sup>2</sup>. A 1-storey detached residential dwelling with a detached garage is located on the lands. Abutting uses are as follows:

North: single detached residential dwellings;

South: single detached residential dwellings; with a proposed development of 21 residential townhouses (comprising three blocks of 7 units each) with two private interior roadways at 169-177 Finch Avenue East (08 231155 NNY 23 OZ);

East: single detached residential dwellings, townhouses; and

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. This proposal is 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. This proposal is not in conflict with the Growth Plan.

## **Official Plan**

The subject lands are designated *Neighbourhoods* in the Official Plan and *Neighbourhood “A”* in the Central Finch Area Secondary Plan. The Official Plan provides for small-scale retail, service and office uses in *Neighbourhoods*. The *Neighbourhood “A”* designation in the Central Finch Area Secondary Plan provides for detached and multiple-unit residential uses, public parks and recreational facilities, and places of worship. The Secondary Plan also encourages redevelopment that contributes to a strong and attractive pedestrian oriented street edge with emphasis on good built form and an abundance of landscaping and tree features.

This development will provide small-scale service uses to local residents, landscaping improvements and respects the existing character of the surrounding area. Therefore, the proposed development meets the policies for *Neighbourhoods* in the Official Plan and the Central Finch Area Secondary Plan.

## **Zoning**

The subject lands are zoned “One Family Detached Dwelling 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 and related music subjects or for the teaching of academic subjects.

## **Site Plan Control**

The applicant has submitted a concurrent Site Plan Control application (10 118534 NNY 24 SA). The approval of this Site Plan Control application will be required prior to the issuance of building permits for the proposed development. The applicant will also be required to enter into a Site Plan Agreement which will also include a requirement to convey land for future road widening purposes.

## **Reasons for Application**

An amendment to Zoning By-law No. 7625 for the former City of North York is required as the proposed home-occupation (acupuncture), is not one of the Home Occupations permitted in the One-Family Detached Dwelling Fourth Density Zone (R4).

## **Community Consultation**

A community consultation meeting was held on June 15, 2010. The meeting was attended by City Planning staff, the owner, the ward councillor and three members of the public.

Issues raised during the discussion of the proposal, which have been considered in the review of the application, were related to the following matters:

- appropriate signage that does not detract from the residential character of the neighbourhood; and
- function of the acupuncture clinic and maintenance of the property to minimize negative impacts on adjacent neighbours.

## **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**

### **Land Use, Density, Massing**

The proposed home-occupation use located within an existing 1-storey building and having an FSI of 0.34 complies with the land use and density policies of the Central Finch Area Secondary Plan, *Neighbourhood "A"*.

The proposed home occupation use will offer acupuncture services and will be restricted to a portion of the main floor of the dwelling. The remaining portion of the ground floor area of the dwelling will continue to be used for residential purposes. The proposal does not involve any additions or exterior modifications to the existing building. As such, the property will remain compatible with the residential character of the surrounding area.

### **Traffic Impact, Access, Parking**

The applicant is proposing two additional parking spaces (tandem) which would be located on the driveway leading to an existing one-car garage located at the rear of the dwelling. Technical Services staff advise that there will be sufficient parking onsite to accommodate the proposed use.

### **Road Widening**

It has been determined by Technical Services that a 4.89 metre road widening dedication along the Finch Avenue frontage is required. The dedication of this road widening to the City will be a condition of Site Plan approval and secured through the site plan process.

### **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 local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.8-1.56 hectares of local parkland per 1,000 people. The site is in the middle 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 to convert a portion of the ground floor of the building for home occupation use does not propose any additional gross floor area. As such, Parks, Forestry and Recreation staff advise the proposal is not subject to a parks levy.

### **Landscaping**

There is sufficient space in the front yard for landscaping improvements. As such a combination of soft and hard landscaping will be installed. In addition, a 1.8 metre high

opaque fence and a 1.5 metre landscaping buffer will be provided along the rear property line which are being secured in the proposed zoning bylaw.

