



STAFF REPORT ACTION REQUIRED

263 Finch Avenue West – Zoning By-Law Amendment Application – Final Report

Date:	April 21, 2016
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	15 113585 NNY 23 OZ

SUMMARY

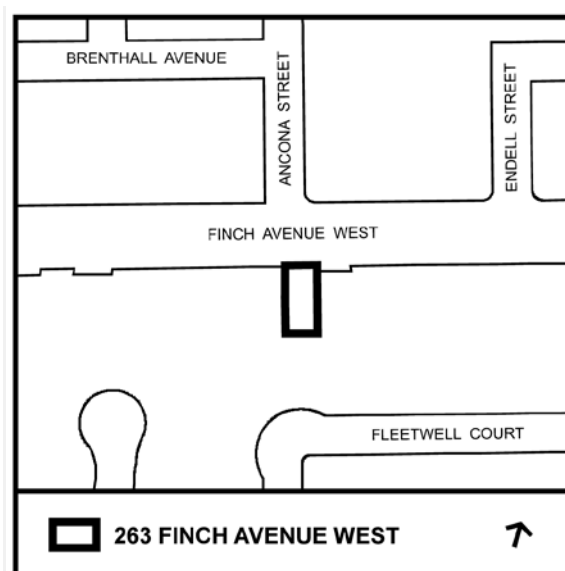
This application proposes to amend the former City of North York Zoning By-law 7625 to permit a medical office in the existing single detached dwelling at 263 Finch Avenue West. A total of five parking spaces are proposed at the rear of the site.

This report reviews and recommends approval of the application to amend the Zoning By-law. The proposed professional medical office use is consistent with both the *Mixed Use Areas* designation of the Official Plan and the policies for *Mixed Use Area “B”* in the Central Finch Area Secondary Plan

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625, for the lands at 263 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report dated April 21, 2016.
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 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 the former City of North York Zoning By-law 7625 to permit a medical office (acupuncture clinic) on the main floor of the existing single-storey detached dwelling on the site. The total gross floor area proposed for the use is 95 m². The basement will be maintained as a dwelling unit. Five parking spaces are proposed at the rear of the site, and access to parking is provided through a 3.09 metre wide driveway along the west side of the property from Finch Avenue West. Landscape strips which are 1.5 metres in width are proposed at the rear of the site along the east, south, and west lot lines. No alterations are proposed to the existing structure.

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 17.7 metres (58 feet) and a lot area of 659.3 square metres (7096.6 square feet). A one-storey detached dwelling is located on the subject lands. This portion of Finch Avenue West is transitioning from lots containing single detached dwellings to properties with office or commercial uses.

Surrounding uses are as follows:

- North: Danilack Middle School, a private school, is located on the north side of Finch Avenue West opposite the site. There are also four-storey apartment buildings, detached residential dwellings and professional office uses on the north side of Finch Avenue West.
- South: The area to the south of the subject property is comprised of single detached residential dwellings.
- East: There are professional office uses in converted detached dwellings and detached residential dwellings in the area to the east of the site. Northminster United Church is also located east of the subject property on the same block.
- West: The area to the west of the site includes detached residential dwellings and professional offices in converted detached dwellings. Finchurst Plaza, a retail complex, is located one block west of the subject property at Finch Avenue West and Bathurst Street.

Provincial Policy Statement (PPS) and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required by the *Planning Act* 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 with the Growth Plan for the Greater Golden Horseshoe.

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

Official Plan

The site is designated *Mixed Use Areas* in the Official 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.

The site is also subject to the policies of the Central Finch Area Secondary Plan, which designates these lands as *Mixed Use Area "B"*. The Secondary Plan policies permit a density of 1.0 times the lot area for sites with less than 30 metre frontage. The maximum permitted height for a mixed use project is 3 storeys or 11 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 minimize the impacts of development in the Central Finch Secondary Plan area on adjacent residential properties, the Secondary Plan requires fencing and a landscaped strip which appropriately defines the individual site, and is deep enough to accommodate the planting of trees. Exterior lighting and sign illumination must be located so as to minimize impact upon the adjacent residential neighbourhood. Every development must also provide for a quality street environment by contributing to an attractive street edge with emphasis on high quality building design, an abundance of landscaping, and locating primary pedestrian access at grade, facing the street.

