



## STAFF REPORT ACTION REQUIRED

### 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East - Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications - Final Report

<b>Date:</b>	October 28, 2013
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	12 243614 NNY 24 OZ and 13 211148 NNY 24 SB

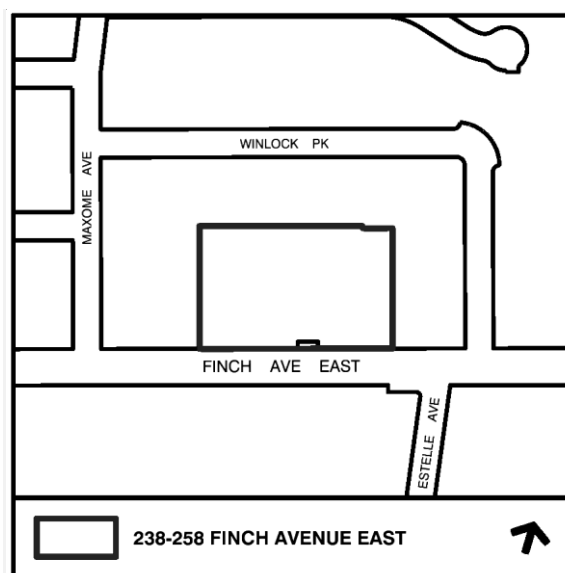
## SUMMARY

These applications propose to amend the Official Plan and the Zoning By-law to permit the redevelopment of the subject lands for a 58-unit, 4-storey residential townhouse development with 58 parking spaces accessed via a network of public streets, including a public lane. The proposal represents an assembly of 9 lots at 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East.

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 East and the building design will contribute to and enhance the public realm.

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

This report also advises that the Chief Planner



intends to approve the Draft Plan of Subdivision.

## RECOMMENDATIONS

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan for the lands at 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East substantially in accordance with the draft Official Plan Amendment attached as Attachment 8.
2. 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 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. In accordance with the delegated approval under by-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning intends to approve the draft plan of subdivision as generally illustrated on Attachment 9 to report dated October 29, 2013 subject to:
  - a. the conditions as generally listed in Attachment 9, which except as otherwise noted must be fulfilled prior to the release of the plan of subdivision for registration; and
  - b. any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner may deem to be appropriate to address matters arising from the on-going technical review of this development.
5. Before introducing the necessary Bills to City Council for enactment, the applicant will be required to obtain Notice of Approval Conditions under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*, to the satisfaction of the Director of Community Planning, North York District.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

This rezoning application was initially submitted in September 2012. The initial proposal consisted of 75 unit, 4-storey residential townhouse development with 163 parking spaces accessed via a network of interior private streets with access onto Finch Avenue East. A Preliminary Report was adopted by North York Community Council at its meeting on October 19, 2012. The decision of Community Council and the Preliminary Report can be found at the following link:

On February 4, 2013, a Community Consultation meeting was held. A Site Plan Application for this proposal was submitted in March 2013 and a Plan of Subdivision application was submitted in July of 2013, which reduced the number of units from 75 to 58 with 58 parking spaces. The site is now proposed to be served by a public street, including a public lane.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to redevelop a site on the north side of Finch Avenue East, between Maxome Avenue and Bayview Avenue. As noted previously, the application was originally proposed as a 75 unit condominium project on a series of private driveways. Staff determined that the original application did not meet Development Infrastructure Policy and Standards (DIPS).

The revised proposal consists of 58, 4-storey (10 m) townhouse buildings containing a total of 8 blocks. The proposal has a floor space index (FSI) of 1.04. Of this, the lands designated *Neighbourhood 'A'* have a FSI of 1.22 and the lands designated as *Neighbourhood 'B'* have an FSI of 0.88. All of the townhouse units are proposed to front onto public streets. Blocks 1-6 will front onto the new public street and Blocks 7 and 8 will front onto Finch Avenue East.

A total of 58 parking spaces are proposed to be provided on site. Each dwelling unit is proposed to have at least 1 parking space in a single car garage. In addition, some units will also have a parking space in their driveway. Blocks 1-4 will be accessed via a new public road through the site, while Blocks 5-8 will be accessed from the rear of the units via a new public lane, running east to west from both ends of the new public street.

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

### **Site and Surrounding Area**

The proposal represents an assembly of 9 lots on the north side of Finch Avenue East between Maxome Avenue and Winlock Park. The subject lands have a total frontage of 137.8 metres and a depth of 87 metres, and a total combined net site area of approximately 11,993 square metres, which includes a 603.9 square metre road widening to be conveyed to the City, along Finch Avenue East. Each of the lots contains single detached residential dwellings with the exception of 252 Finch Avenue East, which contains two, semi-detached dwellings.

This portion of Finch Avenue, east of Willowdale Avenue has seen a number of recently built townhouse developments.

Abutting uses are as follows:

North: Single detached residential dwelling in a residential neighbourhood designation;

South: Single detached residential dwellings along the south side of Finch Avenue;

East: Single detached residential dwellings and a seniors' residence (Carefree Lodge) east of Winlock Park, and;

West: The Willowdale Evangelical Church and single detached residential dwellings.

## **Provincial Policy Statement and Provincial Plans**

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

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required 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 consisting of residential uses in lower scale buildings such as detached and semi-detached houses, duplexes, triplexes and townhouses, as well as apartments that are no higher than four storeys. Parks, low scale locally oriented institutions, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in the *Neighbourhoods* designation.

The Official Plan's Built Form policies specify that new development be located and organized to fit with its context and to frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces from the development. New developments are to locate and organize vehicular parking, vehicular access and service areas and utilities to minimize their impact on the property and on surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces. New developments are to be massed to fit harmoniously into their existing planned context and to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians.

The Official Plan also includes Public Realm policies which state that new streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets.

## **Central Finch Area Secondary Plan**

The subject property is also located within the Central Finch Area Secondary Plan, and has dual designations within the Secondary Plan. The southerly portion of the lands fronting on the north side of Finch Avenue East, are designated *Neighbourhood 'A'* and the northerly portion of the lands are designated *Neighbourhood 'B'*.

The *Neighbourhood ‘A’* designation provides for single detached and multiple-unit residential uses, public parks and recreational facilities and places of worship.

For sites with 30 metres of frontage or more on Finch Avenue, such as for a portion of the subject lands, the maximum density permitted is 1.25 times the lot area (FSI), with a maximum height 3 storeys or 10 metres, whichever is the lesser.

The *Neighbourhood ‘B’* designation similarly provides for single detached and multiple-unit residential uses, public parks and recreational facilities and places of worship. The maximum height in this designation is 3 storeys or 10 metres, whichever is the lesser, and the maximum permitted density is 1.0 times the lot area.

For sites that have more than one land use designation, such as the subject lands, the Central Finch Area Secondary Plan provides for the following:

- Density from any portion of the site may be used on any other portion, except that density derived from any portion designated Neighbourhood “B” may be assigned to the balance of the site but not vice versa;
- Required parking for uses located on any portion of the site may be located on any other portion, and
- Offices and retail and service commercial uses may not be located on any portion of the site designated *Neighbourhood “A”* or *Neighbourhood “B”*.

To buffer the abutting residential neighbourhoods from the effects of redevelopment in the Central Finch Area, the Secondary Plan contains provisions that require buildings to be set back a minimum 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 m landscape strip along the property lines abutting adjacent residential neighbourhoods.

The Secondary Plan encourages the consolidation of lots and the reduction of driveways accessing Finch Avenue. The Secondary Plan also encourages redevelopment that is compatible with surrounding residential areas while contributing to a strong and attractive pedestrian oriented street edge. Landscaping should also be utilized to define the site and protect existing trees or provide for an abundance of additional replacement trees and greenery.

## **Zoning**

The subject lands are zoned One-Family Detached Dwelling Third Density Zone (R3) in the former City of North York By-law 7625. This permits only 2-storey single detached residential dwellings and accessory uses.

## **Development Infrastructure Policy & Standards (DIPS)**

On December 5, 6 and 7, 2005, City Council adopted a set of harmonized public street design standards, known as Development Infrastructure Policy and Standards (DIPS). These policies and standards address the objectives of the Official Plan policy and identify where a private street or “mews” may be considered an appropriate exception to Council’s policy to require all new streets to be public ones. Developments which may be considered an exception to the

policy would be those that are on small sites which cannot accommodate a road width of 20 or 16.5 metres (66 or 54 feet) and those which do not exceed 10 dwelling units on the private road, excluding those units fronting onto the existing public road.

