

52 Finch Avenue West – Zoning By-law Amendment – Decision Report – Approval

Date: March 12, 2026

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 18 - Willowdale

Planning Application Number: 21 149986 NNY 18 OZ

SUMMARY

This Report recommends approval of the application to amend the Zoning By-law to permit a three-storey (11 metres, plus a 3.6-metre elevator enclosure) mixed-use building with two residential units and office uses at 52 Finch Avenue West. A total of three vehicular parking spaces are proposed, including one accessible parking space and a total of 12 bicycle parking spaces, including nine short-term and three long-term spaces. The application proposes a total gross floor area of 409.6 square metres, including 229.9 square metres of non-residential gross floor area. Vehicular access to the subject site is proposed from Finch Avenue West.

A Holding provision will be added to the By-law in order to ensure that there is adequate sewer, water and stormwater capacity available, and for the applicant to provide reports or material that ensures safe vehicle access to the site can be provided.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known 52 Finch Avenue West substantially in accordance with the draft Zoning By-law Amendment included as Attachment 5 to this Report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The Development Review 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

A Preliminary Report was adopted by North York Community Council on January 6, 2022 (Item NY29.11) authorizing staff to conduct a community consultation meeting. The Community Consultation Meeting for this application was held on February 9, 2022.

The 2022 Preliminary Report and Community Council's decision can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.NY29.11>

On July 19, 2022, City Council adopted Official Plan Amendments 540 and 570 which created Major Transit Station Areas (MTSAs) and Protected Major Transit Station Areas (PMTSAs) across the city. Official Plan Amendment 570 included Site and Area Specific Policy 727 for the Finch PMTSA.

On February 5, 2025, City Council adopted Official Plan Amendment 778 to update the *Avenues* policies in Section 2.2.3. OPA 778 introduced mapping changes to Map 2 of the Official Plan to expand the *Avenues* geography and other policy updates necessary to implement the new vision and policy framework. These updates leverage the *Avenues* as a growth management tool, identifying more opportunities for housing across the city and creating a more streamlined policy framework with clear direction on the type of growth to be directed to *Avenues*. OPA 778 was appealed to the Ontario Land Tribunal and the City worked with appellants to scope their appeals to bring it into citywide effect. The owner of the site at 52 Finch Avenue West is not an appellant to OPA 778. The Tribunal confirmed on July 31, 2025, that OPA 778 is now in effect as of March 14, 2025. Limited site-specific appeals remain. The OLT's decision can be found here: <https://www.canlii.org/en/on/onlt/doc/2025/2025canlii77141/2025canlii77141.html>

On August 15, 2025, the Ministry of Municipal Affairs and Housing Minister issued approval of OPAs 540 and 570 and brought them into force and effect. The decisions did not change the Council-adopted boundary delineations for the Finch PMTSA, or the minimum density. As such, the minimum required Floor Space Index for this site is 1.5.

Decisions can be accessed at the following links:

Official Plan Amendment 570

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/official-plan-chapter-8-major-transit-station-areas-protected-major-transit-station-areas/>

Official Plan Amendment 540

<950a-city-planning-official-plan-review-mtsa-decision-opa-540.pdf>

THE SITE AND SURROUNDING LANDS

Description

The site has an irregular shape, with an area of approximately 430 square metres and fronts onto Finch Avenue West. It is located west of Yonge Street on the north side of Finch Avenue West. The site is an existing on-storey building with office uses. See Attachment 2 for the Location Map.

Surrounding Uses

The following uses surround the subject property:

North: Established low-rise residential neighbourhood, containing one- and two-storey detached dwellings.

South: Low-rise housing with a mix of recently development low-rise buildings fronting Finch Avenue West.

East: Low-rise residential, high-rise mixed use and office buildings. The TTC Finch Subway Station is located approximately 400 metres to the east.

West: A mix of detached, and low-rise buildings.

THE APPLICATION

Description

A three-storey (11 metres, plus a 3.6-metre elevator and stair enclosure) mixed-use building with two residential units and office uses is proposed. A total of 409.6 square metres of gross floor area is proposed, including 229.9 square metres of non-residential space for office uses. Vehicular access to the subject site is proposed via a driveway from Finch Avenue West.

Access, Parking and Loading

The proposal includes a total of three vehicular parking spaces located in the rear yard of the building and a total of 12 bike parking spaces, including nine short-term and three long-term spaces. No loading space is proposed for the development. Garbage will be contained in the basement level and be picked up curbside during garbage days. Vehicle access would be provided via a driveway on Finch Avenue West.

