

57, 59, 61, and 63 Finch Avenue West – Zoning By-law Amendment and Site Plan Control Applications – Final Report

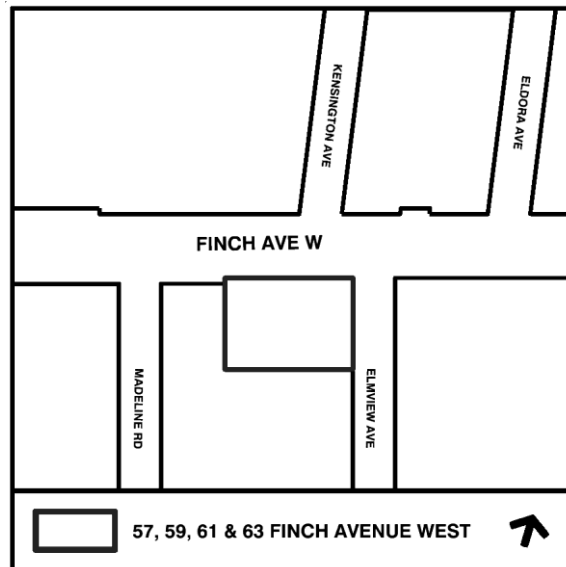
Date:	July 18, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Numbers:	12 146486 NNY 23 OZ and 12 146492 NNY 23 SA

SUMMARY

These applications propose to amend the Zoning By-law to permit the redevelopment of the subject lands for a four-storey, 70 unit residential development with 68 underground parking spaces accessed via a private driveway from Elmview Avenue. The proposal is located on an assembly of 4 lots at 57, 59, 61, and 63 Finch Avenue West.

The proposal provides for a multiple-unit residential use that will enhance the vibrancy and active nature of the Finch Avenue streetscape consistent with the objectives of the Central Finch Area Secondary Plan. The proposed development reinforces the existing and planned built form context along Finch Avenue West and the building design will contribute to and enhance the public realm.

This report reviews and recommends approval of the Zoning By-law Amendment application and approval in principle of the Site Plan Control Application subject to the conditions outlined in this report.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8 to this report.
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.
3. Before introducing the necessary Bills to City Council for enactment, the Owner be required to submit a letter of credit in order to secure improvements to the existing sanitary sewer in the amount of \$114,100.00, to the satisfaction of the Executive Director of Engineering and Construction Services.
4. City Council approve in-principle the site plan as indicated on the drawings and conditions listed in Attachment 9.
5. City Council authorize the Chief Planner or her designate to give final approval to the site plan when the conditions to be satisfied prior to site plan approval as set out in Attachment 9 of this report have been fulfilled.

Financial Impact

The recommendations in this report have no financial impact.

Application History

In November 2008, applications for Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control approval were submitted to the City for a proposed development consisting of nine, three-storey townhouses along Finch Avenue frontage and a 3-storey detached dwelling and one semi-detached 3-storey dwelling along Elmview Avenue. The development proposed a Floor Space Index (FSI) of 1.3, and represented an assembly of three lots at 57, 59 and 61 Finch Avenue West. Following a Preliminary Report to the January 13, 2009 meeting of North York Community Council, a public consultation meeting was held on March 11, 2009.

The report is available at:

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17807.pdf>

The applicant did not provide information required for further processing of the application and the file was subsequently closed on November 3, 2009.

With respect to the current application, staff prepared a Preliminary Report that went before North York Community Council on September 11, 2012, which can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2012/ny/bgrd/backgroundfile-49366.pdf>

A Community Consultation Meeting was held June 18, 2013. Since the Community Consultation Meeting, the number of units has been reduced from 72 to 70 and a number of changes have been made to the landscaping and building design.

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop a site located at the southwest corner of Finch Avenue West and Elmview Avenue with a 4-storey, 70-unit residential apartment building. The units are comprised of the following: 3 studios, 55 one bedroom and 12 two bedroom units.

The proposed four-storey residential building would have a height of 13 metres along the Finch Avenue West frontage and a ground floor height of 3.60 metres. The building is proposed with a green roof measuring approximately 81.7% (1,021.8 square metres) of the roof area. The building is designed with terracing that “steps-down” at the rear of the building to provide for a transition to the lower scale residential dwellings to the south.

Access to the below grade parking garage would be via a driveway accessed from Elmview Avenue. A total of 70 bicycle parking and 68 vehicular parking spaces are proposed, of which 11 would be for visitor parking. The driveway would also provide access for service and loading vehicles activity located at the rear of the building. One Type 'G' loading space is being provided.

The proposed building would have a gross floor area of 5,312 m² and a Floor Space Index (FSI) of 2.0. The proposed building has a proposed indoor amenity area of 183.5 square metres and outdoor amenity area of 171.7 square metres.

The project statistics are included in the Application Data Sheet in Attachment 7.

Site and Surrounding Area

The proposal is located on an assembly of 4 lots on the south side of Finch Avenue West at the southwest corner of Finch Avenue West and Elmview Avenue. The subject lands have frontage of approximately 61 metres along the south side of Finch Avenue West and approximately 44 metres along Elmview Avenue. The four lots have a total area of approximately 2,656 square metres. Each of the four lots contains single-detached residential dwellings. The subject lands are located two blocks west of Yonge Street.

Abutting uses are as follows:

- North: Various two and three storey commercial and residential buildings. Two-storey single detached residential buildings are located to the northeast of the site;
- South: Single detached residential dwellings in a neighbourhood designation;
- East: Two-storey single detached residential buildings are located across Elmview Avenue. Further east of the subject site is a high-rise residential building in the North York Centre Secondary Plan Area, and;
- West: A row of seven, 4-storey residential townhouses and two 3-storey single detached dwellings fronting on Madeline Road.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

Official Plan

The Official Plan designates the subject lands as *Mixed Use Areas*. *Mixed Use Areas* consist of a broad range of high quality commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces that reduce automobile dependency and meet the needs of the local community.

The Official Plan includes development criteria in *Mixed Use Areas*. Generally, it is the intent that development will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;

- provide for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences, and;
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Central Finch Area Secondary Plan

The subject property is also located within the Central Finch Area Secondary Plan, and is designated *Mixed Use Area "B"* on Map 22-1. This designation provides for detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational uses and institutional uses.

For sites with frontage on Finch Avenue West of 30 metres or more, such as the subject lands, the maximum density (FSI) permitted for a solely residential use is 2.0 times the lot area and the maximum height is 4 storeys or 13 metres, whichever is the lesser.

For all lands within the Secondary Plan, the height of any part of a building (except accessory structures for residential uses) will not exceed 70 percent of the horizontal distance separating that part of the building from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area provided that the horizontal setback is not less than 9.5 metres.

The Secondary Plan encourages redevelopment that ensures compatibility with the surrounding residential areas while contributing to an attractive pedestrian oriented street edge with emphasis on good design and landscaping, buffering and tree features.

The Secondary Plan also encourages the reduction in the number of driveways providing access to Finch Avenue, to provide the minimum number of driveways necessary for

efficient vehicle access. Generally, one access per site is preferred, the location of which will be completely within lands that are part of the Secondary Plan Area.

Zoning

The subject lands are excluded from the new City of Toronto Zoning By-law No. 569-2013. As such, the former City of North York Zoning By-law No. 7625 continues to apply.

The site is currently zoned One-Family Detached Dwelling Fourth Density Zone (R4) under By-law 7625; as amended. The R4 zoning permits single detached dwellings and accessory uses.

Site Plan Control

A Site Plan Control application (12 146492 NNY 23 SA) has been submitted with this rezoning application and has been processed concurrently.

Reasons for Application

An amendment to Zoning By-law No. 7625 for the former City of North York is required as the R4 zoning that currently applies to the lands does not permit the proposed four-storey, 70 unit residential development.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on June 20, 2013 at the Edithvale Community Centre. The meeting was attended by the Ward Councillor, City Planning staff, the applicant, owner and approximately 35 members of the public.

Issues raised by area residents in discussion of the proposal, which have been considered in the review of the application, are generally related to the following matters:

- Location of access to the proposed development;
- Stability of the community and neighbourhood character;
- Potential for parking and traffic impacts on Elmview Ave;
- Building design and density;
- Vehicular access and the difficulty of west-bound access onto Finch Avenue;
- Location of waste management facilities, and;
- Timing, noise, and impact of on-site construction.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires that a range of land uses be provided and that intensification and redevelopment opportunities are identified and promoted.

The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS in this regard. The proposed land use and density provides a compact built form that supports an efficient use of land and existing transit infrastructure.

The proposal also conforms to the Growth Plan for the Greater Golden Horseshoe which states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. As this site is located in a built up area designated for growth in the City’s Official Plan, and the proposal is intensifying the use of land for housing, the proposal conforms to the Growth Plan.

Land Use

The proposed 4-storey, 70-unit residential development with a shared driveway and parking at the rear complies with the policies of the Central Finch Area Secondary Plan which encourages residential intensification, the consolidation of lots, and a reduction in the number of private driveways directly accessing Finch Avenue. The proposal represents a similar height and built-form as the development at 218, 220, 222, and 224 Finch Avenue West, albeit without a commercial component.

