

172, 176, and 180 Finch Avenue West, 1-11 and 23 Grantbrook Street - Official Plan and Zoning By-Law Amendment Applications - Request for Direction Report

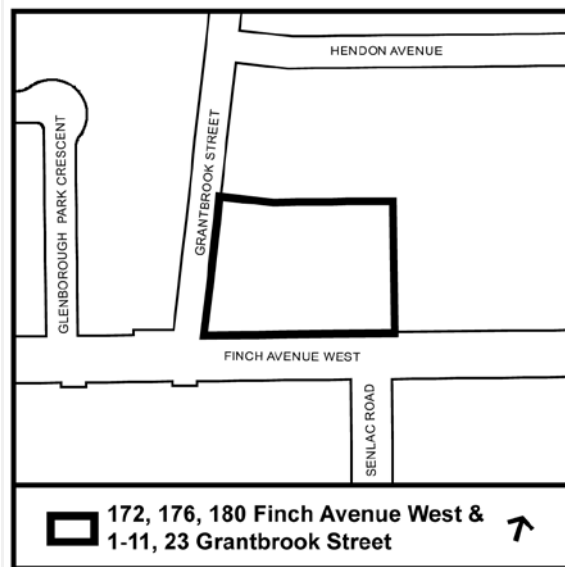
Date:	January 30, 2015
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	13 185749 NNY 23 OZ

SUMMARY

The applicant has appealed the Official Plan and Zoning By-law Amendment applications to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the applications within the time prescribed by the *Planning Act*. A Preliminary Hearing has been scheduled for March 16, 2015.

The Official Plan Amendment and Zoning By-law Amendment applications propose the redevelopment of the site to permit a 6-storey mid-rise building fronting on Finch Avenue West, with approximately 1,016 m² of commercial space on the ground floor and 150 apartment units above, and 32 stacked townhouses at the northerly boundary of the site. The proposal would consist of a total of 183 residential units, resulting in a total FSI of 1.72. 251 parking spaces are proposed at-grade and below grade. The application proposes to relocate the existing designated heritage house.

This report recommends that the City Solicitor, together with City Planning staff, attend the OMB hearing in opposition to the proposal in its current form and to continue to work with the applicant in an attempt to resolve the outstanding issues.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Ontario Municipal Board hearing to oppose the Official Plan Amendment and Zoning By-law Amendment applications in their current form and to continue discussions with the applicant to resolve the outstanding matters.
2. City Council authorize the City Solicitor to request the Ontario Municipal Board withhold its Order(s) should it approve the applications until such time as:
 - a. The Board has been advised by the City Solicitor that the proposed Official Plan and Zoning By-law amendments are in a form satisfactory to the City;
 - b. The City and the owner have entered into a Section 37 agreement that secures community benefits.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

These applications were received on June 11, 2013. On October 17, 2013, North York Community Council adopted a Preliminary Report on the Official Plan Amendment and Zoning By-law Amendment applications. Community Council directed that City Planning staff schedule a community consultation meeting with the Ward Councillor with an expanded notification area and that notice for the public meeting be given according to regulations under the *Planning Act*.

The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-61828.pdf>

A Community Consultation Meeting was held on December 11, 2013. The application was subsequently appealed to the Ontario Municipal Board on September 17, 2014.

A report with respect to the heritage-designated property at 172 Finch Avenue West, recommending the heritage designation of the subject property was received by North York Community Council in February 2007. 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 report and implementing By-law can be found at the following links:

Staff Report of Intention to Designate:

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

By-Law to Designate the Property (No. 1597-2012):

<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. On November 17, 2014, an application to demolish the designated building or structure under Part IV of the Ontario Heritage Act was refused by the Chief Planner and Executive Director. The report speaking to the Exercise of Delegated Authority by the Chief Planner under the City of Toronto Municipal Code, Chapter 103, Heritage – Demolition of a Designated Heritage Property can be found at the below link:

<http://www.toronto.ca/legdocs/mmis/2015/ny/bgrd/backgroundfile-74345.pdf>

On January 13, 2015, North York Community Council authorized the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing in support of the Chief Planner and Executive Director's refusal of the application for demolition under Section 34 of the Ontario Heritage Act for the property at 172 Finch Avenue West. The decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.NY3.8>

ISSUE BACKGROUND

Proposal

The applicant proposes to redevelop the lands to construct a six-storey (27.29 m in height, including the mechanical penthouse) residential building with ground floor commercial uses. A total of 183 residential units are proposed consisting of 96 one-bedroom units, 55 two-bedroom units, and 32, three and one half storey stacked townhouse units (12.62 m in height) at the northerly end of the site fronting onto the private driveway. Access to the site would be via a private driveway, which will connect to Finch Avenue West at the location of the current signalized intersection of Senlac Road and connect to Grantbrook Street. The applications represent a consolidation of a number of properties at 172, 176, and 180 Finch Avenue West, 1-11 and 23 Grantbrook Street.

