

## **241 to 243 Finch Avenue East – Zoning By-law Amendment Application – Final Report**

Date: August 23, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: 18 - Willowdale

**Planning Application Number:** 18 250648 NNY 23 OZ

### **SUMMARY**

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This application proposes to amend the City of Toronto Zoning By-law 569-2013 and the former City of North York Zoning By-law No. 7625 to permit a three-storey townhouse development within one block containing eight units at 241 to 243 Finch Avenue East. The proposed development is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2020), the Official Plan and the Central Finch Area Secondary Plan.

This report reviews and recommends approval of the application to amend the zoning by-laws for the site. The proposal represents an appropriate level of intensification along Finch Avenue East as contemplated by the Central Finch Area Secondary Plan, while providing a transition to the existing lower scaled residential neighbourhood to the south.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 7625, as amended, for the lands at 241 to 243 Finch Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 241 to 243 Finch Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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A pre-application consultation meeting was held with the applicant on April 19, 2018 to discuss complete application submission requirements. The current application was submitted on October 31, 2018 and deemed complete on April 7, 2020.

A Preliminary Report on the application was adopted by North York Community Council on January 15, 2019 authorizing staff to conduct a community consultation meeting.

The Preliminary Report and Community Council's direction is available online here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY2.13>

## **PROPOSAL**

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The application proposes to amend the former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013 to permit a three-storey townhouse development within one block containing eight units, measured at 10 metres high and 11.22 metres high under By-laws 7625 and 569-2013, respectively. The first unit fronts onto Finch Avenue East and the remaining seven units front onto the east side of the lot accessed from a 1.5 metre pedestrian mews that connects to Finch Avenue East. The building would have a gross floor area of 1,341 square metres and a Floor Space Index of 1.0 times the area of the lot. The proposed development is accessed by a shared private driveway from Finch Avenue East that runs along the west side of the lot.

See Attachment 8 for a site plan of the proposal.

Attachment 1 to this report contains additional project statistics and the submitted materials are available on the City's Application Information website:

<http://app.toronto.ca/AIC/index.do?folderRsn=SKSxyAIQGjeJL%2FUeh250ZA%3D%3D>

The original application submitted in October 2018 proposed a development consisting of 9 townhouse units contained in two blocks, one block containing 4 units fronting onto Finch Avenue East and one block containing 5 units at the rear of the site located behind the other block and fronting onto a shared private driveway.

Through discussions with City staff, the applicant revised the application and a comparison of the original application and the final revised application can be found below:

	Original Proposal - October 2018	Final Proposed - May 2021
Total number of residential units	9 (townhouses)	8 (townhouses)
Floor Space Index	1.0	1.0
Gross Floor Area (GFA)	1,384	1,341
Lot Coverage	33.47%	31%
Minimum front yard setback	2.0 metres	2.0 metres
Minimum east side yard setback	1.0 metres	6.0 metres
Minimum west side yard setback	1.0 metres	9.5 metres
Minimum rear side yard	9.5 metres	9.5 metres
Minimum townhouse unit width	5.4 metres	4.0 metres
Residential parking supply	Two spaces per unit	Two spaces per unit
Visitor parking spaces	1	1

### *Townhouse Units*

The proposed townhouse units are organized into one block of eight units on the eastern portion of the site. The townhouse units are proposed to have widths between 4.0 metres and 4.2 metres. All units are proposed as three bedroom units.

Each unit would have a minimum gross floor area of approximately 167 square metres, a front porch and an outdoor rear deck accessed from the second floor of the dwelling unit. The end unit on the southern portion of the site abutting the low-rise residential neighbourhood to the south is setback 9.5 metres from the rear lot line. The front yard setback, after a 4.9 metre widening of Finch Avenue East, to the front main wall of the townhouse block and the first unit is 2.0 metres.

### *Site Access and Parking*

Vehicle access to the site would be provided via a two-way 6.0 metre wide north-south shared private driveway from Finch Avenue East. The first seven townhouse units are proposed to accommodate one parking space in an integral garage and one tandem parking spot. Unit eight will have two surface parking spaces with one located on the unit's driveway and one located beside the visitor parking space. The site will have one visitor parking space located on the south side of the site. The units have pedestrian access off the municipal sidewalk from Finch Avenue East that connects to the 1.5 metre pedestrian mews. Garbage and recycling is proposed to be stored in the integral garage of each townhouse unit and unit eight will have a waste storage enclosure on the south side of the property. Waste and garbage will be collected curbside along Finch Avenue East on pick-up day. Details for the waste enclosure will be secured during the site plan control stage.

### **Reasons for Application**

An amendment to the former City of North York Zoning By-law No. 7625 is required as the current zoning does not permit townhouse dwellings. The site is currently not subject to City-wide Zoning By-law 569-2013. The application proposes amendments to Zoning By-law No. 569-2013 in order to bring the site into the City-wide Zoning By-law in order to permit the townhouse development.

A zoning by-law amendment is also required to implement development standards such floor space index, lot coverage, and setbacks.

### **Site and Surrounding Area**

The site is located on the south side of Finch Avenue East, east of Yonge Street and has an area of approximately 1,389 square metres. The existing surrounding uses are as follows:

North: Detached residential dwellings, and a 58-unit, 4-storey townhouse complex at 238-258 Finch Avenue East.

West: A 28 unit, 4-storey townhouse complex configured into 4 blocks at 227-239 Finch Avenue East.

South: Detached residential dwellings in a low-rise neighbourhood.

East: Detached residential dwellings along Finch Avenue East.

### **APPLICATION BACKGROUND**

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The following reports were submitted as part of the complete application:

- Planning Rationale Report (including draft zoning by-law amendment);
- Arborist Report and Tree Preservation Plan;

- Functional Servicing and Stormwater Management Report;
- Hydrological Report;
- Groundwater Report; and
- Public Consultation Strategy.

### **Agency Circulation Outcomes**

The application, together with the applicable reports noted above, were 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.

### **Statutory Public Meeting Comments**

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

## **POLICY CONSIDERATIONS**

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### **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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 4.6 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 requirements. Council may go beyond these minimum requirements 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 be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and 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 (2020) came into effect on August 28, 2020. This was an amendment to the 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; and
- 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).

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 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.

The application has been reviewed against the policies of the City of Toronto Official Plan as follows:

#### *Chapter 2 - Shaping the City*

The Structuring Growth in the City policies in Section 2.2 of the Official Plan provides the vision for the integration of land use and transportation in the city. Under Policy 2.2.3, this includes the acquisition of lands through land conveyances beyond the right-of-way widths, as shown on Map 3 of the Official Plan.

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that *Neighbourhoods* are low rise and low density residential areas that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

#### *Chapter 3 - Building a Successful City*

The Built Form policies of the Official Plan require new development to be located and organized to fit with its existing and/or planned context. Buildings should generally be located parallel to the street or so that they are clearly visible and directly accessible

from the public sidewalk. Vehicle parking, access, and service areas should be located and screen to minimize their impact on the property and on surrounding properties. In order to fit harmoniously into the existing and/or planned context, buildings should create transitions in scale to neighbouring existing and/or planned buildings and to provide adequate light and privacy.

#### *Chapter 4 - Land Use Designations*

The Toronto Official Plan, on Map 16, designates the site as *Neighbourhoods* (see Attachment 3). *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings, such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as interspersed walk-up apartment buildings that are no higher than four storeys. New development within this designation will maintain the existing physical character. Parks, low scale institutions, home occupations, cultural and recreational facilities, and small-scale retail, service, and office uses are also provided for in *Neighbourhoods*.

*Neighbourhoods* policies in Chapter 4.1, including Policy 4.1.5, provides that development in established *Neighbourhoods* will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) prevailing size and configuration of lots;
- c) prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) prevailing location, design and elevations relative to the grade of driveways and garages;
- f) prevailing setbacks of buildings from the street or streets;
- g) prevailing patterns of rear and side yard setbacks and landscaped open space;
- h) continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- i) conservation of heritage buildings, structure and landscapes.

Lots fronting onto a major street shown on Map 3 of the Official Plan designated *Neighbourhoods* are distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along a major street to the extent permitted by the Official Plan.

Policy 4.1.5 of the Official Plan also distinguishes lots that front onto a major street, such as Finch Avenue East (Map 3), from those located in the interior of a *Neighbourhood*. The following factors may be taken into account in the consideration of a more intense form of development on such lots:

- Different lot configurations;
- Better access to public transit;
- Adjacency to developments with varying heights, massing and scale; or
- Direct exposure to greater volumes of traffic on adjacent and nearby streets.

Policy 4.7 states that proposals for intensification of land on a major street in *Neighbourhoods* are not encouraged. However, where a more intense form of residential development than that permitted by the existing zoning on a major street in a *Neighbourhoods* is proposed, the application will be reviewed in accordance with Policy 4.1.5, having regard to both the form of development along the street and its relationship to adjacent development in *Neighbourhoods*.

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

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

### **Central Finch Area Secondary Plan**

The objective of the Central Finch Area Secondary Plan is to encourage development and redevelopment within the Central Finch Area, which will form a mixed use area between Bathurst Street and Willowdale Avenue, and an area accommodating multiple-unit residential buildings, east of Willowdale Avenue, fronting onto Finch Avenue East.

The Secondary Plan requires that new buildings be setback from the existing street-line to protect the function of Finch Avenue, and encourage the consolidation of lots and reduction of the number of private driveways accessing Finch Avenue.

New development is also required to minimize the potential for adverse impact on the land use characteristics of low density residential lands which do not abut Finch Avenue and ensure that development takes place in a manner that protects and enhances the residential neighbourhoods.

The site is subject to the height and density provisions under Neighbourhood 'B' of the Central Finch Area Secondary Plan, which permits a maximum FSI of 1.0 times the lot area and a maximum height of 3 storeys, and/or 10.0 metres under Zoning By-law No. 7625. All properties subject to the Secondary Plan along Finch Avenue East are required to have a rear yard setback of no less than 9.5 metres, and shall fall below a 35 degree angular plane, measured from the rear lot line. The Plan permits that the lands dedicated and transferred to a public authority for road widening purposes may be included in the lot area calculation when determining the permitted gross floor area.