The proposed built form, with the buildings located close to the front property line will contribute to the definition of the street edge and maintain an attractive pedestrian environment along the public sidewalk. This is an important objective of the Central Finch Area Secondary Plan.

Density, Height, and Built Form

The Central Finch Area Secondary Plan provides for a base density of 2.0 FSI for solely residential uses. The proposed development would have an FSI of 2.0 (5,312.8 m²).

The Secondary Plan’s height limits and angular planes are intended to protect stable residential neighbourhoods by providing appropriate transitions in height between mixed use areas and adjacent residential communities. For the subject lands, the permitted

height is generally the lesser of 13 metres or 4 storeys. The proposed height of 4-storeys and 13 metres meets the Secondary Plan requirement with respect to height, and the minimum required distance of 9.5 metres from the property line that borders adjacent residential areas. The proposal also meets the Secondary Plan's angular plane requirement.

A number of changes have been incorporated in the design of the proposal since the Community Consultation Meeting. These include the addition of balconies above the loading area to provide coverage of the loading area, the addition of a 1 metre landscape strip along the entire frontage of Finch Avenue West, removal of roof projections and balconies from the rear angular plane and changes to the outdoor paved area to provide more planters and seating amenities.

The proposed development addresses the urban design objectives of the Secondary Plan by:

- Orienting the main facades towards Finch Avenue West and providing at-grade pedestrian access directly from the Finch Avenue West public realm;
- Locating access to the parking garage at the rear of the building and off of Elmview Avenue to provide a more attractive streetscape on Finch Avenue West;
- Providing landscaping on both the public boulevard and private property to enhance the pedestrian environment;
- Providing vehicular access via public streets and pedestrian access via sidewalks, thereby reducing the opportunities for potential pedestrian conflicts;
- The development allows for adequate sunlight and sky views from Finch Avenue West;
- Creating appropriate relationships to residential neighbourhoods to the south, east, and west through landscaping and screening, and
- The development provides adequate setbacks from adjacent residential units.

The proposal conforms to the density, height and other built form policies of the Official Plan and Secondary Plan.

Traffic Impact, Access, Parking

Vehicular access to the development is proposed via a two-way driveway accessed from Elmview Avenue that leads directly to the one-level underground parking garage. There will be no driveway access from Finch Avenue West. A total of 68 parking spaces are proposed to be provided on site in a one-level underground garage. Of the proposed parking, 57 spaces would be for residents and 11 spaces would be for visitor use. A total of 70 bicycle parking spaces are being provided.

As part of this application, the applicant has requested that the parking standards of the new City of Toronto Zoning By-law 569-2013 be applied to the subject site. The parking rates in Zoning By-law 569-2013 are based on number of bedrooms per unit and access

to surface transit. In this case, the parking rates are categorized as Policy Area 4 (Avenues on Surface Transit). The proposed parking is based on the following ratios:

Type of Unit	Ratio Per Unit	Number of Units	Spaces Required
Bachelor Unit	0.7	3	2.1
1 Bedroom Units	0.8	55	44
2 Bedroom Units	0.9	12	10.8
Visitors	0.15	70	10.5
TOTAL		70	67.4

Transportation Services has reviewed the proposal and concur that the proposed parking supply is sufficient and that the existing road network can accommodate the additional traffic generated by the proposed development.

The applicant submitted a traffic opinion letter as part of their initial submission. Transportation Services did not have concerns with respect to the traffic generated by the development.

Servicing

The applicant has provided a Site Grading and Servicing Plan, Stormwater Management Plan, Sanitary Hydraulic Analysis, and Functional Servicing Report, which have been accepted in principle by Development Engineering staff.

The Sanitary Hydraulic Analysis submitted showed that the contribution of this development to the basement flooding area intensified downstream. Development Engineering has worked with the consultant engineer to determine mitigating measures in the form of Cash-in-Lieu contribution for necessary sewer up-grades.

Prior to introducing the necessary Bills to City Council for enactment for the approval of the Official Plan and Zoning By-law Amendments, this report recommends that the applicant be required to submit a cash-in-lieu contribution of \$114,100 to the satisfaction of the Executive Director of Engineering and Construction Services.

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 parkland per 1,000 people. The site is in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per the Harmonized Parkland Dedication By-law 1020-2010.

The applicant has submitted an application to construct a 4-storey building having 70 residential units within a site area of 0.2480 hectares (2,480m²). At the alternative rate of

0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.0933 hectares (933m²) or 37% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement is 0.0248 hectares (248m²).

The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment. This is appropriate as the parkland dedication requirement for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Streetscape

The proposed residential development fronts onto Finch Avenue West which will provide overlook and animation. The applicant is also proposing to plant large deciduous trees and provide additional landscaping to screen along the frontage of the site to provide appropriate relationship between the sidewalk and ground floor residential uses.

Sidewalks with a width of 1.7 metres are proposed along Finch Avenue West. Money will be secured for the future sidewalk upgrades on Finch Avenue West through provisions in the Site Plan Agreement.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan Agreement and includes construction activity, stormwater retention and tree protection.

Site Plan

A Site Plan Control application (12 146492 NNY 23 SA) has been submitted with this rezoning application to reflect the proposed changes.

The following elements are being secured as part of a Site Plan Control Agreement:

- Design and material of the building;
- On-site landscaping and tree planting;
- A 2.76 metre wide road widening along the Finch Avenue West frontage;
- Board-on-board fencing along the perimeter of the site;

- Construction of new sidewalks and boulevard improvements such as tree planting, and enhanced landscaping, and;
- Planters and seating amenities in the outdoor paved area.

Conclusion

The proposed Zoning By-law Amendment will allow for the proposed 70-unit residential project and implements development standards, such as height, gross floor area and setbacks to regulate the proposed development.

The proposal provides for a multiple-unit residential use that will increase the vitality and interest of the Finch Avenue West streetscape consistent with the objectives of the Central Finch Area Secondary Plan. The proposed development reinforces the existing and planned built form context along Finch Avenue and the building design will contribute to and enhance the public realm. The proposal allows for the appropriate and desirable residential development of the subject properties.

The report also recommends approval in principle of the Site Plan conditions. 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 be required to enter into a Site Plan Control Agreement.

CONTACT

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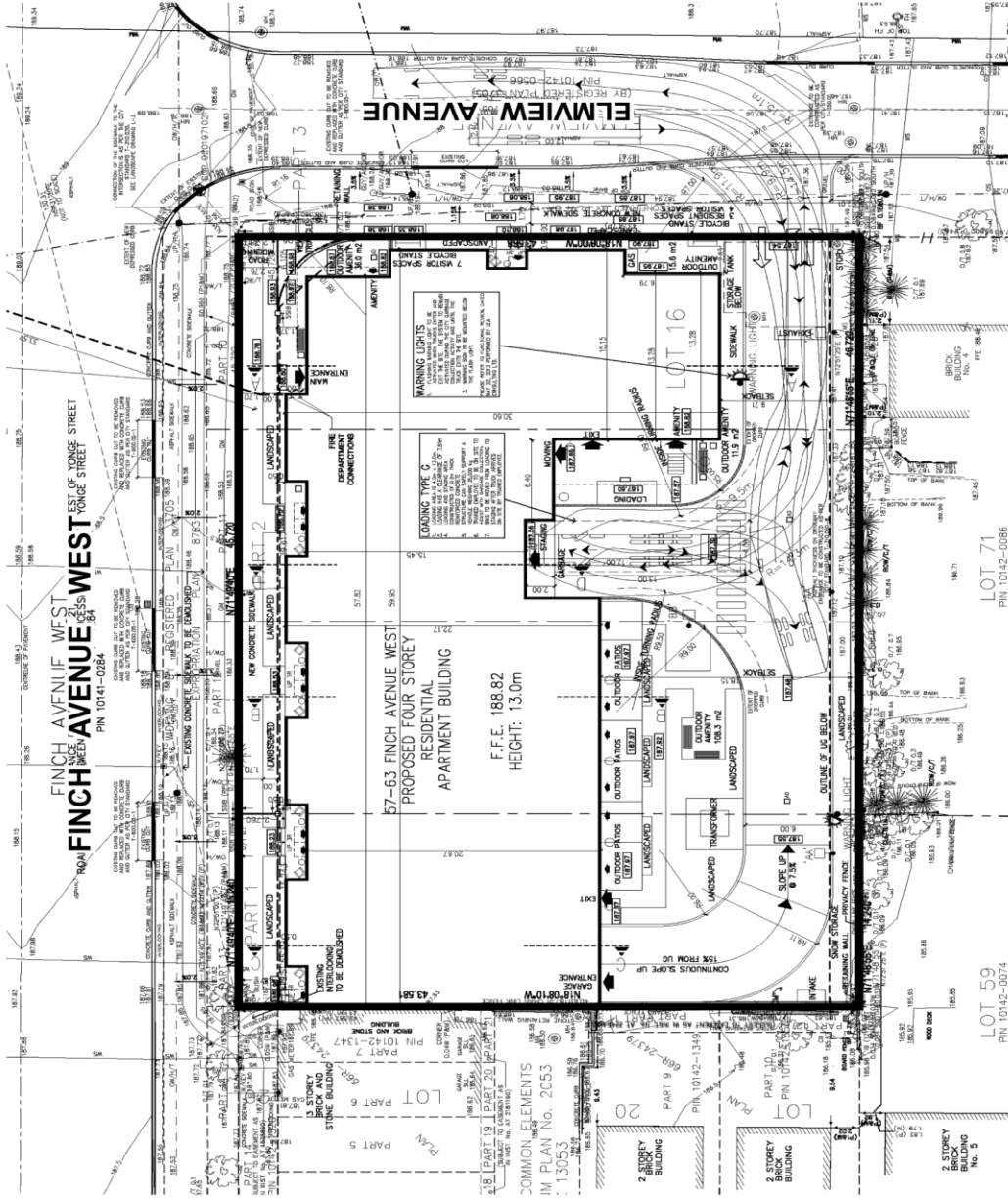
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Landscape Plan
Attachment 3:	a. North Elevation b. South Elevation c. East Elevation d. West Elevation
Attachment 4:	Cross Section
Attachment 5:	Zoning
Attachment 6:	Official Plan
Attachment 7:	Central Finch Area Secondary Plan
Attachment 8:	Draft Zoning By-law Amendment
Attachment 9:	Notice of Approval Conditions
Attachment 10:	Application Data Sheet

