

3268 Finch Avenue East - Zoning Amendment Application – Final Report

Date: October 19, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 22 - Scarborough-Agincourt

Planning Application Number: 16 128441 ESC 39 OZ

SUMMARY

This application proposes to amend City of Toronto Zoning By-law No. 569-2013 and former City of Scarborough L'Amoreaux Community By-law No. 12466, as amended, to permit the construction of a 13 storey mid-rise building at 3268 Finch Avenue East.

The existing commercial plaza on the site is to be demolished and replaced with a total of 276 units and 314 parking spaces in a 3-level underground parking garage. A total gross floor area of 25,885 square metres is proposed, resulting in a floor space index (FSI) of 6.38 times the area of the lot. The proposed 14 townhouses that will front Finch Avenue East and Bridletowne Circle will be live-work units.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The proposal represents an appropriate type and scale of development in a strategic growth area and is an appropriate scale to transition to the adjacent property which has approvals for multiple tall building development immediately to the east.

The proposed development conforms to the Official Plan policies for lands within a *Mixed Use Areas* designation and is generally consistent with the Finch Warden Revitalization Study completed in 2010. The proposal generally complies with the direction provided by the City's Mid Rise Building Guidelines and animates the streetscape by integrating multiple integrated townhouse units into the base building with direct access from the public realm. The residential development on the lands is deployed at an appropriate density and built form as provided for by the development criteria for *Mixed Use Areas*.

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 Zoning By-law of the former City of Scarborough L'Amoreaux Community By-law 12466, as amended, for the lands at 3268 Finch Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 3268 Finch Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to this report.
3. City Council authorizes 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, require the Owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure community benefits as follows:
 - a. Prior to the issuance of the first above-grade building permit, a financial contribution in the amount of \$975,000 towards the "Kidstown Water Park Project", with such amount to be indexed upwardly in accordance with Statistics Canada Residential Building or Non-Residential Building Construction Price Index, as the case may be, for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment;
 - b. The cash contribution required in a. above shall be indexed upwardly in accordance with the Statistics Canada Building Construction Price Indexes for Toronto, or its successor, beginning from the date of execution of the Section 37 Agreement to the date the cash contribution is provided to the City;
 - c. In the event the cash contribution required in a. above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the community in the vicinity of the Site;
5. The following matters are also recommended to be secured in the Section 37 Agreement:
 - a. The Owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the

property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681;

b. The Owner shall enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services;

c. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017, through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time;

6. Before introducing the necessary Bills to City Council for enactment, require the Owner be required to submit and satisfy the following, to the satisfaction of the Executive Director, Engineering and Construction Services:

a. A Site Servicing and Stormwater Management Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and the adequacy of existing municipal infrastructure; and

b. A revised architectural drawing for P1, P2, or P3 level to show the location of mechanical room as located in preliminary servicing drawing.

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.

DECISION HISTORY

A pre-application consultation meeting was held with the previous owner/applicant and City Planning staff on June 13, 2015 to discuss a proposal to rezone the subject lands in order to permit a mixed-use development. The application was submitted by the previous owner on March 16, 2016 for a 12-storey mixed-use building, containing 242 residential units and at-grade retail uses representing a floor space index of 4.92. The current owner acquired the subject lands July 31, 2017.

A Preliminary Report on the application was adopted by Scarborough Community Council on June 14, 2016, authorizing staff to conduct a community consultation

meeting with an expanded notification area. A link to community Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC15.24>

The subject lands are included within the Finch Warden Revitalization Area Study (Area Study), initiated in 2008 and approved by City Council, August 27, 2010. The Area Study, associated SASP and Urban Design Guidelines, outline a community vision and established parameters for redevelopment/intensification of the Study Area. The Area Study includes sites fronting on, or in close proximity to Finch Avenue East between Victoria Park Avenue and Birchmount Road which are designated *Mixed Use Areas* in the Official Plan and have the potential for redevelopment or intensification. See Attachment 4: Finch Warden Revitalization Study Area Map. The Decision of City Council can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.SC37.30>

PROPOSAL

The proposal seeks to amend the Zoning By-law to permit a mid-rise residential building (13 story) on the site. A total of 276 residential units are proposed including 14 townhouse units integrated into the base of the building (7 fronting onto Finch Avenue East; 2 fronting onto Bridletowne Circle and 5 located within the interior of the site). The 14 townhouses are proposed as live-work units.

The proposal would be served by 314 parking spaces located in a three level underground parking garage. The building includes a green roof and indoor/outdoor amenity space for the enjoyment of residents. The proposed development will consist of a total gross floor area of 25,885 square metres which represents a floor space index (FSI) of 6.38 times the area of the lot.

Vehicular access to the site would be via Bridletowne Circle as illustrated at Attachment 10: Site Plan. Residents of and visitors to the mid-rise building can gain pedestrian access from a through lobby accessed from both the intersection of the Finch Avenue East and Bridletowne Circle and from the interior of the site. The integrated townhouse units can be accessed directly from Finch Avenue East, Bridletowne Circle or walkways from the interior of the site.

Detailed site statistics can be found in Attachment 1: Application Data Sheet.

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

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

Site and Surrounding Area

The site is located at the north-east corner of Bridletowne Circle and Finch Avenue East intersection (see Attachment 2 - Location Map). The subject lands have an irregular shape with an area of approximately 0.45 hectares. The site has approximately 72.5 metres of frontage on Bridletowne Circle, 72 metres of frontage on Finch Avenue East;

52 metres along the northern property line and 52 metres along the eastern property line.

The property is currently occupied by an existing one-storey retail plaza. The existing building is proposed to be removed as part of the redevelopment. Surrounding uses are as follows:

North: Across Bridletowne Circle, two 23-storey apartment buildings are located along Bridletowne Circle at Huntingdale Boulevard and at Beverly Glen Boulevard and two-storey townhouses along Bridletowne Circle and Beverly Glen Boulevard. L'Amoreaux Collegiate Institute is located at Warden Avenue and Bridletowne Circle.

East: Bridlewood Mall, which surrounds the site, and further east across Warden Avenue a four storey office building located at the northeast corner of Warden Avenue and Finch Avenue East, along with two-storey commercial uses and a 20 storey apartment building fronting Finch Avenue East.

South: Across Finch Avenue East, several apartment buildings ranging in height from 7 to 16 storeys including seniors housing, St. Paul's L'Amoreaux Complex, church and cemetery and a new 1 storey retail plaza at the southwest corner of Finch Avenue East and Bridletowne Circle, with frontyard parking.

West: Across Bridletowne Circle, First Alliance Church at the northwest corner of Finch Avenue East and Bridletowne Circle and 2-storey townhouses along the north side of Finch Avenue East with the rear yards facing the street. Further west, 20-storey apartment buildings located along the north side of Finch Avenue East, at Pharmacy Avenue. Beverly Glen Junior Public School and associated parks (Beverly Glen Park, Birchcrest Park) located northwest of the site

Reasons for Application

The existing zoning on the subject lands does not permit residential uses. Amendments to both the L'Amoreaux Community Zoning By-law No. 12466, as amended, of the former City of Scarborough and the City-wide Zoning By-law 569-2013, as amended, are required to permit the proposed development and to establish appropriate development standards related to land use, density, height, massing and setbacks, vehicular parking and both outdoor and indoor amenity space would be required, should this application be approved.

Issues relating to access, traffic, building placement and built form, landscaping, lighting, privacy as well as site circulation and storm water management will be reviewed in detail during site plan approval.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning & Urban Design Justification Report
- Contaminated Site Assessment
- Storm Water Management Report
- Transportation Study
- Pedestrian Level Wind Study
- Toronto Green Standard Checklist and Statistics Template
- Geotechnical Study
- Draft Zoning By-law Amendment
- Arborist/Tree Preservation Report
- Computer Generated Building Mass Model

A Notification of Complete Application was issued on January 24, 2020.

The material can be viewed at the Application Information Centre (AIC)
<https://www.toronto.ca/city-government/planning-development/application-information-centre>

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and conditions of Site Plan Control approval.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

Community Consultation

A community consultation meeting on to consult with area residents on the proposed rezoning of the subject site, was held on October 18, 2016 at Bridletown Park Church. The meeting was attended by the Ward Councillor, the applicants, City Planning staff and 12 members of the public.

A summary of the public consultation meetings can be found at Attachment 9.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") 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 an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit;
- Maintaining at all times the ability to accommodate residential growth for a minimum 15 years through residential redevelopment;
- Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three year supply of residential units; and,
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2020)") came into effect on May 16, 2019. This new plan replaced the previous Growth Plan for the Greater Golden Horseshoe, 2017. Amendments to the document were introduced in August 2020 and are now in effect. The amended 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* that comprehensively applies the policies and schedules of the Growth Plan (2020), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

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 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 that better connect 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. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

This application has been reviewed against the policies of the City of Toronto Official Plan.

Chapter 3 - Building a Successful City

Public Realm

The Public Realm policies (Section 3.1.1) promote the construction of quality architecture, landscape and urban design. The policies speak to the importance of providing safe, attractive and interesting spaces for pedestrians and incorporating a Complete Streets approach for new and existing City streets.

Built Form

The Built Form policies (Section 3.1.2) direct that new development in the City fit harmoniously within the existing and/or planned context of the area. This includes locating and organizing new development to frame and support adjacent streets, parks, and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on property and surrounding properties to improve the safety and attractiveness of adjacent streets, parks and open spaces.

Built Form policies also provide that development is to be generally located parallel to the street or along the edge of a park or open space with a consistent front yard setback, that it should be preserving existing mature trees wherever possible and incorporating them into landscaping designs and it should mass and design the exterior façade of development to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces.

Built Form policies also directs new development to be located and organized so that the impact of vehicle parking, vehicular access, service areas and utilities on the

property and surrounding properties is minimized to improve the safety and attractiveness of adjacent streets, parks and open spaces. Minimizing driveway widths and consolidating curb cuts is also provided for along with limiting surface parking between the front wall of the building and the public street or sidewalk.

New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan, with additional specific direction outlined below.

Chapter 4 - Land Use Designations

The subject lands are designated *Mixed Use Areas* on Map 19- Land Use Plan in the Official Plan as illustrated at Attachment 3.

The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale. The Official Plan states that "*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. However, not all *Mixed Use Areas* will experience the same scale of intensity of development." The Plan provides development criteria for *Mixed Use Areas* under Section 4.5.1 which reinforce the above noted Built Form policies with specific regard to transition to low scale land uses on lands designated *Neighbourhoods*.

