

286 Finch Avenue West – Zoning Amendment – Final Report

Date:	October 27, 2017
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	16 108611 NNY 23 OZ

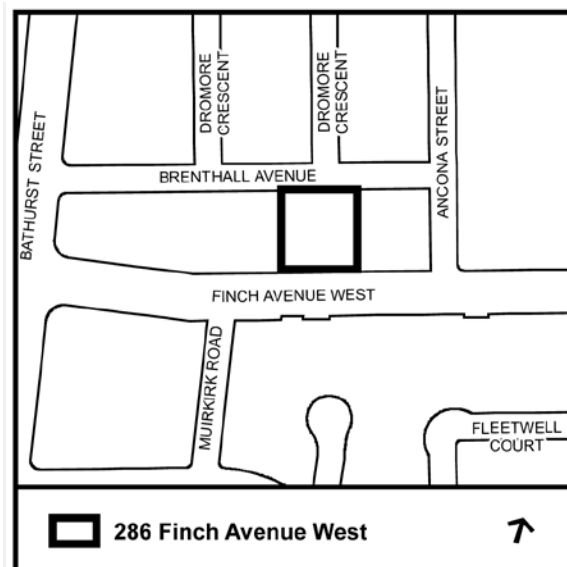
SUMMARY

An application for Zoning By-law Amendments has been submitted for the lands located at 286 Finch Avenue West. This application proposes a residential infill development consisting of 25 three-storey stacked townhouse units fronting onto Brenthall Avenue. The proposed development would be three storeys plus a rooftop landing and have a gross floor area of 2,101 square metres. The existing four-storey, 47-unit rental apartment building fronting onto Finch Avenue West will be retained. As part of the proposal, a number of improvements and renovations are proposed to the existing rental apartment building.

The proposed 25 units to the north side of the site are to be condominium. Matters relating to site access and continued maintenance of the site as a whole are secured as a legal convenience in a Section 37 Agreement.

The proposed stacked townhouse development conforms to the development criteria for *Mixed Use Areas*, *Healthy Neighbourhoods*, *Built Form*, and *Housing Policies* of the Official Plan.

This report reviews and recommends approval of the application to amend the Zoning By-laws.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of North York Zoning By-law No. 7625 for the lands at 286 Finch Avenue West in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 286 Finch Avenue West in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, City Council require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The following matters will be secured in the Section 37 Agreement as a legal convenience:
 - i. The Owner shall provide and maintain the 47 existing residential rental units at 286 Finch Avenue West as rental housing for a period of at least 20 years, from the date of the Zoning By-Law coming into full force and effect and with no applications for demolition or conversion from residential rental use made during such 20 year period, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;
 - ii. The Owner shall secure the following facilities, amenities and building improvements for the existing residential rental units, with no pass-through of costs to the existing tenants, to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor:
 - a. The Owner shall add outdoor amenity space in the form of a courtyard that is adjacent to the entrance of the existing building fronting Finch Avenue West, and this space shall be furnished to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - b. The Owner shall add an enclosed garbage collection area to the rear of the existing building;

- c. The Owner shall add a new Type G loading area to the rear of the existing building;
 - d. The Owner shall add bicycle spaces/racks for tenants of the existing building in the proposed new underground parking lot and the tenants of the existing building shall have access to those additional bicycle spaces/racks on the same basis as residents of the new building(s);
 - e. The Owner shall add landscaping in the form of green space, planters or other appropriate landscaping to the entrances of the existing ground floor units at the rear of the existing building to distinguish between the entrance to these units and the adjacent parking spaces to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - f. The Owner shall undertake improvements to the common doorways throughout the existing building; and
 - g. The Owner shall install and maintain security cameras in all indoor and outdoor common areas.
- iii. The Owner shall provide a Construction Mitigation Strategy to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - iv. The Owner shall provide a Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
 - v. The Owner shall, prior to the final site plan approval, submit a financial guarantee in the form of an irrevocable letter of credit, made payable to the Treasurer, City of Toronto, to guarantee the provision of watermain upgrades with servicing off of Brenthall Avenue to accommodate the development of the townhouses in the amount of \$325,000.00. In addition, the Owner shall submit an engineering and inspection fee in the amount of \$18,000.00 by certified cheque and insurance as required, to the satisfaction of the Executive Director of Engineering and Construction Services;
 - vi. The Owner shall, prior to the condominium registration enter into an agreement to provide for the shared access of and maintenance and easements with respect to the shared driveway, underground parking/bike parking, walkway, loading areas, servicing areas or any other commonly accessed areas as illustrated on any approved drawing between this condominium and the existing 4-

storey rental apartment building to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;

- vii. The Owner shall submit to the Executive Director, Engineering & Construction Services, for review and acceptance, prior to depositing in the appropriate Land Registry Office, a draft Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, showing the co-ordinate values at the main corners of the development lands, and delineating thereon, by separate PARTS, the lands to be severed and any appurtenant rights-of-way.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On April 5, 2016, North York Community Council adopted the Preliminary Report on the 286 Finch Avenue West development application. Planning staff were directed to hold a community consultation meeting for landowners and residents within 120 metres of the site, including an expanded notification area to all landowners and residents residing in the area bounded along the Hydro Corridor to the north, both sides of Grantbrook Street and Senlac Road to the east, Horsham Avenue to the south and the east side of Bathurst Street to the west.

The link to the preliminary report is available at:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-91250.pdf>

ISSUE BACKGROUND

Proposal

The applicant proposes to construct three-storey stacked townhouses containing 25 units at the north end of the site with access off of Brenthall Avenue. The proposed townhouses would be three-storeys plus a rooftop landing and would have a gross floor area of 2,101 m². The existing 4 storey, 47 unit rental apartment building fronting Finch Avenue West at the south end of the site would be maintained. The townhouse portion of the development would consist of 24, 2-bedroom units and a single 3-bedroom unit. The townhouses combined with the existing rental apartment building would result in an overall floor space index (FSI) of 1.35 times the area of the lot.

With the proposed severance of the site into two parcels, the total FSI for the stacked townhouses would be 1.67 times the area of the lot and the existing rental apartment building would be 1.21 times the area of the lot.

The proposal includes a one-level underground parking structure to be located beneath the existing surface parking area. The proposed townhouses would sit above this underground

parking structure, addressing Brenthall Avenue, and would replace the existing garage structures currently backing onto Brenthall Avenue.

To service the development, the applicant proposes to provide 46 residential parking spaces, which will be shared between the proposed townhouses and existing rental apartment building. Of the 46 parking spaces, 35 resident parking spaces would be located in a single level underground parking garage; 11 parking spaces would be maintained at ground level between the existing rental apartment building and the proposed townhouses for visitor and resident parking. There are 19 shared bicycle parking spaces proposed, of which 5 would be located at ground level and 14 would be located underground. A single shared loading space is proposed at ground level between the existing rental apartment building and proposed townhouses. Access to the shared vehicular and bicycle parking as well as the loading space would be off of Brenthall Avenue. A driveway is proposed to pass through the stacked townhouse building.

