

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

Date:	March 20, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	11 291307 NNY 23 OZ

SUMMARY

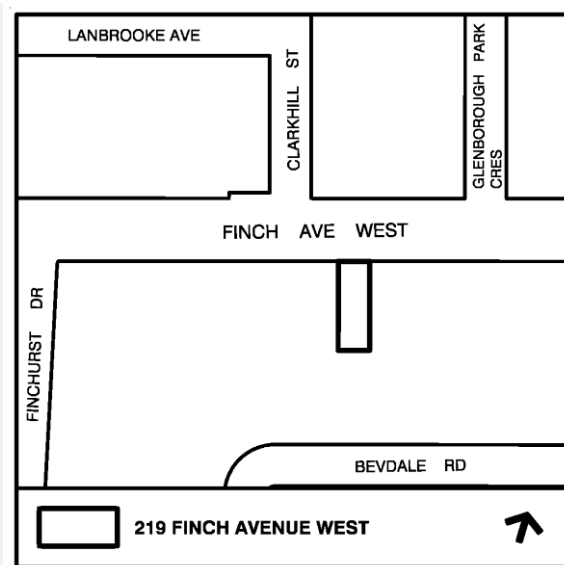
This application proposes to amend former City of North York Zoning By-law No. 7625 to convert an existing single detached residential dwelling at 219 Finch Avenue West into a professional office for use as a law office.

This report reviews and recommends approval of the draft by-law attached to this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625, for the lands at 219 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to report dated March 20, 2014.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.



3. Before introducing the necessary Bills to the City Council for enactment, the applicant will be required to obtain Notice of Approval Conditions under Section 41(16) of the *Planning Act*, to the satisfaction of the Director of Community Planning, North York District.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

Proposal

This application proposes to amend former City of North York Zoning By-law No. 7625 to convert the existing single detached dwelling into a professional office for use as a law office. The basement, first and second floor would be used as office space with a total Floor Space Index (FSI) of 0.75 times the lot area. Ten at-grade parking spaces are proposed at the rear of the property. Access to parking would be provided along the east side of the property from Finch Avenue West.

Site and Surrounding Area

The site is located on the south side of Finch Avenue West, east of Bathurst Street. The subject property has a frontage of 15.2 metres (50 feet) and a lot area of 660.6 m² (7,111 square feet). A two-storey detached residential dwelling is located on the subject lands. This portion of Finch Avenue West is transitioning from lots containing single detached dwellings to lots containing commercial uses or being redeveloped for townhouses.

Surrounding uses are as follows:

North: directly across the subject property on Finch Avenue West, are detached residential dwellings and a four storey mixed-use building that contains commercial/professional uses on the first two floors and residential units on the top two floors;

South: detached residential dwellings;

East: detached residential dwellings and a real estate office;

West: 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 site is designated *Mixed Use Areas* in the Official Plan and *Mixed Use Area "B"* in the Central Finch Area 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 less than 30 metres of frontage on Finch Avenue, the maximum permitted density is 1.0 times the lot area. The maximum permitted height of a solely commercial project is 2 storeys or 8 metres, whichever is lesser, provided that the amount of gross floor area devoted to commercial uses, does not exceed 0.75 times the lot area.

To buffer the effects of development in the Central Finch Secondary Plan Area on adjacent residential properties, the Secondary Plan also requires fencing and a landscaped barrier suitable for the planting of trees that appropriately defines the individual site. Exterior lighting and sign illumination must be located so as to avoid any impact upon the adjacent residential neighbourhood. New development must also provide for a quality street environment by locating primary pedestrian access at grade facing the street, and create a strong attractive street edge with emphasis on good design and an abundance of landscaping and tree features.

Zoning

The property is zoned One-Family Detached Dwelling Fourth Density Zone (R4) which permits single detached dwellings and accessory uses. This application was submitted before May 2013 and is not subject to the City of Toronto Zoning By-law 569-2013.

Site Plan Control

An application for Site Plan Control Approval was submitted on September 28, 2012 and is currently being reviewed.

Reasons for Application

The proposed professional office use is not a permitted use in the R4 zone category of the Zoning By-law.

Community Consultation

A community consultation meeting was held by City Planning on February 27, 2012. No residents attended the meeting and therefore no concerns were raised.