### **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, except for additions such as retrofits to existing buildings. Tier 2 is a voluntary, higher level of performance with financial incentives.

### **Development Charges**

Development charges are not required for the proposed conversion of 31.70 m<sup>2</sup> of space for home occupation use.

### **CONTACT**

Francis Kwashie, Planner  
Tel. No. 416-395-7044  
Fax No. 416-395-7155  
E-mail: fkwashi@toronto.ca

### **SIGNATURE**

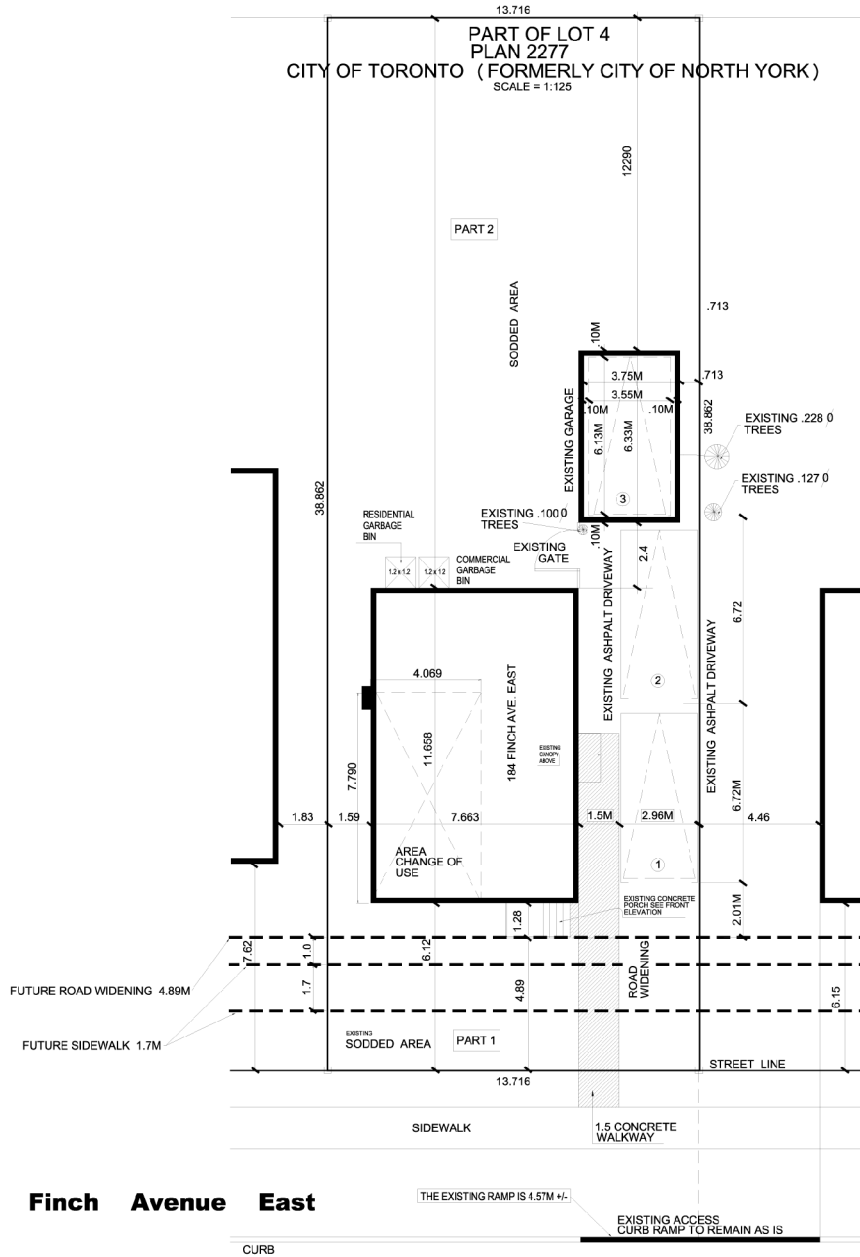
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Thomas C. Keefe, Director  
Community Planning, North York District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Ground Floor Plan  
Attachment 4: Basement Plan  
Attachment 5: Zoning  
Attachment 6: Application Data Sheet  
Attachment 7: Draft Zoning By-law Amendment

## Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

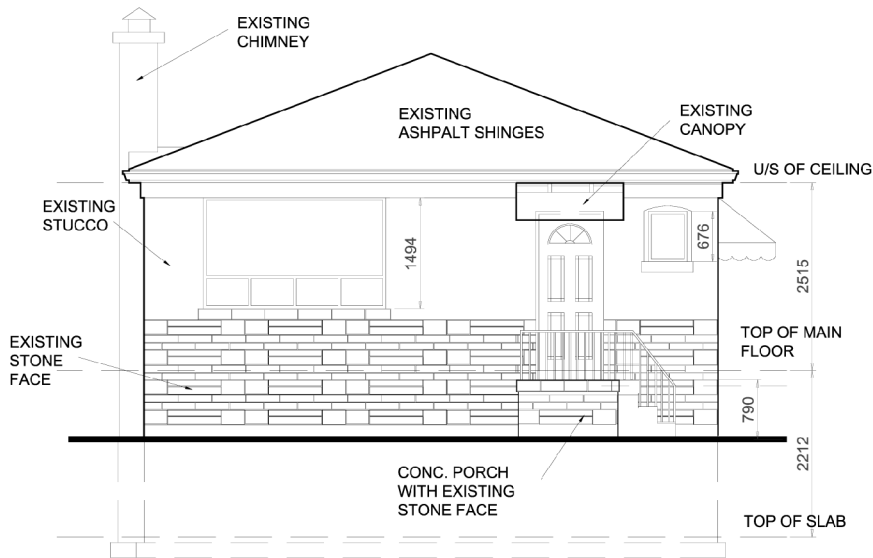
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04/26/2010