The applicant proposes private outdoor amenity space for the stacked townhouses in the form of rooftop terraces. The lower units would be provided with a patio at the ground floor at the rear of the development. A total of 21 square metres per unit as well as 680 square metres of outdoor amenity space will be provided in the form of a courtyard adjacent to the entrance of the existing building.

Site and Surrounding Area

The subject lands are generally square in shape and consist of a single through lot that fronts onto Finch Avenue West to the south and Brenthall Avenue to the north. The site is located between Bathurst Street and Ancona Street and measures approximately 4,233 m² in area. The subject lands have 60.96 metres of frontage on Finch Avenue West and a depth of 69.44 metres.

The site is currently occupied by an existing rental apartment building which would be maintained. The residential unit mix of the existing residential rental units is as follows: 14 one-bedroom units, 29 two-bedroom units, and 4 three-bedroom units. The existing one-storey garage structures located at the rear of the property are proposed to be demolished in order to facilitate the development. Vehicular access will continue to be taken from Brenthall Avenue.

The subject lands are located 260 metres east of Bathurst Street.

Abutting uses are as follows:

North: Brenthall Avenue and beyond are one and two storey single detached residential dwellings.

South: Finch Avenue West and beyond are one and two storey single detached residential dwellings and Yorkview Public School.

East: To the immediate east is a low-rise apartment building. Further east is the Associated Hebrew Schools of Toronto, Ancona Park, Northminster United Church, North York

Community House, and low-rise residential developments including single detached dwellings, townhouses, and low-rise apartments.

West: To the immediate west are low-rise apartment buildings (4-storey). West of Bathurst Street are retail plazas, Esther Shiner Stadium, and Northview Heights Secondary School.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters 'shall be consistent with' the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies direction municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

Chapter 2 – Shaping the City

This site is located in a *Mixed Use Area*. Policy 2.3.1.2 of the Official Plan states that development in *Mixed Use Areas*, *Regeneration Areas*, and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a. Be compatible with those Neighbourhoods;
- b. Provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those Neighbourhoods;
- c. Maintain adequate light and privacy for residents in those Neighbourhoods; and
- d. Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

Chapter 3 – Built Form

Section 3.1.2 Built Form

New development in Toronto is to be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing ground floor uses with views to and access from streets. New development will also locate and organize vehicular parking and access to minimize its impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

New development will be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for proposed and future uses. It will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space.

Section 3.2.1 Housing

Official Plan policies address the need to provide and maintain a full range of housing in terms of form, tenure and affordability across the City, and maintain and replenish existing housing stock.

The site currently has 47 residential rental units on the south side of the site. Official Plan Housing Policy 3.2.1.5 of the Official Plan states that that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will: secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and, may secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to the height and density incentives of Section 5.1.1 of the Plan, without pass-through of such costs in rents to tenants.

Chapter 4 – Land Use Designations

The City's Official Plan designates the subject site as *Mixed Use Areas* on Land Use Map 16. *Mixed Use Areas* are considered to be areas where a multitude of planning objectives is combined. *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, and utilities (Policy 4.5.1). It is intended that *Mixed Use Areas* will absorb much of the anticipated increase in retail, office, and service employment in Toronto, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development.

Policy 4.5.2 states that in *Mixed Use Areas*, development will:

- a) Create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- b) Provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown*, the *Central Waterfront*, *Centres*, *Avenues* and other lands designated *Mixed Use Areas*, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities for all Torontonians;
- c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- e) Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) Provide an attractive, comfortable and safe pedestrian environment;
- g) Have access to schools, parks, community centres, libraries, and childcare;
- h) Take advantage of nearby transit services;

- i) Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- j) Locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- k) Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

The Official Plan can be found at:

http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Infill Townhouse Guidelines

The Urban Design Guidelines for Infill Townhouses (2003) assist in the implementation of Official Plan policies with a focus on preserving and enhancing streetscapes, respecting and reinforcing the prevailing physical character of the surrounding context and mitigating the impact of new development on adjacent and nearby properties and the public realm. The Guidelines provide an evaluation framework for site design and built form matters to achieve high quality urban design outcomes for low-rise, grade related residential units constructed in rows or blocks. The Guidelines can be viewed at:

http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/.

Townhouse and Low-Rise Apartment Guidelines

A comprehensive update to the Infill Townhouse Guidelines is currently underway. Updated Townhouse and Low-Rise Apartment Guidelines (draft August 2016) further clarify and expand upon the 2003 Council-approved Infill Townhouse Guidelines to address current policy directions and best practices for a broader range of multi-dwelling developments up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines can be viewed online at:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=f3064af89de0c410VgnVCM10000071d60f89RCRD>.

Prior to presenting a finalized version of these Guidelines for City Council consideration and adoption, City staff are currently refining and consulting upon the draft Guidelines, in part through their use during the review of development applications.

The Urban Design Guidelines for Infill Townhouses were applied together with the draft Townhouse and Low-Rise Apartment Guidelines in the evaluation of the applications.

Zoning

The subject lands are currently zoned "Residential Multiple Dwelling Zone (RM f21.0; a925; d0.85)" in the City of Toronto Zoning Bylaw No. 569-2013. This zoning permits detached houses; semi-detached houses; duplexes; triplexes; fourplexes; and apartment buildings. A building height of 12 metres for a building or structure other than a detached or semi-detached dwelling and a density of 0.85 times the lot area is permitted.

The subject lands are also zoned "Multiple-Family Dwellings Fourth Density Zone (RM4)" in Zoning By-law No. 7625 of the former City of North York. This zoning permits apartment house dwellings; converted dwellings; double duplex dwellings; duplex

dwellings; hospitals; multiple attached dwellings; nursing homes; single detached dwellings; religious institutions; sanitariums; semi-detached dwellings; and any other use permitted in the R4 zone. A maximum height of 9.2 metres or 3 storeys is permitted.

Site Plan Control

The proposed development is subject to Site Plan approval. A Site Plan Control Approval application has not yet been submitted.

Reasons for Application

The application proposes to amend the former City of North York By-law 7625 and the new City of Toronto By-law 569-2013 to permit a density of 1.67 times the lot area. The proposal exceeds the maximum floor space index of 0.85 in both By-laws. The density is calculated on the basis of the lot severance. The combined density for the proposed stacked townhouses and the existing rental apartment building on the entirety of the site is 1.35 times the lot area.

Amendments to By-law 569-2013 and 7625 are required to permit the proposed height of 13.4 metres. The By-laws currently permit a building height of 12.0 metres and 11.3 metres, respectively. Other amendments are required to accommodate the proposed development.

Community Consultation

A community consultation meeting was held on May 10, 2017 at the St. Antoine Daniel Catholic School and was attended by approximately 40 residents. Issues raised at the community meeting and written submissions include:

Density

Concerns were raised about the density being too high and not keeping in character with the neighbourhood.

Traffic

Traffic was raised by residents as a concern, due to the already existing traffic problems on Finch Ave West and in the surrounding neighbourhood partly due to the presence of two schools.

Rental Units

The question of tenure was brought up a number of times by the residents. The applicant confirmed that the units being proposed as part of the development would be managed by a condominium management company. Many residents opposed more rental units on the site due to the perceived threat of property value decline in the surrounding area.