Chapter 5 - Implementation

Section 5.1.1 Height and/or Density Incentives provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan. The Section 37 community benefits are capital facilities and/or cash contributions toward specific capital facilities, above and beyond those that would otherwise be provided under provisions of the *Planning Act* or the *Development Charges Act* or other statute. Section 37 may be used, irrespective of the size of the project or increase in height and/or density as a mechanism to secure facilities required to support development.

In addition to the policies referenced above, the Official Plan will be considered as a whole through the review of this application. The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of the Report.

Growing Up: Planning for Children in New Vertical Communities Guidelines

In July 2017, City Council adopted the City-wide Growing Up: Planning for Children in New Vertical Communities draft guidelines. At its July 28, 2020 meeting, Council adopted the Guidelines in their final form.

The objectives of the guidelines are rooted in the Official Plan vision to create an attractive, safe and healthy city where children are valued and residents have access to housing, support services and recreational activities. The draft guidelines implement

Official Plan policies that highlight the importance of integrated community facilities and amenities, the need for a comfortable and safe public realm and the creation of a range of housing options in communities.

The Final Growing Up Guidelines and City Council decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH15.5>

Finch-Warden Revitalization Study

The application is also subject to Site and Area Specific Policy (SASP) No. 347, an outcome of the Finch-Warden Revitalization Study completed in 2010.

The intent of SASP 347 is to support private and public investment in the renewal of the area. The designation of the site is Mixed Use Areas in the Official Plan and the site is shown as a potential development site under the Area Study. The SASP outlines a community vision and establish parameters for redevelopment and intensification within the study area that included sites fronting on, or in close proximity to, Finch Avenue East between Victoria Park Avenue and Birchmount Avenue. In addition to SASP 347, Council adopted accompanying Urban Design Guidelines.

SASP 347 is supported by Council adopted Urban Design Guidelines which provide detailed guidance on the design and organization of the built environment within the study area. The guidelines provide recommendations on site planning, building massing and design as well as public realm improvements. SASP 347 requires consideration of these guidelines during the review of development applications within the study area.

Avenues and Mid-Rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-Rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Zoning By-Laws

The subject lands are zoned Community Commercial (CC) in the L'Amoreaux Community Zoning By-law No. 12466, as amended. Permitted uses within the Community Commercial Zone include: day nurseries, financial institutions, offices, places of worship, personal service shops, restaurants and retail stores. See Attachment 5: Zoning.

The 'CC' Zone also requires a minimum 16.5 metre setback from the centre line of the original road allowance of Bridletowne Circle and 21 metres setback from the centre line of the original road allowance of Finch Avenue East.

Parking shall be provided at the following minimum rates:

- a. A minimum of 2.6 parking spaces per 100 square metres of gross floor area for offices and,
- b. A minimum of 3.3 parking spaces per 100 square metres of gross floor area, minus the gross floor area of public walkways and malls and truck access, for all other commercial uses.

Exception 17 permits non-accessory wall signs and Exception 69 permits a service station canopy.

Residential uses are not permitted.

The subject site are not subject to the provisions of City of Toronto Zoning By-law No. 569-2013.

Site Plan Control

The lands are subject to site plan control approval. A Site Plan Control approval application has not yet been submitted.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

It is consistent with Section 1.1.1 of the PPS as it contributes to a healthy, liveable and safe community in part by promoting efficient development and land use patterns. The proposal avoids land use patterns which may cause environmental or public health and

safety concerns. It is further consistent with PPS (2020) direction that encourages the provision of an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area.

The Growth Plan (2020) defines strategic growth areas as nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas can be located along a major arterial road such as Finch Avenue East which accommodates frequent transit service.

Through the Finch-Warden Revitalization Study, lands along the Finch Avenue East corridor, including the subject site, were identified opportunities for targeted and appropriate intensification. The subject site can accommodate intensification that will result in a good quality of life for both new and existing residents, while making efficient use of land, resources, infrastructure and other public service facilities conforming to Growth Plan direction.

Land Use

This application has been reviewed against Official Plan policy and planning studies described in the Issue Background Section of the Report as well as the policies of the Official Plan as a whole.

The introduction of residential units in a mid-rise built form on the subject site is desirable and appropriate, and conforms with the land use permissions of the Official Plan which permit a residential apartment building on the subject site.

The *Mixed Use Areas* designation provides for the proposed residential intensification. The development of the subject lands with residential uses is consistent with SASP 347 which outlines a community vision and establishes parameters for redevelopment and intensification for sites fronting on, or in close proximity to, Finch Avenue East between Victoria Park Avenue and Birchmount Avenue.

Density, Height, Massing

The subject site is not located on an identified *Avenue*. However, the proposal is consistent with the primary objectives of the Avenues and Mid-Rise Buildings Study. It proposes a redevelopment concept which promotes intensification of an important arterial road and optimizes the use of Finch Avenue East's significant surface transit infrastructure. The proposed building is designed with a well-defined streetwall in proportion with the Finch Avenue East right of way with only portions of the mechanical penthouse projecting into the required angular plane at the intersection. The building mass is articulated with step backs and architectural features to support the pedestrian environment and lessen the perceived bulk along the building along the Finch Avenue East and Bridletowne Circle frontages.

The proposed density of 6.38 FSI can be accommodated in a built form compatible with its surrounding context and represents appropriate level and form of development. It makes efficient use of underutilized land in a built up area. The proposed height of 13-

storeys will fit with the existing and planned built form context. The proposed building is comparable to the height of the existing 7 to 16 storey buildings immediately south of the subject property. Moreover the proposal appropriately responds to the planned context in which taller buildings are concentrated at key nodes and intersections (in this case, the intersection of Warden Avenue And Finch Avenue East). The proposed base building frames the abutting streets and will provide a gradual transition of scale and height from the approved 28 story buildings to the east.

This building base supports the pedestrian scale along Finch Avenue East and Bridletowne Circle by incorporating landscaped setbacks and stepbacks as well as townhouse style units providing direct pedestrian access from both public sidewalks. A through lobby to the building is also provided with a strategic setback at the intersection of Bridletown Circle and Finch Avenue East. The proposed Mid-rise building height provides a contextual fit with the existing and proposed tall buildings in the area.

Sun, Shadow, Wind

A Sun/Shadow/Wind study was included in the applicants' submission material. Overall, the sun/shadow/wind study indicate acceptable levels and general conformity with Official Plan policies. Should Council approve this application, the Site Plan review process will determine whether any further mitigation measures are required.

Traffic Impact, Access, Parking

A Transportation Impact Study (TIS) has been submitted with the application and reviewed by City staff. The TIS is intended to evaluate if the proposal would result in any adverse impacts to the local road and transportation network. The TIS also determines if the proposed parking and loading provisions and arrangements are adequate.

The TIS projected that the proposal will generate a total of 132 auto trips during the a.m. peak hours and 145 auto trips during the p.m. peak hours.

The TIS concluded that traffic impacts from the proposal on the boundary road network (Finch Avenue East and Bridletowne Circle) are minimal and the auto trip generation can be readily accommodated by the local road network. The pedestrian and transit assessments also indicated no issues for non-auto modes of travel

Vehicular access to the property will be via a full movement driveway from Bridletowne Circle. Staff are supportive of this arrangement however, through the site plan approval process, staff will examine whether any further traffic management measures will be required.

A total of 315 parking spaces are being proposed which equates to about 1.15 parking spaces per unit. A total of 64 spaces available for charging electric vehicles will also be provided. Staff are satisfied that this level of parking would adequately serve the needs of the residents and visitors.

The proposed bicycle parking supply of 206 spaces, including 20 Short-Term and 186 Long-Term spaces, meets the Toronto Green Standard requirements is reflected in the draft zoning by-laws.

Staff in Transportation Services and Transportation Planning have reviewed the Transportation Impact Study and relevant submissions and raise no further issues.

Road Widening

A 0.4 metre road widening dedication along the Bridletowne Circle frontage of the subject site is required and is proposed to be conveyed to the City with this application.

Servicing

A Functional Servicing and Stormwater Management Report has been submitted to provide a site servicing strategy for the proposal that addresses the requirements of the applicable regulatory agencies and provides the basis for detailed servicing design.

Engineering and Construction Services staff have reviewed the report and raise no objections to rezoning the lands subject to changes to the functional servicing report and the satisfactory incorporation of servicing related hydrogeological considerations.

This report recommend that these issues be resolved to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services prior to the enactment of the Bills for this site.

Economic Impact

The subject lands are currently developed with a 1-storey retail plaza which currently contains 3 small restaurants, pharmacy and a retail store. The redevelopment of the subject lands with residential uses as proposed will result in the loss of local commercial services and employment. Major commercial opportunities are available immediately to the north (Bridlewood Mall) and east along Finch Avenue East at Warden Avenue.

It is staff's opinion that the local community will continue to be adequately served by retail and commercial uses.

Housing Issues

A Housing Issues Report was not submitted as one was included in the Finch Warden Revitalization Area Study.

The Growing Up Guidelines recommend a minimum of 25% of the dwelling units be larger units to provide for larger households, including families with children. The Guidelines also specify that 10% of total units be three-bedroom units with a minimum size of 100-106 square metres, and 15% of the total units be two-bedroom units with a minimum size of 87-90 square metres.

The development contemplates 53 two-bedroom dwelling units (19.5% of all units); 16 three-bedroom dwelling units (6% of all units); and, in excess of 15% of the total units will have a minimum size of 90 square metres. Although not meeting the minimum three-bedroom count outlined in the guidelines, 25% of the unit total are two and three bedroom units. Moreover, the overall unit sizes for the large units comply with the Guidelines. Staff are therefore satisfied with the general compliance of this development with the Growing Up Guidelines and will work through the site plan control process to encourage the provision of additional three bedroom units.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication while the minimal payment is no less than 5%.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The Appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of above-grade permit.

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 is to submit a tree planting deposit to ensure the planting and survival of all new City trees. In addition, Urban Forestry requires the planting of new trees to replace any private trees proposed for removal.

While Urban Forestry is not opposed in principle to development of this site, it is expected that retention and appropriate protection of existing trees will be considered when developing site plans, and whenever possible, buildings and driveways are to be diverted around trees.

As proposed, this project would require the removal of eight by-law protected privately owned trees and the protection of one City-owned tree. The applicant is proposing to provide twenty trees; twelve on the City road allowances (six trees adjacent to Bridletowne Circle and six trees adjacent to Finch Avenue East) and eight trees on private property.

