

630 to 686 Finch Avenue East - Zoning By-law Amendment Application – Preliminary Report

Date: November 10, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 17 - Don Valley North

Planning Application Number: 20 188104 NNY 17 OZ

Notice of Complete Application Issued: September 1, 2020

Current Use(s) on Site: 2-storey commercial building with surface parking at 636-686 Finch Avenue East, which includes office space on the second floor. An existing one-storey automotive repair garage with surface parking at 630 Finch Avenue East.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 630-686 Finch Avenue East. The proposal is to redevelop the existing 2-storey commercial building and one-storey automobile repair garage as one site to permit a 12-storey, mixed-use building with a height of 43.25 metres. The proposed development would have 206 residential units, 897 square metres of non-residential gross floor area, and 311 vehicular parking spaces. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 630 to 686 Finch Avenue East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Zoning By-law for the two properties at 630-686 Finch Avenue East to permit a 12-storey, mixed-use building with a height of 43.25 metres plus 5.5 metres for the mechanical penthouse. The proposed development would have 206 residential units and 897 square metres of non-residential gross floor area. The total gross floor area of the development would be 28,333 square metres, resulting in a density of 2.97 times the area of the lot. Vehicular access would be from two locations on Finch Avenue East and there will be no vehicular access from Banstock Drive.

The subject site is located on the north side of Finch Avenue East between Bayview Avenue and Leslie Street. There are two levels to the existing site with a significant difference in elevation and orientation. The lower level has a frontage of approximately 152.4 metres along Finch Avenue East and currently has a 2-storey commercial building at 636-686 Finch Avenue East and an automobile repair garage at 630 Finch Avenue East. Vehicular access is from two separate locations on Finch Avenue East. The upper level is approximately 9 metres higher than the lower level, has 104.3 metres of frontage along Banstock Drive, and currently used for surface parking for the plaza with an existing vehicular access from Banstock Drive. Banstock Drive is a neighbourhood street with detached dwellings. There are pedestrian accessible stairs at the west side of the 2-storey commercial building that provides access between the two levels of the site. The east side of the property has a large storm water easement that services the residential neighbourhood to the north.

Finch Avenue East is a 36 metre right-of-way with a pedestrian island in front of the subject site. The site is approximately 2.78 kilometres from Finch subway station and Toronto Transit Commission (TTC) bus stops are located on both sides of Finch Avenue East in front of the site. The subject site is also approximately 950 metres from Old Cummer Go Station.

The following is a summary of the proposed building's physical attributes:

Total Building height	43.25 metres (plus a 5.5 metre mechanical penthouse)
North setback to the property line	8.91 metres
East setback to the property line	16.29 metres
South setback to the property line	2.45 metres
West setback to the property line	6.25 metres
Ground Floor Height	4.65 metres

The proposed building has a distinct shape and design (see attachments 1a and 1b) with various stepback elements. The south elevation as seen from Finch Avenue East would be 12-storeys plus a mechanical penthouse. Commercial units would be at grade along Finch Avenue East and 11 storeys of residential above. Average grade on Banstock Drive is approximately two storeys higher than Finch Avenue East. Thus the north elevation as seen from Banstock Drive begins on level three and is a 10-storey building with pedestrian access to Banstock Drive. The proposed development would have residential use only on the Banstock Drive elevation and no vehicular access is proposed. Stepbacks are proposed to include various private and shared terraces and balconies to be used for amenity. A total of 754 square metres of shared indoor amenity space is proposed on levels three and four as well as 472 square metres of shared outdoor amenity space on level four.

The 206 residential units consists of 35 1-bedroom units, 150 2-bedroom units, and 21 3-bedroom units. There would be 282 vehicular parking spaces for residents, 29 vehicular parking spaces for commercial use, and 1 loading space. Parking is proposed one level below grade and three levels above, behind the commercial space fronting Finch Avenue East. Bicycle parking is proposed on levels one and two and accessed via the parking structure. The ground floor for the new building would have a residential lobby for the residential units and retail units facing Finch Avenue East. The proposed tenure for the residential units is condominium.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1a and 1b of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The subject site is designated *Mixed Use Areas* on Map 19, Land Use Plan in the Official Plan - see Attachment 4. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces and utilities.