## **Reasons for Application**

An amendment to the Central Finch Area Secondary Plan is required as the Plan permits a maximum height of 3-storeys or 10 metres, whichever is less. The townhouses, as proposed are 4-storeys and 10 metres in height.

In addition, the Secondary Plan contains provisions that require buildings to be set back a minimum 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 townhouse units on the north easterly portion of the site, consisting of the most easterly unit in Block 3 and the two most northerly units in Block 4 will be setback 6.5 metres to 7.5 metres from the nearest residential property line, as opposed to the required 9.5 metres. The proposal also does not meet the angular plane as prescribed in the Secondary Plan, and is instead proposing a 45 degree angular plane from the rear property line.

An amendment to Zoning By-law No. 7625 is required as the current R3 zoning does not permit townhouses as a proposed use. A rezoning application is required to develop appropriate development standards for the proposal.

## **Community Consultation**

A Community Consultation meeting to discuss the proposal was held on February 4, 2013. 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 which have been considered in the review of the application were generally related to the following matters:

- Traffic and access onto Finch Avenue East;
- Design of the proposed townhouses;
- Feasibility of the proposed land use;
- Sewer capacity, existing drainage patterns, and changes to grading;
- Potential for parking and traffic impacts on Finch Avenue East and the surrounding neighbourhood;
- Location and height of retaining walls around the proposed development;

A second information meeting was facilitated by the Ward Councillor on October 1, 2013, and was attended by the applicant, city staff, and approximately 15 members of the public.

## **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 (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.

### **Public Road**

The subject properties are unique in that they feature a greater depth than most of the lots on the north side of Finch Avenue East. Whereas the majority of lots are 35 metres to 45 metres in depth, these properties are just over 87 metres in depth, which includes a required 4.9 metre road widening along Finch Avenue East. Accordingly, there is ability for the development to accommodate a public road and lane.

Initially, the proposal contained a network of private streets that exceeded 45 metres in length, and proposed a total of 75 dwelling units. The original proposal was not consistent with the Official Plan policy respecting public streets, nor did it implement Council’s adopted DIPS criteria. Through discussions with City staff, the applicant revised the proposal to provide for a public street along with a public lane.

The provision of the proposed public street meets the Official Plan policy of accommodating grade-related developments with respect to the role and form of streets, including providing municipal services such as curb side garbage collection, snow removal, long term maintenance and repair of road, sewer and water infrastructure. The public street will meet design objectives such as the provision and maintenance of boulevard trees and sidewalks.

### **Density, Height, and Built Form**

The Central Finch Area Secondary Plan provides for a base density of 1.25 FSI. The proposed development would have an F.S.I of 1.04.

The Central Finch Area Secondary Plan has a maximum height limit of 3-storeys or 10 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. This provision is generally intended to ensure that new development is stepped back proportionately in order to minimize potentially negative impacts on the privacy and views of adjacent lower density residential uses.

In this particular case, the proposed 58 townhouse units are configured into 8 blocks served by a public road. The majority of the proposal meets the minimum setback requirement of 9.5 metres from the rear property line. However, the northerly property line steps in 1.8 metres to the south and follows a straight line 21.3 metres across to the easterly property line. Thus, the easternmost unit in Block 3 will be setback 7.5 metres from the northerly property line that coincides with the boundary of the *Neighbourhood 'B'* designation. Additionally, the two northernmost units in Block 4 are setback 6.5 metres from the property line that coincides with the boundary of the *Neighbourhood 'B'* designation.

The buildings do not comply with the angular plane required by the Secondary Plan for the properties abutting the area outside the Secondary Plan boundary, but will meet a 45 degree angular plane. With the addition of a required landscape strip, fencing, and the retaining wall along the property line of the subject lands, impacts on privacy and views of the existing residential buildings and their rear yards to the north, east, and west can be considered acceptable.

The Plan permits a maximum height of 3-storeys or 10 metres, whichever is less. The proposed development is also required however, 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. This creates a situation where the garage floor level cannot be lowered and is technically considered to be a storey. As a result, the proposed townhouse units are technically considered to be 4-storeys, notwithstanding that they are still within the 10 metre height restriction permitted by the Plan.

The proposed gambrel roof design for the townhouses minimizes the height and pitch of the roof and thereby creates a smaller and less imposing look to the roof-line of the development. From the street, the northern ends of the 4 townhouse blocks will therefore have a building profile similar to a typical 3-storey building.

The proposed development addressed the goals of the Infill Townhouse Guidelines by:

- Orienting the main facades of the townhouses towards Finch Avenue East and the new public street, thereby creating an animated streetscape appropriate for pedestrians along the public sidewalks;
- Locating parking garages at the rear of units in Blocks 5-8 order to provide a more attractive streetscape on Finch Avenue East and the proposed public street;
- Placing the majority of front doors no more than 6 steps above grade to help townhouses fit within this context;
- 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 provides adequate sunlight and sky views from Finch Avenue East;



- Adequately transitioning to residential neighbourhoods to the north, east, and west through landscaping and screening;
- Providing space for an entry, front stoop and landscaping between the public sidewalk and private home, and;
- The development provides adequate setbacks from adjacent residential units.

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

Vehicular access to the development is via a proposed public street with a right-of-way width of 16.5 metres. The proposed road will have two access points directly accessed from Finch Avenue East. Also proposed as part of the development is a 6 metre wide public lane that will provide vehicular access to Blocks 5-8. The proposed development will feature 58 parking spaces. There will be no driveway access from Finch Avenue.

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 Servicing Plan, Preliminary Site Grading Plan, and a Stormwater Management Plan and Servicing Report which has been accepted in principle by Technical Services staff. However, further discussions on the slope of the sewer connection, grading, drainage, and trenching are necessary but can be addressed following the approval of these applications.

## **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 0.43 ha to 0.78 ha hectares of local parkland per 1,000 people. The site is in a parkland priority area, as per Alternative Rate Parkland Dedication By-law No. 1020-2010.

The applicant proposes 58 townhouse units on a net site area of 8,424 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 773 m<sup>2</sup> or 9% of the net site area.

Parks, Forestry and Recreation (PF&R) is recommending cash-in-lieu of parkland dedication. This is appropriate as the parkland dedication would not create a substantial park. The site is also in close proximity to Newtonbrook Park.

## **Streetscape**

Each of the townhouse units front onto to a public street and will have their front doors facing those streets to provide overlook and animation.

Sidewalks currently exist along Finch Avenue East. A new sidewalk is proposed along the inside of the new public street. The side walk will be located across from Block 1 on the east side of the public street; across from Blocks 2 and 3 along the south side of the street, and; across from

Blocks 3 and 4 on the west side of the street. Due to the location of the new sidewalk within the new public street, the sidewalk will not cross any driveway cuts.

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. The applicant is proposing a number of trees and coniferous shrubs on site.

## **Subdivision Application**

An application for Draft Plan of Subdivision was submitted in July 2013 to allow for the creation of blocks and public streets for the revised development proposal. As indicated in the "Recommendations" section of this report, it is intended that City Planning will approve the draft plan of subdivision once the applications for Official Plan Amendment and Zoning By-law Amendment are finalized. The Conditions of Draft Plan of Subdivision can be found in Appendix 9.

## **Site Plan Control**

The applicant has submitted a concurrent Site Plan Application (13 132390 NNY 24 SA). 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 will be required to obtain Notice of Approval Conditions under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*, to the satisfaction of the Director of Community Planning, North York District.

## **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.

## **Conclusion**

The proposed Official Plan and Zoning By-law Amendments allow for the proposed 58-unit townhouse 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 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 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 Draft Plan of Subdivision conditions. The approval of this 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 prior to the final approval of the Official Plan and Zoning By-law Amendment.