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 PPS. The site is designated *Mixed Use Areas* within the Official Plan and is within *Mixed Use Area "B"* in the Central Finch Area Secondary Plan which permits and encourages development and redevelopment including street-oriented retail and service commercial uses.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It introduces a professional office use within a Built-Up Area, which can appropriately accommodate this change in use.

Land Use

The proposed professional office use is consistent with both the *Mixed Use Areas* designation of the Official Plan and the Central Finch Area Secondary Plan. The proposed professional office use is similar to other professional office and commercial uses that have been previously approved on this portion of the Finch Avenue corridor and will be limited to the existing building.

Density, Height, Massing

The proposed professional office in the existing building would have an FSI of 0.75 which meets the permitted FSI for commercial uses in *Mixed Use Area "B"* in the Central Finch Area Secondary Plan.

The proposed use will be located in the existing residential building. There are no exterior changes or additions to the existing two storey building. Through the application review process, impacts on adjacent buildings, or to the privacy and view of residential dwellings in the residential designation to the east, west and south have been mitigated through additional landscaping and addressing any stormwater management issues which will be secured through the Site Plan process.

Traffic Impact, Access, Parking

The proposed professional office would have vehicular access via a driveway from Finch Avenue West, providing access to 10 at grade parking spaces at the rear of the dwelling.

Road Widening and Encroachments

In the course of reviewing this proposal it has been determined that a 2.76 metre road widening dedication along Finch Avenue is required. This will be secured in the Site Plan Approval for the development.

Servicing

Development Engineering is satisfied with the storm water management, site servicing and grading. There are additional revisions required to be secured through the Site Plan process.

Streetscape

The Central Finch Area Secondary Plan speaks to built form and streetscapes and outlines that redevelopments on Finch Avenue West should contribute to the definition of the street edge, while maintaining an attractive pedestrian environment along sidewalks and open spaces. Lands in the front yard of properties along Finch Avenue should be landscaped in a manner that defines them as an actual or visual extension of the pedestrian environment associated with the street. The Site Plan in Attachment 1, shows the front yard of the proposed professional office paved with a seating area in front. Parking or paved areas are not encouraged in the front yard of the subject site. Staff in discussions with the applicant will work together to develop a landscape plan for the front of the proposed building.

Streetscape improvements along Finch Avenue West such as landscaping within the front yard of the existing property will be resolved and secured in the Site Plan process.

Site Plan

There are several matters that will be secured through the Site Plan process. Matters to be secured through Site Plan include landscaping requirements in the front yard, a 1.5m landscape strip in the rear yard of the proposed professional office, a 2.76m road widening along Finch Avenue West and stormwater management on site.

Staff recommend before introducing the necessary Bills to City Council for enactment that the applicant will be required to obtain Notice of Approval Conditions under Section 41(16) of the Planning Act to ensure all Site Plan matters are secured.

Open Space/Parkland

City Parks, Forestry and Recreation staff have indicated that the proposal does not trigger a Parkland Dedication requirement.

Toronto Green Standard

As the professional office use is proposed in an existing residential building, the Toronto Green Standard does not apply.

