

**238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East - Part Lot Control Exemption Application – Final Report**

<b>Date:</b>	August 10, 2016
<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>	16 156207 NNY 24 PL & 16 178708 NNY 24 PL

**SUMMARY**

Applications have been submitted to permit an exemption from Part Lot Control for 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East. The lifting of Part Lot Control on the subject lands will allow for the division of 8 blocks which will create a total of 58 townhouse dwellings for individual ownership.

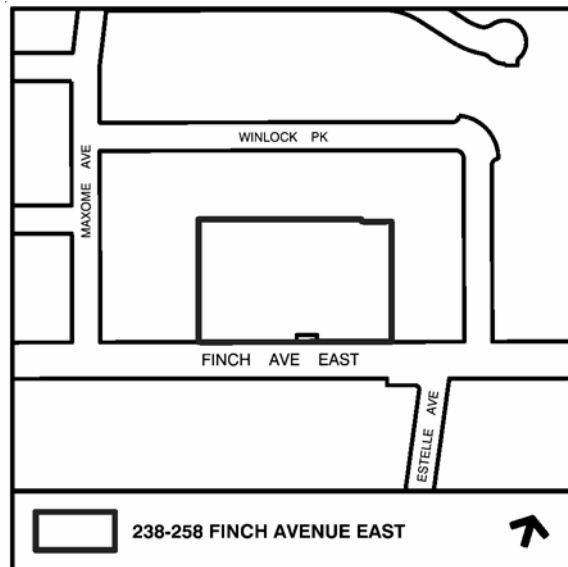
It is of note that two separate applications for Part Lot Control have been submitted: one for Blocks 1-4 (16 156207 NNY 24 PL) and one for Blocks 5-8 (16 178708 NNY 24 PL).

This report reviews and recommends approval of Part Lot Control Exemption.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council enact a Part Lot Control Exemption By-law with respect to Blocks 1-8 on Registered Plan of Subdivision 66M-2527 as generally illustrated on Attachment 1 to the report of the Director, Community Planning, North York



District, dated August 10, 2016, to be prepared to the satisfaction of the City Solicitor and to expire one year following enactment by City Council.

2. City Council require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, prior to the enactment of the Part Lot Control Exemption By-law.
3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

A Preliminary Report on the Official Plan and Zoning By-law Amendments related to lands municipally known as 238, 240, 242, 244, 250, 252, 254, 256 and 258 Finch Avenue East was considered 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:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY20.29>

Subsequent applications for Plan of Subdivision (March 2013) and Site Plan Control (July 2013) were submitted and reviewed concurrently with the Official Plan and Zoning By-law applications.

A Final Report on the Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment was approved by City Council on December 16, 17, and 18, 2013. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY28.30>

A Supplementary Report was considered by City Council at the May 6-7, 2014 meeting. City Council adopted the draft Zoning By-law Amendment as previously approved on December 16, 17, and 18, 2013 and added a Holding Symbol ('H') to the westerly portion of the site within lands municipally known as 238 Finch Avenue East. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.MM51.54>

The Chief Planner granted Draft Plan of Subdivision approval on May 26, 2014.

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On August 12, 2014, North York Community Council approved permit applications to demolish the 9 existing single family dwellings, located at 238, 240, 242, 244, 250, 252, 254, 256, and 258 Finch Avenue East. The decision of Community Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.NY34.18>

A Final Report was considered by City Council at the May 5, 2015 meeting. City Council amended Zoning By-law No. 440-2014 to remove the holding symbol ('H') from Block 1, being part of lands municipally known as 238 Finch Avenue East. The decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY5.35>

## **ISSUE BACKGROUND**

### **Proposal**

Through Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment applications, a total of 8 blocks were created to allow for the development of 58 townhouse dwelling units.

The intent of the current applications is to establish a Part Lot Control By-law for Blocks 1-4 and 5-8 to allow the 58 townhouse dwellings to be conveyed to new home owners. The townhouse dwellings are currently under construction.

The project statistics are included in the Application Data Sheet in Attachment 2.

### **Site and Surrounding Area**

The subject lands are part of an assembly of 9 lots on the north side of Finch Avenue East between Maxome Avenue and Winlock Park which 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 including a 603.9 square metre road widening which will be conveyed to the City along Finch Avenue East.