The Central Finch Area Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/8840-cp-official-plan-SP-22-CentralFinch.pdf>.

The outcome of staff analysis and review of relevant Official Plan policies are summarized in the Comments section of the Report.

### **Zoning**

The site is zoned One-Family Detached Dwelling Sixth Density Zone (R6) under former City of North York Zoning By-law No. 7625. This zone allows for detached dwellings and

accessory buildings. The minimum required lot frontage is 12.0 metres and minimum required lot area is 371 square metres. The zone permits a maximum building height of 8.8 metres, and 2 storeys, requires a minimum front yard setback of 6.0 metres, a minimum side yard setback of 1.2 metres, and a minimum rear yard setback of 9.5 metres. The maximum lot coverage is 30%.

Townhouses are not permitted under the R6 Zone.

The site is not subject to the City-wide Zoning By-law No. 569-2013. However, the application proposes to bring the site into Zoning By-law No. 569-2013.

The City of Toronto Zoning By-law No. 569-2013 can be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

### **Townhouse and Low-rise Apartment Guidelines**

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios.

The Guidelines were reviewed to inform design elements from this development including, on-site landscaping, the location of the driveway and integral garages, the location of the garbage storage, and transition to the low-rise residential neighbourhood located to the south of the site.

The link to the Guidelines [can be found here](#):

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

### **Site Plan Control**

The proposed development is subject to Site Plan Control and an application has been submitted and is concurrently under review (File No. 18 250662 NNY 23 SA).

## **COMMENTS**

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

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and

conforms with the Growth Plan. These policy documents provide for intensification in proximity to transit and local amenities. The subject site currently consists of two detached dwellings and the proposed townhouse block represents an appropriate level of intensification along Finch Avenue East in proximity to the surface transit network along Finch Avenue and local amenities along Bayview Avenue.

Policy 4.6 of the PPS states that the official plan is the most important vehicle for implementation of the PPS. Comprehensive, integrated and long-term planning is best achieved through official plans. As noted in the Comments section of the report, the proposal conforms to the Official Plan.

### Site Organization

This application has been reviewed against the Central Finch Area Secondary Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. The Central Finch Area Secondary Plan encourages residential intensification and consolidation of lots along this portion of Finch Avenue East. The proposal is a consolidation of two individual lots and reduces the number of private driveways accessing Finch Avenue East. The proposed townhouse building type represents an appropriate level of intensification anticipated by the Central Finch Area Secondary Plan.

The proposed townhouse block incorporates elements that were informed by the Official Plan and the Townhouse and Low-rise Apartment Guidelines.

The proposed townhouse units are in one block fronting Finch Avenue East with the first unit providing direct pedestrian access onto Finch Avenue East. The remaining units are accessed by a pedestrian mews on the east side of the building that is visible from Finch Avenue East located perpendicular from the street. The townhouse block is setback from the street and provides sufficient area for landscaping, trees and shrubs along the Finch Avenue East frontage. In addition to the landscaping along the Finch Avenue East frontage, several trees, or shrubs are proposed along the site's eastern, western, and southern property lines.

The townhouse block provides sufficient setbacks from the east and west side property lines allowing for separation distance from the existing properties. These setbacks maintain an area for a 1.8 metre soft landscaping buffer along the property lines and a privacy fence. The south 9.5 metre setback provides an area for sufficient landscaping, trees and shrubs, and shared amenity space for residents.

The location of the driveway and integral garages are located on the west side of the townhouse block and pedestrian access is located on the eastern side of the block to achieve a safer, more comfortable and attractive public and pedestrian realm on the site. Garbage storage is integrated within the integral garages for an attractive public realm and pedestrian environment. Unit eight is proposed to have a waste enclosure on the south side of the block. Details for the waste enclosure will be secured during the site plan control stage.

Each townhouse unit is accessed from a front porch that incorporates a planter to enhance the public realm and pedestrian environment along the mews. The units each have a private balcony located on the second floor and a juliet balcony on the third floor overlooking the west side of the property. Each unit has access to the amenity area located on the rear side of the townhouse block.

### **Height, Setbacks, Density**

The Official Plan requires that proposals for intensification on major streets be reviewed in accordance with Policy 4.1.5 and have regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhoods*. The proposed townhouse block would be three storeys in height and have a maximum height of 10.0 metres, as measured under Zoning By-law No. 7625, which is in conformity with the Central Finch Area Secondary Plan. The proposal complies with the Secondary Plan and existing zoning by-law requirement of a 9.5 metre rear yard setback, and fits within a 35 degree angular plane taken from the south property line abutting the existing low-rise residential neighbourhood. This rear yard setback and angular plane provides an appropriate transition to the existing stable residential neighbourhood, located immediately south of the site and protects for overlook and privacy concerns.

The site abuts an existing single detached dwelling to the east. Transition and buffering is provided along the eastern property line with a 6.0 metre side yard setback, a soft landscaping strip, and fencing. The site abuts a townhouse complex to the west. The townhouse block provides a 9.5 metre side yard setback and landscaping strip to buffer the site from the west side property line. The townhouse block proposes a built form and character that fits within the existing and planned context of the area, including the townhouse complex located directly west of the site.

The Central Finch Area Secondary Plan provides for a maximum Floor Space Index of 1.0 times the lot area. The building would have a gross floor area of 1,341 square metres and a Floor Space Index of 1.0 and would conform with the Secondary Plan. As the building is less than 10,000 square metres, it is not eligible for community benefits under Section 37 of the Planning Act.

### **Traffic Impact, Access, Parking**

The site is accessed off a north-south shared private driveway from Finch Avenue East. The proposed residential parking is to be provided in the form of tandem parking with one space located inside an integral garage and one surface parking space for units one to seven. Unit eight is proposed to have two surface parking spaces. One visitor surface parking space is proposed on the southern portion of the site. The total number of parking spaces for the site, including visitor parking is 17. The total number of residential bicycle parking spaces is 2, located at the front of the townhouse block.

The applicant submitted a Traffic Operations Assessment prepared by the Municipal Infrastructure Group in November 2019. The report concluded that the traffic generated by the proposed development will generate approximately 4 total new two-way trips (2

inbound and 2 outbound) during the weekday morning and afternoon peak hours. Transportation Services staff have confirmed that there is sufficient provision of parking spaces proposed and the volume of traffic generated by the proposed development will have minimal impact during peak hours. The proposed number of parking spaces is in compliance with the required number of residential and visitor parking spaces under Zoning By-law No. 569-2013.

### **Road Widening**

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Finch Avenue, a 4.90 metre road widening dedication along the Finch Avenue East frontage is required. The required conveyance to the City is detailed on the applicant's site plan drawing and will be secured through the Site Plan process.

### **Streetscape**

The proposed development will have its pedestrian mews located off Finch Avenue East, directly accessible from the public sidewalk. A new 2.1 metre wide sidewalk along the Finch Avenue East frontage of the site will be provided. The details will be secured through the site plan control process. Six trees are proposed within the streetscape, including two existing City-owned trees that will be retained as part of the redevelopment and 4 new private trees. The townhouse block has been oriented to have the first unit's front door facing Finch Avenue East. The front yard will incorporate 2 metres of landscaping and a planter to enhance the design of the front wall facing Finch Avenue East and to assist with stormwater management.

### **Servicing**

The applicant has provided a Functional Servicing, Stormwater Management Report, and Hydrological Assessment reports. These reports have been reviewed and accepted by Engineering and Construction Services. Additional servicing elements, such as grading, will be secured through the Site Plan process.

### **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 to 0.42 hectares of local parkland per 1,000 people. The site is in the 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.

In accordance with 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.

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 said permit.

## **Tree Preservation**

The applicant submitted a revised Arborist Report in April 2020, and revised Landscape Plan in May 2021. The report and plan identifies 10 regulated trees - two have been determined as City-owned, and eight as being located on private property. The development proposes the removal of five trees on private property with a diameter of 30 centimetres or greater on the subject site and 3 private trees being preserved. Urban Forestry staff require an Application to Injure or Remove Trees and an application fee for eight trees.

There are two City-owned trees located on the Finch Avenue East right-of-way adjacent to the site and the applicant is required to submit a Tree Survival Guarantee to ensure the protection of the subject trees.

Urban Forestry requires a total of fifteen new large growing native shade trees to be planted on private property to replace the five private trees proposed for removal at a replacement ratio of 3:1. The landscape plan proposes replanting 8 trees on site. An additional total amount of \$4,081.00 (\$584.00 per tree) cash in lieu payment for the remaining seven trees not being proposed in the landscape plan is required. Details regarding the location and types of trees to be planted are to be finalized during the Site Plan Control stage. City staff will work with the applicant to maximize on-site tree planting. Any remaining tree plantings will be planted off-site by way of cash-in-lieu payment.

## **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 TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features secured through the Zoning By-law include space for landscaping. Tree protection has been secured by the reorientation of the townhouse block to protect existing trees, including 2 City-owned along Finch Avenue East. Other applicable TGS performance measures will be secured through the Site Plan Control approval process.

## **Community Consultation**

A community consultation meeting was held on March 20, 2019 at Blessed Trinity Catholic School to discuss the original submission. The meeting was attended by the local Ward Councillor, the applicant, City Planning staff and members of the public. Following presentations from City staff and the applicant, the public raised concerns with the potential traffic impacts, the height and size of the development, tree preservation, the location of garbage and waste collection, and stormwater management and runoff.

Subsequent to the community meeting, the applicant revised their proposal by reducing the amount of dwelling units to improve the massing of the development and to increase landscaping for stormwater management and to reduce runoff on the site. The garbage storage will be internalized within each units. Concerns raised at the community consultation meeting have been addressed in this Report.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, the Central Finch Area Secondary Plan, and the Townhouse & Low-Rise Apartment Guidelines. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms with the Toronto Official Plan, particularly as it represents a built form and character that fits within the existing and planned context of the area and an appropriate level of intensification on a major street on lands that are designated *Neighbourhoods*. Staff recommend that Council support approval of the application.