A portion of the lands fronting Finch Avenue West with an area of 38.10 square metres was previously conveyed to the City for a right-of-way widening through a previous Site Plan Control application (File No. NY SPC 19970086).

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: www.toronto.ca/52FinchAveW

Reasons for Application

An amendment to Zoning By-law 569-2013 is required to bring the site into the City-wide Zoning By-law. The draft Zoning By-law contains development standards for height, setbacks, projections, encroachments, coverage, and permitted density on the site.

APPLICATION BACKGROUND

A pre-application consultation (PAC) meeting was held on February 20, 2020. The current application was submitted on May 4, 2021, and deemed complete on January 23, 2023, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the Application Information Centre www.toronto.ca/52FinchAveW.

Agency Circulation Outcomes

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

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement and shall conform to provincial plans.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as *Avenues*. The Official Plan identifies that *Avenues* are major streets that are well served by public transit and will change and grow to provide a full range of housing options and contribute to Toronto's fabric of complete communities. Growth and intensification will be directed to *Avenues* to concentrate jobs and housing in areas well served by public transit.

The site is also designated the site *Mixed Use Areas* in Map 16 of the Official Plan. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. The proportion of commercial and residential uses will vary widely among *Mixed Use Areas*. See Attachment 3 of this Report for the Land Use Map.

The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

Central Finch Area Secondary Plan

The site is located within the Central Finch Area Secondary Plan (the "Secondary Plan"). The Secondary Plan encourages development and redevelopment within the Central Finch Area which to form a mixed-use area between Bathurst Street and Willowdale Avenue primarily accommodating small office and multiple-unit residential buildings fronting onto Finch Avenue, including street-oriented retail and service commercial uses. The Secondary Plan also contains policies regulating maximum building height and density, minimum rear yard setback, angular planes, and landscaping.

The site is designated Mixed Use Area 'B' on Map 22-1 in the Central Finch Area Secondary Plan which permits detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational facilities, and institutional uses.

Protected Major Transit Station Area (PMTSAs)

The site is within a delineated PMTSA. Specifically, the site is within 500 metres of the delineated Finch PMTSA existing transit station subject to Site and Area Specific Policy #727 in Chapter 8 of the Official Plan. The site has a minimum density requirement of 1.5 times the area of the lot. While recent changes made by the province encourage intensification around PMTSAs, this must occur in a sensitive manner with regard to the surrounding built and planned context and public realm.

Zoning

The site is subject to site specific Zoning By-law No. 33074 which permits residential, business and professional offices and requires a minimum length of 5.5 metres for a parking space, a minimum driveway width of 3.7 metres, a 0.9 metre east side yard setback and a minimum front yard setback of 3.8 metres. The current zoning also permits a maximum height of 8.8 metres and 2 storeys for a pitched roof building and 8.0 metres and 2 storeys for a flat roof building. The site-specific Zoning By-law 33074 contains provisions for minimum parking length, driveway width, and both east and front yard setbacks. See Attachment 4 of this Report for the existing Zoning By-law Map.

The site is not subject to City-wide Zoning By-law 569-2013.

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund).

The TGS can be found here: [Toronto Green Standard – City of Toronto](#)

PUBLIC ENGAGEMENT

Community Consultation

A virtual community consultation meeting was held on February 9, 2022, where one member of the public raised questions regarding the review process and next steps for the proposal.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to hear 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.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff has reviewed the proposal for consistency with the Provincial Planning Statement (PPS). Staff find the proposal to be consistent with the PPS.

Land Use

The application proposes office uses on the ground floor and second floor and residential uses on the third floor. The proposal for a mixed-use building supports the policies of the Official Plan and Secondary Plan to create a balance of commercial and residential uses. The proposed office uses at-grade supports the Central Finch Area Secondary Plan's vision to contribute to the animation of Finch Avenue.

Density, Height, Massing

The building proposes a maximum height of 11-metres that is three-storeys. The building is also setback a minimum 9.5 metres from the rear lot line in order to respect a required 35-degree angular plane from the rear lot line. These proposed built form standards meet the Secondary Plan policies. An additional height of 3.6 metres is proposed for a rooftop structure that is located closer to the south lot line to reduce visual impacts to the abutting low-rise housing that is located north of the site. This structure provides access to the roof for mechanical and maintenance purposes; no amenity space is proposed on the roof.