Prior to approval of any zoning bylaw amendment application, the applicant should be required to demonstrate that they can comply with all elements of the City's Toronto Green Standards – Version 2, including the parts of the ecology section, which pertain to existing and proposed trees. The submitted Tree Preservation Plan will be reviewed in further detail during site plan approval. As such appropriate conditions are included in the draft bills.

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the zoning by-law process include vehicular and bicycle parking. Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

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. 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.

A CS&F Study was part of the Finch-Warden Revitalization Study and one was submitted with the zoning by law application for the subject lands.

The area was identified as a priority neighbourhood. Staff recommended improvements to the existing library within the Bridlewood Mall and identified an opportunity for a YMCA hub, located on Bridletowne Circle. A phase one expansion of the library has been completed and staff are currently reviewing plans for a YMCA hub. Additionally, seniors housing was also identified as a need within the area.

The CS&F Study concludes that the surrounding neighbourhood is well served by a number of existing community services and facilities that can comfortably accommodate

increased population resulting from the proposal. In consultation with the local councillor the community benefits recommended to be secured in relation to the subject application are described in the Section 37 section of this report.

Section 37

Upon execution and registration in priority of an agreement or agreements with the Owner, pursuant to Section 37 of the Planning Act, with conditions providing for without limitation, indexing escalation of letters of credit, development charges, indemnity, insurance, and registration, satisfactory to the City Solicitor, securing the provision of the facilities, services and matters set out herein, the Site is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements:

(1) Prior to the issuance of the first above-grade building permit, a financial contribution in the amount of \$975,000 towards the "Kidstown Water Park Project", with such amount to be indexed upwardly in accordance with Statistics Canada Residential Building or Non-Residential Building Construction Price Index, as the case may be, for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment;

(2) In the event the cash contribution required in (1) above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the community in the vicinity of the Site;

The following matters are also recommended to be secured in the Section 37 Agreement:

- a. The Owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681;
- b. The Owner shall enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services;
- c. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the

adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017, through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time;

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan.

The proposal is consistent with the PPS (2020) and conforms and does not conflict with the Growth Plan (2020). Furthermore, the proposal meets the policies of the Official Plan, particularly as it relates to density, built form, height and the neighbourhood context outlined in the *Mixed Use Areas* policies and the Finch-Warden Revitalization Study (SASP 347).

Through this process, staff worked with the applicant and the community to address and resolve concerns related to traffic congestion and access on adjacent streets, appropriate amenity space and sun/shadow concerns.

The proposed residential infill development use is compatible with its surrounding context. The proposal introduces an appropriate built form to the site with development massed to address Finch Avenue East and Bridletowne Circle. It also provides step backs and transition in scale and massing to approved tall buildings to the east.

The site organization and proposed landscaping will provide improved public realm conditions on Finch Avenue East and Bridletowne Circle and an attractive environment for pedestrian movement within the site.

Staff recommend the approval of the subject applications, subject to the applicant entering into a Section 37 Agreement and resolving the final engineering concerns prior to the enactment of the Bills.

CONTACT

Renrick Ashby, Senior Planner, Community Planning, Scarborough District, Tel. No. (416) 396-7022, E-mail: Renrick.Ashby@toronto.ca

SIGNATURE

Paul Zuliani, MBA, RPP, Director
Community Planning, Scarborough District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Finch Warden Land Use Map
- Attachment 5: Existing Zoning By-law Map L'Amoreaux Community By-law No. 12466
- Attachment 6: Existing Zoning By-law Map, City of Toronto By-law No. 569-2013
- Attachment 7: Draft Zoning By-law Amendment (L'Amoreaux Community By-law)
- Attachment 8: Draft Zoning By-law Amendment (City of Toronto)
- Attachment 9: Summary of Public Consultation

Applicant Submitted Drawings

- Attachment 10: Site Plan
- Attachment 11: 3D Model of Proposal Looking Northeast
- Attachment 12: 3D Model of Proposal Looking Southwest
- Attachment 13: Elevation (East)
- Attachment 14: Elevation (North)
- Attachment 15: Elevation (South)
- Attachment 16: Elevation (West)

Attachment 1: Application Data Sheet

Municipal Address: 3268 FINCH AVE E Date Received: Dec 13, 2019

Application Number: 16 128441 ESC 39 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: The applicant is proposing a 13-storey residential building including ground floor townhouses.

Applicant	Agent	Architect	Owner
M BEHAR PLANNING & DESIGN INC			2306986 ONTARIO INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 347

Zoning: Community Commercial Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 4,057 Frontage (m): Depth (m):

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,057		2,126	2,126
Residential GFA (sq m):			25,885	25,885
Non-Residential GFA (sq m):				
Total GFA (sq m):	1,057		25,885	25,885
Height - Storeys:	1		13	13
Height - Metres:			42	42

Lot Coverage Ratio (%) 55 Floor Space Index: 6.38

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	25,885	
Retail GFA:		
Office GFA:		

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:

Freehold:

Condominium:			276	276
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Other:

Total Units:			276	276
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Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			207	53	16
Total Units:			276	53	16

Parking and Loading

Parking Spaces:	314	Bicycle Parking Spaces:	206	Loading Docks:	1
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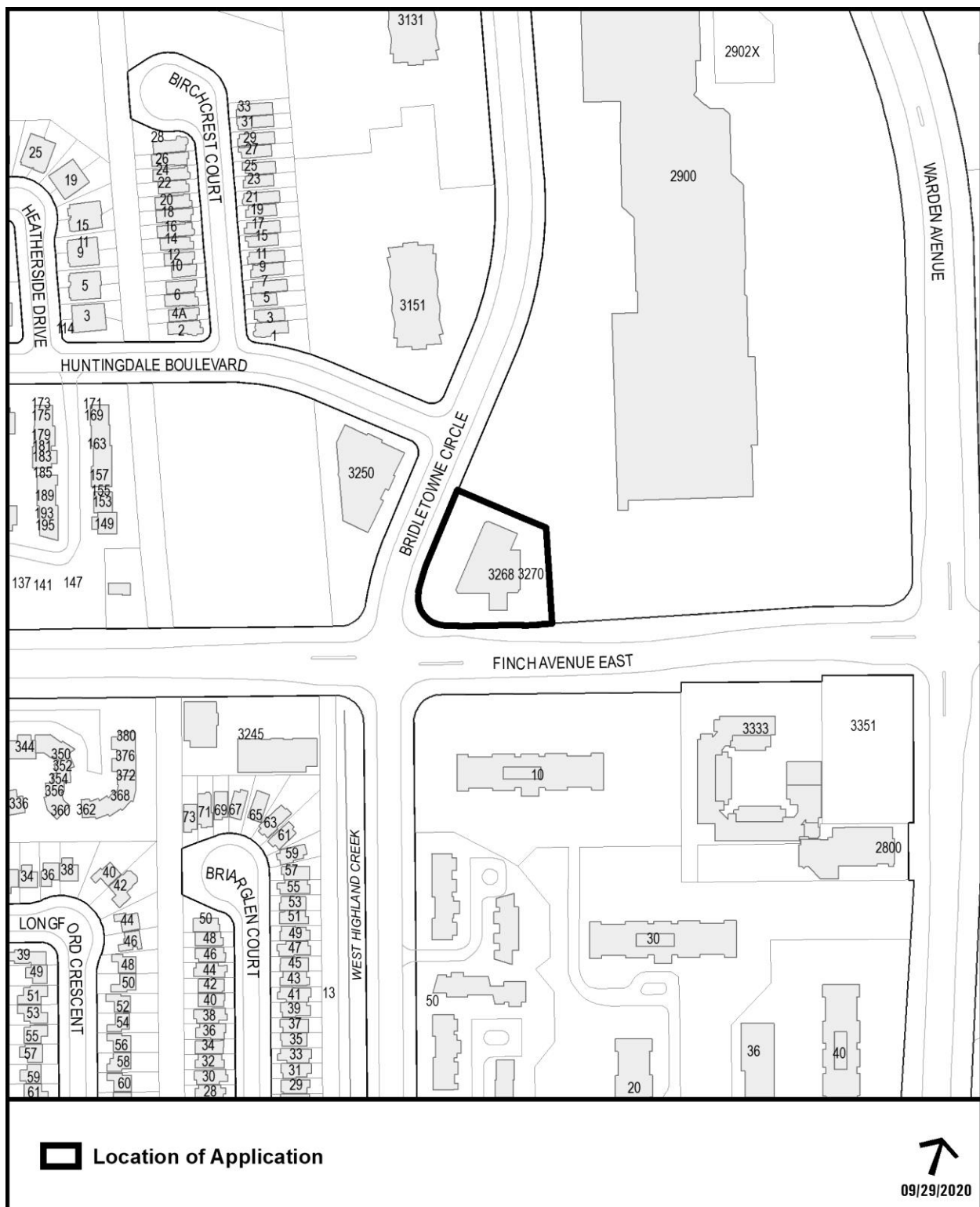
CONTACT:

