

**50 and 52 Finch Avenue East - Official Plan and Zoning By-law Amendment Applications - Preliminary Report**

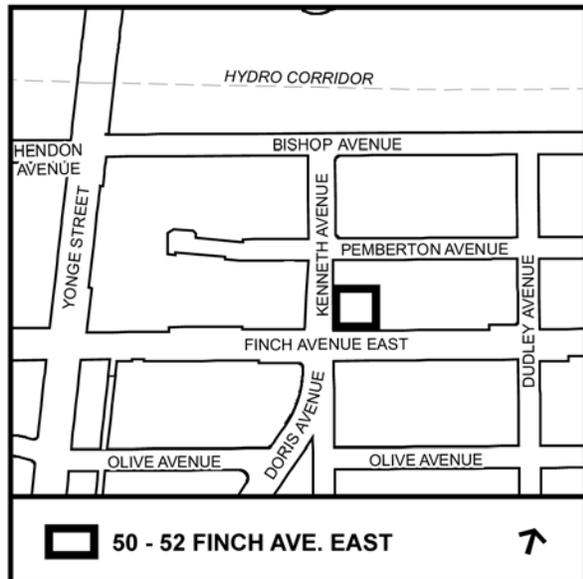
<b>Date:</b>	August 16, 2016
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 24 – Willowdale
<b>Reference Number:</b>	16 150473 NNY 24 OZ

**SUMMARY**

The Official Plan Amendment and Zoning By-law Amendment applications propose the redevelopment of the site for a 9 storey mixed use residential and commercial building with 64 residential units, 182 square metres (m<sup>2</sup>) of ground floor commercial uses, and a total FSI of 5.37 under Zoning By-law No. 7625. A total of 42 parking spaces are proposed to be provided on two below grade parking levels. A total of 50 bicycle parking spaces are also proposed to be located below grade. The applications represent a consolidation of two lots at 50 and 52 Finch Avenue East.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A Final Report and a Public Meeting under the *Planning Act* will be scheduled provided issues identified in this report are satisfactorily addressed and the applicant submits all required information in a timely manner.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 50 and 52 Finch Ave East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

### Financial Impact

The recommendations in this report have no financial impact.

### Pre-Application Consultation

A pre-application consultation meeting on a proposed 6-storey, 41 unit mixed use building with ground floor retail was held with the applicant to discuss complete application submission requirements on June 22, 2015.

## ISSUE BACKGROUND

### Proposal

The applicant proposes to redevelop the lands to construct a 9 storey residential building with ground floor commercial uses. The building would have a height of 33 metres (37 metres including the mechanical penthouse) and a 186 m<sup>2</sup> (2,002 ft<sup>2</sup>) green roof over a portion of the roof area.

A total of 64 residential units are proposed consisting of 1 studio unit, 6 one-bedroom units, 44 one-bedroom plus den units and 13 two bedroom plus den units. Access to the below grade parking garage would be via a driveway accessed from Kenneth Avenue.

A total of 42 stacked parking spaces are proposed to be provided on two below grade parking levels, of which 40 will be for the use of residents and 2 shared spaces for the purposes of retail tenants and residential visitors. A total of 50 bicycle parking spaces are also proposed, of which 38 will be for the use of residents and 12 will be for the use of visitors. A loading space would be located in the rear, between the main driveway and the ramp to the underground parking garage.

The proposed west lot line setback abutting Kenneth Avenue is 3 m, stepping back to 5 m on floor 6. The proposed east lot line setback is 3 m, with the exception of the

unenclosed bicycle storage area on the ground floor which is setback 0.7 m. The proposed north lot line setback is 5.5 m with the exception of the driveway and underground garage access at ground level and second floor amenity space, which is 1.54 m from the northerly property line. Balconies on floors 3-5, 8, and 9 encroach 1.5 m into the proposed 5.5 m setback from the northerly property line.

Not accounting for the required road widening along Finch Avenue East, the proposed building would have a front yard setback to the current property line of 5.9 m to the ground floor, 4.9 m to floors 2-4, and 5.4 m to floors 6-9 which are above the recessed portion of the building on floor 5 which steps back 2.0 m from floor 4. These proposed setbacks are reduced by 4.9 m when accounting for the required road widening along Finch Avenue East.

The building would have a total gross floor area of 5,986 m<sup>2</sup> (5,614 m<sup>2</sup> of residential floor area and 182 m<sup>2</sup> of commercial floor area) and a Floor Space Index (FSI) of 5.37 under Zoning By-law No. 7625.

## Site and Surrounding Area

The subject lands are generally rectangular in shape and consist of two lots located at the northeast corner of Finch Avenue East and Kenneth Avenue between Yonge Street and Willowdale Avenue. The subject lands measure approximately 1,115 m<sup>2</sup> (0.276 ac) in area and have approximately 30.48 metres (100 ft) of frontage on Finch Avenue East and a depth of 36.58 metres (120 ft). The existing residential lots currently each have a single family detached residence on them, both of which would be demolished in order to facilitate the proposed development.

The subject lands are located 300 metres east of Yonge Street.

Abutting uses are as follows:

- North: Detached residential dwellings within a *Neighbourhoods* designation;
- South: Directly south of the site, on the lands bounded by Finch Avenue East, Kenneth Avenue, Olive Avenue and Dudley Avenue, there exists a 12-storey mixed use building with an FSI of approximately 2.6 times the lot area, municipally known as 77 Finch Avenue East. These lands are subject to a Site and Area Specific Policy in the Central Finch Area Secondary Plan that recognizes the existing building at this location and that it is not to be construed as a precedent for other lands within the Central Finch Area.
- East: A mixture of detached residential dwellings and low-rise and houseform commercial uses.

