

172 - 186 Finch Ave W, 1-33 Grantbrook Street and 305-313 Hendon Ave – Official Plan Amendment and Zoning Amendment Applications – Appeal Report

Date: March 16, 2023

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 18 - Willowdale

Planning Application Number: 21 124969 NNY 18 OZ

Related Applications: 21 124 124972 18 SA

Designated Heritage Property On-site: The Arthur Edward Waine House is designated under Part IV of the Ontario Heritage Act by By-law 1597-2012, enacted by Council on November 27, 2012.

SUMMARY

As of September 28, 2021, a complete Official Plan and Zoning By-law Amendments application was submitted to permit mid-rise buildings, low-rise apartments and townhouses ranging from three to 11 storeys (12 to 38 metres) with a total of 49 residential units at 172-186 Finch Avenue West, 1-33 Grantbrook Street and 305-313 Hendon Avenue.

On November 30, 2022, the applicant appealed the Official Plan and Zoning By-law Amendment application to the Ontario Land Tribunal ("OLT") citing Council's failure to make a decision within the prescribed time frame specified in the *Planning Act*. A Case Management Conference is scheduled for March 30, 2023.

This report recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the OLT hearing and oppose the application in its current form and to continue discussions with the applicant to resolve the outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff, to attend the Ontario Land Tribunal in opposition to the applications at 172-186 Finch Avenue West, 1-33 Grantbrook Street and 305-313 Hendon Avenue.

2. In the event the OLT allows the appeal, in whole or in part, City Council authorize the City Solicitor to request the OLT withhold the issuance of its final Order(s) until the OLT has been advised by the City Solicitor that:

(a) The final form and content of the draft Official Plan and Zoning By-law amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

(b) The owner has addressed the matters identified in the Engineering and Construction Services Memorandum dated July 29, 2021, and any outstanding issues arising from the ongoing technical review (including the provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendments application to the satisfaction of the General Manager, Transportation Services and the Chief Engineer and Executive Director, Engineering and Construction Services;

(c) In the event the updated servicing reports referred to in 2.(b) identify necessary upgrades to the servicing or functional items above, the owner shall enter into financially secured agreement(s) for the construction of any such improvements all to be completed at no cost to the City and to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services or alternatively, a holding provision may be required in the implementing zoning by-law, to ensure the necessary infrastructure is in place before any development can proceed;

(d) The applicant submits a plan of subdivision application in order to secure the public street and required public conveyances to City standards;

(e) The owner has addressed heritage matters regarding the relocation strategy and mitigation assessment to the satisfaction of the Senior Manager of Heritage Planning, Urban Design and the Chief Planner and Executive Director, City Planning;

(f) The owner has submitted a revised Travel Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services and that such matters arising from such study be secured if required; and

(g) the owner has submitted updated complete Toronto Green Standards Checklists and Statistics Templates to the satisfaction of satisfaction of the Chief Planner and Executive Director, City Planning.

3. In accordance with Section 42 of the Planning Act, prior to the first above-grade permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 3,135 square metres located in the northwest corner of the site, with frontage on Hendon Avenue and Grantbrook Street, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

4. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the above base park improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the above base park improvements, as approved by the General manager, PFR and the Parks and Recreation component of the development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
5. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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 March 2007, the Arthur Edward Waine House at 172 Finch Avenue was considered of heritage value under the *Ontario Heritage Act*. The report and implementing By-law can be found at the below links:

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-1992.pdf>
<http://www.toronto.ca/legdocs/bylaws/2012/law1597.pdf>

Subsequently, the property was deemed as being of cultural heritage value or interest by way of City of Toronto By-law No. 1597- 2012. The By-law to Designate the Property can be found at: <http://www.toronto.ca/legdocs/bylaws/2012/law1597.pdf>

An application to demolish the building at 172 Finch Avenue West was submitted on October 15, 2014. At its meeting on February 10, 2015, City Council authorized the City Solicitor and appropriate staff to support the refusal of the application for demolition under Section 34 of the *Ontario Heritage Act* for the property at 172 Finch Avenue West, which was appealed to the Ontario Municipal Board (File No. MM140090). On March 2, 2016, the OMB's decision confirmed that the Heritage Demolition application was withdrawn.

On June 11, 2013, a proposal for a 6-storey mixed-use building fronting onto Finch Avenue West and 32 stacked townhouse dwellings served by a private internal driveway providing access to both Finch Avenue West and Grantbrook Street on the former smaller site (only 172 to 180 Finch Avenue West, 1 -11 and 23 Grantbrook Street - File # 13 185749 NNY 23 OZ). Anndale Properties Limited appealed the Official Plan and Zoning By-law Amendments application to the OMB due to Council's failure to make a decision within the time prescribed by the *Planning Act*. On October 23, 2015, the OMB endorsed a settlement between the applicant and the City. Through that settlement the Central Finch Area Secondary Plan's boundary would be maintained

and the proposed private road would be converted to an 18.5-metre wide public road to city standards. The approval also maintained the Secondary Plan's height, setback and angular plane policies by ensuring that the proposed mixed-use building would be 6-storeys within the portions of the mixed-use building within the Mixed-Use Area 'A' designation and then lowered to 4 storeys for portions of the mixed-use building located within the Mixed-Use Area 'B' designation which conformed to the Central Finch Area Secondary Plan. This approval included that both the proposed townhouse blocks and the mixed-use building did not exceed 70 percent of the horizontal distance from the adjacent *Neighbourhoods* designation and that 23 Grantbrook Street remain outside the Central Finch Area Secondary Plan boundary. This approval package also included a 1,016 square metre of retail space at grade, a new public park, and the Arthur Edward Waine House was to be relocated and restored. The OMB's decision is available at <https://www.omb.gov.on.ca/e-decisions/pl141059-Mar-02-2016.pdf>.