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 dwellings in a residential *Neighbourhoods* designation;

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

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), 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 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 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.

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Official Plan Amendment 320 as adopted by City Council is available on the City's website at:

<http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

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'*.

Site-specific Official Plan Amendment No. 233 was enacted in May 2014 for the subject properties. Official Plan Amendment No. 233 carries forward the *Neighbourhood 'A'* and *Neighbourhood 'B'* policies of the Central Finch Area Secondary Plan and also provides exceptions to permit a height limit of 4 storeys; a minimum 7.5 metre setback to the main rear wall from multiple attached dwellings to the easterly 21.3 metre portion of the northerly property line in Block 3, and; an angular plane that will not exceed 45 degrees.

## **Zoning**

As per amending Zoning By-law No. 440-2014, the overall development at 238, 240, 242, 244, 250, 252, 254, 256, and 258 Finch Avenue East is zoned Residential Multiple Dwelling Zone - RM1(96).

The RM1(96) zoning permits only multiple attached dwellings, configured in Blocks as identified on Schedule RM1(96).

## **Site Plan Control**

The Site Plan Control application for this development was approved on December 11, 2015 (File No. 13 132390 NNY 24 SA).

A Site Plan Agreement between North 88 Developments Inc; and the City of Toronto is registered on title.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

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

The proposal is consistent with the PPS, 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Land Division**

The 58 unit townhouse project consisting of 8 blocks on a new public street and lane is currently under construction and is nearing completion.

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot

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Control. The subject lands are within a registered plan of subdivision and exemption from Part Lot Control may be employed as an effective means of subdividing the lands.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the By-law should expire one year following enactment by City Council. This time frame provides sufficient time for the conveyance of the lots. The lifting of Part Lot Control on the subject lands is considered appropriate for the orderly subdivision of the lands.

## **CONTACT**

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E-mail: jbrande@toronto.ca

## **SIGNATURE**

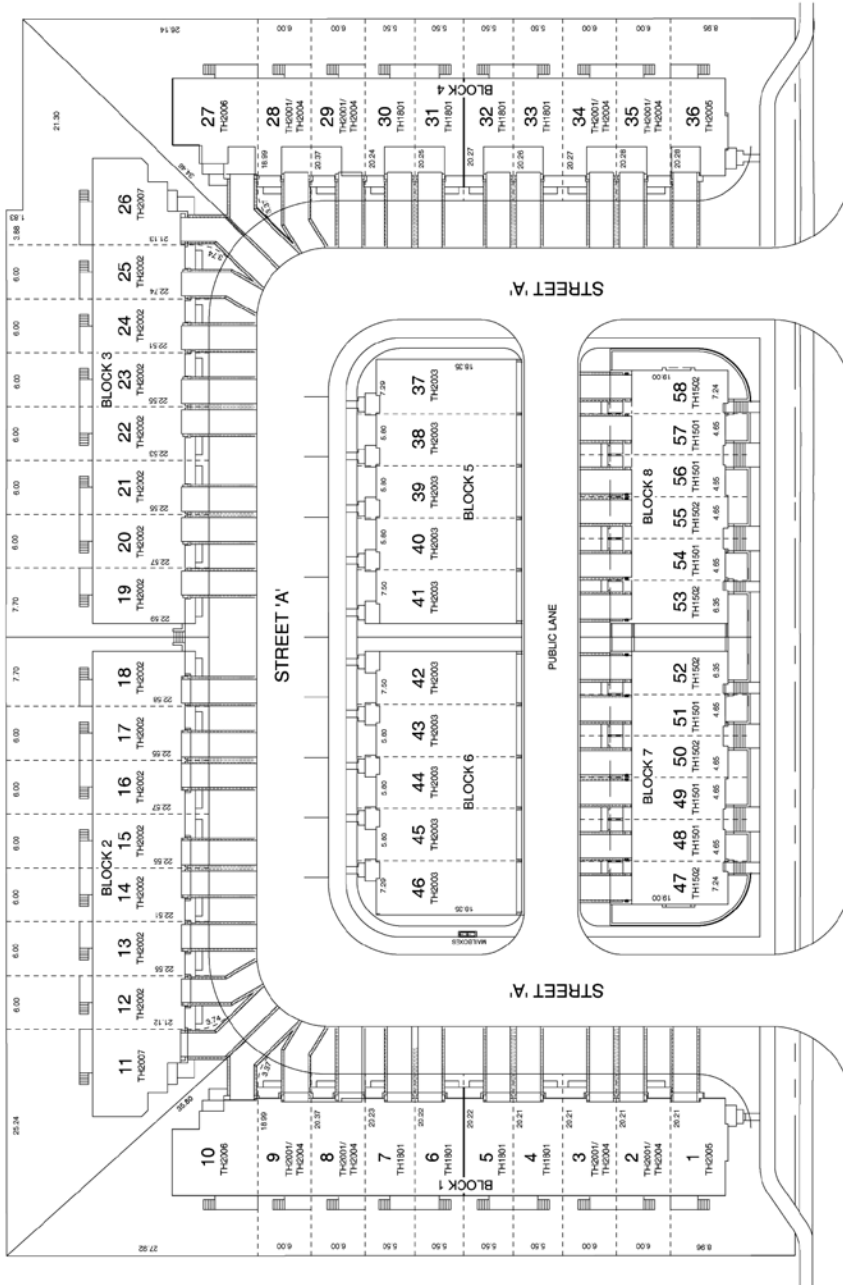
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: a) Part Lot Control Exemption Plan – Block 1  
b) Part Lot Control Exemption Plan – Block 2  
c) Part Lot Control Exemption Plan – Block 3  
d) Part Lot Control Exemption Plan – Block 4  
e) Part Lot Control Exemption Plan – Blocks 5 & 6  
f) Part Lot Control Exemption Plan – Blocks 7 & 8  
Attachment 3. Application Data Sheet

