

31 Finch Avenue East and 32, 36 and 38 Olive Avenue – Official Plan Amendment and Zoning Amendment Applications – Final Report

Date: June 8, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 21 227683 NNY 18 OZ

Related Site Plan Application Number: 21 227685 NNY 18 SA

Related Draft Plan of Condominium Number: 21 227691 NNY 18 CD

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law to permit a 29-storey (98.6 metres including mechanical penthouse) residential building with a total residential gross floor area ("GFA") of 22,811 square metres. The existing building on the site occupied by a Bell Canada telephone switching station has a GFA of 4,140 square metres and is proposed to be retained. The total GFA would be 26,951 square metres, resulting in a Floor Space Index ("FSI") of 5.32. The new building would have 350 residential units, 113 vehicular parking spaces and 263 bicycle parking spaces.

The application also proposes an off-site parkland dedication with a size of 1654 square metres at the lands municipally known as of the date of this report as 15 to 21 Holmes Avenue and shown as Parts 3, 6 and 9 on Reference Plan 66R-32436 (see Attachment 5).

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

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The proposed building represents an appropriate level of intensification given the site's proximity to rapid transit, and adheres to the vision and density provisions of the North York Centre Secondary Plan while providing appropriate transition to the lower scale neighbourhood to the east.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 31 Finch Avenue East and 32, 36 and 38 Olive Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6 to this report.
2. City Council amend former City of North York Zoning By-law 7625, as amended, for the lands at 31 Finch Avenue East and 32, 36 and 38 Olive Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
5. City Council direct that prior to the issuance of the first above grade building permit, the Owner shall convey to the City an off-site parkland dedication, having a minimum size of 1654 square metres, composed of the lands shown as Parts 3, 6 and 9 on Reference Plan 66R-32436 to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
6. City Council approve the acceptance of the off-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
7. City Council authorize a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation; the development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time; the owner is required to submit a design and cost estimate to be approved by the General Manager, Parks, Forestry and Recreation and a letter of credit equal to 120 percent of the Parks and Recreation Development Charges payable for the development; and the design, cost estimate and letter of credit will be required prior to the issuance of the first building permit.

8. City Council authorize the City Solicitor to enter into an Agreement pursuant to Section 37 of the *Planning Act* and to have it executed and registered on title to the satisfaction of the City Solicitor, as follows:

(i) The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- a. prior to the issuance of the first above-grade building permit for the proposed development, the Owner shall make an upwardly indexed financial contribution to the City of \$1,740,611.13 to be allocated to local area improvements within the vicinity of the subject site, to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the local Ward Councillor;
- b. the amount in 8(i)(a) above will be indexed upwardly in accordance with Statistics Canada Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the execution of the Agreement to the date of payment;
- c. in the event that the cash contribution in 8(i)(a) above has not been used for the determined purposed within three years of the amending zoning by-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands; and
- d. indoor residential recreational amenity space at a size of not less than 1.5 square metres per dwelling unit, eligible as a density incentive in accordance with Section 3.3 of the North York Centre Secondary Plan.

(ii) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- a. The Owner shall convey to the City as off-site parkland dedication the lands shown as Parts 3, 6 and 9 on Reference Plan 66R-32436, attached as Attachment No. 5 to this report, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
- b. The Owner shall make a contribution in the amount of \$50,000 to be allocated toward the City of Toronto Bike Share program for investment in the expansion of the program in the Willowdale area; and
- c. The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan Control application.

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

At its meeting of January 6, 2022, North York Community Council considered a Preliminary Report (Item NY29.10) which identified a set of preliminary issues for the subject application. Community Council directed staff to hold a community consultation in order to inform the community about the application and receive their input.

North York Community Council's decision and a copy of the Preliminary Report may be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY29.10>

PROPOSAL

The application proposes to amend the North York Centre Secondary Plan and former City of North York Zoning By-law 7625 for the property at 31 Finch Avenue East and 32, 36 and 38 Olive Avenue in order to facilitate the development of a 29-storey (98.6 metres including mechanical penthouse) residential building with a 4-storey (16 metres) podium. The proposed residential building would have a GFA of 22,811 square metres and would front, and be accessed from, Olive Avenue. The proposal would retain the existing 3-storey commercial building that fronts Finch Avenue East occupied by a Bell Canada telephone switching station, which has a GFA of 4,140 square metres, resulting in an overall GFA of 26,951 square metres and a density of 5.32 times the lot area. No changes to the existing building are proposed.

The proposed development would be comprised of 237 one-bedroom units, 78 two-bedroom units, and 35 three-bedroom units, for a total of 350 residential dwellings. Four of the dwellings are proposed as townhouse units integrated into the podium of the building, each of which will have direct pedestrian access through a private patio onto Olive Avenue. A total of 113 vehicle parking spaces are proposed within three levels of underground parking, including 18 visitor parking spaces. The underground parking garage would be accessed from the driveway on the west side of the building. A total of 263 bicycle parking spaces would be provided, including 238 long-term resident bicycle parking spaces and 25 short-term bicycle parking spaces.

The proposal includes an off-site parkland dedication of the lands shown as Parts 3, 6 and 9 on Reference Plan 66R-32436 (see Attachment 5). The park would be 1654 square metres and would be connected to the parkland dedication that forms part of the 32-storey development at 15 to 21 Holmes Avenue (File No. 18 147351 NNY 23 OZ).

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=yeOSqNONXG0U5tYgSyet%2Bw%3D%3D>

See Attachment 1 of this report for the Application Data Sheet and Attachment 2 of this report for a map showing the location of the subject site. See Attachment 3 of this report for the existing Official Plan Land Use Map and Attachment 4 for the existing Zoning By-law Map. See Attachment 5 for Reference Plan 66R-32436, Attachment 6 for the Draft Official Plan Amendment and Attachment 7 for the Draft Zoning By-law Amendment. See Attachment 8 for the proposed site plan and Attachment 9 for proposed building elevations.

Area Context

The site is located in the North York Centre near the Yonge Street and Finch Avenue node, approximately 180 metres to the southeast of the Finch TTC Subway station.

The site is located within a block bounded by Finch Avenue East to the north, Doris Avenue to the east, Olive Avenue to the south and Yonge Street to the west. The block contains five existing high-rise buildings located to the north and west of the site ranging in height from 16- to 23-storeys.

To the south of the site is a block of 4-storey townhouses and a 28-storey residential building. To the east of the site is a low-density residential neighbourhood comprised of detached dwellings and townhouses.

Reasons for Application

The application to amend the Official Plan is required as the proposed height exceeds the height limit in the North York Centre Secondary Plan. The application also proposes to amend the parking provisions, bicycle parking provisions, and private outdoor recreational space requirements for the site.

An amendment to the former City of North York Zoning By-law 7625 is required to permit the proposed height and density and to establish site specific development standards for setbacks, parking, amenity areas, additional gross floor area and other matters.

APPLICATION BACKGROUND

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

- Arborist Report
- Energy Efficiency Report
- Environmental Impact Assessment Phase One and Two
- Functional Servicing and Stormwater Management Report
- Geotechnical Study
- Hydrogeological Study

- Pedestrian Level Wind Study
- Planning Rationale
- Public Consultation Strategy
- Sun/Shadow Study
- Toronto Green Standards Checklist
- Transportation Impact Study
- Tree Preservation Report

The submitted materials, including the reports listed above are available on the City's Application Information Centre at:

<http://app.toronto.ca/AIC/index.do?folderRsn=yeOSqNONXG0U5tYgSyet%2Bw%3D%3D>

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 Official Plan amendments and Zoning By-law standards. Comments are also being used in the evaluation of the related Site Plan Control application.

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 for this application, as these submissions are broadcast live over the internet and recorded for review.

Site Plan Control

The proposed development is also subject to Site Plan Control. The applicant submitted a Site Plan Control application (File No. 21 227685 NNY 18 SA) concurrently with the application to amend the Official Plan and Zoning By-law and it remains under review.

Draft Plan of Condominium

A Draft Plan of Condominium application (File No. 21 227691 NNY 18 CD) was also submitted. This application remains under 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."

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

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.

The Growth Plan identifies a number of areas in the province as *urban growth centres*, one of which is North York Centre. *Urban growth centres* are regional focal points for accommodating population and employment growth. The Growth Plan states that "revitalization of these areas as meeting places, locations for cultural facilities, public institutions, and major services and transit hubs with the potential to become more vibrant, mixed-use, transit-supportive communities is particularly important".

The Growth Plan contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a ten minute walk. The Growth Plan requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

In June 2020, the City Planning Division initiated the MCR which includes the delineation of approximately 180 potential MTSAs, including a subset of MTSAs which will be identified as Protected Major Transit Station Areas ("PMTSAs"), where the Council-approved inclusionary zoning policy framework can be implemented. In a report from the Chief Planner and Executive Director, City Planning dated March 4, 2022 to Planning and Housing Committee, 57 PMTSAs (Draft OPA 570) and 40 MTSAs (Draft OPA 575) were delineated to be used as the basis for consultation. The site is located

in the draft delineated Finch PMTSA as SASP 727 in Draft OPA 570, and has a minimum density requirement of 3.5 FSI. The report and Committee's decision is available online:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>.

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

Toronto Official Plan

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

Chapter 2 – Shaping the City

The site is identified on Map 2 of the Official Plan as being located within a *Centre*. The policies in Chapter 2 provide guidance on development in the City's four *Centres*, including North York Centre in which the site is located. *Centres* are places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed use settings with different levels of activity and intensity. The establishment of vibrant transit-supportive mixed use *Centres* is identified as a priority for managing growth in the City.