## **CONTACT**

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

## **SIGNATURE**

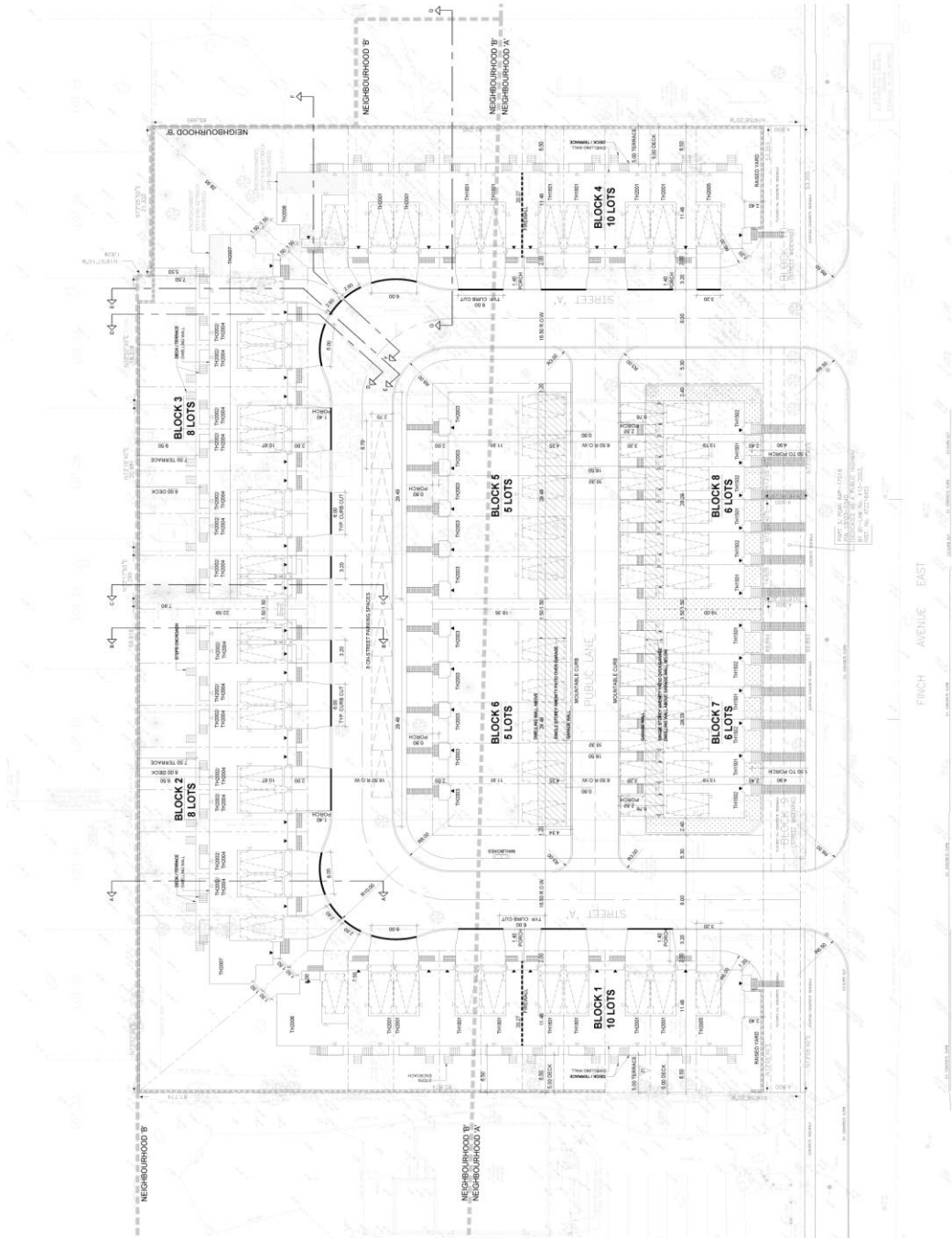
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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1:	Site Plan
Attachment 2:	Draft Plan of Subdivision
Attachment 3:	a) Elevations – Blocks 1-3 b) Elevations – Blocks 4-6 c) Elevations – Blocks 7-8
Attachment 4:	Cross Sections
Attachment 5:	Zoning
Attachment 6:	Official Plan
Attachment 7:	Application Data Sheet
Attachment 8:	Draft Official Plan Amendment
Attachment 9:	Draft Zoning By-law Amendment
Attachment 10:	Conditions of Draft Plan of Subdivision

