

**98, 100, 102, 104, 110, 112 & 114 Finch Avenue East -
Official Plan and Zoning By-law Amendment - Final
Report**

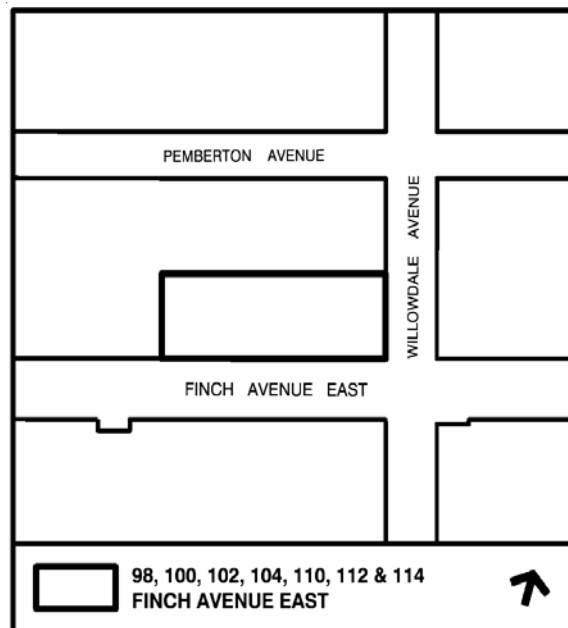
Date:	May 27, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	12 243511 NNY 24 OZ 14 203122 NNY 24 RH

SUMMARY

These applications propose to amend the Official Plan and the Zoning By-law to permit the redevelopment of the subject lands for a 75-unit, 4-storey mixed-use residential and commercial development. The development includes 87 parking spaces in a one-level underground garage accessed from Willowdale Avenue. Retail commercial uses totalling 1,298 square metres are proposed at grade. The proposal represents an assembly of 7 lots at 98, 100, 102, 104, 110, 112, and 114 Finch Avenue East.

A Rental Housing Demolition application was submitted under Section 111 of the City of Toronto Act to demolish the seven detached homes containing eleven residential dwelling units on the subject lands, of which five are residential rental dwelling units. This report recommends approval of the rental housing demolition application under Municipal Code 667, subject to conditions. Replacement of the residential rental dwelling units is not required.

The proposal provides for a multiple-unit residential and commercial 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 East and the building design will contribute to and enhance the public realm.

This report reviews and recommends approval of the Official Plan and Zoning By-law Amendment applications subject to the conditions outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 98, 100, 102, 104, 110, 112, and 114 Finch Avenue East substantially in accordance with the draft Official Plan Amendment attached as Attachment 8.
2. City Council amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.
4. City Council approve the Rental Housing Demolition application (14 203122 NNY 24 RH) to demolish 5 rental dwelling units at 98, 110, 112 and 114 Finch Avenue East subject to the following condition:
 - a) The owner shall provide a Tenant Relocation and Assistance Plan to all eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
5. City Council authorize the Chief Planner and Executive Director, City Planning Division to issue a preliminary approval of the application under Municipal Code Chapter 667 for the existing residential rental housing buildings when the following has occurred:
 - a) The tenant relocation assistance required by Recommendation 4 has been provided to the satisfaction of the Chief Planner;
 - b) The Official Plan and Zoning By-law Amendments outlined in Recommendations No. 1 and No. 2 have come into full force and effect; and
 - c) The issuance of the Notice of Approval Conditions for Site Plan Approval for the development by the Chief Planner and Executive Director City Planning Division or her designate, pursuant to Section 41 of the Planning Act, 1990.

6. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner and Executive Director, City Planning Division, has given the preliminary approval in Recommendation No. 5 for the existing rental housing buildings.
7. City Council authorize the Chief Building Official to issue a permit under Section 33 of the Planning Act for the demolition of the 7 residential buildings no earlier than the date of issuance of a building permit for the shoring and excavation for the residential development permitted by this zoning by-law amendment, and after the Chief Planner and Executive Director, City Planning Division has given the preliminary approval in Recommendation No. 5 which permit may be included in the demolition permit for Chapter 667 under 363-11.1E, of the Municipal Code , on condition that:
 - a) The owner erect a residential building on the site no later than four (4) years from the day demolition of the buildings is commenced, and;
 - b) Should the owner fail to complete the new building within the time specified in condition 7(a), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

These applications to amend the Official Plan and Zoning By-law were initially submitted in September 2012. The initial proposal consisted of an 82 unit, 6-storey mixed use development with 80 parking spaces accessed via a private driveway off of Willowdale Avenue. A Preliminary Report was adopted by North York Community Council at its meeting on November 6, 2012. The decision of Community Council and the Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY20.28>

On February 27, 2013, a Community Consultation meeting was held. In May 2013, the applicant reduced the number of storeys from 6 to 4, the overall height from 20.3 metres to 13.39 metres, and the number of units from 82 units to 75 units. Parking has increased from 80 to 87 spaces. It was at this time that the property at 98 Finch Avenue East was acquired and added to the proposal. A summary of revisions to the application is provided in Table 1.

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop the site located at the northwest corner of Finch Avenue East and Willowdale Avenue. As noted previously, the application was originally proposed as a 82-unit, 6-storey residential building. Concern was expressed with respect to the number of storeys being proposed, which led to a reduction of the building height from 6-storeys to 4-storeys and a reduction in the number of dwelling units from 82 units to 75 units. The proposed building will have a height of 13.39 metres along the Finch Avenue frontage and a green roof over a portion of the roof area. At the rear, the building is designed with terracing that “steps-down” to the lower scale residential dwellings to the north. The proposed building would be setback 9.5 metres from the rear property line. Retail commercial uses are proposed at grade.

The revised proposal has a floor space index (FSI) of 1.92 with a total gross floor area of 7,473 square metres. The commercial gross floor area will total approximately 1,298 square metres. The residential gross floor area will total approximately 6,175 square metres.

The proposed amenity area has increased from 192.8 square metres with the initial submission to 423 square metres as part of the current submission. Of this, 150.1 square metres of amenity area will be located indoors and will consist of a common room on the second floor. The outdoor amenity area of 272.9 square metres consists of a landscaped patio at the rear of the building at grade. Both of these areas will be open for use to all residents.

A total of 87 parking spaces are proposed to be provided on site, both at grade and in a one-level underground garage. Of the proposed underground parking, 59 spaces will be for residents and 21 spaces will be for commercial or visitor use. Proposed at grade are 7 commercial parking spaces with 1 accessible space. In addition, 11 lay-by parking spaces along Finch Avenue East are proposed for temporary commercial parking. A total 64 bicycle parking spaces are proposed to be provided above and below grade.

Table 1 – Summary of Revisions to the Application

	First Submission September 10, 2012 <i>(Excludes 98 Finch Avenue E)</i>	Current Submission May 21, 2014
Site Area	3,342.3 m ²	3,900 m ²
Gross Floor Area (above grade)		
Residential	7,452.3 m ²	6,175.5 m ²
Commercial/Retail	1,146.6 m ²	1,231.8 m ²
TOTAL	8,598.9 m ²	7,473.8 m ²
Floor Space Index (including lands to be conveyed)	2.6 times the lot area	1.92 times the lot area

Building Height	20.31 m	13.39 m
Number of Storeys	6	4
Number of Residential Units	82	75
Proposed Vehicular Parking	80	87 +11
Loading Spaces – Type G	1	1
Amenity Space		
Indoor	132.9 m ²	150.1 m ²
Outdoor	59.9 m ²	272.9 m ²
TOTAL	192.8 m ²	423 m ²

The project statistics are included in the Application Data Sheet in Attachment 10.

Site and Surrounding Area

The proposal represents an assembly of 7 lots on the north side of Finch Avenue East at the northwest corner of Finch Avenue East and Willowdale Avenue. The subject lands have a total frontage of approximately 106 metres along the north side of Finch Avenue and approximately 37 metres along Willowdale Avenue and a total combined net site area of approximately 3,900 square metres. The net site area includes a 4.89 metre road widening, resulting in a road widening of 509.7 square metres to be conveyed to the City along Finch Avenue East. Currently, each of the lots contains a detached residential dwelling that will be demolished to facilitate the proposed development.