# Attachment 1: Site Plan

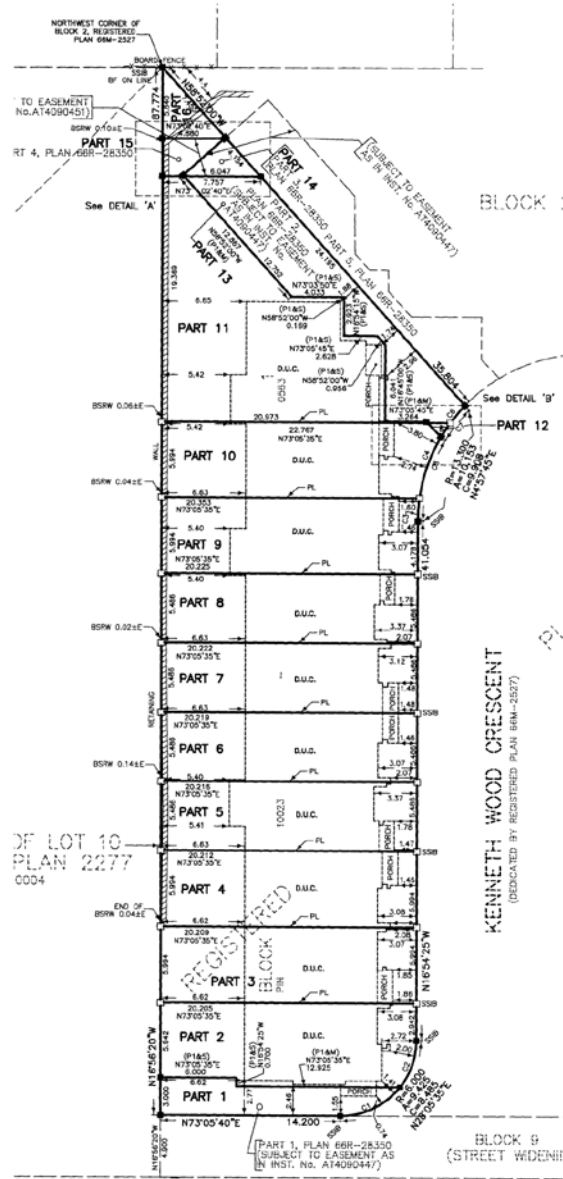


**Site Plan**  
**Applicant's Submitted Drawing**  
 Not to Scale  
 07/14/2016

**Site Plan**  
**Applicant's Submitted Drawing**  
 Not to Scale  
 07/14/2016

File # 16 156207 NNY 24 PL & 16 178708 NNY 24 PL

# Attachment 2a: Part Lot Control Exemption Plan – Block 1



Block 1

