160 Finch Avenue East – Zoning By-law Amendment Application – Final Report

Date: August 22, 2012
To: North York Community Council
From: Director, Community Planning, North York District
Wards: Ward 24 – Willowdale
Reference Number: 10 301187 NNY 24 OZ

SUMMARY

This application proposes the redevelopment of a single lot for two, 3-storey semi-detached residential dwellings with shared driveway access to two parking spaces respectively at 160 Finch Avenue East.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of North York Zoning By-law No. 7625 for the lands at 160 Finch Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.

2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
Financial Impact
The recommendations in this report have no financial impact.

ISSUE BACKGROUND
Proposal
The applicant is proposing to construct two, 3-storey semi-detached residential dwellings on the existing lot. Each dwelling would be provided with two parking spaces, one within the dwelling and one located on the front driveway, with shared driveway access onto Finch Avenue East. The proposal has a Floor Space Index (FSI) of 1.

Site and Surrounding Area
The subject site is located on the north side of Finch Avenue East, just east of Longmore Street, and has a frontage of approximately 13 metres, and a lot area of 497 m$^2$.

This portion of Finch Avenue East is undergoing transition, with single detached dwelling lots being redeveloped for either semi-detached dwellings or townhouse complexes. Abutting uses are as follows:

North: single detached dwellings;
South: single detached dwellings, with a recently approved, 28 unit townhouse development to the southwest (File 10 321128 NNY 23 OZ);
East: a semi-detached dwelling immediately adjacent, followed by single detached dwellings and a 7 unit townhouse complex further east, and
West: single detached dwellings, semi-detached dwellings and residential townhouse units further west.

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

City Council’s planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan
The Official Plan designates the subject lands as Neighbourhoods. Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as walk-up apartments up to four storeys. Parks, low scale institutions, home
occupations, cultural and recreational facilities and small scale retail, service and office uses are also provided for in *Neighbourhoods.*

The subject lands are also designated *Neighbourhood ‘A’* within the Central Finch Area Secondary Plan. This designation provides for single detached and multiple-unit residential uses, public parks and recreational facilities and places of worship.

For sites with less than 30 metres of frontage along Finch Avenue, such as the subject lands, the maximum density permitted is 1.0 times the lot area (FSI), and the maximum height 3 storeys or 10 metres, whichever is the lesser. To buffer from the effects of development between the Central Finch Area Secondary Plan and abutting residential neighbourhoods, the Plan contains 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 privacy fencing and a 1.5 metre landscape strip along the property lines abutting adjacent residential neighbourhoods.

The Secondary Plan also encourages redevelopment that is compatible with surrounding residential areas and contributes to a strong and attractive pedestrian oriented street edge. The Secondary Plan encourages good built form and design with primary pedestrian access at grade and windows that face onto the street. Landscaping should help define the site and protect existing trees or provide for additional replacement trees and greenery.

**Zoning**

The subject lands are presently zoned as One-Family Detached Dwelling Fourth Density Zone (R4) which permits single detached residential dwellings with a maximum height of two storeys or 8.8 meters, and accessory uses.

**Reasons for Application**

The R4 zoning that applies to this site does not allow for the proposed 3 storey, 10 metre high semi-detached residential dwelling. A rezoning application is required to implement the necessary zoning standards that will regulate the new development.

**Community Consultation**

A Community Consultation meeting was held on April 20, 2011, at the North York Civic Centre. The meeting was attended by the ward Councillor, City planning staff, and the original applicant. There were no members of the public in attendance.

City Planning staff have not received any correspondence from the public or interested parties regarding the proposed redevelopment of the site for a semi-detached dwelling.
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 (2005) (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 for a new semi-detached dwelling is consistent with the PPS.

The proposal also conforms with and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

Land Use
The proposed redevelopment of the lands results from an Order to Remedy an Unsafe Building issued on January 29, 2010, due to the discovery of a large scale marijuana growing operation, which damaged the existing dwelling so as to render it unsalvageable.

The City of Toronto Official Plan designates the property as Neighbourhoods, which provides for a range of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as walk-up apartments up to four storeys.

The Central Finch Area Secondary Plan also designates the subject lands as Neighbourhood ‘A’. This designation provides for single detached and multiple-unit residential uses, public parks and recreational facilities and places of worship.

The proposal for a semi-detached dwelling is consistent with the lower scale built form character of the neighbouring residential community along this portion of Finch Avenue East.

In order to fulfill the requirements of the Central Finch Area Secondary Plan, the draft Zoning By-law amendment will require a minimum 1.5 metre rear landscape strip as well as a 1.8 metre high privacy fence along the north property line of the subject lot, which abuts the adjacent residential designation.
Density, Height, Massing
The proposed development with a height of 3 stories and 10 metres, and with a rear yard setback of 10.2 metres complies with the height, setback and angular plane requirements of the Secondary Plan. The proposed Floor Space Index of 1.0 is also in conformity with the policies of the Central Finch Area Secondary Plan.

In order to minimize overview and impacts to privacy of the neighbours to the north, the applicant has revised the proposal and removed a previously proposed third floor deck.

Streetscape
The applicant has proposed landscaping on both sides of the shared driveway as well as two additional trees at the front of the subject lands which would result in an attractive, comfortable and safe pedestrian environment along this portion of Finch Avenue, which will enliven the street and take advantage of nearby transit services.