Chapter 3 – Building a Successful City

Chapter 3 of the Official Plan contains policies regarding the public realm and built form. The public realm, made up of both public and private lands, will foster complete, well-connected walkable communities that meet the needs of people and support a mix of uses. It will contribute to the identity and physical character of the City and its neighbourhoods. New parks and open spaces are directed to be located and designed to connect and extend, wherever possible, to existing parks, natural areas and other open spaces.

The Built Form policies of the Official Plan direct that development will be located and organized to fit within the existing and planned context, framing and supporting adjacent streets. Buildings should be located parallel to the street, locate main building entrances on prominent building facades and provide ground floor uses that allow for "eyes on the street". Vehicular parking, access, servicing and ramps should be located within the building and provide underground parking. Development should be located and massed to frame the edge of the public realm with good street proportion and ensure access to direct sunlight on the public realm by providing streetwall heights and setbacks that fit into the existing and/or planned context and stepping back building mass above the streetwall height.

Chapter 4 – Land Use Designations

Map 16 of the Official Plan designates the site as *Mixed Use Areas*. *Mixed Use Areas* are intended to accommodate most of the retail, office and employment growth anticipated to occur in the coming decades as well as much of the new housing and will

take advantage of nearby transit services. Development in *Mixed Use Areas* will provide for new jobs and homes for Toronto's growing population on underutilized lands in the *Downtown and Central Waterfront, Centres, Avenues* and other lands designated *Mixed Use Areas*. Development in *Mixed Use 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 a stepping down of heights, particularly towards lower scale *Neighbourhoods*.

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

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

North York Centre Secondary Plan

The site is also subject to the North York Centre Secondary Plan ("NYCSP").

The North York Centre is an important focus of transit-based employment and residential growth and is one of the four *Centres* that have an important role in achieving the strategic growth objectives of the Official Plan. The NYCSP is intended to provide for the development of a vibrant North York Centre comprising a mix of residential, commercial, parks and open space and institutional uses.

Throughout the North York Centre, it is intended that there should be a variation in maximum permitted densities, with the highest densities served well by rapid transit. It is intended that densities in the North York Centre will be assigned to ensure that appropriate development takes place, redevelopment does not exceed the capacity of the physical infrastructure, and the built form of redevelopment is compatible with the abutting stable residential community.

The site is designated *Mixed Use Areas G* which permits commercial, institutional uses that are not predominantly offices, residential, public parks and recreational uses. The NYCSP permits a maximum density of 4.0 times the lot area for the site. Section 3.3 of the NYCSP allows for no more than 33 percent of the base density to be permitted as density incentives subject to the provision of specific uses and facilities in accordance with the Plan. For the site, a maximum FSI of 5.32 is permitted including the 33 percent increase for the provision of density incentives.

The NYCSP permits a maximum height of 87 metres above grade for the north portion of the site, and any building shall be under an angular plane measured at 70 percent of the horizontal distance from the Relevant Residential Property Line (the "RRPL") for the south portion of the site. Site-specific increases in height limits are discouraged by the NYCSP, however are possible where: an improved built form is provided; there are no appreciable impacts on stable residential areas; and where the proposal meets urban design objectives. Building heights in the Centre will protect stable residential areas adjacent to North York Centre, provide for appropriate transitions in height between the highest intensity areas along Yonge Street and the residential communities outside the Centre, encourage the highest intensity developments along Yonge Street and in the

vicinity of the subway stations, and achieve a comfortable human scale and sense of spatial enclosure along the primary pedestrian streets in the Centre.

The North York Centre Secondary Plan may be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/8fe9-cp-official-plan-SP-8-North-York-Centre.pdf>

Zoning By-law

The site is zoned One-Family Detached Fourth Density (R4) under former City of North York Zoning By-law 7625. The R4 zone category permits one-family detached dwellings and accessory buildings incidental thereto, as well as certain home occupations, recreational uses and a range of institutional uses including schools, places of worship, day nurseries located in a place of worship or City-owned buildings, public libraries, and government-owned and operated museums and art galleries.

City of Toronto Zoning By-law No. 569-2013 does not apply to the site.

Design Guidelines

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bqrd/backgroundfile-57177.pdf>.

Other guidelines that informed the review of this application include the [Pet Friendly Design Guidelines](#) and [Growing Up: Planning for Children in New Vertical Communities](#).

COMMENTS

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 PPS directs planning authorities to achieve strong and healthy communities by promoting efficient development and land use patterns. The PPS promotes the use of active transportation and transit before other modes of travel, and directs a significant supply and range of housing options be provided through transit-supportive intensification and redevelopment.

The Growth Plan further supports the achievement of complete communities and guides development to built-up areas, especially towards areas with higher order transit.

Development is to be in a compact built form and make efficient use of land and infrastructure and support transit viability. The Growth Plan supports a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposed development represents a compact built form on an underutilized site to support nearby rapid transit. It provides for a range of unit types and sizes, parking and amenity space necessary to meet projected requirements of residents.

The provision of an off-site parkland dedication to increase the size of the park at 15-21 Holmes Avenue seeks to help support the growing community and provides an opportunity to improve the park and its usability for existing and future residents in a complete community.

Density, Height, Massing

North York Centre is intended to have a variety of densities, with the highest densities served by subways. The site is located approximately 180 metres from the Finch Subway Station and is located within the draft Finch PMTSA boundary. The proposed building exceeds the height permissions in the North York Centre Secondary Plan, with a proposed tower of 29 storeys or 92.6 metres (not including mechanical penthouse) where 87 metres and 70 percent of the horizontal distance from the RRPL are permitted. Modest increases in the height permissions have occasionally been granted in the NYCSP area.

The proposed density complies with the maximum density limits of the NYCSP. The NYCSP permits a maximum FSI of 4.0 for the site, plus an additional 33 percent for the provision of density incentives, resulting in a total permitted FSI of 5.32. The proposed density is 5.32, which is being achieved through the following density incentives identified in the NYCSP:

- A maximum of 1.5 square metres per dwelling unit of indoor recreational amenity space;
- A maximum of 356 square metres for the provision of a bicycle parking room, which can be provided in the below-grade parking garage; and
- A monetary contribution.

The site is identified as a tall building site in the North York Centre Secondary Plan and the proposed density does not exceed the maximum available FSI including density incentives. Although the height exceeds the permissions in the NYCSP, modest height additions may be granted, provided there are minimal impacts. The proposed height increase would have limited shadow impacts on the low-rise residential areas to the east. The impacts of the proposed height do not greatly exceed the as-of-right permissions. Views from existing buildings would not be ameliorated by reducing the height of the proposed building to 87 metres or 70 percent of the horizontal distance from the RRPL.

In response to concerns regarding the building's proximity to the future north property line and unfavourable interface with the existing Bell building, the tower was shifted to the south to provide a greater separation distance. The revised tower location also provides an increased separation from the existing tower to the northeast (21.8 metres). A separation distance greater than 25 metres is provided from the tower to the west (25.8 metres) and to the northwest (42.6 metres) of the proposed development.

The proposed development includes a 4-storey base building which provides consistency with the 3-storey base building of the adjacent condo development to the west and the 4-storey stacked townhouses to the south. The proposed tower steps back from the base building with a 2.7 metre stepback along Olive Avenue, so that the building will read as two distinctive elements that establish a pedestrian-friendly scale along the street.

The Official Plan has particular concern with respect to built form impacts that new developments have on stable residential *Neighbourhoods*. The proposed building is massed to provide appropriate transition to the low-rise neighbourhood to the east, and falls within the 45 degree angular plane as measured from the residential neighbourhood, with the exception of a small 1.6 metre projection at the corner of the 29th floor. The proposed building is also oriented diagonally toward the low-rise residential neighbourhood, minimizing privacy and overlook concerns. Staff are satisfied that the height and massing of the proposed building does not have unacceptable impacts on the adjacent *Neighbourhood*.

Sun, Shadow and Wind

A shadow study was submitted by the applicant that demonstrates the incremental shadows resulting from the proposed residential building. The shadow study illustrates impacts during the spring and fall equinoxes on March 21 and September 21 as well as the summer and winter solstices on June 21 and December 21, at each hour between 9:18 a.m. and 6:18 p.m.

Relevant policies are particularly concerned with shadow impacts on *Neighbourhoods*, parks and the public realm. The study demonstrates that there would be no shadows cast on lands designated *Neighbourhoods* to the southeast on March 21 and September 21, except at 6:18 p.m. On June 21, there would be minor shadowing on the *Neighbourhoods* only at 5:18 p.m. and 6:18 p.m. The study shows that there would be no shadow impact on Olive Square at any time of day on March 21, June 21 and September 21. There will be some incremental shadowing on portions of the Finch Parkette located northwest of the site on March 21 and September 21 at 10:18 a.m. and 11:18 a.m. only, as well as a small shadow on December 21 at 9:18 a.m. There would be no shadow impact at any time of day on June 21. In terms of shadowing on public sidewalks, there would be incremental shadowing on the north sidewalk on Finch Avenue from 10:18 a.m. to 1:18 p.m. March 21 and September 21, with a maximum duration of approximately one hour in any one location. There would be no shadow impacts on June 21.

Staff are satisfied that the shadow impacts from the proposed building are minor in nature and local in scope, and that access to sunlight in the *Neighbourhoods* and the public realm will not be significantly reduced.

A pedestrian level wind study was submitted to evaluate wind impacts from the proposed development. The study concluded that the proposed development would have a generally neutral influence on many grade-level pedestrian wind-sensitive locations. The report outlines that the proposed development will maintain comfortable wind conditions at the street level, within the proposed development and adjacent open spaces.