Abutting uses are as follows:

North: Detached residential dwellings within a *Neighbourhoods* designation;

South: Commercial uses located directly across Finch Avenue East at the intersection of Finch Avenue East and Willowdale Avenue (“Suttons Garden Supplies” and “The Cat Hospital”). The remainder of the street features detached residential dwellings;

East: Detached residential dwellings. To the southeast of the property are several three-storey townhouse complexes;

West: Detached residential dwellings. Further west is a two storey commercial building followed by high-rise residential buildings that are within the North York Centre Secondary Plan area.

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.

The proposed development was reviewed for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the subject lands as *Mixed Use Areas* on Map 16 - Land Use Plan. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. Development in *Mixed Use Areas* is intended to create a balance of commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

Buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in *Mixed Use Areas* is intended to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The property is also located within an *Avenues* area on Map 2 – Urban Structure. The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanizing the *Avenues* will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2 of the Official Plan.

Other relevant policies used to review this development proposal include those in Public Realm and Built Form sections of the Plan.

Central Finch Area Secondary Plan

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

For sites with frontage of more than 30 metres on Finch Avenue East, such as the subject lands, and where the use is residential and commercial, the Secondary Plan allows for a maximum density (FSI) of 1.5 times the lot area. The maximum permitted height of a mixed use project is 3 storeys or 11 metres; whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area.

The Secondary Plan also contains height and setback provisions that require buildings to be set back a minimum distance of 9.5 metres from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area and have a maximum height of 70% of the horizontal distance from that boundary. The Secondary Plan also requires a minimum 1.5 metre landscape strip and privacy fence along the north property line.

The Secondary Plan encourages redevelopment that is compatible with the surrounding residential areas while also contributing to a strong and attractive pedestrian oriented street edge with particular emphasis on good design and an abundance of landscaping and tree features.

The Secondary Plan also encourages the reduction in the number of driveways providing access to Finch Avenue East, to provide the minimum number of driveways necessary for efficient vehicle access. Generally, one access per site is preferred, the location of which is to be completely within lands that are part of the Central Finch Area Secondary Plan Area.

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. This zoning permits one-family detached dwellings and accessory buildings.

Rental Housing Demolition and Conversion By-law

The Rental Housing Demolition and Conversion By-law (885-2007) assists the City in implementing its rental housing policies. The By-law established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007. The By-law prohibits demolition or conversion of housing units without a permit issued by the City under Section 111 of the *City of Toronto Act*. Proposals involving six or more rental housing units or where there is a related application for a Zoning By-law amendment require a decision by City Council under Section 111 of the *City of Toronto Act*. Council may refuse an application or approve the demolition with conditions which typically involve the replacement of rental housing and assistance to any tenants affected by the proposed demolition, before a Section 111 permit is issued. The conditions are based on the Official Plan policies and established practices the City has in place when considering rental housing demolition. Approval of related planning applications should be conditional upon the applicant receiving a Section 111 permit.

If the demolition of rental housing is approved under Municipal Code 667, approval to issue a demolition permit for residential buildings under Municipal Code 363 and Section 33 of the *Planning Act* is also required. The By-law provides for the co-ordination of these approvals and issuance of the permit. Typically, City Council receives a joint report on the related planning applications as well as the application under Municipal Code 667 so that the decisions on demolition and redevelopment may be made at the same meeting.

Unlike *Planning Act* applications, City Council decisions to approve or refuse rental housing demolitions under Section 111 of the *City of Toronto Act* are not subject to appeal to the Ontario Municipal Board.

Site Plan Control

A Site Plan Control application (12 146492 NNY 23 SA) has been submitted with this rezoning application to reflect the proposed changes. The site plan is still under review.

Reasons for Applications

An amendment to the Central Finch Area Secondary Plan is required as the Plan permits a maximum height of 3-storeys or 11 metres, whichever is less. The mixed-use building as proposed would have a height of 4-storeys and 13.39 metres.

The Secondary Plan contains policies that limit the maximum floor space index (FSI) to 1.5 times the lot area. An amendment to the Central Finch Area Secondary Plan is required as the proposal has an FSI of 1.92 the lot area.

An amendment to the Secondary Plan is also required to permit the retail uses as proposed, as retail uses are not permitted within a *Mixed Use Area 'C'* designation.

An amendment to Zoning By-law No. 7625 is required as the current R4 zoning does not permit the proposed uses. The amendment will also establish appropriate development standards for the proposal.

An application to permit the demolition of the eleven residential dwelling units, which include 5 residential rental dwelling units, is required under Chapter 667 of the Toronto Municipal Code as there are more than 6 dwelling units and there are rental dwelling units.

Community Consultation

A Community Consultation meeting to discuss the proposal was held on February 27, 2013. The meeting was attended by the Ward Councillor, City Planning staff, the applicant, owner and approximately 60 members of the public.

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

- Density and compatibility of the development within the existing context;
- Traffic and access onto Finch Avenue East and Willowdale Avenue;
- Location of waste management facilities;
- Sewer capacity, existing drainage patterns, and changes to grading;
- Privacy and screening;
- Location of access.

A second information meeting was facilitated by the Ward Councillor on May 13, 2014, and was attended by the applicant, city staff, and approximately 15 members of the public. The purpose of the meeting was to provide a summary of the changes made to the application.

COMMENTS

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.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 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 Growth Plan for the Greater Golden Horseshoe states that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. 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

Density, Height, and Built Form

The Central Finch Area Secondary Plan provides for a base density of 1.5 FSI. An amendment to the Central Finch Area Secondary Plan is required as the proposal has an FSI of 1.92.

The Central Finch Area Secondary Plan has a maximum height limit of 3-storeys or 11 metres and also requires that the height of any part of the building not exceed 70% of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres. The policy relating to building height is intended to provide transition in scale between the Neighbourhoods designations to the east and the North York Centre to the west. Policies relating to the height and setbacks are generally intended to ensure that new development is stepped back proportionately to minimize potentially negative impacts on the privacy, shadows and views of adjacent lower density residential uses.

The initial 6-storey proposal did not comply with the required angular plane. However, reductions in the massing and number of storeys from 6 to 4 have been made to fit within the envelope created by the angular plane. The 4-storeys proposed would be consistent with other developments proposed along the Finch Avenue corridor. The proposal meets the minimum setback requirement of 9.5 metres from the rear property line and a landscape strip of 1.8 metres is being provided.

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

- Orienting the main facades of the proposed commercial uses towards Finch Avenue East and providing at-grade access directly from the public sidewalk along Finch Avenue East;
- Locating loading and access to the parking garage at the rear of the building from a driveway located off of Willowdale Avenue to provide a more attractive streetscape on Finch Avenue East;
- 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 and the need for multiple driveways;
- Meeting the angular plane requirements of the Secondary Plan;
- Providing adequate sunlight and sky views from Finch Avenue East;
- Adequately transitioning to residential neighbourhoods to the north, east, and west through landscaping and screening, and;
- Providing adequate setbacks from adjacent residential units.

Traffic Impact, Access, Parking

Vehicular access to the development is via a private driveway accessed from Willowdale Avenue with a width of 6 metres. The proposed development will have 1 access point, approximately 27 metres north of Finch Avenue East at the easterly portion of the site.

A total of 87 parking spaces are proposed to be provided on site, both at grade and in a one-level underground garage. Of the proposed underground parking, 59 spaces would be for residents and 21 spaces would be for commercial or visitor use. At the rear of the building, 7 surface parking spaces are proposed to accommodate the commercial uses along with 1 accessible parking space.

In addition, 11 lay-by parking spaces along Finch Avenue East are proposed for short-term commercial parking. As part of the Site Plan review process, Transportation Services staff will be reviewing the feasibility of the proposed lay-by parking. As it is not included as part of the required parking, this can be addressed at the Site Plan stage.

The applicant submitted a Traffic Impact Study as part of their initial submission. Transportation Services did not have concerns with respect to the traffic generated by the development. Further discussions on the feasibility of the lay-by parking are required but can be addressed at the Site Plan Approval stage.

Servicing

The applicant has provided a Site Servicing Plan, Preliminary Site Grading Plan, and a Stormwater Management Plan and Servicing Report which have been accepted in principle by Engineering and Construction Services staff.

The proposed development is also required to comply with the Best Management Practices for Stormwater Management and the City of Toronto, Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow. The project has been designed to meet the City's minimum requirements for overland water flow.

