1911 Finch Avenue West – Zoning By-law Amendment Application – Final Report

Date: December 9, 2013
To: North York Community Council
From: Director, Community Planning, North York District
Wards: Ward 8 – York West
Reference Number: 13 108813 NNY 08 OZ

SUMMARY

This application proposes to amend the former City of North York Zoning By-law No. 7625 for the lands at 1911 Finch Avenue West to permit the 2,154m² expansion of the grocery store at the south-west corner of the existing Jane-Finch shopping mall. There are 991 proposed vehicle parking spaces and a total of 104 bicycle parking spaces.

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 determine that the development of the lands at 1911 Finch Avenue West is consistent with the existing pattern of development for this segment of Finch Avenue West and Jane Street, that overall infrastructure is available and that development can proceed prior to the completion of an Avenue study.
2. City Council amend Zoning By-law No. 7625, for the lands at 1911 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report dated December 9, 2013.

3. 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.

DECISION HISTORY
A Preliminary Report for this application was considered by North York Community Council at its meeting of June 18, 2013. This report can be found at: http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-58811.pdf

ISSUE BACKGROUND

Proposal
The application proposes to demolish the existing 2,211m² grocery store and replace it with a larger 4,040m² store. The expansion beyond the original footprint will be on the west and south sides. The increase in GFA for the grocery store is 2,154m², of which 209m² is a mechanical mezzanine, resulting in an overall increase in useable GFA of 1,945m². Also proposed is the closure of the southern-most driveway on Jane Street, which will be replaced with landscaping. The proposed number of parking spaces will be reduced from 1,017 to 991. The proposed number of bicycle parking spaces is 104.

Refer to Attachment No. 4 for project data.

Site and Surrounding Area
The site is located on the southeast corner of Jane Street and Finch Avenue West, bounded by Driftwood Avenue to the east and Yewtree Boulevard to the south. The site has an area of 6.85 hectares, with an existing GFA of 25,242 m² and a lot coverage of 37%.

The site is located in close proximity to the future Finch West LRT line.

North: Directly to the north across Finch Avenue West are three rental apartment buildings, to the northeast are single detached dwellings.

East: Driftwood Avenue and beyond are an apartment building, townhouses and single and semi-detached dwellings.

South: Yewtree Boulevard and beyond are apartment buildings, single detached dwellings and a townhouse complex. Further to the south is a commercial plaza.
West: On the southwest corner of Jane Street and Finch Avenue West is an apartment building, gas station and commercial plaza and semi-detached dwellings to the rear. On the northwest corner there is also a gas station and commercial plaza.

**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.

**Official Plan**

The Official Plan designates the subject site as *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings. The objective of this designation is to allow residents to live, work and shop in the same area and to reduce dependency on private automobiles. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment.

This portion of both Finch Avenue West and Jane Street are *Avenues* as set out on Map 2. *Avenues* are where reurbanization is expected and encouraged to occur to generate new housing and job opportunities while improving the look of the street, shopping opportunities, transit and the pedestrian environment. *Avenue* Studies will be conducted to set out a framework for future development. If a development application located on an *Avenue* that has not undergone an *Avenue* Study, the applicant is generally required to submit a segment study to illustrate the proposed development would not set a negative precedent along the *Avenue*. Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council’s satisfaction that the subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review.

The Official Plan contains policies which are intended to be applied in conjunction with the land use policies to determine conformity of any given proposal to the Plan. These policies include, among other matters built form and public realm.

**Zoning**

The majority of the site is zoned Local Shopping Centre (C2) under former City of North York Zoning By-law No. 7625, as shown on Attachment 3. The zone permits shopping centres and a range of commercial and retail uses. The southern portion of the site, along Yewtree Boulevard is zoned Multiple-Family Dwelling (RM2) under former City of
North York Zoning By-law No. 7625. The RM2 zone permits duplex dwellings, semi-detached dwellings, single family dwellings and any uses permitted in the R4 zone, which include home occupation uses, recreational uses and institutional uses. The proposal does not require amendments to any of the performance standards of the C2 zone.

**Site Plan Control**
A Site Plan Control Application has been submitted and is being reviewed concurrently with the subject application, file no. 13 108799 NNY 09 SA.