Renrick Ashby, Senior Planner

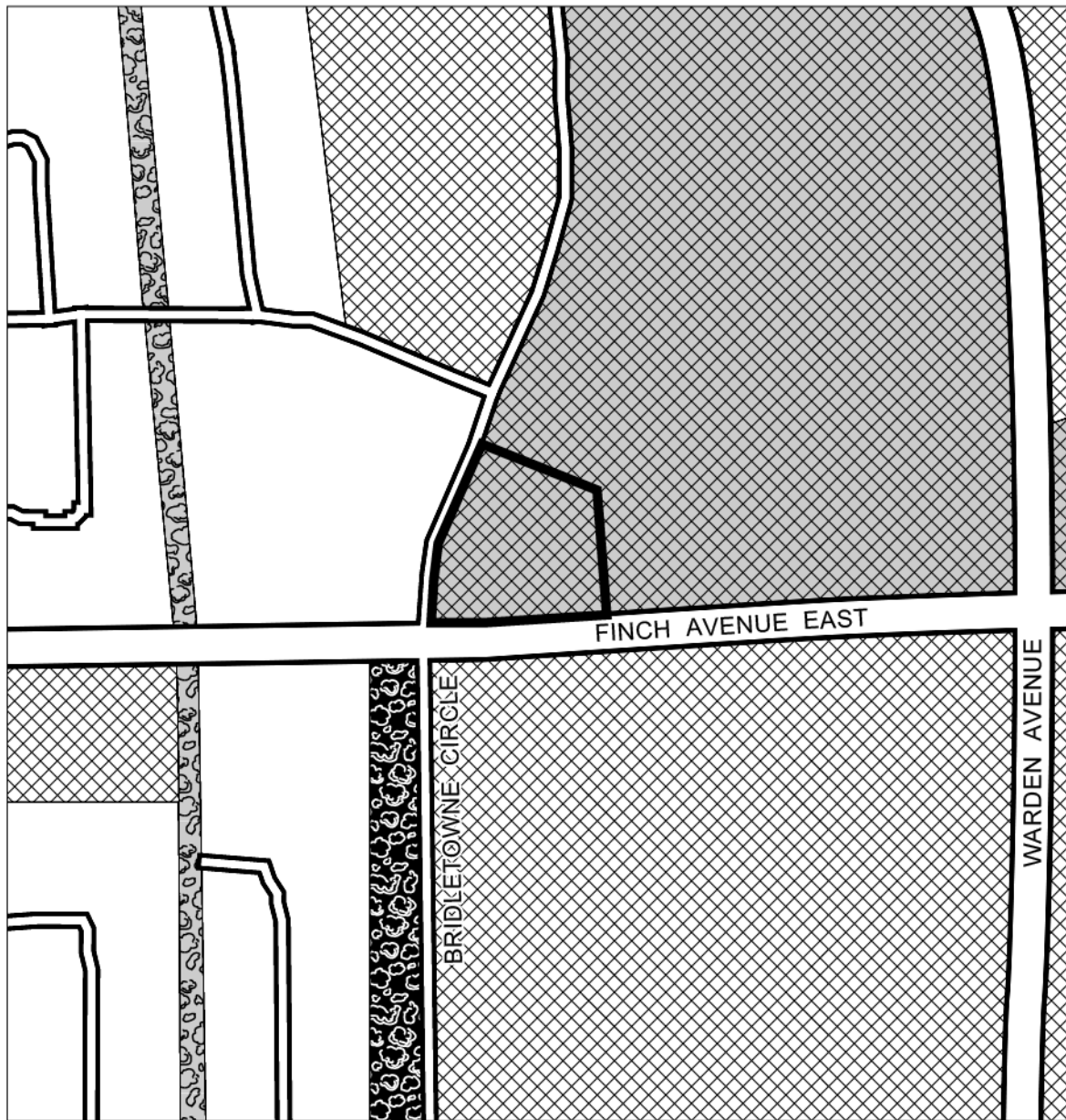
(416) 396-7022

Renrick.Ashby@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Toronto City Planning
Official Plan

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z

	Site Location		Natural Areas
	Neighbourhoods		Other Open Space Areas
	Apartment Neighbourhoods		
	Mixed Use Areas		

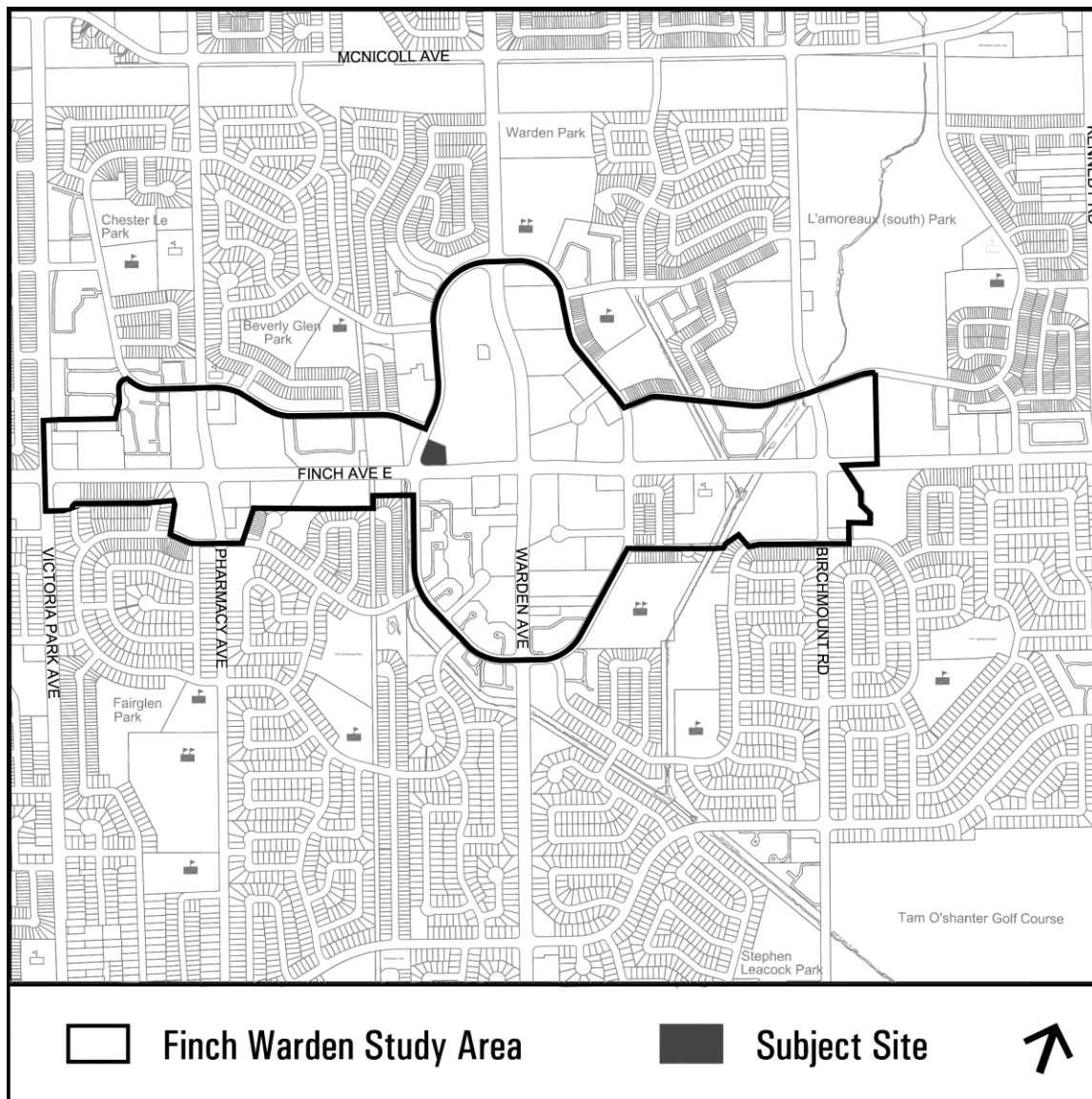
Parks & Open Space Areas

	Natural Areas
	Other Open Space Areas



Not to Scale
03/29/16

Attachment 4: Finch Warden Land Use Map



Attachment 5: Existing Zoning By-law Map, L'Amoreaux Community By-law No. 12466



L'Amoreaux Community By-law 12466

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z



Location of Application

T Two-Family Residential
M Multiple-Family Residential
A Apartment Residential
NC Neighbourhood Commercial

CC Community Commercial
DC District Commercial
SC School
AG Agricultural Uses

PW Place(s) of Worship
PU Public Utilities
I-SW Institutional - Social Welfare
O Major Open Spaces

P Park

Not to Scale
 Extracted: 10/05/2020

Attachment 6: Existing Zoning By-law Map City of Toronto By-law No. 569-2013



Zoning By-Law No. 569-2013

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z



Location of Application

RS Residential Semi-Detached
RM Residential Multiple
RA Residential Apartment
CL Commercial Local

CR Commercial Residential
IPW Institutional Place of Worship
ON Open Space Natural
OR Open Space Recreation
UT Utility and Transportation



See Former City of Scarborough
L'Amoreaux Community Bylaw No. 12466

A Apartment Residential
CC Community Commercial
I-SW Institutional - Social Welfare
SC School



Not to Scale
Extracted: 03/29/2016

Attachment 7: Draft Zoning By-law Amendment (L'Amoreaux Community By-law)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend the former City of Scarborough By-Law No. 12466, L'Amoreaux Community, as amended, with respect to the lands municipally known as,
3268 Finch Avenue East

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

WHEREAS pursuant to Section 37 of the Planning Act, the Council of a municipality may in a By-law passed under Section 34 of the Planning Act, authorize increases in the height and density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS subsection 37(3) of the Planning Act provides that, where an Owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, the municipality may require the Owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the Owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

WHEREAS Council has required the Owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law; and

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **SCHEDULE "A"** of the L'Amoreaux Community Zoning by-law is amended for the lands outlined in the attached Schedule '1' by deleting the current zoning so that the amended zoning reads as follows:

A-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580

2. **CLAUSE V – DEFINITIONS** is amended by adding the following definitions:

A. Long-Term bicycle **parking spaces** and Short-Term bicycle **parking spaces**:

(i) Long-Term bicycle **parking spaces** are bicycle parking spaces for use by the occupants or tenants of a building; and

(ii) Short-Term bicycle **parking spaces** are bicycle parking spaces for use by visitors to a **building**.

(iii) A bicycle **parking space** must be located on the same lot as the use for which it is required.

(iv) Bicycle **parking spaces** for a dwelling unit shall not be located:

(a) in a **dwelling unit**;

(b) on a balcony

3. **PERFORMANCE STANDARDS CHART - SCHEDULE “B”**, L’Amoreaux Community Zoning By-Law No. 12466, as amended, is amended by adding the following Performance Standards:

INTENSITY OF USE

562 The total residential **gross floor area** shall not exceed a Floor Space Index of 6.40 times the area of the **Lot**.

563 Maximum 276 **dwelling units** are permitted.

BUILDING SETBACKS

Building Setbacks shall be provided as follows:

564 A minimum **building setback** of 3 metres from Finch Avenue East to the ground floor.

565 Below grade parking level is permitted to encroach up to 2.5 metres into the required setback

566 A minimum **building setback** of 3 metres from Bridletowne Circle to the ground floor.

567 A minimum **building setback** of 6.3 metres from the northerly property to the nearest main wall.

568 A minimum **building setback** of 0.3 metres from the easterly property line to the ground floor.

569 A minimum **building setback** of 5.5 metres from the easterly property line to floors 8 to 11.

570 Posts and decorative elements shall be permitted to encroach into the permitted Finch Avenue East and Bridletowne Circle yard setback by a maximum of 1.25 metres.