A road widening will be required to accommodate the planned right-of-way width of 36 metres for Finch Avenue in the Official Plan.

Zoning

The subject property is currently zoned "One Family Detached Dwelling Fourth Density Zone (R4)" in the former City of North York Zoning By-law 7625. This zoning permits single detached dwellings and accessory buildings.

The subject lands at 263 Finch Avenue West were excluded from the City of Toronto Zoning By-law 569-2013.

Site Plan Control

An application for Site Plan Control Approval was submitted on February 9, 2015 and is currently being reviewed (File No. 15 113589 NNY 23 SA).

Reasons for Application

An amendment to former City of North York Zoning By-law 7625 is required as the R4 zone category does not permit the proposed medical office use.

Community Consultation

City Planning staff held a community consultation meeting on June 22, 2015. No residents attended the meeting and no other concerns with the proposal were received during the review of the application.

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 (PPS) and Provincial Plans

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 application conforms and does not conflict with the PPS and the Growth Plan for the Greater Golden Horseshoe. It introduces a ground floor commercial use within a Built-Up Area, which can appropriately accommodate this change in use.

Land Use

The proposed ground floor medical office use and basement residential dwelling unit are consistent with both the policies for the *Mixed Use Areas* designation of the Official Plan and the *Mixed Use Area "B"* designation of the Central Finch Area Secondary Plan. The proposed medical office use will be limited to the ground level of the building as per the policies of the Central Finch Area Secondary Plan. The proposal is similar to other commercial, professional office and residential uses that have been previously approved on this portion of the Finch Avenue West corridor and will be limited to the existing building.

Density, Height, Massing

The proposed ground floor professional medical office use in the existing building would have an FSI of 0.14, which meets the permitted FSI for commercial uses (0.75) in *Mixed Use Area "B"* in the Central Finch Area Secondary Plan.

The proposed use will be located in the existing one-storey residential building. With the exception of signage for the medical office, there will be no other exterior alterations or additions to the original houseform structure. Through the application review process, impacts on adjacent buildings, including potential privacy and overlook issues onto residential properties to the west and south have been mitigated through landscaping which will be secured through the Site Plan process.

Traffic Impact, Access, Parking

The proposal would have vehicular access via a driveway from Finch Avenue West, providing access to five surface parking spaces at the rear of the building. Transportation Services staff have deemed the proposed parking supply satisfactory.

Servicing

The applicant has provided a Grading, Erosion and Sediment Control Plan, Storm Drainage Assessment, and a Field Percolation Test Report that have been accepted in principle by Engineering and Construction Services.

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 to 0.78 hectares of local parkland per 1000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The proposed medical office use is subject to a 2% parkland dedication, applied to the proportional site area of 329.65 m². In total, the parkland dedication requirement is 6.6 m².

Parks, Recreation and Forestry staff recommend that the applicant satisfy the parkland dedication requirement through cash-in-lieu of land. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Streetscape

The Central Finch Area Secondary Plan directs redevelopment along the Finch Avenue corridor to enhance the definition of the street edge, while maintaining an attractive pedestrian environment along sidewalks and open spaces. As such, the front yard of the subject property should contain landscaped areas that contribute to the overall public realm and pedestrian environment in the streetscape. Parking areas will not be permitted in the front yard of the subject site. Signage should also be appropriately integrated with the surrounding residential uses. A rear 1.5 metre landscaped buffer and a 1.8 metre high privacy fence will also be required to provide screening for neighbouring residential properties to the south and west.

Staff will work with the applicant to develop a landscape plan for the front yard of the site which will be secured through the Site Plan process.

Site Plan

Items to be secured through the Site Plan process include landscaping requirements in the front yard, a 1.5 metre landscape strip in the rear yard of the property, a required 2.76 metre 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 be required to obtain Notice of Approval Conditions under Section 41(16) of the *Planning Act* to ensure all Site Plan matters are secured.

Toronto Green Standard

As the ground floor commercial use is proposed in an existing residential building, the Toronto Green Standard does not apply.

Conclusion

The proposed medical office use is consistent with both the *Mixed Use Areas* designation of the Official Plan and the policies for *Mixed Use Area "B"* in the Central Finch Area Secondary Plan. The proposal is similar to other professional office and commercial uses that have been previously approved on this portion of the Finch Avenue West corridor. This report recommends approval of the application to amend the Zoning By-law.