Further discussions on the slope of the sewer connection, grading, drainage, and trenching are necessary and will be addressed following the approval of these applications as part of site plan approval 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 0.80 ha to 1.56 ha 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 the Harmonized Parkland Dedication By-law 1020-2010 and

within the Central Finch Area Secondary Plan and within the Central Finch Area Secondary Plan.

The applicant proposes a 4 storey, 75 unit building with 1,198 m² of commercial space on a site area of 0.0379 ha/3,379 m². At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, would be 0.01 ha/1,000 m² which equates to 35.5% of the site. For sites that are less than 1 ha in size there is a cap of 10% for the residential portion of the site with 2% for commercial uses. The required parkland dedication is therefore 0.0293 ha/293 m² or 8.6% of the total site area.

The parkland dedication for the subject site is too small to be functional. The applicant is required to satisfy the parkland dedication through a cash-in-lieu payment.

Streetscape

The commercial space proposed as part of this application is located in the ground level of the building, at-grade and will be accessible from the street and public sidewalks. This will provide overlook and animation onto Finch Avenue East and introduce a mixture of commercial and residential uses that is consistent with the objectives of the Secondary Plan.

Sidewalks currently exist along Finch Avenue East and Willowdale Avenue. Reconstruction of sidewalks on streets adjacent to the site is proposed along Finch Avenue East and Willowdale Avenue. At the northwest corner of Finch Avenue East and Willowdale Avenue, a new 2.4 metre by 12 metre bus stop is to be constructed with shelter and seating. Deciduous trees and shrubbery are proposed along both frontages and the existing tree at the northeast corner of the site is proposed to be maintained.

As part of any approval, the applicant will be required to remove all existing accesses, curb cuts, and traffic control signs along the site frontage that are no longer required and reinstate the curb, gutter, and boulevard within the City's right-of-way in accordance with City Standards.

Site Plan Control

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

Prior to Site Plan Approval, an assessment of the viability of the proposed lay-by parking will be undertaken and issues related to servicing must be addressed to the satisfaction of the applicable commenting divisions. The site plan application is still under review.

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.

Section 37

The revised application proposes a total gross floor area of 7,473.3 m² which is below the minimum threshold of 10,000 m² noted in the Official Plan for consideration of a community benefit contribution under Section 37 of the *Planning Act*.

Rental Housing

A Rental Housing Demolition Application under Chapter 667, pursuant to Section 111 of the *City of Toronto Act* was filed on August 7, 2014 and was deemed complete in April 2015. Based on the information provided by the applicant, a review of historical property records and a site visit, Staff has determined that the site contained eleven residential dwelling units within seven detached dwellings at the time of application. The eleven residential dwelling units include four basement apartments. These dwelling units vary in size from bachelor to seven-bedroom dwelling units.

Based on the occupancy history of the seven detached houses, staff has determined that five of the eleven dwelling units have been used for residential rental purposes for an extended period of time. These five rental units meet the definition of a residential rental dwelling unit as defined in Chapter 667. The remaining six residential dwelling units being used for residential rental purposes at the time of application were owner occupied prior to being purchased by the applicant for the purposes of redevelopment. These units have a limited rental tenure history and were rented as an interim use only. As such, they were not included in the total of the five confirmed residential rental dwelling units. There are currently tenants in two of the dwelling units.

As there are six or more existing residential dwelling units and at least one dwelling unit being used for residential rental purposes, a permit under Section 111 of the *City of Toronto Act* and Chapter 667 of the Municipal Code is required. With only five residential rental dwelling units within this related group of buildings, the City's Official Plan policy requiring replacement where six or more rental dwelling units would be demolished does not apply.

Tenant Relocation and Assistance

The City's policy is to provide tenant relocation assistance to affected tenants and to avoid premature vacating.

When the Section 111 application was filed in August 2014, there were eight tenant households located within the eleven residential dwelling units. Three of the dwelling units were vacant. Several dwelling units had short-term tenancies after the owner-occupiers had sold their houses to the developer. The other dwelling units had been rented prior to the assembly of the seven dwellings. At this time, only two rental dwelling units are still occupied by tenants.

In many cases, tenants living together in a large residential dwelling unit are not part of the same household. As such, the City's standard practices on tenant assistance will need to be modified to reflect the unrelated nature of this particular group of tenants.

The owner has agreed to provide all remaining tenants with appropriate relocation assistance.

Conclusion

The proposed Official Plan and Zoning By-law Amendments allow for the proposed 75-unit, 4-storey mixed-use development and implements development standards, such as height, gross floor area and setbacks to facilitate the proposed development.

The proposal provides for a multiple-unit residential and commercial use that will increase the vitality and interest of the Finch Avenue East 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 East and the building design will contribute to and enhance the public realm. The proposal allows for an appropriate and desirable mixed-use development of the subject properties.

CONTACT

Jason Brander, Planner
Tel. No. (416) 395-7124
Fax No. (416) 395-7155
E-mail: jbrande@toronto.ca

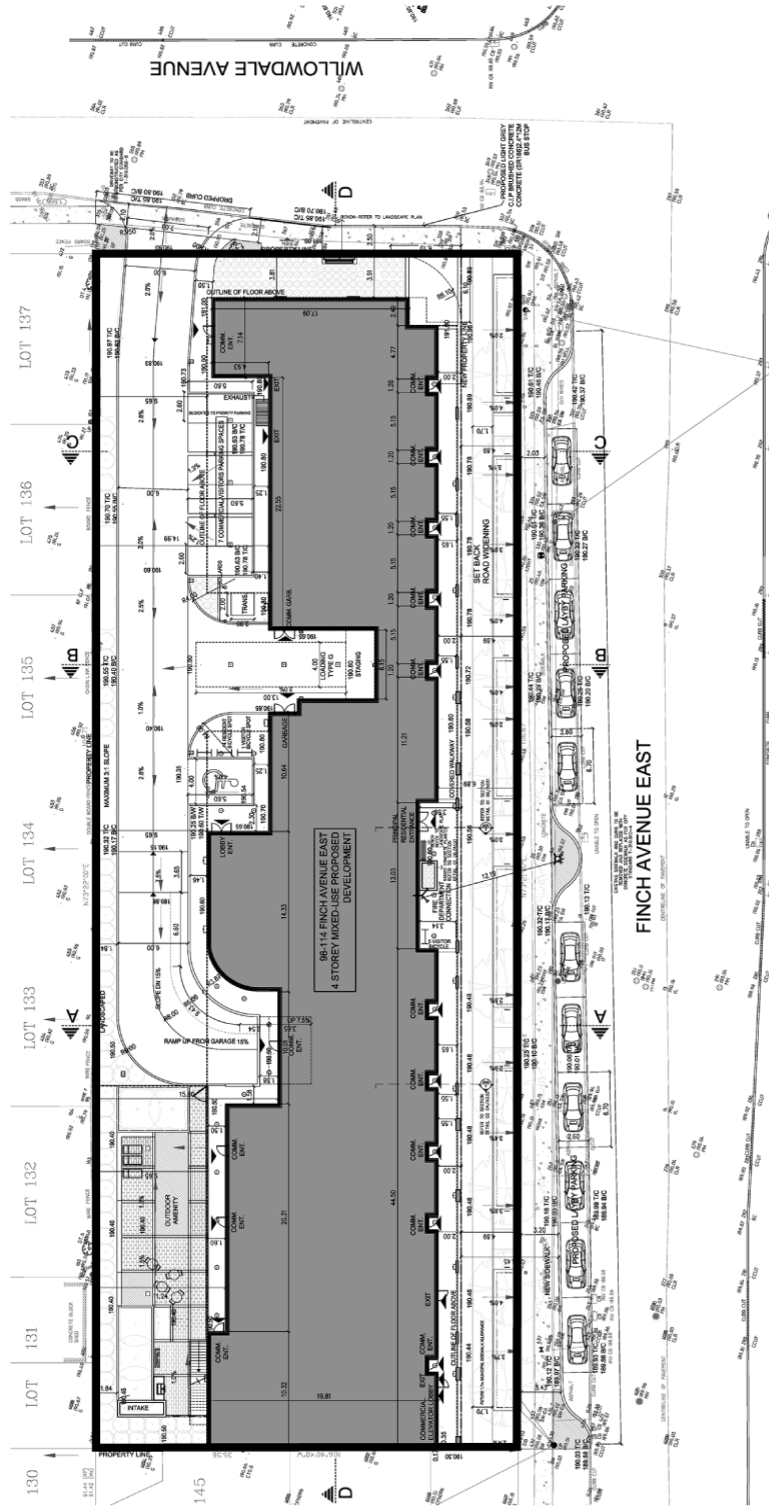
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Landscape Plan
Attachment 3:	a. North and South Elevations b. East and West Elevations
Attachment 4:	Cross Sections
Attachment 5:	Zoning
Attachment 6:	Official Plan
Attachment 7:	Central Finch Area Secondary Plan
Attachment 8:	Draft Official Plan Amendment
Attachment 9:	Draft Zoning By-law Amendment
Attachment 10:	Application Data Sheet