On March 9, 2021, a new proposal was submitted for an expanded site which added 25-33 Grantbrook Street and 305-313 Hendon Avenue to the subject site. A Preliminary Report was adopted by North York Community Council on January 6, 2021, directing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report can be found here: [172 to 186 Finch Avenue West, 1 to 33 Grantbrook Street, and 305 to 313 Hendon Avenue – Official Plan and Zoning By-law Amendment Applications – Preliminary Report \(toronto.ca\)](#)

THE SITE

Description This site is generally rectangular in shape and has an approximate area of 21,000 square metres. The site fronts three public roads: Finch Avenue West, Grantbrook Street and Hendon Avenue.

Existing uses: The site contains a vacant heritage-designated building at 172 Finch Avenue West and existing dwellings at 25-33 Grantbrook Street and 305-313 Hendon Avenue. The lots at 176-180 Finch Avenue West and 1-11 and 23 Grantbrook Street are vacant.

Surrounding Uses:

North: 1-2 storey detached dwellings on the north and south sides of Hendon Avenue.

East: St. Antoine Daniel Catholic School and a combination of 1-2 storey detached dwellings and converted detached dwellings for commercial use and townhouses on both sides of Finch Avenue West.

South: 1-2 storey detached dwellings or businesses on lands designated *Mixed Use Areas* sharing the south property line with low-rise residential dwellings within lands designated *Neighbourhoods*.

West: 1-2 storey detached dwellings and or businesses, townhouses, a 4-storey mixed-use building.

THE APPLICATION

The proposal comprises eight development blocks that are served by a proposed new public street with a width of 16.5 metres that is to function as the site's primary access. This street extends north from Finch Avenue West at the eastern end of the site connecting to Hendon Avenue. The total gross floor area of the proposal is 49,331 square metres including a non-residential gross floor area of 426 square metres within Block A with an overall Floor Space Index of 2.34. Each block is proposed to be developed as follows:

Block	Description	Units	Height
Block A	11 storey mixed-use building	222 units	38 metres
Block B	6 storey residential building	96 units	23 metres
Block C	4 storey residential building	55 units	16 metres
Block D	4 storey residential building	55 units	16 metres
Block E	4 storey residential building	55 units	16 metres
Block F	3 storey townhouses	6 units	12 metres
Block G	3 storey townhouses	6 units	12 metres
Block H	1 storey heritage building	0 units	n/a
	Total units	495 units	

For the proposed total 495 units the unit breakdown consists of 279 one-bedroom units (56%); 162 two-bedroom units (33%); and 54 three-bedroom units (11%).

Two 6-metre wide private driveways are also proposed within the site to provide access to loading, underground parking, drop-off and surface parking areas. The southerly private driveway provides secondary site access from Grantbrook Street and connects to the new public street. Surface on-street parking has been provided along the two private driveways. The first bay of parking spaces is located along the west side of the northern private driveway, between Blocks C and D. The second bay of parking spaces is located along the south side of the southern private driveway, between Blocks A and B.

A total of 522 vehicular parking spaces are proposed, of which 457 spaces are located within the underground parking garage, 41 spaces are located on the surface, and 24 spaces have been allocated for the townhouses within driveways and garages; and a total of 378 bicycle parking spaces are proposed, of which 35 are allocated for residential short term spaces, 337 are allocated for residential long-term spaces, 5 are allocated for retail short term and 1 space is dedicated for retail long-term. While all the

long-term spaces (338) have been located underground, 40 short-term spaces are provided on the surface in various locations.

Additional Information

See Attachments 1, 2 and 6-8 of this report for a location map, the Application Data sheet, site plan and three-dimensional representations of the project in context. The Application Data Sheet contains additional details on the proposal including site area and dimensions, floor area, unit breakdowns, and parking counts.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=sQbulYg7xpLhAbMluY%2BTvQ%3D%3D>

Reasons for Application

The subject lands are a consolidation of individual parcels that are currently designated as *Mixed Use Area 'A'* and *Mixed Use Area 'B'* in the Central Finch Area Secondary Plan, and *Neighbourhoods* in the Official Plan. The proposed Official Plan Amendment seeks to create a Site and Area Specific Policy to permit:

- A maximum of 495 units;
- A maximum of 49,331 square metres of gross floor area;
- A maximum of floor space index (FSI) of 2.34; and
- A maximum height of 11 storeys or 38 metres along Finch Avenue West.

Amendments to former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013 are required to permit the proposed built form and to permit the proposed height and densities. The application is also required to establish new development standards related to, but not limited to angular plane, building setbacks, parking, and loading.

Site Plan Control

A Site Plan Control application (File no. 21 124972 NNY 18 SA) has been submitted but has not been appealed to the OLT.

POLICY CONSIDERATIONS

Official Plan Designation: The southern half of the proposed development is located on lands shown as *Mixed Use Areas* on Map 16 of the Official Plan. The north half of the proposed development is located on lands shown as *Neighbourhoods* on Map 16 of the Official Plan (Attachment 3). The Urban Structure Map 2 of the Official Plan identifies this portion of Finch Avenue West as an *Avenue* and *Right-Of-Way Widths Associated with Existing Major Streets* on Map 3 indicates this portion of Finch Avenue West has a planned width of 36 metres. Map 4 and Map 5 of the Official Plan identifies this portion of Finch Avenue as a *High Order Transit Corridor* and a *Transit Priority Segment*, respectively. The City's Official Plan is available here:

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

Central Finch Area Secondary Plan: The south portion of the site is also located within the Central Finch Area Secondary Plan. The south portion of the site is designated Mixed Use Area 'A' (176 to 186 Finch Avenue West, and 1-11 Grantbrook Street) and Mixed Use Area 'B' (172 Finch Avenue West) in the Central Finch Area Secondary Plan.