CONTACT

Carla Tsang, Assistant Planner
Tel. No. (416) 395-7137
Fax No. (416) 395-7155
E-mail: ctsang@toronto.ca

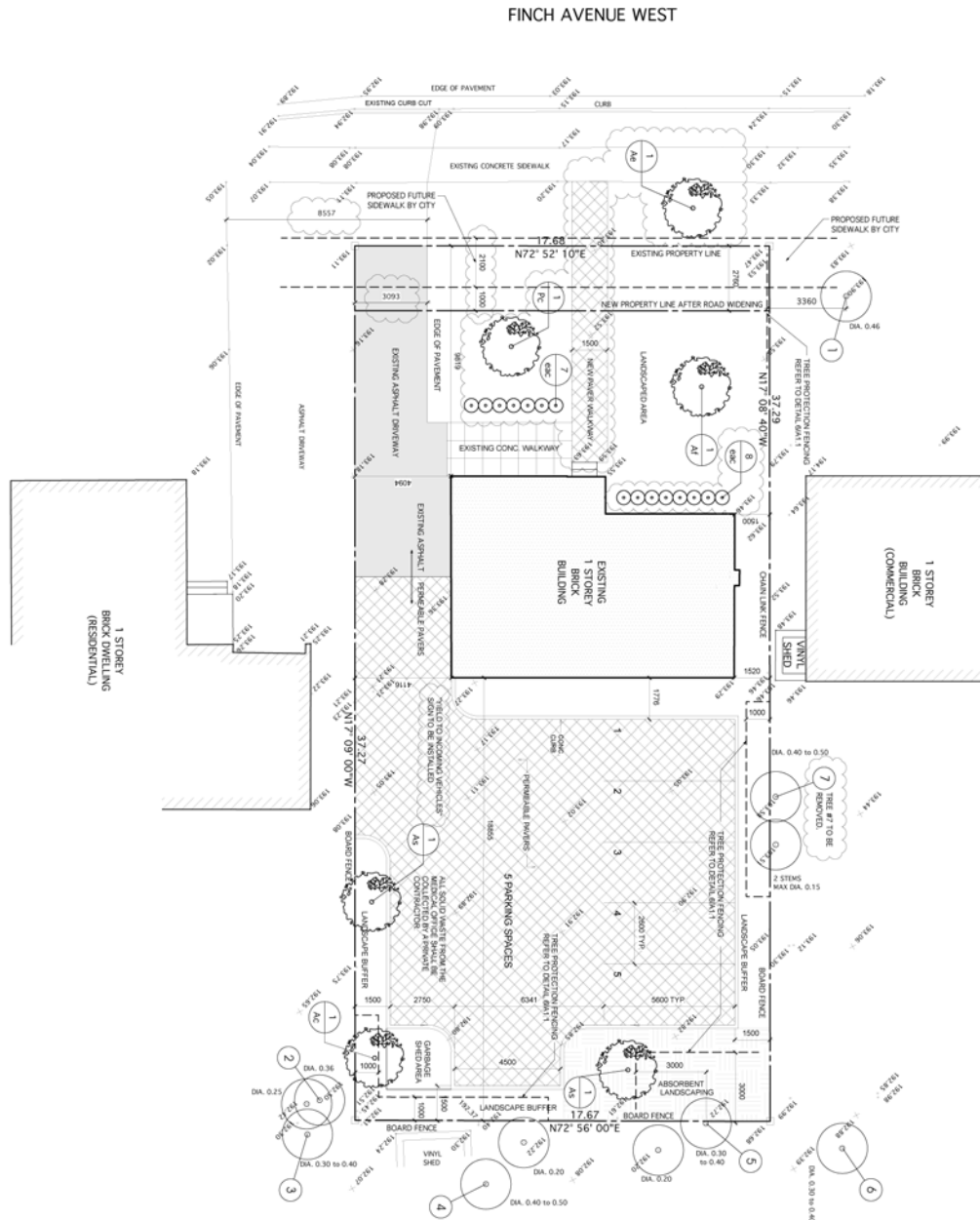
SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2:	Elevations
	2a) North Elevation
	2b) South Elevation
Attachment 3:	Zoning
Attachment 4:	Application Data Sheet
Attachment 5:	Draft Zoning By-law Amendment