## Part Lot Control Exemption Plan

Applicant's Submitted Drawing

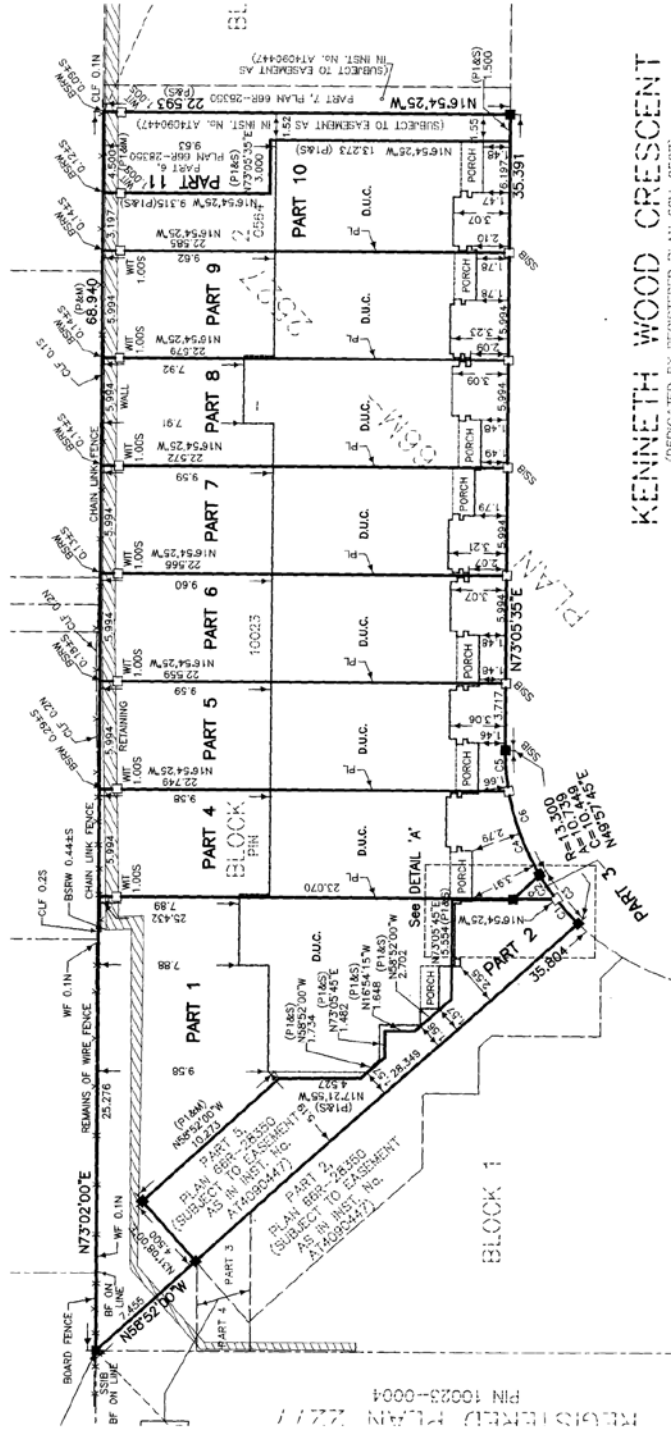
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07/13/2016

238, 240, 242, 244, 250, 252,  
254, 256 & 258 Finch Avenue East

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Attachment 2b: Part Lot Control Exemption Plan – Block 2



KENNETH WOOD CRESCENT  
(DEDICATED BY REGISTERED PLAN 68M-25377)