## Attachment 1: Site Plan



**Site Plan**

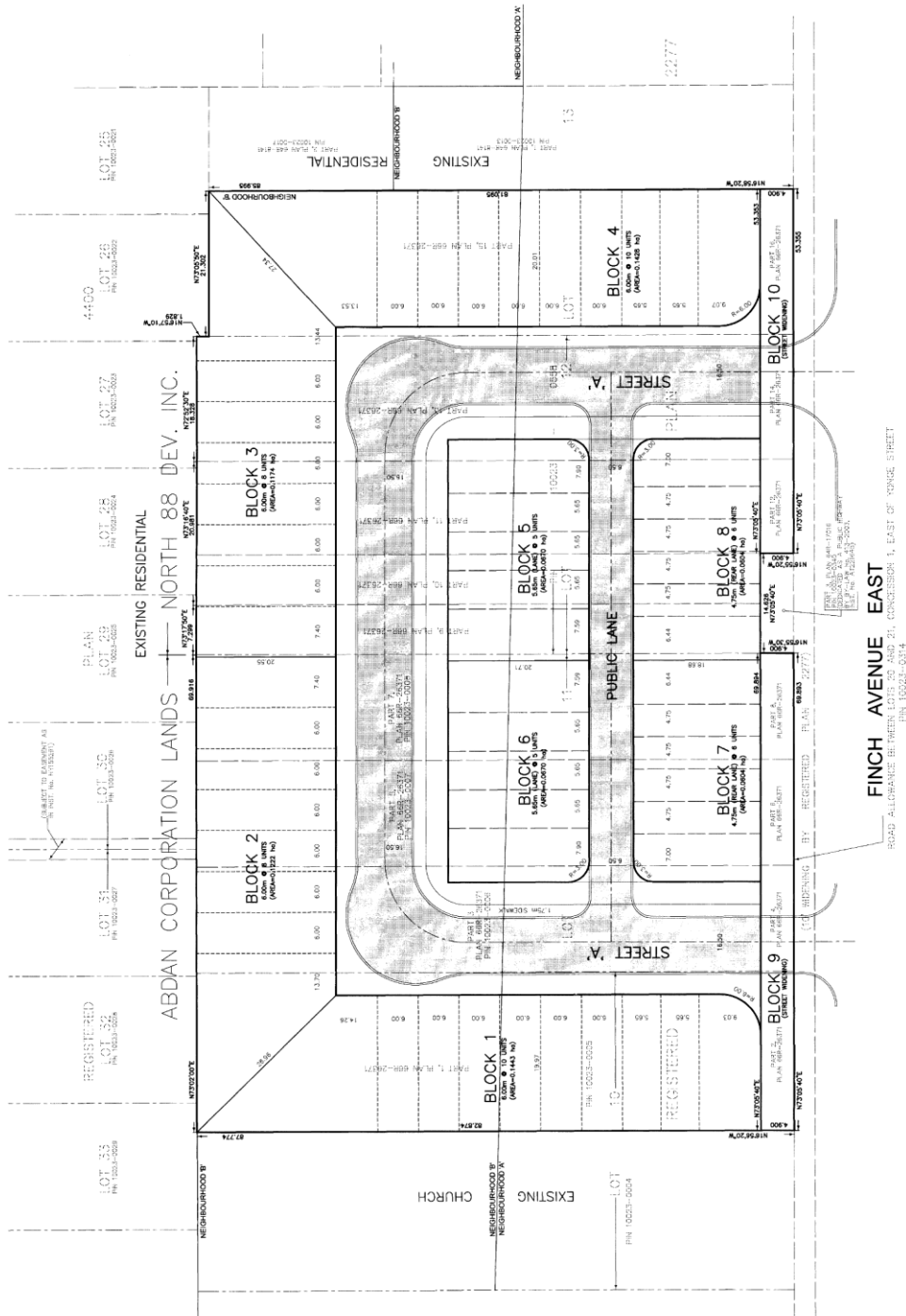
**Applicant's Submitted Drawing**

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10/28/2013

**238-258 Finch Avenue East**

File # 12 243614 NNY 24 02

## Attachment 2: Draft Plan of Subdivision



### Draft Plan of Subdivision

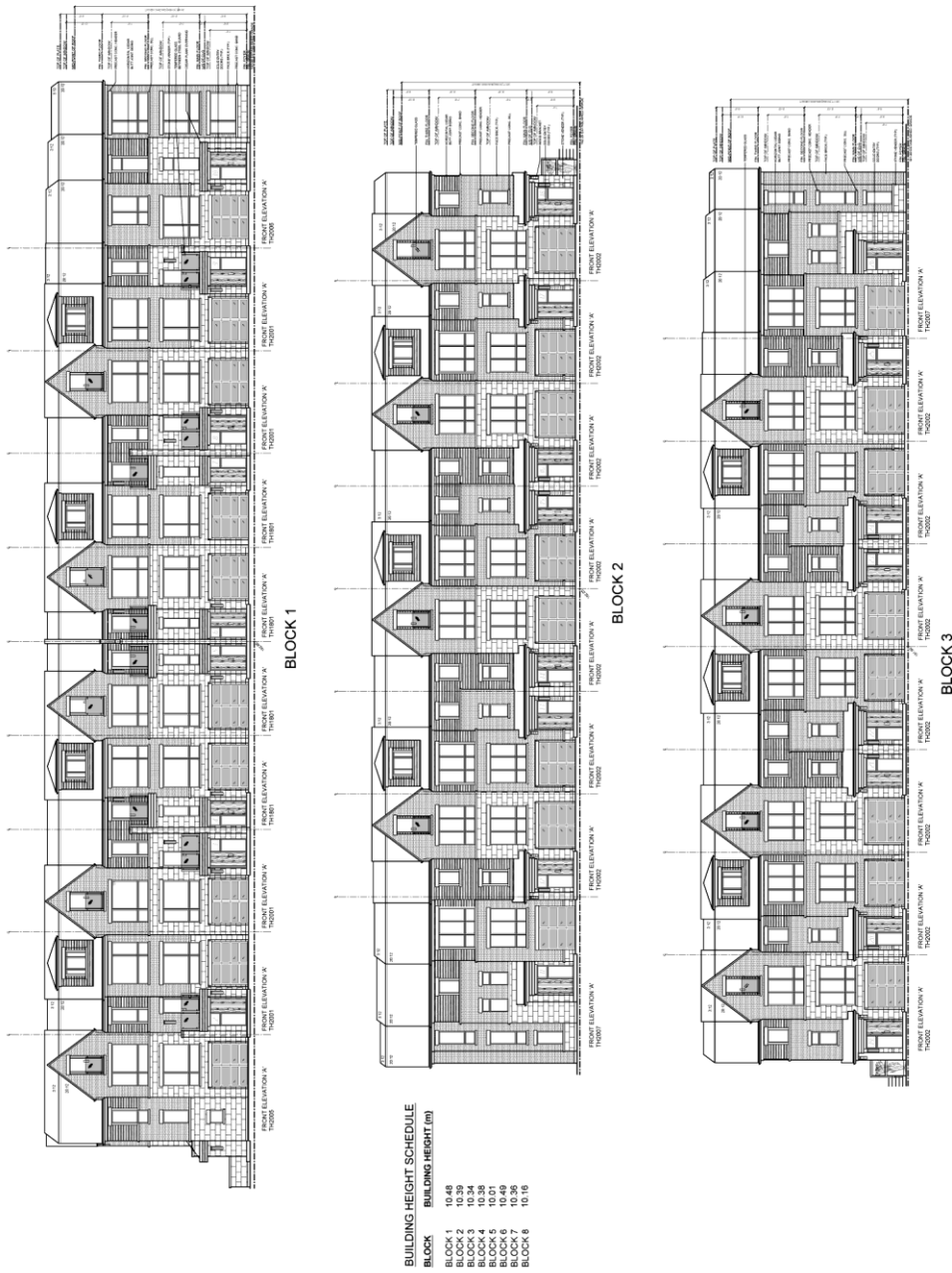
Applicant's Submitted Drawing

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### 238-258 Finch Avenue East