Mixed Use Areas will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Not all *Mixed Use Areas* will experience the same scale or intensity of development. This segment of Finch Avenue East is not identified as an Avenue on Map 2 - Urban Structure in the Official Plan, but Map 3 - Right-of-way Widths Associated with Existing Major Streets indicates the planned width is 36 metres.

On September 21, 2020, Official Plan Amendments 479 (Public Realm) and 480 (Built Form) came into force. There are new or revised policies regarding building types (including midrise buildings), building design and massing, parks, POPs (privately owned, publicly accessible spaces), and trees and natural areas, among other policies. The proposal will be evaluated against these policies.

The property is also identified as being in the Natural Heritage System on Map 9 of the Official Plan. Section 3.4 of the Plan contains policies related to the Natural Environment. The Plan identifies that a careful assessment of impacts of new developments in areas near the natural heritage system is required. The Plan identifies that the City's natural environment should not be compromised by growth, insensitivity to the needs of the environment or neglect. Proposals for development will be required to assess their impact on the natural environment by restoring, enhancing and extending the natural heritage system, natural features and their functions.

Zoning By-laws

Under former City of North York Zoning By-law 7625, the subject lands are zoned General Commercial C1. The C1 zone permits residential, restaurant, retail store, personal service shop, bank, professional office, and other commercial uses. The maximum building height is three-storeys and 9.2 metres.

Under the Toronto Zoning By-law 569-2013, the subject property is zoned Commercial Residential CR1.0(c1.0; r1.0)SS3. The CR zone permits residential, financial institution, medical office, office, take-out restaurant establishment, retail store and other commercial uses. The maximum building height for all buildings is three-storeys and 10.5 metres. The maximum permissible density is 1.0 times the area of the lot.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following design guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study including Performance Standards and Addendum;
- Growing Up: Planning for Children in New Vertical Communities Design Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Bird Friendly Development Guidelines; and
- Accessible Design Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

A Zoning By-law amendment is required because the proposed development does not comply with the provisions of the Commercial C1 zone in the former City of North York Zoning By-law 7625, as amended and the Commercial Residential CR1.0(c1.0; r1.0)SS3 zone in Toronto Zoning By-law 569-2013, as amended. A Zoning By-law amendment is required to permit a 28,333 square metre building, 43.25 metres high with a density of 2.97 times the lot area, as well as other zoning standards.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

Staff are reviewing this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth

Plan. Staff will assess the suitability of the proposed site organization, building placement and setbacks, height, massing, and transition based on Sections 2(q) and (r) of the Planning Act.

Official Plan Conformity

Staff will assess the intensity of the proposed development at this location. The site is designated *Mixed Use Areas* which is a growth designation but the policy framework and the existing context does not support a tall building at this location. A mid-rise building with a height to right-of-way width ratio of one-to-one would be more appropriate. Additionally, these matters will be assessed based on the City's Official Plan including Healthy Neighbourhoods Section 2.3.1, Public Realm Section 3.1.1, Built Form Section 3.1.2, and *Mixed Use Areas* Section 4.5.

Height, Built Form, Massing, and Transition

The suitability of the proposed height, massing, and other built form issues will be evaluated in terms of the surrounding context and impacts on adjacent properties as well as consistency with the *Mixed Use Areas* and Built Form policies of the Official Plan, the Provincial Policies, and the Mid-Rise Building Performance Standards and Addendum.

The proposed building massing incorporates a front 45 degree angular plane taken from a height of 80% of the width of the right-of-way as per the City's Mid-Rise Design Guidelines. However, the proposed height at 43.25 metres exceeds the width of the Finch Avenue East right-of-way which is 36 metres.