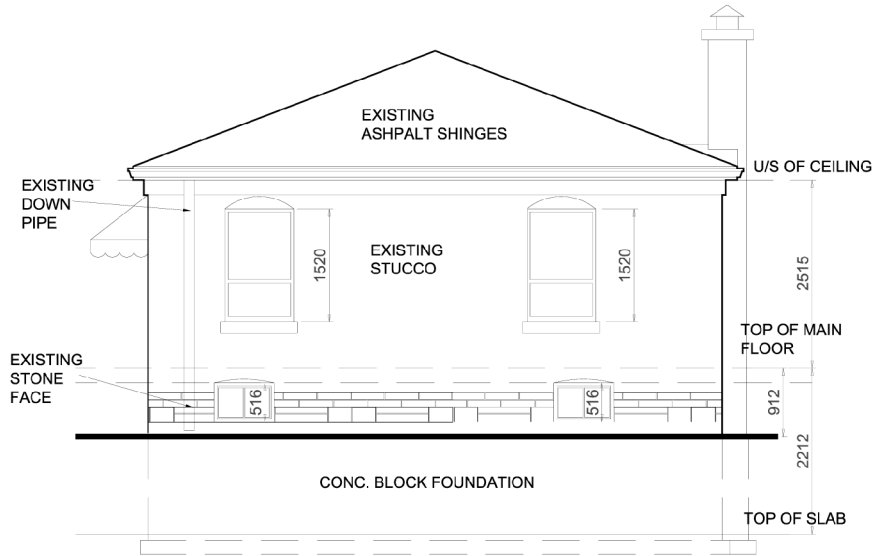
184 Finch Avenue East

File # 10 118540

## Attachment 2: Elevations



**Front Elevation**



**Rear Elevation**

### Elevations

Applicant's Submitted Drawing

Not to Scale  
04/26/2010



184 Finch Avenue East

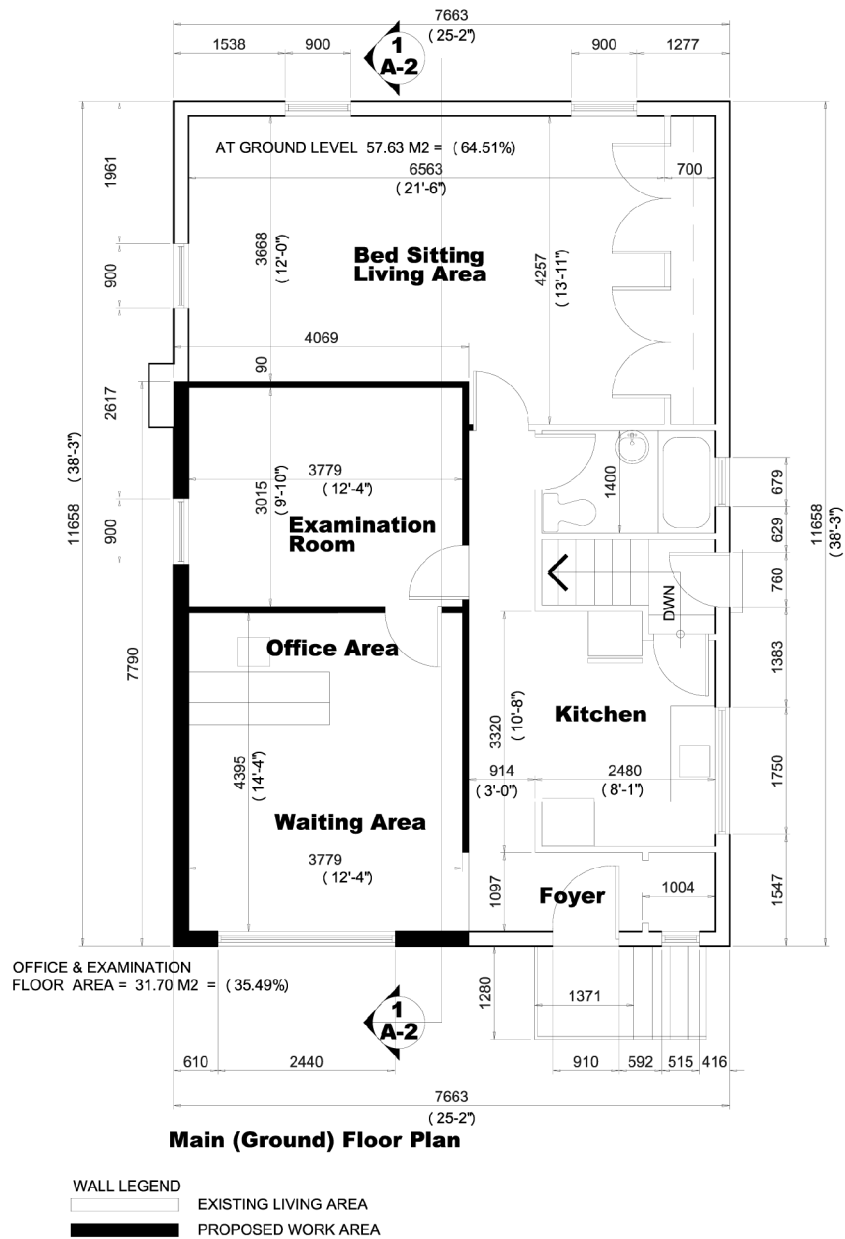
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## Main Floor Plan