West: Kenneth Avenue and beyond are high-rise residential buildings that are within the North York Centre Secondary Plan Area. There is a 23-storey residential building on the west side of Kenneth Avenue.

## **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. 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. 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.

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 be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Staff will review the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan designates the subject lands as *Mixed Use Areas* on Map 16 - Land Use Plan. *Mixed Use Areas* consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. Development in *Mixed Use Areas* is intended to create a balance of commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

Buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in *Mixed Use Areas* is intended to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The property is also located within an *Avenues* area on Map 2 – Urban Structure. The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanizing the *Avenues* will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2 of the Official Plan. An Avenue Study has not been undertaken for this segment of

the Avenue as it falls within an existing Secondary Plan Area. Map 3 of the Official Plan shows a 36-metre right-of-way for Finch Avenue West. A road widening would be required.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and skyview from adjacent streets. Transition in scale may be achieved with many "geometric relationships and design methods in different combinations" including angular planes, stepping of heights, location and orientation of the buildings and the use of setbacks and stepbacks of building mass.

Section 5.1.1 allows the City to approve height and/or density increases greater than permitted by the zoning by-law pursuant to Section 37 of the *Planning Act* for developments which exceed 10,000 square metres and increase the permitted density by at least 1,500 square metres and/or significantly increase the permitted height.

The Toronto Official Plan is available on the City's website at:

[http://www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Central Finch Area Secondary Plan**

The subject property is also located within the Central Finch Area Secondary Plan and is designated *Mixed Use Area 'C'* within the Secondary Plan. This designation provides for detached and multiple-unit residential, offices, places of worship, public parks and recreational facilities, and institutional uses.

For sites with frontage of more than 30 metres on Finch Avenue East, such as the subject lands, and where the use is residential and commercial, the Secondary Plan allows for a maximum density (FSI) of 1.5 times the lot area. The maximum permitted height of a mixed use project is 3 storeys or 11 metres; whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area.

The Secondary Plan also contains height and setback provisions that require buildings to be set back a minimum distance 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 a minimum 1.5 metre landscape strip and privacy fence along the north property line.

The Secondary Plan encourages redevelopment that is compatible with the surrounding residential areas while also contributing to a strong and attractive pedestrian oriented street

edge with particular emphasis on good design and an abundance of landscaping and tree features.

The Secondary Plan also encourages the reduction in the number of driveways providing access to Finch Avenue East, to provide the minimum number of driveways necessary for efficient vehicle access. Generally, one access per site is preferred, the location of which is to be completely within lands that are part of the Central Finch Area Secondary Plan Area.

## **Zoning**

The subject lands are zoned “One-Family Detached Dwelling Fourth Density Zone (R4)” in Zoning By-law No. 7625 for the former City of North York. This zoning permits one-family detached dwellings and accessory buildings.

City of Toronto Zoning By-law No. 569-2013 does not apply to the subject lands.

## **Site Plan Control**

The applicant has submitted a concurrent Site Plan Control application (16 150486 NNY 23 SA).

## **Mid-Rise Building Performance Standards and Addendum**

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Refer to the Council Decision: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

## **Reasons for the Application**

An amendment to the Central Finch Area Secondary Plan is required as the Plan permits a maximum height of 3-storeys or 11 metres, whichever is less. The mixed-use building as proposed would have a height of 9 storeys and 37 metres.

The Secondary Plan contains policies that limit the maximum floor space index (FSI) to 1.5 times the lot area. An amendment to the Central Finch Area Secondary Plan is required as the proposal has an FSI of 5.37 the lot area.

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 mixed use building is proposed to be setback 5.5 metres from the nearest residential property line, as opposed to the required 9.5 metres. The proposal also does not meet the 70% angular plane as prescribed in the Secondary Plan.

An amendment to the Secondary Plan is also required to permit the retail uses as proposed, as retail uses are not permitted within a *Mixed Use Area 'C'* designation.

An amendment to Zoning By-law No. 7625 is required as the current R4 zoning does not permit the proposed uses or scale of development. The amendment would establish appropriate development standards for the proposal.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Arborist Report;
- Boundary and topographical surveys;
- Concept site plans and floor plans;
- Context plan and statistics;
- Functional Servicing Report and Stormwater Management Plans;
- Landscape Plans;
- Planning Rationale.
- Site elevations and sections;
- Toronto Green Standard Checklist; and
- Traffic Impact Study.

A Notification of Complete Application was issued on June 27, 2016.

### **Issues to be Resolved**

The proposed building would be an intensive redevelopment of the site with a proposed density of 5.37 times the lot area, whereas the Secondary Plan permits a maximum density of 1.5 times the lot area.

The proposed building measures approximately 33 metres (37 metres including the mechanical penthouse) in height, whereas the Secondary Plan permits a maximum height of 3 storeys (11 metres).