The Central Finch Area Secondary Plan can be found here: <https://www.toronto.ca/wp-content/uploads/2017/11/9805-cp-official-plan-SP-9-SheppardEast.pdf>

Zoning: The lands at 176 to 186 Finch Avenue West and 1-11 Grantbrook Street are zoned "General Commercial Zone (C1) and (C1-53)" in Zoning By-law No. 7625 for the former City of North York. The lands at 172 Finch Avenue West and 23 to 33 Grantbrook Street and 305 to 313 Hendon Avenue are zoned "One-Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law No. 7625 for the former City of North York (see Attachment No. 5). The C1 zoning permits various commercial uses, while the C1(53) zone only permits a garden centre. The R4 zoning permits single detached dwellings and accessory buildings.

The subject lands at 172 to 186 Finch Avenue West, as well as 1-11 Grantbrook Street are excluded from City of Toronto Zoning By-law No. 569-2013. City of Toronto Zoning By-law No. 569-2013 zones the subject properties at 23 to 33 Grantbrook Street and 305 to 313 Hendon Avenue as "Residential Detached Zone" (RD (f15.0; a550) (x5)) (see Attachment No. 4). The RD (f15.0; a550) (x5) zoning permits single detached dwellings and accessory buildings. The City's Zoning By-law 569-2013 may be found here: https://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT

Heritage Designation: The Arthur Edward Waine House at 172 Finch Avenue West has been designated as having heritage value under the *Ontario Heritage Act*.

Design Guidelines: The following guidelines have been used in the evaluation of this application:

- Development Infrastructure Policy and Standards
- Townhouse & Low-Rise Apartment Guidelines
- Avenues and Mid-rise Buildings Study and Performance Standards
- Growing Up Guidelines: Planning for Children in New Vertical Communities
- Retail Design Manual
- Toronto Green Standard

The City of Toronto's design guidelines are available online here:

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

COMMUNITY CONSULTATION

A Virtual Community Consultation Meeting was hosted by City Planning staff on April 14, 2022. Approximately 51 people participated, as well as the local Ward 18 Councillor. Following a presentation by City staff and the applicant, the following comments and issues were raised by the community:

- Proposed street introducing traffic into the neighbourhood and the local streets
- Noise and traffic concerns from the proposed development and proposed street
- Proposed new residents when existing schools are at or over capacity
- Proposed building heights and densities are out of character with the neighbourhood and Secondary Plan limits
- Proposed density impact on the street and driveway network
- Appropriate relocation and restoration of the heritage property (Edward Arthur Waine)
- The proposed heights set a new precedent on Finch Avenue West
- Lack of green space
- Imbalance of proposed commercial to residential gross floor area in an area that lacks the supply of goods and services needed by the community within walking distance
- Lack of car sharing parking spaces and electric vehicle charging
- Insufficient amount of family units and proposed 3-bedroom units
- Feasibility for retail use to be successful is a 4-storey mixed-use building

COMMENTS

Provincial Framework

Staff's review of this application have had regard for the relevant matters of provincial interest as set out in the *Planning Act*. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement ("PPS") and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan").

The proposal fails to implement matters of provincial interest and is not consistent with PPS contained in Policy 1.1.1 A healthy, livable and safe communities, 1.7 Long-term economic prosperity and 2.6 Cultural Heritage and Archaeology.

The proposal does not conform to the Growth Plan as it fails to implement Policy 2.2.1 Managing growth and the achievement of complete communities and 4.2.7, Cultural heritage resources. 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 to provincial plans. Council's opposition to the proposal would also be consistent with the PPS and conform to the Growth Plan.

Land Use

In keeping with the key objectives of the Central Finch Area Secondary Plan, redevelopment between Bathurst Street and Willowdale Avenue should be primarily mixed-use buildings including street-oriented retail, commercial and community services

fronting on Finch Avenue West. The proposal provides retail (at the corner of Finch Avenue West and Grantbrook Street), residential and office uses at the street level, however, it does not maintain the previously approved commercial space of 1,016 square metres associated with a significantly lower residential gross floor area on the former smaller site. Office and residential uses should be relocated to the upper floors to provide a continuous active retail space at-grade that also extends to the corner of Finch Avenue West and the new public street. The development of vibrant and complete communities depends on a wide variety of retail, restaurant and service options to meet the daily needs of current and new residents within walking distance. Retail corners offer a unique opportunity that takes advantage of the most visible locations and highest pedestrian volumes where transit stops exist, therefore, the most potential for promoting social interaction and neighbourhood identity.

Site Organization and Built Form

The proposed development does not conform to the Official Plan, the Central Finch Area Secondary Plan and relevant Design Guidelines.

The application proposes two mid-rise buildings within lands designated *Mixed Use Areas* of the Secondary Plan: an 11-storey mixed-use building (Block A) that exceeds the height of *Mixed Use Area A* by five storeys and *Mixed Use Area B* by seven storeys. Both buildings exceed the density limits of the Secondary Plan and do not provide the appropriate transitions and minimum setbacks from the Secondary Plan boundary that intersects with the *Neighbourhoods* property line. Instead, the proposal adds a 6-storey residential building within the required rear yard setback and angular plane.

The proposed 11-storey building (Block A) also does not provide an adequate angular plane to ensure appropriate sunlight is provided on the public sidewalk. For a corner building, step-backs should be applied above the street wall that is higher than 80% of Grantbrook Street and the new street to ensure an appropriate pedestrian scale built form along the public streets.

Block H is located in *Mixed Use Area B* which would contain the relocated heritage building that will function as amenity space for new residents (refer to the Heritage Impact & Conservation Strategy section for further comments).