CONTACT

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E-mail: vcovell@toronto.ca

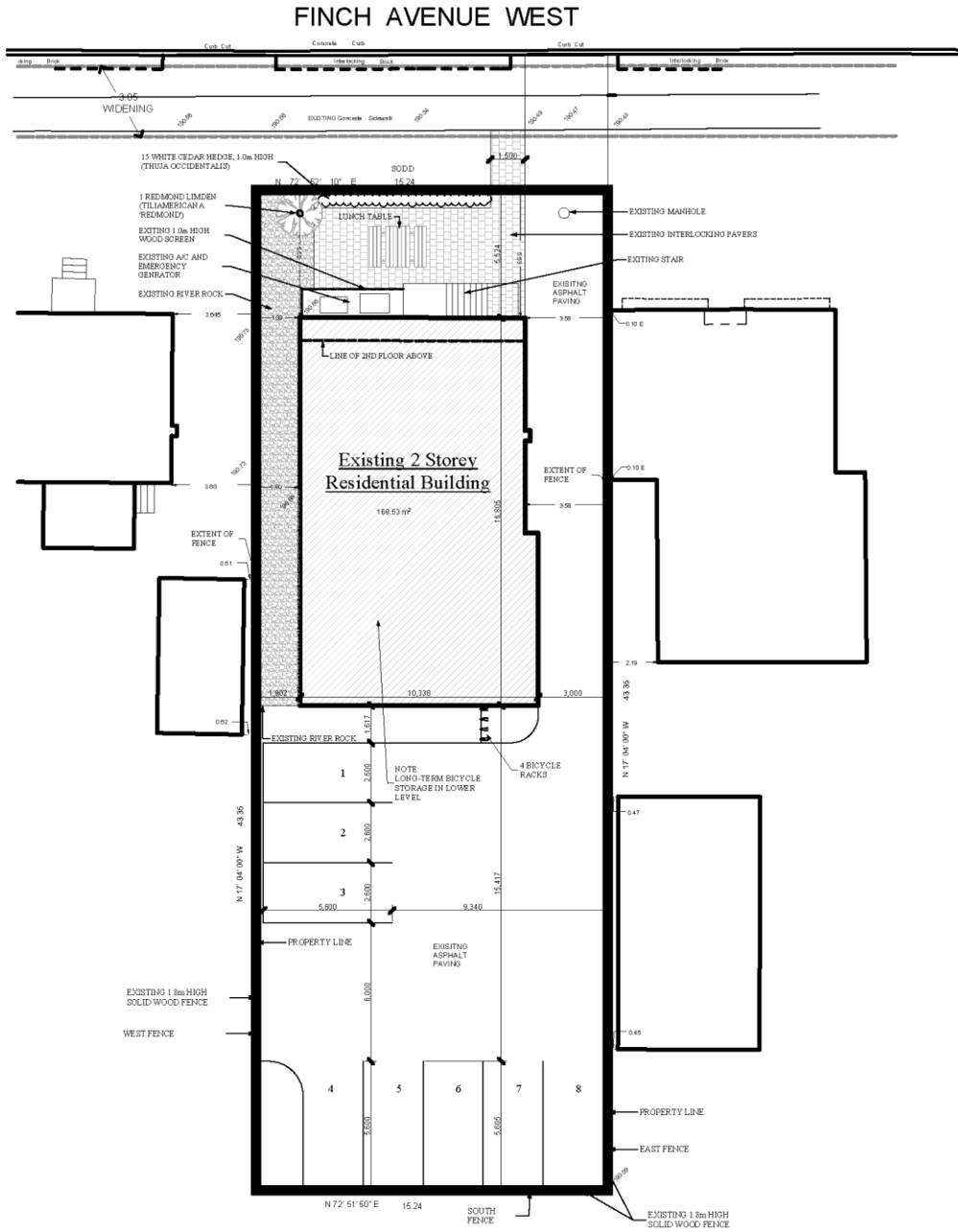
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North and South Elevations
Attachment 3: East and West Elevations
Attachment 4: Zoning
Attachment 5: Application Data Sheet
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Conditions of Draft Site Plan Approval