Public Realm

The public realm will be animated by ground floor office uses with direct access via a pedestrian walkway that is connected to Finch Avenue West. The public realm is further improved with a new 2.1 metre sidewalk on Finch Avenue West.

A landscaped buffer is provided along the rear property line adjoining the residential neighbourhood, as required by the Secondary Plan. The landscaping strip measures 1.6

metres at its narrowest and 2.4 metres at its widest. The landscaping strip accommodates soft landscaping, new plantings and preserves an existing tree. The proposed building provides a transition to the residential neighbourhood through a combination of setbacks, landscaping, and fencing at the rear.

Traffic Impact, Access, Parking, Loading

The application proposes three vehicle parking spaces, including one accessible space, as well as 12 bicycle parking spaces, including three short-term and nine long-term bicycle parking spaces, which is acceptable to Transportation Review staff. There is no loading space required for a building with less than 30 dwelling units or for an office with a GFA less than 499 square metres. Waste, recycling and organics are expected to be collected via curbside pick-up.

Site access is proposed from an existing undersized driveway off Finch Avenue West. The existing driveway within private property is less than the standard 6.0 metres driveway width to permit two-way vehicle access. Transportation Review has reviewed a Parking and Drive Aisle Justification Letter submitted by the applicant in support of the substandard driveway and has accepted the justification, subject to revisions demonstrating a 3.82-metre-wide driveway to allow safe vehicular access to the site. Staff are recommending that the draft Zoning By-law be subject to a holding provision pending the review and acceptance of reports or material to demonstrate safe vehicle access to the site can be provided to the satisfaction of Transportation Review, Executive Director, Development Review.

Parkland

In accordance with [Section 42 of the Planning Act](#), the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per [Toronto Municipal Code Chapter 415-29](#), the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the [Toronto Municipal Code Chapter 415-28](#), requires that the payment be made prior to the issuance of the first above-grade building permit for the land to be developed.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant submitted a Tree Protection Plan to ensure the preservation of one private tree, one boundary tree, and one public tree.

Servicing

The applicant has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. Development Review staff have reviewed the submitted materials and have identified outstanding items for review to determine if there is sufficient site servicing capacity. Staff are recommending that the Zoning By-law be subject to a holding provision pending the revision, review, and acceptance of the

Functional Servicing and Stormwater Management Report to the satisfaction of the Director, Engineering Review, Development Review.

Holding Provision

This report recommends the adoption of a Zoning By-law Amendment that is subject to a Holding provision under Section 36 of the *Planning Act*, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a Holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the proposed Holding provisions in the proposed By-law include:

- (i) the Owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing, Stormwater Management and Hydrogeological reports to demonstrate that the existing sanitary sewer and watermain system, and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review.
- (ii) if the Functional Servicing, Stormwater Management and Hydrogeological reports are accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - (a) the Owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing, Stormwater Management and Hydrogeological reports, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
 - (b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing, Stormwater Management and Hydrogeological reports in (i) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review.
- (iii) all necessary approvals, permits and documents arising from (ii)(a) and (ii)(b) are provided, where required, all to the satisfaction of the Director, Engineering Review, Development Review
- (iv) reports or material to demonstrate safe vehicular access to the site through the driveway from Finch Avenue West can be provided, to the satisfaction of Transportation Review, Executive Director, Development Review.

The Executive Director, Development Review and their designate have the authority to make decisions on applications to remove Holding provisions, which do not contain financial implications not previously authorized by Council.

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.

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 2040 or sooner. Performance measures for the Tier 1 development features such as the number of bicycle parking that is compliant with Zoning By-law 569-2013.

CONTACT

Michael Romero, Planner,
Community Planning, North York
Tel. No. 416-395-6747, E-mail: Michael.Romero@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Information/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: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 52 FINCH AVE W Date Received: May 4, 2021

Application Number: 21 149986 NNY 18 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning Bylaw Amendment Application to permit the proposal for a 3-storey mixed use building that includes 2 residential units and 2 levels of commercial units with 4 proposed parking spaces.