The proposal would have a Floor Space Index (FSI) of 1.72. A total gross floor area of 19,522.5 m² (18,124.5 m² of residential floor area, of which 3,703 m² is for the stacked townhouse units and 1,016 m² of commercial floor area) is proposed.

A total of 225 parking spaces are provided in the one-level underground garage, 194 of which are for residential use and 31 for visitor use. One hundred-ten bicycle parking spaces are provided below grade. To the rear of the at-grade commercial space are 26 surface parking spaces for commercial uses, including 1 car-share space. A total of 41 bicycle parking spaces are also provided on the ground floor.

A total of 382 m² of indoor amenity space is proposed on the second floor of the mid-rise building with approximately 673 m² of adjoining outdoor amenity space provided in the form of a terrace, which includes a 304 m² green roof. Each residential unit will have its own private patio, balcony or terrace.

The stacked townhouses are grouped into three blocks; two blocks with twelve 2-bedroom units, and one block with eight 2-bedroom units. The townhouses are setback a minimum of 9.5 metres from the northerly property line. Patios are provided at the rear for the lower units, and a balcony and private terrace are provided for the upper units.

The Waine House, which has a heritage designation, is a 1 1/2 storey residential dwelling constructed in 1923 and is proposed to be re-located to the northeast corner of the site.

Site and Surrounding Area

The subject lands are irregularly shaped and consist of five lots located on the north side of Finch Avenue West at the north east corner of Finch Avenue West and Grantbrook Avenue. The subject lands measure approximately 11,346 m² (2.8 ac) in area, and have frontage of approximately 130 metres along Finch Avenue West and a depth of approximately 105 metres along Grantbrook Street.

The Waine House is located on the property known as 172 Finch Avenue West and there are single detached dwellings on 176 Finch Avenue West and 23 Grantbrook Street. The properties at 180 Finch Avenue West and 1-11 Grantbrook Street are currently vacant sites. The existing heritage house is proposed to be moved to the northern portion of the site, while the other existing single detached dwellings will be demolished. The subject lands are located 1.2 km west of Yonge Street.

Abutting uses are as follows:

North: Two-storey single detached residential dwellings;

South: Two-storey Single detached residential dwellings. An acupuncture clinic (183 Finch Ave W), professional office (181 Finch Ave W), and real estate office (187 Finch Ave W) are all in proximity to the site.

East: St Antoine Daniel Catholic School is located at 160 Finch Avenue West.

West: At the northwest corner of Grantbrook Street and Finch Avenue West is a 3-storey commercial building. Further north along Grantbrook are single detached

dwellings. Further west along Finch Avenue West are 3-storey townhouses and a 4-storey mixed use building.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required to be consistent with the PPS and to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Staff have reviewed the proposal for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands at 172, 176, and 180 Finch Avenue West, as well as 1-11 Grantbrook Street are designated *Mixed Use Areas*, while 23 Grantbrook Street is designated *Neighbourhoods*.

Mixed Use Areas consist of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces. Development in *Mixed Use Areas* is intended to create a balance of commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

Buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in *Mixed Use Areas* is intended to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

Neighbourhoods are made up of a variety of lower scale buildings including detached houses, semi-detached houses, townhouses, as well as walk-up apartments. The Plan identifies these established areas as “physically stable” in which development “*will respect and reinforce the existing physical character of the neighbourhood*”.

Section 2.3 of the Official Plan discusses the City's neighbourhoods and green space. Policy 2.3.1 states that *Neighbourhoods* are "*considered to be physically stable areas*". Development in these areas needs to "*respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas*". In the preamble to the policies of Section 2.3, the Plan does recognize that neighbourhoods will not stay frozen in time, but that new development should respect the existing physical character of the area and that improvements to a neighbourhood area are expected.