Attachment 1: Site Plan



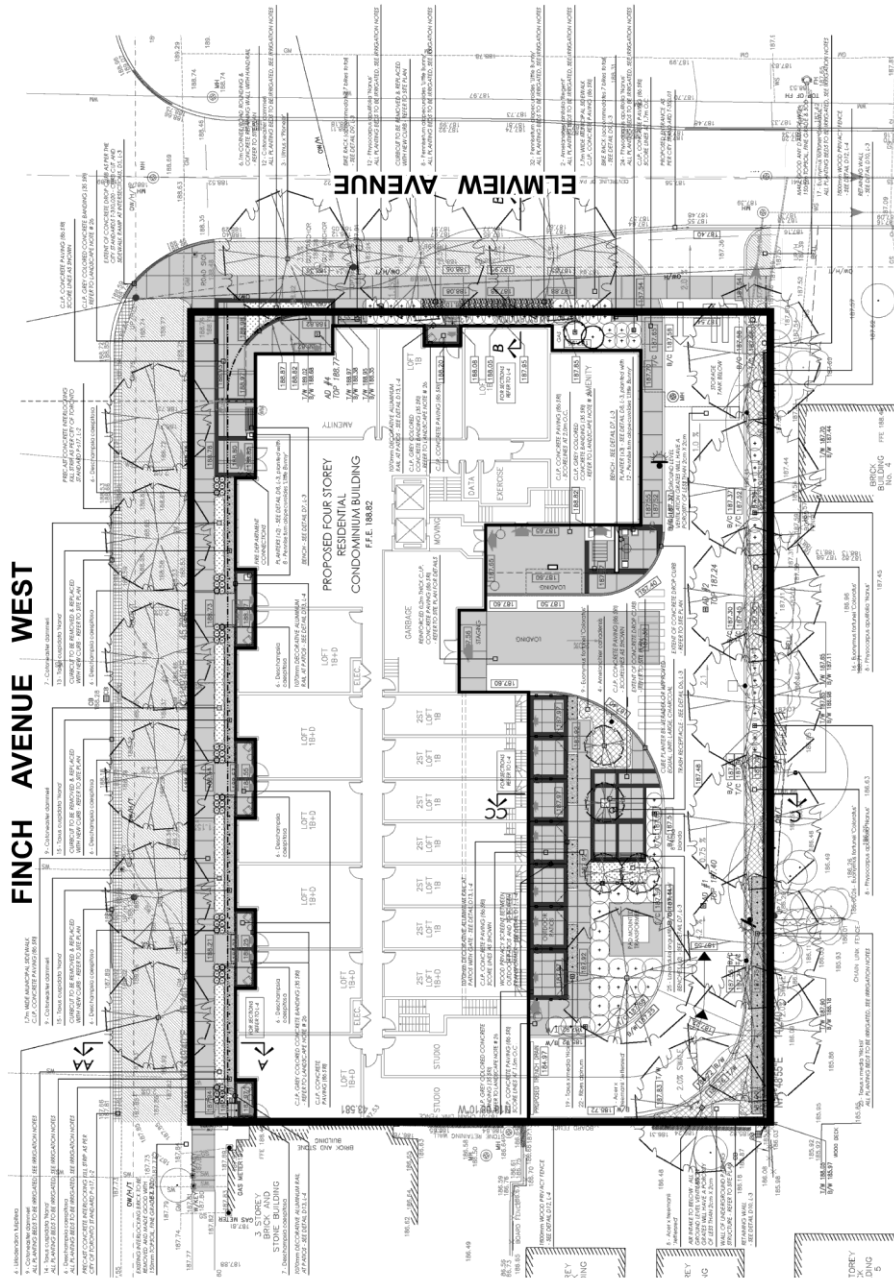
57, 59, 61 & 63 Finch Avenue West

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 06/23/2014

File # 12 146486 NNY 23 0Z

Attachment 2: Landscape Plan



57, 59, 61 & 63 Finch Avenue West

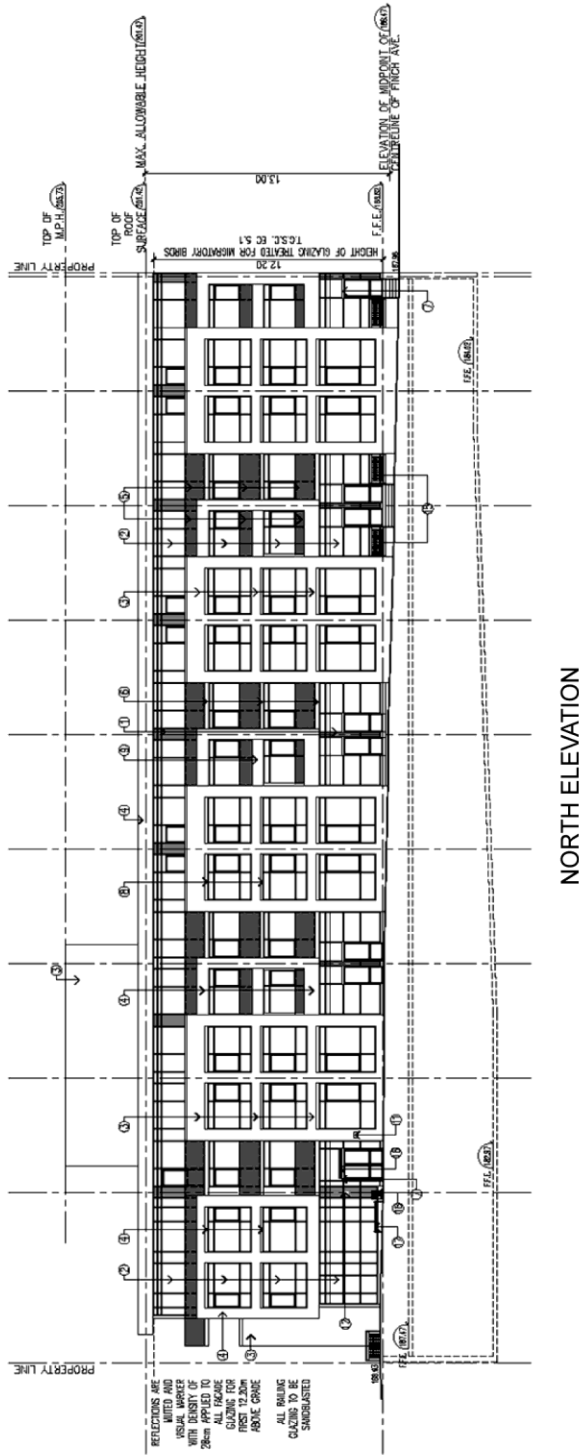
Landscape Plan

Applicant's Submitted Drawing

Not to Scale
07/11/2014

File # 12 146486 NNY 23

Attachment 3a: North Elevation



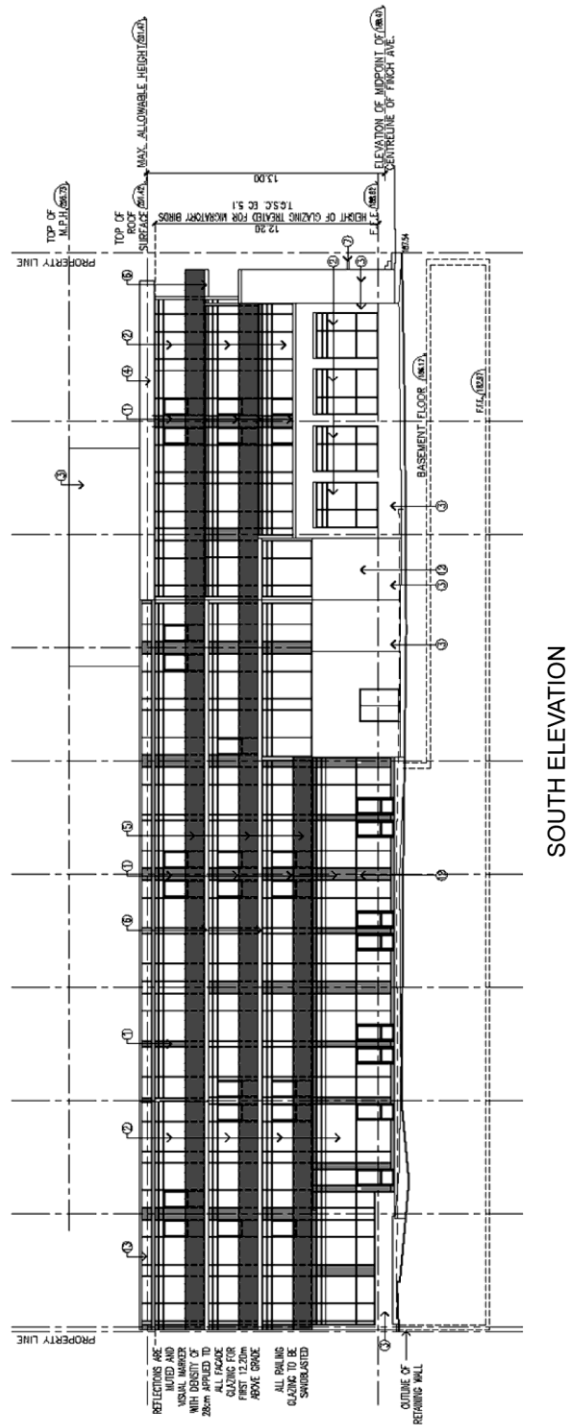
57, 59, 61 & 63 Finch Avenue West