HEIGHT

571 The **height** of the **building** does not exceed the **height** in metres and **storeys** specified by the numbers on Schedule 2 attached hereto and forming part of this By-law but in no case shall it exceed 42 metres or 13 **storeys** to the highest point of the **building**, excluding the mechanical penthouse.

572 The **height** of each portion of a **building** or structure on the **lot**, is measured as the vertical distance between the Canadian Geodetic Datum elevation of 179.0 metres, and the highest point of the **building** or structure, and must not exceed the **height** in metres as specified by the numbers following the symbol H as shown on Schedule 2 to By-law ##### [clerks to provide by-law number], with the exception of the following:

- (i) Structures, elements and enclosures are permitted to a maximum height of 1.5 metres;
- (ii) Parapets to a maximum height of 1.5 metres; and
- (iii) Window washing equipment to a maximum height of 3.0 metres.
- (iv) Structures on any roof used for mechanical equipment, chimneys, vents, stacks, mechanical fans, cooling towers, elevators and related structural elements, roof assemblies, and structures and elements associated with green energy and renewable energy facilities located on any roof, which may have a maximum vertical projection above the permitted height limits specified of Schedule 3 of 1.5 metres;
- (v) Structures on any roof used for maintenance, safety, wind or green roof purposes, including architectural screens, stairs and related enclosures, and lightning rods, provided that the maximum height of such elements is no higher than 3.0 metres above the height limits specified on Schedule 3;
- (vi) Structures at ground level, including bollards, guards, guardrails, wheel chair ramps, gas and hydro meters, green energy and renewable energy facilities, air intakes and vents, and ventilating equipment provided that the maximum height of such elements is no higher than 1.2 metres above ground level;
- (vii) Structures at ground level, including underground garage ramps and associated structures, walls and safety railings, privacy screens, retaining walls, balustrades, stairs and related enclosures, fences, bike share facilities, outdoor amenity space elements, and safety railings, provided

that the maximum height of such elements is no higher than 2.0 metres above ground level;

(viii) Structures at ground level, including lighting fixtures, ornamental, architectural or landscape features, including planters, wind mitigation elements, trellises, and art installations provided that the maximum height of such elements is no higher than 4.0 metres above ground level;

LANDSCAPING

573 A minimum 3.0 metre landscape buffer shall be provided along north property line

PARKING

574 Vehicle **parking spaces** per **dwelling unit** shall be provided as follows:

- (i) 0.9 **parking spaces** per 1 bedroom unit
- (ii) 1 **parking space** per 2 bedroom unit
- (iii) 1.2 **parking spaces** per 3 bedroom unit
- (iv) 0.2 **parking spaces** per unit for visitors

575 An accessible **parking space** must have the following minimum dimensions:

- (i) length of 5.6 metres;
- (ii) width of 3.4 metres; and
- (iii) vertical clearance of 2.1 metres.
- (iv) A 1.5 metre wide accessible barrier-free aisle or path is required along the entire length of one side of an accessible **parking space**, and such aisle or path may be shared by 2 accessible **parking spaces**;

BICYCLE PARKING SPACES

576 Bicycle **Parking Spaces** shall be provided at a rate of:
Residential:

- (a) 0.68 long term bicycle **parking spaces** for each **dwelling unit**; and
- (b) 0.07 short term bicycle **parking spaces** for each **dwelling unit**; and

MISCELLANEOUS

577 **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub Clause 6, **Coverage** shall not apply.

578 **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub Clause 18, Lands not Covered by **Buildings** shall not apply.

579 **CLAUSE VII – GENERAL PARKING PROVISIONS FOR ALL ZONES** shall not apply.

580 Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

(a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

4. **SCHEDULE “C” EXCEPTIONS MAP** of the L'Amoreaux Community Zoning By-law No. 12466, is amended by deleting Exception No.'s 17 and 68.

5. **SCHEDULE “C” EXCEPTIONS MAP and EXCEPTIONS LIST** of the L'Amoreaux Community Zoning By-law No. 12466, is further amended by adding Exception No. 101 for the lands outlined in the attached Schedule ‘3’ as follows:

Exception 101 -

On those lands identified as Exception 101 on **SCHEDULE “C” EXCEPTIONS MAP**, the following provisions shall apply:

a) Only the following uses shall be permitted:

Apartment Building

Live work units on ground floor

b) **Front Lot Line** shall be Finch Avenue East.

c) **Gross Floor Area** shall mean the area of all floors, excluding anything below grade.

d) **SECTION 37 PROVISIONS**

Upon execution and registration in priority of an agreement or agreements with the owner, pursuant to Section 37 of the Planning Act, with conditions providing for without limitation, indexing escalation of letters of credit, development charges, indemnity, insurance, and registration, satisfactory

to the City Solicitor, securing the provision of the facilities, services and matters set out herein, the Site is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements:

(1) Prior to the issuance of the first above-grade building permit, a financial contribution in the amount of \$975,000 towards the "Kidstown Water Park Project", with such amount to be indexed upwardly in accordance with Statistics Canada Residential Building or Non-Residential Building Construction Price Index, as the case may be, for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment;

(2) The cash contribution required in (1) above shall be indexed upwardly in accordance with the Statistics Canada Building Construction Price Indexes for Toronto, or its successor, beginning from the date of execution of the Section 37 Agreement to the date the cash contribution is provided to the City;

(3) In the event the cash contribution required in (1) above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the community in the vicinity of the Site;

e) The following matters are also recommended to be secured in the Section 37 Agreement:

(1) The Owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681;

(2) The Owner shall enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services;

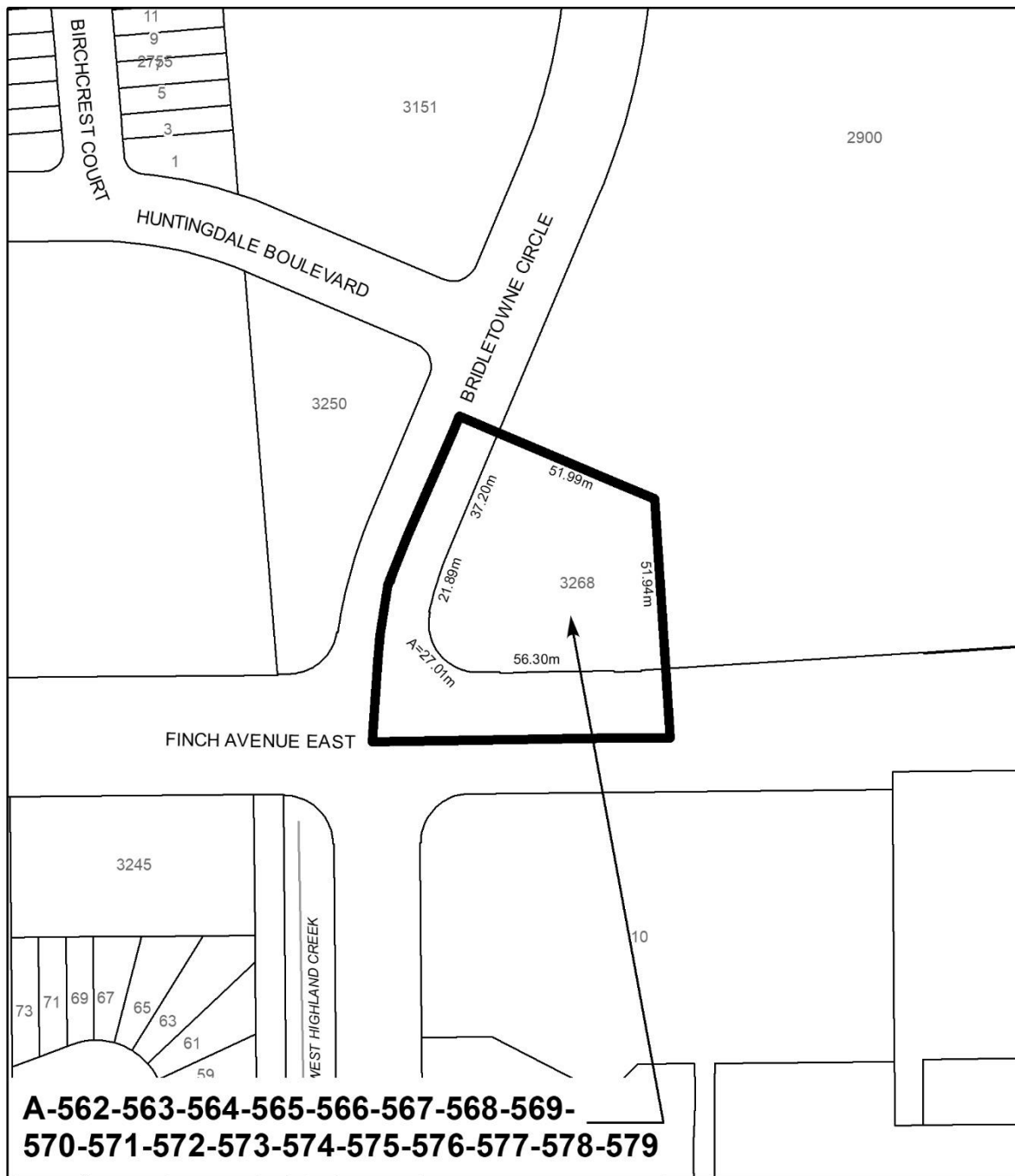
(3) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the

adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017, through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time;

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)