**Reasons for Application**
A portion of the proposed expansion is located in the area zoned RM2. The Multiple-Family Dwelling (RM2) Zone along the southern boundary of the site does not permit shopping centres and a range of commercial and retail uses. The entirety of the site has been occupied by the current commercial use and the application seeks to bring the entire site into conformity with the Zoning By-law.

**Community Consultation**
A community consultation meeting was held on September 26, 2013 at Topcliff Public School. The meeting was attended by the Ward Councillor, City Planning staff, the property owner, the applicant and 4 members of the public.

No issues were raised at the meeting.

**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 proposal is consistent with the Provincial Policy Statement (PPS) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas which provide a healthy, liveable and safe community.

**Avenue Segment Study**
The proposed development increases the overall coverage of the site by 2.9% and the gross floor area by 1,950 m² and is located in the same general area as the existing retail use. Planning staff are of the opinion the proposed development would not significantly impact the future development pattern for these segments of the Avenues. This report recommends that the proposed development can proceed prior to the completion of an Avenue study.
Land Use
The Mixed Use Areas policies speak to creating a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community. They will provide for new jobs and homes and take advantage of nearby transit services. The existing use serves a large community and the proposed expansion is in keeping with the intent of the Mixed Use Areas policies.

Density, Height, Massing
The proposed expansion does not require any amendments to the provisions of the By-law concerning height or density. The expansion is generally in keeping with the existing height of the building. The density is slightly increased over the existing density. The massing of the proposed expansion remains very similar. The building is closer to both Jane Street and Yewtree Boulevard, but do not require any amendments to the By-law for setbacks.

Traffic Impact, Access, Parking
There are currently 5 access points to the mall; two on Jane Street, 1 on Finch Avenue West, 1 on Driftwood Avenue and 1 on Yewtree Boulevard. The existing, most southern, driveway on Jane Street will be closed and access will continue from the remaining 4 entrances. The applicant is proposing 991 vehicle parking spaces and 36 occupant and 68 visitor bicycle parking spaces. Transportation Services staff have no major concerns with the traffic impact resulting from the proposed development. Transportation Services supports closing the driveway. There are concerns with the proposed loading at the rear, specifically the distance a truck would have to reverse to the loading space. This will be addressed as part of the Site Plan Control application.

Servicing
There is currently an easement in favour of the City with respect to a sewer running under the site. There are legal obligations surrounding access to the sewer that will be addressed as a condition of Site Plan approval. Additionally, a corner rounding is required at the intersection of Yewtree Boulevard and Driftwood Avenue, which will be secured through the Site Plan process.

Open Space/Parkland
The Official Plan contains policies to ensure that Toronto’s system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.78 – 1.55 hectares of parkland per 1,000 people. The site is in the middle quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The new gross floor area will be subject to a 2% parkland dedication requirement to fulfill Section 42 of the Planning Act R.S.O. 1990 c.P.13.
Parks, Forestry and Recreation Division (PFR) staff has requested the parkland dedication be satisfied by cash in-lieu. PFR has advised that this is appropriate as the parkland dedication associated with the building addition will be too small to create a park. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit by the Facilities and Real Estate Division. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

**Streetscape**

The proposed development supports the public realm objectives of the Official Plan to achieve an aesthetically pleasing streetscape by locating the development so it is directly accessible from the public sidewalk. The proposed building incorporates architectural elements such as glazing and mix of materials. The closure of the existing south driveway allows for a large landscaped area that connects the existing bus stop and the proposed expansion. Additionally, the applicant proposes increased landscaping at the rear of the building on Yewtree Boulevard and the loading area is to be screened from the public sidewalk. There will also be outdoor bicycle racks in front of the proposed expansion.

**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.

Other applicable TGS performance measures will be secured through the Site Plan Approval process. Such measures include a cool roof, design features to minimize the risk for migratory birds and meeting the Urban Heat Island Reduction standards.
Items to be addressed through Site Plan Control

The items to be addressed through Site Plan Control include the following:

- Landscaping and street trees;
- Quality of building material;
- Lighting, seating and pedestrian protection;
- Sidewalk widths and pedestrian connections; and
- Loading configuration and screening.