The northern half of the proposal is located on 23-33 Grantbrook Street and 305-313 Hendon Avenue and the remaining development Blocks C, D, E and F are on lands designated *Neighbourhoods*.

The proposed 4-storey walk-up apartments and townhouse units located within the *Neighbourhoods* designation do not respect and reinforce the physical character of the area as required by the Official Plan including building heights, massing, scale and density of the existing buildings as well as existing setbacks from the streets, rear yards and landscaped open space which includes the preservation of existing healthy trees and appropriate setbacks from abutting school yard. Separation distances between apartment blocks are also insufficient.

Furthermore, staff do not support the proposed private driveway network that provides a vehicular connection to Blocks A, C, D and E and also provides access to the shared loading space (Block A), underground parking (Block B), drop-off area and 41 surface parking spaces. A public road should be created through a subdivision process. Surface parking should be relocated to the underground garage and access points from the public streets should be consolidated. Furthermore, the private driveway should be replaced by a pedestrian mews that extends the pedestrian network, enhances pedestrian amenities and provides safe and direct routes to nearby transit service and local destinations.

Heritage Impact & Conservation Strategy

The Arthur Edward Waine House at 172 Finch Avenue West has been designated as heritage value under the *Ontario Heritage Act* and of cultural heritage value.

Heritage Planning staff have reviewed the Heritage Impact Assessment (the "HIA") prepared by ERA Architects Inc. dated May 9, 2013. An updated HIA was prepared by ERA Architects Inc. dated July 26, 2021 to reflect the current proposal. Heritage Planning noted concerns regarding the state of deterioration to the heritage property. As a designated heritage property, the owner is required under Article V, Chapter 629 of the Toronto Municipal Code, to maintain minimum standards for the maintenance of a property designated under the *Ontario Heritage Act*.

While the historic house appears to be subject to a relocation strategy in the current proposal similar to that which was approved by the OMB on October 23, 2015, additional details regarding the impact of the additional proposed massing on and around the heritage property are requested by staff for appropriate review and approval.

Indoor/Outdoor Amenity Space

Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit, of which at least 2.0 square metres for each dwelling unit is for indoor amenity space.

Indoor and outdoor amenity space is proposed at a rate of 4 square metres per unit for Blocks A to E for a total of 990 square metres of indoor amenity and 990 square metres of outdoor amenity. The main indoor and outdoor amenity space areas are located within and around the relocated heritage building and behind Block B. The removal of the proposed private driveway can provide opportunities to locate outdoor amenity space central to the development and improved site and building organization, separation and setbacks that can also help maximize sunlight on outdoor amenity space. It is unclear where the indoor amenity space is located for Buildings A to E. The proposed 3-storey townhouses on Block F and G provide outdoor amenity space via the private backyards.

Sun, Shadow

The applicant's shadow study prepared by Eastway International Inc. identifies shadow impacts on Block B's southern-facing units from the proposed 11-storey mixed-use

building from 9:18 to 3:18 PM during the spring and fall equinox. During the spring equinox shadows are cast on lands designated *Neighbourhoods* from 9:18 to 11:18 am. During the spring and fall equinox, shadows are cast on the Heritage building from 5:18 to 6:18 pm. In addition, the proposed development cast shadows on the abutting schoolyard and playground structure at 1:18 to 3:18 pm during the winter months. Building location, height, scale and massing should be redesigned to improve direct sunlight and daylight for the Heritage building and abutting school yard.

Wind

A Wind Study prepared by Eastway International Inc. identifies uncomfortable wind conditions at the southwest corner of the development as well as on the south eastern and west southern portions of the proposed 11-storey mixed-use building during the winter months in the public realm. It is recommended to implement building massing changes to mitigate uncomfortable wind conditions at the pedestrian level.

Public Street, Access and Widening Requirements

The proposed 16.5-metre wide public street connecting Finch Avenue West to Hendon Avenue is not acceptable. Staff are requesting a minimum width of 18.5 metres that includes a 2.1-metre wide public sidewalk and tree planting on both sides to provide direct connections to the multiple proposed buildings. In addition, staff request the proposed street to be aligned with Senlac Road at Finch Avenue West.

The proposed private driveway network is not acceptable due to design safety concerns. An updated Traffic Impact Study will be required to assess any revision to the public street and private driveway network.

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 of the subject site is required and is proposed to be conveyed to the City with this application.

The required corner rounding has not been provided. A 6.0-metre corner rounding at the southwest corner of the site is required and a 5.0-metre corner rounding at the northwest corner of the site is required to be conveyed to the City, which must be free and clear of all encumbrances and obstructions.

Staff recommends a Draft Plan of Subdivision application submission to secure the proposed public street and public street widening in accordance with City standards.

Parking and Loading

Transportation Services have indicated that the site is subject to the parking requirements in Zoning By-law No. 569-2013. A minimum of 580 parking spaces are required for the proposed development. The proposal provides for a total of 493 parking spaces comprised of 453 residential and 41 visitor and 0 retail parking spaces. In addition, one loading space is provided when 5 loading spaces are required for each block. An incomplete and outdated parking study was provided, therefore, staff cannot

accept the proposed justification for the proposed parking and loading spaces. Deviation from these requirements can be considered if acceptable documentation is submitted that justifies alternate standards.

Transportation Demand Management

Travel Demand Management (TDM) measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion.

Appropriate TDM measures have not been proposed for this development based on the TDM measures identified in the Transportation Impact Study submitted in support of the application.

In the event that the OLT allows the appealed application in whole or in part, the final Order should be withheld pending the submission of a revised Travel Demand Management Plan acceptable to, and to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services and that such matters arising from such study be secured if required through the implementing zoning by-law amendment and Site Plan Control approval.