Attachment 1: Site Plan



Site Plan

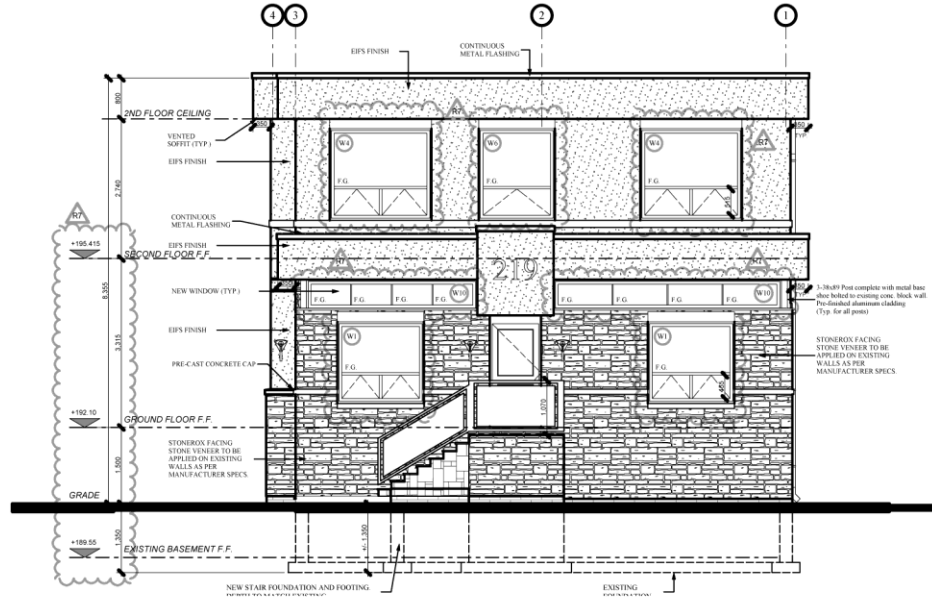
219 Finch Avenue West

Applicant's Submitted Drawing

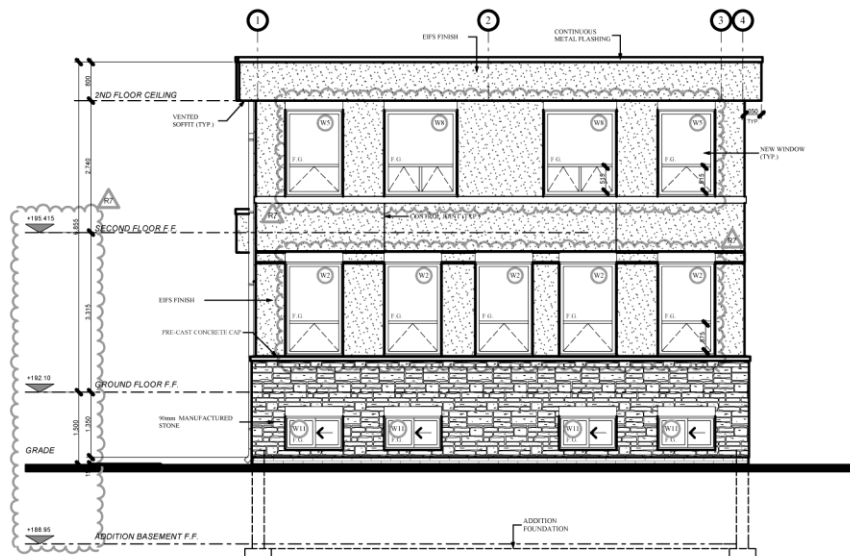
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File # 11 291307 NNY 23 0Z