Prior to presenting a Final Report to North York Community Council, the following issues, as well as any other issues that may be identified through the review of the application, agency comments and the community consultation process will be reviewed and evaluated:

- Compatibility with the policies and objectives of the Central Finch Area Secondary Plan; particularly the appropriateness of the proposed density and building height;
- Conformity with the Mixed Use Areas, Avenues, Built Form, and Public Realm policies of the Official Plan;
- Applicability and conformity with the Mid-Rise Building Performance Standards;
- Assessment of whether the amount of landscaping proposed is sufficient;
- Assessment of whether the proposed amenity space and locations are appropriate;
- Assessment of whether the proposed height and density are appropriate;
- Assessment of whether the proposed setbacks are appropriate;
- Assessment of whether the shadowing impacts are appropriate;
- Assessment of stormwater management and site servicing;
- Assessment of the precedent on the Central Finch Area Secondary Plan and this segment of the 'Avenue';
- Building orientation and massing will be reviewed to ensure appropriate scale of development of the site and appropriate fit and transition within the context of the adjacent low density residential area to the north;
- Confirmation of the proposed commercial uses intended for this mixed-use building (additional information will be required from the applicant) and the appropriateness of these uses;
- Conveyance requirements for the future road widening of Finch Avenue East.
- Determination of applicability and appropriate Section 37 benefits;
- Implementing the City's built form policies as they relate to building location and organization, massing, and pedestrian amenity; and
- Traffic impacts, vehicular access, circulation, number of proposed parking spaces and loading space requirements.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

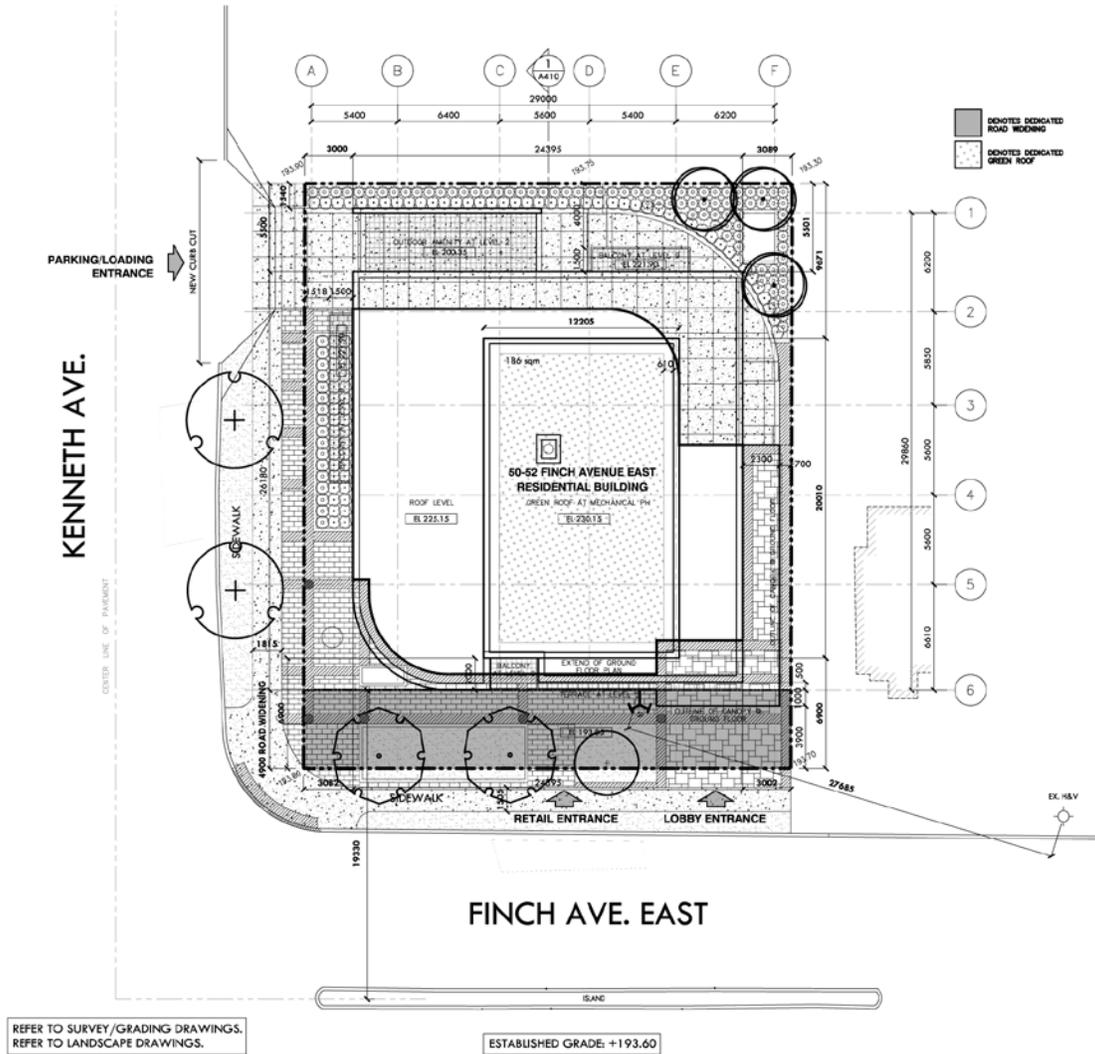
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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1:	Site Plan
Attachment 2:	a. North Elevation
	b. South Elevation
	c. East Elevation
	d. West Elevation
Attachment 3:	Official Plan
Attachment 4:	Central Finch Area Secondary Plan
Attachment 5:	Zoning By-law No. 7625
Attachment 6:	Application Data Sheet