Servicing

Staff require a Draft Plan of Subdivision application to construct the proposed public road and appropriate servicing, and phasing requirements for the construction of the municipal road.

A Site Servicing Review comprised of a Functional Servicing and Stormwater Management Report and a Preliminary Hydrogeological Report were submitted for Engineering and Construction Services to review. The submitted reports have not determined whether the storm water runoff, sanitary flow, private water / groundwater flow and water supply demand resulting from this development can be supported by the existing municipal infrastructure. Should the OLT approve this development, staff recommend that City Council requests that a Plan of Subdivision and a Holding provision may be required in the implementing zoning by-law to ensure that necessary infrastructure is in place before any development can proceed.

Parkland

Staff have requested an on-site parkland dedication of 3,135 square metres. The proposal does not provide a public park.

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 the 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 4-12 square metres of parkland per person, which is less than 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 the 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.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication of 3,135 square metres. The park is to be in the northwest corner of the site, with frontage on Hendon Avenue and Grantbrook Street and comply with Policy 3.2.3.8 of the Toronto Official Plan. The Planning Rationale prepared by MBPD indicates that the proposed development will rely on the supply of existing nearby parks, including Ancona Park, Edithvale Park and Finch Hydro Corridor. The creation of new parks and open spaces is a necessary element of city-building, particularly in growth areas, and designed in a manner that promote user comfort, safety, accessibility and year-round use.

Archaeological Assessment

The subject site was identified in the City's Archaeological management plan as having archaeological potential. An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Heritage staff reviewed the archaeological assessment stage 1 and are satisfied that all City requirements have been met for this development.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). Development should preserve existing mature trees wherever possible and incorporate them into the development site, specifically, Block C and Block D contain a disproportionate amount of healthy tree removal in an area where staff do not support the buildings' separation distances as well as the proposed amount of at-grade hardscape devoted to vehicles.

An arborist report was submitted in support of the proposal. The development will require the removal of 104 private trees and four City trees. Urban Forestry will require a total of 312 new large growing native shade trees to be planted on private property to replace the 104 private trees proposed for removal at a replacement ratio of 3:1. As proposed, this development plans for the planting of 46 private trees and 43 street trees.

The proposal is required to demonstrate that there is no alternative to removing the public and private trees. Urban Forestry will require the outstanding replacement trees through cash-in-lieu payment that 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. The applicant is required to meet Tier 1

of the TGS. The applicant has not satisfied transportation related requirements such as the single-occupant auto vehicle trips, electric vehicle infrastructure and sidewalk space. Should the OLT approve the application in whole or in part, staff request the owner to comply with the TGS and provide revised checklists and statistics templates;

Conclusion

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the proposal is not consistent with the PPS and it does not conform to the Growth Plan. The proposed development does not conform to the Official Plan and the Central Finch Area Secondary Plan, and does not meet the intent of the relevant Design Guidelines as well.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and continue discussions with the applicant in an attempt to resolve outstanding issues. This recommendation is consistent with the PPS and conforms to the Growth Plan.

CONTACT

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SIGNATURE



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North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map (7625)
- Attachment 5: Existing Zoning By-law Map (569-2013)