Attachment 2: North and South Elevations



North Elevation



South Elevation

Elevations

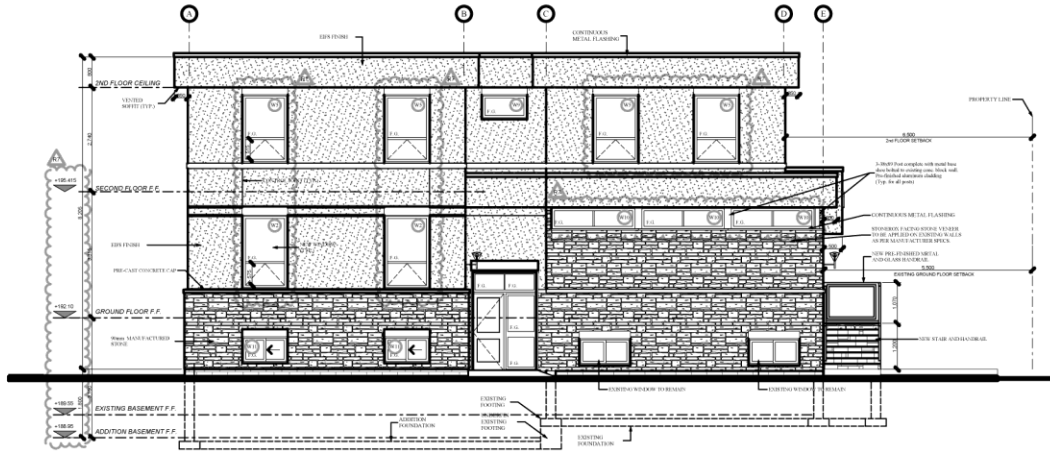
Applicant's Submitted Drawing

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12/01/2011

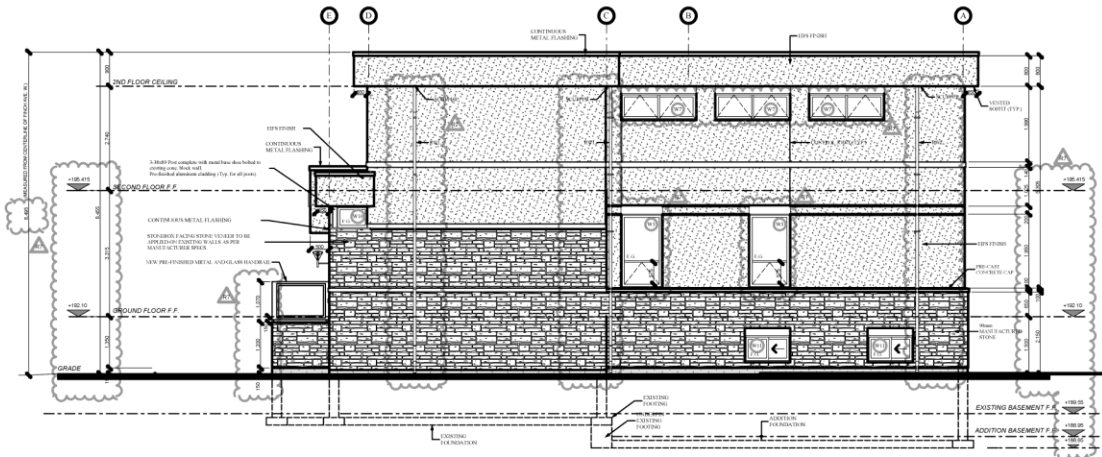
219 Finch Avenue West

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Attachment 3: East and West Elevations