Applicant	Agent	Architect	Owner
ACECON GENERAL CONTRACTING	Smart Density	A. Fazel Architect Inc	2724153 ONTARIO INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: 33074

Zoning: R4(21) Heritage Designation: N

Height Limit (m): 8.8 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 433 Frontage (m): 14 Depth (m): 29

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	70		93.2	93.2
Residential GFA (sq m):			179.7	179.7
Non-Residential GFA (sq m):	140		237.8	237.8
Total GFA (sq m):	140		417.5	417.5
Height - Storeys:	2		3	3
Height - Metres:	8		11	11

Lot Coverage Ratio (%): 58.1 Floor Space Index: 0.95

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

Residential GFA: 179.7

Retail GFA:

Office GFA: 237.8
 Industrial GFA:
 Institutional/Other GFA:

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

Total Residential Units by Size

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

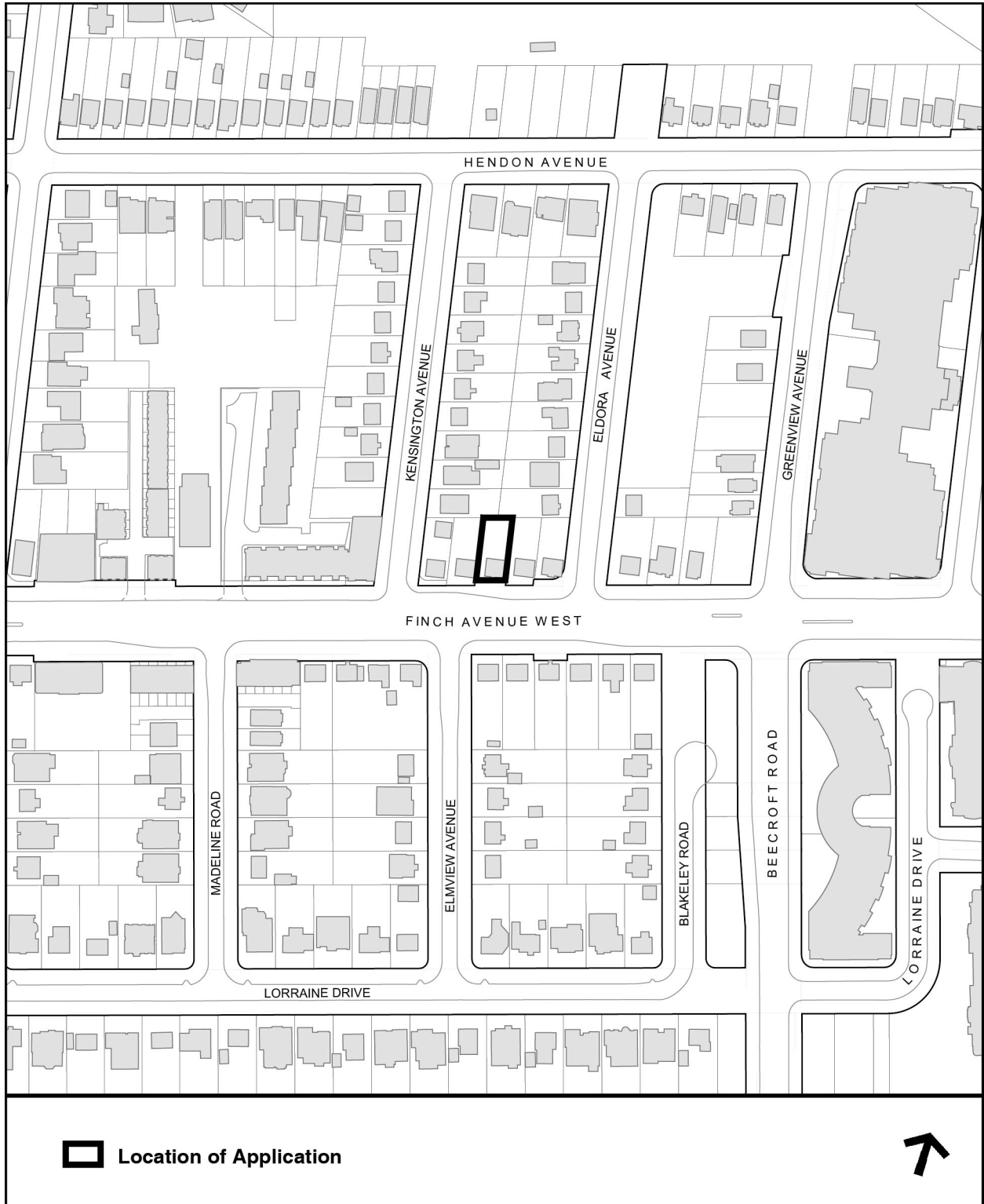
Parking and Loading

Parking Spaces:	4	Bicycle Parking Spaces:	2	Loading Docks:	0
-----------------	---	-------------------------	---	----------------	---