Chapter 4 of the Plan further refines development in established *Neighbourhoods* by outlining policies which speak to the specificity of this nature of development. Section 4.1.5 of the Official Plan speaks to development criteria for *Neighbourhoods*. Section 4.1.5 states that:

"Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:

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

While some change is generally anticipated over time, the key policy of the Official Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. Uses should not be permitted that would represent a departure from the existing character of the neighbourhood.

The Public Realm policies of the Official Plan speak to the importance of public streets within new developments in both the *Mixed Use Areas* and *Neighbourhoods* designations. Section 3.1.1.14 of the Official Plan states that:

"New streets will be designed to:

- a. provide connections with adjacent neighbourhoods, and promote a connected grid of streets that offers travel options and extends sight lines;*
- b. divide larger sites into smaller development blocks;*
- c. provide access and addresses for new development;*
- d. allow the public to enter freely without obstruction;*
- e. create adequate space for pedestrians, bicycles and landscaping as well as transit, vehicles, utilities and utility maintenance;*
- f. improve the visibility, access and prominence of unique natural And human-made features; and*

g. *provide access for emergency vehicles.*

Staff has reviewed the proposed development for conformity with the above-noted policies in the Official Plan.

Central Finch Area Secondary Plan

The subject lands are designated *Mixed Use Area 'A'* (176 and 180 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 *Mixed Use Area* policies of the Official Plan are applicable to areas designated as *Mixed Use Area 'A'* in the Secondary Plan. The lands at 23 Grantbrook Street are located outside the boundary of the Secondary Plan. The *Mixed Use Area 'A' and 'B'* designations provide for detached and multiple-unit residential, retail and service commercial uses, offices, places of worship, public parks and recreational facilities and institutional uses.

For lands designated as *Mixed Use Area 'A'* (176 and 180 Finch Avenue West, and 1-11 Grantbrook Street), where the use is residential and commercial, the maximum density (FSI) permitted is 2.5 times the lot area. The maximum height of a mixed use project is 6 storeys.

For lands designated as *Mixed Use Area 'B'*, with frontage of more than 30 metres on Finch Avenue West, such as the eastern portion of the subject lands, and where the use is a mix of residential and commercial, the maximum density (FSI) permitted is 1.5 times the lot area. The maximum height of a mixed use project is 4 storeys or 13 metres; whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area.

The Secondary Plan also contains height and setback provisions that require buildings to be set back a minimum distance of 9.5 metres from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area and have a maximum height of 70% of the horizontal distance from that boundary. The Secondary Plan also requires a minimum 1.5 metre landscape strip and privacy fence along the north property line.

The Secondary Plan encourages redevelopment that is compatible with the surrounding residential areas while also contributing to a strong and attractive pedestrian oriented street edge with particular emphasis on good design and an abundance of landscaping and tree features.

The Secondary Plan also encourages the reduction in the number of driveways providing access to Finch Avenue West in order to provide the minimum number of driveways necessary for efficient vehicle access. Generally, one access per site is preferred, the location of which will be completely within lands that are part of the Central Finch Area Secondary Plan Area.

Zoning

The subject lands at 172, 176, and 180 Finch Avenue West, as well as 1-11 Grantbrook Street were excluded from the new City of Toronto Zoning By-law No. 569-2013. As such, the former City of North York Zoning By-law No. 7625 continues to apply. The lands at 23 Grantbrook Street are located outside the Secondary Plan and are subject to the new City of Toronto Zoning By-law as well as the former North York Zoning By-law.

The lands at 176, 180 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 Grantbrook Street are zoned "One-Family Detached Dwelling Fourth Density Zone (R4)" in Zoning By-law No. 7625 for the former City of North York. 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.

Under the new City of Toronto Zoning By-law No. 569-2013, the subject property at 23 Grantbrook Street is zoned "Residential Detached Zone" (RD (f15.0; a550) (x5)). The RD (f15.0; a550) (x5) zoning permits single detached dwellings and accessory buildings.

Site Plan Control

The proposed development is subject to Site Plan Approval. A Site Plan Control application has not been submitted.

Reasons for the 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 one property designated *Neighbourhoods* in the Official Plan (23 Grantbrook). The Official Plan Amendment seeks to adjust the northerly boundary of the Mixed Use Area designation on Map 16 of the Official Plan, to include 23 Grantbrook Street. It also seeks to adjust the boundary of the *Mixed Use Area 'A'* designation in the Central Finch Area Secondary Plan to include the entire site.