Attachment 1: Site Plan



Site Plan

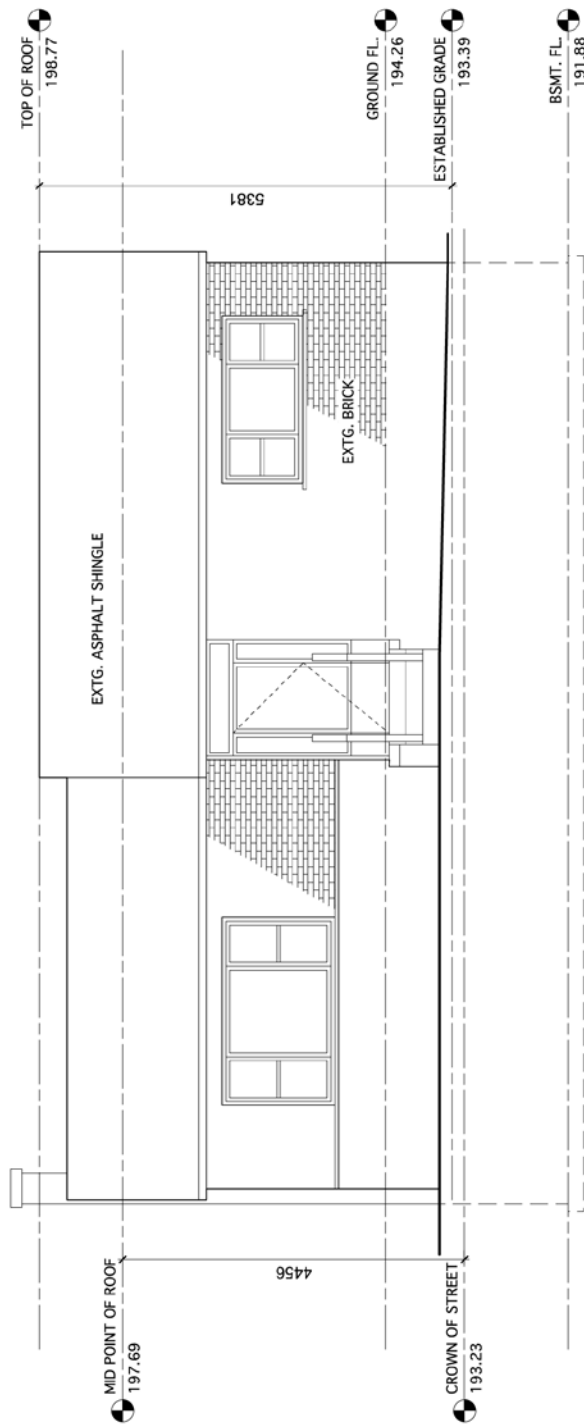
Applicant's Submitted Drawing

Not to Scale
04/11/2016

263 Finch Avenue West

File # 15 113585 NNY 23 02

Attachment 2a: North Elevation

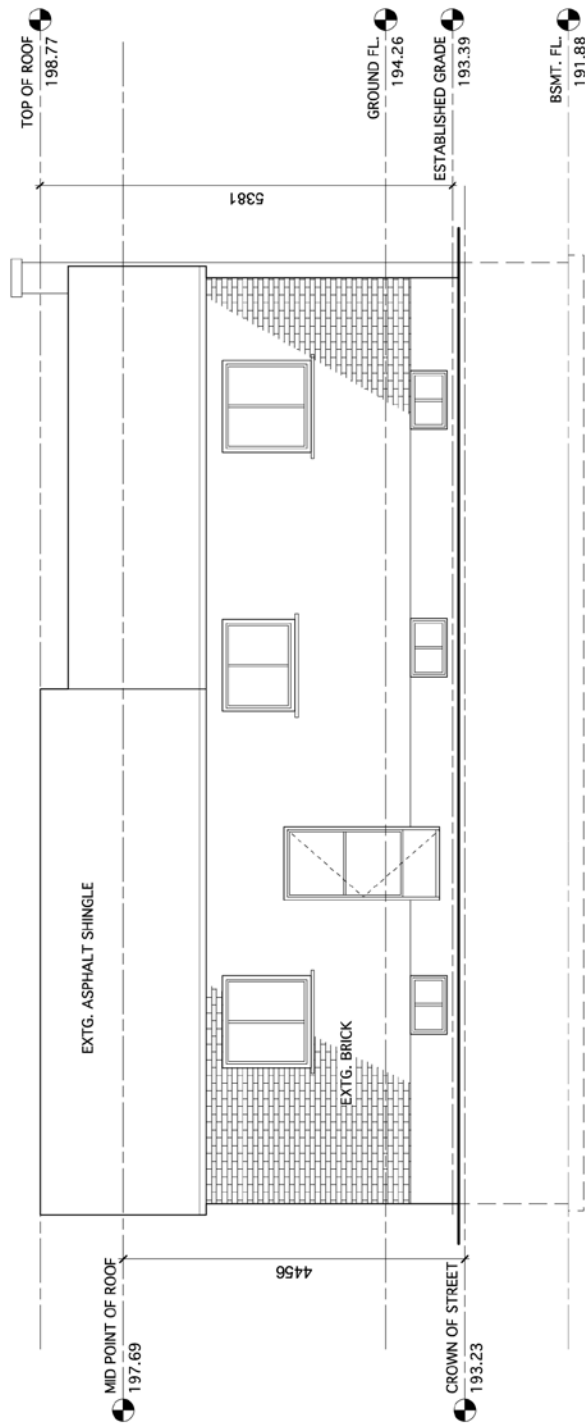


North Elevation
Applicant's Submitted Drawing
Not to Scale
03/04/2015

263 Finch Avenue West

File # 15 113585 NNY 23 0Z

Attachment 2b: South Elevation



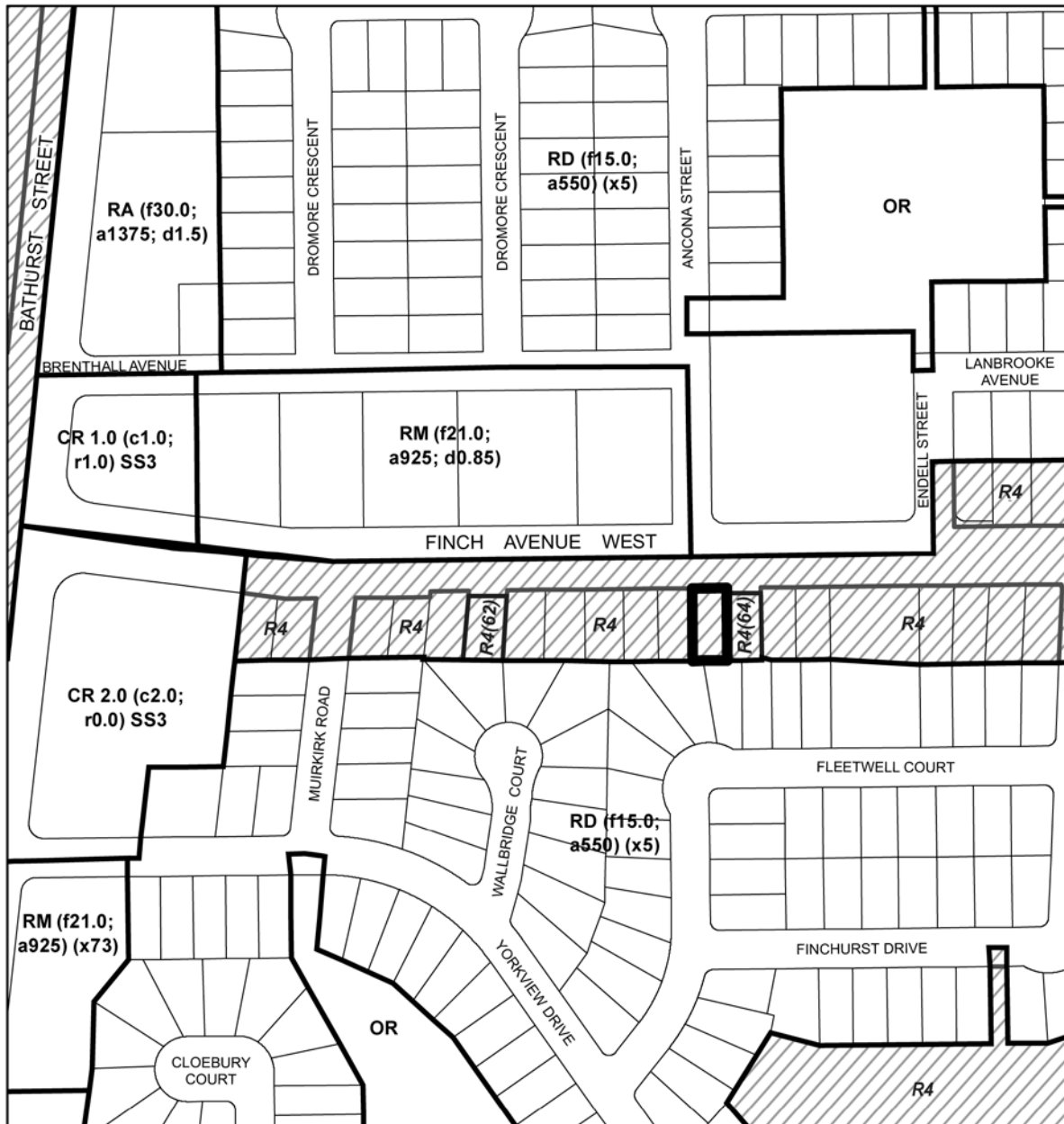
263 Finch Avenue West

South Elevation
Applicant's Submitted Drawing

Not to Scale
03/04/2015

File # 15 113585 NNY 23 0Z

Attachment 3: Zoning



Zoning

263 Finch Avenue West

File # 15 113585 NNY 23 OZ



Location of Application

RD Residential Detached
RM Residential Multiple

RA Residential Apartment
CR Commercial Residential
OR Open Space Recreation



See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
RM3 Multiple-Family Dwellings Third Density Zone



Not to Scale
Extracted: March 4/2015