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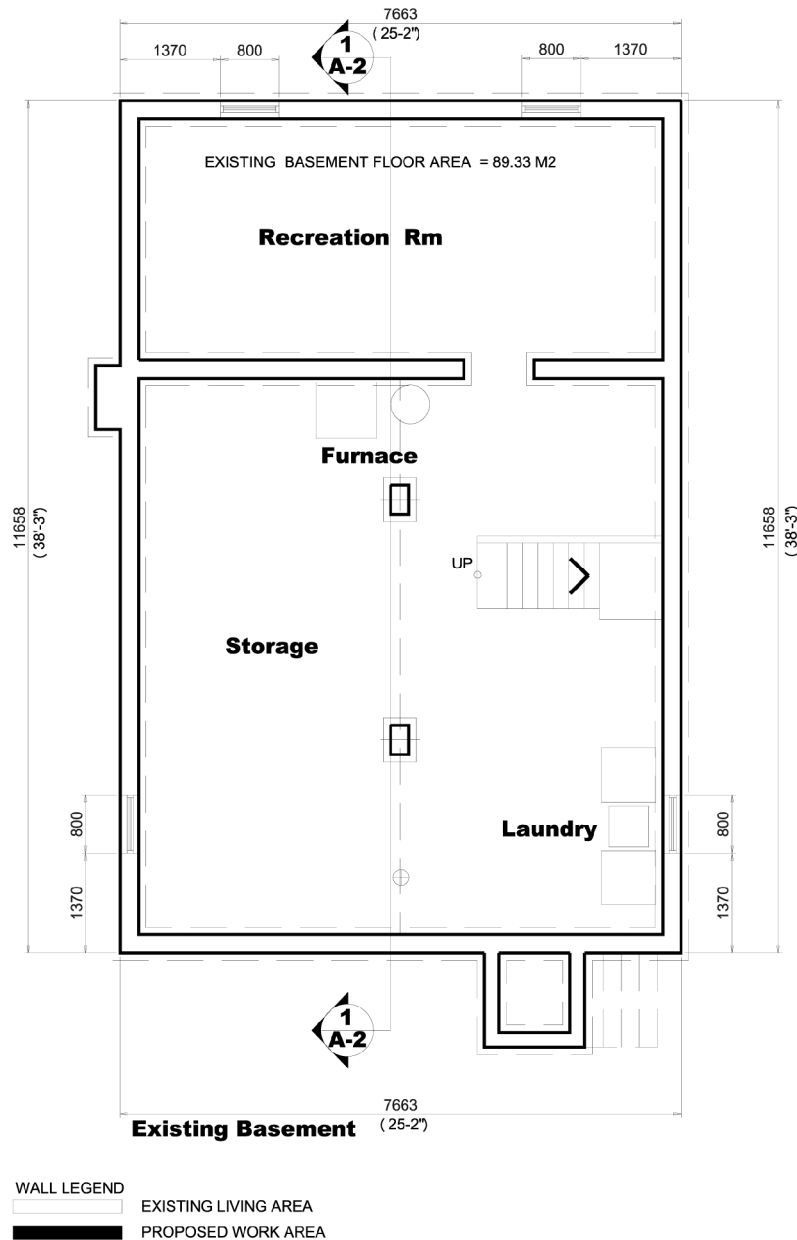


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## Attachment 4: Basement Plan