CONTACT
Emily Rossini, Planner
Tel. No. 416-395-7172
Fax No. 416-395-7155
E-mail: erossin@toronto.ca

SIGNATURE

_______________________________
Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Elevations
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 5: Draft Zoning By-law Amendment
Attachment 1: Site Plan
Attachment 2a: West and East Elevations
Attachment 2b: North and South Elevations
**Application Type:** Rezoning  
**Application Number:** 13 108813 NNY 08 OZ  
**Application Date:** January 21, 2013

**Municipal Address:** 1911 FINCH AVE W  
**Location Description:** **GRID N0805**  
**Project Description:** Renovation of an existing shopping centre and a building addition onto the southwest section of existing parking lot to permit a new supermarket, resulting in an overall increase in gross floor area of 1,950 m².

**Applicant:** Kohn Partnership Architects Inc  
**Agent:** N.A.  
**Architect:** Same as Applicant  
**Owner:** Brand Jay Investments Limited

**PLANNING CONTROLS**

- **Official Plan Designation:** Mixed Use Areas  
- **Zoning:** C2 and RM2  
- **Height Limit (m):** N/A  
- **Site Plan Control Area:** Y

**PROJECT INFORMATION**

- **Site Area (sq. m):** 68549  
- **Height:** Storeys: 2  
- **Metres:** 7.4m  
- **Frontage (m):** 329.13  
- **Depth (m):** Irregular  
- **Total Ground Floor Area (sq. m):** 27436  
- **Total Residential GFA (sq. m):** 0  
- **Total Non-Residential GFA (sq. m):** 27436  
- **Total GFA (sq. m):** 27436  
- **Lot Coverage Ratio (%):** 40.02  
- **Floor Space Index:** 0.4

**DWELLING UNITS N/A**

<table>
<thead>
<tr>
<th>Tenure Type</th>
<th>Above Grade</th>
<th>Below Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooms:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bachelor:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1 Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2 Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3 + Bedroom:</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Units:</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**FLOOR AREA BREAKDOWN (upon project completion)**

<table>
<thead>
<tr>
<th></th>
<th>Above Grade</th>
<th>Below Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Retail GFA (sq. m):</td>
<td>27436</td>
<td>0</td>
</tr>
<tr>
<td>Office GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Industrial GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Institutional/Other GFA (sq. m):</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**CONTACT:** Emily Rossini, Planner  
**TELEPHONE:** 416-395-7172 erossin@toronto.ca

Staff report for action – Final Report – 1911 Finch Avenue West
Attachment 5: Draft Zoning By-law Amendment

ATTACHMENT “1”
CITY OF TORONTO

BY-LAW No. XXX–2014

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 1911 Finch Avenue West

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

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

1. Schedule “C” Map 37a is hereby amended in accordance with Schedule “1” attached to this by-law by deleting the existing Semi-Detached and Duplex (RM2) Zone and replacing it with the Local Shopping Commercial Exception (C2(xxx)) Zone.

2. Section 64.24 of Bylaw 7625 of the former City of North York is amended by adding subsection 64.24(xxx), with the provisions herein;

64.24(xx) C2(15)

EXCEPTION REGULATIONS

Provisions not applicable:

(A) The provisions of Section 24.2.1 of By-law 7625 do not apply.

(B) The provisions of Section 1(a) of By-law 18828 do not apply.
EXPLANATORY NOTE TO BYLAW NO. xxx-2014

Bylaw No. xxx-2014 affects the lands known as Parcel 22-1, Section M945 Firstly: Lots 22 to 33, Plan M945 (Municipal Address: 1911 Finch Avenue West). The subject lands are located on the southeast corner of Finch Avenue West and Jane Street.

Zoning Bylaw No. 7625, as amended, currently zones the subject lands Local Shopping Commercial (C2) Zone and Semi-Detached and Duplex (RM2) Zone. The proposed amendment would place the site entirely within the Local Shopping Commercial Exception C2 (15) Zone.

The purpose of Bylaw No. xxx-2014 is to unify the site under one zone (Local Shopping Commercial (C2) Zone) to permit the expansion of the existing mall to include a new supermarket use, and to provide relief from Section 24.2.1, which has the effect of limiting coverage more stringently than Section 24.2.2.1 (Lot Coverage) and which the existing and proposed buildings cannot comply with. The rear yard setback provision of By-law 18828 is also removed, as the block referenced in the provision has been merged on title with another block.