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	15 113585 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	February 9, 2015

Municipal Address: 263 FINCH AVENUE WEST

Location Description: PLAN 5095 LOT 108 **GRID N2302

Project Description: Application to permit a medical office on the ground floor of an existing single-storey detached dwelling. The basement will be used as a dwelling unit. Five parking spaces are proposed at the rear of the site.

Applicant:	Agent:	Architect:	Owner:
C.Y. LEE ARCHITECT 200 FINCH AVE W, SUITE 348, TORONTO ON, M2R 3W4			SANG HO LEE 263 FINCH AVE W, TORONTO ON, M2R 1M8

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	659.3	Height:	Storeys:	1	
Frontage (m):	17.7		Metres:	5.4	
Depth (m):	37.3				
Total Ground Floor Area (sq. m):	95				Total
Total Residential GFA (sq. m):	95		Parking Spaces:	5	
Total Non-Residential GFA (sq. m):	95		Loading Docks	0	
Total GFA (sq. m):	190				
Lot Coverage Ratio (%):	14.4				
Floor Space Index:	0.29				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	95
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	95	0
2 Bedroom:	1	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	1			

CONTACT:	PLANNER NAME:	Carla Tsang, Assistant Planner
	TELEPHONE:	(416) 395-7137
	EMAIL:	ctsang@toronto.ca

Attachment 5: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on
~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
263 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 64.13 of the By-law 7625 is amended by adding the following subsection:

"64.13 (113) R4(113)"

DEFINITIONS

ESTABLISHED GRADE

- a) For the purpose of this exception, "established grade" for the purpose of establishing the permitted height shall mean the geodetic elevation of 193.39 metres.

PERMITTED USES

- b) In addition to the uses permitted in the R4 zone, a Professional Medical Office shall be permitted on the ground floor only within the detached dwelling.