Attachment 1: Site Plan



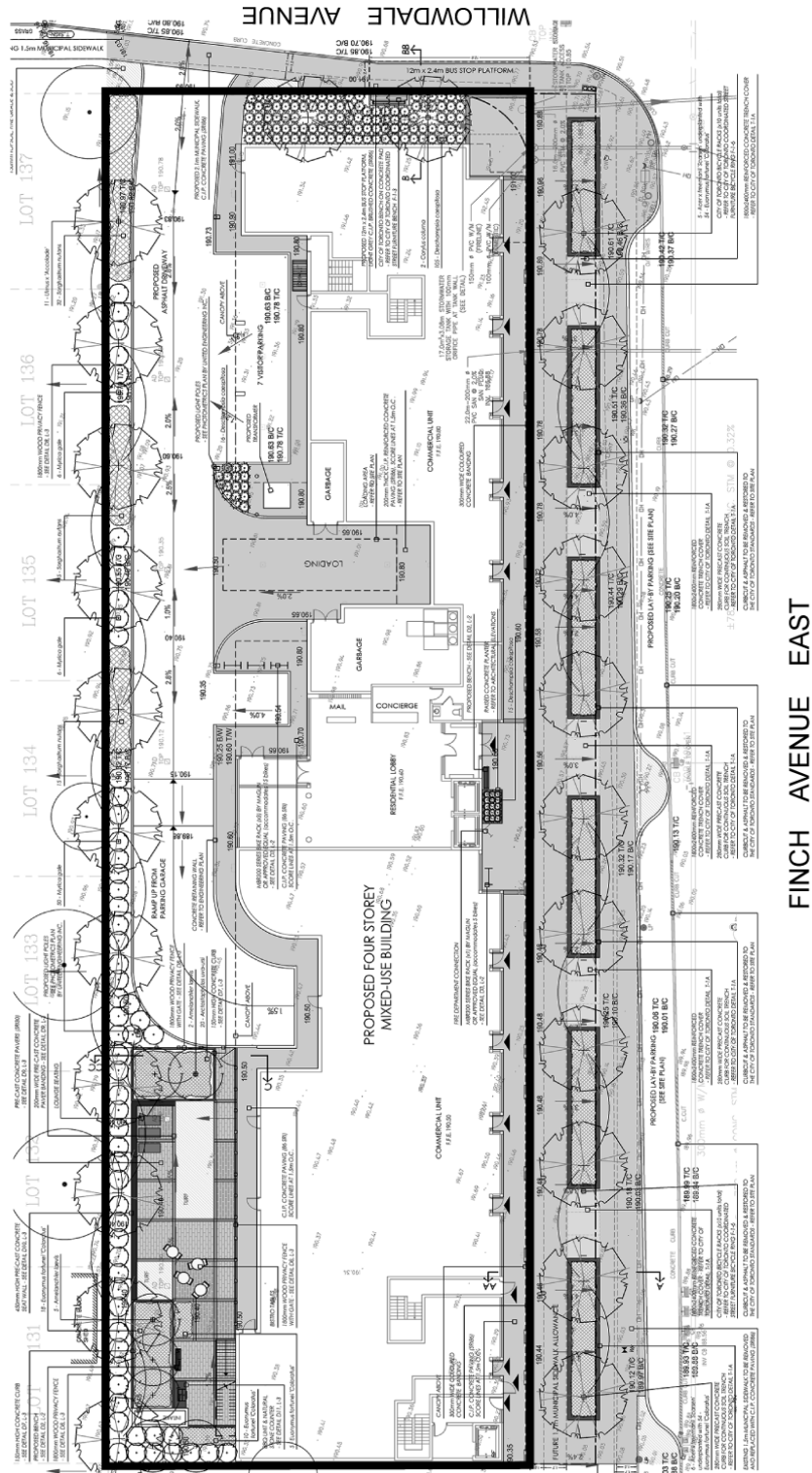
98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 05/14/2015