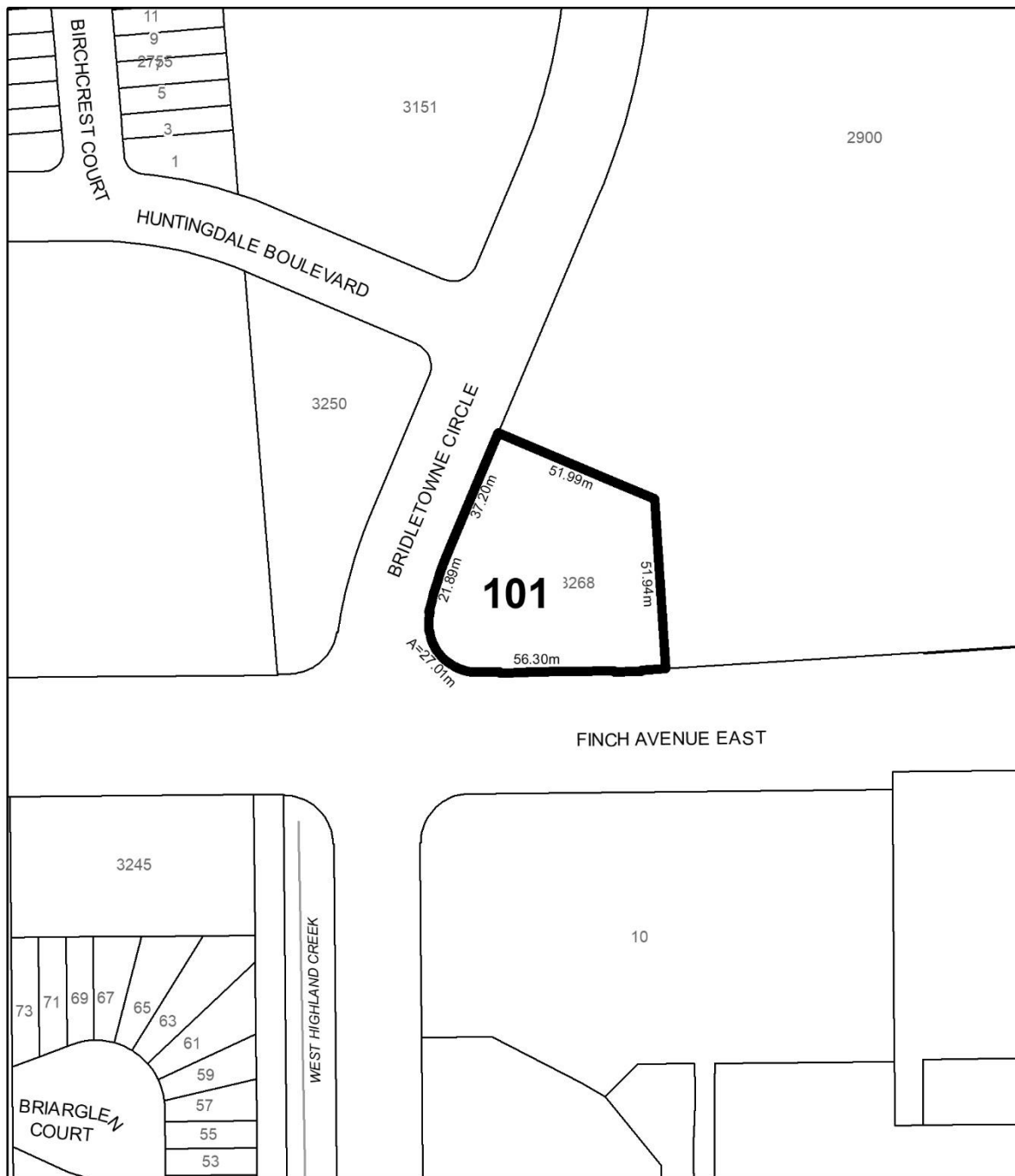


Toronto
Schedule 1

3268 Finch Avenue East

File # 16 128441 ESC 39 02

↑
L'Amoreaux Community By-law 12466
Not to Scale
09/15/2020



Toronto
Schedule 2

3268 Finch Avenue East

File # 16 128441 ESC 39 02

↑
L'Amoreaux Community By-law 12466
Not to Scale
09/15/2020

Attachment 8: Draft Zoning By-Law Amendment (City of Toronto)

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~
BY-LAW No. XXXX-2020

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2020 as, 3268 Finch Avenue East

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

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

Whereas the Owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.

The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.

Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RA (xXXX), as shown on Diagram 2 attached to this By-law.

Zoning By-law No. 569-2013, as amended, is further amended by adding the lands outlined in a heavy black line on Diagram 3 to the Policy Areas Overlay Map in Section 995.10.1; the Height Overlay Map in Section 995.20.1; the Lot Coverage Overlay Map in Section 995.30.1; amending the Rooming House Overlay Map in Section 995.40.1 with no label.

Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.6.10 a new Exception Number RA XX, so that it reads:

(##)Exception RA [####]

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) On lands municipally known in the year 2020 as 3268 Finch Avenue East, shown on Diagram 1 to By-law XXXX-2020 [Clerks to supply by-law ##], if the requirements of Section 6 and Schedule A are complied with, a **building** or **structure** may be erected and used in compliance with (B) to (L) below;

(B) For the purposes of this By law, Finch Avenue East shall be the **front lot line**;

(C) Despite Regulations 15.5.40.60(1) 15.5.40.60(2) and 15.5.40.60(3) window projections, architectural features, canopies and exterior stairs are permitted to encroach into the required **building setback** a maximum of 2.0 metres;

(D) Regulation 15.10.30.10(1)(B) does not apply;

(E) Despite Clause 15.10.30.20(1)(B), the required minimum **lot frontage** is 72 metres;

(F) Despite Regulation 15.10.30.40(1)(B), the permitted maximum **lot coverage** is 55 percent;

(G) The permitted maximum number of **dwelling units** on the lot is 276;

(H) Despite Regulation 15.10.40.10(1)(B), the permitted maximum **height** for a building or structure is 13 storeys and 42 metres;

(I) Despite Regulation 12.10.40.70, the required minimum **building setbacks** are shown on Diagram 4 of By-law XX;

(J) Despite Regulation 15.10.40.50 ((A)(B) the following minimum **amenity space** requirements apply:

- (i) a minimum of 500 square metres of indoor **amenity** space is required; and
- (ii) a minimum of 365 square metres of outdoor **amenity** space is required;

(K) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, off street **parking spaces** must be provided at the following minimum rates:

- (i) 0.9 **parking space** for each one bedroom **dwelling unit** for residents;
- (ii) 1.0 **parking space** for each two bedroom **dwelling unit** for residents;
- (iii) 1.2 **parking spaces** for each three or more bedroom **dwelling unit** for residents; and
- (iv) 0.2 **parking space** for each **dwelling unit** for visitors;

(L) Despite Regulation 230.5.10.1(5), a minimum of 206 bicycle **parking spaces** is required, of which:

- (i) 186 bicycle **parking spaces** must be "long-term" bicycle **parking spaces**; and
- (ii) 20 bicycle **parking spaces** must be "short-term" bicycle **parking spaces**; and

(M) Despite Regulation 220.5.10.1(2), one Type "G" **loading space** must be provided.

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

Section 37 Provisions

(A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 to By-law XXX in return for the provision by the owner, at the owner's expense, of the facilities, services and matters set out in Schedule A of this By-law and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered in priority on title to the lands, to the satisfaction of the City Solicitor;

(B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and

(C) The Owner shall not use, or permit the use of, the lands as permitted by By-law XXX, unless or until the owner has executed and registered in priority on title to the lands an agreement or agreements pursuant to Section 37 of the Planning Act, to the satisfaction of the City Solicitor, securing the provision of facilities, services and matters set out in all provisions of Schedule A of By-law XXX.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY, ULLI S. WATKISS,
Mayor City Clerk

(Corporate Seal)

SCHEDULE A

Section 37 Provisions

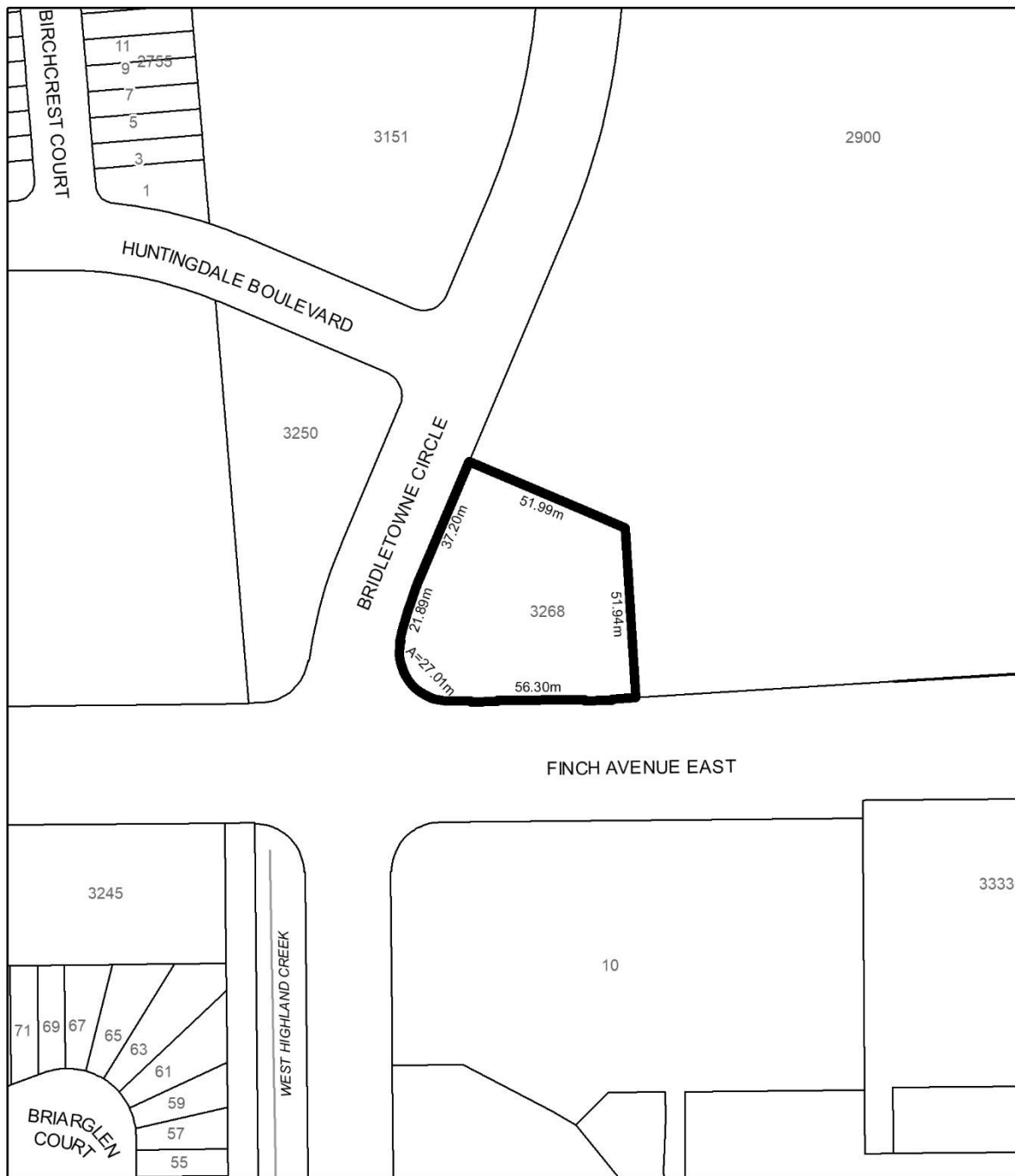
Upon execution and registration in priority of an agreement or agreements with the owner, pursuant to Section 37 of the Planning Act, with conditions providing for without limitation, indexing escalation of letters of credit, development charges, indemnity, insurance, and registration, satisfactory to the City Solicitor, securing the provision of the facilities, services and matters set out herein, the Site is subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements:

