

228-232 Finch Avenue West – Zoning By-law Amendment Application – Final Report

Date: June 6, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 08 102445 NNY 23 OZ

Related Site Plan Control Application Number: 08 102458 NNY 23 SA

SUMMARY

This application proposes to amend the former City of North York Zoning By-law No. 7625 to permit a four-storey stacked residential townhouse building (measuring 12.95 metres in height) with 36 residential units at 228, 230, and 232 Finch Avenue West. A one-level underground garage is proposed with 46 parking spaces, which includes 7 visitor spaces.

The proposed development is in keeping with the objectives of the Central Finch Area Secondary Plan to encourage redevelopment along the Central Finch Area, while providing transition to the abutting lower density neighbourhood to the north and improving the streetscape along Finch Avenue West.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Plan to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of North York Zoning By-law No. 7625, for the lands at 228, 230, and 232 Finch Avenue West, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

FINANCIAL IMPACT

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

On September 17, 1997, the former City of North York City Council enacted By-law 33075 which amended the zoning at 228 Finch Avenue West to R4(25) which permits business, professional and medical offices in addition to residential uses in the existing building.

The current application was filed in 2008 to permit the development of a four-storey stacked townhouse development with 18 units and 24 underground parking spaces for the properties at 228 & 230 Finch Avenue West. The application has since consolidated an additional property at 232 Finch Avenue West.

A Preliminary Report was adopted by North York Community Council on April 8, 2008 (Item NY14.46) authorizing staff to conduct a community consultation meeting with an expanded notification area on the original application. The Community Consultation Meeting for this initial application was held on September 22, 2008 at the Edithvale Community Centre.

The 2008 Preliminary Report and Community Council's decision can be found here:

[Preliminary Report - Rezoning and Site Plan Control Applications - 228 & 230 Finch Avenue West](#)

PROPOSAL

The application is proposing a four-storey (12.95-metre) stacked townhouse development on the north side of Finch Avenue West, west of Clarkhill Street. A total of 3,600 square metres of gross floor area is proposed, which would result in a Floor Space Index ("FSI") of 1.85 times the area of the lot. A total of 36 dwelling units are proposed, including 5 one-bedrooms, 30 two-bedrooms, and 1 three-bedrooms. A total of 86 square metres of outdoor amenity space is proposed in the form of a seating area, BBQ area and pet relief area, located at the rear of the building. A total of 30 square metres of indoor amenity space is provided in the form of an indoor gym adjacent to the outdoor seating area.

The site is accessed via a driveway from the flanking Clarkhill Street. The driveway would lead to an underground parking garage. The proposal includes one Type 'G' loading space that is located above ground. The application proposes 46 parking spaces, 7 of which are visitor parking spaces. One accessible parking space is proposed. A total of 28 bicycle parking spaces are proposed, including 25 bicycle parking spaces in the underground parking area and 3 short-term bicycle parking

spaces at the property's rear. The proposal incorporates a 1.5-metre rear landscaping strip which provides space for landscaping and plantings. A road widening of 2.76 metres is required along Finch Avenue West and a 6.1 metre corner rounding at the southeast corner of the site abutting Finch Avenue West and Clarkhill Street. These required conveyances are shown on the site plan drawing and will be secured through the Site Plan Control process. Additional site statistics are presented in the Application Data Sheet in Attachment No. 1, the Location Map can be found in Attachment No. 2, Official Plan in Attachment No. 3, Existing Zoning By-law No. 7625 in Attachment No. 4, Draft Zoning By-law Amendment Attachment No. 5, Site Plan in Attachment No. 6, and Elevations in Attachment No. 7.

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 a stacked townhouse building type. The site is currently not subject to City-wide Zoning By-law 569-2013.

A zoning by-law amendment is also required to implement development standards such as lot coverage, height, number of storeys, setbacks, projections, and vehicle and bicycle parking.

Site and Surrounding Area

The site is located on the north side of Finch Avenue West, west of Yonge Street. The existing surrounding uses are as follows:

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

South: Detached residential dwellings along Finch Avenue West.

West: Detached residential dwellings along Finch avenue West.

East: A four-storey mixed-use building at 218-224 Finch Avenue West, which was approved by City Council in 2008, generally at the time the subject application was submitted. This mixed-use building has since been constructed.

The City Council decision for this application can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.NY17.31>

APPLICATION BACKGROUND

Application Submission Requirements

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

- Planning Rationale Report;

- Arborist Report and Tree Preservation Plan;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Report;
- Groundwater Report; and
- Toronto Green Standards Checklist.

The submitted materials can be found here: [228-232 Finch Avenue West](#)

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.

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 North York Community Council as these submissions are broadcast live over the internet and recorded for review.

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 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 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.

The PPS requires provisions be made for an appropriate range of housing options and densities to meet projected requirements of current and future residents. Policy 1.1.1 states that healthy, liveable, and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential, employment, institutional, and other uses to meet long-term needs. The PPS requires growth and development to focus in settlement areas, and promote efficient development patterns, ensure effective use of infrastructure and public service facilities, while developing appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.4.3 outlines that one of the ways planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents is by directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to those current and future needs.

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) (the "Growth Plan") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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,

establishes policies that require implementation through a Municipal Comprehensive Review ("MCR"), which is a requirement pursuant to Section 26 of the *Planning Act*.

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

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan, 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, 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.

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* for Ontario.

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 uses 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. Finch Avenue West is identified on Map 3 as having a planned right-of-way width of 36 metres.

The site is also considered an *Avenue* in the Official Plan. *Avenues* are important corridors along *major streets* where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. The Official Plan continues by stating that reurbanization is subject to the policies in this Plan, including in particular the neighbourhood protection policies.