EXCEPTION REGULATIONS

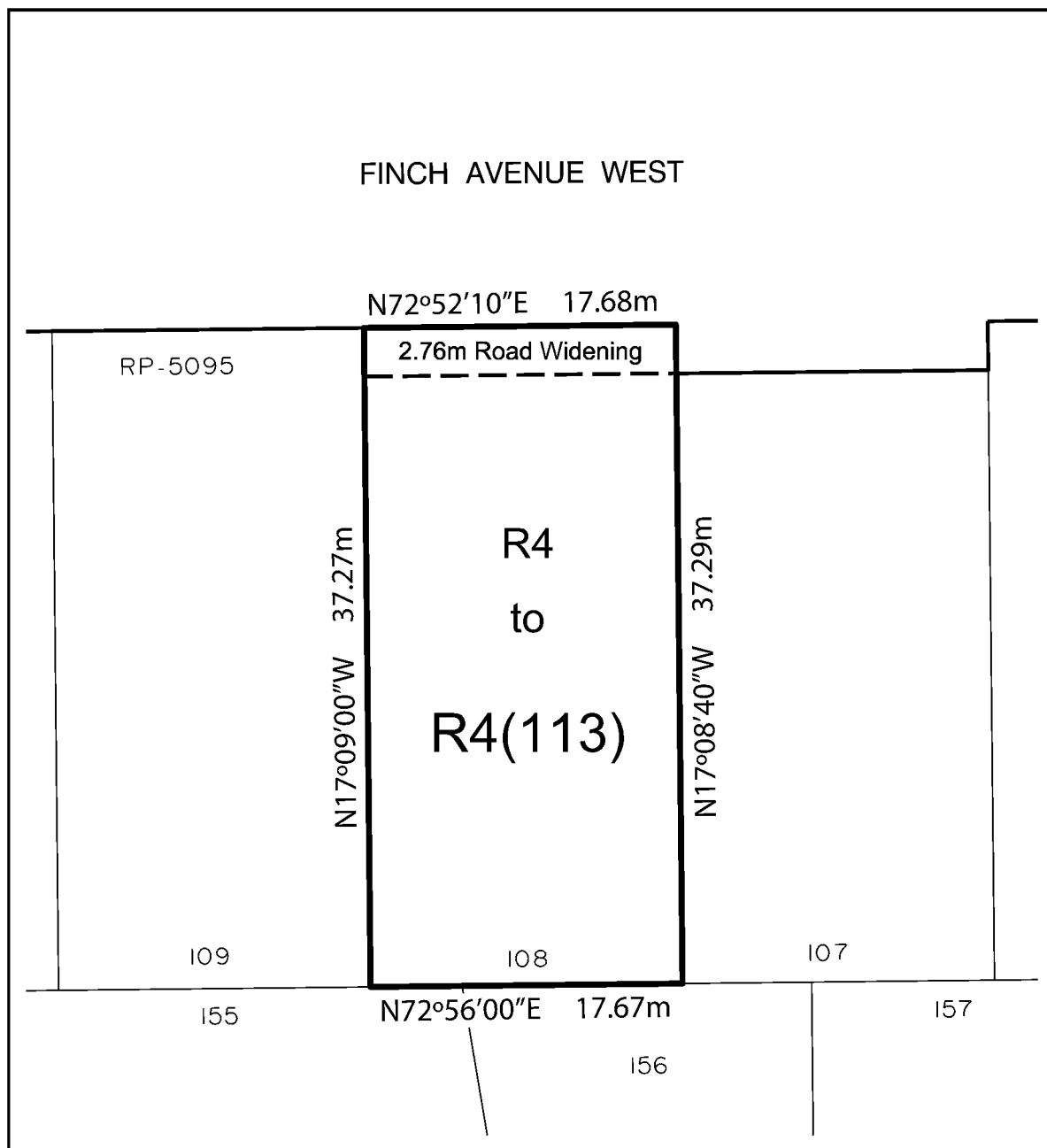
- c) One dwelling unit is permitted.
 - d) The driveway on site is permitted to operate as a two-way access driveway with a minimum width of 3.09 m.
 - e) Five parking spaces shall be provided at the rear of the lot. Parking is not permitted in the front yard.
 - f) A 1.5 m landscape strip and 1.8 m high opaque fence shall be provided along the south property line of the lot.
 - g) The minimum front and side yard setbacks on the lands as shown on "Schedule R4(113)" attached hereto shall be maintained.
 - h) The building height shall not exceed 8.8 metres from established grade to the mid-point of the roof.
3. Within the lands shown on Schedule "R4(113)" 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~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