# Attachment 1: Site Plan



## Site Plan

Applicant's Submitted Drawing

Not to Scale ↑  
07/11/2016

## 50 - 52 Finch Ave. East

File # 16 150473 NNY 24 OZ  
16 150486 NNY 24 SA

## Attachment 2a: North Elevation



### Elevations - North

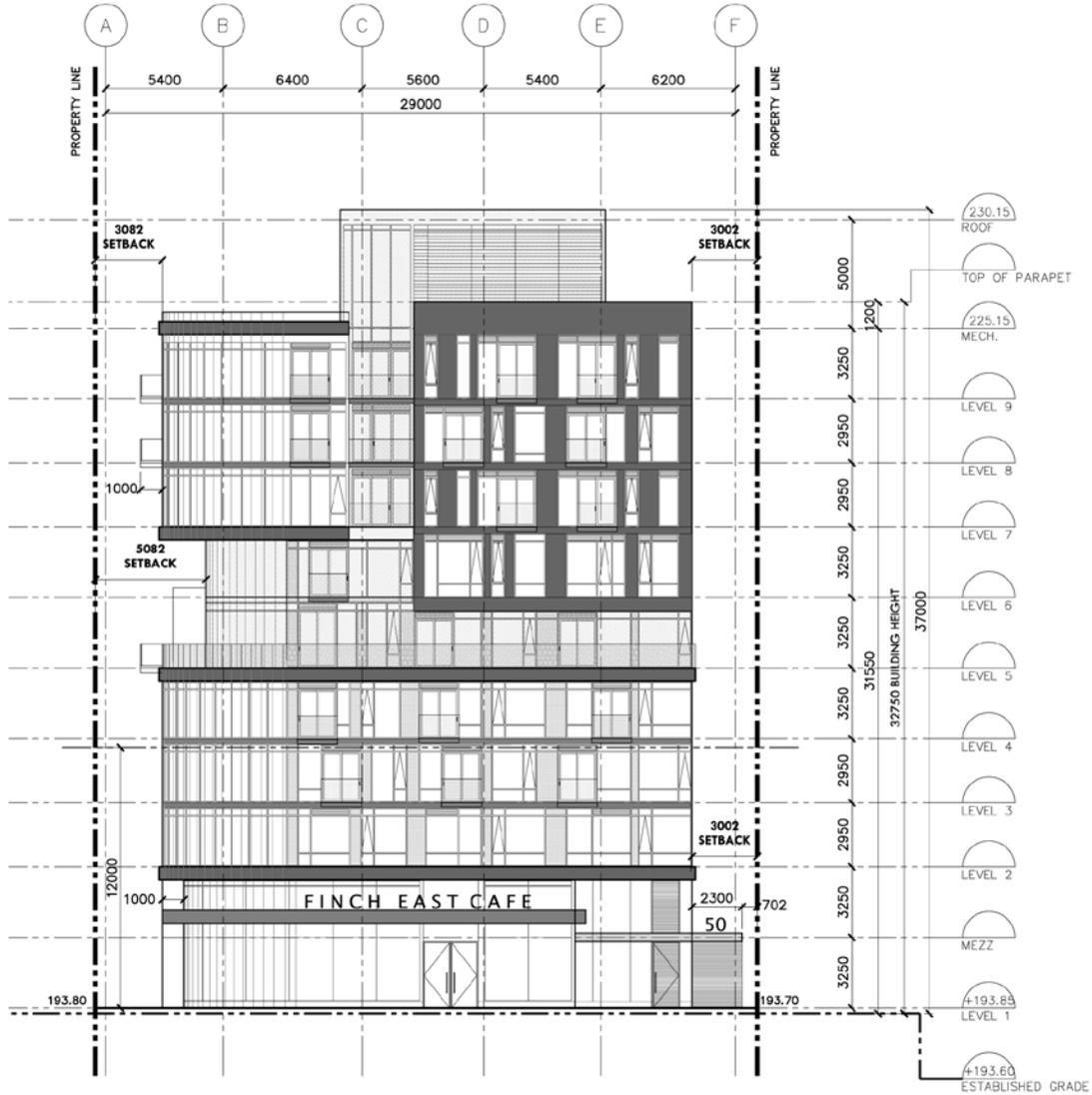
Applicant's Submitted Drawing

Not to Scale  
07/11/2016

### 50 - 52 Finch Ave. East

File # 16 150473 NNY 24 OZ  