East Elevation



West Elevation

Elevations

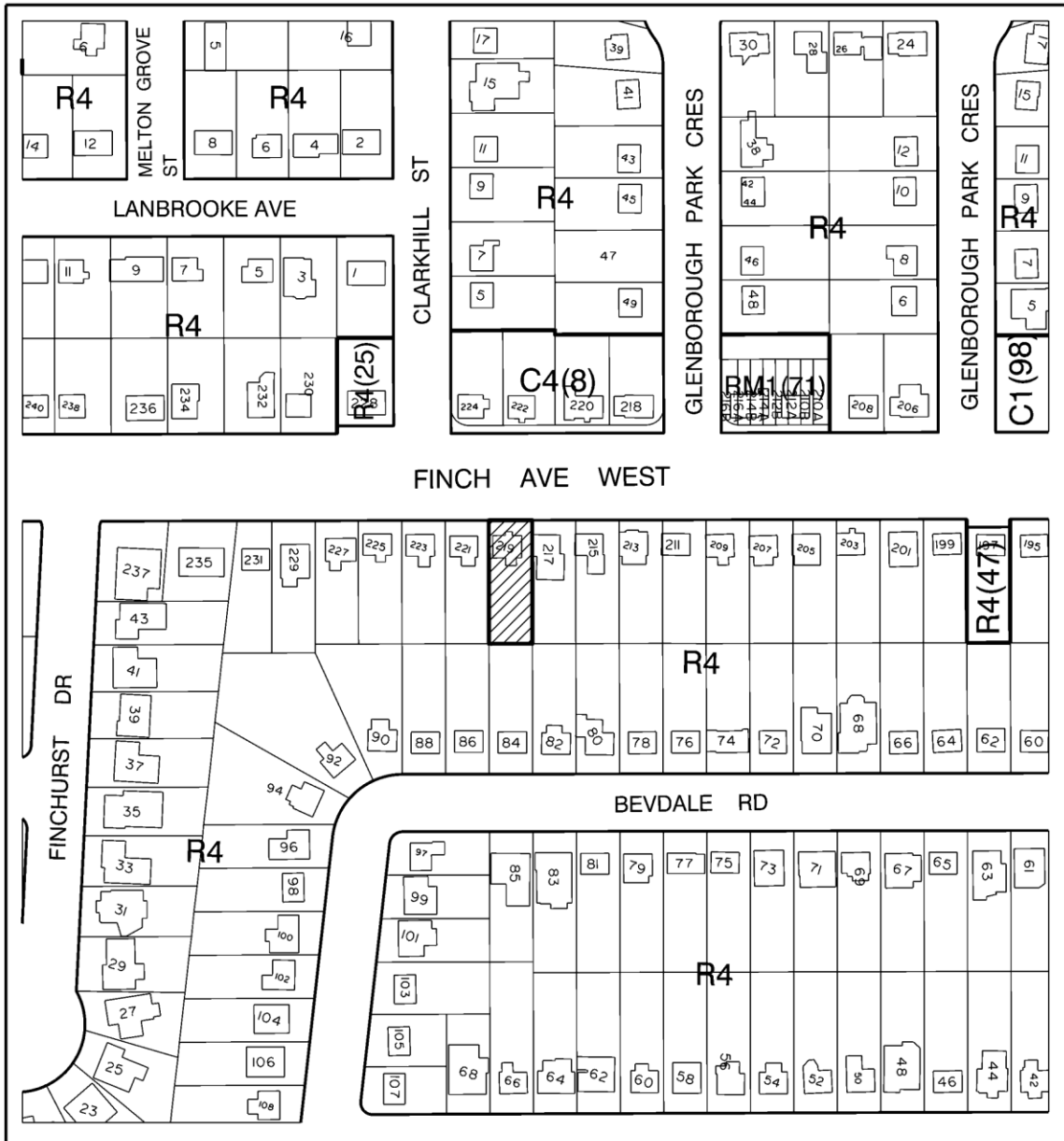
Applicant's Submitted Drawing

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12/01/2011

219 Finch Avenue West

File # 11 291307 NNY 23 02

Attachment 4: Zoning



219 Finch Avenue West
File # 11 291307 NNY 23 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- C1 General Commercial Zone
- C4 Mixed Use Commercial Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 11/29/2011

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	11 291307 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	October 12, 2011

Municipal Address: 219 FINCH AVE W
 Location Description: PLAN 3912 LOT 11 **GRID N2302
 Project Description: Convert existing single family residential dwelling into commercial use

Applicant:	Agent:	Architect:	Owner:
JONATHAN WEIZEL ARCHITECT			PANDA PROPERTIES INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):	8	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	660.7	Height:	Storeys:	2	
Frontage (m):	15.2		Metres:	8	
Depth (m):	43.4				
Total Ground Floor Area (sq. m):	168.5				Total
Total Residential GFA (sq. m):	0		Parking Spaces:	10	
Total Non-Residential GFA (sq. m):	495.55		Loading Docks	0	
Total GFA (sq. m):	495.55				
Lot Coverage Ratio (%):	25.5				
Floor Space Index:	0.75				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	327.04	168.51
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Vanessa Covello, Planner
	TELEPHONE:	416-395-7104

Attachment 6: Draft Zoning By-law 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 amend former City of North York Zoning By-law No. 7625, as amended,
With respect to the lands municipally known as,
219 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. Schedules "B" and "C" of the By-law 7625 of the former City of North York are amended in accordance with Schedule "1" of the By-law.
2. Section 64.26 of the By-law 7625 is amended by adding the following subsection:

"64.13 (14) R4 (105)

DEFINITIONS

Net Site For the purposes of this exception, Net Site means the gross site area (as defined by the survey for Part of Lot 11, R.P 3912, City of Toronto, prepared by LSG Land Survey Group, dated July 21, 2010) minus any lands conveyed to the City of Toronto for road widening purposes.

PERMITTED USES

- a) In addition to the uses permitted in the R4 zone, business and professional offices shall be permitted within the existing One-Family Detached Dwelling, existing on the date of enactment of this By-law.