## **CONTACT**

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## **SIGNATURE**

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John Andreevski, Acting Director  
Community Planning, North York District

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law 7625 Map
- Attachment 5: Draft Zoning By-law 7625 Amendment
- Attachment 6: Draft Zoning By-law 569-2013 Amendment
- Attachment 7: Summary of Public Consultation

### **Applicant Submitted Drawings**

- Attachment 8: Site Plan
- Attachment 9: Elevations

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 241 to 243 Finch Avenue East Date Received: October 31, 2018

Application Number: 18 250648 NNY 23 OZ

Application Type: Rezoning

Project Description: One townhouse block of 3 storeys containing a total of 8 dwelling units. Unit 1 fronts onto Finch Avenue East, and Units 2-8 have main entrances fronting onto an internal pedestrian mews. Integral garage are accessed from the west side of the property. A total of 17 parking spaces are proposed, including 1 visitor parking space.

Applicant	Agent	Architect	Owner
M BEHAR PLANNING AND DESIGN INC	M BEHAR PLANNING AND DESIGN INC 25 Valleywood Drive Markham, ON	TAES Architects Inc. 98 Scardale Road Toronto, ON	FORTUNE 8 REAL ESTATE INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	R6	Heritage Designation:	N
Height Limit (m):	8.8	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 1,389 Frontage (m): 28.49 Depth (m): 48.77

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			429	429
Residential GFA (sq m):			1,341	1,341
Non-Residential GFA (sq m):				
Total GFA (sq m):			1,341	1,341
Height - Storeys:	1		3	3
Height - Metres (7625):			10	10
Height - Metres (569-2013):			11.22	11.22
Lot Coverage Ratio (%)	31%			
		Floor Space Index:	1.0	

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	1,341	124
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	2			
Condominium:			8	8
Other:				
Total Units:	2		8	8

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					8
Total Units:					8

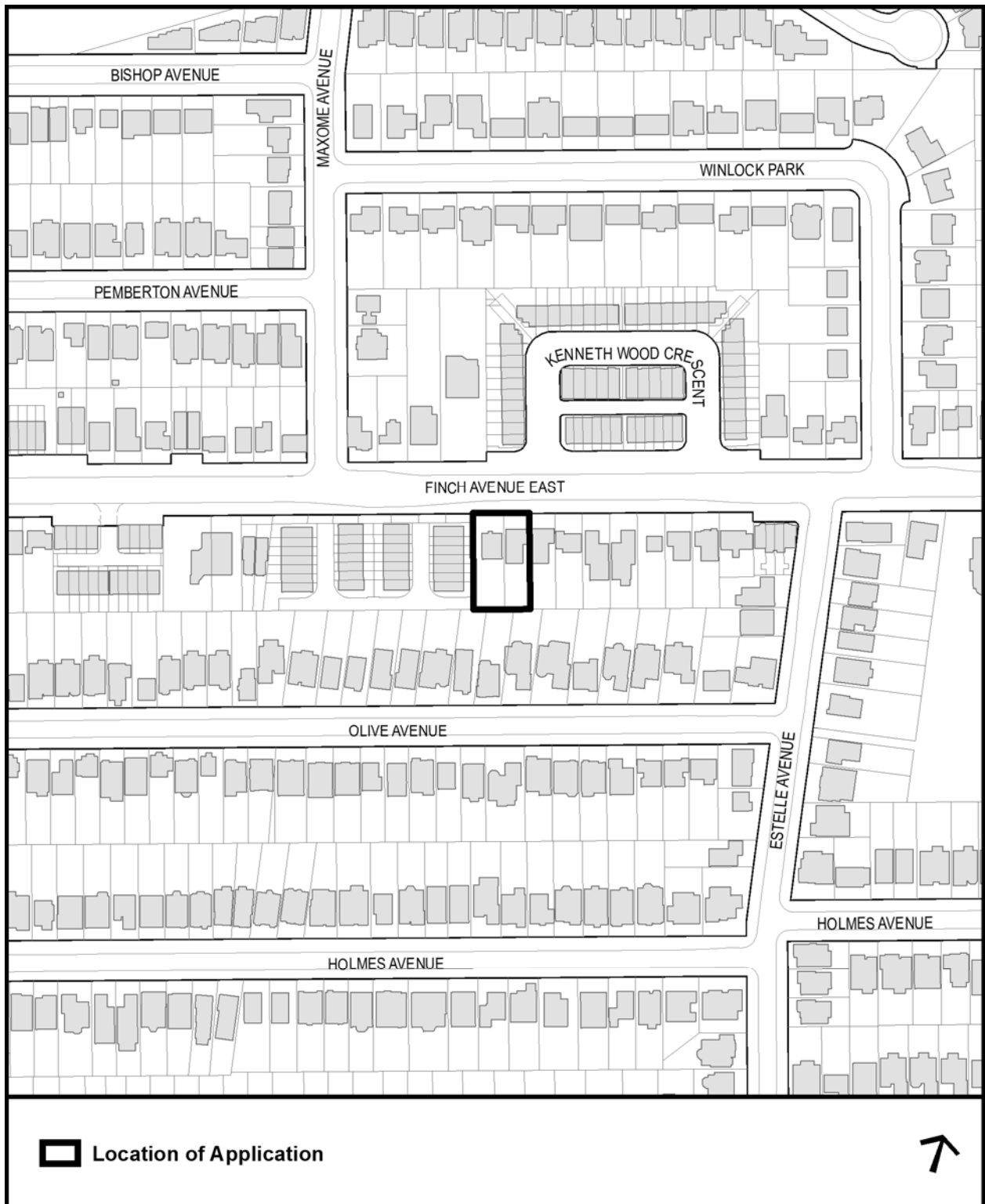
Parking and Loading

Parking Spaces:	17	Bicycle Parking Spaces:	2	Loading Docks:	0
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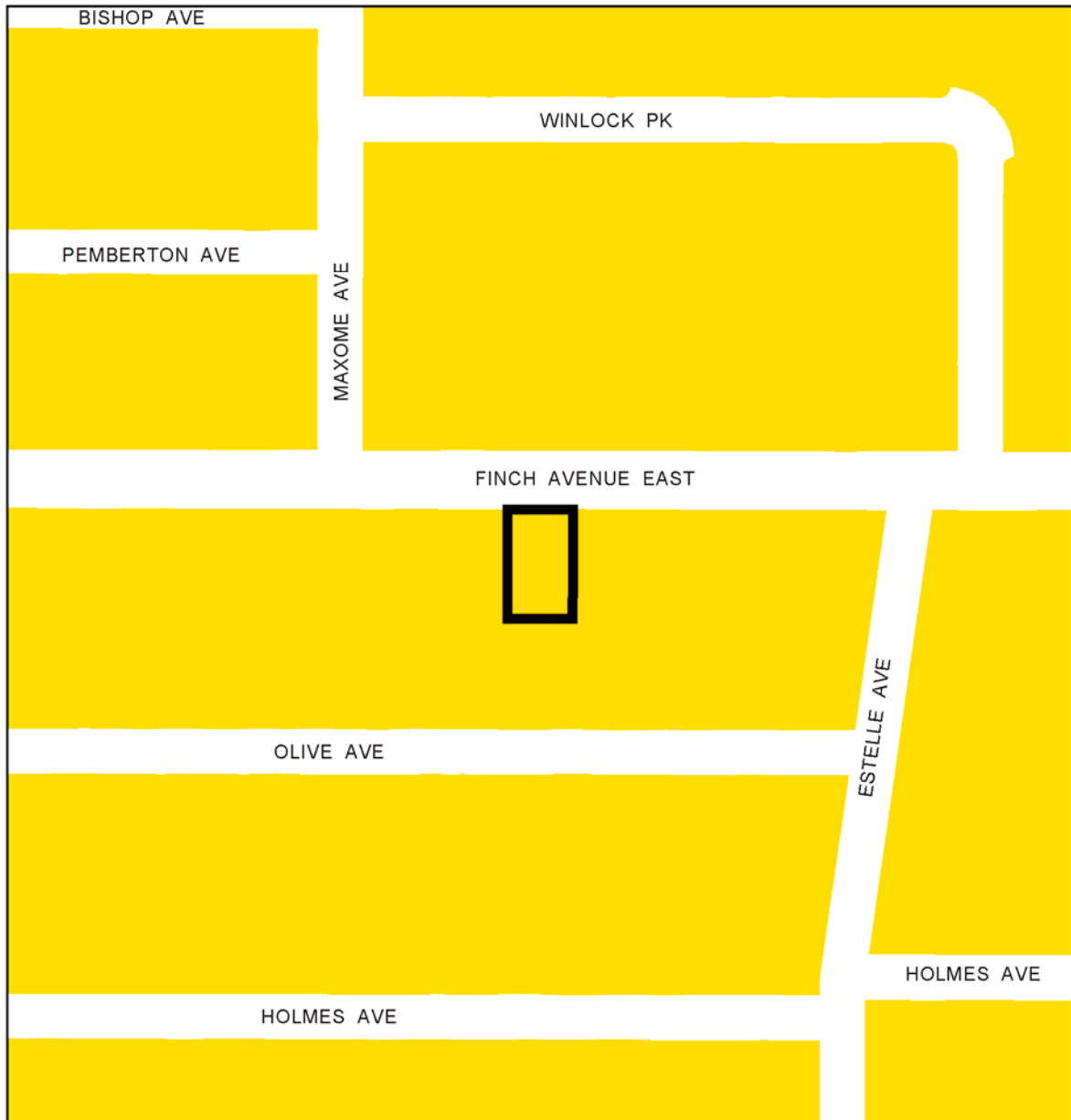
CONTACT:

Michael Romero, Assistant Planner  
416-395-6747  
Michael.Romero@toronto.ca

Attachment 2: Location Map




Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

241 And 243 Finch Avenue East

File # 18 250648 NNY 23 0Z

-  Location of Application
-  Neighbourhoods



Not to Scale  
Extracted: 02/16/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 7625

241 and 243 Finch Avenue East

File # 18 250648 NNY 26 0Z



Location of Application

R3 One-Family Detached Dwelling Third Density Zone  
 R4 One-Family Detached Dwelling Fourth Density Zone

R6 One-Family Detached Dwelling Sixth Density Zone  
 RM1 Multiple-Family Dwellings First Density Zone  
 RM2 Multiple-Family Dwellings Second Density Zone



Not to Scale  
 Extracted: 11/29/2018

## Attachment 5: Draft Zoning By-law 7625 Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2021

Enacted by Council: ~, 2021

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend ~ Zoning By-law No. 7625, as amended,

With respect to the lands municipally known as, 241 to 243 Finch Avenue East

WHEREAS authority is given to Council of the City of Toronto 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;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 and Schedule RM1 (126) of this By-law.
2. Section 64.16 of By-law No. 7625, as amended, is amended by adding the following subsections:

64.16 (126) to RM1 (126)

### DEFINITIONS

- a) For purposes of this exception, "**established grade**" for the purpose of establishing the height shall mean the geodetic elevation of 149.51.