Elevations
 Applicant's Submitted Drawing

Not to Scale
 06/23/2014

File # 12 146486 NNY 23 0Z

Attachment 3b: South Elevation



57, 59, 61 & 63 Finch Avenue West

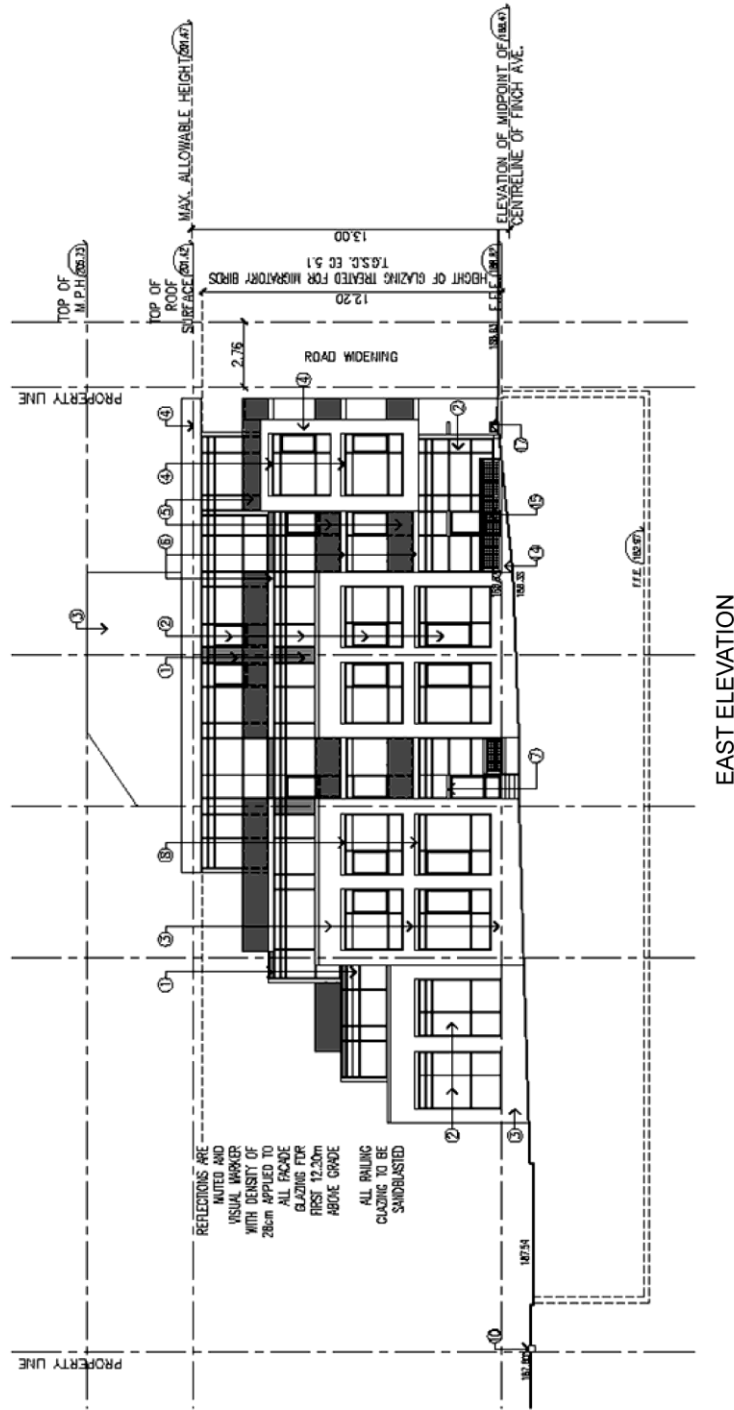
Elevations

Applicant's Submitted Drawing

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06/23/2014

File # 12 146486 NNY 23 0Z

Attachment 3c: East Elevation



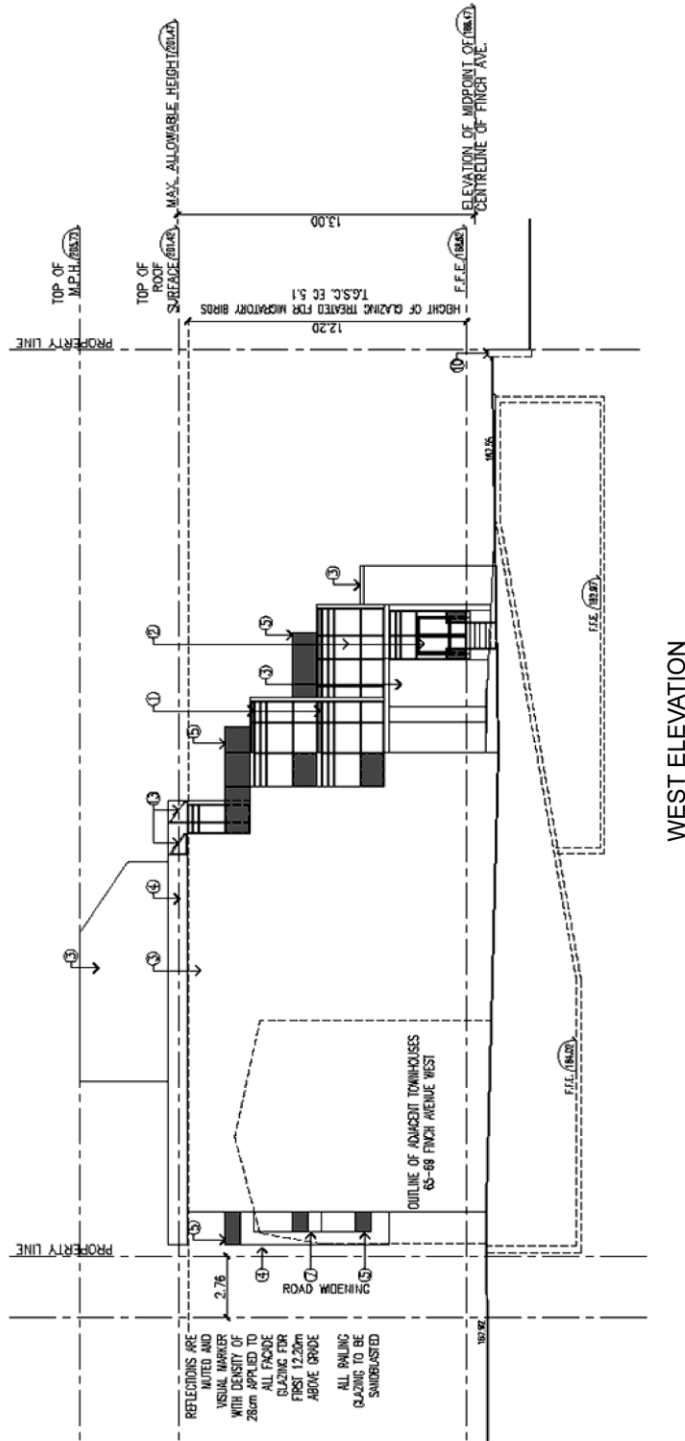
57, 59, 61 & 63 Finch Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
06/23/2014