### Basement Plan

184 Finch Avenue East

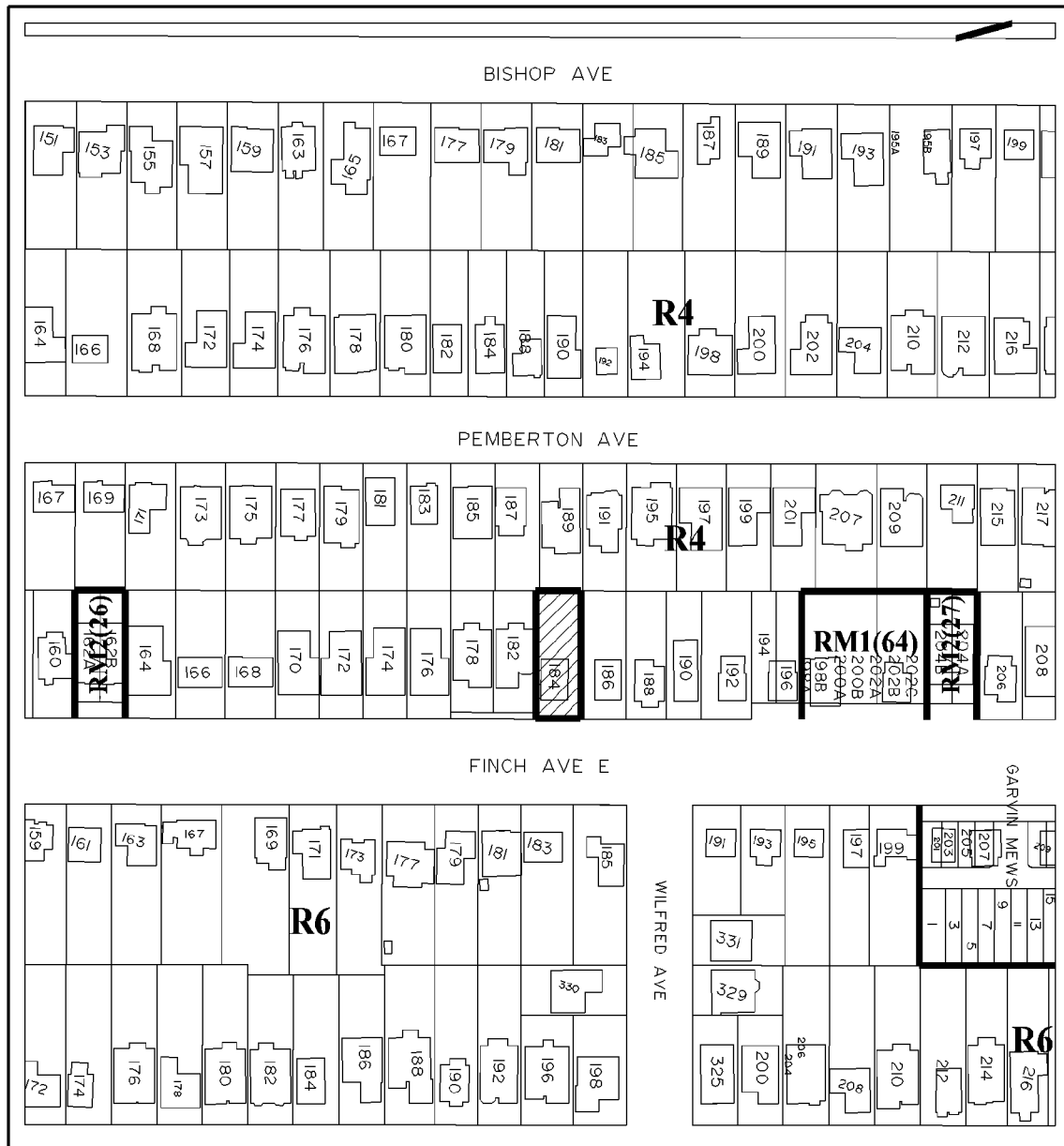
Applicant's Submitted Drawing

Not to Scale  
04/26/2010



File # 10\_118540

## Attachment 5: Zoning



## Attachment 6: Application Data Sheet

### APPLICATION DATA SHEET

|                  |                    |                     |                     |
|------------------|--------------------|---------------------|---------------------|
| Application Type | Rezoning           | Application Number: | 10 118540 NNY 24 OZ |
| Details          | Rezoning, Standard | Application Date:   | February 16, 2010   |

Municipal Address: 184 FINCH AVE E

Location Description: PLAN 2277 PT LOT 4 \*\*GRID N2401

Project Description: Proposed conversion of a portion of the ground floor area of the existing residential building to allow home occupation -live/work- (acupuncture clinic). Note concurrent site plan application.

|                   |               |                   |               |
|-------------------|---------------|-------------------|---------------|
| <b>Applicant:</b> | <b>Agent:</b> | <b>Architect:</b> | <b>Owner:</b> |
| HYUNMO PANG       |               |                   | HYUNMO PANG   |