File # 12 243511 NNY 24 0Z

Attachment 2: Landscape Plan



98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

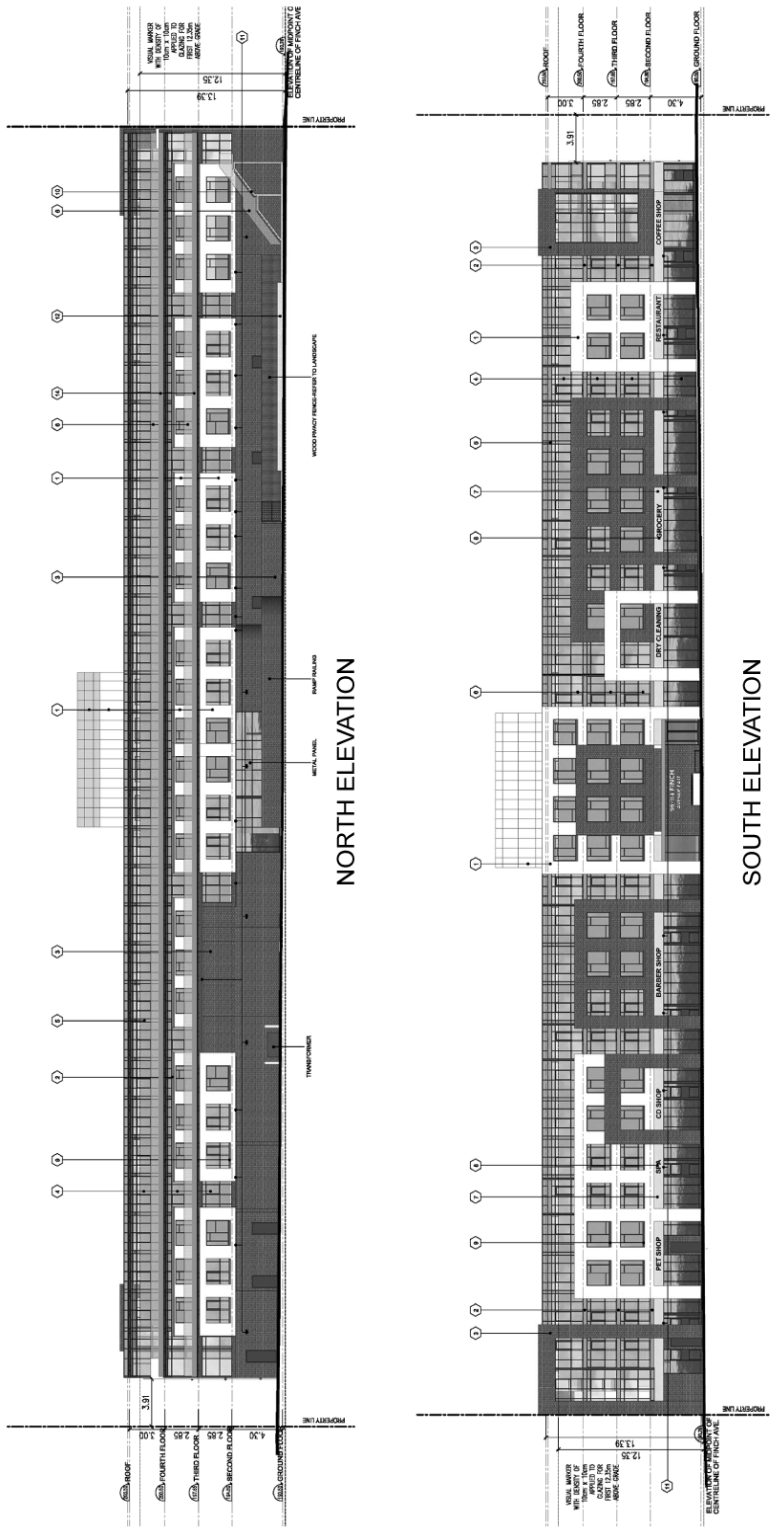
Landscape Plan

Applicant's Submitted Drawing

Not to Scale
05/09/2015

File # 12 243511 NNY 24 0Z

Attachment 3a: North and South Elevations

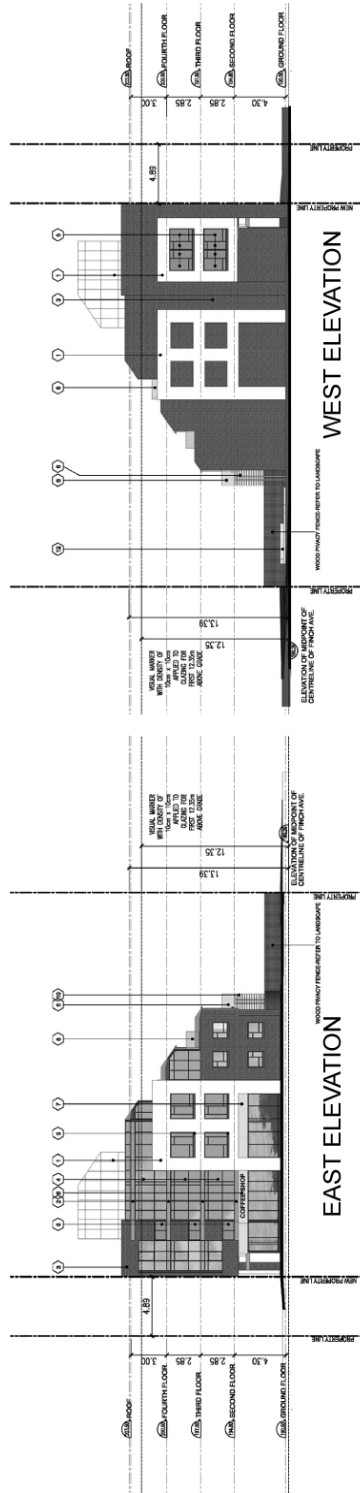


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/15/2015

98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

File # 12.243511 NNY 24.0Z

Attachment 3b: East and West Elevations

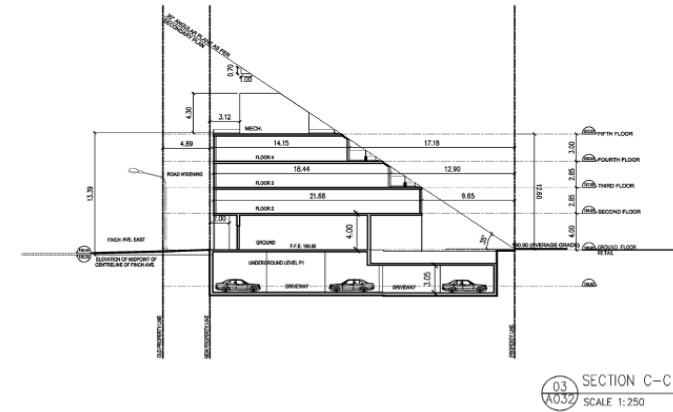
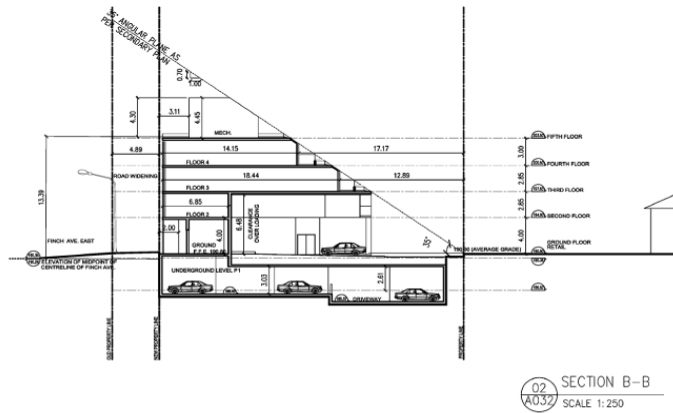
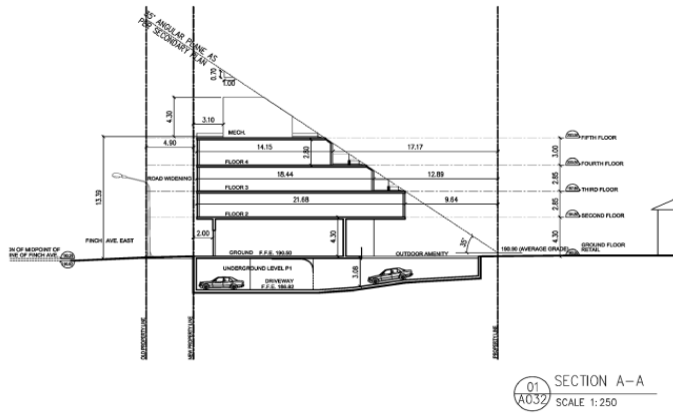


Elevations
Applicant's Submitted Drawing
 Not to Scale
 05/15/2015

98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

File # 12 243511 NNY 24 0Z

Attachment 4: Cross Section



Cross Section

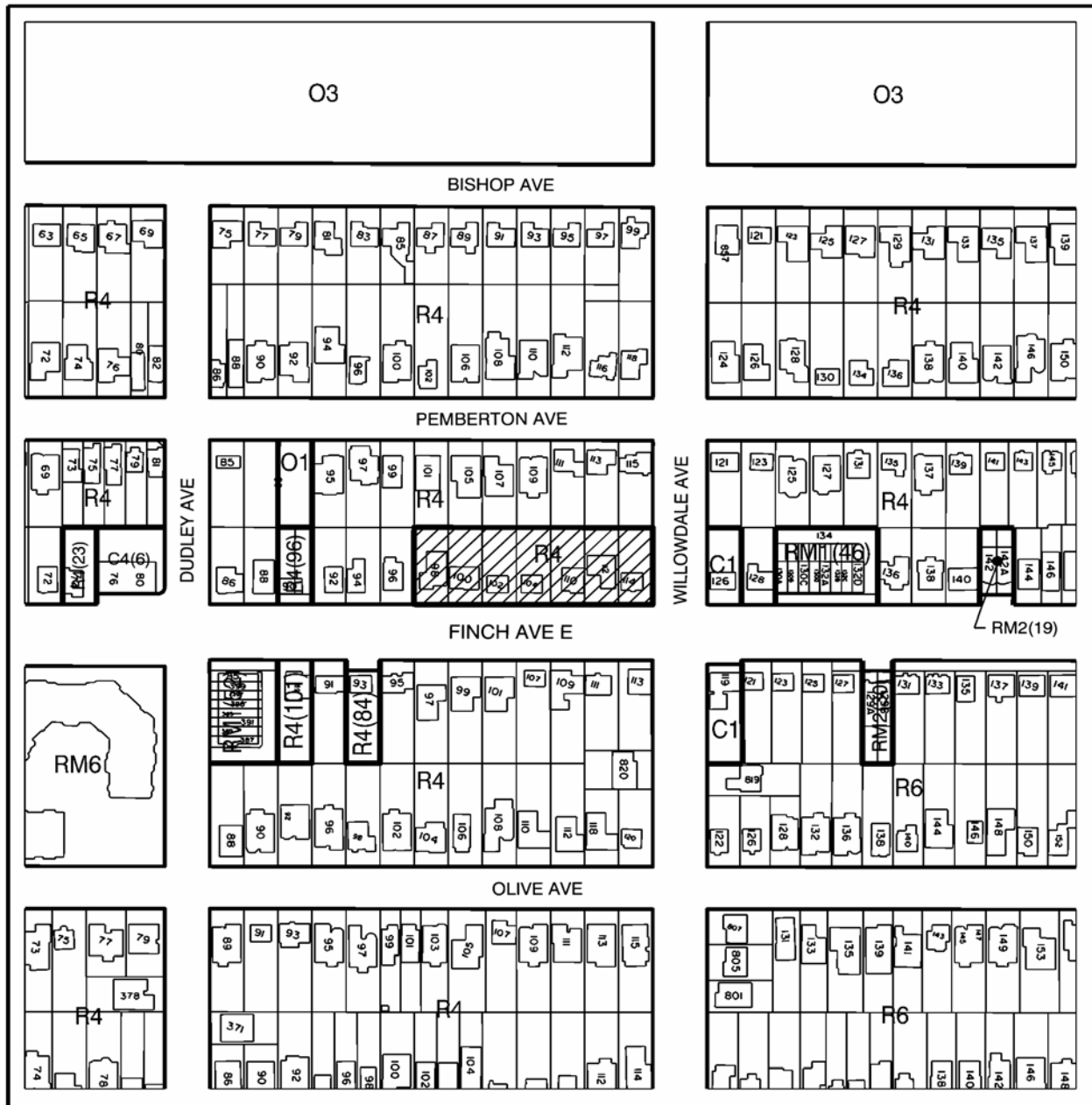
98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