Amenity and Unit Types

The applicant is proposing a range of unit types and sizes including two-storey townhouse-style units and includes a minimum of thirty percent of units as two-bedroom or greater, including ten percent of units as three-bedroom units.

Residential development of 100 dwelling units or greater are required by the NYCSP to provide a minimum of 1.5 square metres per dwelling unit of private outdoor recreational space. The proposed outdoor amenity space is 525 square metres, which meets this requirement. The proposed development also includes 526.2 square metres of indoor amenity space, which also meets the requirement of 1.5 square metres per dwelling unit for indoor amenity space. These spaces will be further secured through the Site Plan Control process.

Vehicular Access, Loading and Parking

The proposed vehicular access to the site is from Olive Avenue. The proposed driveway provides access to the underground parking garage, which is screened from the street. The site includes a pick-up/drop-off area and a separate loading area at grade interior to the site to minimize stopped vehicles on Olive Avenue.

The draft Official Plan amendment and draft zoning by-law amendment propose parking at the following rates:

- 0.27 spaces per residential unit;
- 0.05 visitor spaces per residential unit.

A total of 113 parking spaces are proposed, including 18 visitor spaces and 95 resident spaces. These parking rates have been reviewed and accepted by Transportation Services. The site is also proposing one Type "G" loading space which is also acceptable to Transportation Services.

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 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 4 to 12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person (2016). The development site is also within an Area of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the City will focus and prioritize parks planning and acquisitions. Given the future 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 serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,800 square metres or 129% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 371.6 square metres.

In this instance and as per the Toronto Municipal Code Chapter 415-26, Parks, Forestry & Recreation would accept the conveyance of lands off-site that would expand an existing park or create a new park as the required parkland dedication. Toronto Municipal Code Section 415-26 (C) of the Toronto Municipal Code states that:

- C. Where on-site parkland dedication is not feasible, an off-site parkland dedication that is accessible to the area where the development site is located may be substituted for an on-site dedication, provided that:*
- (1) The off-site dedication is a good physical substitute for any on-site dedication;*
 - (2) The value of the off-site dedication is equal to the value of the on-site dedication that would otherwise be required; and*
 - (3) Both the City and the applicant agree to the substitution.*

The applicant proposes to convey an off-site parkland dedication with a size of 1,654 square metres to the City. The proposed parkland would be located at the properties currently municipally known as 15 to 21 Holmes Avenue and shown as Parts 3, 6 and 9 on Reference Plan 66R-32436 (Attachment 5), and would be an expansion of the parkland dedication approved as part of the development application at 15 to 21 Holmes Avenue. The parcels proposed for off-site parkland conveyance are acceptable to Parks, Forestry and Recreation.

The applicant would convey the parkland prior to the issuance of the first above-grade building permit. The applicant, at their expense, will be responsible for the design and construction of the Above Base Park Improvements, to be completed within two years of conveyance to the City. The applicant may use the Parks and Recreation component of their Development Charges toward the Above Base Park Improvements.

Tree Preservation

The City's Official Plan recommends policies that have been adopted by City Council that call for an increase in the amount of tree canopy coverage. City Council has adopted the objective of increasing the existing 17 percent tree canopy coverage to between 30 to 40 percent. As such the planting of large growing shade trees on both public and private lands should be an important objective for all development projects.

The development requires the removal of three City trees and 44 private trees. The plan allows for the retention and protection of 14 trees. The proposed landscape drawings submitted as part of the application propose the planting of five deciduous trees, three evergreen trees and a number of shrubs and ornamental grasses. These trees will be secured through the Site Plan Control process.

Toronto Green Standard

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

The applicant is required to meet Tier 1 of the TGS. 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 such as bicycling parking spaces will be secured in the zoning by-law.

Other applicable TGS performance measures will be secured through the Site Plan Approval process including soil volumes for tree planting and bird-friendly glazing.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. Developments that exceed a threshold of 10,000 square metres of gross floor area, and where the application increases the permitted density by at least 1,500 square metres, and/or significantly increases the permitted height, a Section 37 Agreement may be used. As the proposed increase in height and density meets these thresholds for the use of Section 37, Section 37 benefits will be required and will be secured in a Section 37 Agreement. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan and North York Centre Secondary Plan, and thus constitutes good planning.

The NYCSP identifies the appropriate community benefits and financial contribution through its density incentive policies. In this case, a monetary contribution of \$1,740,611.13 as well as 1.5 square metres of indoor recreational amenity space per unit will be secured in the Section 37 Agreement. The monetary contribution will be used towards local area improvements in the vicinity of the lands.

Also to be secured in the Agreement, for legal conveniences, are items related to the proposed off-site parkland dedication, a contribution to the public bike share program as a Transportation Demand Management ("TDM") measure, and to ensure development occurs in accordance with Tier 1, Toronto Green Standard, as discussed earlier in this report.

Community Consultation

A Community Consultation meeting was hosted by City Staff on February 22, 2022 to discuss the proposal with the community. In addition to feedback received at the meeting, staff also received comments through the Application Information Centre. Concerns raised included the overall scale of the building, proximity to the surrounding buildings, traffic impacts on the local roads, and construction impacts.

Through review of the application, staff have confirmed that the proposed building does not have undue impact on the adjacent low-rise neighbourhood as it maintains appropriate separation and transition. The proposed building would meet the Tall Building Design Guidelines by providing a 25 metre separation distance from the adjacent tower to the west, and the shadow study has demonstrated minimal impact on the surrounding areas. The applicant has submitted a Transportation Impact Study that has been reviewed by Transportation Services, and will be required to provide a construction management plan as part of the Site Plan Control process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan, including the North York Centre Secondary Plan. 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 is in keeping with the intent of the Toronto Official Plan, particularly as it relates to guiding growth towards the *Centres* and within proximity of rapid transit. The proposal also meets the intent of the North York Centre Secondary Plan, which identifies the site as a tall building site. Staff have worked with the applicant to address massing concerns, separation distances and setbacks, and on providing an off-site park in proximity of the development to serve current and future residents. Staff recommend that Council support approval of the application.

CONTACT

Heather Au, Planner, Community Planning
Tel. No. (416) 396-5570
E-mail: Heather.Au@toronto.ca

SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Reference Plan for 15 to 21 Holmes Avenue (PLAN 66R-32436)
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 31 FINCH AVE E, 32, 36 AND 38 OLIVE AVE **Date Received:** October 19, 2021

Application Number: 21 227683 NNY 18 OZ

Application Type: OPA / Rezoning

Project Description: Official Plan and Zoning By-law Amendment application to facilitate the redevelopment of the site for a 29-storey residential building having a gross floor area of 26,951 square metres, and containing 350 residential dwelling units. The existing 3-storey non-residential building on the lot will be maintained.

Applicant	Agent	Architect	Owner
31F DEVELOPMENT LIMITED PARTNERSHIP			BELL CANADA

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	R4	Heritage Designation:
Height Limit (m):	8	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 5,066 Frontage (m): 46 Depth (m): 49

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,297	1,297	1,230	2,527
Residential GFA (sq m):			22,811	22,811
Non-Residential GFA (sq m):	4,140	4,140		4,140
Total GFA (sq m):	4,140	4,140	22,811	26,951
Height - Storeys:	3	3	29	29
Height - Metres:	16	16	93	93

Lot Coverage Ratio (%): 49.88 Floor Space Index: 5.32

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	22,811	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	4,140	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			350	350
Other:				
Total Units:			350	350

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			237	78	35
Total Units:			237 (68%)	78 (22%)	35 (10%)