File # 12 243614 NNY 24 02

Attachment 3a: Elevations – Blocks 1-3



Elevations

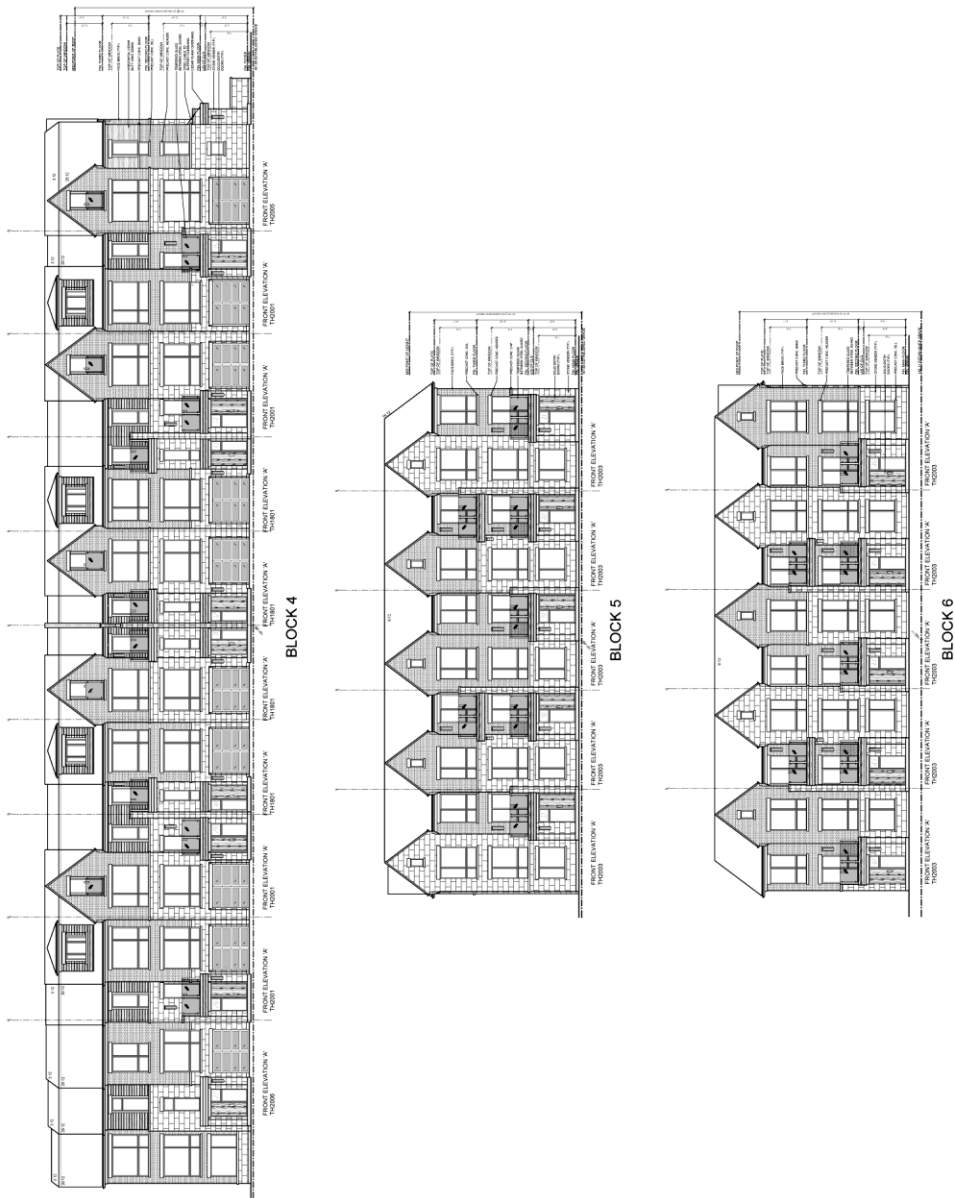
238-258 Finch Avenue East

Applicant's Submitted Drawing

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10/28/2013

File # 12 243614 NNY 24 02

Attachment 3b: Elevations – Blocks 4-6



Elevations

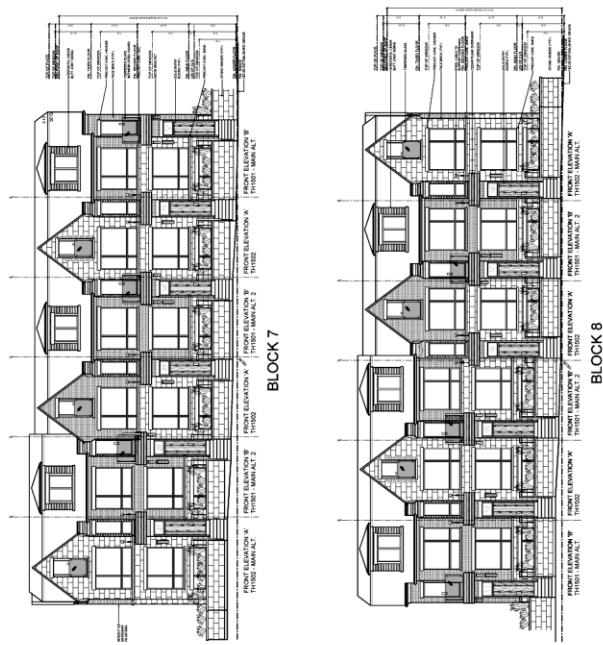
238-258 Finch Avenue East

Applicant's Submitted Drawing

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10/28/2013

File # 12 243614 NNY 24 02

Attachment 3c: Elevations – Blocks 7-8



Elevations

Applicant's Submitted Drawing

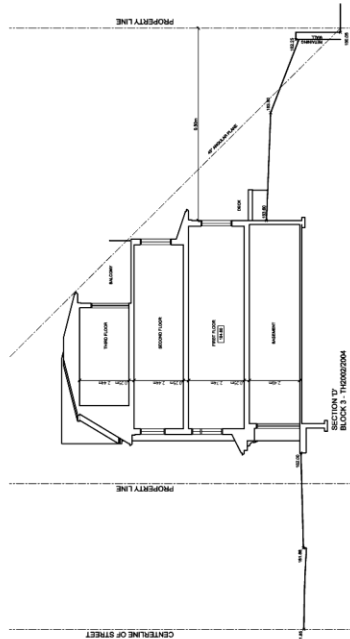
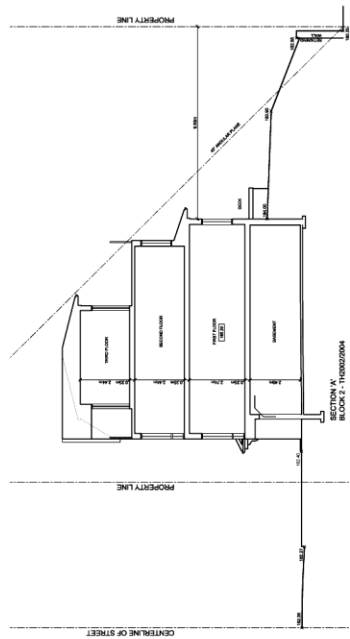
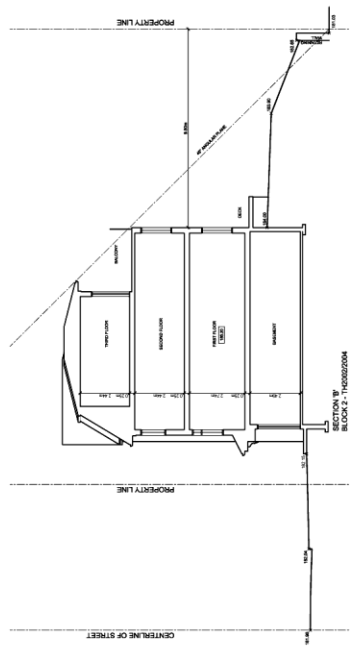
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238-258 Finch Avenue East

File # 12 243614 NNY 24 02



Attachment 4: Cross Sections



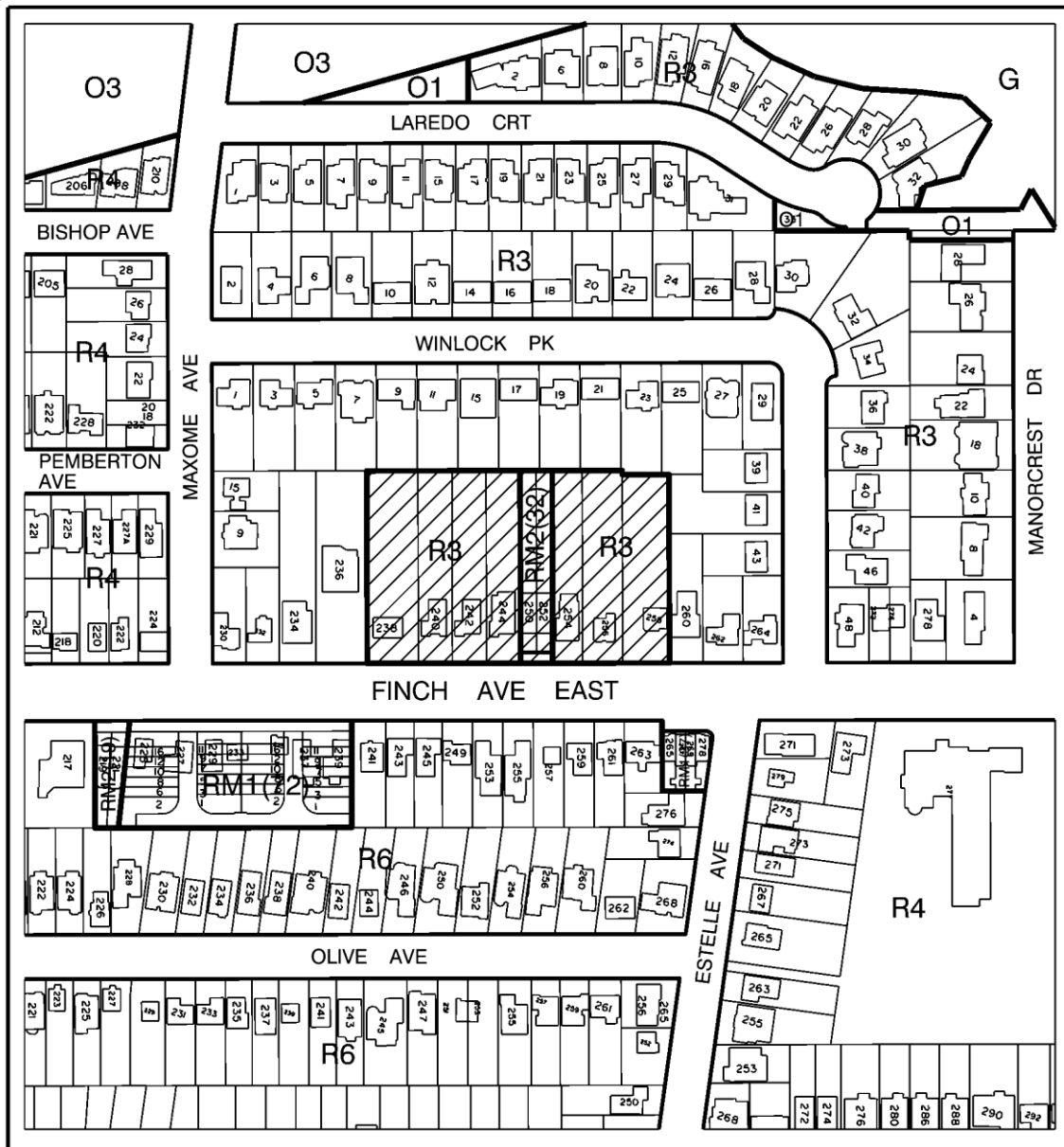
238-258 Finch Avenue East

Cross Sections  
Applicant's Submitted Drawing

File # 12 243614 NNY 24 02

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## Attachment 5: Zoning



**TORONTO** City Planning  
Zoning

238-258 Finch Avenue East

File # 12 243614 NNY 24 02

R3 One-Family Detached Dwelling Third Density Zone  
R4 One-Family Detached Dwelling Fourth Density Zone  
R6 One-Family Detached Dwelling Sixth Density Zone  
RM1 Multiple-Family Dwellings First Density Zone