File # 12 146486 NINY 23 0Z

Attachment 3d: West Elevation

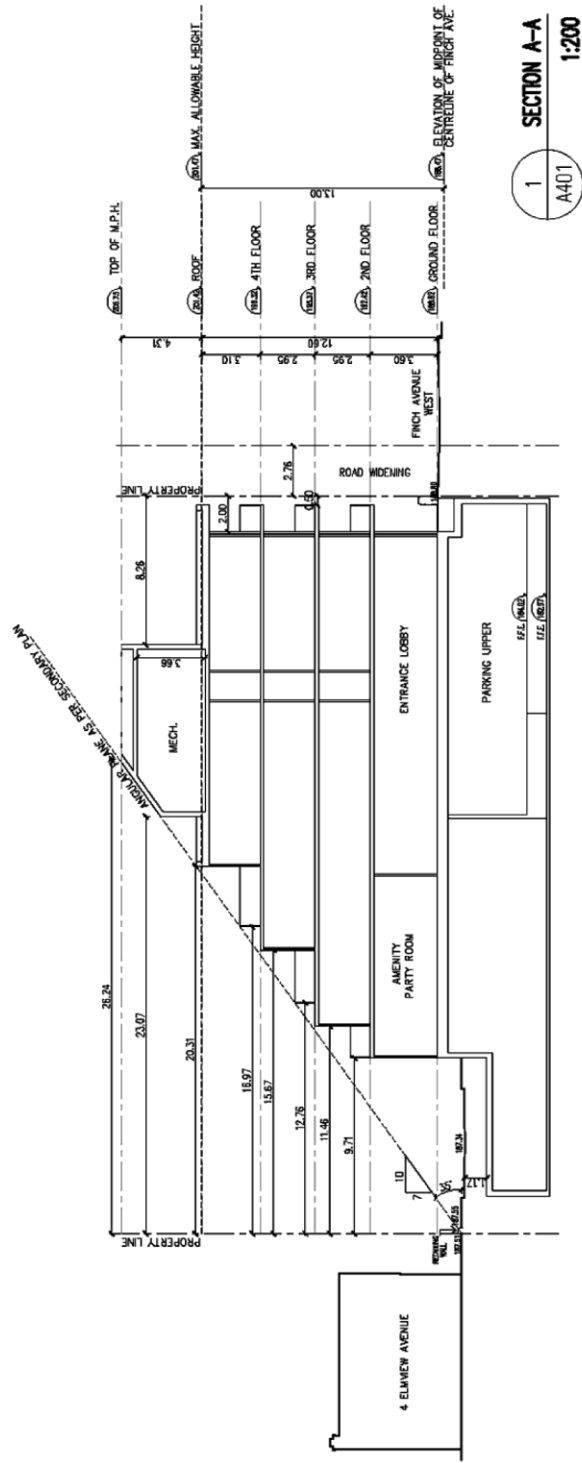


57, 59, 61 & 63 Finch Avenue West

Elevations
 Applicant's Submitted Drawing

Not to Scale
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 File # 12 146486 NNY 23 0Z

Attachment 4: Cross Section



57, 59, 61 & 63 Finch Avenue West

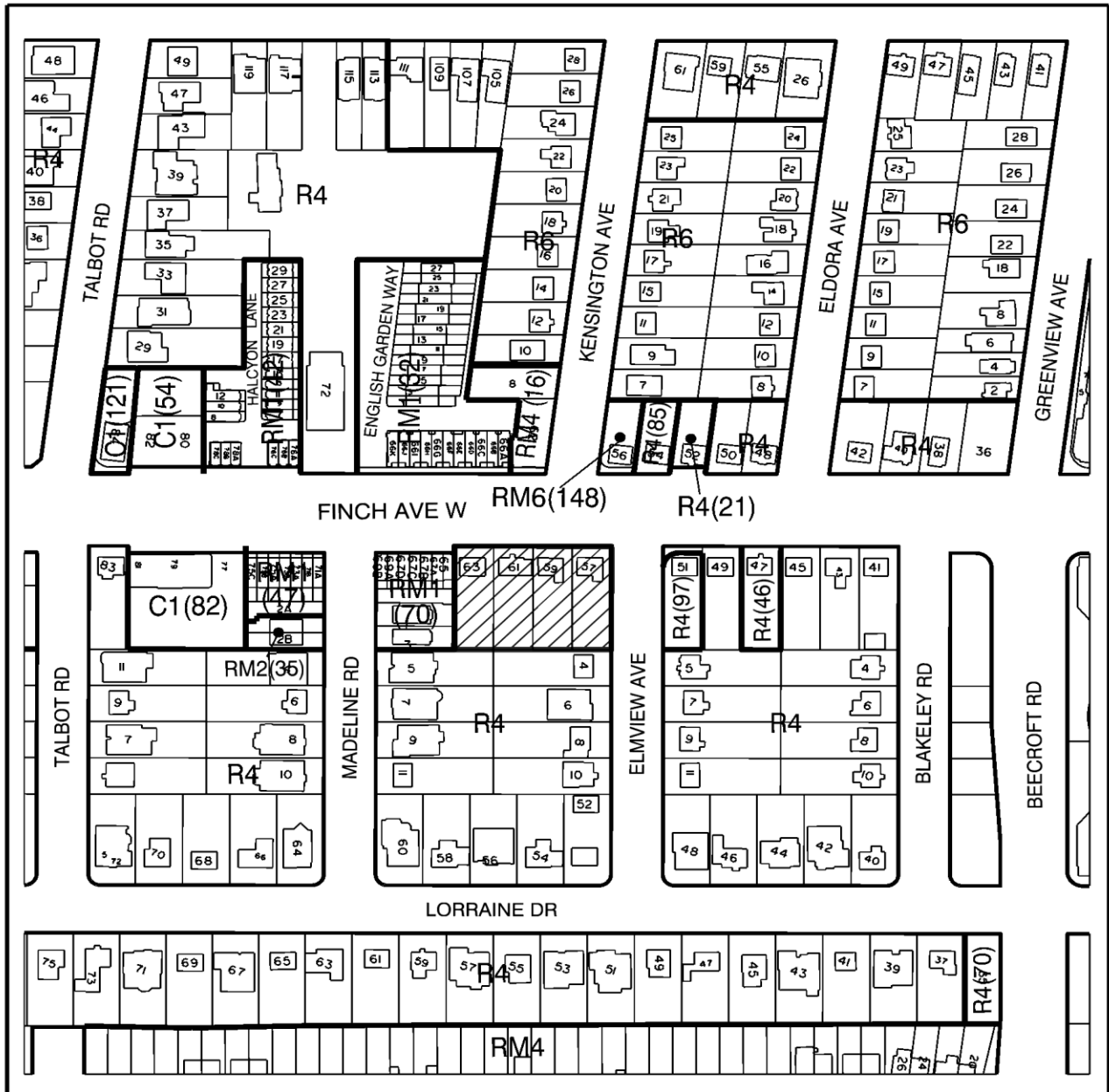
Cross Sections

Applicant's Submitted Drawing

Not to Scale
06/23/2014

File # 12 146486 NNY 23 0Z

Attachment 5: Zoning



57, 59, 61 & 63 Finch Avenue West

File # 12 146486 NNY 23 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone

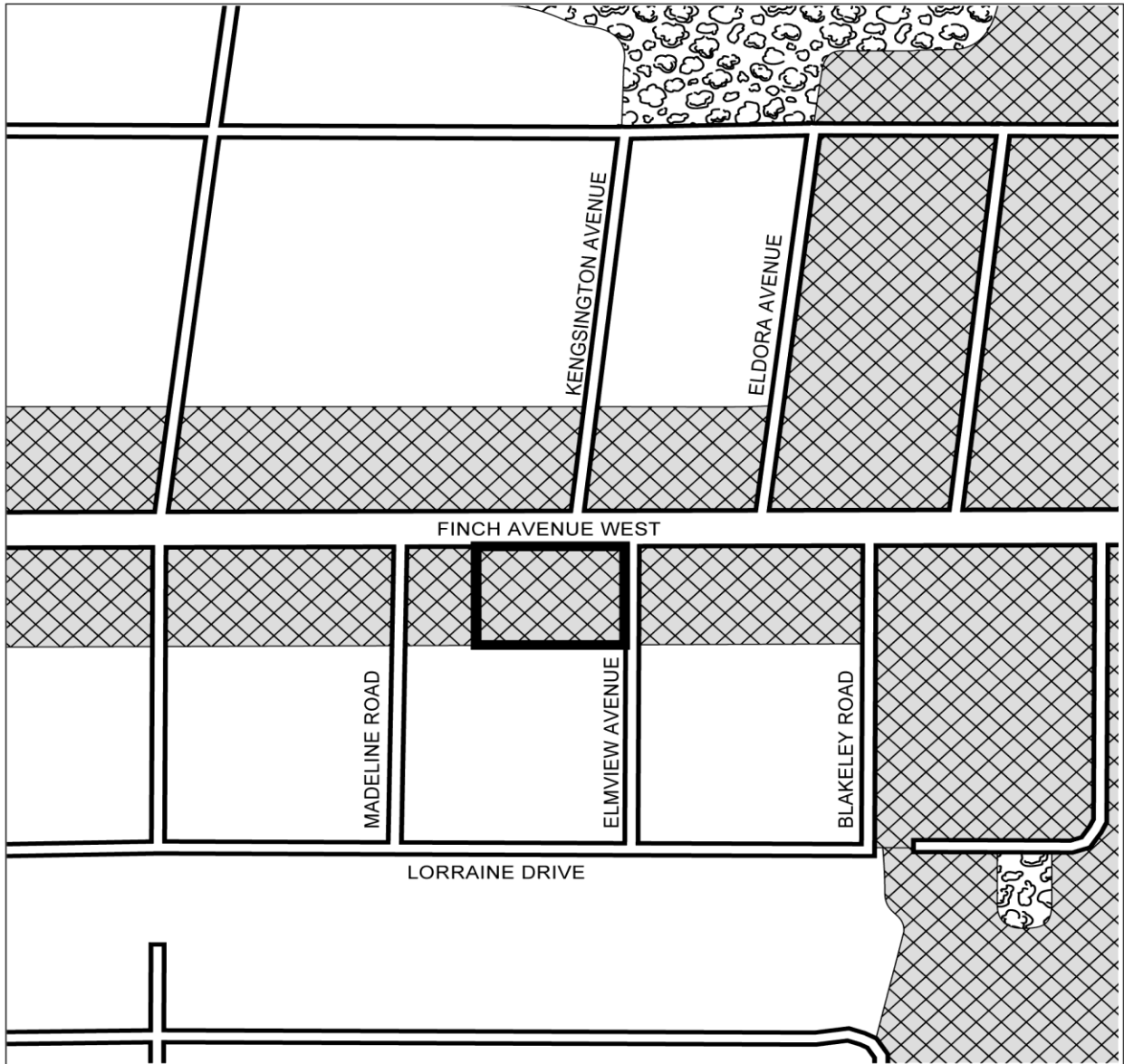
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- O1 Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 08/17/2012