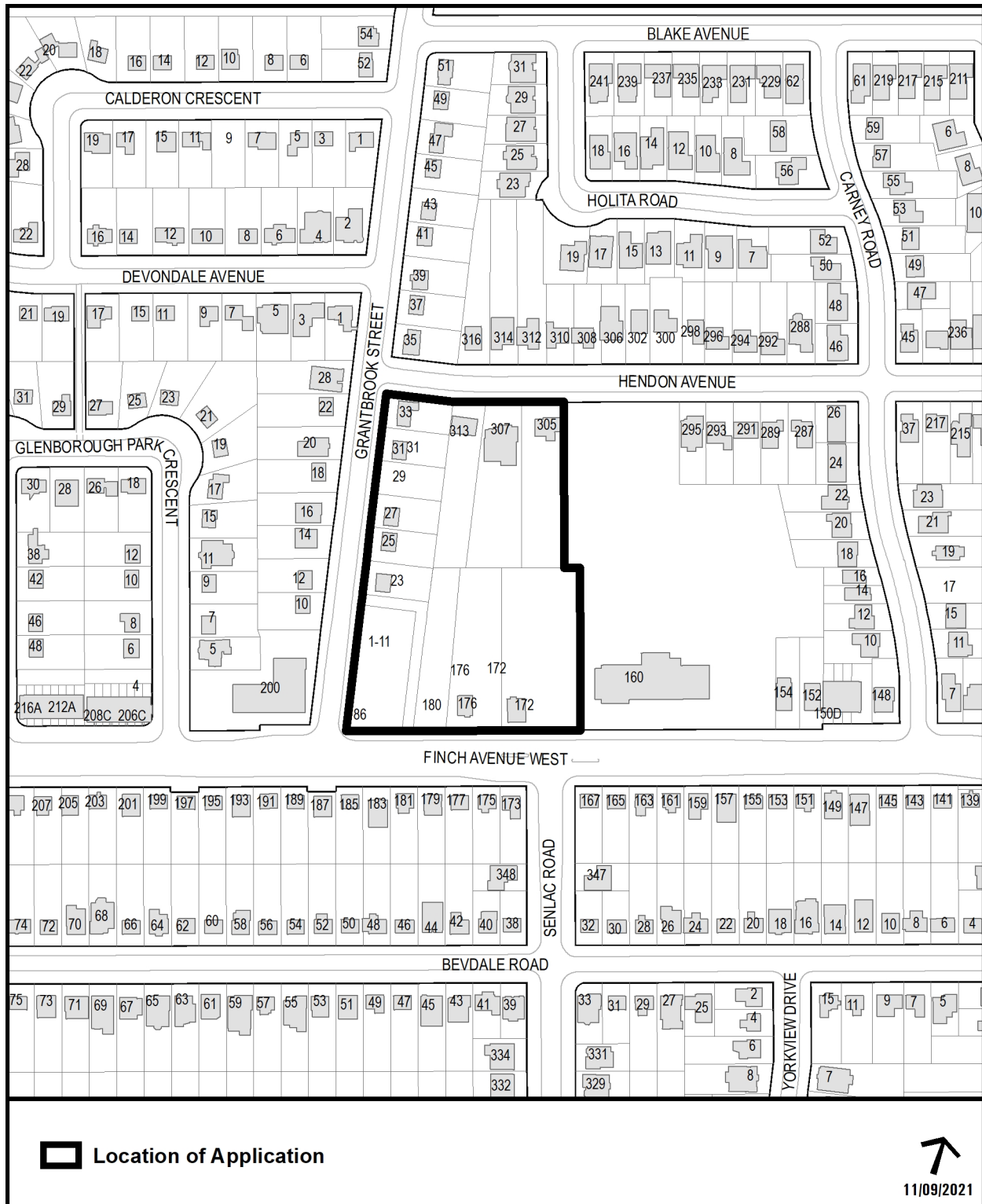
Applicant Submitted Drawings

Attachment 6: Site Plan

Attachment 7: 3D Model of Proposal in Context Looking Southeast

Attachment 8: 3D Model of Proposal in Context Looking Northwest

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 172-186 Finch Avenue West, 1-33 Grantbrook Street and 305-313 Hendon Avenue.

Date Received: March 9, 2021

Application Number: 21 124969 NNY 18 OZ

Application Type: OPA & Rezoning

Project Description: Official Plan and Zoning By-Law Amendment application to permit a residential development containing mid-rise buildings, low rise buildings and townhouses. See building breakdown below: - Block A - an 11 storey mixed use apartment fronting onto Finch Avenue West with 222 residential units, 426 sq.m, of retail and a maximum height of 38m. - Block B - a 6 storey apartment building with frontage onto Grantbrook Street with 96 units and a maximum height of 23m. - Block C - 4 storey walkup apartment building with frontage onto Grantbrook Street with 55 units and a maximum height of 16m. - Block D - 4 storey walkup apartment building with frontage onto the proposed new public road with 55 units and a maximum height of 16m - Block E - 4 storey walkup apartment building with frontage onto Hendon Avenue with 55 units and a maximum height of 16m. - Block F - 3 storey townhouses with frontage onto the new public road with 6 units and a maximum height of 12m. - Block G - 3 storey townhouses with frontage onto the new public road with 6 units and a maximum height of 12m. - Block H - relocated heritage building with adjacent outdoor amenity space. For a total of 495 residential units, with a maximum density of 2.34 FSI. A total of 522 vehicular parking spaces are proposed, of which 457 spaces are located within the underground parking garage, 41 spaces are located on the surface, and 24 spaces have been allocated for the townhouses within driveways and garages.

Applicant
M BEHAR
PLANNING &
DESIGN LIMITED

Agent

Architect
Tase Architects

Owner
EASTWAY
INTERNATIONAL
INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: y

Zoning: C1, C1(53), R4 Heritage Designation: y

Height Limit (m): 4 and 6-storeys Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 21,061 Frontage (m): 129 Depth (m): 183

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			8,779	8,779
Residential GFA (sq m):	1,592		48,905	48,905
Non-Residential GFA (sq m):			426	426
Total GFA (sq m):	1,592		49,331	49,331
Height - Storeys:	2		11	11
Height - Metres:			39	39

Lot Coverage Ratio (%): 41.68 Floor Space Index: 2.34

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 48,905

Retail GFA: 426

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	11	0		
Condominium:			495	495
Other:				
Total Units:	11	0	495	495

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			279	162	54
Total Units:			279	162	54

Parking and Loading

Parking Spaces: 522 Bicycle Parking Spaces: 378 Loading Docks: 1

Attachment 3: Official Plan



172 to 186 Finch Avenue West, 1 to 33 Grantbrook Street
and 305 to 313 Hendon Avenue