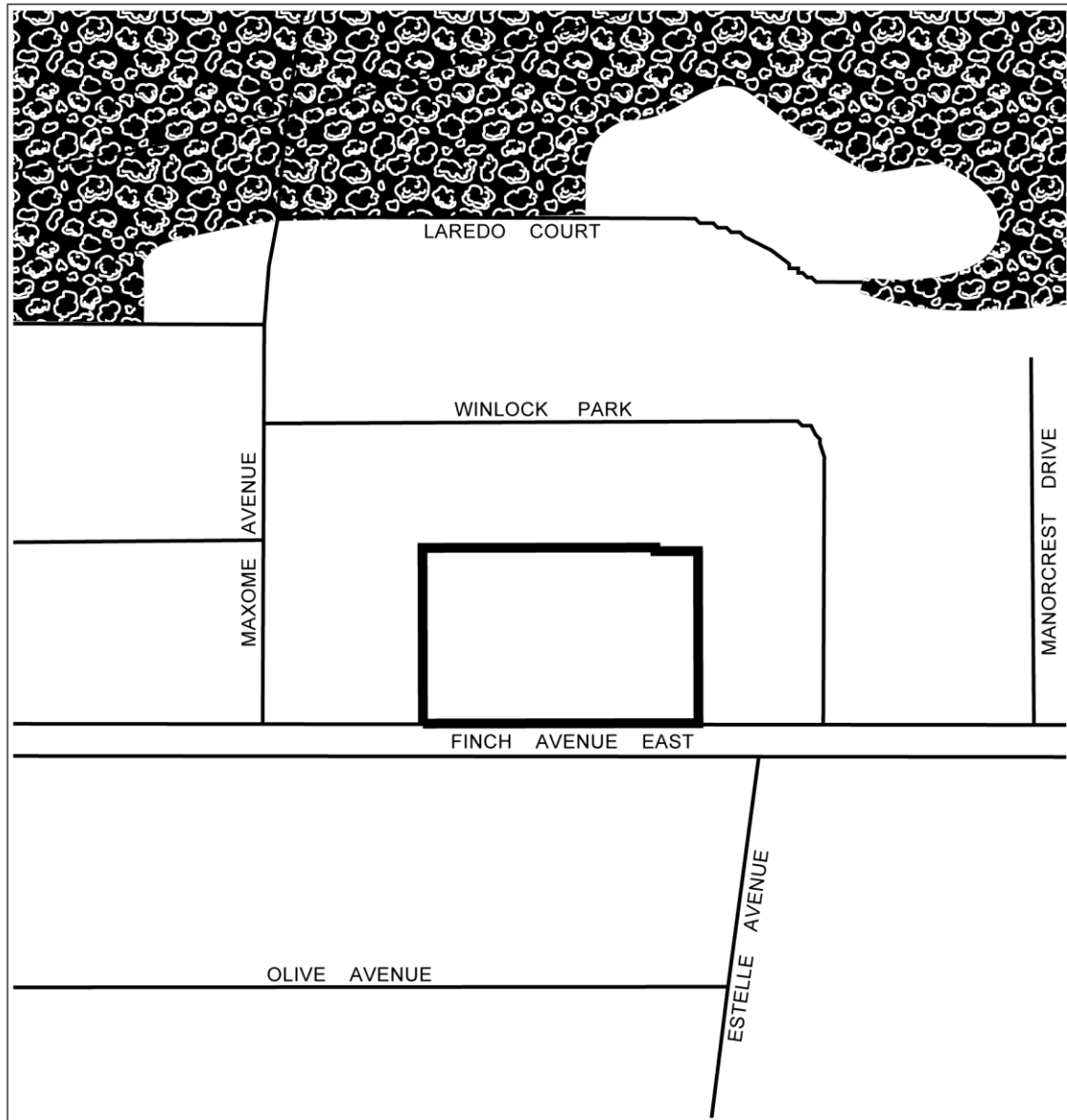
RM2 Multiple-Family Dwellings Second Density Zone  
O1 Open Space Zone  
O3 Semi-Public Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale  
Zoning By-law 7625  
Extracted 10/15/2012

## Attachment 6: Official Plan



**Toronto** City Planning  
Official Plan

238-258 Finch Avenue East

File # 12 243614 NNY 24 0Z



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10/15/2012

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 243614 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	September 10, 2012
Municipal Address:	238, 240, 242, 244, 250, 252, 254, 256 & 258 FINCH AVE E		

Location Description:

**Project Description:** The applicant has submitted an official plan amendment, zoning by-law amendment, plan of subdivision and site plan application for a 58 unit townhouse development consisting of 8 blocks. Six of the blocks would front on to a new proposed public road having two access points from Finch Avenue East. The remaining two blocks would front on to Finch Avenue East. The townhouses would be approximately 10 metres and 4-storeys in height. Proposed are a total of 58 residential parking spaces (1 per residential unit) with visitor parking on the proposed new street.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
NORTH 88 DEV INC			ABDAN CORPORATION

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R3/RM2(32) to RM	Historical Status:
Height Limit (m):	0, 0, 0	Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	11993	Height:	Storeys:	4	
Frontage (m):	137.81		Metres:	10	
Depth (m):	87				
Total Ground Floor Area (sq. m):	5101				<b>Total</b>
Total Residential GFA (sq. m):	12502		Parking Spaces:	58	
Total Non-Residential GFA (sq. m):	0		Loading Docks	0	
Total GFA (sq. m):	12502				
Lot Coverage Ratio (%):	42.29				
Floor Space Index:	1.042				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	12502	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	58	Institutional/Other GFA (sq. m):	0	0
Total Units:	58			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Jason Brander, Planner
	<b>TELEPHONE:</b>	416-395-7124

**Attachment 8: Draft Official Plan Amendment**

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2013

Enacted by Council: ~, 2013

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2013**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2012, as  
238, 240, 242, 244, 250, 252, 254, 256, and 258 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. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2013.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

**AMENDMENT NO. 233 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2012 AS  
238, 240, 242, 244, 250, 252, 254, 256, and 258 Finch Ave East**

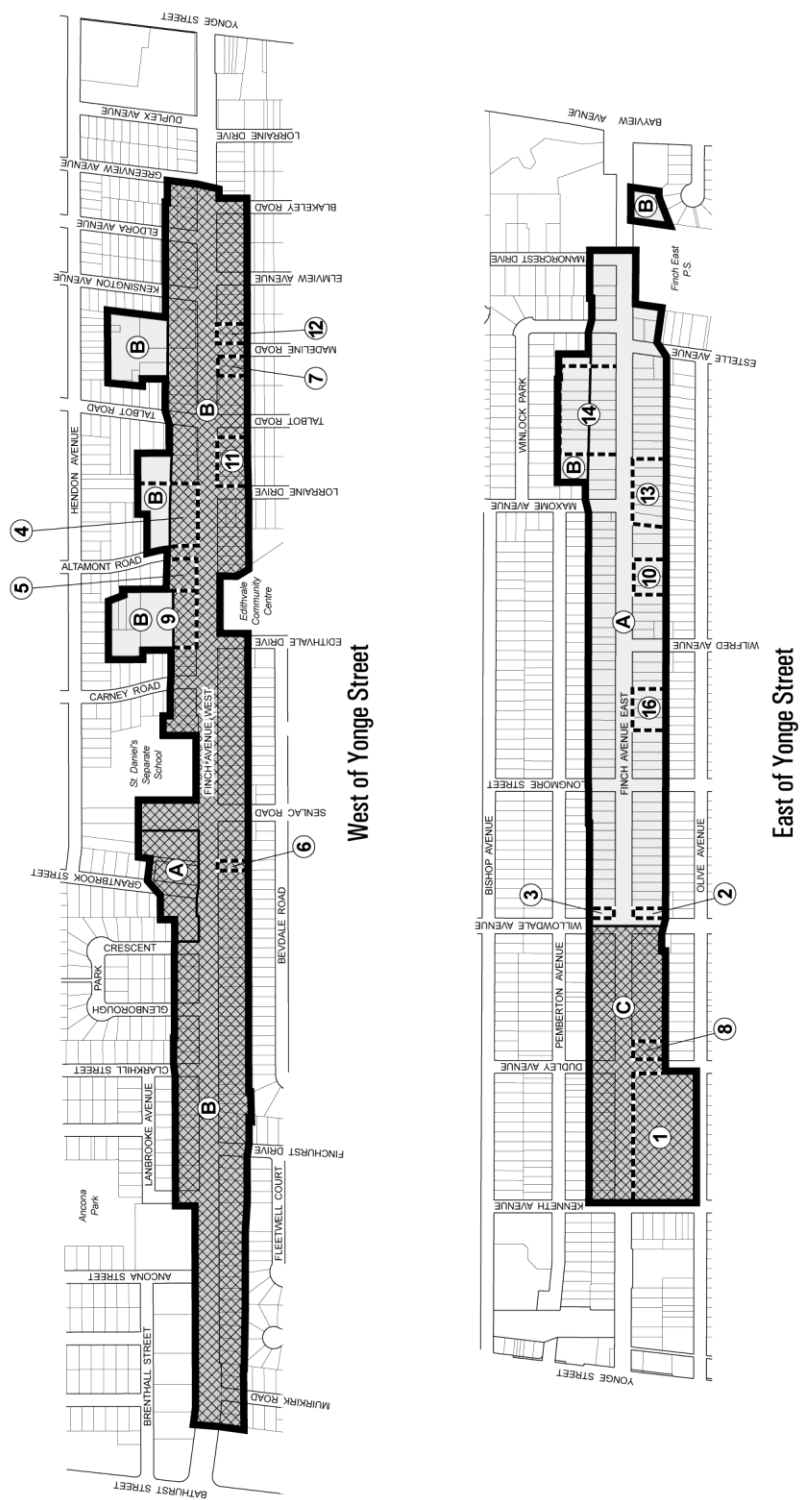
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The Official Plan of the City of Toronto is amended as follows:

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:

“3.6.14 On lands, known municipally as 238, 240, 242, 244, 250, 252, 254, 256, and 258 Finch Ave East, despite the Neighbourhood 'B' designation respecting the the lands (shown as \_\_\_ on Map 22-1), and despite the angular plane requirements set out in Section 3.1 of the Central Finch Area Secondary Plan and the height restrictions set out in Sections 3.4, and 3.5 of the Secondary Plan, By-laws may be passed respecting such lands permitting:

  - a) The maximum building height shall be 4 storeys and/or 10 metres, whichever is the lesser.
  - b) An angular plane may exceed 70 percent of the horizontal distance separating that part of the building from the nearest residential property line, while maintaining the required 9.5 metre setback that coincides with the boundaries of the Secondary Plan area. The angular plane will not exceed 45 degrees and shall be measured from the property line that coincides with the *Neighbourhood 'B'* boundary of the Secondary Plan area.
  - c) Notwithstanding (b) above, in Block 3, a minimum setback of 7.5 m shall be permitted from a multiple attached dwelling to the easterly 21.3 m portion of the northerly property line, which coincides with the *Neighbourhood 'B'* boundary of the Secondary Plan area. In Block 4, a minimum setback of 6.5 m shall be permitted from a multiple attached dwelling to the easterly property line, which coincides with the *Neighbourhood 'B'* boundary of the Secondary Plan area.
2. Map 22-1, Central Finch Area Secondary Plan, Land Use Areas, is amended to show the lands known municipally in 2012 as 238, 240, 242, 244, 250, 252, 254, 256, and 258 Finch Ave East as Site and Area Specific Policy Area Number 14, as shown on the attached Schedule A.



**Toronto** City Planning  
**Official Plan Amendment #233 — Schedule A**  
**238-258 Finch Avenue East**  
File # 12 243614 NNY 24 0Z

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  
October 2013

## **Attachment 8: Draft Zoning By-law Amendment**

### **CITY OF TORONTO**

#### **BY-LAW No. xxx-2013**

**To amend the former City of North York Zoning By-law No. 7625, as amended with respect to lands municipally known as 238, 240, 242, 244, 250, 252, 254, 256, and 258 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 7625, as amended, are hereby amended in accordance with Schedule “1” attached hereto.
2. Section 64.16 of By-law 7625 of the former City of North York is amended by adding the following subsection:

#### **64.16 (96) RM1(96)**

#### **DEFINITIONS**

##### **NET SITE**

- a. 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 1.1389 ha.

#### **PERMITTED USES**

- b. The only permitted uses shall be multiple attached dwellings, configured in Blocks as identified on Schedule RM1 (96).

#### **EXCEPTION REGULATIONS**

- c. A maximum of 58 dwelling units shall be permitted, configured in Blocks, as identified and located on Schedule RM1 (96).



- d. Upon creation of individual freehold lots within the Blocks as identified on Schedule RM1 (96), the following minimum lot area(s) shall apply:
  - (i) Blocks 1 and 4 – minimum lot area of 120 m<sup>2</sup> per dwelling unit
  - (ii) Blocks 2 and 3 – minimum lot area of 135 m<sup>2</sup> per dwelling unit
  - (iii) Blocks 5 and 6 – minimum lot area of 105 m<sup>2</sup> per dwelling unit
  - (iv) Blocks 7 and 8 – minimum lot area of 85 m<sup>2</sup> per dwelling unit
- e. A maximum gross floor area of 12,502 m<sup>2</sup> will be permitted on the net site.
- f. The maximum building height will be 4 storeys and/or 10 metres, whichever is the lesser
- g. The height of any part of a building will not exceed a 45 degree angular plane and shall be measured from the NEIGHBOURHOOD 'B' line, as shown on Schedule RM1(96).
- h. Notwithstanding subsection (g) above, those parts of multiple attached dwellings shaded on Blocks 3 and 4, as shown on Schedule RM1 (96) may exceed a 45 degree angular plane.
- i. The finished floor elevation of the front door sill for a multiple attached dwelling shall not be greater than 1.5 metres above established grade.
- j. No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the maximum potential building envelope identified on Schedule RM1 (96).
- k. The minimum yard setbacks for buildings and structures above established grade shall be as shown on Schedule RM1 (96).
- l. As shown on Schedule RM1 (96), the internal public roadway shall have a minimum right of way width of 16.5 metres and the internal public lane shall have a minimum right of way width of 6 metres.
- m. The minimum number of parking spaces per unit will be 1.
- n. The minimum amount of landscaped open space will be 27% of the net site.

## **EXCLUSIONS**

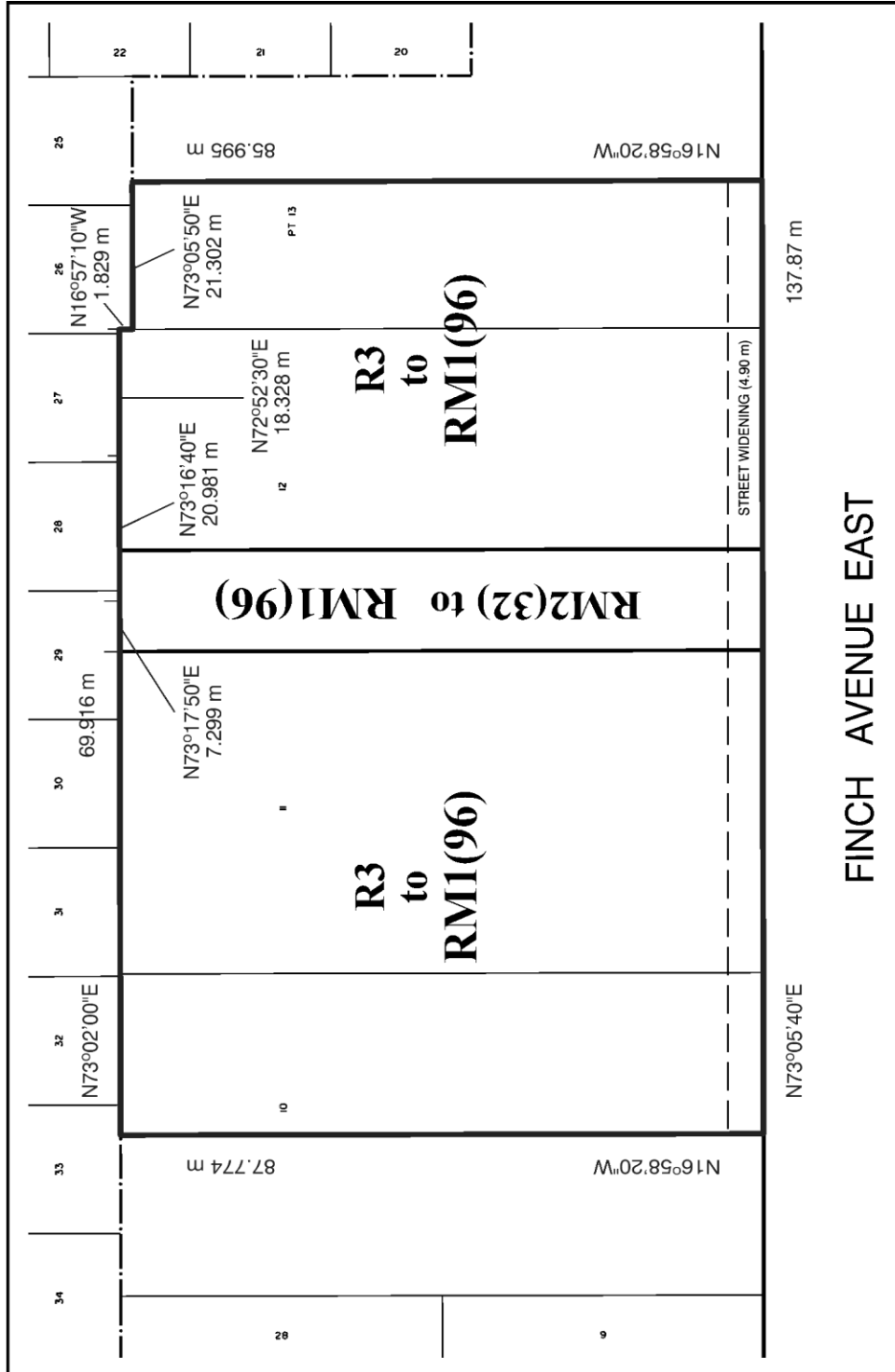
- o. Section 15 - General Provisions for Multiple-Family Dwelling Zones (RM) and Section 16 – Multiple-Family Dwellings First Density Zone (RM1) shall not apply.
17. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule RM1 (96) attached to this By-law.

18. Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.
19. 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.
20. 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. 20~.

ROB FORD,  
Mayor  
(Corporate Seal)

ULLI S. WATKISS,  
City Clerk

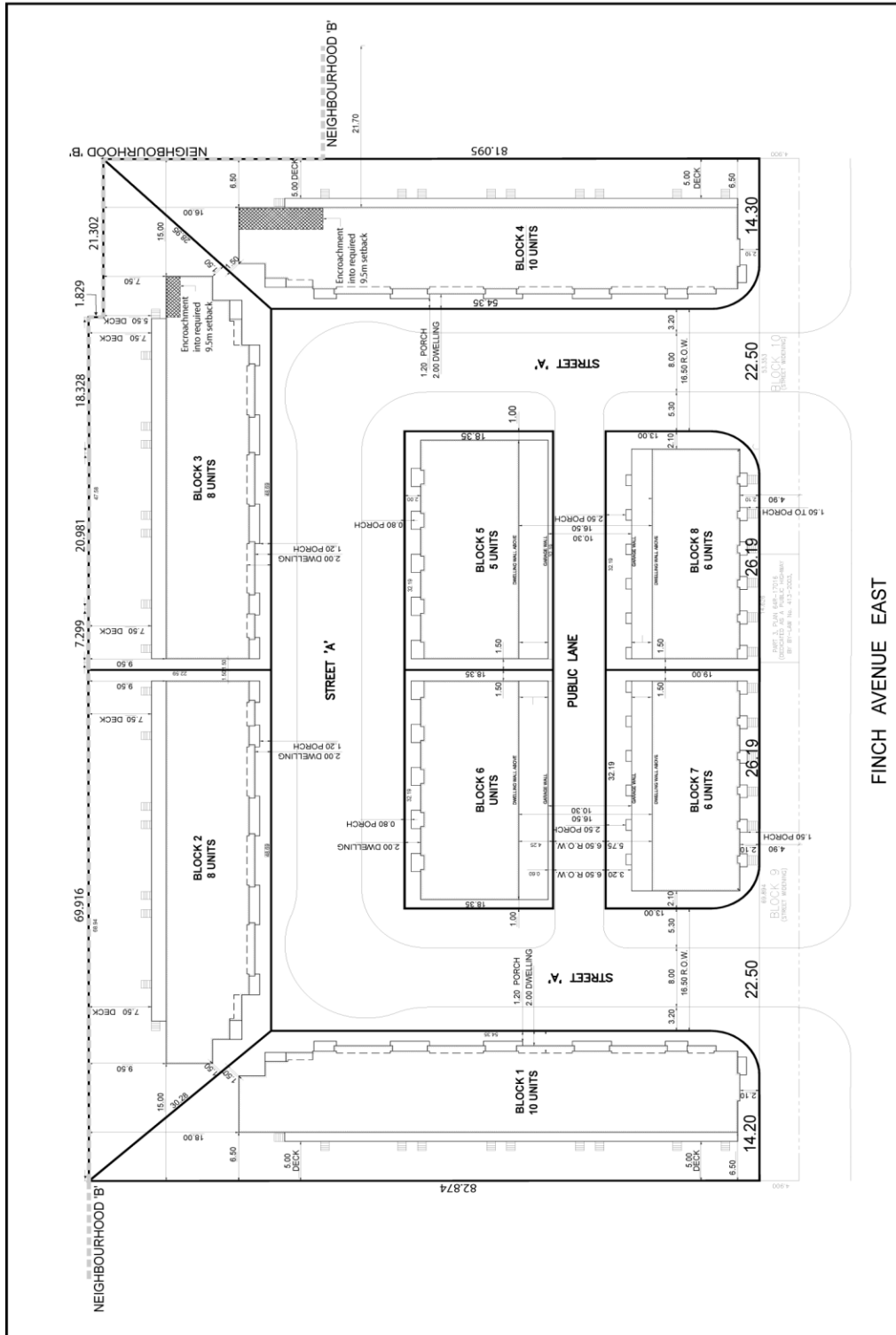


Schedule 1

All of Lot 11 & Part of Lots 10, 12 & 13. R.P. 2277  
 Schaeffer Dzalov Bennett Ltd.  
 Date: 10/28/2013  
 Approved by: J.B.

File # 12 243614 NNY 24 02





## **Attachment 9: Conditions of Draft Plan of Subdivision**

### Standard Conditions

1. The owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein (required in most cases to secure the construction of the provision of municipal services, parkland, planning issues related to warning clauses etc.).
2. The owner shall provide to the Director of Community Planning, North York District, confirmation that the taxes have been paid in full (statement of account or Tax Clearance Certificate).
3. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
4. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Management Committee.

### Development Engineering:

5. The owner agrees to enter into the City's standard subdivision agreement and satisfy all pre-registration conditions.
6. The owner agrees to pay to the City (\$40.00) per lot/block towards the cost of geodetic and aerial survey.
7. The owner agrees to dedicate all roads, road allowance widenings and corner roundings shown on the plan.
8. The owner agrees to convey to the City all 0.3 metre (one foot) reserves shown on the plan.
9. The owner agrees to convey all necessary easements to the City.
10. The owner agrees to prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Engineering and Construction Services Division in consultation with the City Solicitor.
11. The owner agrees to 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 to the 1983 North American Datum (Canadian Spatial Reference System) and the 3 degree Modified Transverse Mercator Projection);
  - 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. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
- 12. The owner agrees to pay all costs for preparation and registration of reference plan(s).
- 13. The Owner agrees to retain the services of a Qualified Person to conduct an environmental site assessment for the lands to be conveyed to the City, in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and the submission of a Record of Site Condition (RSC).
- 14. The owner agrees to pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
- 15. The owner agrees to submit financial security in accordance with the terms of the standard subdivision agreement and the prevailing City of Toronto policy.
- 16. The owner agrees to apply stormwater management techniques in the development of this subdivision to the satisfaction of Engineering and Construction Services.
- 17. The owner agrees to amend and/or provide the Site Plan Drawings and/or Studies and/or Reports to address the following comments and resubmit for the review and acceptance by the Executive Director of Engineering and Construction Services:
  - a. Revise the public street radii to 9.0m at both new intersections between the proposed new public street and Finch Avenue East;
  - b. Revise the public laneway radii to 5.0m at both new intersections between the proposed new public street and the public laneway;
  - c. Delineate and identify on all drawings a 6.0 metre corner rounding at the proposed new corners of the public road intersections at Finch Avenue East;

## Urban Forestry

18. The owner agrees to submit a detailed Arborist Report identifying existing City owned trees of all sizes and/or privately owned trees having diameters of 30 cm or greater located within 6.0 m of the subject site.
19. The owner agrees to submit a revised Site Plan which indicates the corresponding trees by the respective tree numbers identified in the Arborist Report for all existing City owned trees, existing privately owned trees having diameters of 30 cm or greater located within 6.0 m of the subject site and/or any new trees proposed for planting.
20. The owner agrees to submit a Tree Protection Plan that shows protection measures for existing City owned trees of all sizes and/or privately owned trees having diameters of 30 cm or greater located within 6.0 m of the subject property, in accordance with the City of Toronto's "Tree Protection Policy and Specifications for Construction Near Trees".
21. The owner agrees to submit a revised Landscape Plan that shows the planting of large growing shade trees on the site and on the City road allowance and/or on private property as part of this application. A detailed landscape plan must be provided which indicates the exact locations of all existing City owned trees and any trees proposed for planting including details with respect to proposed tree species, caliper and quantity.

## Canada Post

22. The owner/developer agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
23. The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any unit sale.
24. The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on the appropriate servicing plans.
25. The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - (a) An appropriately sized sidewalk section (concrete pad) to place the Community Mailboxes on.
  - (b) Any required walkway across the boulevard.
  - (c) Any required curb depressions for wheelchair access.

26. The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks, and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new homes once they are occupied.

Toronto District School Board

27. The applicant/developer enter into an agreement to erect and maintain signs, at the point 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 for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call (416) 394-7526."

28. That the applicant/developer agree 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."