Block 2

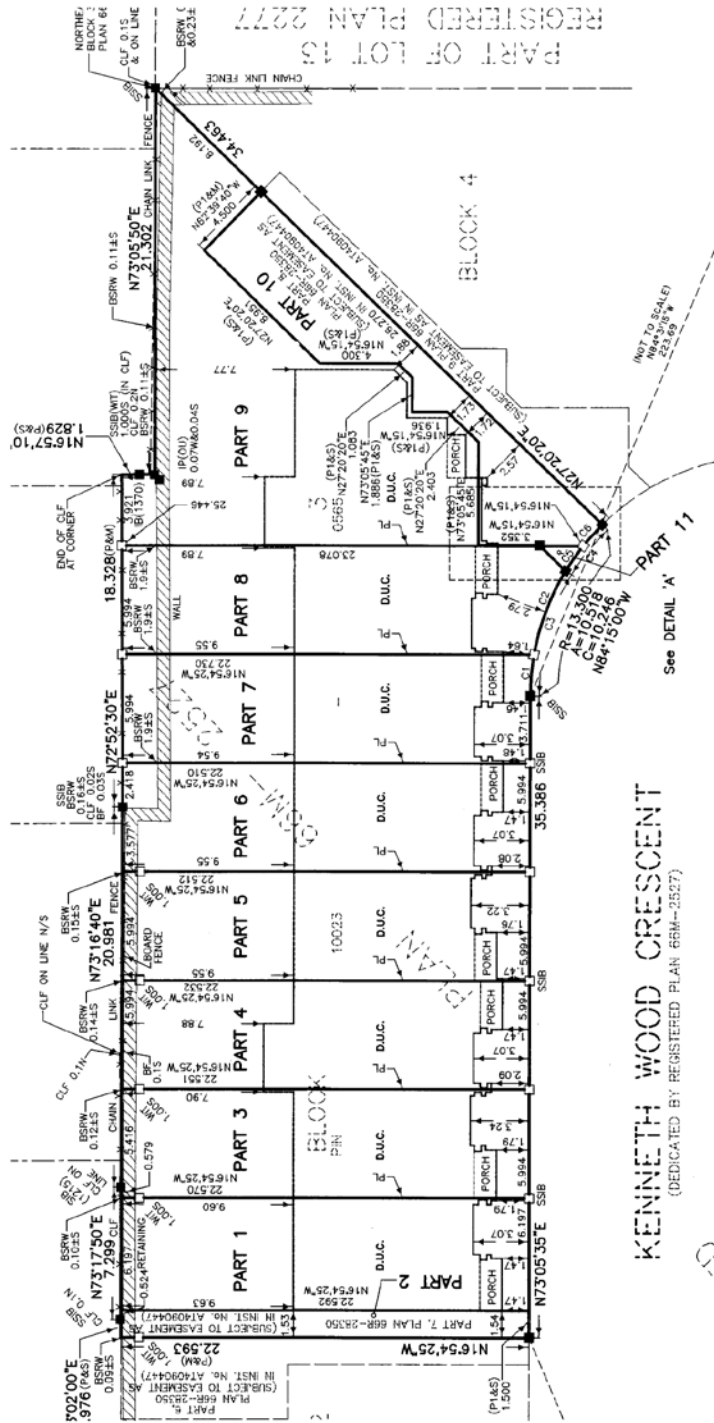
Part Lot Control Exemption Plan 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East

Applicant's Submitted Drawing

Not to Scale  
07/13/2016

File # 16 156207 NNY 24 PL

Attachment 2c: Part Lot Control Exemption Plan – Block 3



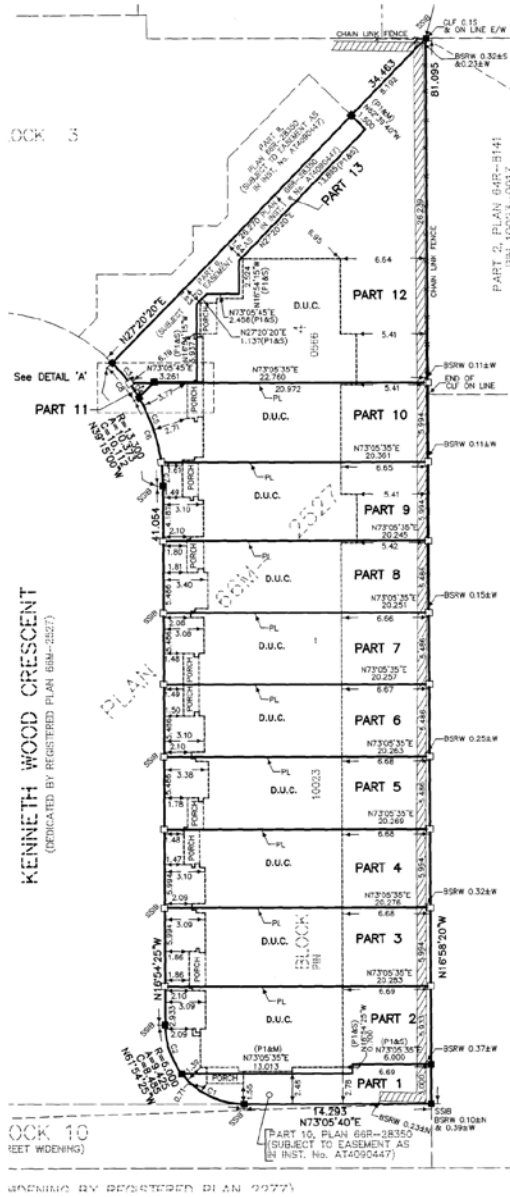
Part Lot Control Exemption Plan 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East