An amendment to Zoning By-law No. 7625 for the former City of North York is required as the C1, C1 (53), and R4 zoning do not permit the proposed six-storey mixed use building and 32 townhouse units.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate the comments in this report.

Community Consultation

Staff held a community consultation meeting on December 11, 2013 to present the proposal to the community and receive their feedback. The meeting was attended by the Ward Councillor, City Planning staff, the applicant, owner and approximately 50 members of the public.

Issues raised by area residents in discussion of the proposal, which have been considered in the review of the application, are generally related to the following matters:

- Traffic:
 - A primary concern is with respect to both the existing and potential impact of traffic generated by the development. Current traffic conditions at the corner of Finch Avenue West and Grantbrook Street are an issue. Many residents felt that the private drive would encourage people to use it as a shortcut for access to and from Finch Avenue West.
- Stress on Existing Infrastructure:
 - This included discussion relating to the impact of the new development on existing storm sewers and potential for basement flooding as a result of the development.
- Stability of Community:
 - Residents were concerned with the overall impact of the development on the established neighbourhood.
- Location of Parking:
 - Residents concerned about the proposed location of commercial at-grade parking at the rear of the building with many feeling that is not required.
- Density and Height
- Relocation of the Existing Heritage House at 172 Finch Avenue West.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS), 2014 and the Growth Plan for the Greater Golden Horseshoe are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, the tenor of both the PPS and the Growth Plan is that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs. The City of Toronto Official Plan includes policies which support the objectives of these provincial documents.

As will be discussed, there are aspects of this proposal that do not conform to the policies of the City's Official Plan and Central Finch Area Secondary Plan. Therefore, the proposal is inconsistent with the Provincial Policy Statement 2014 and does not conform to the Growth Plan for the Greater Golden Horseshoe.

City of Toronto Official Plan and Central Finch Area Secondary Plan

The identification of areas suitable for intensification is contingent upon providing a suitable form of redevelopment. Official Plan policies direct how redevelopment is to fit into the community and provides direction with respect to the public realm, built form, streetscape and the environment.

The proposal has been reviewed against these policies and the existing context. The City of Toronto Official Plan and associated Secondary Plans are based on projected needs and identify a land use structure of areas where intensification is appropriate. The Official Plan directs redevelopment to areas that take the existing building stock into account and where infrastructure and services exist and will be provided. The site is located at the northeast corner of Finch Avenue West, a major street and Grantbrook Avenue, a local street in the City's Official Plan. The proposed amendments to the Official Plan and Central Finch Area Secondary Plan are summarized on the basis of their individual policy framework in the proceeding sections of this report.

Amendments Proposed to the City of Toronto Official Plan – 23 Grantbrook Street

The property at 23 Grantbrook Street is located outside of the Secondary Plan and is designated as *Neighbourhoods* under the City's Official Plan. The overall application proposes 32 townhouses, of which 12 townhouses would be located within the Neighbourhood designation at 23 Grantbrook Street.

While some change is generally anticipated over time, the key policy of the Official Plan is to ensure that new development will respect and reinforce the existing physical character of the neighbourhood. Uses should not be permitted that would represent a departure from the existing character of the neighbourhood. This is an area characterized by single detached dwellings in a Neighbourhoods designation.

The intent of the City of Toronto's Official Plan with respect to the *Neighbourhoods* designation is to protect stable residential neighbourhood areas from incompatible physical change. The surrounding neighbourhood context is made up of the following elements:

- The *Neighbourhoods* designations to the north, east, and west of the site. The predominant built form is that of single detached dwellings. The built form is that of one to two-storey dwellings.
- The higher density development and range of uses within the Central Finch Area Secondary Plan. The intent of the Central Finch Area Secondary Plan is that transition be provided to the surrounding Neighbourhoods within the Central Finch Area Secondary Plan. The property at 23 Grantbrook is bounded by the Central Finch Area Secondary Plan on the southern end of the site.

Given the existing and planned context noted above, the current proposal will impact the stability of the area because it does not respect the City's Official Plan. Planning Staff do not support the proposed Official Plan Amendment to permit, what would be in effect, the incorporation of the *Neighbourhoods* designated lands at 23 Grantbrook Street into the Central Finch Area Secondary Plan.