The proposed transition and massing in relation to the adjacent Neighbourhoods to the north, east, and west as well as the massing in relation to the 20 metre local street will also be reviewed. The subject site is flanked by two-storey detached dwellings on Banstock Drive and includes two-storey dwellings across the street on the north side of Banstock Drive. In contrast, the north elevation of the proposed development would be a 10-storey multi-unit residential building stepped back from Banstock Drive.

Staff are assessing the appropriateness of the site organization, the amount of proposed landscaped open space, building step backs, proposed balcony projections and the feasibility of a 2.45 metre front yard setback on Finch Avenue East. Staff will assess the appropriateness of the building setbacks on all sides of the building. The quality and design of the building facades and materials will also be reviewed.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study in support of the application that is currently being reviewed by City staff.

Public Realm and Streetscaping

Planning staff will assess the appropriateness of the proposed streetscapes on Finch Avenue East and Banstock Drive, and the design of other features of the public realm based on the Official Plan including Section 3.1.1 Public Realm and the Mid-Rise Building Performance Standards and Addendum.

Staff will review the proposed sidewalks, pedestrian connections and cycling connections to ensure they will be designed to provide safe, convenient, attractive, interesting and comfortable spaces for pedestrians and cyclists, with well designed and co-ordinated tree planting and landscaping, pedestrian-scale lighting, pedestrian weather protection, and quality street furnishings and decorative paving as part of street improvements.

The commercial units for the proposed development would have store front access to the public realm on Finch Avenue East. At-grade pedestrian walkways would connect to the public sidewalks on Finch Avenue East and the TTC bus stop.

Residents of the existing neighbourhood access the existing commercial uses and public transit on Finch Avenue East via the stairs on the westerly side of the existing two-storey commercial building. The proposed development should continue to provide public access for pedestrians of the existing residential neighbourhood.

The applicant has submitted a pedestrian level wind study by Gradient Wind Engineers & Scientists in support of proposed development. City Planning staff will review the pedestrian wind study, the appropriateness of the treatment on Finch Avenue East and Banstock Drive, and other features of the public realm. Staff will also review potential shadow impacts from this proposal to determine if massing alterations and/or site organization changes could improve conditions on the public realm.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines (Growing Up Guidelines), which is applicable to the proposed development. The Growing Up Guidelines seeks to integrate family oriented design into new multi-unit developments. One of the objectives of the Growing Up Guidelines is to ensure that new developments have a variety of housing to meet the needs of people in all stages of life. The proposed development would contain 206 residential units consisting of 35 1-bedroom units, 150 2-bedroom units, and 21 3-bedroom units. Staff will evaluate the units mix and units sizes to determine if they meet the intent of the Growing Up Guidelines. Staff will also review the appropriateness of the amount of indoor and outdoor amenity areas, as well as the suitability and configuration of amenity spaces for families with children and for pets.

Parking and Loading

Vehicular parking would be within the building envelope on one level below grade and three levels above grade. Access to the parking garage areas is proposed from two locations on Finch Avenue East. The applicant has submitted a Transportation Impact Study (TIS) by BA Group in support of the proposed 311 vehicular and 216 bicycle parking spaces. Staff will review the TIS, the appropriateness of the above grade parking, and the adequacy of both vehicular and bicycle parking.

Loading and servicing will be internal to the building from the westerly access which is shared with vehicular parking for the commercial uses. Staff will review the access, servicing, and loading for adequacy.

Infrastructure/Servicing Capacity

The applicant submitted a number of technical reports including a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, and a Geotechnical Report for review by City Divisions. The Functional Servicing Report is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and to identify the need for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing for the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area of this application.

Park Land Dedication

The subject lands at 630-686 Finch Avenue East are in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code. Parks, Forestry and Recreation Division will accept the conveyance of lands off-site, but within approximately 800 metres of the development site, that would expand an existing park or allow for the creation of a new park. Should the applicant be unable to secure an off-site dedication, the parkland dedication requirement will be satisfied through cash-in-lieu.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of, and investment in, community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community. Staff will review existing community services in proximity to the proposed development to determine if they are adequate.