Agency Circulation

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

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 (PPS) provides for a coordinated and integrated approach to planning matters within municipalities. Policy 4.7 of the PPS states that: "the Official Plan is the most important vehicle for implementation".

Policy 1.2.1 of the PPS includes section "h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement." Municipalities are directed by the Housing Policy Statement to use the tools of the *Planning Act* to achieve affordable housing for low and moderate income households through private market development. Policy 1.4.3 b) of the PPS states that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating: "all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements." The proposed 25 stacked townhouse units will be comprised of 24 two-bedroom units and 1 three-bedroom unit. The existing apartment building contains 14 one-bedroom units, 29 two-bedroom units, and 4 three-bedroom units. The proposed development has sufficient underutilized space to accommodate intensification on an underutilized portion of an existing apartment building site.

The application proposes residential infill on a *Mixed Use Areas* property in a residential neighbourhood where appropriate infrastructure and public service facilities exist. The infill proposal represents an efficient use of land, in close proximity to public transit, and encourages a sense of place by promoting well-designed built-form.

Staff are of the opinion that the proposed development application is consistent with the Provincial Policy Statement, 2014 and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe, 2017.

Land Use

The application proposes townhouses in an area designated *Mixed Use Areas* in the Official Plan. The proposed use transitions appropriately into the existing *Neighbourhoods* to the north. Stacked townhouses are a permitted use in the *Mixed Use Areas*. On this site specifically, the stacked townhouses provide a transition between Finch Avenue West, where a higher development intensity and scale is permitted, and the *Neighbourhoods* located to the north of the subject site. The stepping down of height from the existing four-storey rental apartment building to the proposed three-storey stacked houses, towards the lower scale detached dwellings in *Neighbourhoods* is appropriate.

Site Organization and Streetscape

The proposed development would be located on the north side of the site, fronting onto Brenthall Avenue. The stacked townhouses are designed to provide a transition between the

existing four-storey rental apartment building towards the two-storey single detached dwellings in the *Neighbourhoods* to the north of Brenthall Street.

The proposed stacked townhouses would be setback 2.7 metres from the property line, with a proposed 2.1 metre sidewalk proposed in the public boulevard to promote an adequate pedestrian right-of-way, creating a consistent and defined streetwall along Brenthall Street. An approximately 1.6 metre walkway is proposed along the west of the property to provide a pedestrian connection through the site. The proposed configuration of the townhouses is parallel to the street, in keeping with the built form of the *Neighbourhood*.

The proposal will replace an existing ground level parking lot. A new consolidated underground parking garage will be constructed to serve new and existing residential units. Access to the underground parking as well as the visitor parking and loading space at ground level is proposed to be accessed through a shared driveway off of Brenthall Street.

A total of 11 street trees are proposed for the site along the Brenthall Street frontage.

Planning staff are of the opinion that the proposed organization and layout of the site is appropriate.

Height, Massing, Density

The density for the existing rental apartment building on the site is 1.21 times the area of the lot. The density for the proposed development is 1.67 times the area of the lot. The existing and proposed density on the site is 1.35 times the area of the lot, exceeding the zoning by-law permission of 0.85 times the area of the lot. The proposed density is appropriately massed on the site to be in keeping with the character of the neighbourhood providing for an appropriate transition and minimizes impacts arising from height such as overlook and privacy. The proposed development is able to provide for adequate servicing and amenity space on-site.

The proposed building is 10.3 metres in height to the top of the roof terrace of the third floor and 13.4 metres to the top of the stair access. The height transitions down from the existing apartment building and meets the 45 degree angular plane from detached dwellings across the street.

Private outdoor amenity space is proposed in the form of rooftop terraces and patio space, located at the rear of the building and on the rooftop. The rooftop terrace and patios have been located to limit privacy and overlook. A street separates the rooftop amenity from the front yards of the detached houses on Brenthall Street mitigating issues of privacy and overlook.

The separation distance from the building face of the rear of the rental apartment building to the building face of the rear of the proposed building is approximately 16.97 metres and provides sufficient separation to mitigate issues of light, view and privacy between the existing and proposed building.

Traffic Impact, Access, Parking

Section 2.2 of the Official Plan, "Structuring Growth in the City: Integrating Land Use and Transportation," indicates that future growth within Toronto will be directed to areas that are well served by transit, the existing road network and which have properties with redevelopment potential, the redevelopment of which will have no significant impact on existing traffic flow or pedestrian safety, and that provide appropriate parking and site access.

The applicant proposes a total of 46 shared parking spaces; 35 underground spaces for residents and 11 surface spaces for visitors and residents. Transportation Services Staff have calculated that the proposed development would require 43 spaces as a site within Policy Area 4 – Avenues on Surface Transit under Zoning By-law 569-2013. The applicant proposes shared vehicular access off of Brenthall Avenue to the underground parking as well as surface parking spaces.

Upon review of the submitted parking demand statistics and traffic impact study report, Transportation Services are satisfied with the supply of 46 parking spaces and do not have concerns with traffic impacts on the area road network given the relatively small scale of the proposed 4-storey and 25 unit development within walking distance of TTC services. The closest bus stop is located on the northeast corner at Ancona Street and Finch Avenue West.

Garbage is to be stored between the two buildings within a garbage staging area to be accessed via a loading space. Solid Waste Management services will provide garbage, recycling and organic collections services to this development.

Servicing

Engineering and Construction Services are generally satisfied with respect to water demands and sewer capacity; however, further revisions to the Functional Servicing and Stormwater Management Report, including watermain upgrades and sewer capacity analysis is required.

This report recommends that prior to site plan approval, a revised Functional Servicing Report and financial guarantees in the form of an irrevocable letter of credit be provided to the satisfaction of the Executive Director of Engineering and Construction Services.

Rental Housing

The existing rental apartment building will be retained and maintained as rental housing for a period of at least 20 years. The applicant must comply with policy 3.2.1.5 of the Official Plan which requires that the rental tenure of the buildings be maintained. Rental tenure and any improvements and renovations to these buildings will be secured through an agreement under Section 37 of the *Planning Act*. This agreement, among other matters will stipulate that none of the existing rental units or associated parking spaces will be permitted to be registered as condominium or any other form of ownership, converted for non-rental housing purposes, or demolished during this 20 year period, from the date that any implementing by-law comes into effect.

Staff will continue to work with the applicant to develop an appropriate Tenant Communication Plan and Construction Mitigation Strategy for existing tenants at 286 Finch Avenue West which will be secured in the Section 37 Agreement. City Staff is satisfied that the proposed improvements and renovations to the site and existing building, and the securing of the existing units as rental, meet the requirements of Official Plan Policy 3.2.1.5. The proposed improvements and renovations to the existing rental building include the addition of an outdoor amenity space in the form of a courtyard adjacent to the entrance of the existing building, the addition of an enclosed garbage collection area to the rear of the building, a new loading area to the rear of the existing building, bicycles spaces/racks for tenants of the existing building within the new underground parking lot, improvements to the common doorways throughout the existing building and the installation of security cameras in all indoor and outdoor common areas. These will be secured in the Section 37 Agreement.