### EXCEPTION REGULATIONS

#### PERMITTED USES

- b) The only permitted uses shall be **multiple attached dwellings**.

#### BUILDING ENVELOPES

- c) No portion of any building or structure shall be located otherwise than wholly within the **Building Envelope** shown on Schedule RM1 (126) with exception of balconies, belt courses, chimney breasts, eaves, gutters, pilasters, sills, canopies, stairways, wheelchair ramps, porches, patios, window projections, privacy screens, railings, and support structures for decks and/or canopies.

## NUMBER OF DWELLING UNITS

- d) The maximum number of **dwelling units** shall be eight **multiple attached dwellings**.
- e) The minimum dwelling unit **width** for **multiple attached dwellings** shall be 4.0 metres.

## LOT FRONTAGE

- f) The minimum **lot frontage** shall be 28 metres on Finch Avenue East.

## LOT AREA

- g) The minimum **lot area** shall be 1,251 square meters after road widening.
- h) Despite 16.2.1, the minimum **lot area** per dwelling unit shall not apply.

## LOT COVERAGE

- i) The maximum permitted **lot coverage** shall be 35%.

## YARD SETBACKS

- j) The minimum **yard setbacks** shall be as shown on Schedule 1 attached to this By-law.

## GROSS FLOOR AREA

- k) The maximum **gross floor area** of all dwellings on the lot is 1,341 square metres.

## BUILDING HEIGHT AND STOREYS

- l) The **building height** shall not exceed the maximum height in metres and storeys shown on schedule RM1(126)

## STOREY

- m) When the floor of a level is lower than **established grade**, the spaces used as garage, storage or other supporting rooms, the level is not counted as a **storey**.

## PERMITTED PROJECTIONS

- n) Platforms, porches, canopies, roof projections, window projections, architectural features, exterior stairs, and associated elements may encroach into the required north side **yard setback** to a maximum of 2.0 metres;
- o) Platforms, canopies, stairs, window projections, roof projections, architectural features, and associated elements may encroach into the required east side **yard setback** to a maximum of 2.35 metres

p) Waste storage enclosure, roof projections, architectural features and associated elements may encroach into the required minimum south side **yard setback** to a maximum of 1.4 metres.

q) Platforms, terraces, canopies, roof projections, window projections, architectural features and associated elements, may encroach into the required minimum west side **yard setback** to a maximum of 2.0 metres.

## PARKING

r) A minimum of 2 **parking spaces** shall be provided for each dwelling unit and one visitor parking space shall be provided for on the lot.

s) A **parking space** shall have a minimum width of 2.6 metres and a minimum length of 5.6 metres.

t) **Parking spaces** shall be accessed by means of a two-way driveway having a minimum **width** of 6.0 metres.

u) **Tandem parking** shall be permitted.

## LANDSCAPING

v) A minimum of 63% of the front yard shall be maintained as **soft landscaping**. The total amount of **soft landscaping** must include a **soft landscape** buffer with a **minimum width** of 1.80 metres, as shown on Schedule 2 attached to this By-law.

w) Permitted **projections** are not included in the calculation of landscaped area.

## ANGULAR PLANE

x) No building or structure on the lot may penetrate a 35 degree **angular plane** projected over the **lot** abutting the required **rear yard setback**, above the Canadian Geodetic Datum elevation of 150.34 metres.

## OTHER REGULATIONS

y) The provisions of Sections 6(9), 6(24), 15, 16.2 and 16.3.2 of By-law No. 7625 shall not apply.

## DIVISION OF LANDS

z) Notwithstanding any future severance, partition or division of the lands shown on Schedule "1", the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred."

3. Within the lands shown on Schedule "2" 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.

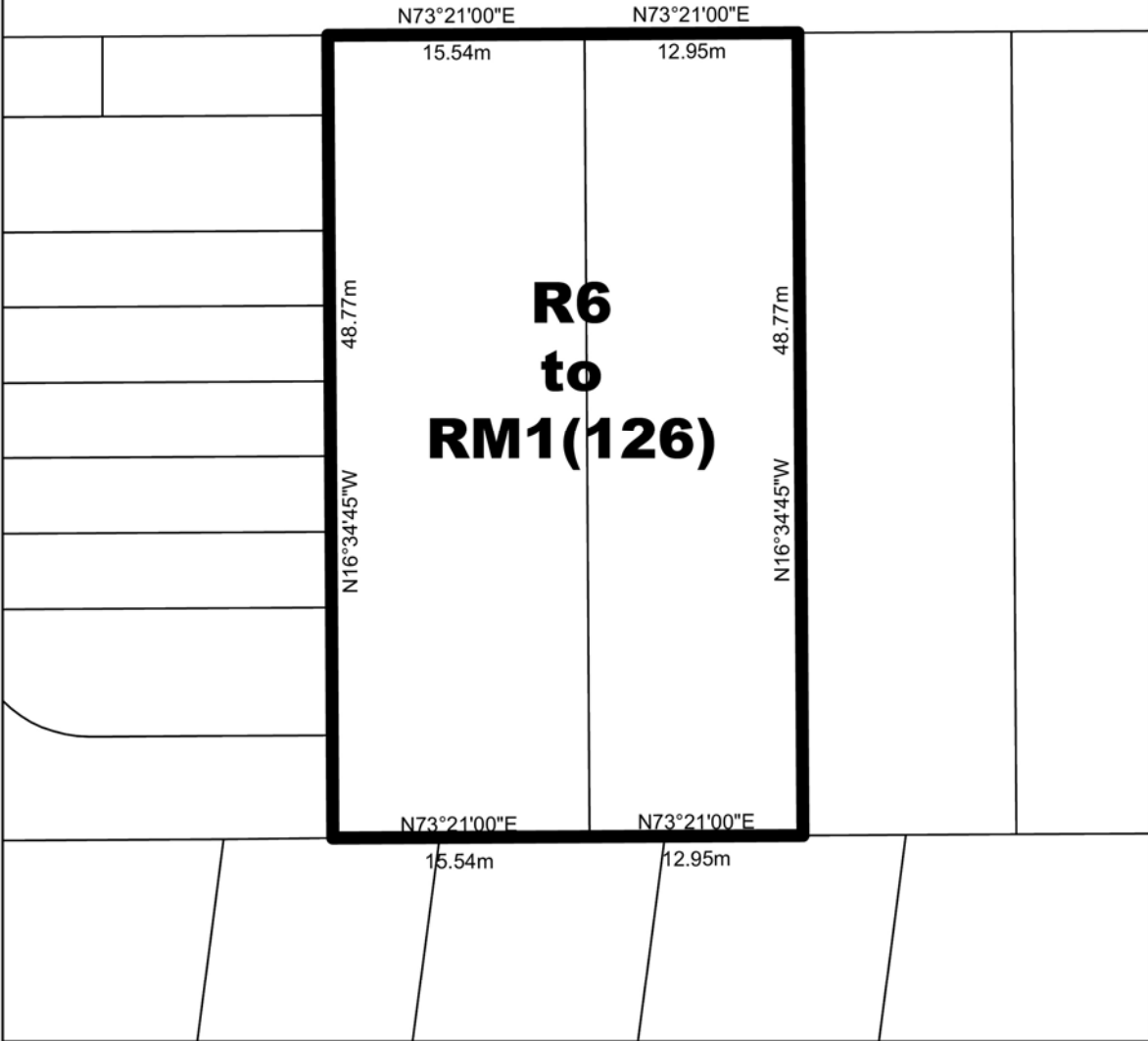
ENACTED AND PASSED this ~ day of ~, A.sD. 20~.