Applicant's Submitted Drawing

Not to Scale  
07/13/2016

File # 16 156207 NNY 24 PL

**Attachment 2d: Part Lot Control Exemption Plan – Block 4**



**Block 4**

**Part Lot Control Exemption Plan**

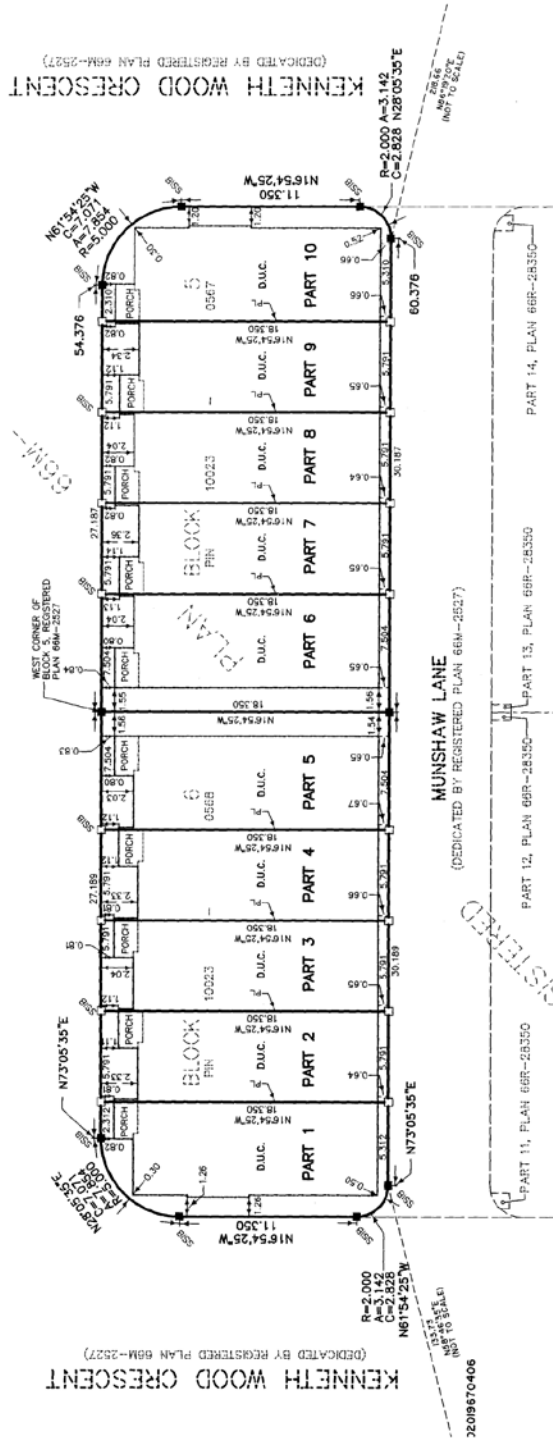
Applicant's Submitted Drawing

Not to Scale  
07/13/2016

**238, 240, 242, 244, 250, 252,  
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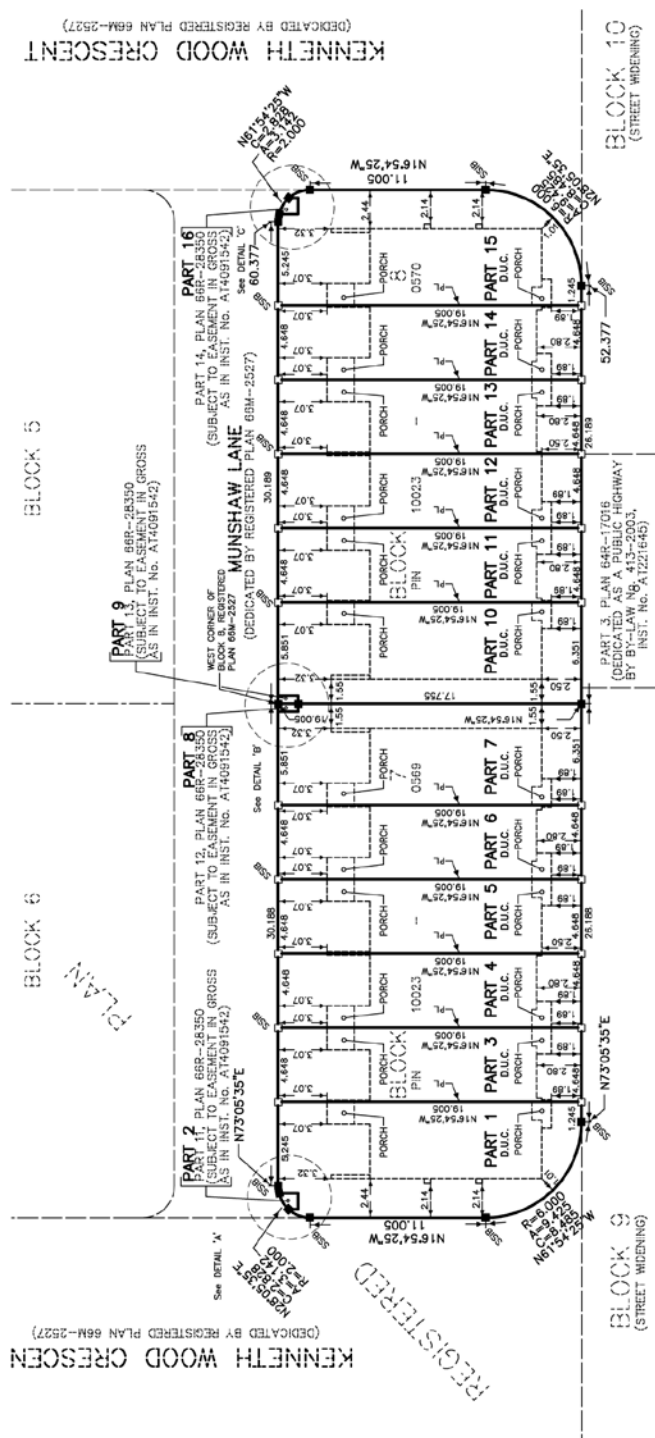
Attachment 2e: Part Lot Control Exemption Plan – Blocks 5 & 6



Part Lot Control Exemption Plan  
 Applicant's Submitted Drawing  
 Net to Scale  
 07/14/2016

File # 16 178708 NNY 24 PL

Attachment 2f: Part Lot Control Exemption Plan – Blocks 7 & 8



**Part Lot Control Exemption Plan**  
**238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East**  
 Applicant's Submitted Drawing  
 Net to Scale  
 07/14/2016

File # 16 178708 NNY 24 PL

### Attachment 3: Application Data Sheet

Application Type	Part Lot Control Exemption	Application Numbers:	16 156207 NNY 24 PL & 16 178708 NNY 24 PL
Details	Standard	Application Date:	May 16, 2016 & June 22, 2016
Municipal Address:	238, 240, 242, 244, 250, 252, 254, 256 & 258 FINCH AVENUE EAST		
Project Description:	Applications have been submitted to permit an exemption from Part Lot Control for 238, 240, 242, 244, 250, 252, 254, 256 & 258 Finch Avenue East. The lifting of Part Lot Control on the subject lands will allow for the division of 8 blocks which will create a total of 58 townhouse dwellings for individual ownership.		

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

**PLANNING CONTROLS**

Official Plan Designation:	Neighbourhoods "A" and "B"	Site Specific Provision:	Y
Zoning:	RM1(96)	Historical Status:	N
Height Limit (m):	10 m	Site Plan Control Area:	Y

**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:	Freehold		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>	<b>Jason Brander, Planner</b>
	<b>TELEPHONE:</b>	<b>416-395-7124</b>