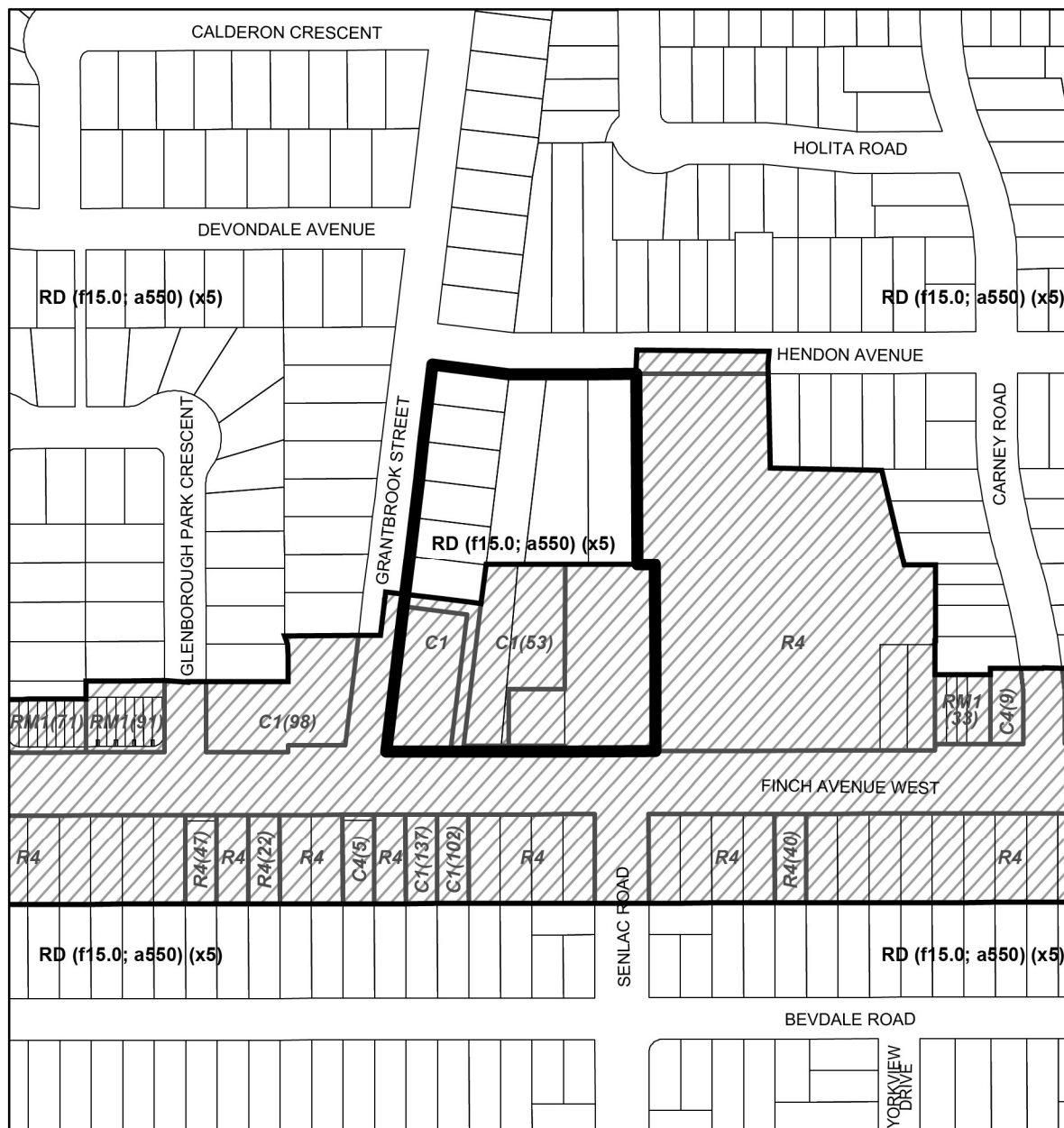
Official Plan Land Use Map 16

File # 21 124969 NNY 18 OZ and 21 124972 NNY 18 SA



Not to Scale
11/15/2021

Attachment 4: Zoning By-law Map No. 569-2013



Zoning By-law 569-2013

**172 to 186 Finch Avenue West, 1 to 33 Grantbrook Street
and 305 to 313 Hendon Avenue**

File # 21 124969 NNY 18 OZ and 21 124972 NNY 18 SA



Location of Application



See Former City of North York By-law No. 7625

RD Residential Detached

R4 One-Family Detached Dwelling Fourth Density Zone
RM1 Multiple-Family Dwellings First Density Zone
C1 General Commercial Zone
C4 Mixed Use Commercial Zone



Not to Scale
Extracted: 11/15/2021

Attachment 5: Zoning By-law Map No. 7625



Zoning By-law 7625

172 to 186 Finch Avenue West, 1 to 33 Grantbrook Street
and 305 to 313 Hendon Avenue