Chapter 3 - Building a Successful City

The Built Form policies of the Official Plan require new development to be located and organized to fit within 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 screened 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 *Mixed Use Areas* (see Attachment 3). *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in single use, or mixed use buildings, as well as parks and open spaces and utilities. These areas are expected to absorb most of the anticipated increase in residential, retail, office and service employment in the City of Toronto. Development in these areas will locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*.

Chapter 5 - Implementation: Making Things Happen

Section 5.1.2 of the Official Plan provides policies for City Council to pass a holding provision, or "H", until specific facilities are in place or conditions are met, including those for servicing improvements.

The Official Plan is available on the City's website at: [City of Toronto - Official Plan](#)

Central Finch Area Secondary Plan

The site is designated *Mixed Use Area 'B'* in the Central Finch Area Secondary Plan. This designation provides for detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational facilities, and institutional uses. For sites with more than 30 metres of frontage along Finch Avenue and located west of Yonge Street, and where the proposed uses are solely residential, the maximum permitted density is 2.0 times the lot area. The maximum permitted height is 4 storeys or 13 metres, whichever is the lesser.

To buffer the abutting residential neighbourhoods from the effects of development in the Central Finch Area, the Secondary Plan requires that the height of any part of a building not exceed 70 percent of the horizontal distance separating that part of the building from the nearest residential property line, provided that the setback is not less than 9.5 metres. The Secondary Plan also requires privacy fencing and a landscape strip suitable for the planting of trees along the property line which would abut a low-rise residential neighbourhood.

The Central Finch Area Secondary Plan can be found here:

[City of Toronto - Central Finch Area Secondary Plan](#)

Zoning

The lands at 228, 230, and 232 Finch Avenue West are zoned "One-Family Detached Dwelling Fourth Density Zone" (R4) under former City of North York Zoning By-law No. 7625 (See Attachment 4). On September 17, 1997, the former City of North York Council enacted By-law 33075 which zoned 228 Finch Avenue West to R4(25) permitting business, professional and medical offices in addition to residential uses in the existing building.

The base R4 zone for these lands permits detached dwellings and accessory buildings. The minimum required lot frontage is 15.0 metres and a minimum lot area of 550 square metres. The zone permits a maximum building height of 8.8 metres and 2 storeys. The yard setbacks for this zone requires a minimum front yard setback of 7.5 metres, minimum side yard setbacks of 1.8 metres, and a minimum rear yard setback of 9.5 metres. The maximum lot coverage is 30%.

Stacked townhouses are not permitted in the R4 zone.

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings document is intended to encourage designs that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment.

The Guidelines were reviewed to inform design elements of the pet amenity area, screening, and landscaping to buffer from other uses on the property and the low-rise properties to the north.

The link to the Guidelines is here: [Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings](#)

Growing Up: Planning for Children in New Vertical Communities

City Council adopted the Growing Up: Planning for Children in New Vertical Communities and directed City Planning staff to use these Guidelines to ensure a range of unit types and sizes are provided as part of a new development, including larger family sized units. The Guidelines recommend that a minimum of twenty-five percent of

a building's units are large units: ten percent as three-bedroom units and fifteen percent as two-bedroom units.

The link to the Guidelines can be found here: [Growing Up: Planning for Children in New Vertical Communities](#)

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 for a townhouse, or low-rise apartment building. 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 zoning by-law standards for this development including, on-site landscaping, the location of the driveway, screening for utilities, and transition to the low-rise residential neighbourhood located north of the site.

The link to the Guidelines is here: [Townhouse and Low-Rise Apartment Guidelines](#)

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. 08 102458 NNY 23 SA).

COMMENTS

Planning Act

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan. The application represents an appropriate level of intensification through redevelopment of the site, while contributing to a mix of housing types and densities necessary to meet the projected requirements of current and future residents. Policy 4.6 of the PPS states that the official plan is the most important vehicle for implementation of the PPS.

The proposed 4-storey building provides for a built form with an appropriate transition and massing. The proposed development supports provincial policy objectives to focus growth in existing settlement areas, more specifically within the Central Finch Secondary Plan area. The proposal would contribute to a range of housing types,

reduce land consumption related to residential development, promote efficient use of existing infrastructure, and would be transit supportive. The proposed draft by-laws would apply appropriate development standards to support intensification and redevelopment of the subject site.

Staff have also determined that the proposal conforms with the Growth Plan. The proposal would achieve an appropriate level of intensification for the subject site. While Engineering and Construction Services support the proposal, in principle, Staff are recommending that a Holding "H" provision be imposed on the lands to ensure appropriate servicing capacity is provided. This is discussed further in the Servicing section of this report.

Land Use

The Official Plan requires that development in *Mixed Use Areas* locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. The Secondary Plan directs that development minimize the potential for adverse impacts on the land use characteristics of low density residential lands which do not abut Finch Avenue in a manner that protects and enhances the residential neighbourhoods. Section 2.2.3 for *Avenues* states that development is subject to policies contained in the Plan, including in particular the neighbourhood protection policies.

The proposed four-storey development provides for a residential building that is appropriately massed and frames the street edges along Finch Avenue West and the flanking street, Clarkhill Street. The proposal complies with the Secondary Plan and the existing zoning by-law requirement of a 9.5 metre rear yard setback, and fits under a 35 degree angular plane taken from the north property line abutting the existing low-rise residential neighbourhood. This rear yard setback and angular plane provides for an appropriate transition to the existing stable residential neighbourhood, located immediately north of the site and protects for overlook and privacy concerns.

The proposed built form complies with the Secondary Plan policies and is consistent with the Official Plan policies which encourage redevelopment along *Avenues*, while providing for an appropriate transition to existing low-rise residential neighbourhood.

Height, Setbacks, Density

Policy 4.1.5 of the Official Plan states that buildings within *Mixed Use Areas* will locate and mass new buildings to provide a transition between areas of different intensity and scale through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*. The proposed building would be four-storeys and have a maximum height of 12.95 metres, as measured under the former City of North York Zoning By-law No. 7625, which is in conformity with the Central Finch Area Secondary Plan.