Name,  
Speaker

John D. Elvidge  
City Clerk

(Seal of City)

FINCH AVENUE EAST

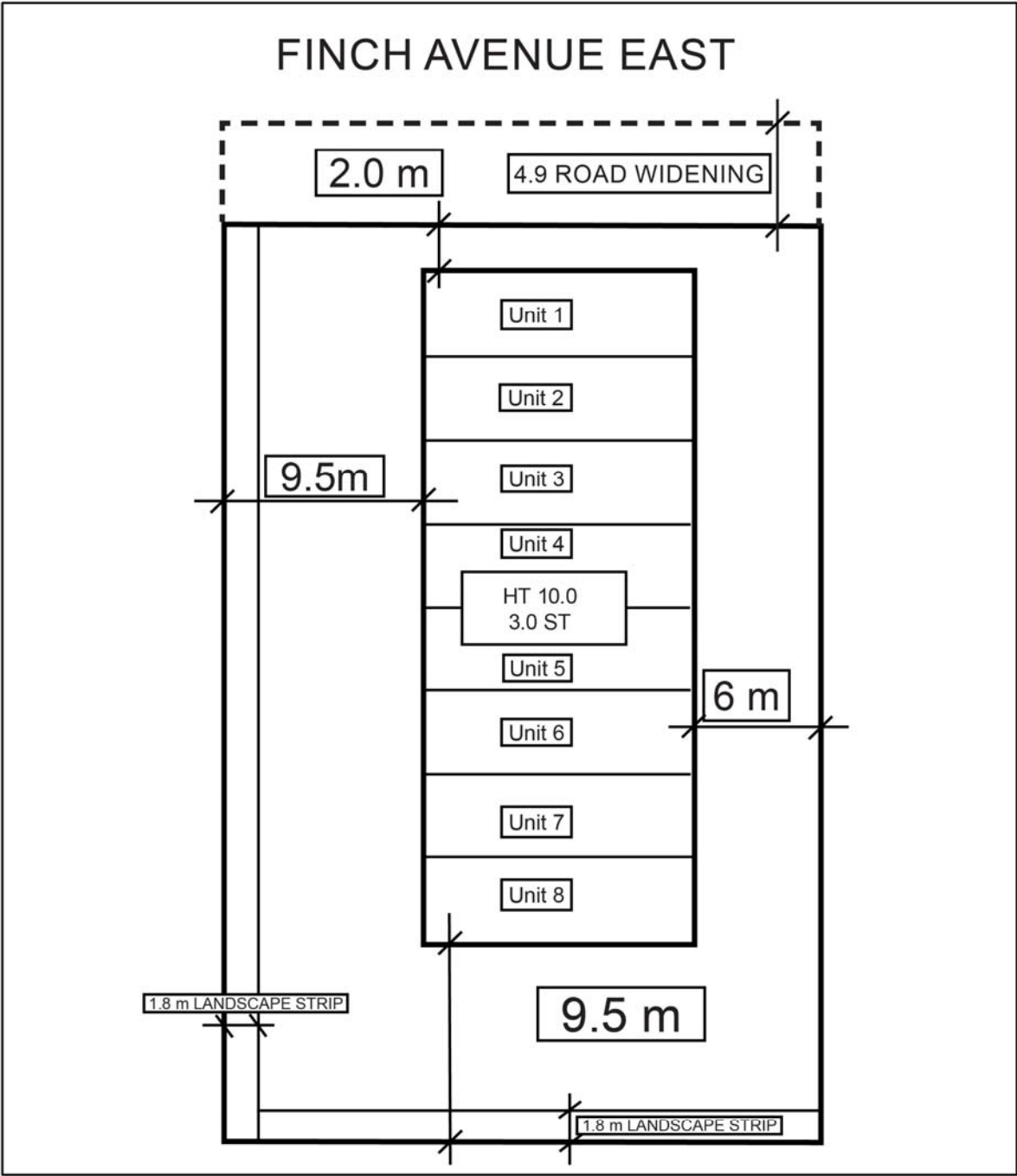


 **TORONTO**  
Schedule 1

241-243 Finch Avenue East

File # 18 250648 NNY 23 0Z

  
Former City of North York By-law 7625  
Not to Scale  
07/27/2021



## Attachment 6: Draft Zoning By-law 569-2013 Amendment

Authority: North York Community Council ##, as adopted by City of Toronto Council on ~, 20~

### CITY OF TORONTO

Bill No. ~  
BY-LAW No. [XXXX- 2021]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as, 241 to 243 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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: RT (x333) as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the following Policy Area label to these lands: PA 4, as shown on Diagram 3 attached to this By-law; and
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 9.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage value to these lands: 35, as shown on Diagram 5 attached to this By-law.

7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1, as shown on Diagram 6 attached to this By-law.

8. Zoning By-law No. 569-2013, as amended, is amended by adding Article 900.5.10 Exception Number 333 so that it reads:

(333) Exception RT 333

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

Site Specific Provisions:

- (A) The permitted maximum number of **townhouse dwelling** units is 8;
- (B) Despite regulation 10.60.30.20(1), the minimum **lot frontage** shall be 28 metres abutting Finch Avenue East;
- (C) Despite regulation 10.60.40.1(3)(A), the minimum required width for each **dwelling unit** is 4.0 metres;
- (D) Despite regulation 10.5.40.10(1), the height of a **building** is the distance between the Canadian Geodetic Datum elevation of 150.03 and the highest point of the **building**;
- (E) Despite regulation 10.60.40.10(1), the permitted maximum height of a **building** on the **lot**, in metres, is shown following the letters "HT" on Diagram 7 attached to By-law xxx-2021;
- (F) Despite regulation 10.60.40.10(2), the permitted maximum number of storeys in a **building** on the **lot** is shown as the numerical value after the symbol "ST" on Diagram 7 attached to By-law xxx-2021;
- (G) Despite Clauses 10.5.40.70 and 10.60.40.70, the minimum required **building setbacks**, in metres, are as shown on Diagram 7 attached to By-law xxx-2021;
- (H) Despite (G) above and Clauses 10.5.40.50 and 10.5.40.60, the following elements of a **building** may encroach into the required minimum **building setbacks** as follows:
  - i. Platforms, porches, canopies, roof projections, window projections, architectural features, exterior stairs, and associated elements may encroach into the required north **side yard setback** to a maximum of 2.0 metres;
  - ii. Platforms, canopies, stairs, window projections, roof projections, architectural features, and associated elements may encroach into the required east **side yard setback** to a maximum of 2.35 metres

- iii. Waste storage enclosure, roof projections, architectural features and associated elements may encroach into the required minimum south **side yard setback** to a maximum of 1.4 metres; and
- iv. Platforms, terraces, canopies, roof projections, window projections, architectural features and associated elements, may encroach into the required minimum west **side yard setback** to a maximum of 2.0 metres.
- (I) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of two **parking spaces** must be provided for each dwelling unit;
- (J) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of one visitor **parking space** is required for the lot;
- (K) Despite regulation 200.15.10(1), accessible **parking spaces** are not required;
- (L) Despite regulation 200.5.1.10(5), a required **parking space** may be a **tandem parking space**;
- (M) The total amount of **landscaping** required must include a **soft landscaping buffer** with a minimum width of 1.80 metres, with the location as shown on Diagram 7 attached to By-law XXX-2021; and
- (N) No building or structure on the lot may penetrate a 35 degree **angular plane** projected over the **lot** abutting the required **rear yard setback**, above the Canadian Geodetic Datum elevation of 150.34 metres.

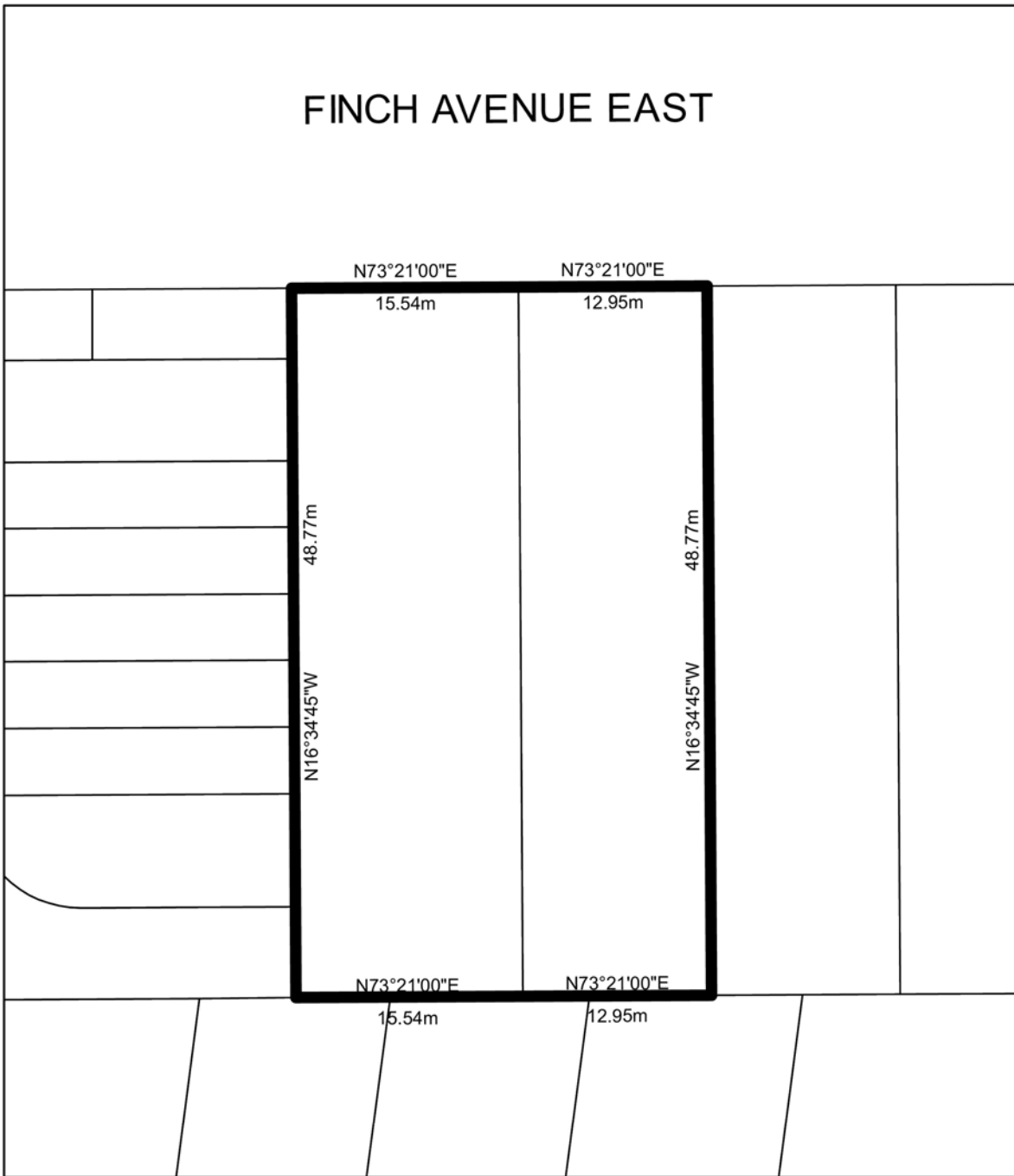
Prevailing By-law and Prevailing Section: (None Apply)

9. Despite any future severance, partition or division of the lands shown on Diagram 1, the provisions of this By-law apply to the whole of the lands as if no severance, partition, or division occurred.