The north side of the site, where stacked townhouses are proposed, will be severed from the rental apartment building. Any approval of this severance, will be conditional upon the Owner entering into an agreement to provide for the shared access of maintenance and easements with respect to shared facilities between the severed parcel and existing 4-storey rental apartment building.

Conclusion

The proposal represents an appropriate intensification of the site. The proposed stacked townhouses conform to the Official Plan *Mixed Use Areas* policies. The built form creates an urban condition and improved streetcape along Brenthall Street which provides for an appropriate built form transition from the *Mixed Use Areas* designation to the *Neighbourhoods* located to the north of Brenthall Street.

The proposed density is appropriate on this site because the development is well served by transit and will be providing appropriate servicing as well as private outdoor amenity in the form of rooftop terraces and patio space, located at the rear of the building and on the rooftop. The stacked townhouses have been designed to mitigate impacts of overlook, privacy, and noise and will be compatible with the surrounding area.

City Planning staff recommend that City Council approve the Zoning By-law Amendment application.

CONTACT

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SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevations

Attachment 2a: South Elevations

Attachment 2b: East Elevations

Attachment 2c: West Elevations

Attachment 3: Official Plan

Attachment 4: Zoning By-law No. 7625

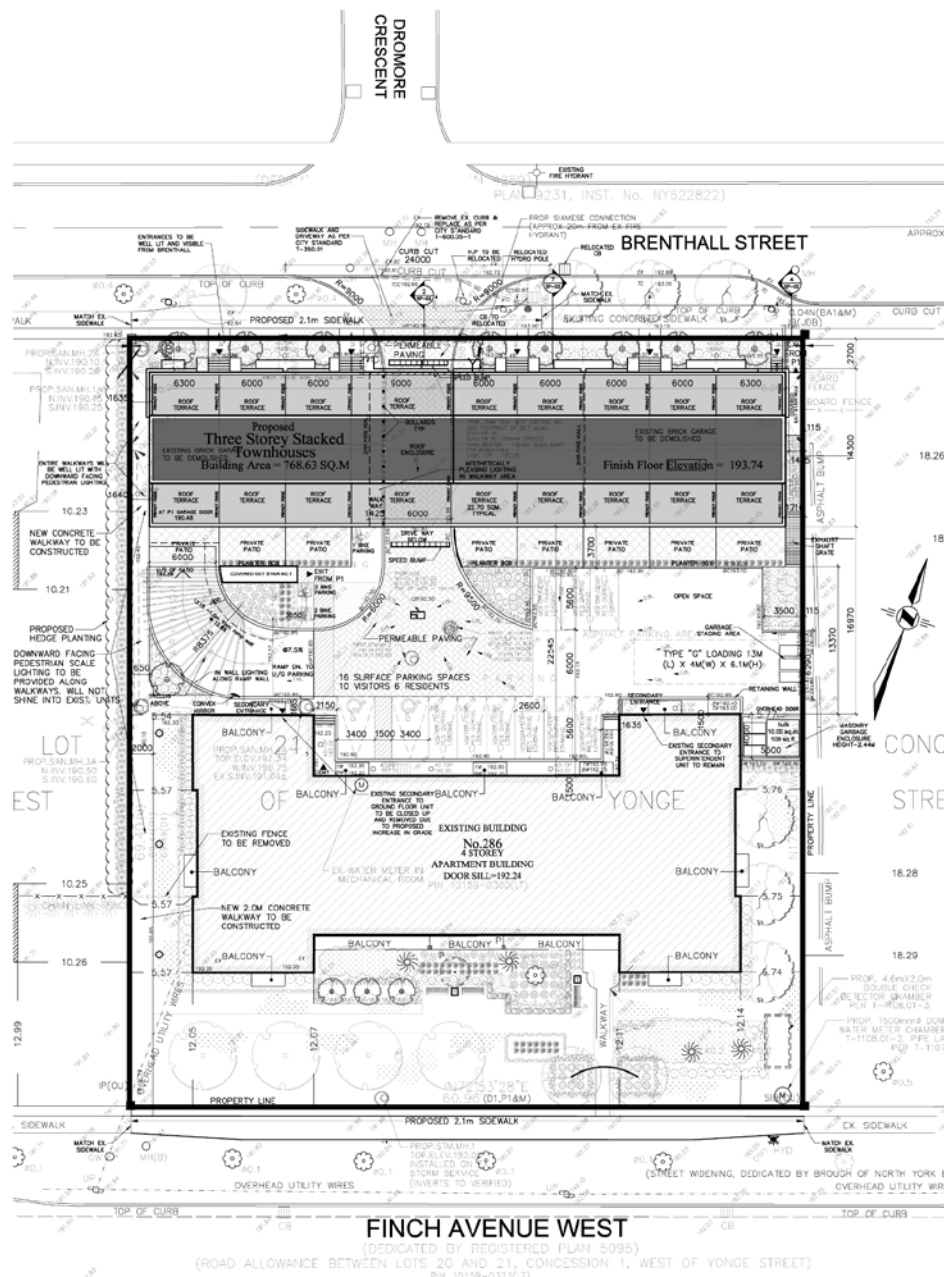
Attachment 5: Zoning By-law 569-2013

Application 6: Application Data Sheet

Attachment 7: Draft Zoning By-law Amendment By-law No. 7625

Attachment 8: Draft Zoning By-law Amendment By-law 569-2013

Attachment 1: Site Plan