The proposal complies with the Secondary Plan requirements for a 9.5 metre rear yard setback, and the building's rear wall would fit under a 35 degree angular plane taken

from the abutting north property line from the existing low-rise residential neighbourhood. This rear yard setback and angular plane provides an appropriate transition to the existing residential neighbourhood and would limit overlook and privacy issues. The proposal also provides for a 1.5 metre landscaping strip on the north side sufficient for landscaping and trees and a 1.8 metre wooden fence abutting the low-rise residential properties. The provision of a landscaping strip and opaque fence abutting the residential neighbourhood are in conformity with the Secondary Plan. The fence will be secured through the Site Plan Control process.

The proposal provides a 3.0 metre front yard setback abutting Finch Avenue West. This front yard setback is measured from the front building face to the newly proposed property line after a 2.76 metre road widening along Finch Avenue West. The boulevard along Finch Avenue West and Clarkhill Street would incorporate a new 2.1 metre City sidewalk. The proposed location of the sidewalk would improve the current pedestrian condition by providing a soft landscaped separation and trees to protect pedestrians from the existing roadway. The building would have a west side yard setback of 2.0 metres in order to provide access to the building's rear yard from the City sidewalk on Finch Avenue West and provides separation distance from the existing detached dwelling located west of the site.

The proposed building would also comply with the Secondary Plan's maximum permitted density of 2.0 times the lot area with an overall site density of 1.85.

Unit Mix

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units in new multi-unit residential developments.

Staff have reviewed the applicant's proposal and note that the application proposes the provision of 30 (65%) two-bedroom units and 1 (2%) three-bedroom unit. The number of two-bedroom units well exceeds the minimum number two-bedroom units and is generally consistent with the two-bedroom unit size of 90 square metres. Staff will continue to work with the applicant to explore opportunities to provide additional three-bedroom units to better achieve the unit mix in the Guidelines.

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The City Council-adopted Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings is intended to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet-friendly facilities, and by City staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments.

The Guidelines are to be used in conjunction with other policies and guidelines. The Guidelines are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces, and the environment.

The applicant is proposing a pet relief area as part of the 86 square metre outdoor amenity space which will be secured through the Site Plan Control process.

Traffic Impact, Access, Parking

The site is accessed off an east-west driveway from Clarkhill Street. The proposed residential parking is to be provided within an underground parking garage containing 46 parking spaces, including 7 visitor parking spaces. The applicable Zoning By-law No. 7625 requires a minimum parking spaces of 42.

Transportation Services have reviewed this development in accordance with Zoning By-law 569-2013 requirements for "Other Areas of the City". The City-wide Zoning By-law requires a minimum number of 42 parking spaces, including 7 of which are for visitor use. The total number of parking spaces would be appropriate given the minimum parking requirements of the Zoning By-law. The application also complies with Zoning By-law No. 579-2017, which requires 1 accessible parking space.

Road Widening

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Finch Avenue West, a 2.76 metre road widening dedication along the Finch Avenue West 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 approval process.

Streetscape

The development proposes a new 2.1 metre wide sidewalk along the Finch Avenue West and Clarkhill Street frontages. A pedestrian walkway is proposed into the site from Finch Avenue West on the west side of the site, directly accessible from the public sidewalk. Seven City-owned trees are proposed within the streetscape, including five fronting Finch Avenue West and two fronting Clarkhill Street. The development would also incorporate landscaping and soft landscaping facing the public streets which would be secured in the Zoning By-law amendments. These details for the streetscape improvements will be secured through the site plan approval process.

Servicing

Development proposals must ensure that the intensity and scale of the proposed development can be accommodated by the City's infrastructure, in particular, servicing. Policies 5.1.2.1 and 5.1.2.2 of the Official Plan permit Council to include a holding

provision, or "H" to require an applicant to address certain matters before development can proceed.

The sanitary sewer system along Finch Avenue West (between Senlac Road and Edithvale Drive) and Tamworth Road (between Holcolm road and Ellerslie Avenue) is currently at capacity. Due to the outstanding servicing issues, Staff are recommending the subject lands be zoned with a holding provision ("H") until such time as an acceptable sanitary system solution is constructed and operational as determined by the Chief Engineer & Executive Director, Engineering and Construction Services which may include the applicant obtain MECP Environmental Compliance Approval and upgrading the existing municipal infrastructure off site.

The draft by-law amendments attached to this report require that the zoning be subject to a holding provision ("H") until such time as a servicing solution is accepted to the satisfaction of the Chief Engineer & Executive Director, Engineering and Construction Services. The recommended holding provision within the draft by-laws requires the owner to submit Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services and to enter into a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development and that the required sewer upgrade be constructed and operational.

Open Space/Parkland

The City of Toronto [Parkland Strategy](#) is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 12 - 28 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person (2016). Given the future and expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to service the future population.

Tree Preservation

Urban Forestry staff have reviewed the Arborist Report and Tree Inventory and Preservation Plan and relevant plans. The Landscape Plan and Arborist Report show the removal of 10 City-owned trees and 3 private-owned trees, and 1 boundary tree, and the injury of 4 boundary trees. Three privately-owned trees are proposed to be removed. Urban Forestry will be requiring cash-in-lieu for the required replacement trees not being planted on the subject lands due to space constraints for a total of \$5,247.00.

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. 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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the site plan approval process.

Landscaping and bicycle parking will be secured in the zoning by-law amendments.

Section 37

The building would have a gross floor area of 3,600 square metres. As the building is less than 10,000 square metres, it is not eligible for community benefits under Section 37 of the *Planning Act*.