Enacted and passed on ###, 2021.

Name,  
Speaker  
(Seal of City)

John D. Elvidge  
City Clerk

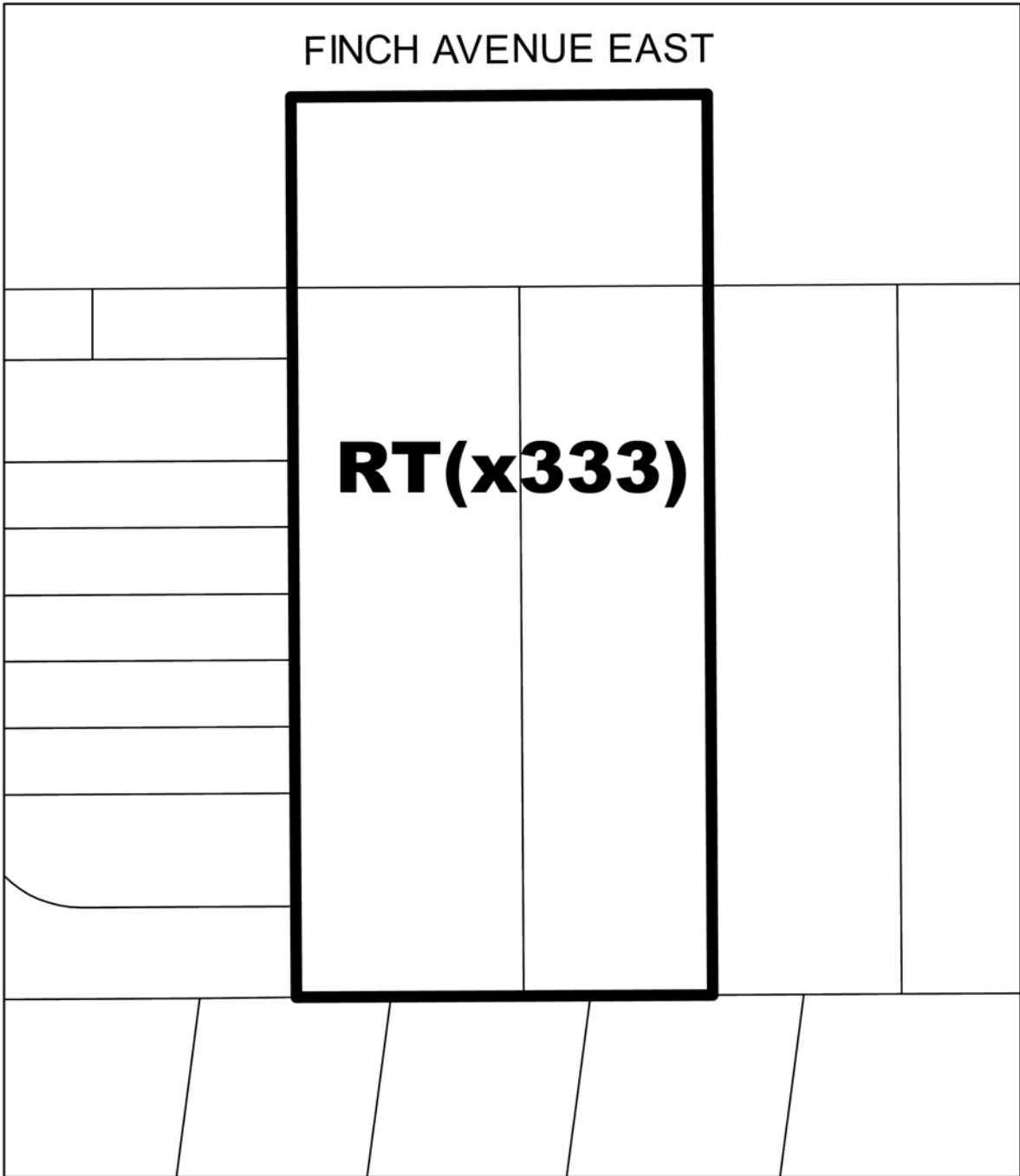


**TORONTO**  
**Diagram 1**

**241-243 Finch Avenue East**

File # 18 250648 NNY 23 OZ


City of Toronto By-law 569-2013  
 Not to Scale  
 07/27/2021

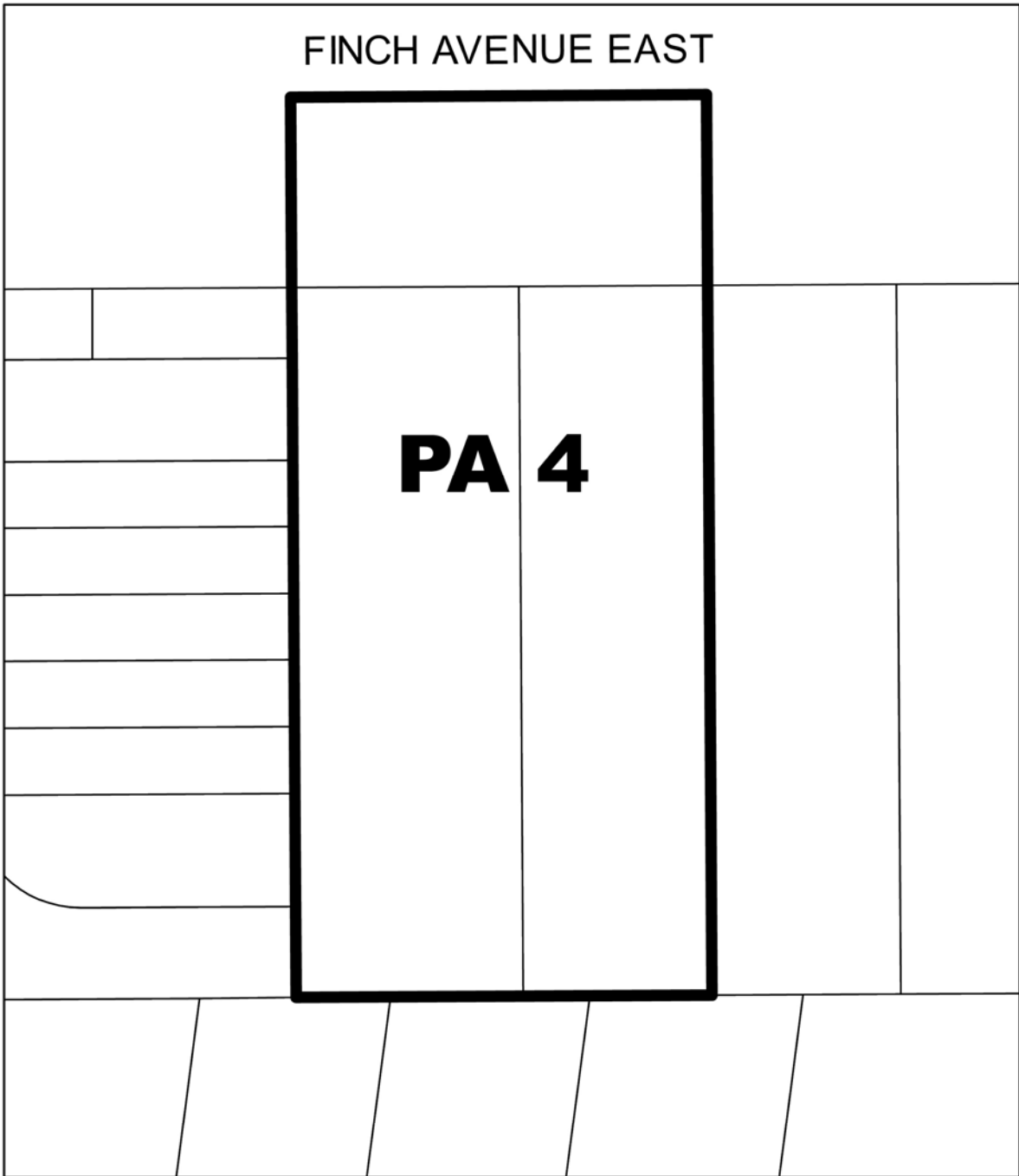


 **TORONTO**  
Diagram 2

241-243 Finch Avenue East

File # 18 250648 NNY 23 OZ


  
City of Toronto By-law 569-2013  
Not to Scale  
07/27/2021

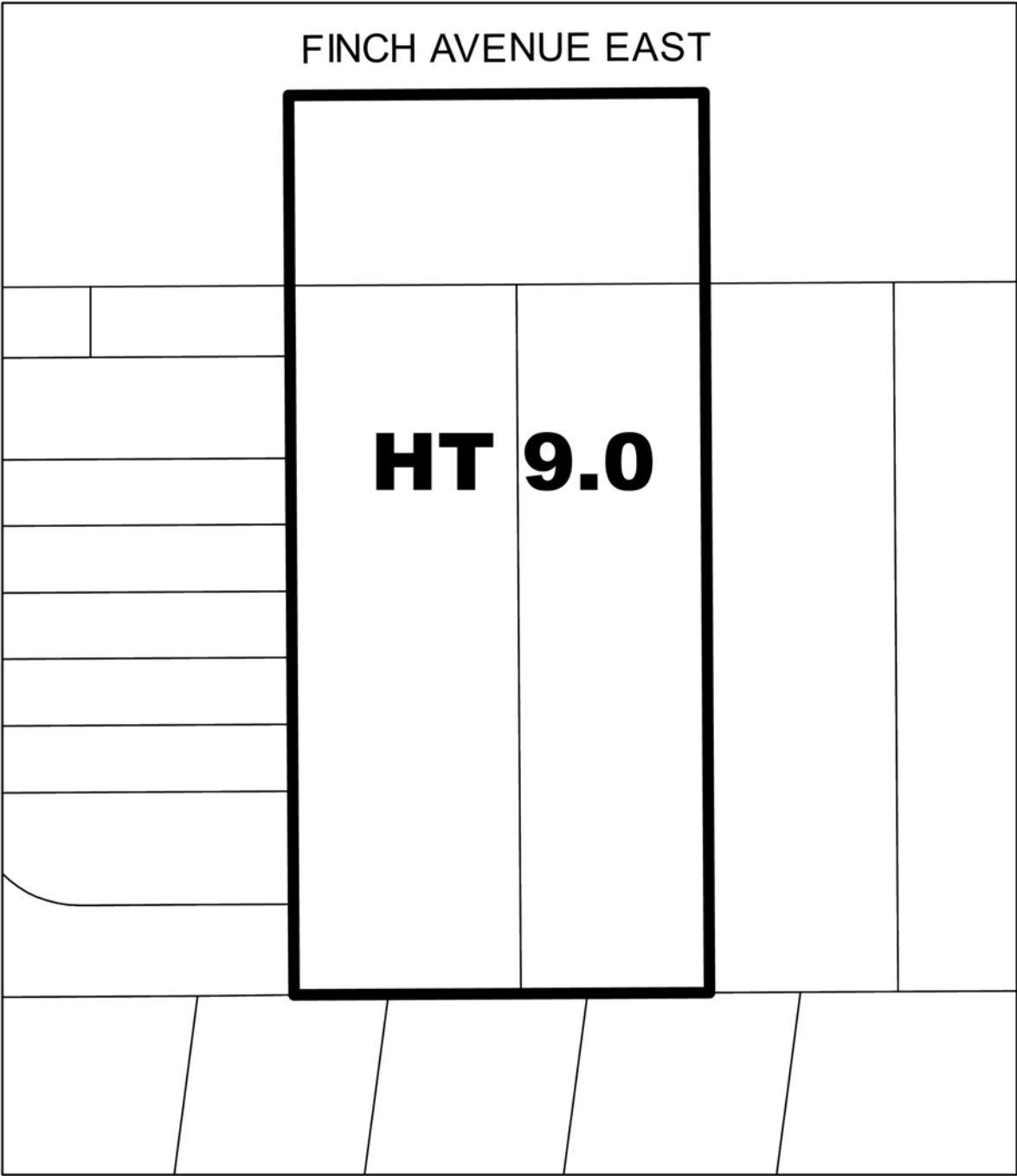


 **TORONTO**  
Diagram 3

241-243 Finch Avenue East

File # 18 250648 NNY 23 OZ


  
City of Toronto By-law 569-2013  
Not to Scale  
07/27/2021

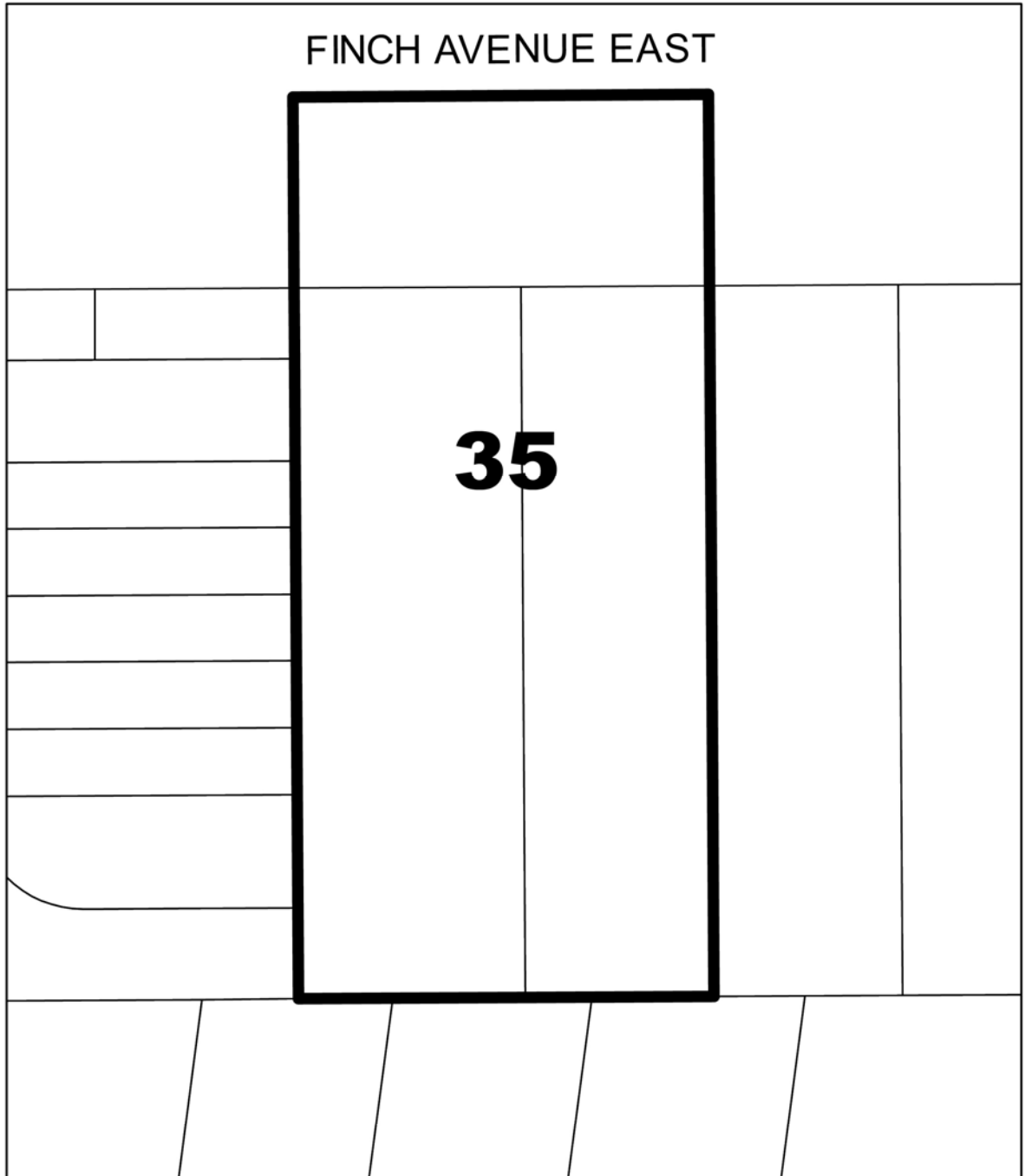


 **TORONTO**  
Diagram 4

241-243 Finch Avenue East

File # 18 250648 NNY 23 0Z


  
City of Toronto By-law 569-2013  