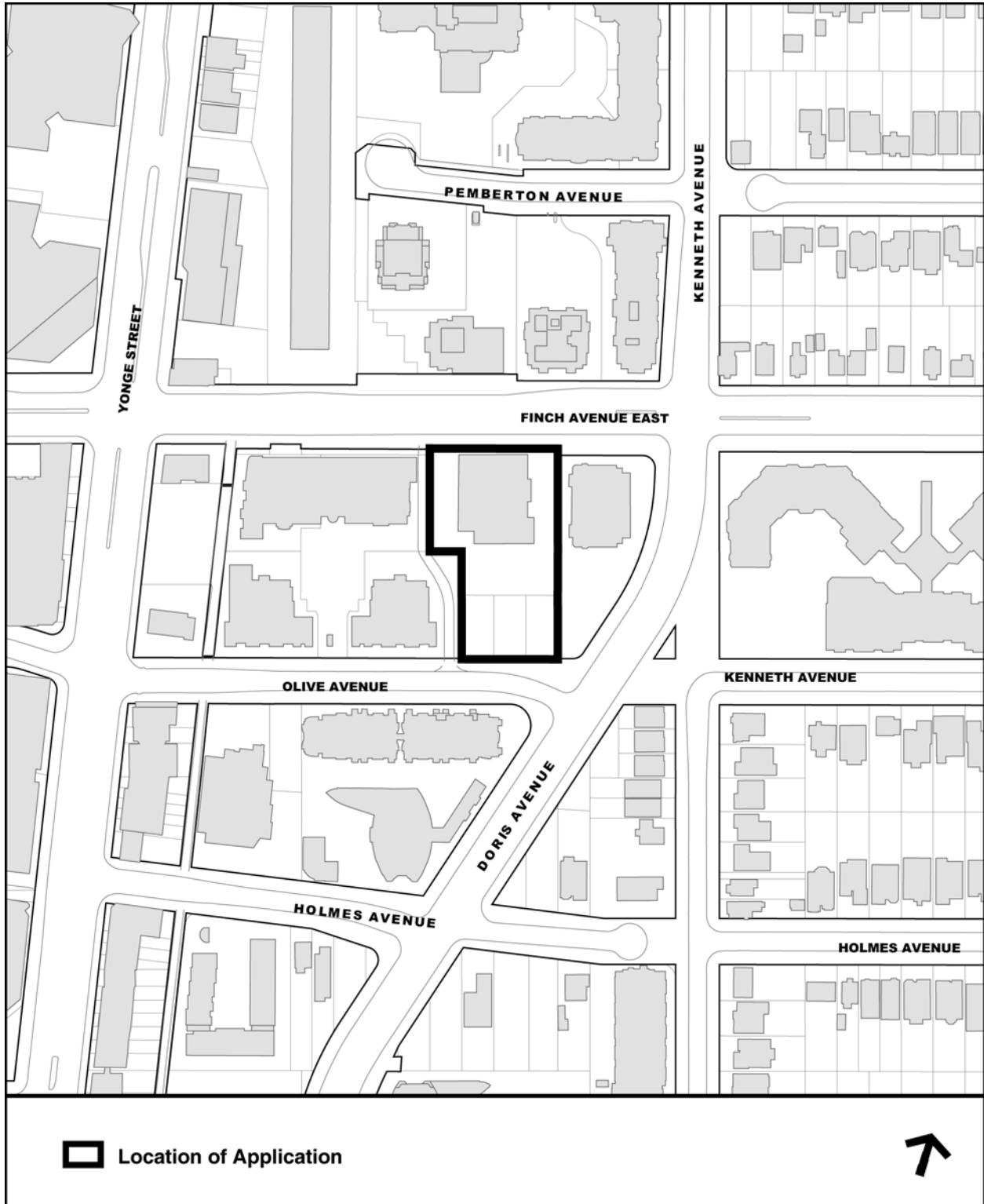
Parking and Loading

Parking Spaces: 113 Bicycle Parking Spaces: 263 Loading Docks: 1

CONTACT:

Heather Au, Planner, Community Planning
(416) 396-5570
Heather.Au@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #16

31 Finch Avenue East

And 32, 36 And 38 Olive Avenue

File # 21 227683 NNY 18 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Other Open Space Areas


 Not to Scale
 Extracted: 11/15/2021

Attachment 4: Existing Zoning By-law Map



31 Finch Avenue East And 32, 36 And 38 Olive Avenue

Zoning By-law 7625

File # 21 227683 NNY 18 0Z



Location of Application

- R4 *One-Family Detached Dwelling Fourth Density Zone*
- RM6 *Multiple-Family Dwellings Sixth Density Zone*
- C1 *General Commercial Zone*
- C4 *Mixed Use Commercial Zone*
- O1 *Open Space Zone*
- O3 *Semi-Public Open Space Zone*



Not to Scale
Extracted: 11/15/2021

Attachment 5: Reference Plan for 15 to 21 Holmes Avenue (PLAN 66R-32436)

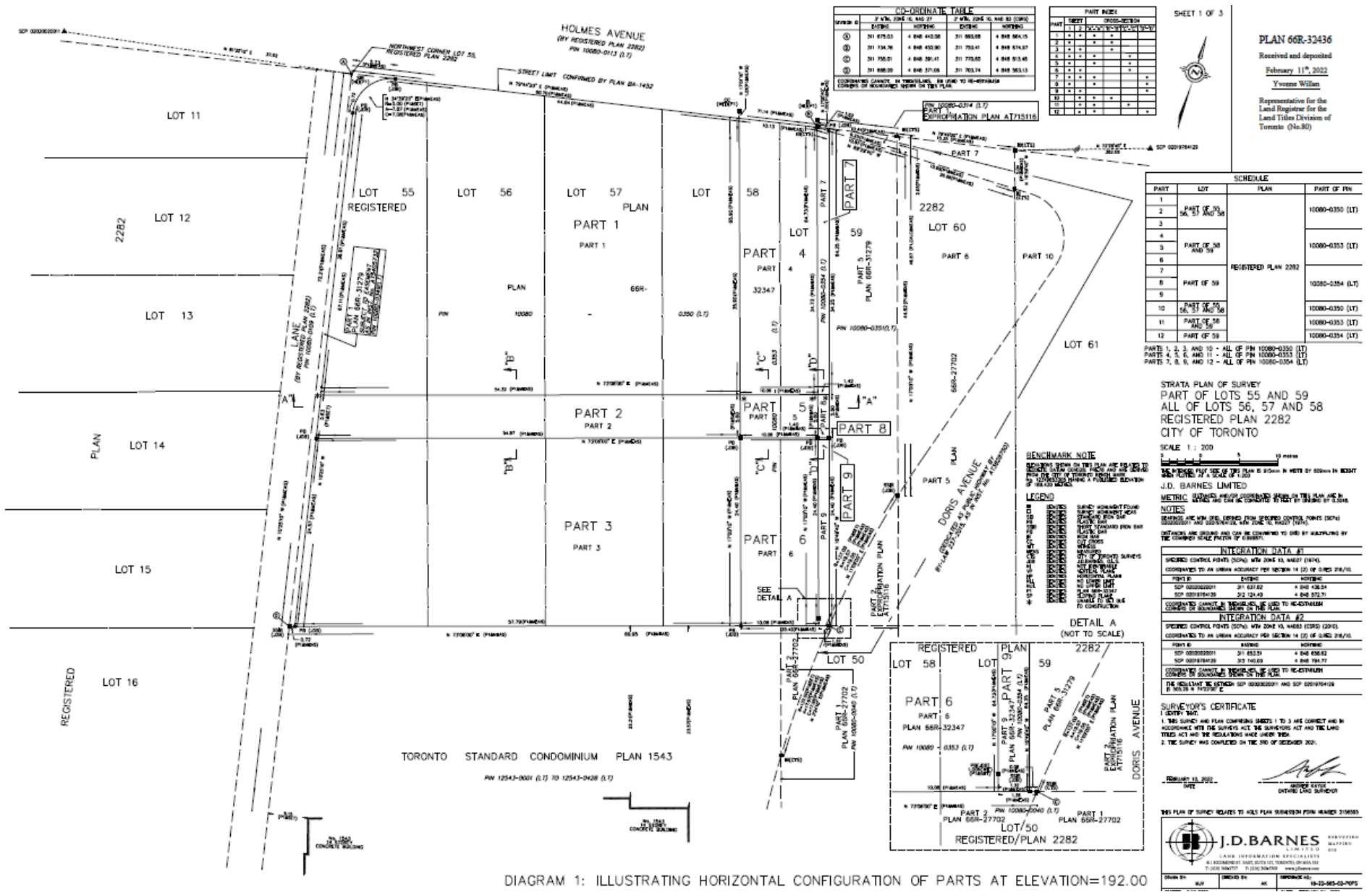


DIAGRAM 1: ILLUSTRATING HORIZONTAL CONFIGURATION OF PARTS AT ELEVATION=192.00

Attachment 6: Draft Official Plan Amendment

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

CITY OF TORONTO

BY-LAW No. ~-2022

To adopt Amendment No. 593 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2021 as 31 Finch Avenue East and 32, 36 and 38 Olive Avenue.

Whereas authority is given to Council under 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. The attached Amendment No. 593 to the Official Plan is adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, 2022

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. 593 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS 31 Finch Avenue East and 32, 36 and 38 Olive Avenue.

The Official Plan of the City of Toronto is amended as follows:

Clause 1

Map 8-13 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Site Specific Policies", is amended in accordance with Schedule "1" attached to create Site Specific Policy Area "20".

Clause 2

Maps 8-8a and 8-8b of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "Maximum Height Limits", are amended in accordance with Schedule "2" and Schedule "3" attached to replace a maximum height of 87 metres above grade and 70 percent of the horizontal distance from the RRPL with a maximum height of 93 metres above grade for the lands.

Clause 3

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended by modifying Section 13, North York Centre North Site Specific Policies, by adding the following Site Specific Policy:

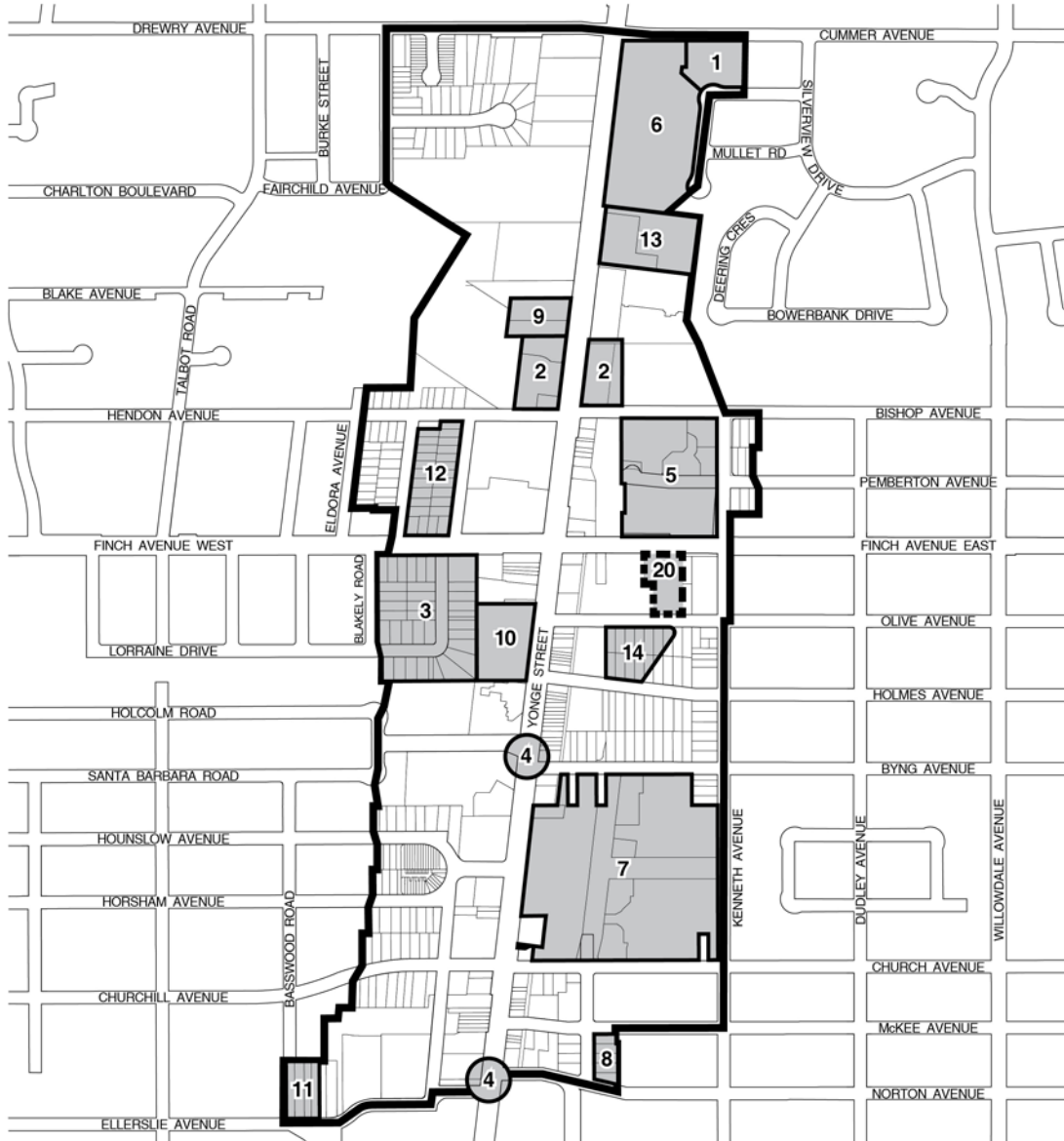
20.) 31 Finch Avenue East and 32, 36 and 38 Olive Avenue

- (a) Pursuant to Section 5.3.5 of this Secondary Plan, buildings along Olive Avenue will not exceed a height of 16 metres at the street frontage.
- (b) Notwithstanding the provisions of Section 4.6.1(b), and/or Appendix 1, the following shall apply:
 - i. vehicular parking shall be provided as follows:
 - 1. a minimum rate of 0.27 resident parking spaces for each dwelling unit;
 - 2. a minimum rate of 0.05 visitor parking spaces for each dwelling unit; and
 - 3. no parking spaces are required for the telephone switching centre.
- (c) Notwithstanding the provisions of Section 4.6.1(f) and/or Appendix 1(a), the required bicycle parking spaces may be provided below grade.
- (d) Notwithstanding Section 6.7 of this Secondary Plan, the Private Outdoor Recreational Space Requirements for Residential Development on the Lands shall be as follows:
 - i. the private outdoor recreational space may be located above-grade.

Clause 4




Notwithstanding Section 3.3(b) of this Secondary Plan, the Owner shall make an upwardly indexed financial contribution to the City of \$1,740,611.13 to be allocated to local area improvements within the vicinity of the lands, to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the local Ward Councillor.

Schedule 1



North York Centre Secondary Plan

MAP 8-13 North York Centre North Site Specific Policies

-  Secondary Plan Boundary
-  Site Specific Policy Areas*
-  Subject Site

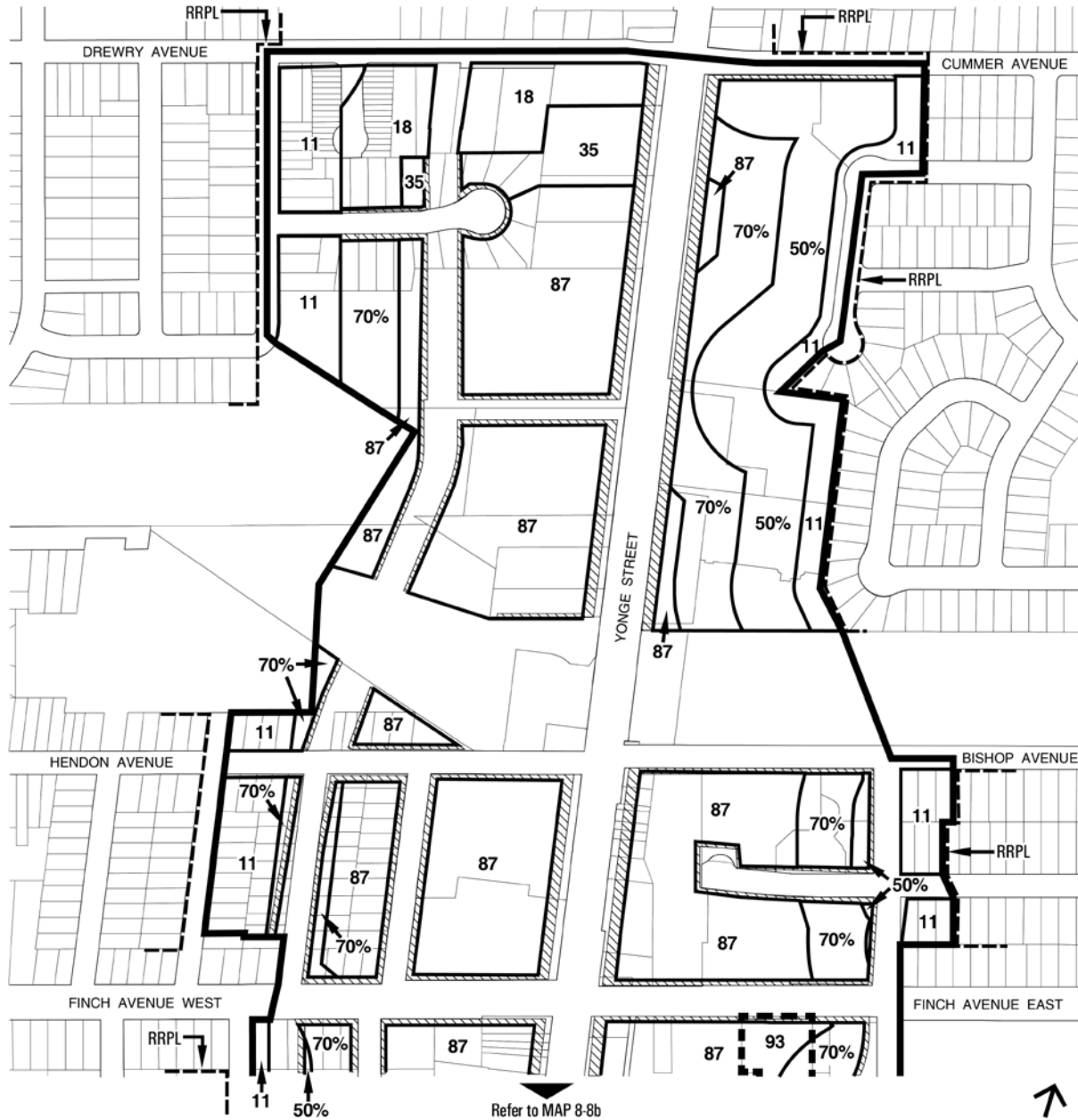
* The shaded areas on this map are subject to the specific policies set out in the North York Centre Secondary Plan, Section 13.

This map forms part of the Official Plan and should be interpreted in conjunction with the written text.