Community Consultation

On September 23, 2008, City Planning staff, together with the local Ward Councillor held a community consultation meeting on the proposed development. The applicant and approximately 30 members of the public attended to discuss the proposal. Comments raised included:

- Consistency with the Central Finch Area Secondary Plan and regulations for density and height;
- Tenure type;
- The proposed number of parking; and
- Servicing and school capacity;

Since the meeting, the applicant has provided several revisions to the proposal. Staff have determined that the proposal is consistent with the provisions outlined in the Secondary Plan related to maximum density and height. The proposal complies with the Secondary Plan's requirement for a 9.5 metre rear yard setback and the rear wall would comply with the requirements for a 35 degree angular plane from a property line that coincides with the boundaries of the Secondary Plan.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, and the Toronto Official Plan, including the Central Finch Area Secondary Plan. The proposal represents an appropriate level of intensification anticipated by the Central Finch Area Secondary Plan, while providing for a transition to the abutting lower-scale

neighbourhood to the north. Staff are of the opinion that the proposal is consistent with the PPS and does not conflict with the Growth Plan. Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to providing for intensification along an *Avenue*, while providing for a transition to areas of different development intensity and scale. Staff worked with the applicant and the community to address and resolve the following key concerns: height and density to be compatible with the surrounding context and to provide an appropriate amount of parking within the development. Staff are satisfied that the proposal would address servicing concerns, but require an "H" until sanitary sewer work anticipated along Finch Avenue West is completed. Staff recommend that Council approve the application.

CONTACT

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SIGNATURE

David Sit, MCIP, RPP, Director
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ATTACHMENTS

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 No. 7625 Map
Attachment 5: Draft Zoning By-law 7625 Amendment

Applicant Submitted Drawings
Attachment 6: Site Plan
Attachment 7: Elevations

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 102445 NNY 23 OZ
Details	Rezoning	Application Date:	January 11, 2008

Municipal Address: 228, 230, 232 Finch Avenue West
 Location Description: PLAN 4259 LOT 188 **GRID N2301
 Project Description: Revised proposal for a four-storey, 36-unit stacked residential townhouse development with 47 underground parking spaces. Concurrent site plan control application (08 102458 NNY 23 SA).

Applicant:	Agent:	Architect:	Owner:
Evans Planning Inc			Aslan Jonoobi

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4 & R4(25)	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1943.1	Height:	Storeys:	4
Frontage (m):	59		Metres:	12.95
Depth (m):	33.52			
Total Ground Floor Area (sq. m):	931.5			Total
Total Residential GFA (sq. m):	3,600		Parking Spaces:	46
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	3,600			
Lot Coverage Ratio (%):	51.7			
Floor Space Index:	1.85			