16 150486 NNY 24 SA

## Attachment 2b: South Elevation



### Elevations - South

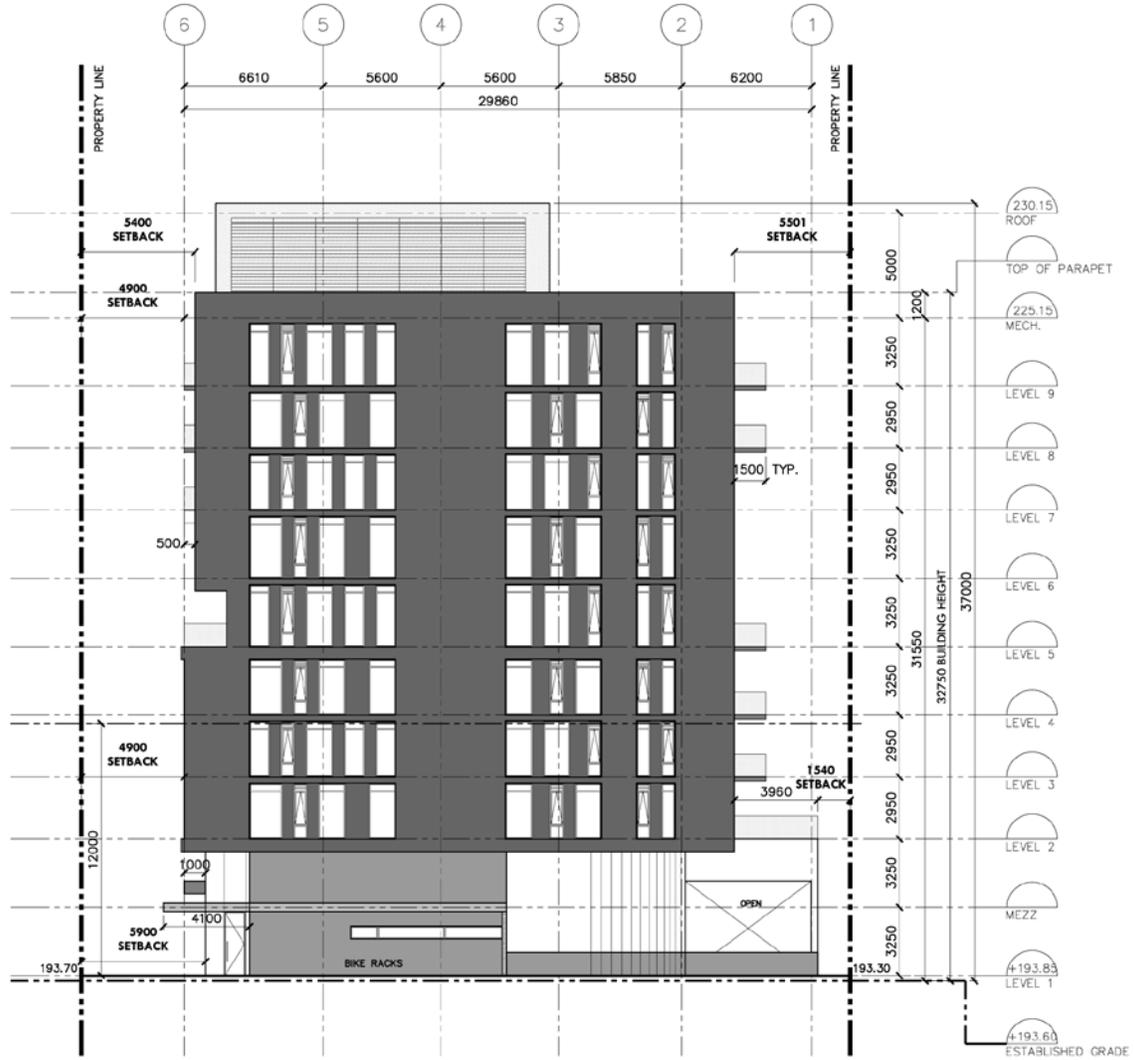
Applicant's Submitted Drawing

Not to Scale  
07/11/2016

### 50 - 52 Finch Ave. East

File # 16 150473 NNY 24 OZ  
16 150486 NNY 24 SA

## Attachment 2c: East Elevation



### Elevations - East

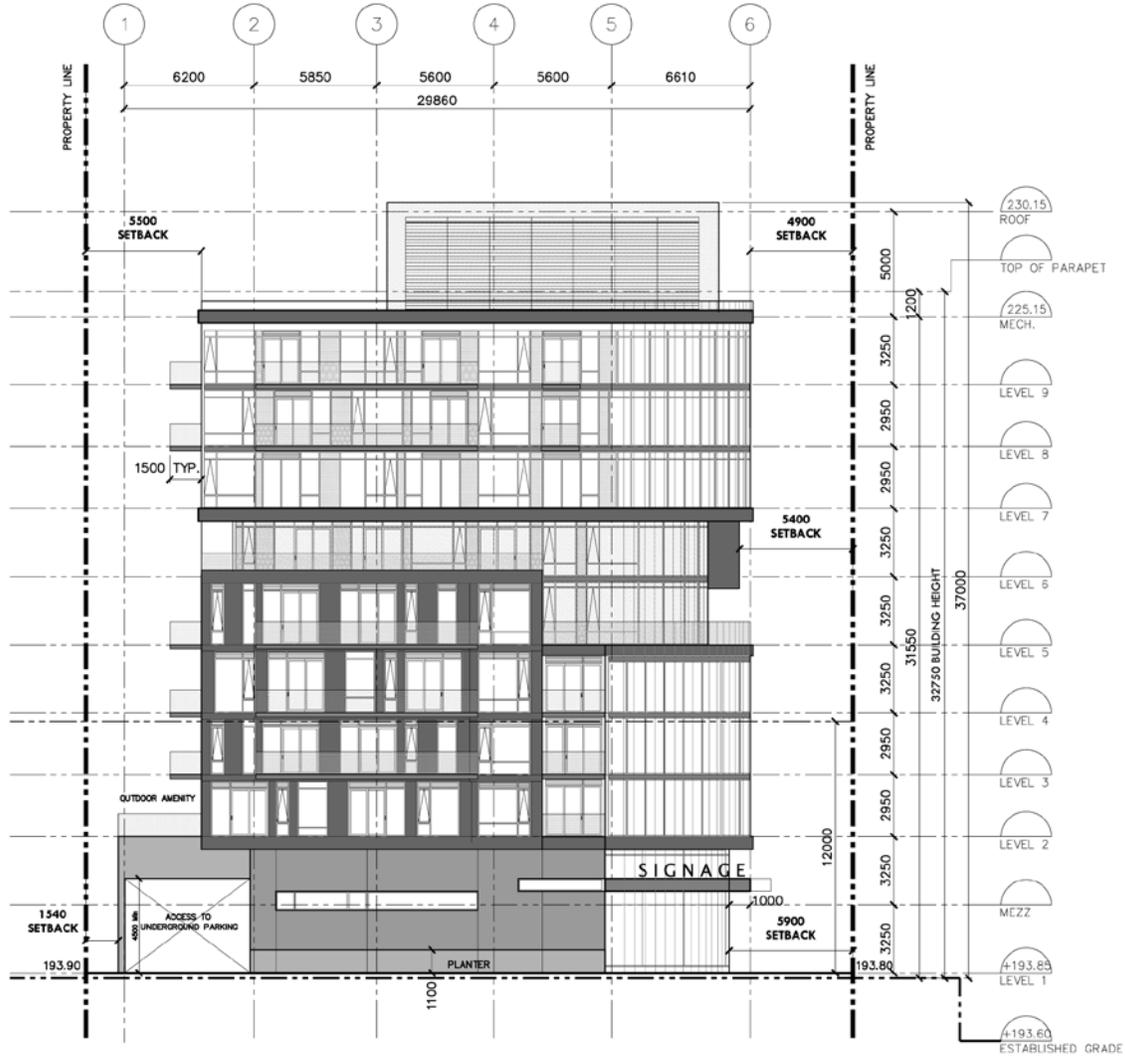