Natural Heritage Protection

The subject site is identified as being in the Natural Heritage System as shown on Map 9 of the Official Plan. Protecting the City's natural environment and urban forest should not be compromised by growth, insensitivity to the needs of the environment, or neglect. A Natural Heritage Impact Statement by SLR Consulting has been submitted in support of the application. The application, the Natural Heritage Impact Statement, and other

supporting information have been circulated to the Ravines and Natural Features Protection Division and the Toronto and Region Conservation Authority (TRCA) for review.

Toronto and Region Conservation Authority

The eastern portion of the subject lands are within the TRCA regulated area and adjacent to the East Don Parkland on the north side of Finch Avenue East. The plans and drawings submitted in support of the proposed development show a portion of the building and driveway access within the TRCA regulated area. The application has been circulated to the TRCA and the City's Urban Forestry Division for review.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

The applicant has submitted an arborist report by the mbtw group that shows a total of 73 trees that may be impacted by the proposed development. The plans show that there are 8 publicly owned trees, 32 privately owned trees, 21 trees within the easement, 7 trees in the rear yard of 87 Banstock Drive, and 25 trees within the TRCA regulated area. The arborist report recommends removing 11 trees and replanting 6. Staff are reviewing the arborist report and the appropriateness of the proposed landscape plan and proposed tree removal.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

Given its proposed height and density, the current proposal is subject to Section 37 contributions under the Planning Act. Section 37 benefits have not yet been discussed. City staff intend to apply the Section 37 provisions of the Planning Act should this application be recommended for approval.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff are reviewing the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