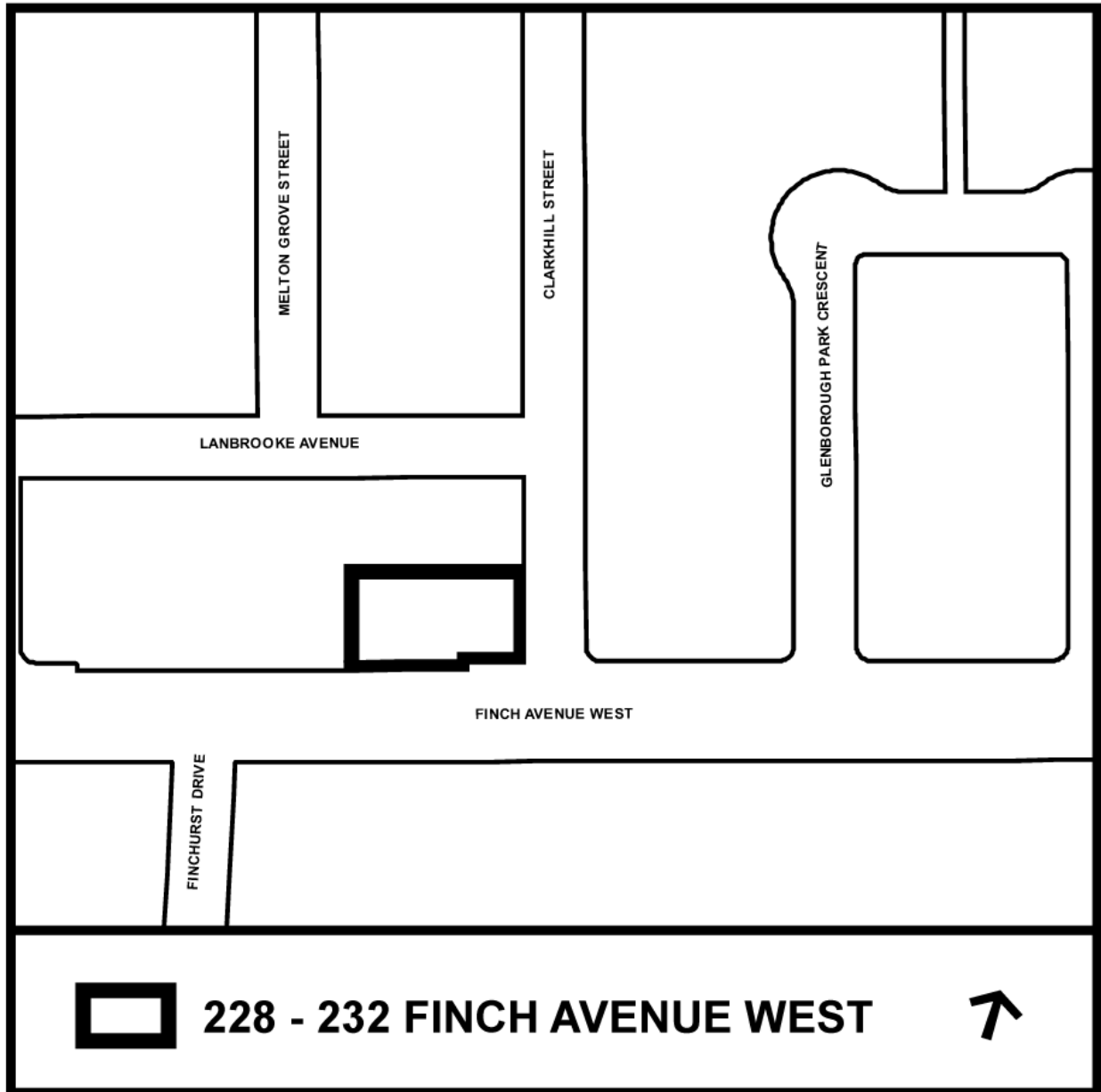
DWELLING UNITS

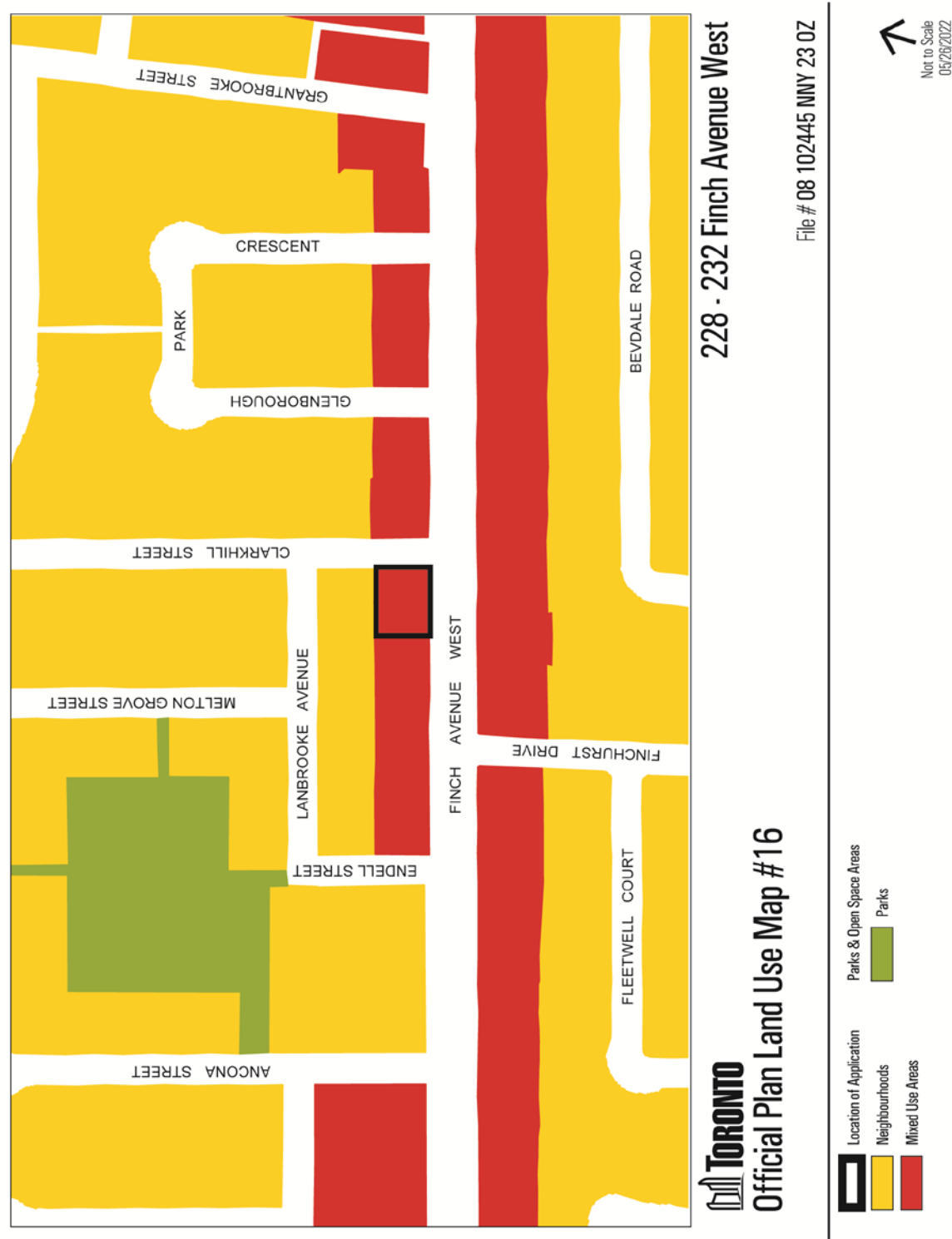
Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	3598.1	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	5	Office GFA (sq. m):	0	0
2 Bedroom:	30	Industrial GFA (sq. m):	0	0

FLOOR AREA BREAKDOWN (upon project completion)