Site Plan

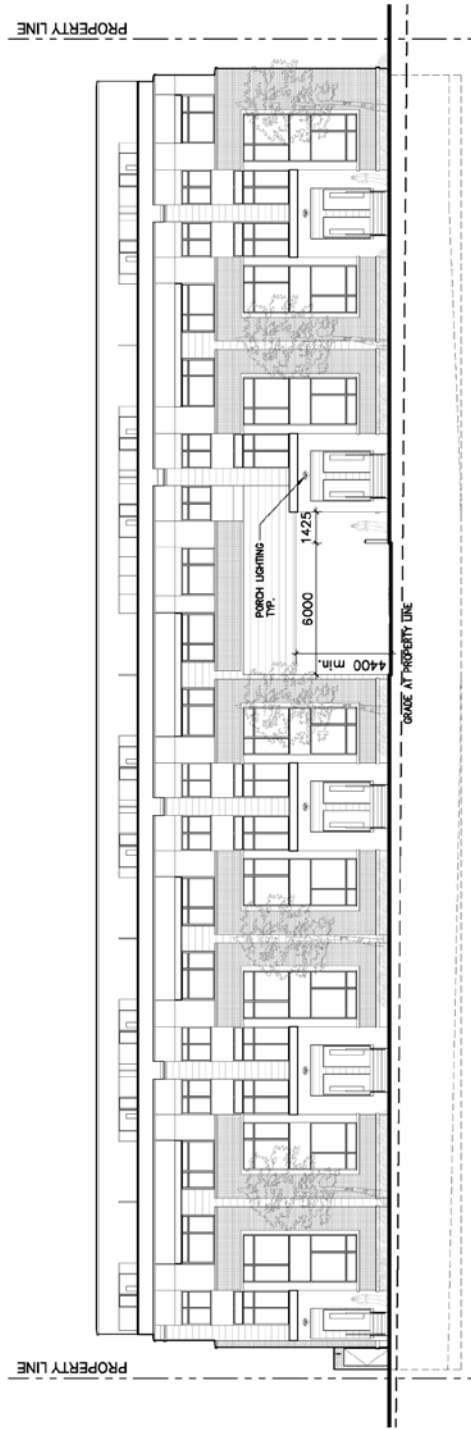
286 Finch Avenue West

Applicant's Submitted Drawing

Not to Scale 2/26/2016

File # 16 108611 NNY 23 0Z

Attachment 2: North Elevations



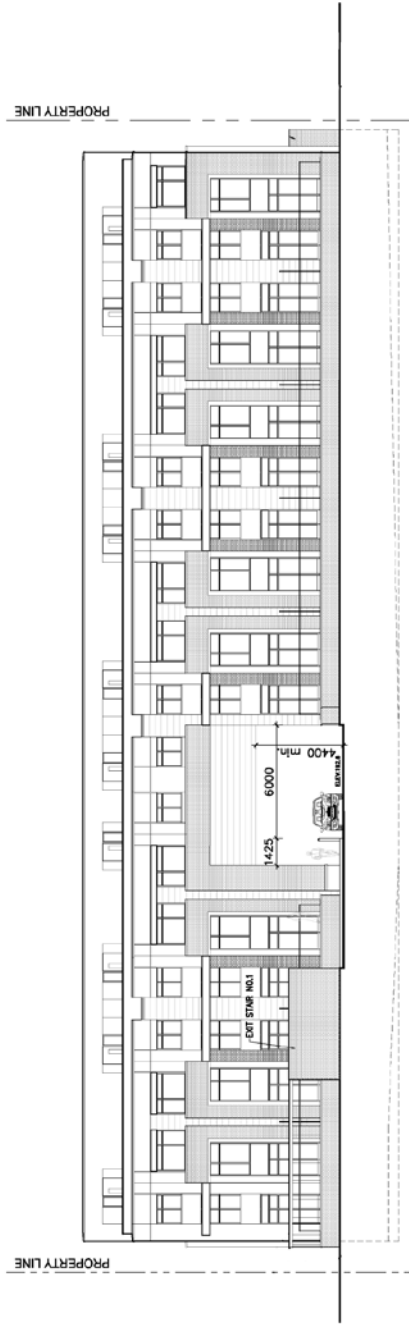
286 Finch Avenue West

North Elevation
Applicant's Submitted Drawing

Not to Scale
2/26/2016

File # 16 108611 NNY 23 0Z

Attachment 2a: South Elevations



286 Finch Avenue West

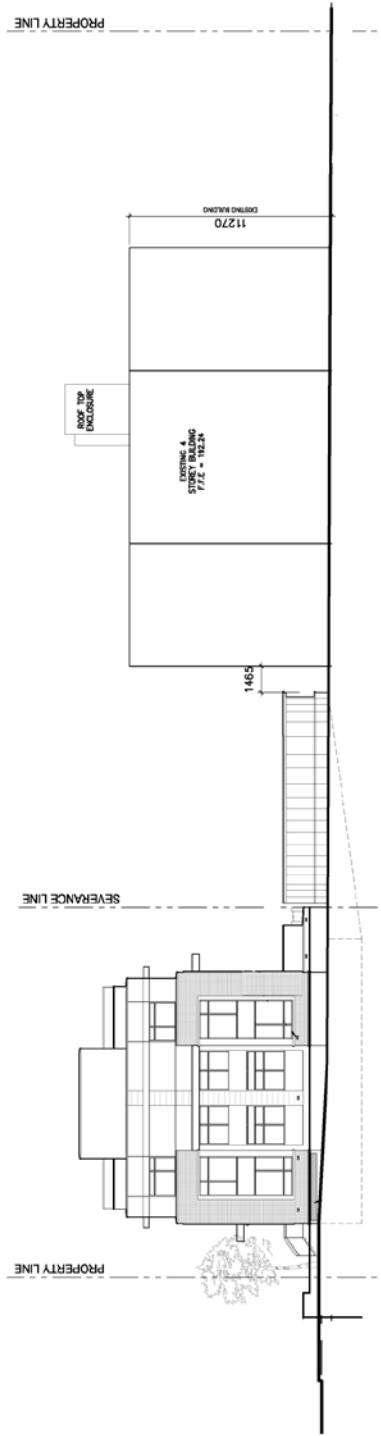
File # 16 108611 NNY 23 0Z

South Elevation

Applicant's Submitted Drawing

Not to Scale
2/26/2016

Attachment 2c: West Elevations



West Elevation

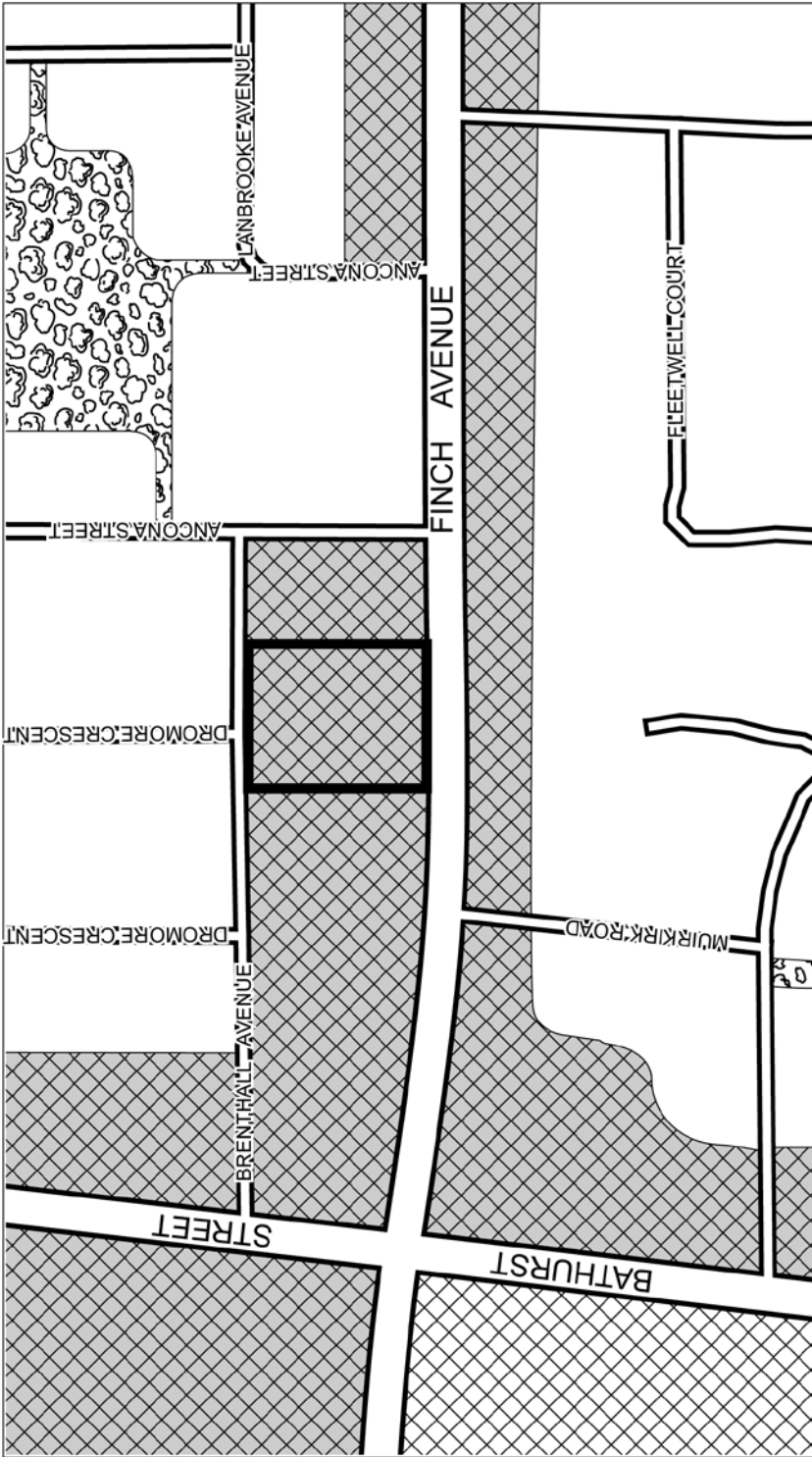
Applicant's Submitted Drawing

Not to Scale
2/26/2016

286 Finch Avenue West

File # 16 108611 NNY 23 0Z

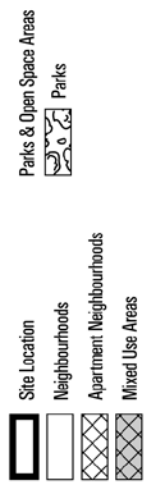
Attachment 3: Official Plan



286 Finch Avenue West

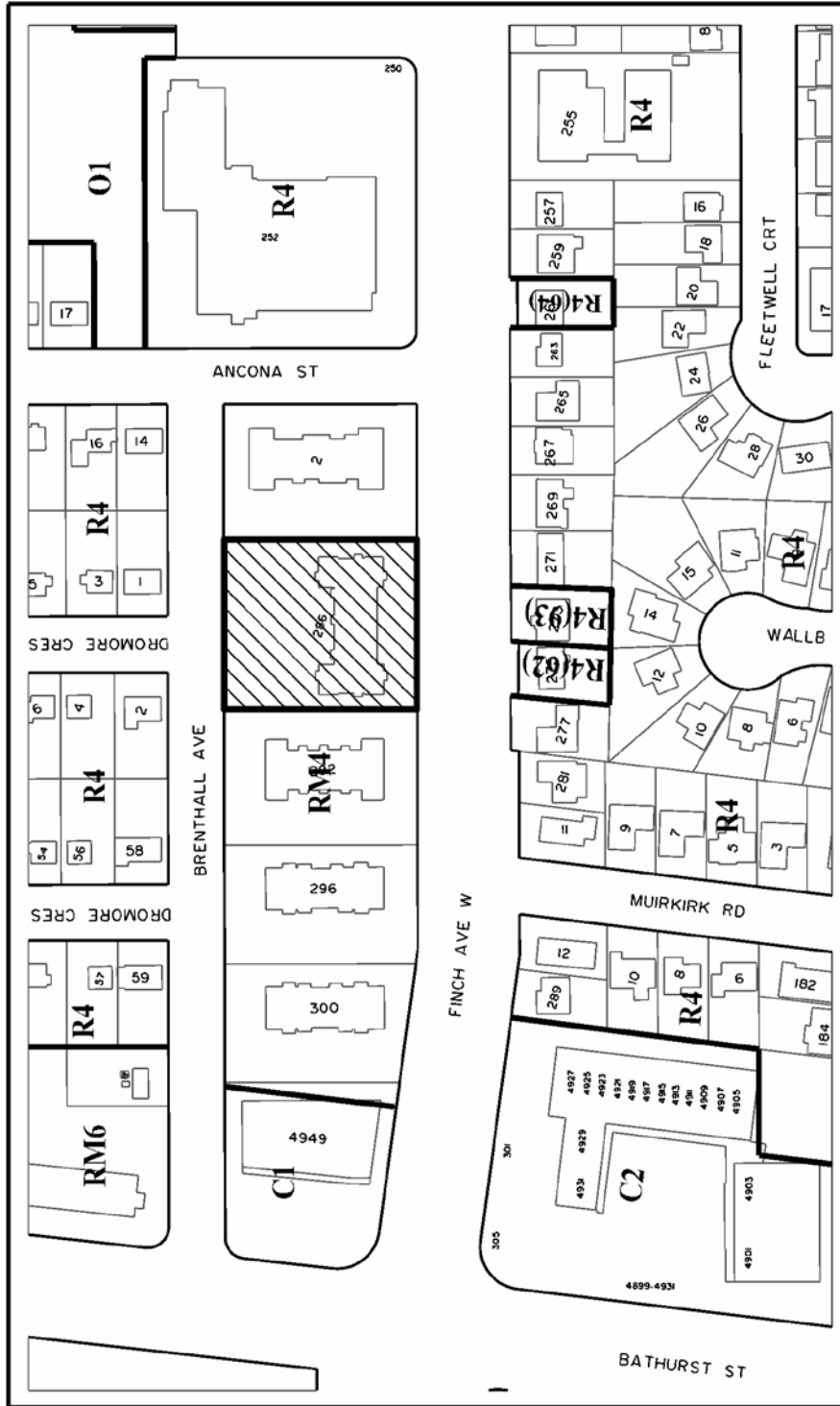
Toronto City Planning
Extract from Official Plan