Attachment 6: Official Plan



TORONTO City Planning
Official Plan

57, 59, 61 & 63 Finch Avenue West

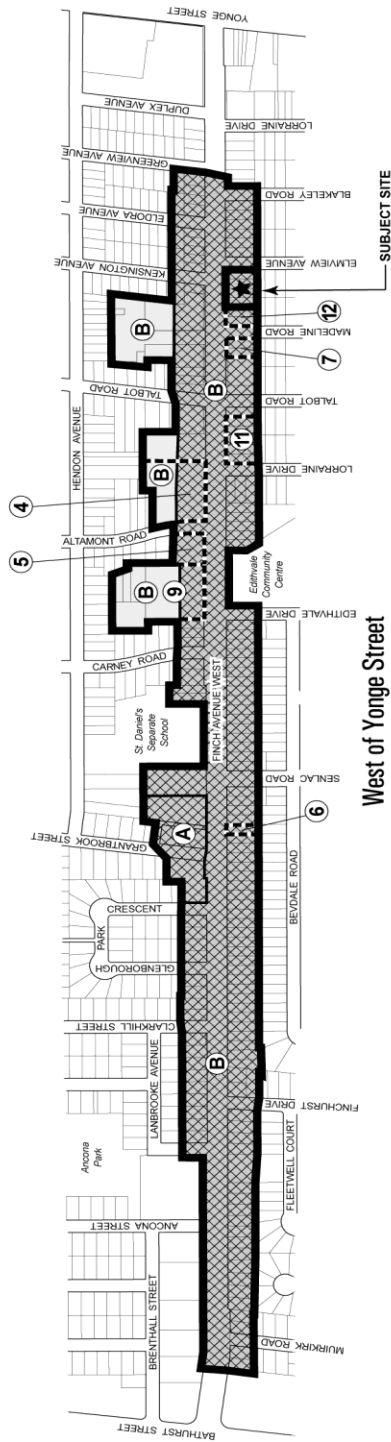
File # 12 146486 NNY 23 OZ

- | | |
|---|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |



Not to Scale
 08/17/2012

Attachment 7: Central Finch Area Secondary Plan



57-63 Finch Avenue West

Central Finch Area Secondary Plan

Not to Scale
07/10/2014

File # 12 146486 NNY 23 0Z

Attachment 8: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2014
Enacted by Council: ~, 2014

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2014

To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as, 57, 59, 61, and 63 Finch Ave West

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” attached to this By-law.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A(229) RM6(229)

DEFINITIONS

ESTABLISHED GRADE

- a. For the purposes of this exception, "established grade" means the geodetic elevation of 188.47 metres.

FRONT LOT LINE

- b. For the purposes of this exception, Front Lot Line refers to the Lot Line which abuts Finch Avenue West.

GROSS SITE AREA

- c. For the purposes of this exception, Gross Site Area means the site area including any lands conveyed to the City of Toronto for road widening purposes, with such gross site area comprising 2,656.4 m².

NET SITE AREA

- d. For the purposes of this exception, Net Site Area means the site area excluding any lands conveyed to the City of Toronto for road widening purposes, with such net site area comprising 2,480.1 m².

PERMITTED USES

- e. The only permitted use shall be an Apartment House Dwelling and uses accessory thereto.

EXCEPTION REGULATIONS

AMENITY AREA

- f. A minimum of 183.5 square metres of indoor amenity area shall be provided.
- g. A minimum of 171.7 square metres of outdoor amenity area shall be provided.

APARTMENT DWELLINGS

- h. No apartment dwelling shall be located closer to any One Family Detached Dwelling Zone (R) or any Multiple Family Dwellings Second Density Zones (RM2) than 9.5 metres.

BUILDING HEIGHT

- i. The maximum building height shall not exceed the heights illustrated on Schedule RM6(229) attached to and forming part of this By-law, with the exception of the following:
 - i. cornices, awnings, lighting fixtures, ornamental elements, finials, trellises, eaves, parapets, window sills, guardrails, balustrades, railings, stairs, stair enclosures, stair landings, terraces, terrace guards and dividers, platforms, canopies, wheelchair ramps, support columns, vents, stacks, fences, retaining walls, screens, planters, window washing equipment, architectural features, landscape and public art features may extend above the heights shown on Schedule RM6(229).
 - ii. Enclosures for rooftop mechanical and stairwells may exceed the maximum building height as shown on Schedule RM6(229) by a maximum of 4.31 metres.

- iii. Notwithstanding (i) and (ii) above, no part of the building shall exceed 70% of the horizontal distance separating that part of the building from the southern property line.

GROSS FLOOR AREA

- j. The gross floor area of a building on a lot shall not exceed 5,312.8 square metres.

LANDSCAPE REQUIREMENT

- k. A minimum landscaped area of 550 square metres shall be provided.
- l. A minimum 2.0 m wide landscape strip shall be provided along the south property line containing a 1.8 m tall wood board-on-board fence.

LOT COVERAGE

- m. The maximum lot coverage shall be 53.5% of the net site area.

NUMBER OF RESIDENTIAL UNITS

- n. The maximum number of residential units permitted shall be 70.

PARKING REGULATIONS

- o. The on-site vehicle parking supply must satisfy the following minimum requirements:

Residential Condominium Use

- Bachelor Units: 0.7 spaces per unit;
- 1-Bedroom Units: 0.8 spaces per unit;
- 2-Bedroom Units: 0.9 spaces per unit;
- 3+ Bedroom Units: 1.1 spaces per unit;

- p. The on-site vehicular parking supply is subject to the following maximum rates:

Residential Condominium Use

- Bachelor Units: 1.0 spaces per unit;
- 1-Bedroom Units: 1.2 spaces per unit;
- 2-Bedroom Units: 1.3 spaces per unit;
- 3+ Bedroom Units: 1.6 spaces per unit;

- q. Residential visitors parking shall be provided at a rate of 0.15 spaces per dwelling unit.

- r. A minimum of 73 bicycle parking spaces shall be provided.

YARD SETBACKS

- s. The minimum yard setbacks for buildings and structures, including balconies, above Established Grade shall be as shown on Schedule “RM6(229)”.
- t. Notwithstanding (q) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres for the front and side yards, and 2.0 metres for the rear yard.