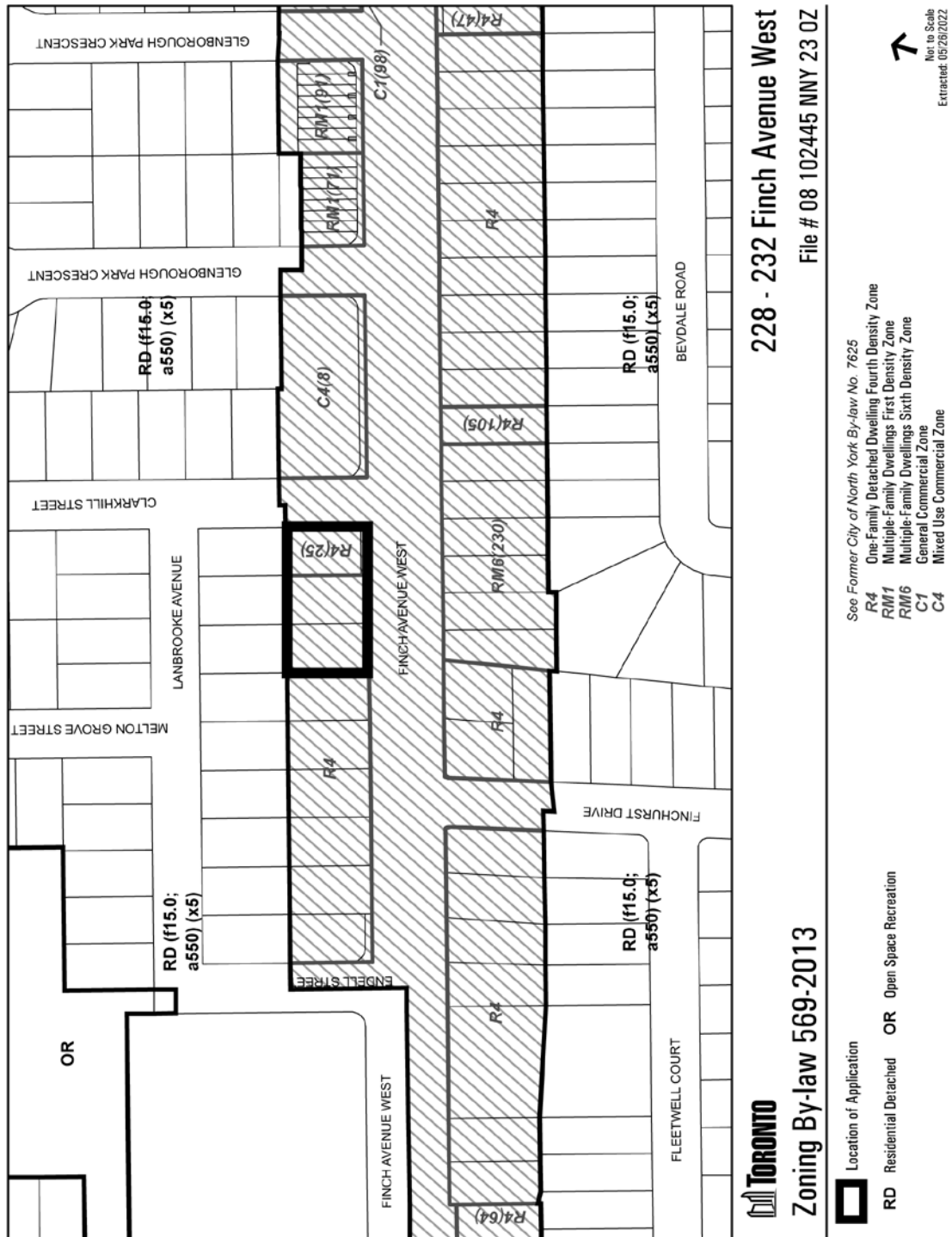
3 + Bedroom:	1	Institutional/Other GFA (sq. m):	0	0
Total Units:	36			
CONTACT:	PLANNER NAME:	Michael Romero, Planner		
	TELEPHONE:	(416) 395-6747		

Attachment 2: Location Map





Attachment 4: Existing Zoning By-law No. 7625 Map



Attachment 5: Draft Zoning By-law 7625 Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2022

THE CITY OF TORONTO

BY-LAW NO. ###-2022

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 228, 230 and 232 Finch Avenue West.

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, as amended, are hereby amended in accordance with Schedule “1” attached hereto.

2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

64.20-A to RM6 (277) (H)

DEFINITIONS

(a) For the purpose of this By-law, Grade, Established shall be defined as:

The average elevation of the ground measured at the two points where the projection of the required minimum front yard setback line is 0.01 metres past each side lot line.

PERMITTED USES

(b) The only permitted uses shall be multiple attached dwellings;

EXCEPTION REGULATIONS

MINIMUM LOT AREA

(c) The minimum lot area shall be 1,800 square metres;

MAXIMUM NUMBER OF DWELLING UNITS

(d) A maximum of 36 dwelling units shall be permitted;

LOT COVERAGE

(e) The maximum lot coverage shall be 51%;

MAXIMUM GROSS FLOOR AREA

(f) A maximum gross floor area of 3,600 square metres shall be permitted.

YARD SETBACKS

(g) The minimum front yard setback, rear yard setback and side yard setbacks for any building or structure are the setbacks shown on Schedule 2 of this By-law.

PERMITTED PROJECTIONS

(h) Exterior stairs, window wells and canopies shall be permitted to project into the minimum yards to 0 metres from the south and east lot line.

UNDERGROUND PARKING STRUCTURE

(i) Parking shall be provided by way of underground parking structure. No setback shall be required to an underground parking structure from any property boundary;

(j) The above-ground entrance structure to the underground parking garage shall be set back a minimum of 1.5 metres from the property line.

FLOOR AREA DWELLING UNIT

(k) The minimum floor area of each dwelling unit shall be 50.0 square metres;

BUILDING HEIGHT

(l) The maximum building height shall be 13.0 metres;

NUMBER OF STOREYS

(m) The maximum number of storeys permitted is 4.

LANDSCAPING

(n) A total of 375.0 square metres of landscaped space shall be provided on the property;

(o) A soft landscape strip with a minimum width of 1.5 metres shall be provided along the rear property line. Equipment used for functional operation of the building, such as electrical, utility, mechanical and ventilation equipment shall be permitted to encroach into the required soft landscape strip, closest to Clarkhill Street.

PARKING

(p) The minimum number of parking spaces shall be 40 for residents;

(q) A minimum of 7 parking spaces shall be for visitors; and

(r) A minimum of 1 loading space shall be provided with minimum dimensions of 13 metres in length, 4 metres in width, with a vertical clearance of not less than 6.1 metres;

OTHER REGULATIONS

(s) The provisions of Sections 15 of By-law No. 7625 shall not apply.