File # 16 108611 NNY 23 0Z



↑
Not to Scale
02/26/2016

Attachment 4: Zoning By-law No. 7625

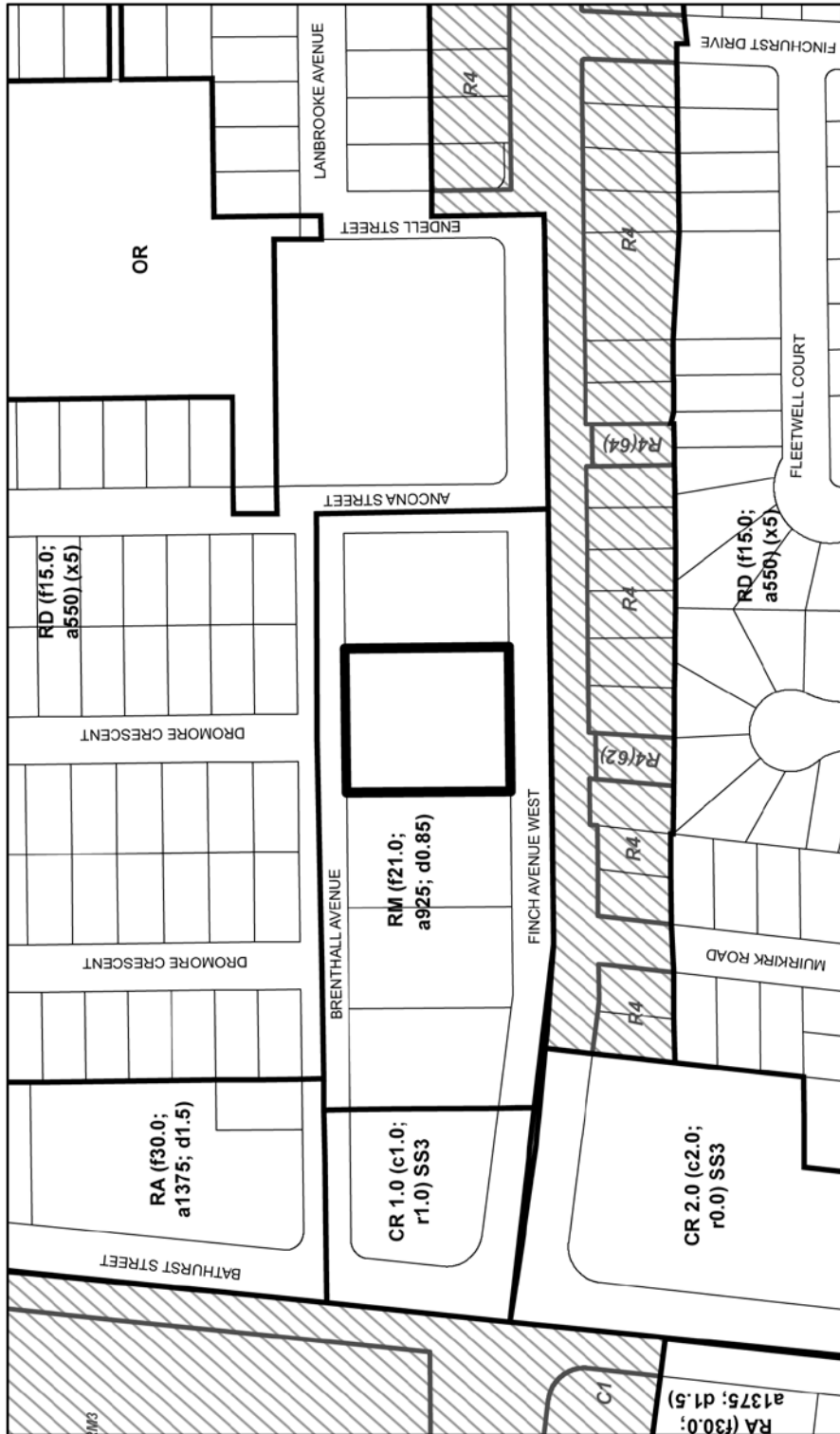


Toronto City Planning
Zoning By-Law No. 7625
 286 Finch Avenue West
 File # 16 108611 NNY 23 0Z

- R4 One-Family Detached Dwelling Fourth Density Zone
 - RM4 Multiple-Family Dwellings Fourth Density Zone
 - RM6 Multiple-Family Dwellings Sixth Density Zone
 - C1 General Commercial Zone
 - C2 Local Shopping Centre Zone
 - O1 Open Space Zone
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Not to Scale
 Zoning Bylaw 7625
 Extracted 02/26/2016

Attachment 5: Zoning By-law 569-2013



Toronto City Planning
Zoning By-Law No. 569-2013
286 Finch Avenue West
File # 16 108611 NNY 23 0Z

- Location of Application
- See Former City of North York By-Law No. 7625
- Residential Detached
- Residential Apartment
- Residential Multiple
- CR Commercial Residential
- RD One-Family Detached Dwelling Fourth Density Zone
- RM Multiple-Family Dwellings Third Density Zone
- C1 General Commercial Zone
- OR Open Space Recreation

↑
 Not to Scale
 Extracted: 02/26/2016

Attachment 6: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	16 108611 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	January 26, 2016
Municipal Address:	286 FINCH AVENUE WEST		
Location Description:	CON 1 WY PT LOT 21 **GRID N2301		
Project Description:	The application proposes the construction of a three-storey stacked townhouse with 25 units (24 two bedroom units and 1 three bedroom unit) and a total FSI of 1.35 across the property as a whole. The underground parking structure contains 35 resident parking spaces with 11 surface parking spaces. A four-storey building apartment building containing 47 rental dwelling units with 3,599.48 square metres of gross floor area is being maintained on the site. Access for the new townhouse will be taken from Brenthall Street.		

Applicant:	Agent:	Architect:	Owner:
KLM PLANNING PARTNERS INC			LENGOLD DEVELOPMENTS LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	RM (f21.0, a925, d0.85)	Historical Status:	No
Height Limit (m):	12 m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	4231.3	Height:	Storeys:	3	
Frontage (m):	60.96		Metres:	10.9	
Depth (m):	69.4				
Total Ground Floor Area (sq. m):	1668.5				Total
Total Residential GFA (sq. m):	5700.87		Parking Spaces:	46	
Total Non-Residential GFA (sq. m):	0		Loading Docks	1	
Total GFA (sq. m):	5700.87				
Lot Coverage Ratio (%):	36.8				
Floor Space Index:	1.35				

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	5700.87	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	14	Office GFA (sq. m):	0	0
2 Bedroom:	53	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	72			

CONTACT: PLANNER NAME: Travis Skelton, Planner
TELEPHONE: 416-395-7124

Attachment 7: Draft Zoning By-law Amendment By-law No. 7625

CITY OF TORONTO BY-LAW No. ____-2016

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 286 Finch Avenue West

1. 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
2. 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*;
3. The Council of the City of Toronto enacts:
 1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.
 2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (xxx) RM6(xxx)

DEFINITIONS BICYCLE

PARKING

- (a) For the purpose of this exception, "bicycle parking" shall mean an area below established grade or at grade that is equipped with bicycle racks or lockers for the purpose of parking and securing bicycles, but is not intended for general storage use.

3. ESTABLISHED GRADE

- (a) For the purposes of this exception, "established grade" shall mean a geodetic elevation of 192.15 metres.

4. GROSS FLOOR AREA

- (a) For the purposes of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies but excluding:
 - (i) Any part of the building used for mechanical floor area;
 - (ii) Any space in a parking garage at or below grade used exclusively for storage lockers, motor vehicle and bicycle parking and access thereto;
 - (iii) The floor area of any unenclosed residential balconies; and

- (iv) The floor area of the enclosed loading space.

LANDSCAPING

- (b) For the purposes of this exception, "landscaping" shall mean trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas, nor any directly associated elements such as curbs or retaining walls.

5. LOT

- (a) For the purposes of this exception, lot shall mean the lands zoned RM6(xxx) on Schedule 1.

6. MECHANICAL FLOOR AREA

- (a) For the purposes of this exception, "mechanical floor area" shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, storm water storage, irrigation, fire protection, stair enclosures providing access to the roof of the building or structure, and elevator equipment.

7. MULTIPLE ATTACHED DWELLING - STACKED TOWNHOUSE

- (a) For the purposes of this exception, "multiple attached dwelling - stacked townhouse" shall mean a dwelling divided vertically and horizontally into a series of dwelling units each having direct access from the outside.