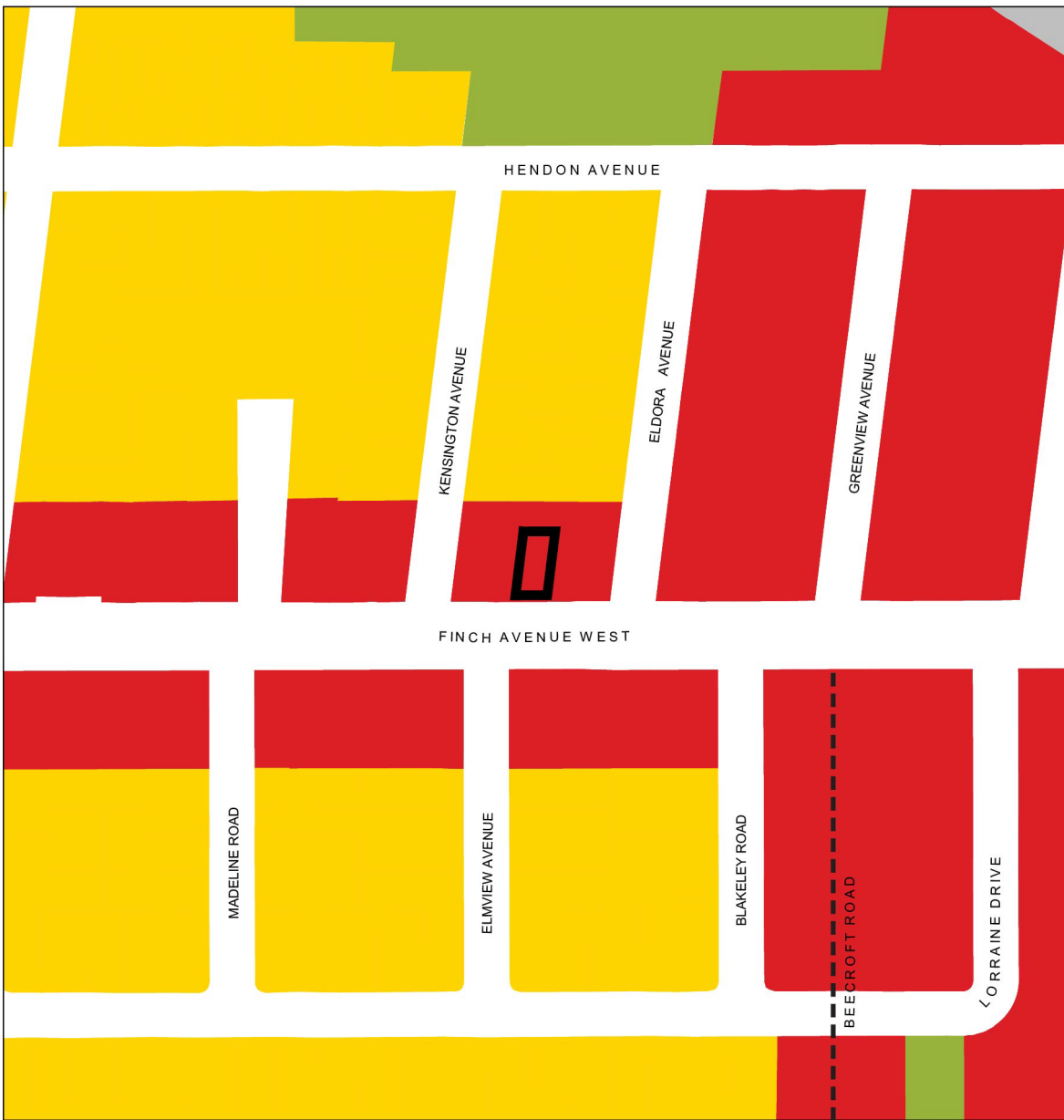
CONTACT:

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

Attachment 2: Location Map









Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

52 Finch Avenue West

File # 21 149986 NNY 18 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Utility Corridors
-  Roads not currently shown on Land Use Map


 Not to Scale
 Extracted: 08/09/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 7625