DIVISION OF LANDS

(t) Despite any existing or future severance, partition or division of the lot, the provisions of this By-law shall apply to the whole lot as if no severance, partition or division occurred.

HOLDING PROVISIONS

(u) An "H" shall be appended to the zone symbol "RM6(277)" as shown on Schedule 1.

(v) Prior to the removal of the "H", the lands shown on Schedule 1 shall only be used for uses existing as of the date of passing of this By-law.

(w) The "H" shall be lifted from the lands shown on Schedule 1 at such a time as the sanitary servicing solution is acceptable, to the satisfaction of the Executive Director of Engineering and Construction Services.

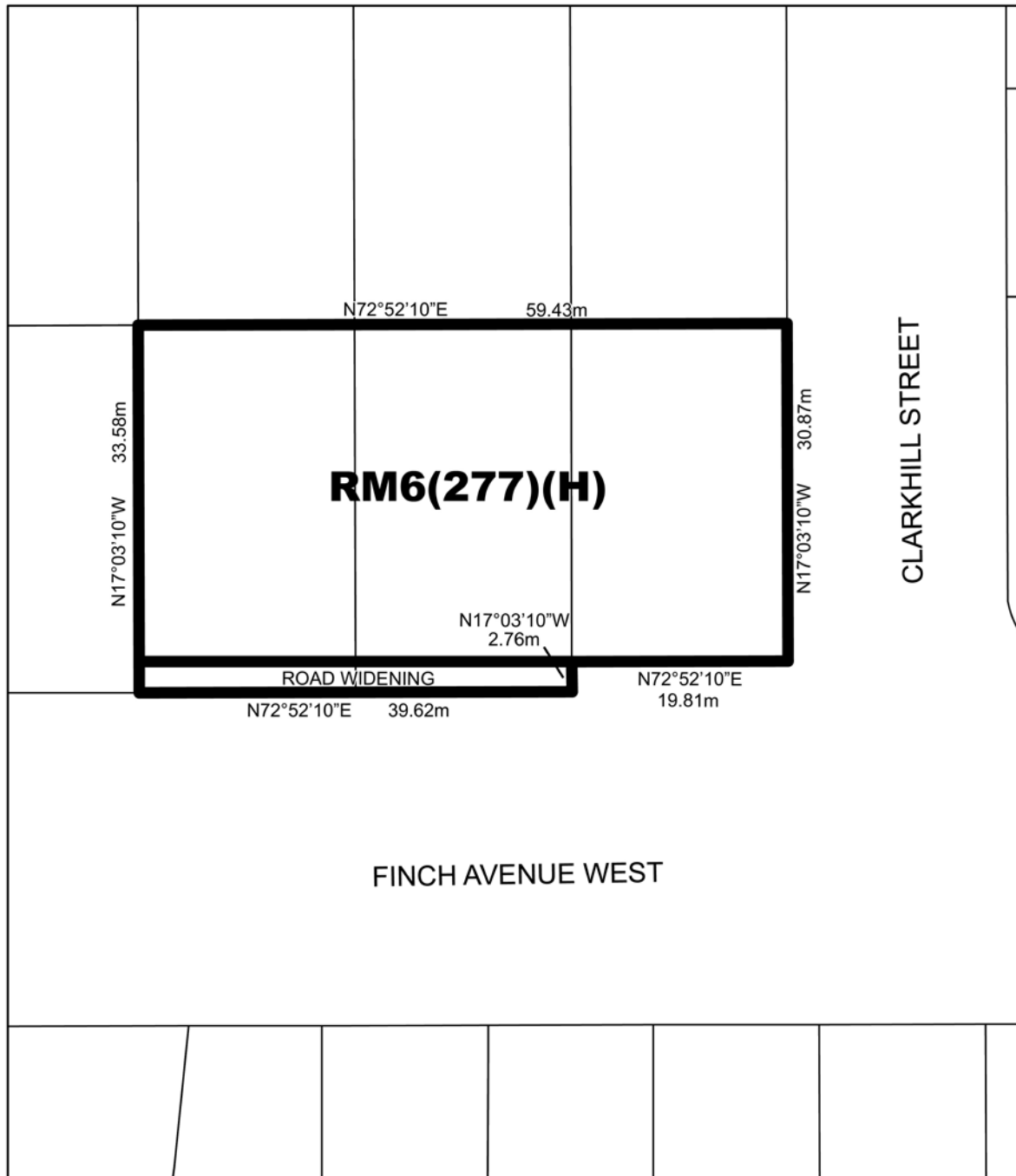
(x) Following the lifting of the "H", the uses permitted in the RM6(277) zone shall be permitted as shown on Schedule 1.

3. 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:

(y) 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

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

Enacted and passed on , 2022
Speaker City Clerk
(Seal of the City)