EXCEPTION REGULATIONS DWELLING

UNITS

- (b) A maximum of 72 dwellings units shall be permitted.

LANDSCAPING

- (c) A minimum area of 1,750 square metres of landscaping shall be provided on the lot.

YARD SETBACKS

- (d) The minimum setbacks for buildings and structures above established grade shall be as shown on Schedule RM6(xxx).

- (e) Nothing shall be permitted outside of the building envelope as shown on Schedule RM6(xxx), except for the following:
 - (i) Parking structures at or below established grade;
 - (ii) Any portion of the building below established grade;
 - (iii) The accessory enclosed refuse/garbage room as shown on Schedule RM6(xxx);
 - (iv) The enclosed stairwell shown on Schedule RM6(xxx);
 - (v) An exterior stairway and wheelchair ramp;
 - (vi) A courtyard; and
 - (vii) A canopy may project horizontally a maximum of 1.3 metres into the north or south setbacks shown on Schedule RM6(xxx).

GROSS FLOOR AREA

- (f) A maximum gross floor area of 5,800 square metres shall be permitted.

BUILDING HEIGHT

- (g) The maximum building height for the new building shall be 3 storeys and shall not exceed the height limit in metres as shown on Schedule RM6(xxx).
- (h) The maximum building height for the existing building shall be 4 storeys and shall not exceed the height limit in metres as shown on Schedule RM6(xxx).
- (i) Despite provisions (m) and (n), the following items may exceed the maximum building height:
 - (i) Rooftop guardrails and privacy screening;
 - (ii) Parapets to a maximum height of 0.5 metres; and
 - (iii) Enclosures for rooftop mechanical and stairwells shown as 'Rooftop Mechanical/Stairwell' on Schedule RM6(xxx) to maximum height of **8.3.0** metres.
- (a) The maximum building height of the 'Stairwell' and 'Refuse/Garbage Room' shown on Schedule RM6(xxx) shall be 2.6 metres above established grade.
- (b) Except as provided herein, Section 2.10 of By-Law No. 7625 shall continue to apply.

BICYCLE PARKING

- (c) A minimum of 19 bicycle parking spaces are required.

PARKING

- (d) The following minimum parking ratios shall apply to the dwelling units:
 - (i) 0.53 parking spaces per dwelling unit; and
 - (ii) Visitor parking of 0.15 parking spaces per dwelling unit.
- (e) The provisions of Sections 6A(8)(b), (c) and (d) (Parking Regulations for RM Zones other than RM2 Zones) shall not apply to parking spaces within parking structures located below established grade.

LOADING

- (f) One Type G loading space having dimensions of 13.0 metres long, 4.0 metres wide and 6.1 metres vertical clearance is required.

EXCLUSIONS

- (g) Section 15 - General Provisions for Multiple-Family Dwelling Zones (RM) shall not apply.
 - (h) The provisions of Sections 15.6 (Minimum Distance of Apartment House Dwellings from R and RM2 Zones), 20-A.2.1 (Lot Area), 20-A.2.2 (Lot Coverage), 20-A.2.3 (Lot Frontage), 20-A.2.4 (Yard Setbacks), 20-A.2.4.1 (Distance Between Buildings and/or Portions of Buildings Forming Courts), **9.** 20-A.2.5 (Gross Floor Area), and 20-A.2.6 (Building Height) of By-law No. 7625 shall not apply.
- 10.** Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding Schedule RM6(xxx) attached to this By-law.
 - 11.** Except as provided herein, By-law No. 7625 of the former City of North York shall continue to apply.
 - 12.** Despite any existing or future severance, partition or division of the lot, the provisions of this by-law shall apply to the whole lot as if no severance, partition or division occurred.
 - 13.** Enacted and passed on _____.

Attachment 8: Draft Zoning By-law Amendment By-law 569-2013

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2016]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2015 as, 286 Finch Avenue West

Whereas Council of the City of Toronto has the authority to pursuant to 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*; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law;
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions;
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section respecting the lands outlined by heavy black lines to RMx(xxx), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number RMx(xxx) so that it reads:

Exception RM xxx

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) The lot line abutting Finch Avenue West is the front lot line.
- (B) A maximum of 72 dwelling units are permitted.
- (C) The minimum lot frontage, side yard setbacks, and rear yard setbacks for the building and structure above ground are shown on Diagram 3 of By- law [## to be inserted by Clerks].

-
- (D) Despite regulation 10.5.80.30(1), a parking space may be permitted to be less than 3 metres from the main walls of an apartment building.
- (E) Despite regulation 10.80.40.70, the minimum building setbacks shall be as follows:
- i. Front Lot Line Setback (Finch Avenue West):
12.0 m
 - ii. Rear Lot Line Setback (Westerly Property Line):
1.3m
 - iii. Side Lot Line Setback (Easterly Property Line):
1.3m
 - iv. Side Lot Line Setback (Brenthall Street):
2.7m
- (F) Despite regulation 10.5.60.20, the minimum setbacks to ancillary structures including: garbage enclosures and staging areas, ventilation shafts, exhaust shafts, or underground access stairs shall be as follows:
- i. Side Yard (Easterly Property Line): 0.1m
- (G) Regulation 10.5.100.1(5) regarding driveway access to Apartment Buildings shall not apply.
- (H) The maximum permitted gross floor area is 5,800 square metres, but shall not include any portion of the underground parking structure and enclosed rooftop mechanical and stairwell areas;
- (I) The maximum permitted Floor Space Index shall be 1.4 times the area of the lot.
- (J) Height is measured from the Canadian Geodetic Datum elevation of 192.15 metres, and the highest point of the building or structure.
- (K) The maximum permitted height for the new building as shown on Diagram 3 is 10.9 metres and 3 storeys.
- (L) The maximum permitted height for the existing building as shown on Diagram 3 is 11.4 metres and 4 storeys.
- (M) Despite regulation 10.5.40.1(4)(a), the enclosed rooftop mechanical areas and stairwells shall not exceed 45% of the

area of the roof.

- (N) For the purpose of this By-law, the level of a building containing mechanical equipment or providing ingress/egress to a rooftop patio shall not be considered to be a storey.
- (O) The maximum permitted lot coverage is 40%.
- (P) Parking spaces must be provided in accordance with the following requirements:

Resident Spaces: 0.53 spaces
per unit; and Visitor Spaces: 0.15
spaces per unit.
- (Q) Access to the parking spaces must be provided from Brenthall Street.
- (R) A minimum of 19 bicycle parking spaces are required.
- (S) One Type G loading space must be provided with minimum dimensions of
13.0 metres in length, 4.0 metres in width and 6.1 metres of vertical distance.
- (T) Despite regulation 10.5.50.10(4):
A minimum of 42% of the area of the lot shall be used for hard and soft landscaping.
- (U) Notwithstanding any existing or future severance or division of the lands subject to this exception, the regulations of the exception shall continue to apply to the whole of the lands.

Prevailing By-laws and Prevailing Sections: (None Apply)

Enacted and passed on **month ##, 20##.**

John Tory,
Mayor
City Clerk

Ulli S. Watkiss,

(Seal of the City)