Applicant's Submitted Drawing

Not to Scale
05/15/2015

File # 12 243511 NNY 24 0Z

Attachment 5: Zoning



98, 100, 102, 104, 110, 112, & 114 Finch Avenue East

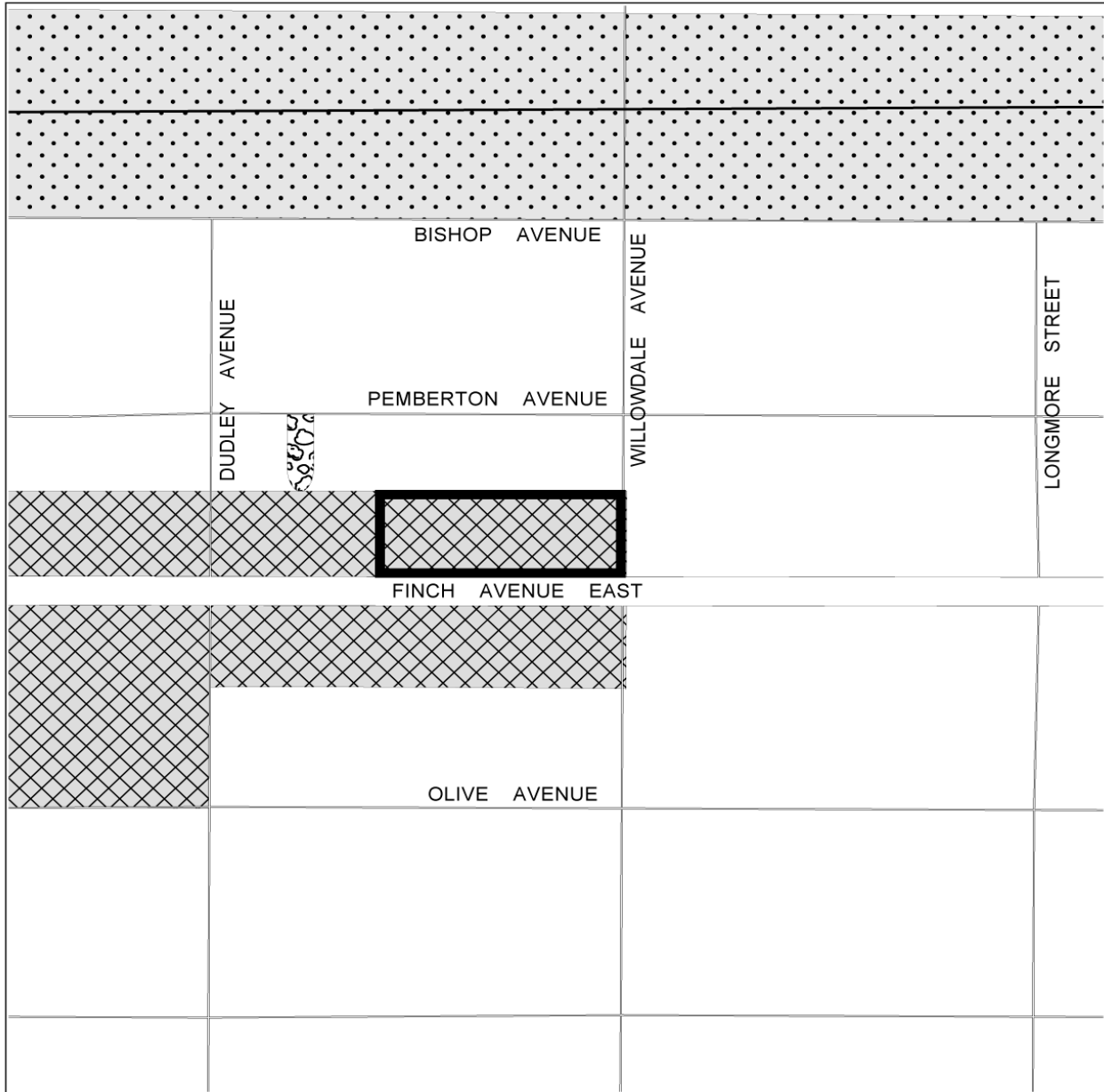
File # 12 243511 NNY 24 02

- | | |
|--|--|
| R4 One-Family Detached Dwelling Fourth Density Zone | RM6 Multiple-Family Dwellings Sixth Density Zone |
| R6 One-Family Detached Dwelling Sixth Density Zone | C1 General Commercial Zone |
| RM1 Multiple-Family Dwellings First Density Zone | C4 Mixed Use Commercial Zone |
| RM2 Multiple-Family Dwellings Second Density Zone | O1 Open Space Zone |
| NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category | O3 Semi-Public Open Space Zone |



Not to Scale
Zoning By-law 7625
Extracted 06/20/2014







Attachment 6: Official Plan



Toronto City Planning
Official Plan

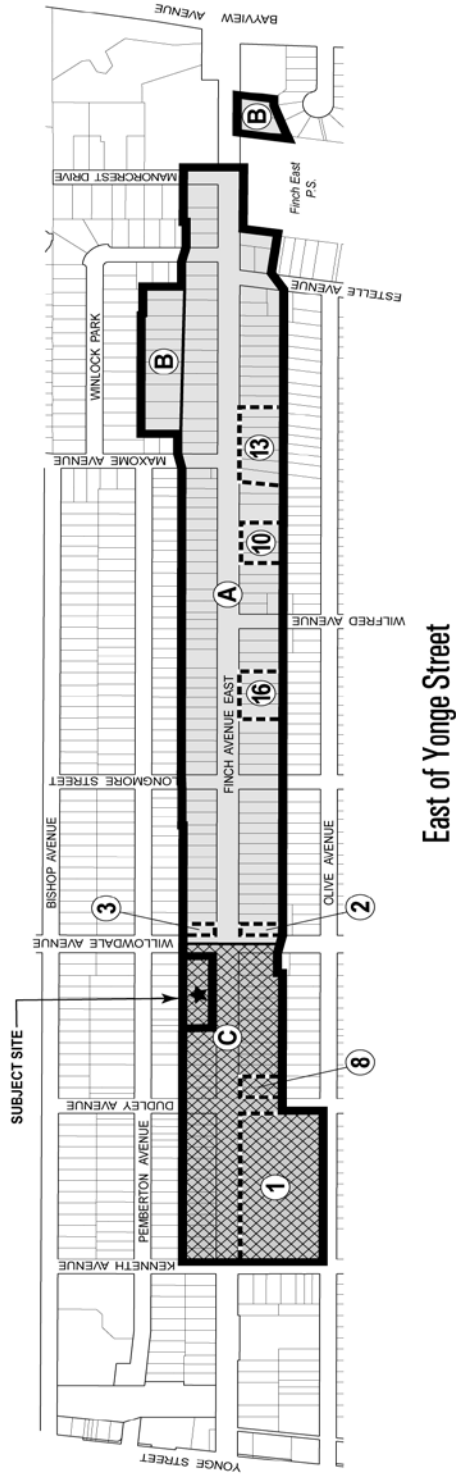
98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

File # 12 243511 NNY 24 0Z

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


 Not to Scale
 05/15/2015

Attachment 7: Central Finch Area Secondary Plan



Central Finch Area Secondary Plan 98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

Not to Scale
07/10/2014

File # 12 243511 NNY 24 0Z

Attachment 8: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2015

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2014, as
98, 100, 102, 104, 110, 112, 114 Finch Ave East**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 259 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