October 2009

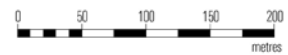
Schedule 2



North York Centre Secondary Plan

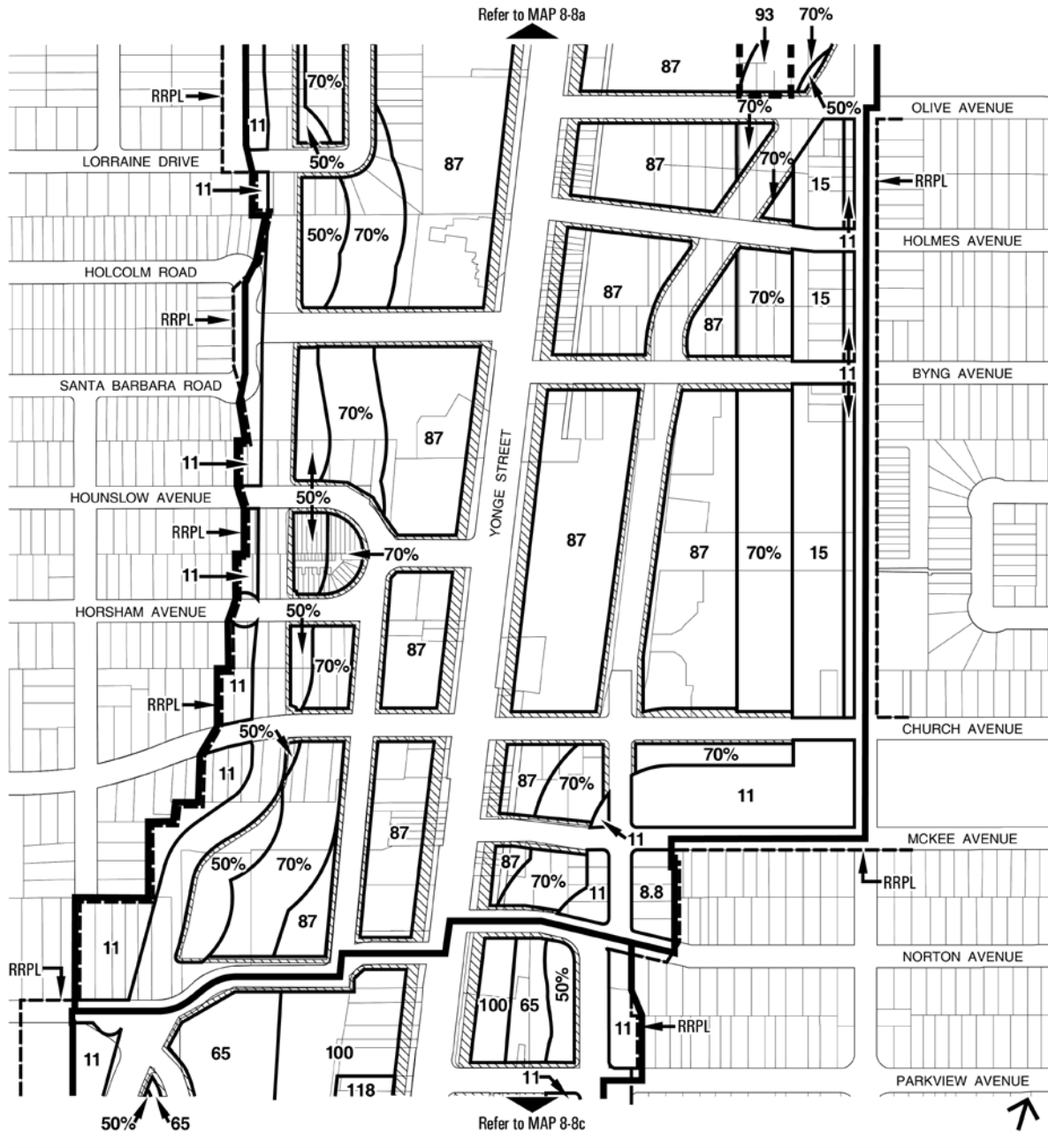
MAP 8-8a Maximum Height Limits

- Secondary Plan Boundary
- The Lesser of 11m or 3 Storeys
- The Lesser of 18m or 6 Storeys
- The Lesser of 35m or 12 Storeys
- Maximum 87m Above Grade
- Maximum 50% Horizontal Distance from RRPL
- Maximum 70% Horizontal Distance from RRPL
- Street Facade Limit as per Section 5.3 of this Secondary Plan
- Relevant Residential Property Line (RRPL)
- Subject Site



June 2006

Schedule 3



North York Centre Secondary Plan

MAP 8-8b Maximum Height Limits

- Secondary Plan Boundary
- The Lesser of 8.8m or 2 Storeys
- The Lesser of 11m or 3 Storeys
- The Lesser of 15m or 4 Storeys
- Maximum 65m Above Grade
- Maximum 87m Above Grade
- Maximum 100m Above Grade
- Maximum 50% Horizontal Distance from RRPL
- Maximum 70% Horizontal Distance from RRPL
- Street Facade Limit as per Section 5.3 of this Secondary Plan
- Relevant Residential Property Line (RRPL)
- Subject Site



November 2015

Attachment 7: Draft Zoning By-law Amendment

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

Enacted by Council: ~2022

CITY OF TORONTO

BY-LAW No. XXX-2022

**To amend former City of North York Zoning By-law No. 7625, as amended,
with respect to lands municipally known in the year 2021 as 31 Finch Avenue
East and 32, 36 and 38 Olive Avenue.**

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

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

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

Whereas the North York Centre Secondary Plan of the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in the density of development in return for the mandatory provision of specified capital facilities expressly associated with those increases; and

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

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

Whereas the owners of the lands hereinafter referred to have elected to provide the capital facilities or funding therefor hereinafter set out in return for the additional density thereby permitted by the North York Centre Secondary Plan; and

Whereas the increase in density permitted hereunder, beyond that otherwise permitted on the aforesaid lands by this By-law, is permitted in return for the provision of the capital facilities or funding therefor set out in the By-law, which are secured by one or more agreements between the owner(s) of the lands and the City of Toronto; and

Whereas pursuant to Section 39 of the *Planning Act*, the Council of Municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings, or structure for any purpose set out therein that is otherwise prohibited by the by-law;

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, as amended, are amended in accordance with Schedule 1 attached to this By-law by deleting the existing Zone and replacing it with the Zone with Exception as shown on Schedule 1 of this By-law.
2. Within the lands shown in heavy outline on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (A) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
 - (B) all water mains and sanitary sewers, and appropriate appurtenances necessary to serve the building or structure, have been installed and are operational.
3. Section 64-20-A of By-law No. 7625, as amended, is further amended by addition the following subsection:

“64.20-A (275) RM6 (275)

DEFINITIONS

BICYCLE PARKING

- (A) For the purpose of this exception, "bicycle room" shall mean an enclosed indoor space that is designed and equipped exclusively for the purpose of parking and securing bicycles.

For the purpose of this exception, "bicycle parking space" shall mean an area that is equipped with a bicycle rack or a locker designed exclusively for the purpose of parking and securing bicycles.

ESTABLISHED GRADE

- (B) For the purpose of this exception, “established grade” shall mean the geodetic elevation of 193.21 metres.

GROSS FLOOR AREA

- (C) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, including any areas used as balconies, but excluding:

- (i) any part of the building used for mechanical floor area;
- (ii) any space in a parking garage at or below grade used exclusively for motor vehicle or bicycle parking or access thereto; and
- (iii) the floor area of unenclosed residential balconies.

For greater certainty, but not so as to restrict generality:

the calculation of gross floor area may exclude – architectural features affixed to or extending beyond the exterior faces of exterior walls; floor slab openings and other voids, including pipe space enclosures throughout, including within residential units; mechanical areas within residential units, including HVAC spaces; stormwater storage tanks; parking ramps and aisles to or within a parking garage; bicycle rooms contained within a parking garage; accessory uses to parking areas within a parking garage including: airlock rooms adjacent to elevators or exits; exit stairs that lead directly from a parking garage to the exterior of the building without serving any other areas; curbs adjacent to parking areas; supporting columns, walls or other like structures in a parking garage; pedestrian walkways within a parking garage; motor vehicle loading spaces, access thereto and adjacent bin staging areas; dead areas adjacent to parking spaces between columns, in corners and around curves or provided to facilitate vehicular turnaround; other spaces in a parking garage not accessible and/or usable due to structural design; and

the calculation of gross floor area shall include – general storage spaces of any kind, including lockers and rooms; bicycle rooms not contained within a parking garage; vestibules other than airlock rooms; garbage and recycling rooms on residential floors; stairs, landings and hallways other than those that lead directly from a parking garage to the exterior of the building without serving any other areas; amenity spaces; elevator lobbies; the floor areas of elevator cabs.

INDOOR RECREATIONAL AMENITY AREA

- (D) For the purpose of this exception, “indoor recreational amenity area” shall mean area(s) set aside for social and/or recreational purposes such as exercise or entertainment rooms, library space, coworking space, lounges, meeting or party rooms, guest suites and other similar uses, which is common to all residents in the building.

MECHANICAL FLOOR AREA

- (E) For the purpose of this exception, “mechanical floor area” shall mean floor area within a building or structure used exclusively for the accommodation of mechanical equipment necessary to physically operate the building, including but not limited to heating, ventilation, air conditioning, electrical, plumbing, fire protection, telephone, telecommunication, cable and elevator equipment, garbage chutes and compactors, stormwater management and irrigation facilities.

LANDSCAPING

- (F) For the purpose of this exception, “landscaping” shall mean planters, trees, shrubs, grass, flowers and other vegetation, decorative stonework, walkways, patios, screening or other horticultural or landscape architectural elements, or any combination of these, but not driveways or parking areas and directly associated elements such as curbs or retaining walls.

LOADING SPACE

- (G) For the purpose of this exception, "Type G loading space" shall mean a loading space that is a minimum of 4.0 metres wide, a minimum of 13.0 metres long and has a minimum vertical clearance of 6.1 metres.

OUTDOOR RECREATIONAL AMENITY AREA

- (H) For the purpose of this exception, “outdoor recreational amenity area” shall mean area(s) set aside for social and/or recreational purposes such as playgrounds, landscaping, outdoor swimming pools and seating areas, which is common to all residents of the building.

SALES OFFICE

- (I) For the purpose of this exception, “sales office” shall mean an office located on the lands in a temporary or existing building, structure, facility or trailer satisfactory to the City’s Chief Planner used exclusively for the purpose of selling or leasing the residential dwelling units or the non-residential gross floor area to be erected within the site.

PERMITTED USES

- (J) The only permitted uses shall be:
- (i) a telephone switching centre;
 - (ii) an apartment house dwelling and accessory uses thereto including private recreational amenity areas and common outdoor space; and
 - (iii) a temporary sales centre.

EXCEPTION REGULATIONS

MAXIMUM GROSS FLOOR AREA

- (K) The maximum total gross floor area permitted on the site shall not exceed 20,264 square metres, of which:
- (i) a maximum of 4,140 square metres is permitted for a telephone switching station; and
 - (ii) a maximum of 16,124 square metres is permitted for an apartment house dwelling.