- (1) Prior to the issuance of the first above-grade building permit, a financial contribution in the amount of \$975,000 towards the "Kidstown Water Park Project", with such amount to be indexed upwardly in accordance with Statistics Canada Residential Building or Non-Residential Building Construction Price Index, as the case may be, for the Toronto Census Metropolitan Area, reported by Statistics Canada in the Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment;
- (2) The cash contribution required in (1) above shall be indexed upwardly in accordance with the Statistics Canada Building Construction Price Indexes for Toronto, or its successor, beginning from the date of execution of the Section 37 Agreement to the date the cash contribution is provided to the City;
- (3) In the event the cash contribution required in (1) above has not been used for the intended purpose within three (3) years of the implementing Zoning By-law Amendment coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purposes are identified in Toronto's Official Plan and will benefit the community in the vicinity of the Site;

The following matters are also recommended to be secured in the Section 37 Agreement:

- a. The Owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681;
- b. The Owner shall enter into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services;
- c. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the

adoption of item PG32.3 of the Planning and Growth Committee, and as updated by Toronto City Council at its meeting held on December 5, 6 and 7, 2017, through the adoption of item PG23.9 of the Planning and Growth Committee, and as may be further amended by City Council from time to time;



Toronto
Diagram 1

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z

City of Toronto By-law 569-2013
Not to Scale
09/15/2020

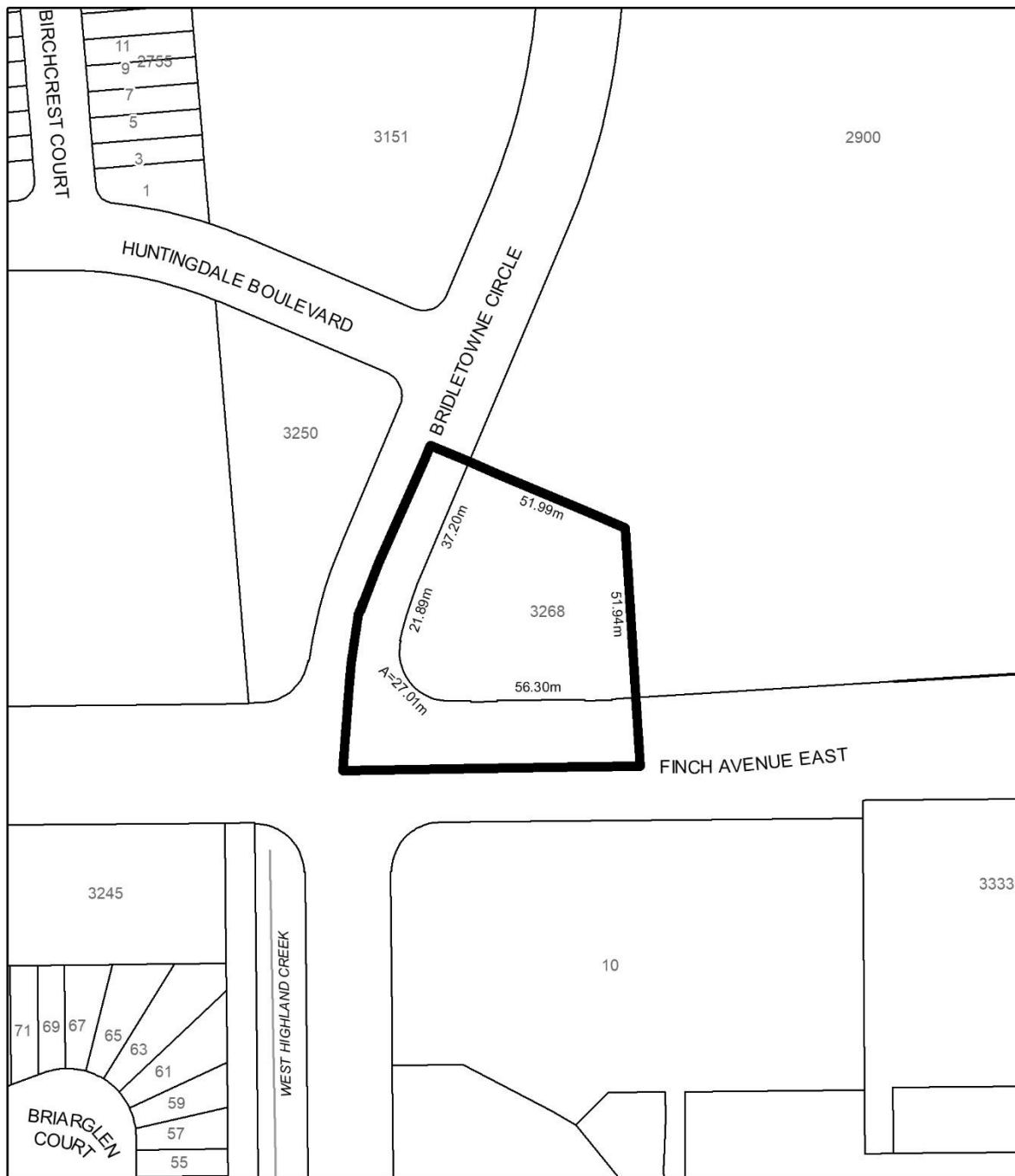


Toronto
Diagram 2

3268 Finch Avenue East

File # 16 128441 ESC 39 02

City of Toronto By-law 569-2013
Not to Scale
10/20/2020

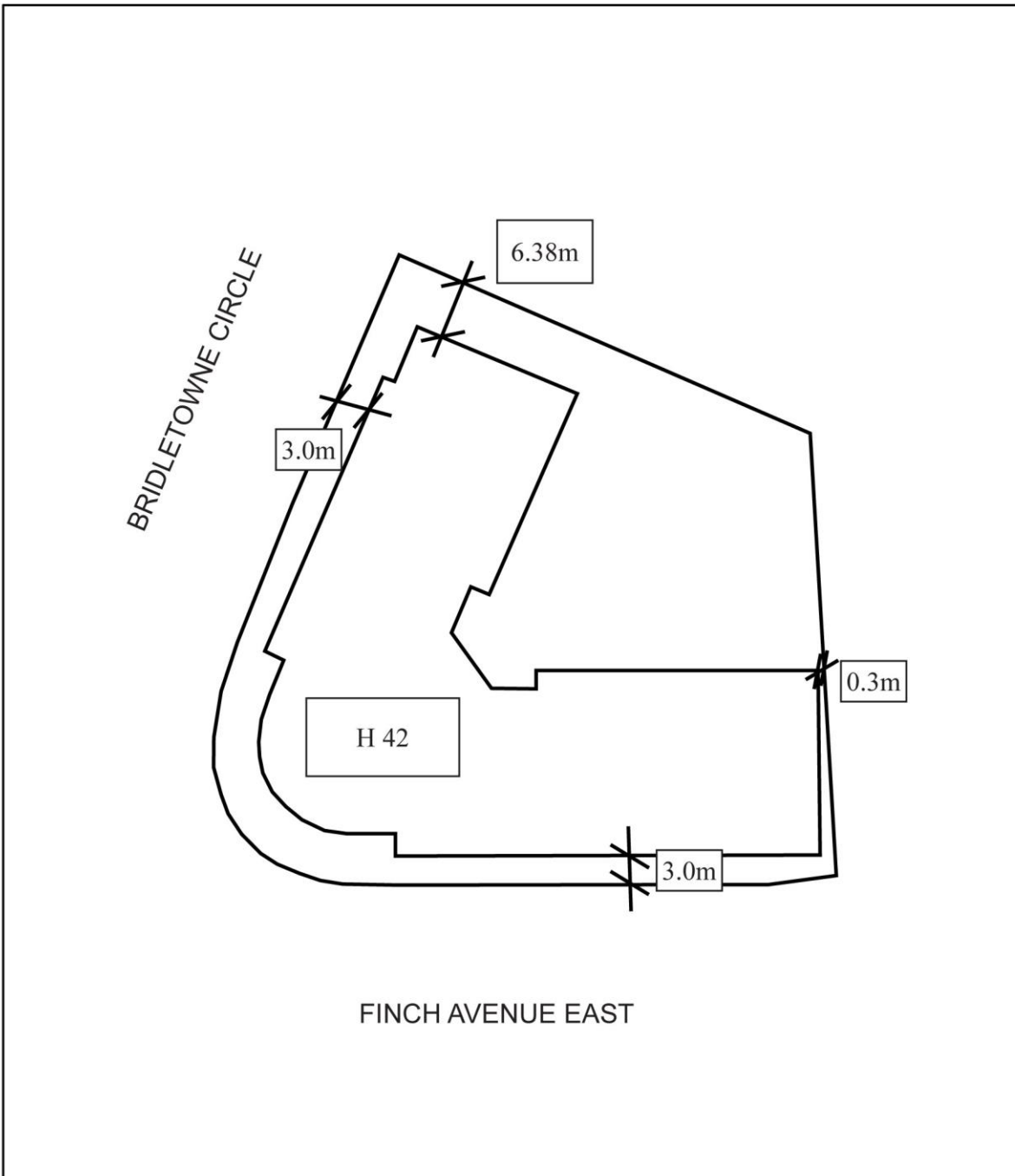


Toronto
Diagram 3

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z


City of Toronto By-law 569-2013
Not to Scale
10/05/2020



 **Toronto**
Diagram 4

3268 Finch Avenue East

File # 16 128441 ESC 39 0Z


City of Toronto By-law 569-2013
Not to Scale
10/05/2020

Attachment 9: Summary of Public Consultation

ISSUES RAISED:

School Board Capacity

- Concern about Toronto District School Board capacity and if there was an ability for local schools to accommodate the pupil population that could be generated by this development.

Servicing Capacity

- Concern about the adequacy of servicing to accommodate the redevelopment proposal

Traffic

- The traffic generated by this development will make traffic much worse in the area

Views

- Would proposed height block the views from adjacent residential buildings

Bridletowne Circle Library

- At capacity and could use additional space or resources.