Other Matters

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

CONTACT

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SIGNATURE

John Andreevski, Acting Director
Community Planning, North York District

ATTACHMENTS

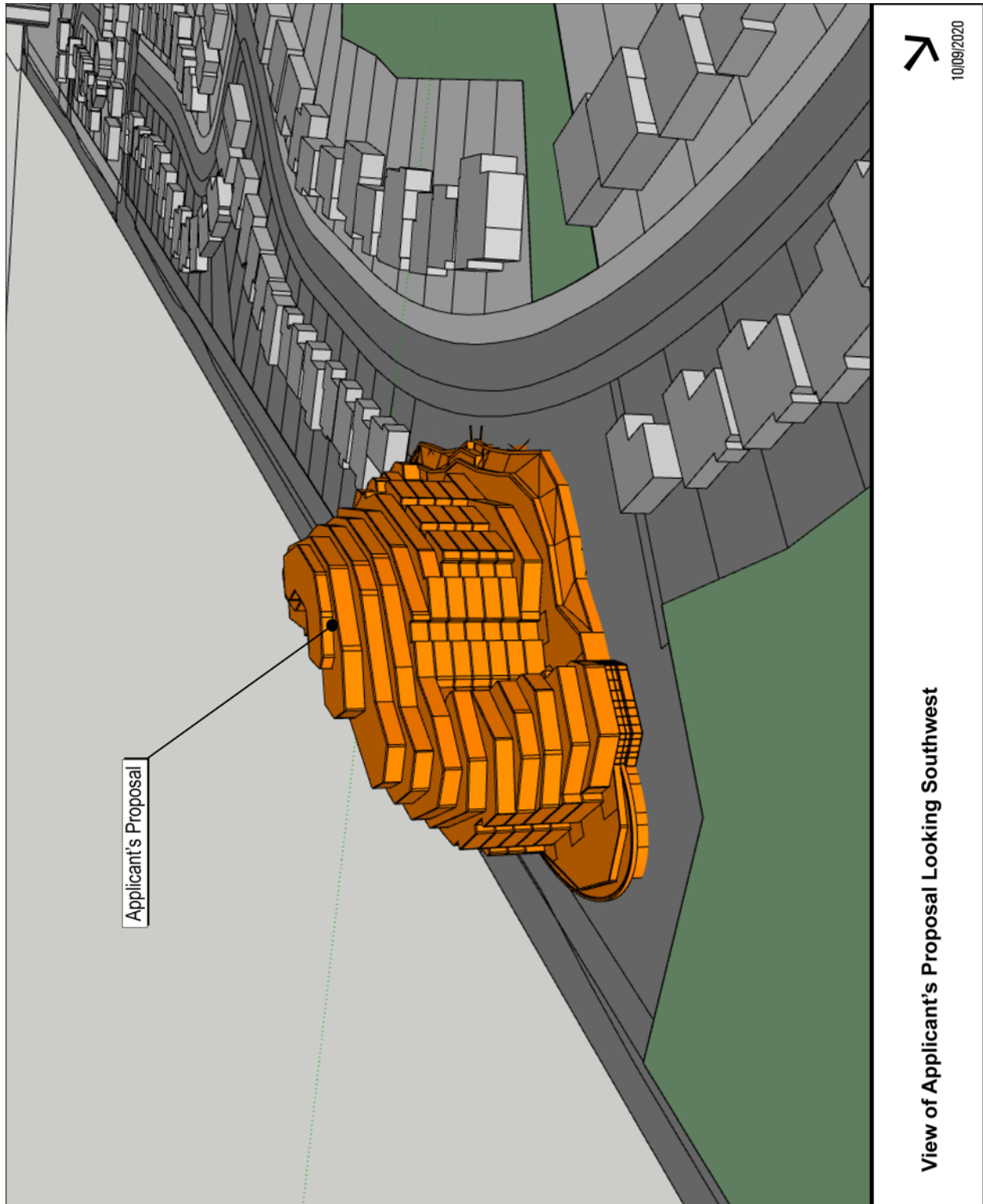