EXCEPTION REGULATIONS

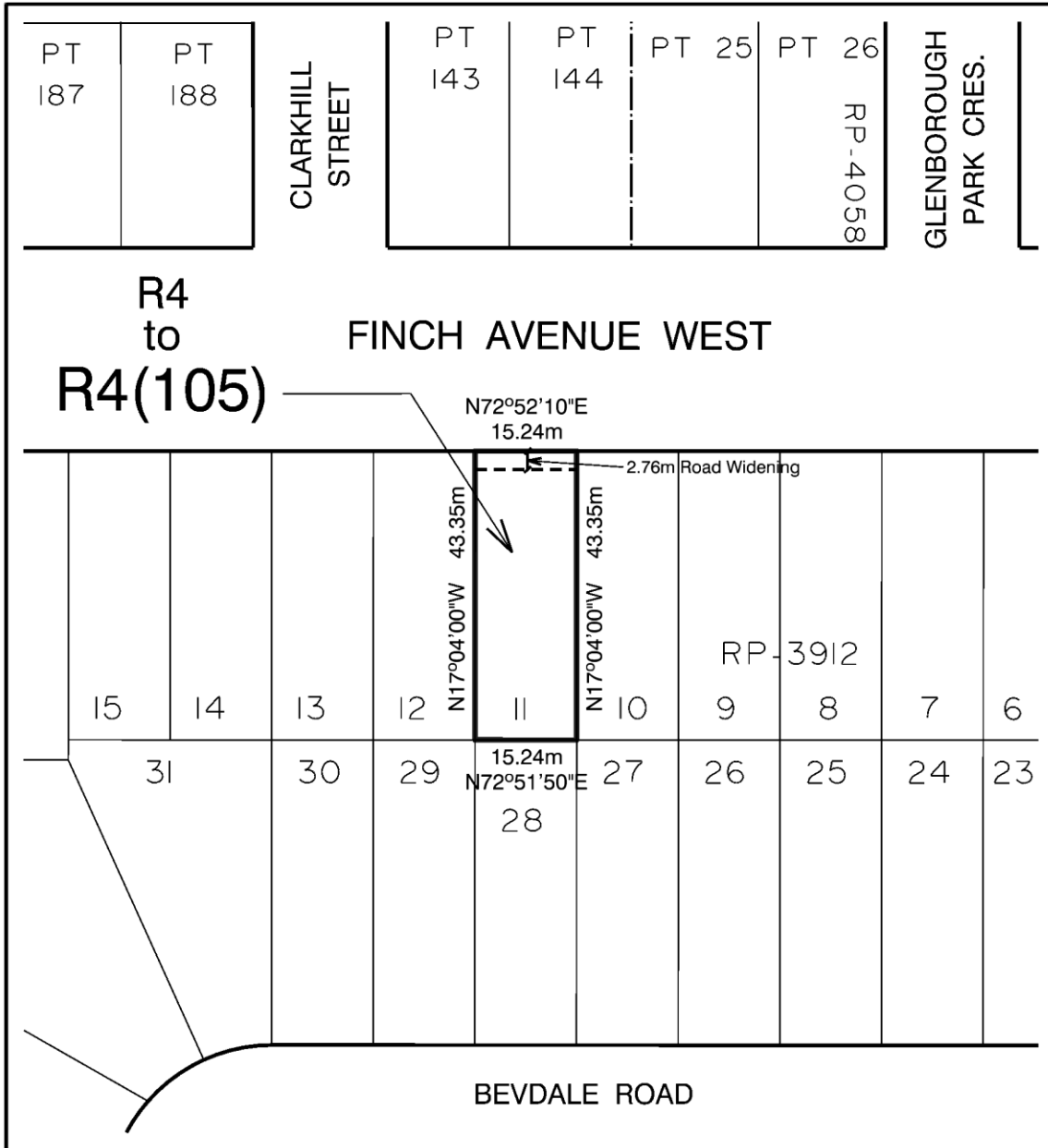
- b) The maximum total gross floor area on the Net Site shall be 495.5m².
 - c) Ten parking spaces shall be provided at the rear of the lot as shown on Schedule R4(105), parking is not permitted in the front yard.
 - d) A 1.5m landscape strip and 1.8 metre high opaque fence shall be provided along the south property line of the lot.
 - e) The minimum front and side yard setbacks on the lands as shown in Schedule "R4(105)" attached hereto shall be maintained.
- 3.** Within the lands shown on Schedule "R4(105)" 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. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Schedule 1

Part of Lot 11, R.P. 3912, City of Toronto
 Land Survey Group, Ontario Land Surveyors
 Date: 3/05/2014
 Approved by: V. Covello

File # 11 291307 NNY 23 0Z