52 Finch Avenue West

File # 21 149986 NNY 18 0Z



Location of Application

- | | |
|--|--|
| R4 <i>One-Family Detached Dwelling Fourth Density Zone</i> | RM6 <i>Multiple-Family Dwellings Sixth Density Zone</i> |
| R6 <i>One-Family Detached Dwelling Sixth Density Zone</i> | C1 <i>General Commercial Zone</i> |
| R7 <i>One-Family Detached Dwelling Seventh Density Zone</i> | O1 <i>Open Space Zone</i> |
| RM1 <i>Multiple-Family Dwellings First Density Zone</i> | O3 <i>Semi-Public Open Space Zone</i> |
| RM2 <i>Multiple-Family Dwellings Second Density Zone</i> | |
| RM4 <i>Multiple-Family Dwellings Fourth Density Zone</i> | |

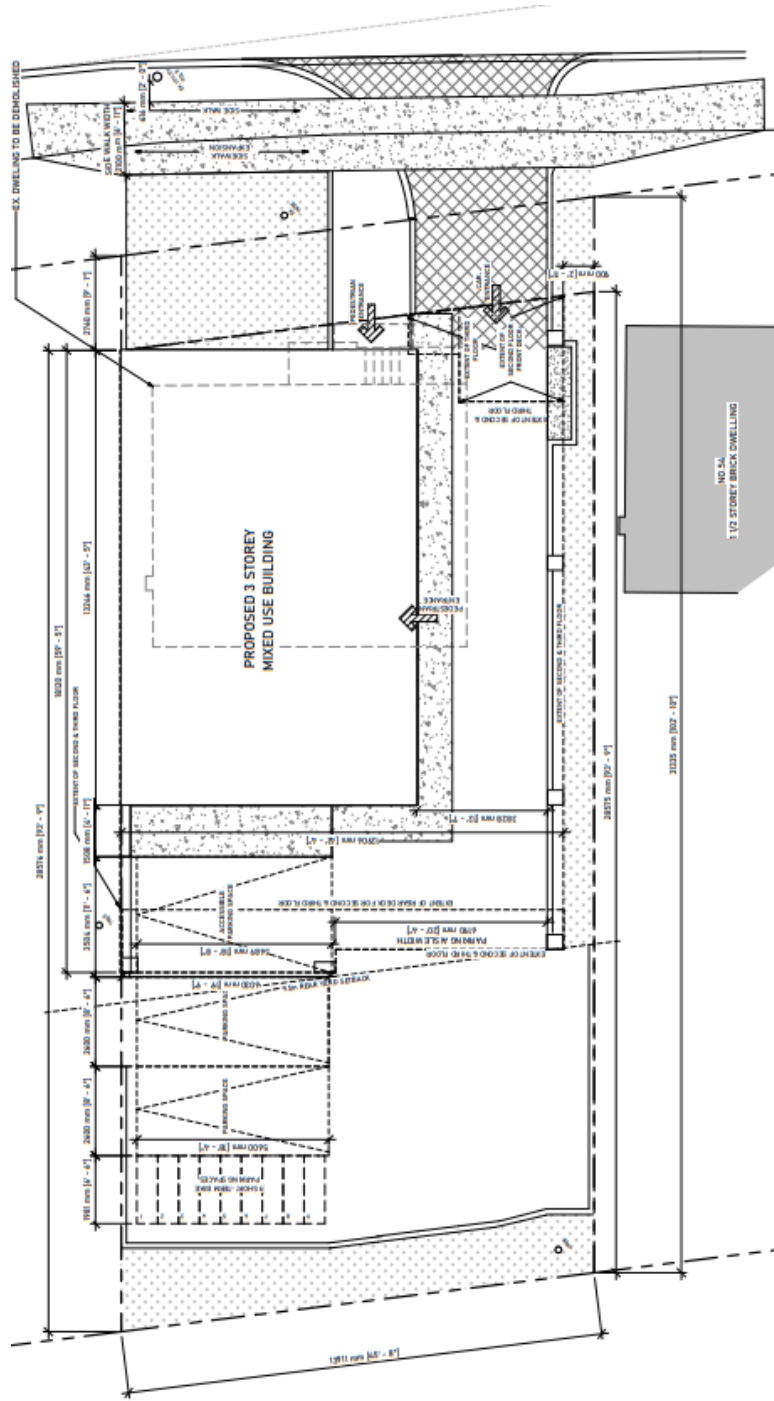


Not to Scale
Extracted: 08/09/2021

Attachment 5: Draft Zoning By-law Amendment

Draft Zoning By-law Amendment is attached separately

Attachment 6: Site Plan



Attachment 7: Elevations