File # 21 124969 NNY 18 0Z and 21 124972 NNY 18 SA



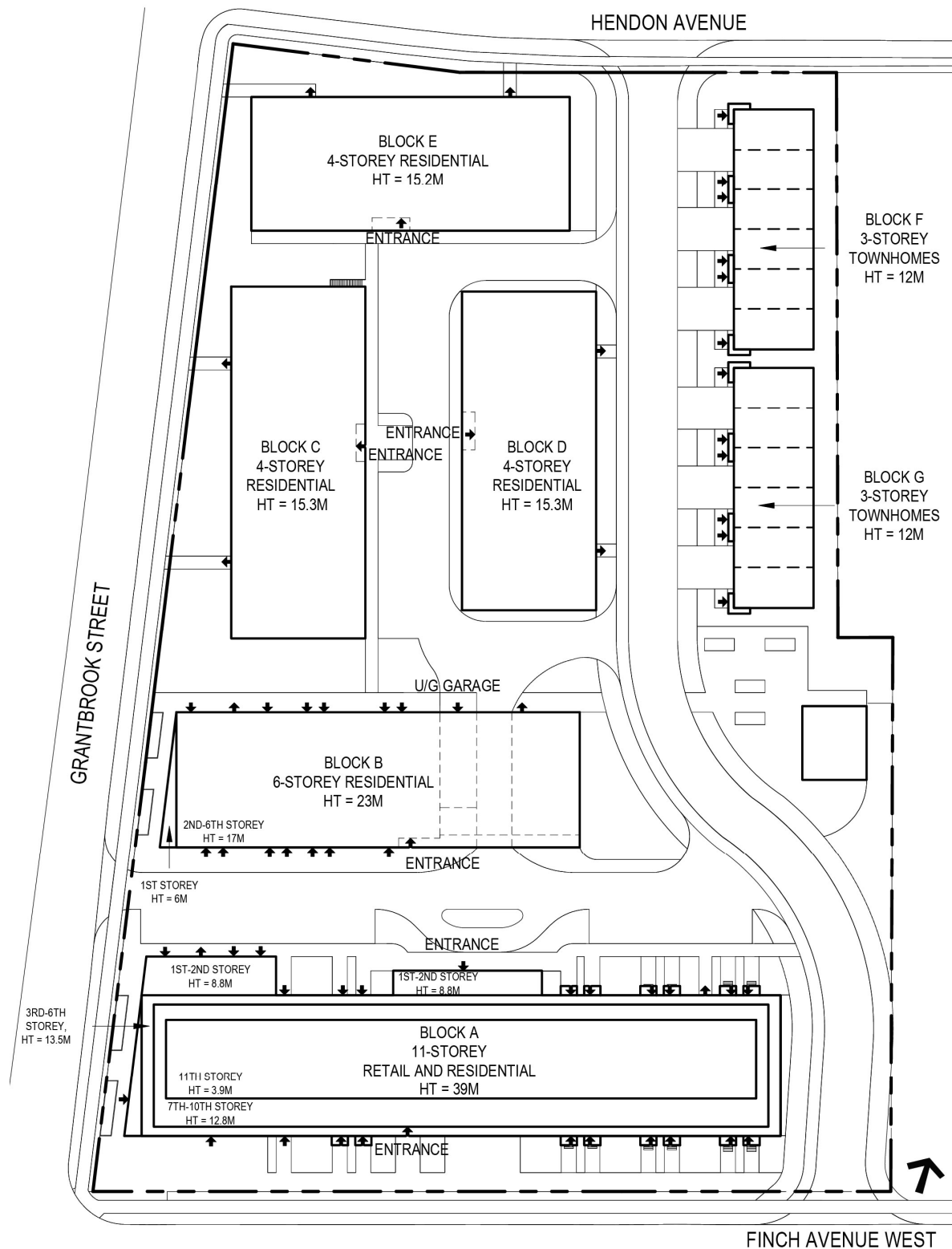
Location of Application

- R4** One-Family Detached Dwelling Fourth Density Zone
- RM1** Multiple-Family Dwellings First Density Zone
- C1** General Commercial Zone
- C4** Mixed Use Commercial Zone

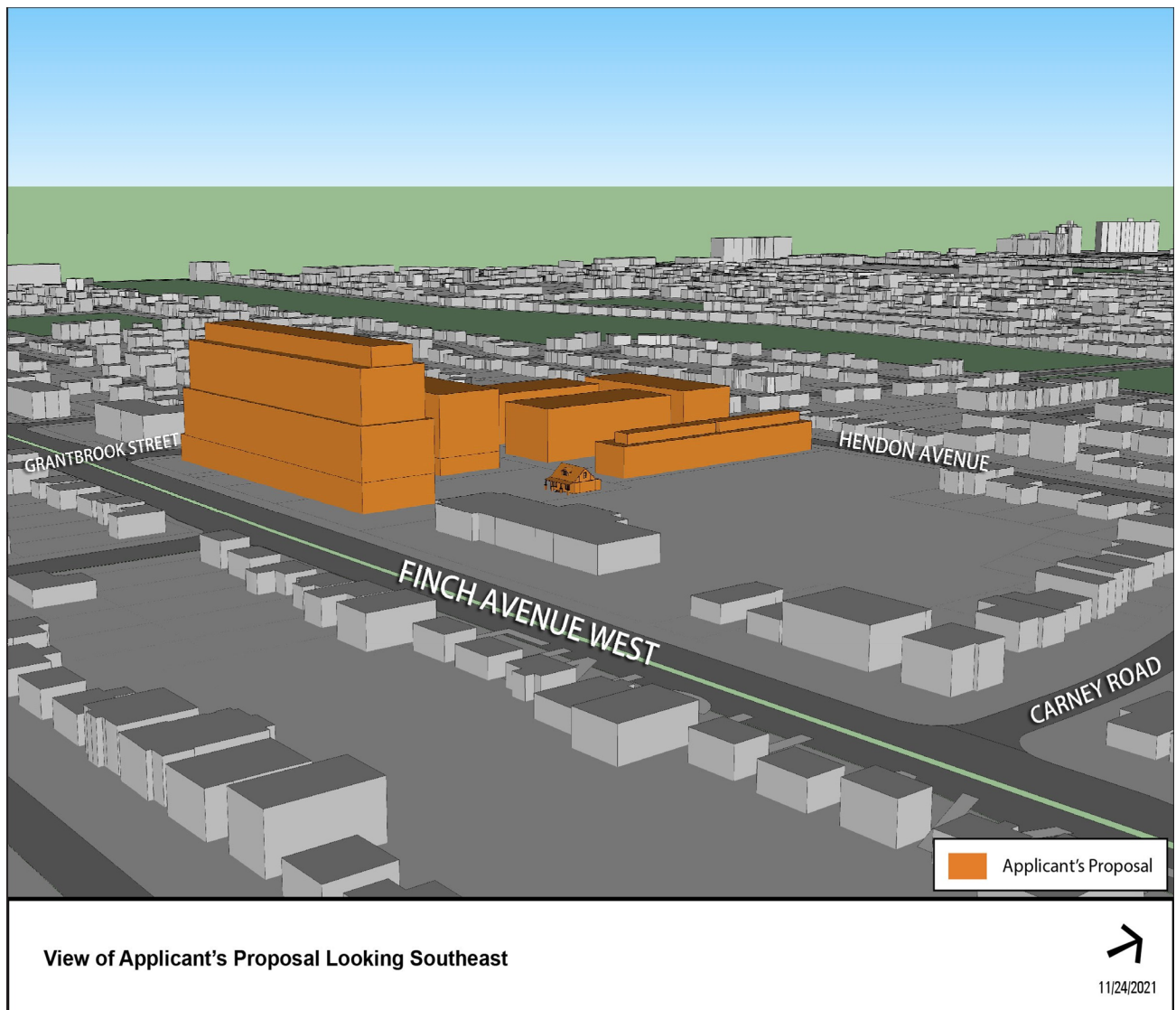


Not to Scale
Extracted: 11/15/2021

Attachment 6: Site Plan



Attachment 7: 3D Model of Proposal in Context Looking Southeast



Attachment 8: 3D Model of Proposal in Context Looking Northwest