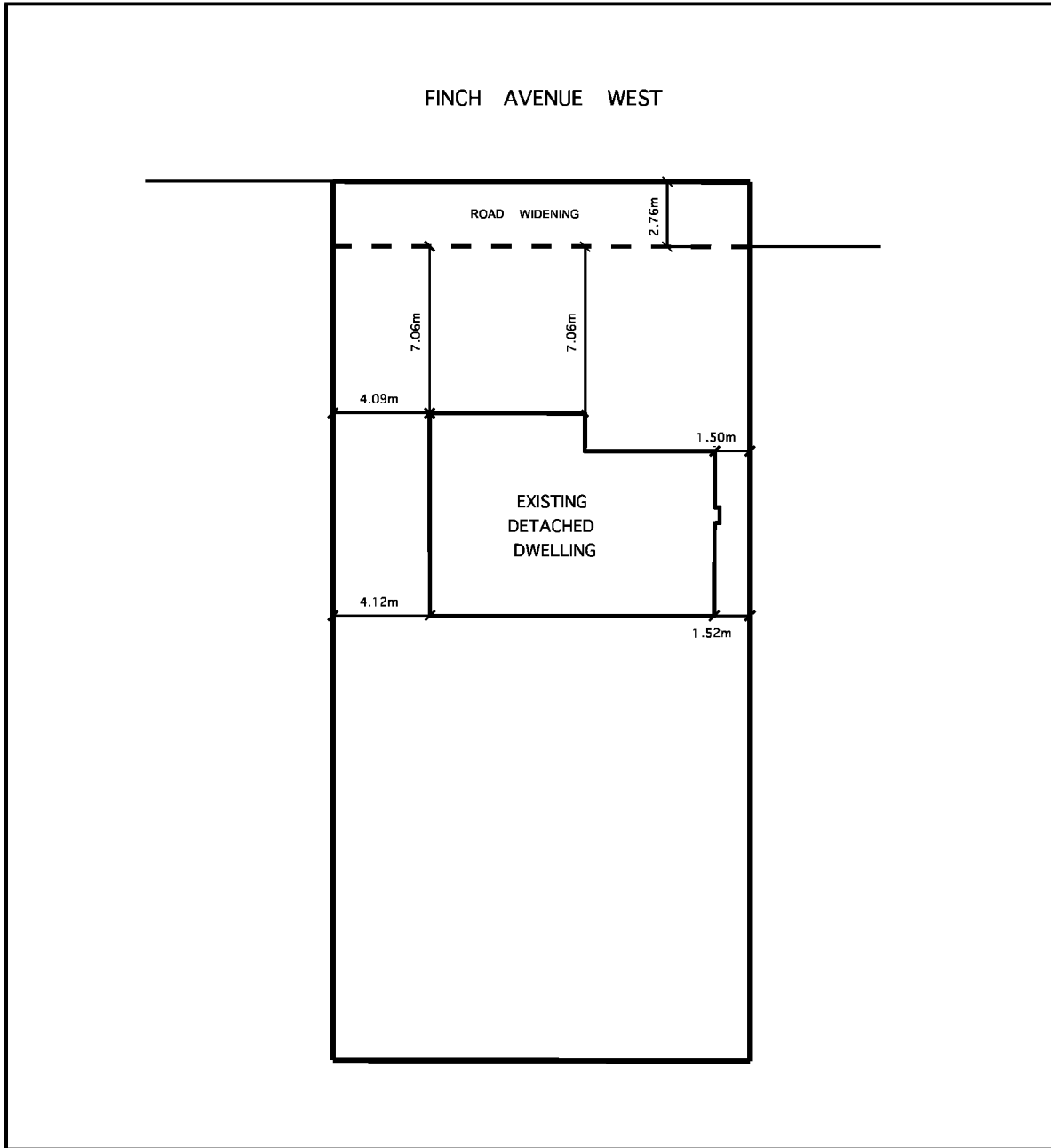


Schedule 1

Part of Lot 108, R.P. 5095, City of Toronto
 Rouse Surveyors Inc.
 Date: 04/12/2016
 Approved by: C.T.

File # 15 113585 NNY 23 02





Schedule R4(113)

Part of Lot 108, R.P. 5095, City of Toronto

Rouse Surveyors Inc.

Date: 04/14/2016

Approved by: C.T.

File # 15 113585 NNY 23 0Z



Not to Scale