City of Toronto Drawings

Attachment 1a: 3D Model of Proposal in Context
Attachment 1b: 3D Model of Proposal in Context
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Application Data Sheet

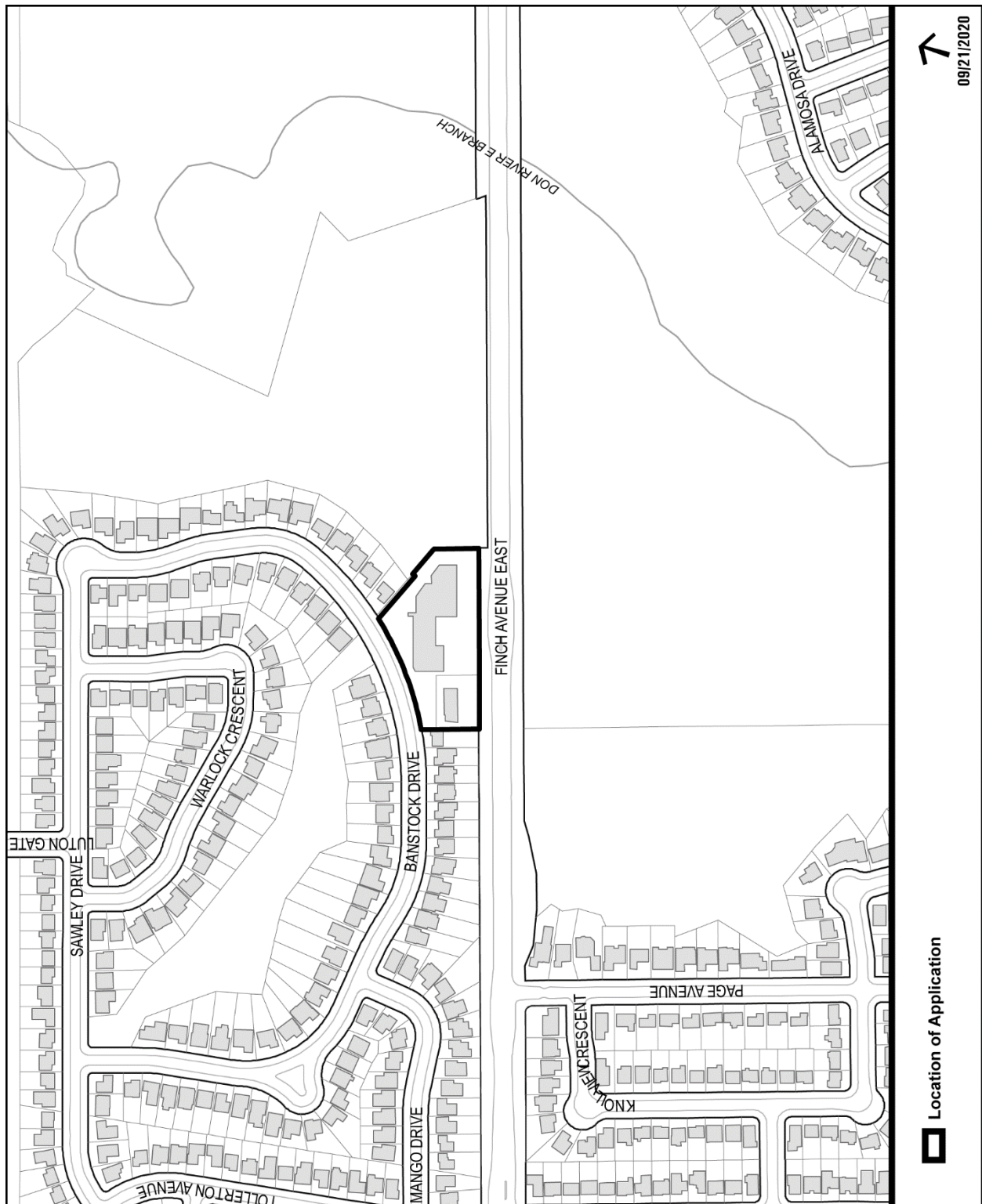
Attachment 1a: 3D Model of Proposal in Context