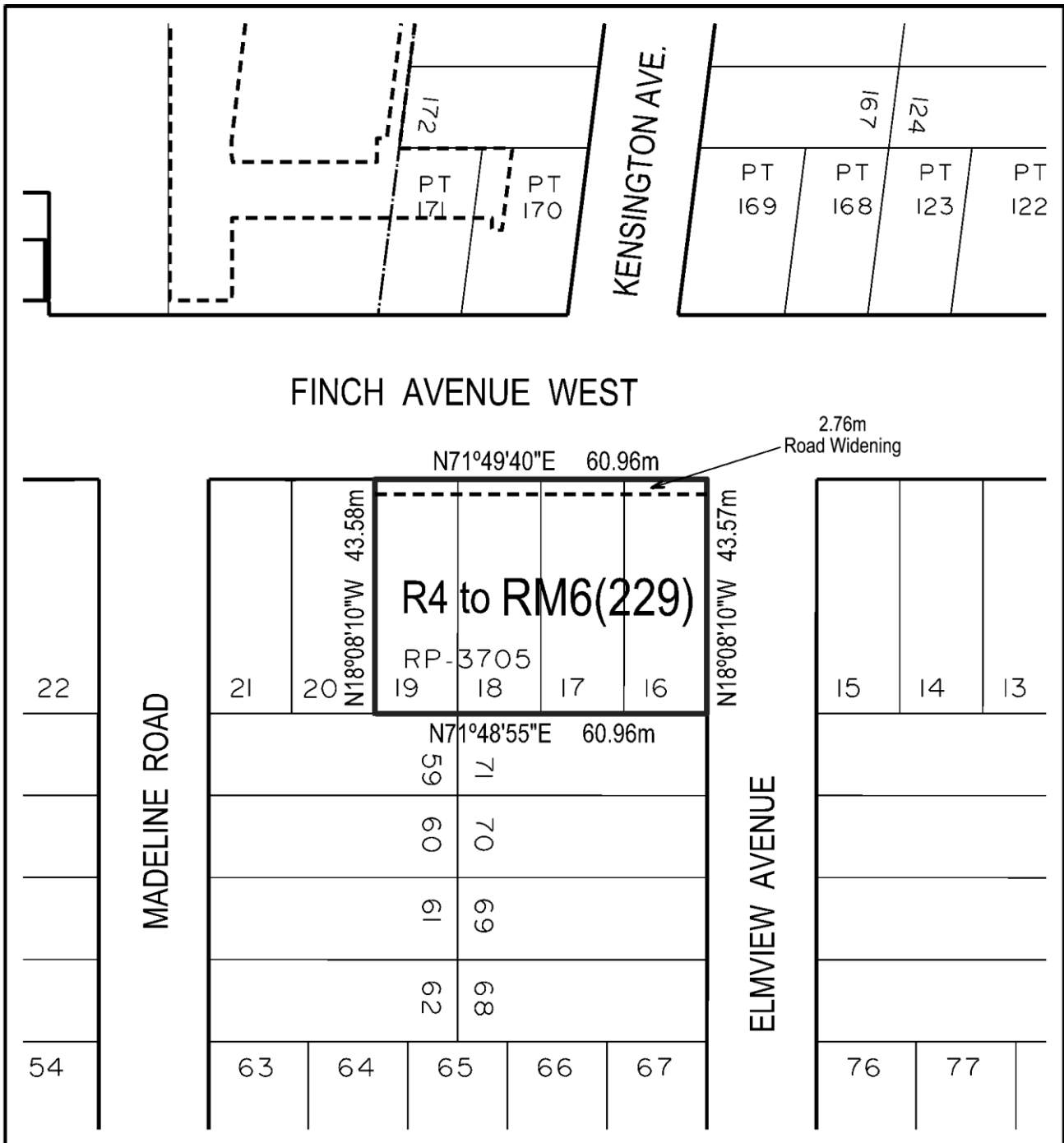
EXCLUSIONS

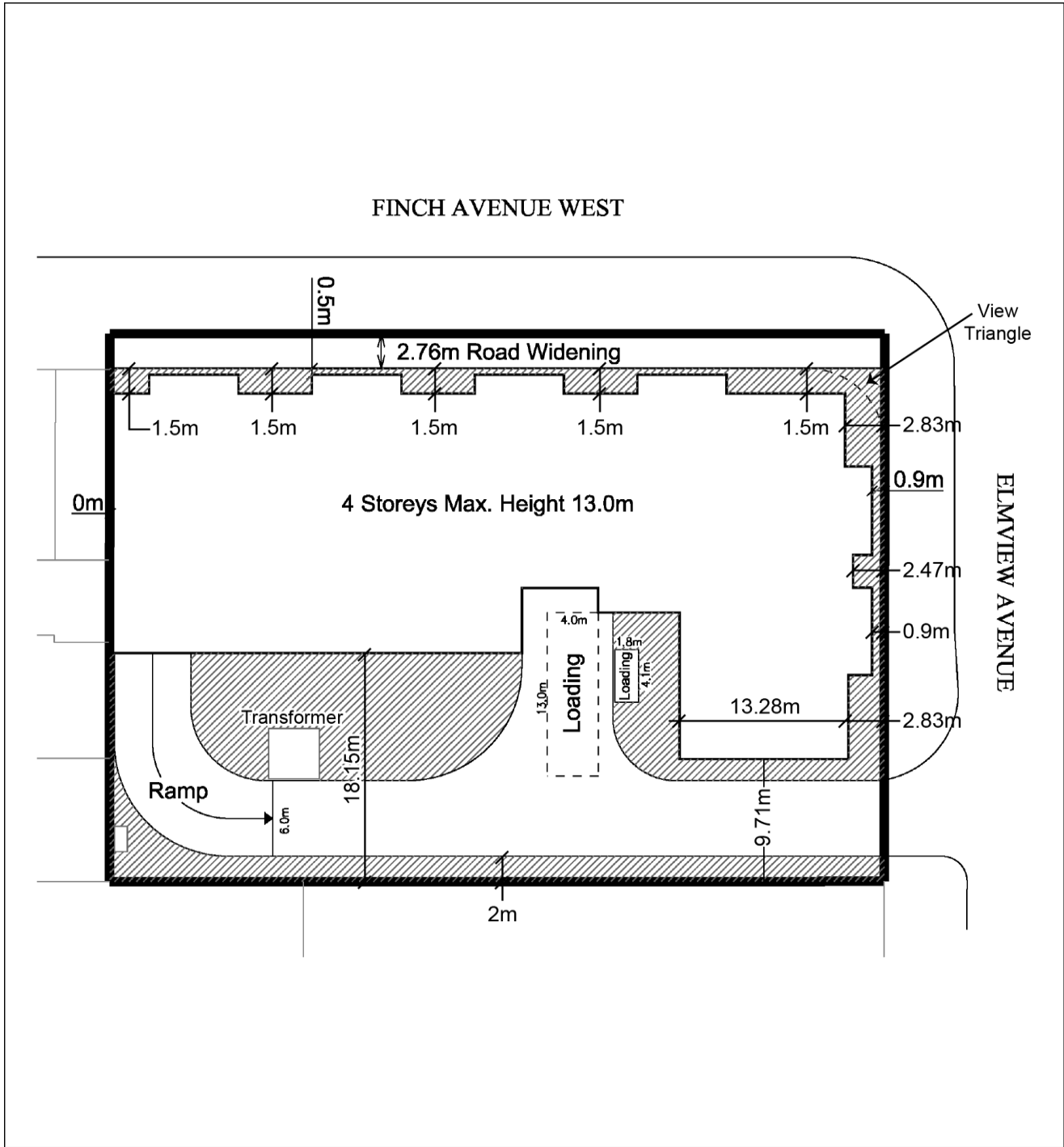
- u. Section 6A(8)(c) – Parking Regulations for RM Zones other than RM2 Zones, Access to Loading Spaces, Section 6A(16)(a) – Number of Loading Spaces, Section 6A(16)(d)(iv) – Access to Loading Spaces, Section 20-A.2.2 (Lot Coverage), Section 20-A.2.4 (Yard Setbacks), Section 20-A.2.5 (Gross Floor Area), and Section 20-A.2.6 (Building Height) shall not apply.
3. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule RM6(229) attached to this By-law.
 4. Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.
 5. Within the lands shown on Schedule “1” 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.
 6. Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.

ENACTED AND PASSED this ~ day of ~, A.D. 2014.

ROB FORD,
Mayor
(Corporate Seal)

ULLI S. WATKISS,
City Clerk





Attachment 9: Notice of Approval Conditions

A. DRAFT PRE-APPROVAL CONDITIONS

LEGAL SERVICES – Stephanie Morrow, Supervisor of Law Clerks, (416) 397-5379

1. Enter into the City's standard site plan agreement to and including registration of the site plan agreement on title to the subject lands by the City at the Owner's expense.

CITY PLANNING – Jason Brander, Planner (416) 395-7124

2. Submit a landscaping cost estimate for the proposed landscaping and financial securities to secure the cost of the landscaping.
3. Prior to final Site Plan approval, submit a financial guarantee in the form of an irrevocable Letter of Credit or certified cheque for 75% of the approved landscaping cost estimate.

ENGINEERING AND CONSTRUCTION SERVICES – Eddy Bologna, Project Manager (416) 395-6233

4. **Widening of Highways that abut on the Land**
 - 4.1 Prepare all documents and convey to the City, at nominal cost, the followings lands in fee simple, such lands to be free and clear of all physical and title encumbrances, and subject to a right-of-way for access in favour of the Grantor until such time as said lands have been dedicated as a public highway, all to the satisfaction of the Executive Director of Engineering and Construction Services and the City Solicitor:
 - a. A 2.76 m widening along the Finch Avenue West frontage of this property to satisfy 36 m wide right-of-way for Finch Avenue West
 - b. A 6.1 m corner rounding at North-East corner of the property.
 - 4.2 Submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - a. be in metric units and integrated with the Ontario Co-ordinate System (3° MTM, Zone 10, NAD 27, 1974 Adjustment);
 - b. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and,

- c. how the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- 4.3 Pay all costs for registration and preparation of reference plan(s).
- 4.4 Retain a Qualified Person to conduct environmental site assessments for the lands to be conveyed to the City.
- 4.5 Submit all environmental site assessment reports prepared in accordance with the Record of Site Condition Regulation (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan based on the site condition standards approach, to the Executive Director, Engineering and Construction Services, for peer review.
- 4.6 Pay all costs associated with the City retaining a third-party peer reviewer including a 7% administrative cost to the City, and submit a certified cheque payable to the City of Toronto in the amount of \$3,000.00, as an initial deposit towards the cost of the peer review to the Executive Director; Engineering and Construction Services. Submit further deposits when requested to cover all costs of retaining a third-party peer reviewer.
- 4.7 At the completion of the site remediation process, submit a Statement from the Qualified Person, to the Executive Director, Engineering and Construction Services, for peer review and concurrence that, based on all necessary supporting environmental documents:
 - a. The land to be conveyed to the City meets the Site Condition Standards of the intended land use OR the most environmentally sensitive adjacent land use, whichever is more stringent; and
 - b. It is unlikely that there is any off-site contamination resulting from past land uses on or in the vicinity of the development site, that has migrated on to the adjacent rights-of-way, that would exceed the applicable Site Condition Standards.