AMENDMENT NO. 259 TO THE OFFICIAL PLAN

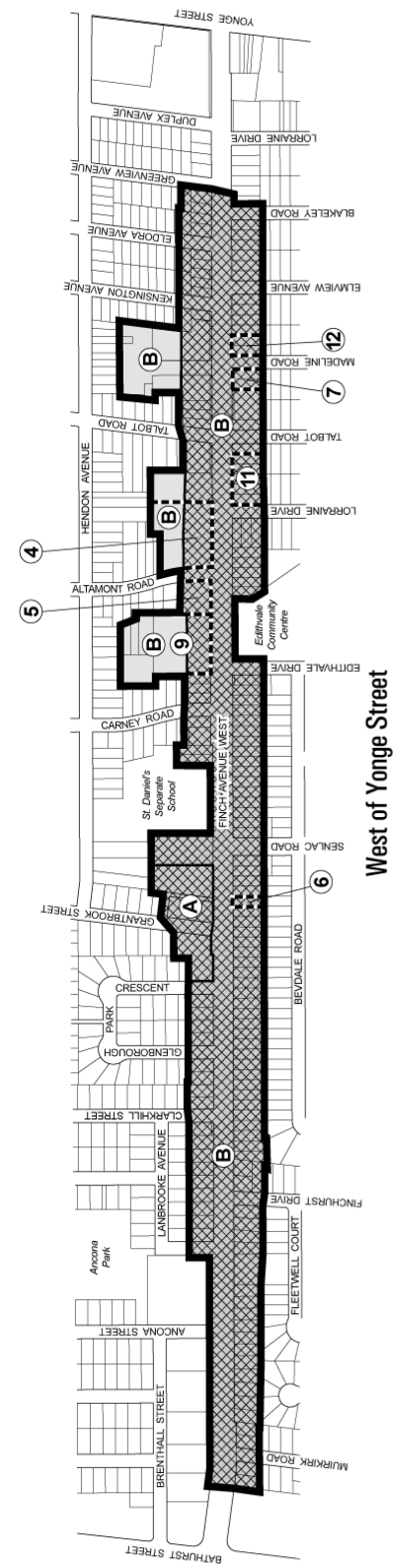
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS
98, 100, 102, 104, 110, 112, 114 Finch Ave East**

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

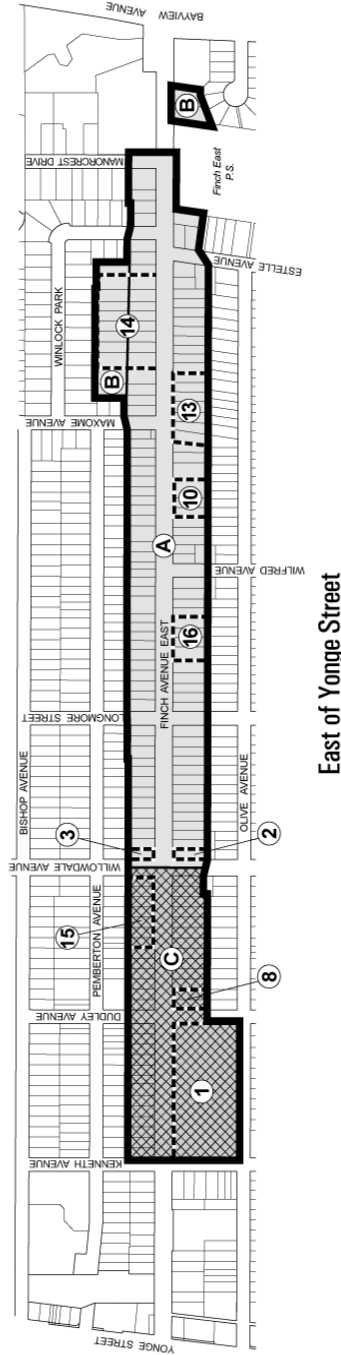
1. Chapter 6, Section 22, Central Finch Area Secondary Plan is amended by adding the following subsection to Section 3.6, Site and Area Specific Policies:

“3.6.15 On lands, known municipally as 98, 100, 102, 104, 110, 112, and 114 Finch Avenue East, despite Section 3.3.3, where the use is residential and commercial, the maximum building height will be 4 storeys and 13.39 metres and the maximum density will be 1.92 times the lot area for a mixed-use building. Despite the lands' designation of *Mixed Use Area 'C'* in the Central Finch Area Secondary Plan, retail uses shall be permitted.

2. Map 22-1, Central Finch Area Secondary Plan, Land Use Areas, is amended to show the lands known municipally in 2014 as 98, 100, 102, 104, 110, 112, and 114 Finch Avenue East as Site and Area Specific Policy Area Number 15, as shown on the attached Schedule A.



West of Yonge Street



East of Yonge Street



Official Plan Amendment #259 – Schedule A

98, 100, 102, 104, 110, 112 & 114 Finch Avenue East

File # 12.243511 NNY 24-02

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

Map 22.1, Central Finch Area Secondary Plan Land Use Areas Map of Chapter 6, Secondary Plans,
 22. Central Finch Area Secondary Plan is amended by adding Site and Area Specific Policy Area 14

May 2015

Attachment 9: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2015

Enacted by Council: ~, 2015

CITY OF TORONTO

BY-LAW No. ~-2015

To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as 98, 100, 102, 104, 110, 112, 114 Finch Ave 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” attached to this By-law.
2. Section 64.26 of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.26(8) C4(8)

DEFINITIONS

ESTABLISHED GRADE

- a. For the purposes of this exception, "established grade" means the the geodectic elevation of 190.29 metres taken at the centre line of Finch Avenue East at the mid-point of the abutting lot.

NET SITE

- b. For the purposes of this exception, "net site" means the gross site minus any lands conveyed to the City of Toronto for road creation and/or widening purposes, with such net site comprising an area of 3,379 square metres.

PERMITTED USES

- c. All uses permitted in a C4 zone shall be permitted on the lands identified on Schedule 1 of this By-law.

EXCEPTION REGULATIONS FOR A COMMERCIAL BUILDING

- d. All portions of the building or structure erected and used above established grade shall be located wholly within the maximum potential building envelope identified on Schedule C4(8) of this By-law.
- e. Notwithstanding (d) above, stairs located at the northwest corner of the building shall be allowed to project no more than 2 metres to the north beyond the building envelope.

BUILDING HEIGHT

- f. The maximum building height shall not exceed the heights illustrated on Schedule C4(8) attached to and forming part of this By-law, with the exception of the following:
 - i. lighting fixtures, ornamental elements, parapets, guardrails, stair enclosures, canopies, vents, stacks, window washing equipment, and architectural features may extend above the heights shown on Schedule C4(8);
 - ii. Notwithstanding (i) above, no part of the building shall exceed 70% of the horizontal distance separating that part of the building from the northern property line.
- g. Enclosures for rooftop mechanical and stairwells may exceed the maximum building height as shown on Schedule C4 (8) provided such enclosures are located within the area shown as 'Rooftop Mechanical/Stairwell' on Schedule C4(8).

GROSS FLOOR AREA

- h. The maximum total gross floor area on the net site shall be 7,473.3 square metres.

LOADING SPACES

- i. The minimum number of loading spaces provided on site shall be 1.

NUMBER OF RESIDENTIAL UNITS

- j. The maximum number of residential units permitted shall be 75.

PARKING

- a. The required number of parking spaces shall be 87.
- b. The required number of bicycle parking spaces shall be 64.