Attachment 1b: 3D Model of Proposal in Context



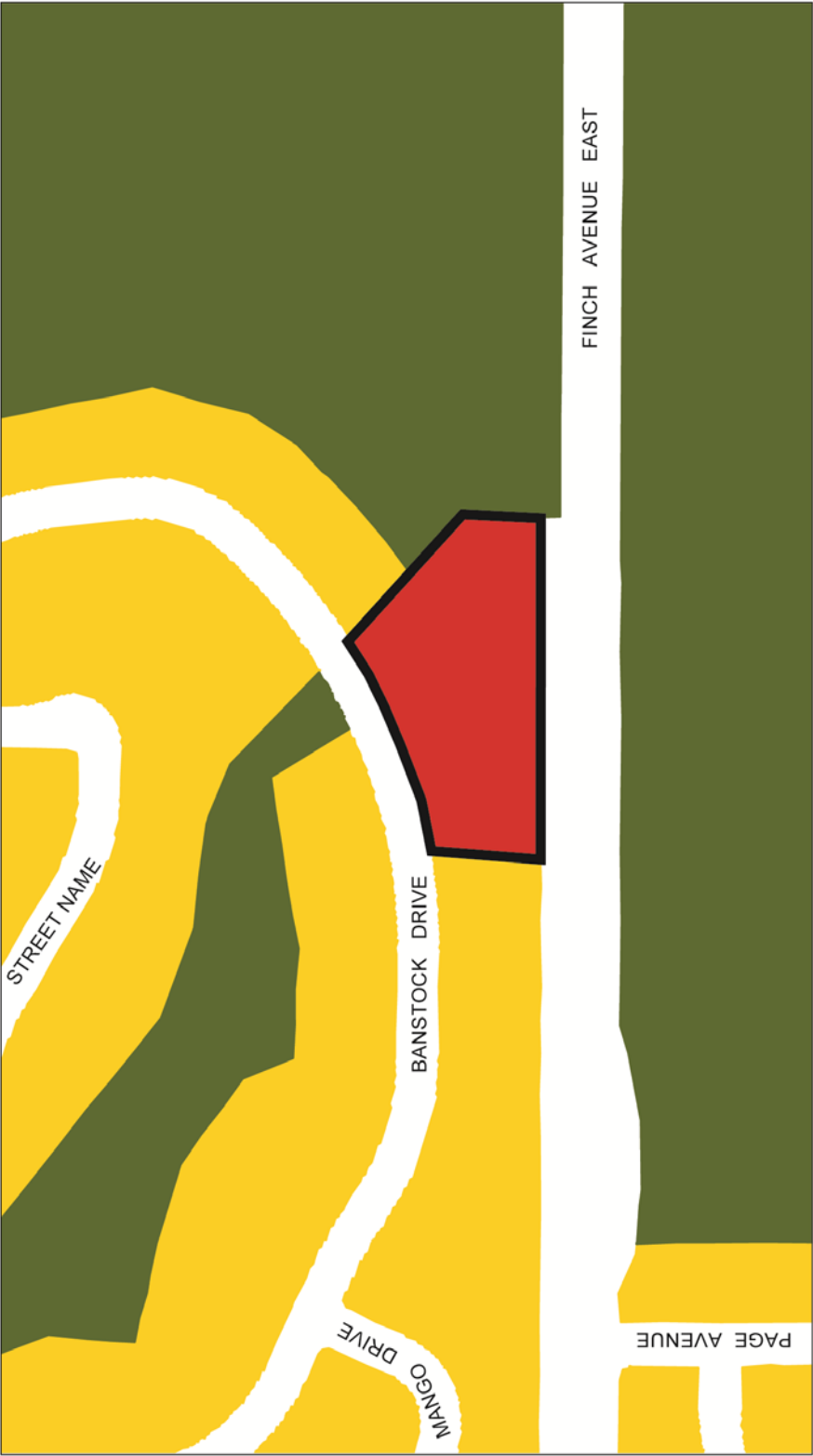
Attachment 2: Location Map



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Site Plan



Toronto
Official Plan Land Use Map #19
630 to 636 Finch Avenue East
File # 20 188104 NNY 17 0Z

Note: This map was extracted from the July 2015 Land Use Plan. For current information refer to the February 2019 data.

Location of Application

Neighbourhoods

Natural Areas

Mixed Use Areas

Not to Scale
09/21/2020

Attachment 5: Application Data Sheet

Municipal Address: 630-686 FINCH AVENUE EAST Date Received: September 1, 2020

Application Number: 20 188104 NNY 17 OZ

Application Type: Rezoning

Project Description: Zoning Bylaw Amendment application to permit a 12 storey mixed use building that would contain 206 dwelling units, 897 sq.m. of non-residential gross floor area and 311 proposed parking spaces within a proposed one level underground garage with three levels above grade parking.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC 3 Church street, Suite 200, Toronto, Ontario M5E 1M2		Kirkor Architects and Planners 20 DeBoers Drive, Suite 400 Toronto, Ontario M3J 0H1	2715649 ONTARIO INC. 4800 Dufferin Street Toronto, Ontario M3H 2W1

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR 1.0 (c1.0; r1.0) SS3	Heritage Designation:
Height Limit (m):	10.5	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m):	9,547	Frontage (m):	152.4	Depth (m):	87
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq. m):			6,459	6,459
Residential GFA (sq. m):			27,436	27,436
Non-Residential GFA (sq. m):	2,836		897	897
Total GFA (sq. m):	2,836		28,333	28,333
Height - Storeys:	2		12	12
Height - Metres:			43.25	43.25

Lot Coverage Ratio (%)	67.66	Floor Space Index:	2.97
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Floor Area Breakdown	Above Grade (sq. m)	Below Grade (sq. m)
Residential GFA:	27,436	
Retail GFA:	897	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			206	206
Other:				
Total Units:			206	206

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			35	150	21
Total Units:			35	150	21

Parking and Loading

Parking Spaces:	311	Bicycle Parking Spaces:	216	Loading Docks:	1
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