Applicant's Submitted Drawing

Not to Scale  
07/11/2016

### 50 - 52 Finch Ave. East

File # 16 150473 NNY 24 0Z  
16 150486 NNY 24 SA

## Attachment 2d: West Elevation



### Elevations - West

**50 - 52 Finch Ave. East**

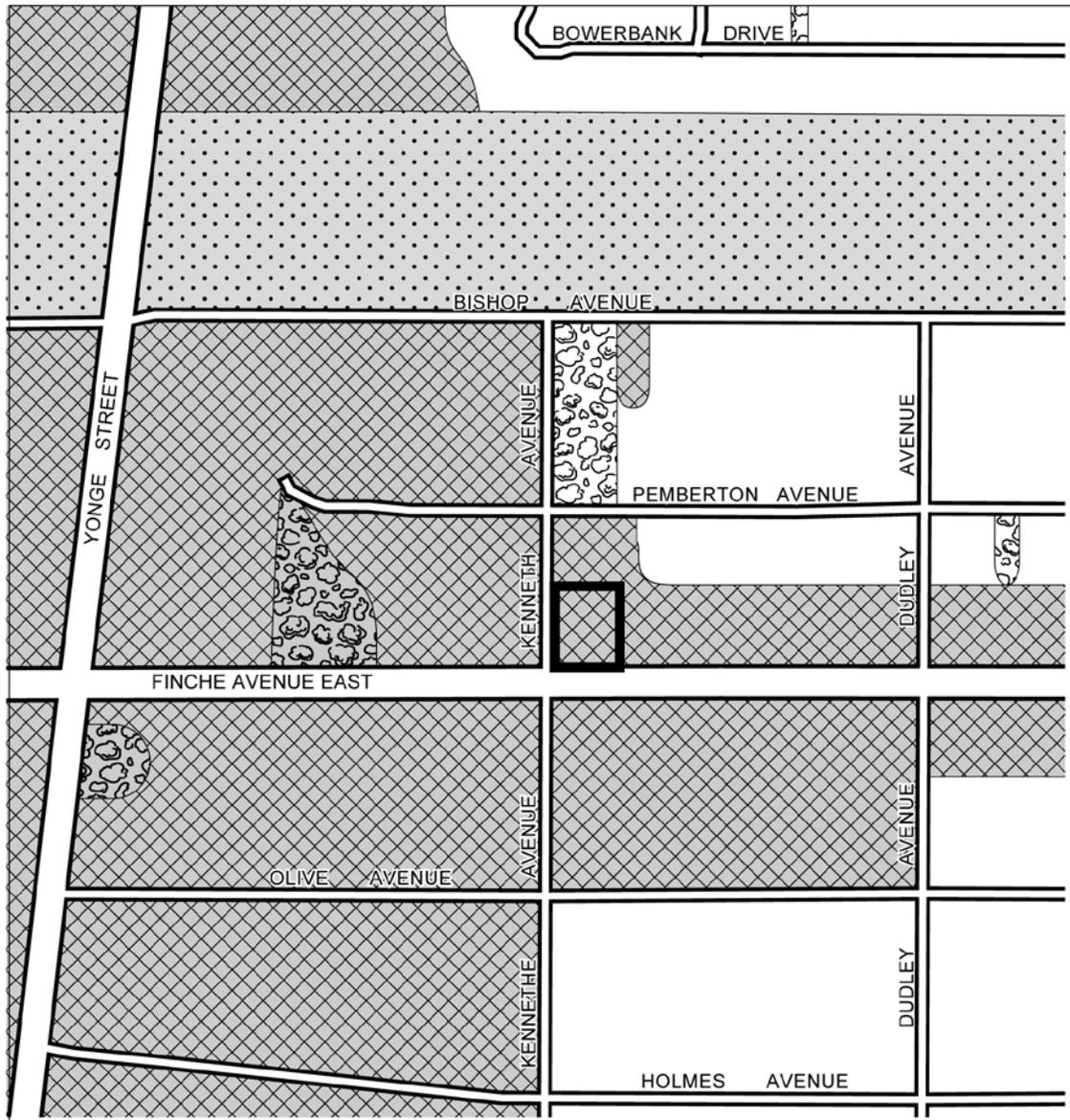
Applicant's Submitted Drawing

File # 16 150473 NNY 24 0Z