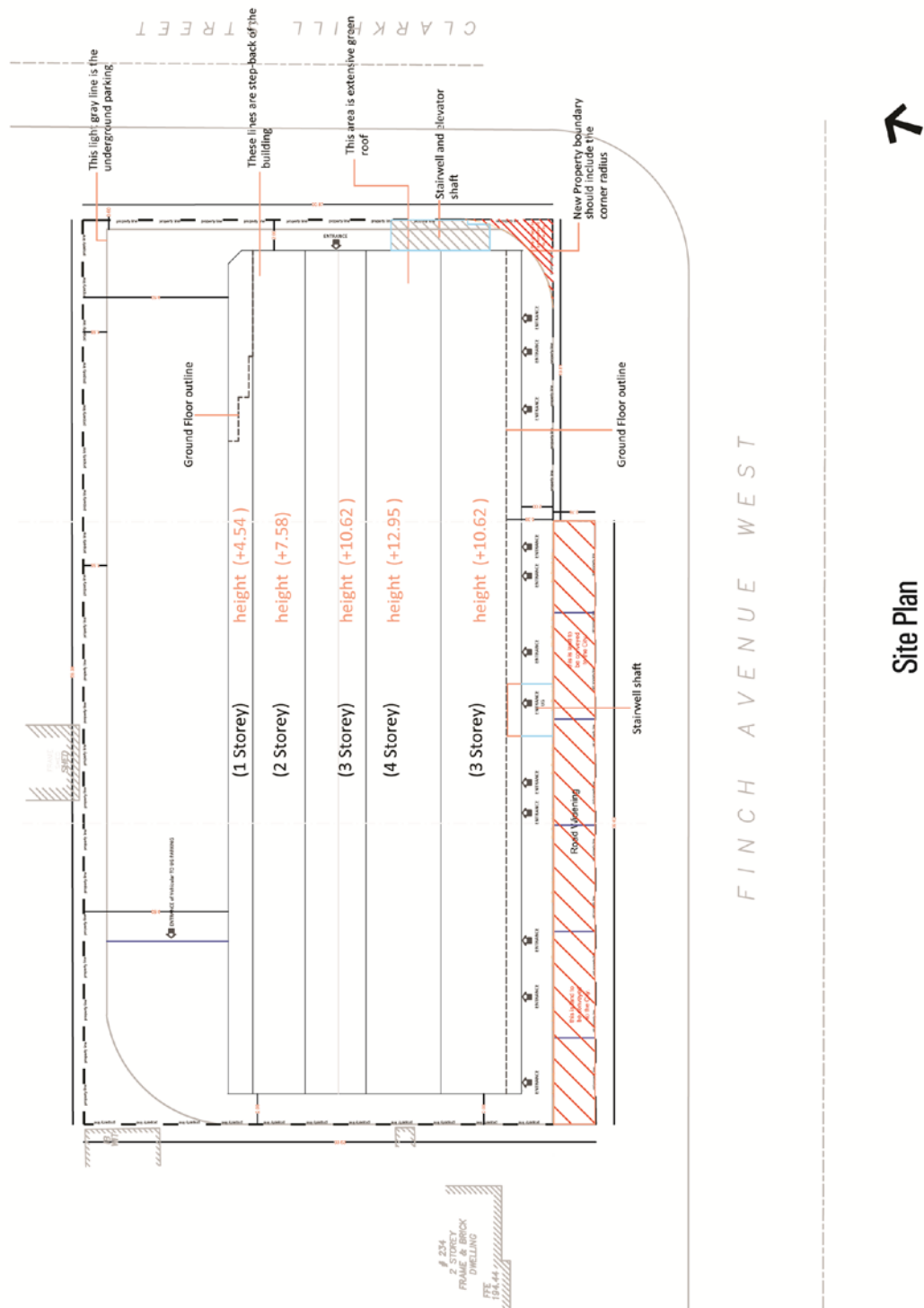


Toronto
Schedule 1

228-232 Finch Avenue West

File # 08 102445 NNY 23 0Z

Former City of North York By-law 7625
Not to Scale
05/04/2022

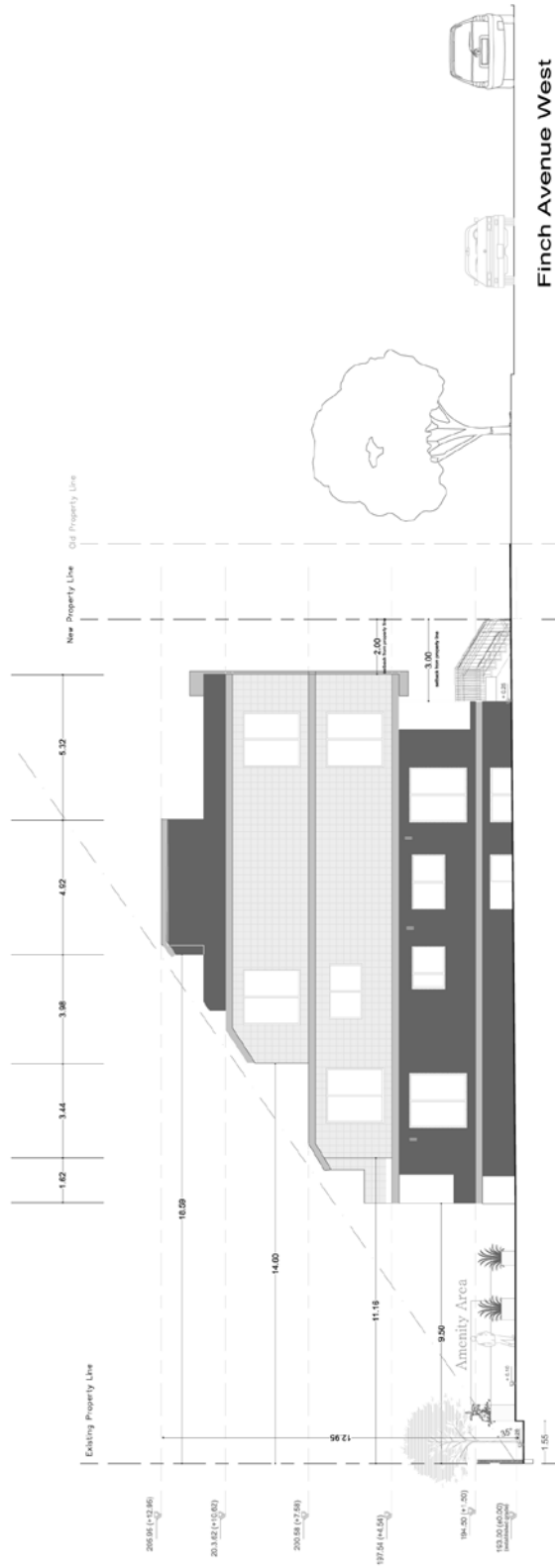




East Elevation



South Elevation



West Elevation