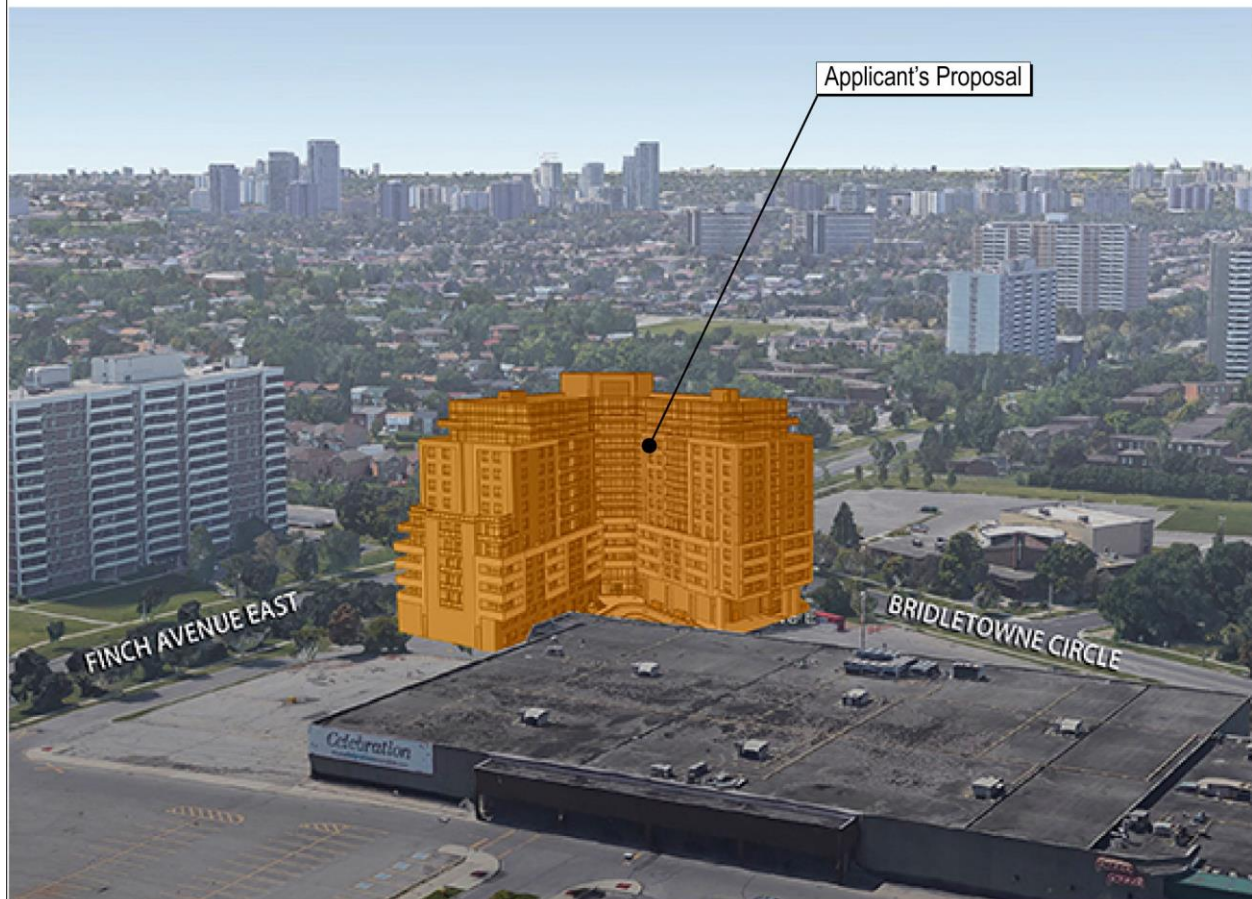
Site Plan



Attachment 11: 3D Model of Proposal Looking Northeast



Attachment 12: 3D Model of Proposal Looking Southwest

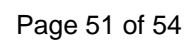


View of Applicant's Proposal Looking Southwest



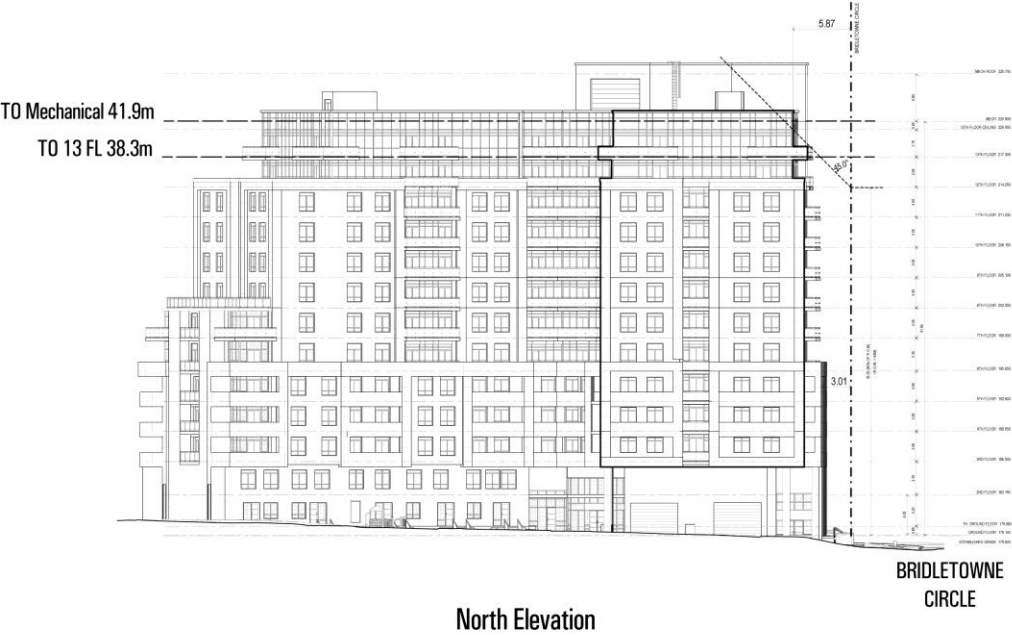
10/08/2020

Final Report - 3268 Finch Avenue East

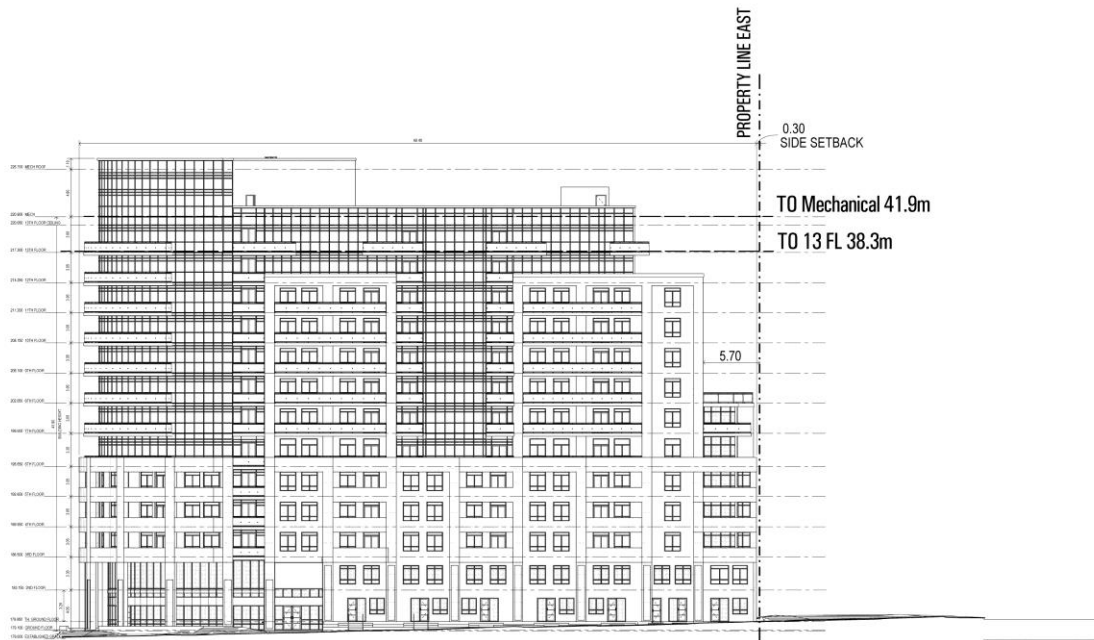


East Elevation

Attachment 14: Elevation (North)

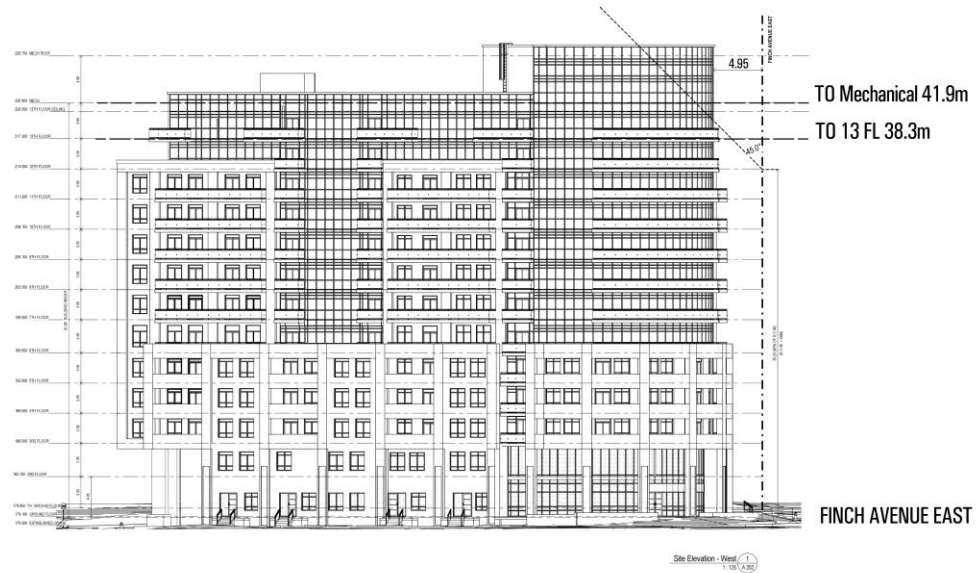


Attachment 15: Elevation (South)



South Elevation

Attachment 16: Elevation (West)



West Elevation