Not to Scale  
07/27/2021

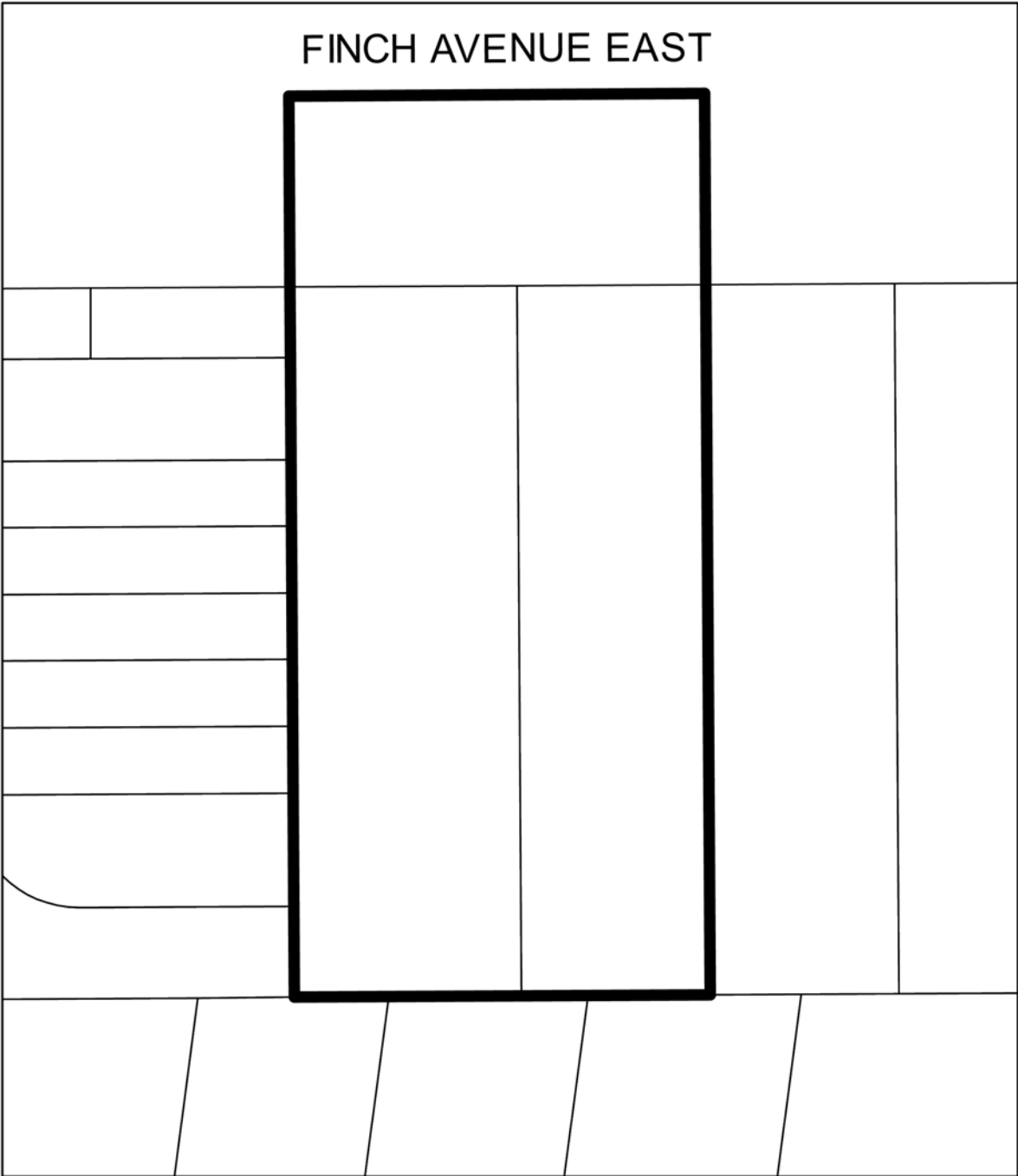


 **TORONTO**  
Diagram 5

241-243 Finch Avenue East

File # 18 250648 NNY 23 0Z

  
City of Toronto By-law 569-2013  
Not to Scale  
07/27/2021




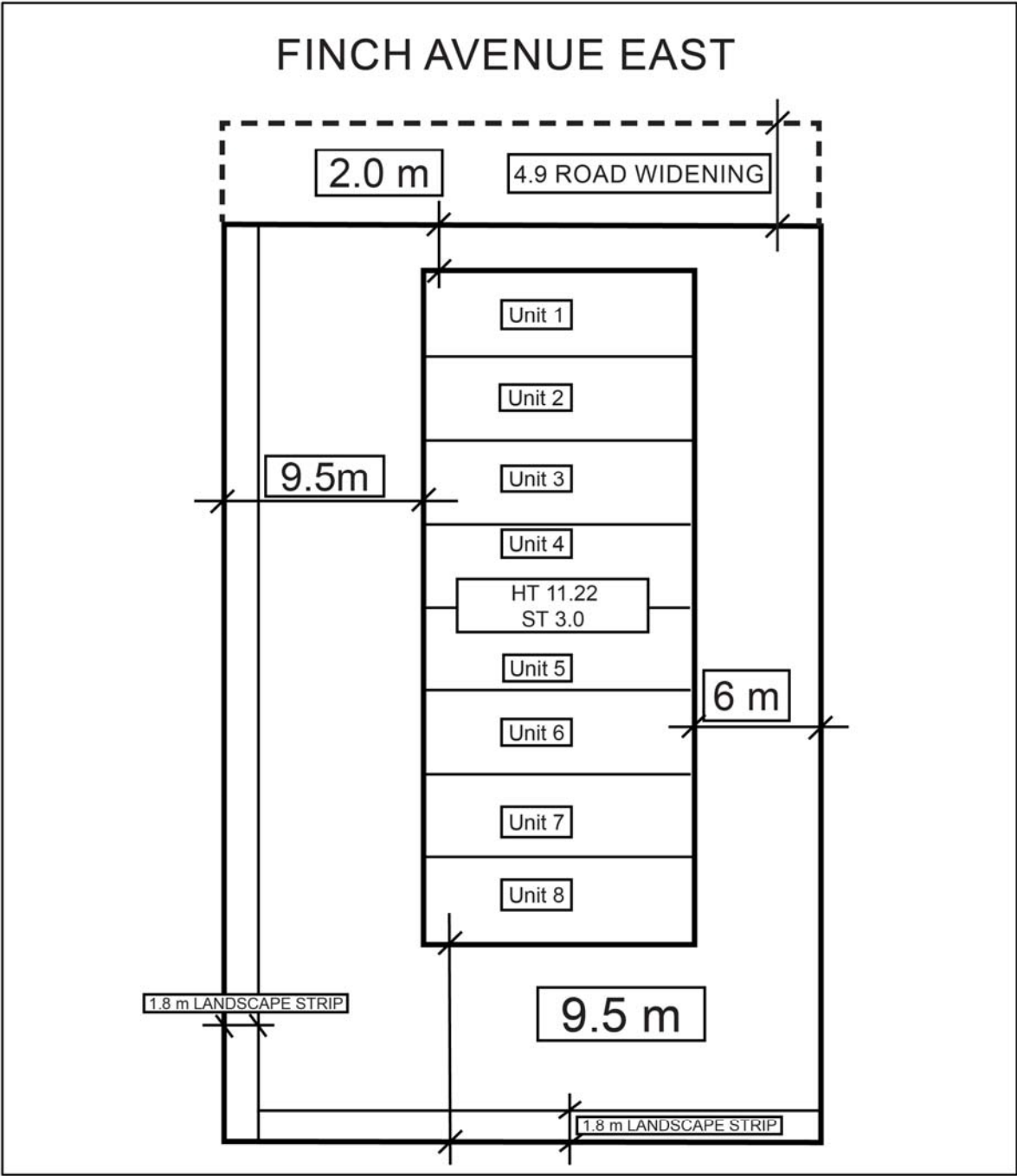
FINCH AVENUE EAST

 **TORONTO**  
Diagram 6

241-243 Finch Avenue East

File # 18 250648 NNY 23 0Z

  
 City of Toronto By-law 569-2013  
 Not to Scale  
 07/27/2021



**TORONTO**  
 Diagram 7

241-243 Finch Avenue East

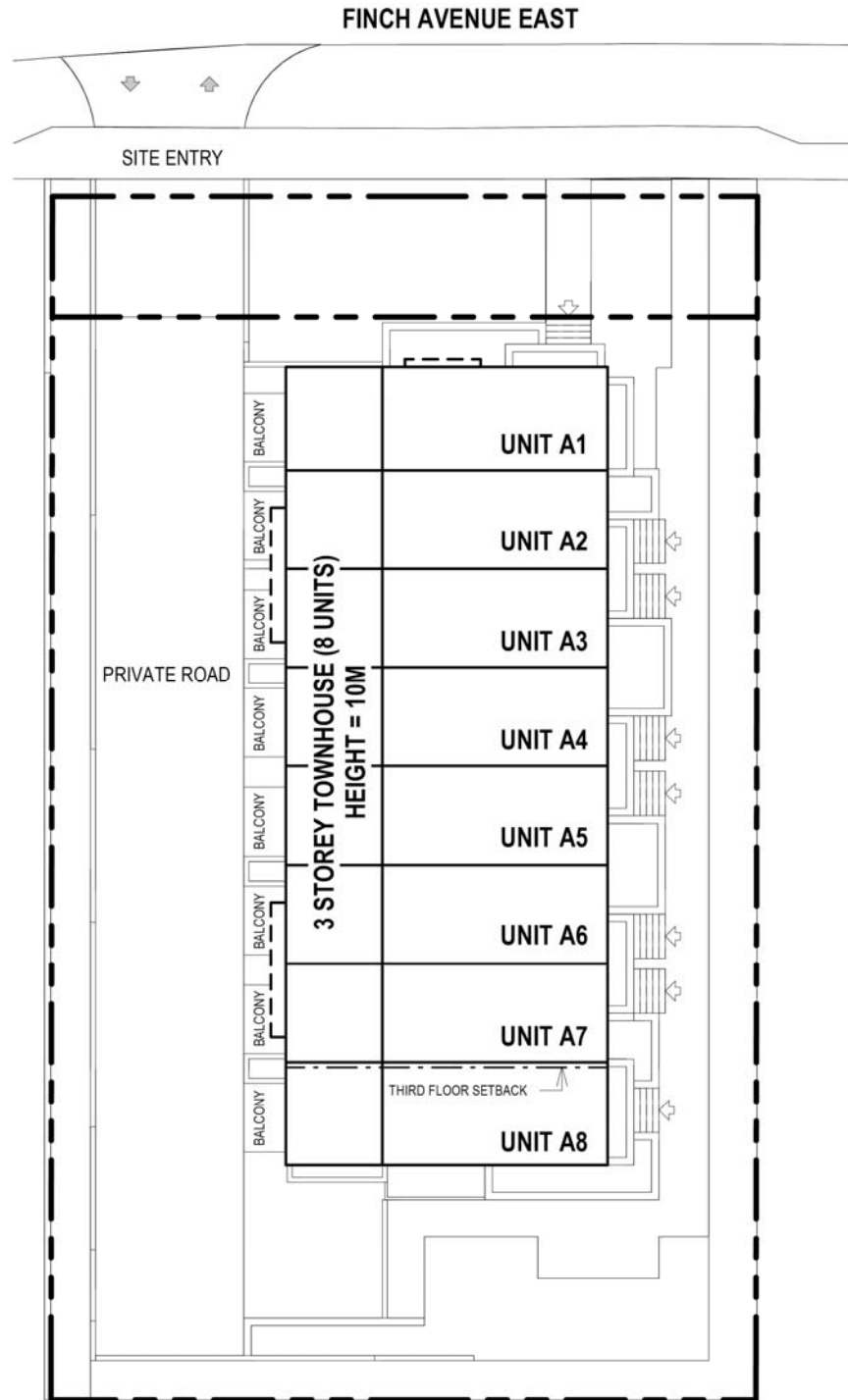
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City of Toronto By-law 569-2013  
 Not to Scale  
 07/27/2021

## Attachment 7: Summary of Public Consultation

- Shared private driveway will create noise, pollution, bright lights, and invasion of privacy and the need for a landscaping buffer
- No examples of this type of townhouse (consolidating 2 lots only) anywhere on Finch Ave East
- Vehicle ingress and egress on already busy Finch Ave East will create traffic concerns
- Old growth trees need to be maintained, multiple mature trees on their subject site that may be impacted as a result of development
- Garbage and waste disposal concerns and unappealing garbage bins will be in neighbour's view
- Stormwater issues and concerns about how snowmelt and rainwater will be managed to prevent runoff entering into nearby properties
- Property to the south face the new townhouse development and have concerns related to views from his backyard
- Would like to see a backyard to backyard configuration and a lot more shrubbery and landscaping

Attachment 8: Site Plan



Site Plan 