The proposed semi-detached dwelling also mirrors the semi-detached dwelling immediately adjacent and to the east of the site, and maintains a similar height and front yard along this portion of Finch Avenue East.

Access, Parking
The proposed development would have vehicular access via a shared driveway from Finch Avenue, providing access to 1 interior and 1 exterior parking space at the front of each dwelling.

City Transportation Services staff are satisfied with the proposed parking supply and access.

Servicing
The applicant has provided stormwater management, site servicing and grading plans for review by the City’s Technical Services Division.

Technical Services staff have confirmed that the proposed development complies with the Best Management Practices for Stormwater Management and the City of Toronto’s Wet Weather Flow Management Guidelines, which requires grades that allow overland water flow and away from adjacent properties.

Open Space/Parkland
City Parks, Forestry and Recreation staff have indicated that the proposal will be subject to 5% cash in lieu of parkland dedication for the additional unit on site. 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.
Consent Approval
The proposed development for a semi-detached dwelling will require approval from the Committee of Adjustment to divide the subject lot into two individual properties, and create easements for the shared driveway.

The applicant made an application for Consent to Sever on April 16, 2012 (Application # B046/12NY). The Committee of Adjustment application will be scheduled to be heard after City Council renders its decision on this rezoning application.

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 greenhouse gas emissions and enhance the natural environment.

The proposed semi-detached dwelling is exempt from the requirements of the TGS.

CONTACT
Ben DiRaimo, Planner
Tel. No. (416) 395-7119
Fax No. (416) 395-7155
E-mail: bdiraimo@toronto.ca

SIGNATURE

_______________________________
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Front Elevation
Attachment 3: Rear Elevation
Attachment 4: Side Elevation
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law Amendment
Attachment 1: Site Plan

Site Plan
Applicant’s Submitted Drawing
Not to Scale 05/07/2012

160 Finch Avenue East

File #: 10301187 NNY 24 OZ

Staff report for action – Final Report – 160 Finch Avenue East
V.02/12
Attachment 2: Front Elevation
Attachment 3: Rear Elevation
Attachment 4: Side Elevation
Attachment 5: Zoning

160 Finch Avenue East
File # 10_301187

Zoning

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
O3 Semi Public Open Space Zone

NOTE: Numbers in brackets denote exceptions to the Zoning Category

Not to Scale
Zoning By-law 7625
Extracted 12/06/2010
### Attachment 6: Application Data Sheet

#### APPLICATION DATA SHEET

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<th>Application Type</th>
<th>Details</th>
<th>Application Number</th>
<th>Application Date</th>
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<td>Rezoning</td>
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<td>10 301187 NNY 24 OZ</td>
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<th>Location Description</th>
<th>Project Description</th>
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<tr>
<td>160 FINCH AVE E</td>
<td>PLAN 2277 PT LOT 1 **GRID N2401</td>
<td>Proposed redevelopment of a single lot for a semi-detached residential dwelling. Concurrent site plan application.</td>
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<tr>
<th>Applicant</th>
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<tr>
<td>RN DESIGN GROUP LTD</td>
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<td>LOUIS ZOPPI</td>
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#### PLANNING CONTROLS

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<th>Zoning</th>
<th>Historical Status</th>
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<td>Historical Status</td>
<td>Height Limit (m)</td>
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#### PROJECT INFORMATION

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<td>Frontage (m):</td>
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#### DWELLING UNITS

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#### CONTACT

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<thead>
<tr>
<th>PLANNER NAME:</th>
<th>TELEPHONE:</th>
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</thead>
<tbody>
<tr>
<td>Ben DiRaimo, Planner</td>
<td>(416) 395-7119</td>
</tr>
</tbody>
</table>
Attachment 7: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. ~2012

To amend Zoning By-law No. 7625 of the former City of North York, as amended, with respect to the lands municipally known as 160 Finch Avenue East

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.

2. Section 64.17 of By-law No. 7625 is amended by adding the following subsection:

“64.17 (49) RM2 (49)

EXCEPTION REGULATIONS FOR SEMI-DETACHED DWELLINGS

(a) The minimum lot area shall be 248 square metres for each semi-detached dwelling.

(b) The minimum lot frontage shall be 6 metres for each semi-detached dwelling.

(c) The minimum front yard setback shall be 10 metres to the front wall of each semi-detached dwelling.

(d) The minimum side yard setback for each semi-detached dwelling shall be 1.2 metres and 0 metres on the common wall.

(e) The minimum rear yard setback shall be 10 metres to the rear wall of each semi-detached dwelling.

(f) The maximum lot coverage shall be 38% for each semi-detached lot.

(g) The maximum building height shall be 3 stories or 10 metres for each semi-detached dwelling, whichever is the lesser.
(h) A rear second floor balcony or deck shall be permitted to project 2.74 metres at the rear of each semi-detached dwelling as shown on Schedule “RM2 (49).

(i) The minimum interior parking space shall be 2.7 metres x 6.1 metres for each semi-detached dwelling.

(j) A minimum 1.5 metre landscape strip and 1.8 metre high opaque fence shall be provided along the north property line of the lot.

(k) The requirements of Section 15.8 (Landscaping) shall not apply.

(l) The requirements of Section 17(4) (g) (i) (Overview) shall not apply to a second storey balcony, porch or sundeck having a maximum area of 8 m²."

3. Within the lands shown on Schedule "RM2 (49)" 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.

ENACTED AND PASSED this ~ day of ~, A.D. 2012.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)