BUILDING ENVELOPE

- (L) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule RM6 (275) except for projections permitted in Section 6(9) of the By-law as well as balconies, terraces, wind mitigation features, lighting fixtures, awnings, ornamental elements, commercial signage, parapets, trellises, window sills, guardrails, balustrades, railings, vents, underground garage ramps and their associated structures, fences, screens, landscaping, planter boxes, intake and exhaust vents and architectural projections, all of which may project up to a maximum of 3.0 metres, and stairs and stair enclosures, which may project up to a maximum of 3.5 metres.

BUILDING HEIGHT

- (M) The building height, measured from established grade, shall not exceed the maximum height in metres shown on Schedule RM6 (275), excluding mechanical penthouses, parapets and other architectural features, mechanical equipment and other elements necessary for the functional operation of the building and stairwells to access the roof, including stairwell and landings within residential units providing access to the rooftop terrace.

NUMBER OF STOREYS

- (N) The number of storeys shall not exceed the maximums shown on Schedule RM6 (275), excluding mechanical penthouses, mechanical equipment and other elements necessary for the functional operation of the building and stairwells to access the roof, including stairwell and landings within residential units providing access to the rooftop terrace.

- (O) Residential terraces and mechanical penthouse uses may be located on the same level.

EXISTING BUILDING

- (P) Notwithstanding subsections (L), (M) and (N) above, the telephone switching centre shown as “Existing Building” on Schedule RM6 (275) is permitted.

MOTOR VEHICLE PARKING

- (Q) Motor vehicle parking spaces shall be provided in accordance with the requirements of the City of Toronto By-law No. 89-2022, as amended by By-law No. 125-2022, as follows:
- (i) a minimum rate of 0.27 resident parking spaces for each dwelling unit;
 - (ii) a minimum rate of 0.05 of visitor parking spaces for each dwelling unit; and
 - (iii) no parking spaces are required for the telephone switching centre.

BICYCLE PARKING

- (R) Bicycle parking spaces shall be provided in accordance with the following requirements:
- (i) a minimum of 238 bicycle parking spaces for residents;
 - (ii) a minimum of 25 bicycle parking spaces for visitors; and
 - (iii) no bicycle parking spaces are required for the telephone switching centre.
- (S) Bicycle parking shall comply with the following standards:
- (i) where bicycles are to be parked on a horizontal surface, each bicycle parking space shall have horizontal dimensions of at least 0.6 metres in width by 1.8 metres in length;
 - (ii) where bicycles are to be parked in a vertical position, each bicycle parking space shall have horizontal dimensions of at least 0.6 metres in width by 1.2 metres in length; and
 - (iii) where bicycles are to be parked in bicycle rack(s) or in a stacked manner, bicycles may be parked in a secured room or area or on a rack/hook on a wall associated with a vehicle parking space on any parking level so long as such rack/hook does not encroach into a vehicle parking space, and in all such cases the dimensions in (i) and (ii) shall not be required.

LOADING

- (T) A minimum of one Type 'G' loading space shall be provided.

INDOOR RECREATIONAL AMENITY AREA

- (U) A minimum of 1.5 square metres per dwelling unit of indoor recreational amenity area shall be provided.

OUTDOOR RECREATIONAL AMENITY AREA

- (V) A minimum of 1.5 square metres per dwelling unit of outdoor recreational amenity area shall be provided at or above grade.

YARD SETBACKS

- (W) The minimum yard setbacks shall be as shown on Schedule RM6 (275).

PROVISIONS NOT APPLICABLE

- (X) The provisions of Sections 6A(2), 6A(16)(d)(iv), 6(9)(a),(b) 15.8, and 20-A.2.2, 20-A.2.4, 20-A.2.4.1, 20-A.2.5, and 20-A.2.6 do not apply.

INCREASED DENSITY

- (Y) Matters that are to be provided pursuant to Section 37 of the Planning Act, R.S.O 1990, c. P.13, as amended, in order to permit the increased maximum gross floor area authorized under subsection (AA) of this exception, are:

SECTION 37 OBLIGATIONS REQUIRED IN RETURN FOR ADDITIONAL GROSS FLOOR AREA PERMITTED

- (Z) The owner of the subject lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the capital facilities referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to, the agreements referred to above shall provide for or fund the following facilities on terms satisfactory to the City of Toronto in exchange for the increased density hereinafter set out:
- (i) a minimum of 1.5 square metres per dwelling unit of indoor recreational amenity space; and
 - (ii) a contribution of \$1,740,611.13 to be allocated to local area improvements within the vicinity of the subject site, to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the local Ward Councillor.

ADDITIONAL GROSS FLOOR AREA PERMITTED IN RETURN FOR SECTION 37 OBLIGATIONS

- (AA) Notwithstanding subsection (K) of this exception, additional residential gross floor area may be permitted, limited to the following:
- (i) a maximum of 1.5 square metres per dwelling unit of indoor recreational amenity area; and
 - (ii) a maximum of 6,162 square metres of residential gross floor area within the residential site attributable to the payment specified in (Z)(ii) above.

SEVERANCE

- (BB) Notwithstanding any past or future severance, partition or division of the net site shown on Schedule RM6 (275), the provisions of this By-law shall apply to the whole of the net site as if no severance, partition or division occurred.
4. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding Schedule "RM6 (275)" attached to this By-law.
 5. Where any provision or Schedule of By-law 7625 of the former City of North York, as amended, conflicts with this By-law, this By-law shall prevail.

6. By-laws 26173 and 26841 of the former City of North York are repealed.

ENACTED AND PASSED this ~ day of ~, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

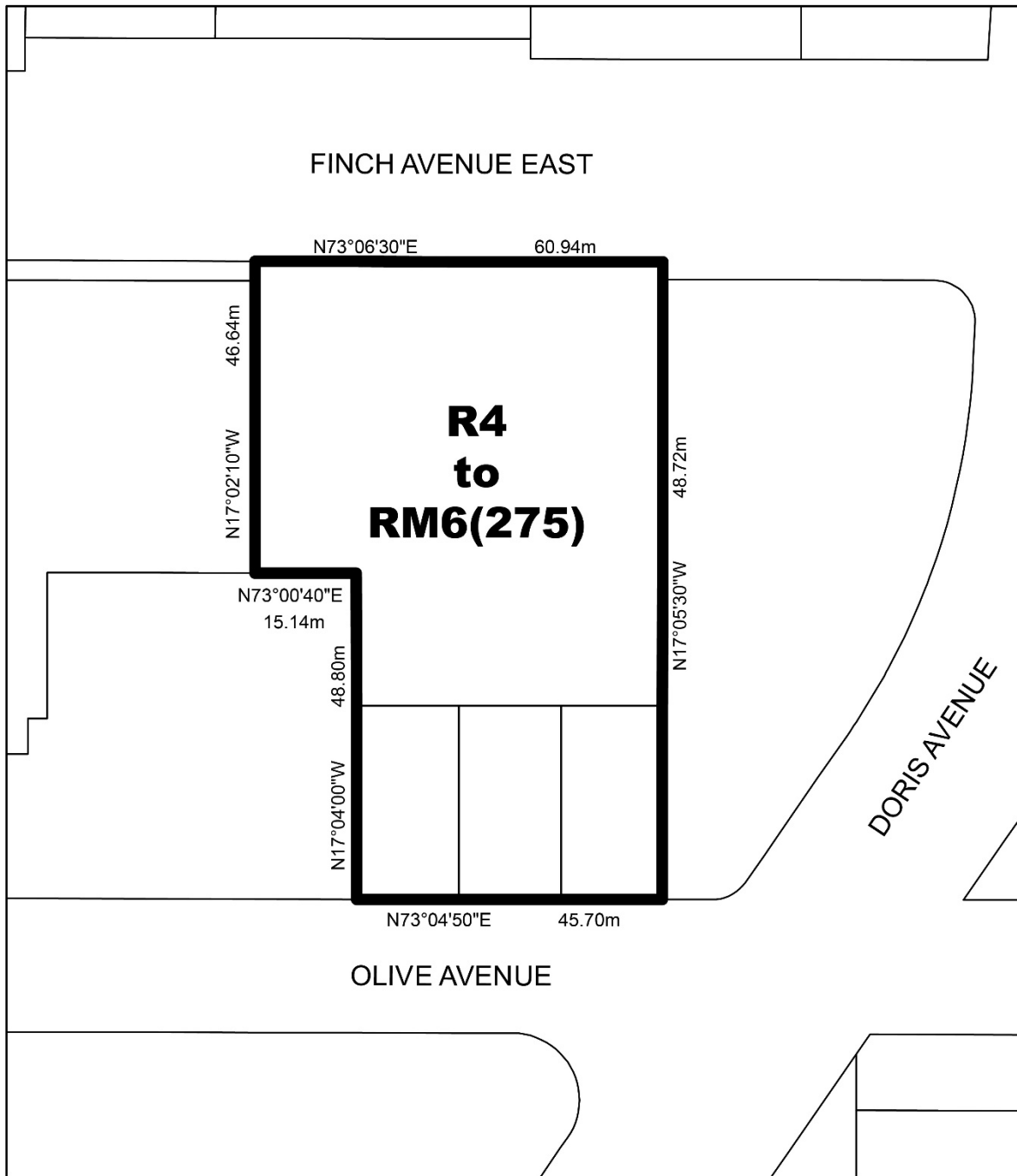
SCHEDULE A

Section 37 Provisions

Prior to the issuance of any Building Permit, the facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Schedule 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the *Planning Act*, as it read the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020, S.O. 2020, c.18 came into force, whereby the owner agrees to provide as follows:

1. Prior to the issuance of the first above-grade building permit for the proposed development, the Owner shall:
 - (i) Make an upwardly indexed financial contribution to the City of \$1,740,611.13 to be allocated to local area improvements within the vicinity of the subject site, to the satisfaction of the Chief Planner and Executive Director City Planning, in consultation with the local Ward Councillor;
 - (ii) The amount in 1(i) above will be indexed upwardly in accordance with Statistics Canada Residential Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the execution of the Agreement to the date of payment;
 - (iii) In the event that the cash contribution in 1(i) above has not been used for the determined purposed within three years of the amending zoning by-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, provided the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands; and
 - (iv) Indoor residential recreational amenity space at a size of not less than 1.5 square metres per dwelling unit, eligible as a density incentive in accordance with Section 3.3 of the North York Centre Secondary Plan.
2. The following are also to be secured as a matter of legal convenience in the Section 37 Agreement, but are not eligible for additional Gross Floor Area:
 - (i) The Owner shall convey to the City as off-site parkland dedication the lands shown as Parts 3, 6 and 9 on Reference Plan 66R-32436, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
 - (ii) The Owner shall make a contribution in the amount of \$50,000 to be allocated toward the City of Toronto Bike Share program for investment in the expansion of the program in the Willowdale area; and

- (iii) The Owner will construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan Control application.