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16 150486 NNY 24 SA

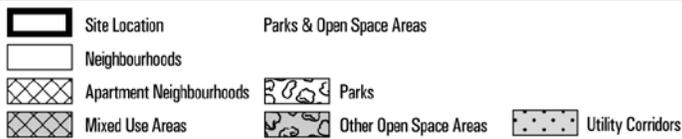
### Attachment 3: Official Plan



**TORONTO**  
 Extract from Official Plan

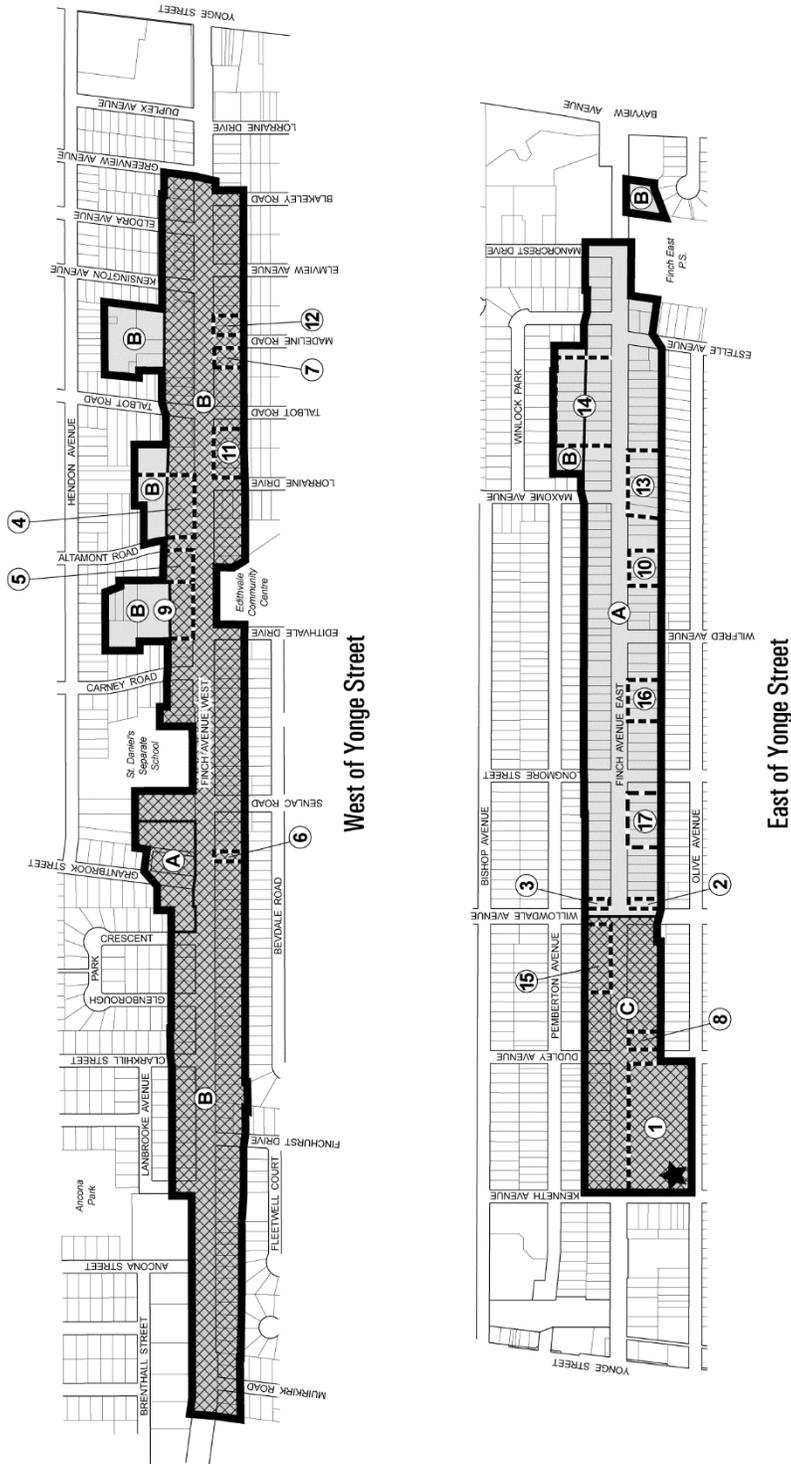
50 - 52 Finch Avenue East

File # 16 150473 NNY 24 0Z



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# Attachment 4: Central Finch Area Secondary Plan