EXCLUSIONS

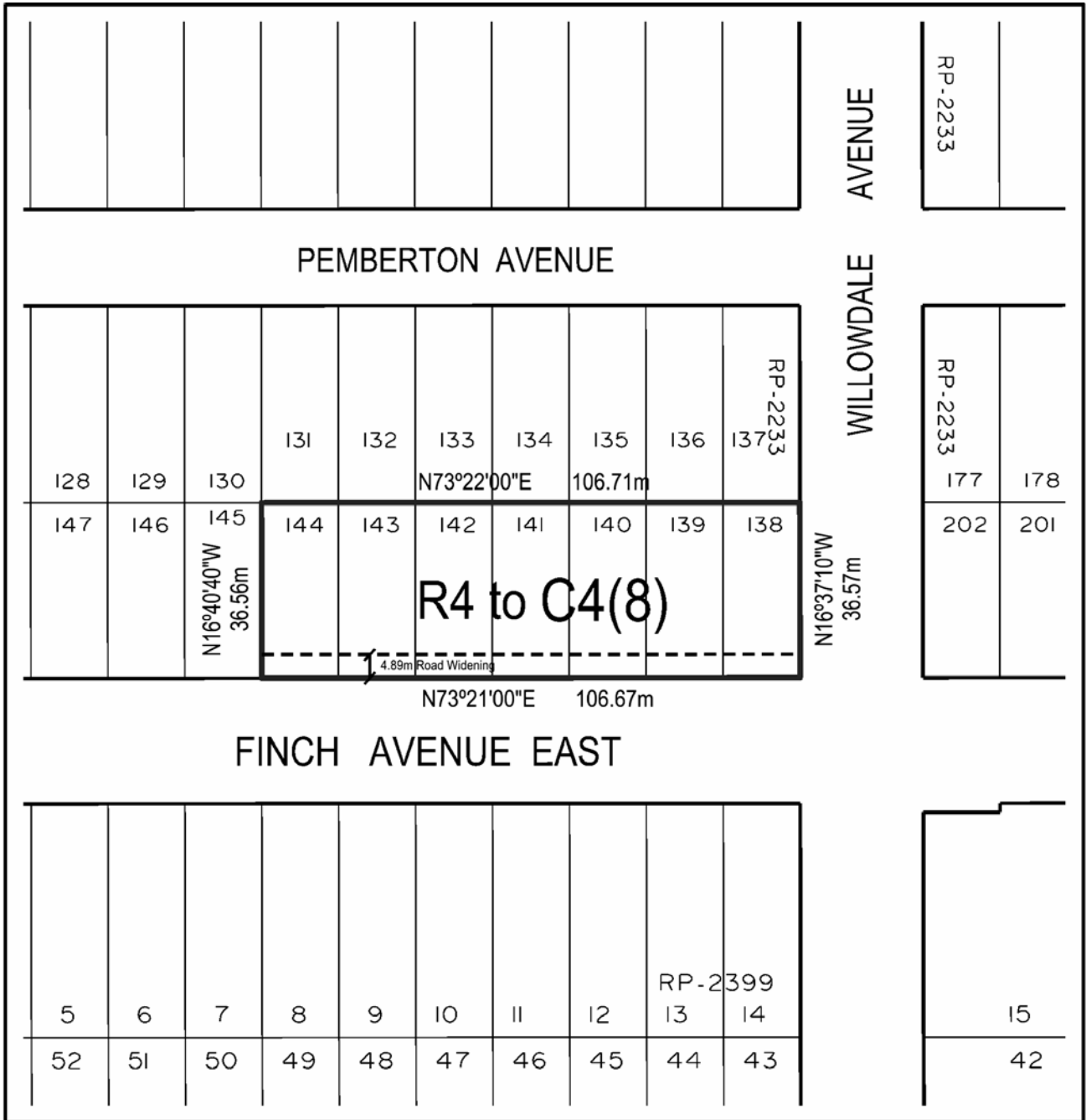
- c. The provisions of Section 6A(16)(a) – Number of Loading Spaces, Section 6A(16)(d)(iv) – Access to Loading Spaces, Section 26(4) – Building Height, Section 26(6) – Size of Residential Units and Section 26(7) – Parking Regulations shall not apply.
3. Section 64.26-A of By-law No. 7625 of the former City of North York is amended by adding Schedule C4(8) 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.

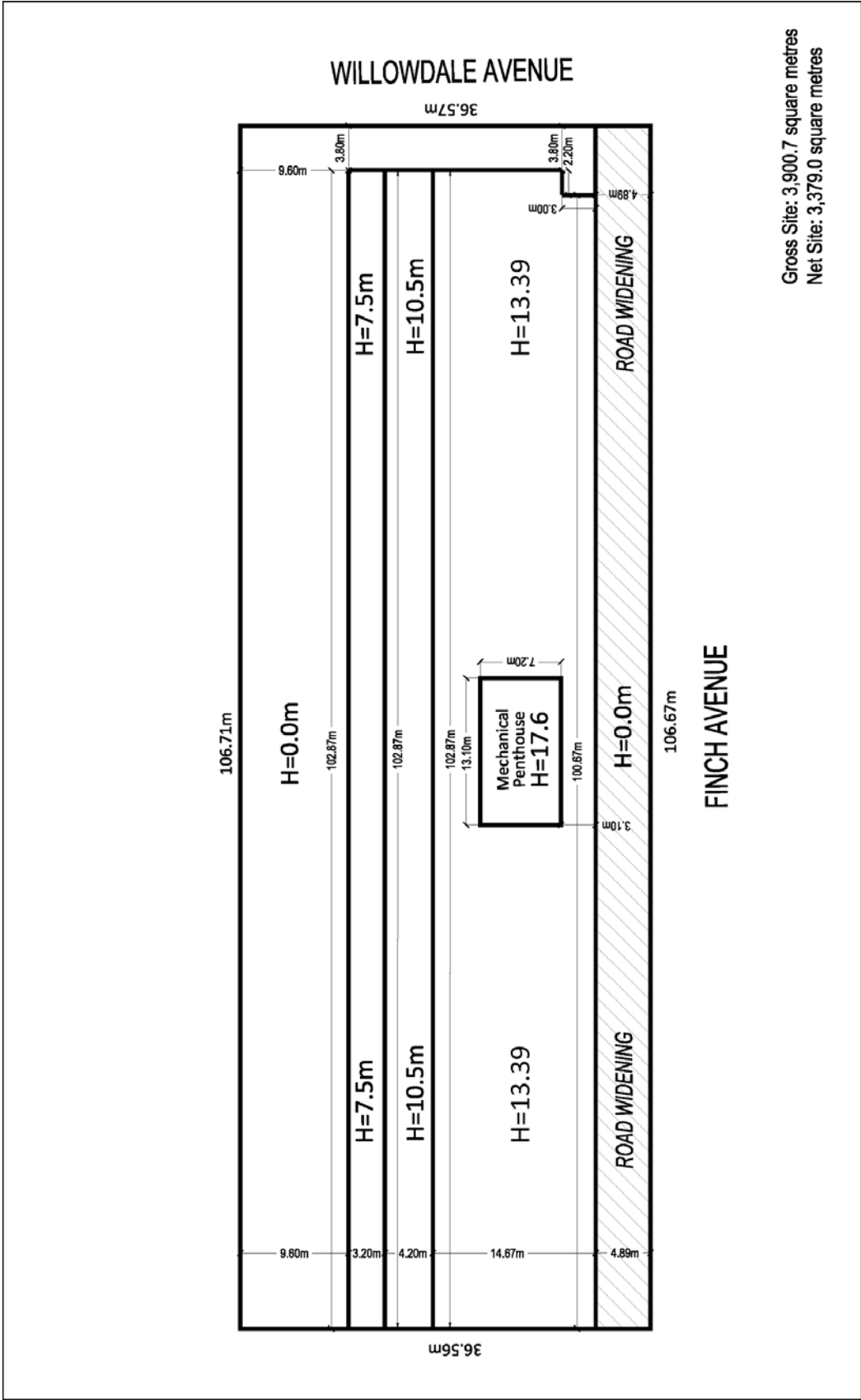
ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)





Schedule C4(8)

Lots 138, 139, 140, 141, 142, 143 & 144, R.P. 2322, City of Toronto
Rowan-Stanciu Limited, Ontario Land Surveyors

Date: 06/24/2014
Approved by: J. Brander

File # 12 243511 NNY 23 0Z



Not to Scale

Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 243511 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 10, 2012

Municipal Address: 98, 100, 102, 104, 110, 112 & 114 FINCH AVE E

Location Description: PLAN 2233 LOT 138 **GRID N2401

Project Description: Four storey, 75-unit residential building with ground floor commercial uses, and 82 parking spaces in a one level underground garage accessed from Willowdale Ave. Green roof also provided. Concurrent OPA, Rezoning and Site Plan Control applications. Consolidation of 7 lots on north side of Finch Ave.

Applicant:	Agent:	Architect:	Owner:
WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED		HOORDAD GHANDEHARI	MOHAMMAD AGHAMIRI

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	3900.7	Height:	Storeys:	4	
Frontage (m):	91.36		Metres:	13.39	
Depth (m):	36.68				
Total Ground Floor Area (sq. m):	1611.9				Total
Total Residential GFA (sq. m):	6175		Parking Spaces:	82	
Total Non-Residential GFA (sq. m):	1298.3		Loading Docks	1	
Total GFA (sq. m):	7473.3				
Lot Coverage Ratio (%):	48.6				
Floor Space Index:	1.92				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	7473.3	0
Bachelor:	7	Retail GFA (sq. m):	1298.3	0
1 Bedroom:	51	Office GFA (sq. m):	0	0
2 Bedroom:	17	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:				

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