### PLANNING CONTROLS

|                            |                |                          |   |
|----------------------------|----------------|--------------------------|---|
| Official Plan Designation: | Neighbourhoods | Site Specific Provision: |   |
| Zoning:                    | R4             | Historical Status:       |   |
| Height Limit (m):          | 8.8            | Site Plan Control Area:  | Y |

### PROJECT INFORMATION

|                                    |        |         |                 |              |
|------------------------------------|--------|---------|-----------------|--------------|
| Site Area (sq. m):                 | 533.03 | Height: | Storeys:        | 1            |
| Frontage (m):                      | 13.72  |         | Metres:         | 6.1          |
| Depth (m):                         | 38.86  |         |                 |              |
| Total Ground Floor Area (sq. m):   | 89.33  |         |                 | <b>Total</b> |
| Total Residential GFA (sq. m):     | 146.96 |         | Parking Spaces: | 3            |
| Total Non-Residential GFA (sq. m): | 31.7   |         | Loading Docks   | 0            |
| Total GFA (sq. m):                 | 178.66 |         |                 |              |
| Lot Coverage Ratio (%):            | 16.76  |         |                 |              |
| Floor Space Index:                 | 0.34   |         |                 |              |

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

|              |                 |                                  |                    |                    |
|--------------|-----------------|----------------------------------|--------------------|--------------------|
| Tenure Type: | Freehold, Other |                                  | <b>Above Grade</b> | <b>Below Grade</b> |
| Rooms:       | 0               | Residential GFA (sq. m):         | 57.63              | 89.33              |
| Bachelor:    | 0               | Retail GFA (sq. m):              | 0                  | 0                  |
| 1 Bedroom:   | 0               | Office GFA (sq. m):              | 31.7               | 0                  |
| 2 Bedroom:   | 0               | Industrial GFA (sq. m):          | 0                  | 0                  |
| 3 + Bedroom: | 1               | Institutional/Other GFA (sq. m): | 0                  | 0                  |
| Total Units: | 1               |                                  |                    |                    |

|                 |                      |                                 |
|-----------------|----------------------|---------------------------------|
| <b>CONTACT:</b> | <b>PLANNER NAME:</b> | <b>Francis Kwashie, Planner</b> |
|                 | <b>TELEPHONE:</b>    | <b>416-395-7044</b>             |

## **Attachment 7: Draft Zoning By-law Amendment**

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### **CITY OF TORONTO**

**Bill No. ~**

### **BY-LAW No. ~-2010**

#### **To amend Zoning By-law No. 7625, as amended With respect to the lands municipally known as 184 Finch Avenue East**

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 No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.13(98) of By-law No. 7625 is amended by adding the following subsection:  
  
“64.13 (98) R4 (98)

#### **PERMITTED USES**

- (a) In addition to the uses permitted by the R4 zone, a home occupation use that includes an acupuncture clinic shall also be permitted within the building existing on or before the date of enactment of this exception.

#### **EXCEPTION REGULATIONS**

- (b) The maximum gross floor area permitted for the home occupation use shall be 31.7 m<sup>2</sup> or 35% of the gross floor area of the dwelling.
- (c) The home occupation use may only be located on the main floor of the dwelling.
- (d) The minimum number of parking spaces shall be three with two spaces provided as tandem.

- (e) The minimum width of the tandem parking spaces shall be 2.9 metres.
  - (f) The minimum yard setbacks shall be as shown on Schedule “R4 (98)”.
  - (g) Section 7.4A and 7.4B relating to front yard landscaping and front yard soft landscaping shall not apply.
  - (h) A 1.8 metre high opaque fence and a 1.5 metre landscaping buffer shall be provided along the rear property line.
  - (i) A 1.5 metre wide demarcated pedestrian walkway comprised of concrete, stamped concrete or pavers shall be provided from Finch Avenue East to the existing building.
3. Within the lands shown on Schedule "R4 (98)" 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.
4. Section 64.13 (98) of By-law No. 7625 is amended by adding Schedule “R4 (98)” attached to this By-law.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