## Central Finch Area Secondary Plan MAP 22-1 Land Use Areas

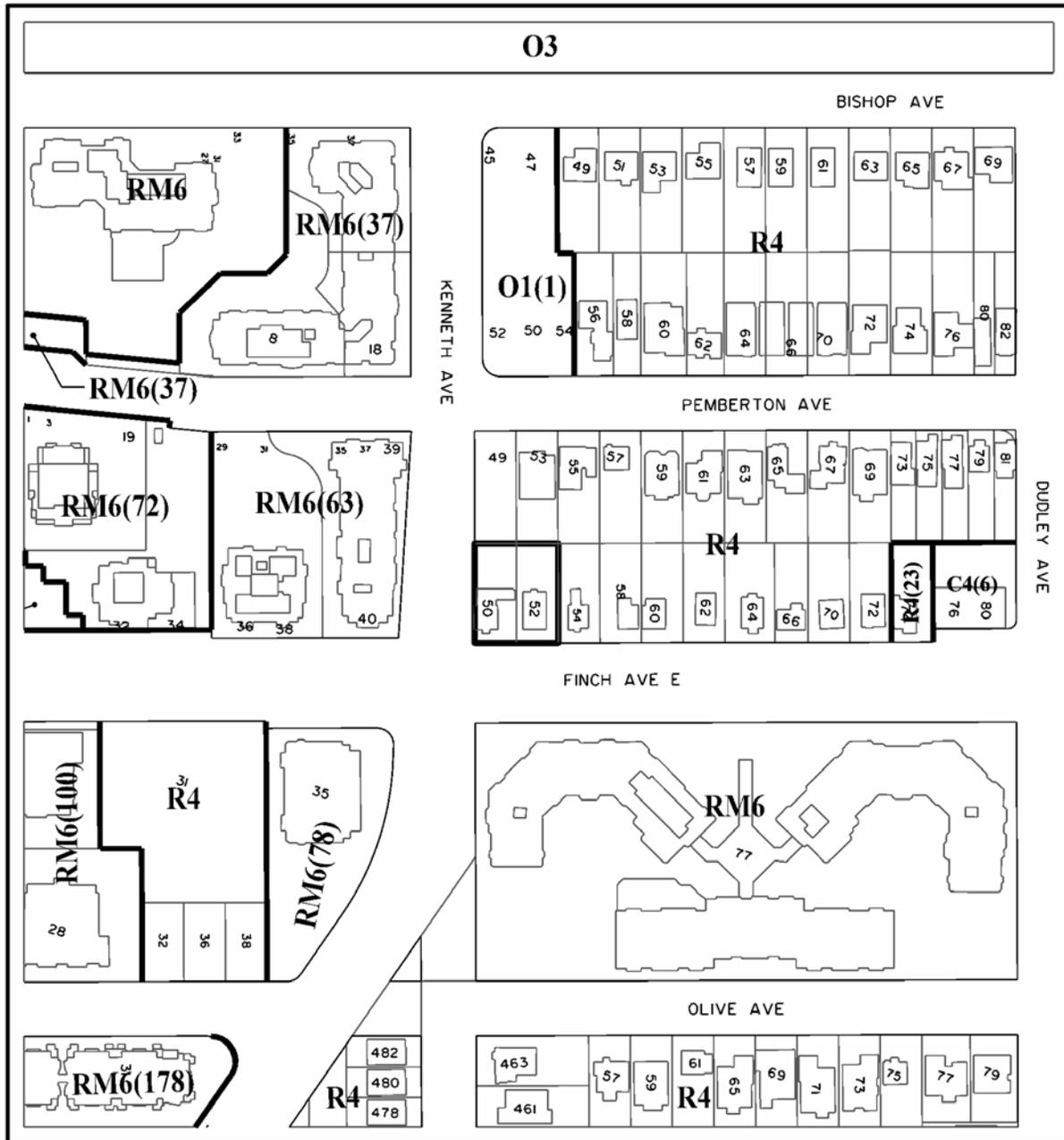
## 50 - 52 Finch Avenue East

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07/11/2016

Secondary Plan Boundary  
Mined Use Areas  
Neighbourhoods  
Site and Area Specific Policy Areas  
Subject Site

File # 16 150473 NNY 24 0Z

Attachment 5: Zoning By-law No. 7625



Zoning By-Law No. 7625

50 - 52 Finch Ave. East

File # 16 150473 NNY 24 02

Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone

C4 Mixed Use Commercial Zone

O1 Open Space Zone

O3 Semi-Public Open Space Zone



Not to Scale  
Extracted 07/11/2016

## Attachment 6: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 150473 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	May 4, 2016
Municipal Address:	50 and 52 FINCH AVENUE EAST		
Location Description:	PLAN 2233 LOT 42 **GRID N2401		
Project Description:	Proposed 9-storey mixed use building with 64 dwelling units and 182 square metres of commercial floor area on the ground floor and 2 levels of below grade parking.		

<b>Applicant:</b>	<b>Address:</b>	<b>Owner:</b>	<b>Address:</b>
GOLDBERG GROUP	2098 Avenue Road Toronto, Ontario M5M 4A8	THE HOUNSLOW HORSHAM CORPORATION	60 Larkfield Drive Toronto, ON M3B 2H1

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Central Finch Area Secondary Plan – MUA "C"
Zoning:	R4	Historical Status:	N
Height Limit (m):	8.8	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1110	Height:	Storeys:	9	
Frontage (m):	30		Metres:	37	
Depth (m):	36				
Total Ground Floor Area (sq. m):	353				<b>Total</b>
Total Residential GFA (sq. m):	5614		Parking Spaces:	42	
Total Non-Residential GFA (sq. m):	182		Loading Docks	1	
Total GFA (sq. m):	5986				
Lot Coverage Ratio (%):	57				
Floor Space Index:	5.37				

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	1
1 Bedroom:	50
2 Bedroom:	13
3 + Bedroom:	0
Total Units:	64

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	5614	5614	0
Retail GFA (sq. m):	182	182	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Jason Brander, Planner</b>
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	<b>E-MAIL:</b>	<a href="mailto:jbrande@toronto.ca">jbrande@toronto.ca</a>