5. Facilities to Provide Access to and from the Land

- 5.1 Make satisfactory arrangements with Engineering and Construction Services for Work on the City's Right of Way to provide access to and from the land for construction of 1.7 meter sidewalk at the standard location of 1.0 meter from the widened property line on entire Finch Ave West frontage, 1.7 meter sidewalk at the standard location of 1.0 meter from the property line on entire Elmview Ave, removing existing curb cuts and replacing with full curb and gutter as per the City standard on Finch

Ave West frontage, and construction of the proposed driveway on Elmview Ave and provide financial security in the amount of \$51,446.00 Submit engineering and inspection fee in the amount of \$2,906.70 and insurance as required (the above cost estimate is subject to change as a result of future comments and revisions)

6. During the review for this application, it was determined that the applicant's consultant engineer has proposed an irrigation system located within municipal right-of-way from the building's stormwater detention tank to the boulevard area on Finch Ave West and Elmview Ave in order to irrigate the boulevard areas. The Owner must obtain an Encroachment Agreement for the proposed irrigation system within the Public Right-of-Way. The Owner may contact Right-of-Way Management at 416-395-7112 for additional information.

PARKS, FORESTRY AND RECREATION – Bruce Gordon, Forestry (416) 395-6686

7. Urban Forestry requires the receipt of a complete "*Application to Destroy City owned Trees*" and an application fee of \$600.00 (\$300 per tree) for a permit to remove 2 City trees for Trees Nos. 2 and 49.
8. Prior to tree removal, Urban Forestry requires a payment for the Amenity Value for Trees Nos. 2 and 49 in the amount of \$4,765.00 and a completed "Agreement for Contractors to Perform Arboricultural Services on City Owned Street Trees" must be submitted to the attention of Harold Moffatt, Supervisor of Urban Forestry, Tree Protection & Plan Review, for approval.
9. Provide a payment of \$27,984.00 (\$583.00 per tree) in the form of a certified cheque payable to the Treasurer, City of Toronto, as cash-in-lieu for the value of nineteen (19) replacement trees. This tree security deposit must be submitted to the attention of the Supervisor of Urban Forestry, Tree Protection and Plan Review.
10. Submit an "Application to Injure or Destroy Trees on Private Property" and an application fee in the amount of \$6,000.00 (\$300 per tree) to the attention of the Supervisor of Urban Forestry, Tree Protection & Plan Review, for the 20 privately-owned trees, each having diameters of 30 cm or greater, situated on the subject site and proposed to be removed.

Once a completed application is received, a notice of application is to be posted at the property for a period of 14 days. This provides the community with an opportunity to submit comments on the application. Any written objections received from the community may require Urban Forestry to report to Community Council for the application to be considered further. Submission of an application does not guarantee that a permit will be issued.

11. Submit a Tree Planting Deposit in the amount of \$5,247.00 at \$583.00 per tree to ensure the planting of new trees on the property to the attention of the Supervisor of Urban Forestry, Tree Protection and Plan Review.
12. Submit a signed Letter of Consent from the adjacent property owners for removal of two (2) private trees inventoried as Tree Nos. 51 and 79 to the attention of the Supervisor of Urban Forestry, Tree Protection and Plan Review.

B. DRAFT POST-APPROVAL CONDITIONS

In addition to the above draft pre-approval conditions, the following draft post-approval conditions are to be fulfilled by the Owner following site plan approval and will be incorporated into a site plan agreement:

CITY PLANNING – Jason Brander, Planner (416) 395-7124

1. The owner shall provide and maintain the landscaping for the lands in accordance with the approved landscape plan to the satisfaction of the Director of Community Planning, North York District.

ENGINEERING AND CONSTRUCTION SERVICES – Eddy Bologna, Project Manager (416) 395-6233

2. Facilities to Provide Access to and from the Land
 - a. The owner shall remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director, Engineering and Construction Services.
 - b. The proposed driveway on City property must be graded downward towards the roadway and have a 2% to 6% slope.
3. Off-Street Vehicular Loading and Parking Facilities and Access/Driveways
 - c. The owner shall provide and maintain off-street vehicular loading and parking facilities and access driveways in accordance with the approved plans and drawings, to the satisfaction of the Executive Director, Engineering and Construction Services;
 - d. The owner shall install and maintain appropriate signage and pavement markings on-site directing such as but not limited to: vehicle stopping and circulation, designated disabled parking, loading, and pedestrian walkways, to the satisfaction of the Executive Director, Engineering and Construction Services.

4. Walkway and Walkway Ramps
 - e. The owner shall provide and maintain a walkway on the private side from the principal entrance of the building to a sidewalk on the public street or to a driveway that provides access to a public street, to the satisfaction of the Executive Director, Engineering and Construction Services.
 - f. Driveway curbs must be flush on either side of the sidewalk for a minimum of 0.45 meters, to the satisfaction of the Executive Director, Engineering and Construction Services.
5. Facilities for the Storage of Garbage and Other Waste Material
 - g. The owner acknowledges that refuse and recyclable materials generated by this development will be collected by a private refuse collection firm, at the Owner's expense.
 - h. The owner shall advise all owners and tenants/future purchasers of the units that refuse and recyclable materials generated by this building must be collected by a private refuse collection firm.
 - i. The owner shall be aware that the access route and loading platform must be designed in such a way to allow a collection vehicle to enter the site, collect the garbage and exit without the need to backup onto a public road.
6. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
 - j. The owner shall provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
 - k. The owner shall provide certification to the Executive Director of Engineering and Construction Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
 - l. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.
7. Boulevard Maintenance

- m. The owner shall maintain the sod covered portion including any walkways within the City's Right-of-Way fronting and/or flanking the site in accordance with the approved plans and drawings to the satisfaction of the City.

URBAN FORESTRY – Bruce Gordon, Forestry (416) 395-6686

8. The site shall be developed and maintained in accordance with the approved plans and conditions of approval associated with the Site Plan, Grading Plan, Site Servicing Plan, Landscape Plan, Building Permit and Tree Permit(s)/Approvals. Any proposed revisions/alterations to the approved plans or permits that affect trees must be approved by Urban Forestry, on behalf of the General Manager of Parks, Forestry & Recreation.
9. The owner shall provide a two-year renewable guarantee for all new tree plantings within the City road allowance and shall notify the Supervisor of Urban Forestry, Tree Protection & Plan Review in writing, of the planting date prior to planting. This date is used to establish the anniversary date of the required two-year renewable guarantee.
10. The owner shall maintain all new tree plantings within the City road allowance in good condition. Trees will be inspected during and prior to the end of the renewable guarantee period. If the trees are in good condition at the end of the renewable guarantee period, the City will assume maintenance and ownership of the trees.
11. The owner shall be responsible for the maintenance or replacement of all new tree plantings within the City road allowance if during or at the end of the renewable guarantee period the trees are not in good condition, require maintenance or require replacement. The owner will be responsible for rectifying the problem as determined by and to the satisfaction of the General Manager of Parks, Forestry & Recreation.
12. The owner shall maintain all newly replanted trees within the City road allowance in good condition and shall provide an additional two-year renewable guarantee for new trees that are in poor condition that require replacing.

CANADA POST

13. The owner must supply, install, and maintain a central mail facility to Canada Post specifications; ensure that all mail delivery equipment is installed in a location that is readily accessible to the occupants and Canada Post personnel, and; ensure that all mail is accessible by persons with physical disabilities.

TORONTO DISTRICT SCHOOL BOARD

14. The applicant developer enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that:

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available to all students. Students may be accommodated in schools outside this area until space in local schools becomes available."

15. These signs shall be to the Board's specifications and erected prior to registration or the issuance of any building permit.

16. That the applicant / developer agree in the Servicing and/or Development Agreement, or in a separate agreement between the School Board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration), that:

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred. Purchasers agree for the purpose of transportation to school, if bussing provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside the area."

Attachment 10: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	12 146486 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	March 30, 2012

Municipal Address: 57, 59, 61, and 63 FINCH AVE W

Project Description: Proposed 4 storey, 72 unit residential building with green roof; 69 below grade parking spaces and 54 bicycle parking spaces. Consolidation of 4 lots.

Applicant:	Agent:	Architect:	Owner:
SALEK ARMAAN		HOORDAD GHANDEHARI	2220294 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	R4 to RM	Historical Status:	N
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2656.4	Height:	Storeys:	4
Frontage (m):	61		Metres:	13
Depth (m):	43.6			
Total Ground Floor Area (sq. m):	1315.59			Total
Total Residential GFA (sq. m):	5312.8		Parking Spaces:	68
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	5312.8			
Lot Coverage Ratio (%):	49.53			
Floor Space Index:	2.0			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Studio:	3 (4.3%)
1 Bedroom:	55 (78.6%)
2 Bedroom:	12 (17.1%)
3 + Bedroom:	0
Total Units:	70

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	5312.8	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Jason Brander, Planner
TELEPHONE: (416) 395-7124