TORONTO
Schedule 1

**31 Finch Avenue East &
32, 36 and 38 Olive Avenue**
File # 21 227683 NNY 18 0Z

↑
Former City of North York By-law 7625
Not to Scale
06/02/2022



TORONTO
 Schedule RM6(275)

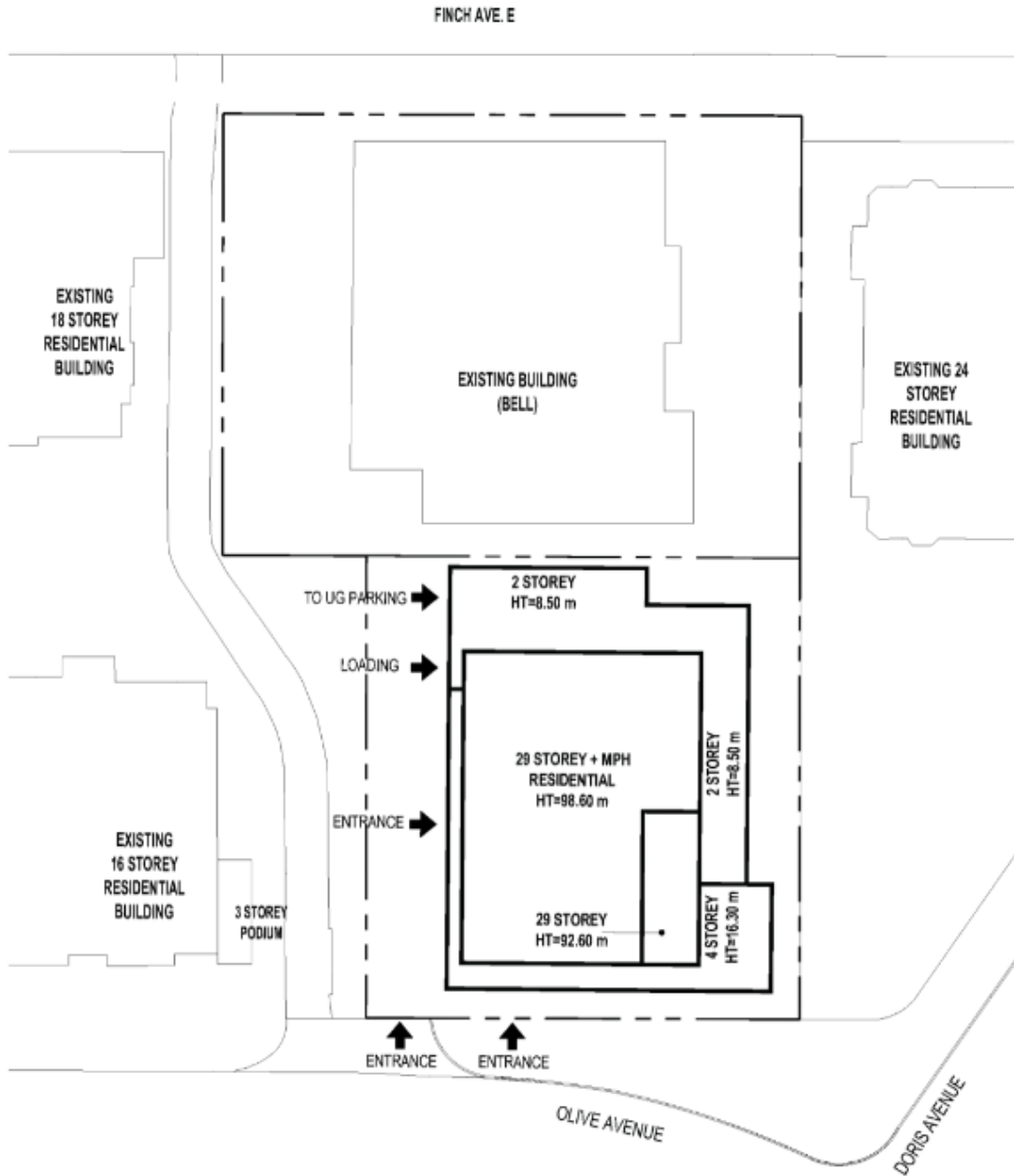
**31 Finch Avenue East &
 32, 36 and 38 Olive Avenue**

File # 21 227683 NNY 18 02



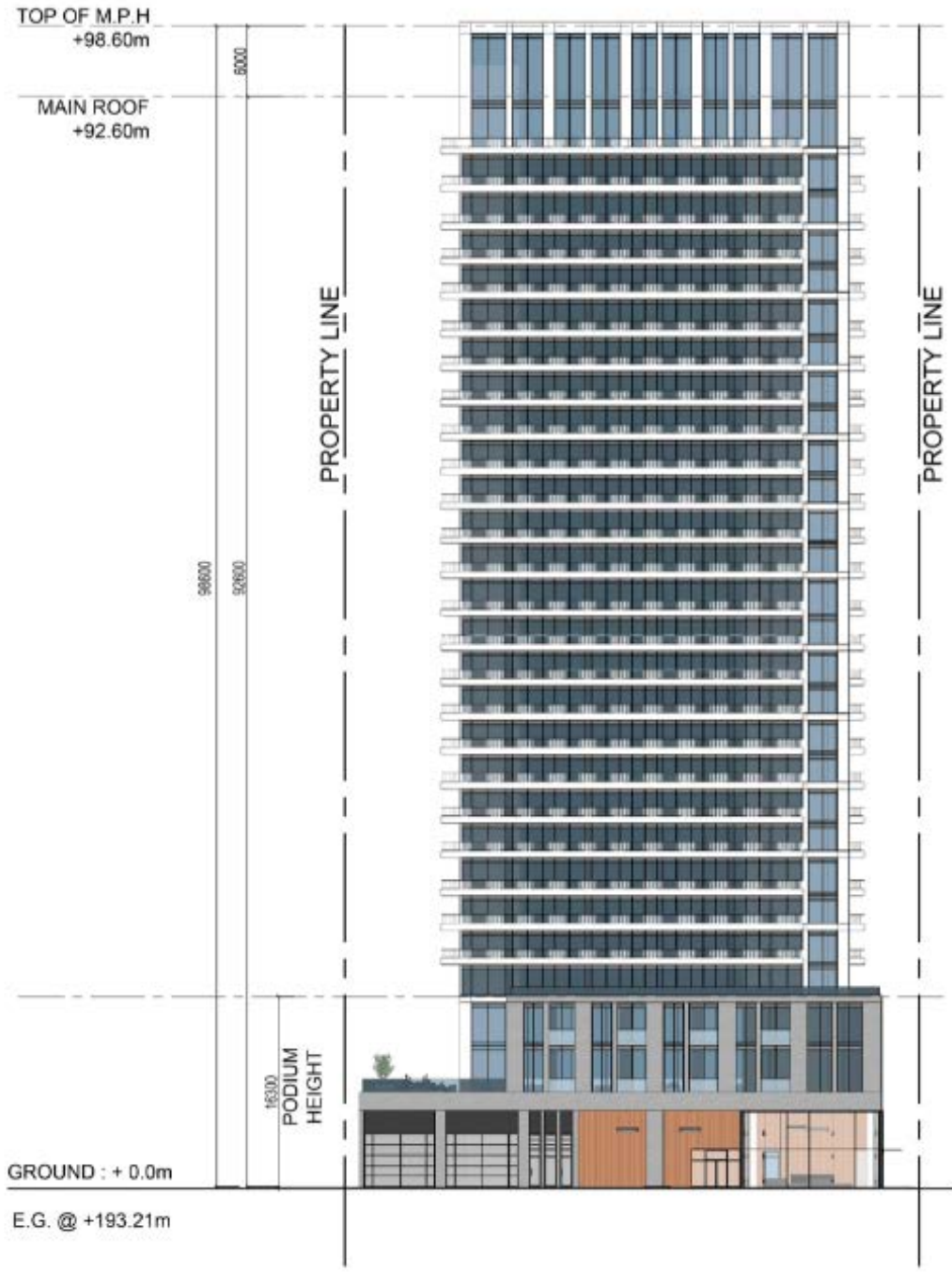
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Attachment 8: Site Plan



Site Plan 

Attachment 9: Elevations



East Elevation