Amendments Proposed to the Central Finch Area Secondary Plan – 172, 176, and 180 Finch Avenue West

The Central Finch Area Secondary Plan designates the west portion of the lands as *Mixed Use Area 'A'* (176 and 180 Finch Avenue West, and 1-11 Grantbrook Street) and the east portion of the lands *Mixed Use Area 'B'* (172 Finch Avenue West).

For lands designated as *Mixed Use Area 'A'* (176 and 180 Finch Avenue West, and 1-11 Grantbrook Street), where the use is residential and commercial, the maximum density (FSI) permitted is 2.5 times the lot area. The maximum height of a mixed use building is 6 storeys. For lands designated as *Mixed Use Area 'B'*, with frontage of more than 30 metres on Finch Avenue West (172 Finch Avenue West) and where the use is a mix of residential and commercial, the maximum density (FSI) permitted is 1.5 times the lot area. The maximum height of a mixed use project is 4 storeys or 13 metres; whichever is the lesser, provided that the amount of gross floor area devoted to commercial uses does not exceed 0.75 times the lot area.

Section 3.1 of the Secondary Plan also contains height and setback provisions that require buildings to be set back a minimum distance of 9.5 metres from the nearest residential property line that coincides with the boundaries of the Secondary Plan Area and have a maximum height of 70% of the horizontal distance from that boundary. The Secondary Plan also requires a minimum 1.5 metre landscape strip and privacy fence along the north property line.

A height of 6-storeys and 22.29 metres (27.29 m including the mechanical penthouse) is proposed for the mixed use building along the Finch Avenue West frontage (including 172 Finch Avenue West) and at 1-11 Grantbrook Street. The 32 proposed stacked townhouses are proposed at the rear of the Finch Avenue West properties and 23 Grantbrook Street.

While the 6-storey mixed use building is in compliance with the height and angular plane policies of the Central Finch Area Secondary Plan on those sites within a *Mixed Use Area 'A'* designation (1-11 Grantbrook Street, 180 and 176 Finch Avenue West), the scale of the proposed building at 6-storeys and 22.29 m (27.29 m including the mechanical penthouse) is in excess of the planned context of what is envisioned for the 172 Finch Avenue West portion. The stacked townhouses at the rear on 172, 176, and 180 Finch Avenue West are not in compliance with the Secondary Plan's angular plane requirement of 70% of the horizontal distance from the boundary.

As noted in Section 1.4 of the Central Finch Area Secondary Plan, the general objectives of the Secondary Plan is to “*minimize the potential for adverse impact on the land use characteristics of low density residential lands which do not abut Finch Avenue by ensuring that redevelopment in the Central Finch Area takes place in a manner that protects and enhances the residential neighbourhoods.*”

The Official Plan Amendment application effectively proposes to change the designations of 172 Finch Avenue West from *Mixed Use Area 'B'* to a *Mixed Use Area 'A'* designation while also allowing the townhouses to the rear of 172, 176, and 180 Finch Avenue West to exceed the angular plane requirements of the Central Finch Area Secondary Plan.

Staff will continue discussions regarding the overall development to ensure that any development on these portions of the site meet the intent of the Central Finch Area Secondary Plan, which includes retention of the designated heritage building at 172 Finch Avenue West.

Site Organization, Access, and Private Driveway

A significant concern with the current development proposal relates to the proposed access. In its current form, access is proposed via a 9 metre wide L-shaped driveway extending north from Finch Avenue West through to Grantbrook Street. Access would be provided from the private driveway to the rear of the mixed-use building to the below grade parking for both the mixed-use building and stacked townhouses.

Traffic flow and safety at the corner of Finch Avenue West and Grantbrook Street has been an issue for some time and was mentioned a number of times as a major issue at the Community Consultation Meeting. Since the pre-application meeting with the applicant in 2011, City Staff have encouraged a development option which included the integration of a public road which could act as an extension of Senlac Road given its close proximity to the signalized intersections at Senlac Road and Grantbrook Street.

The intent of the City of Toronto's Official Plan with respect to the Public Realm is to ensure that new development is providing connections with adjacent neighbourhoods and to allow public access. Even when not feasible, roads shall be designed to create adequate space for pedestrians, bicycles, landscaping, transit, vehicles, utilities, and utility maintenance.

In its current form, the private driveway providing access to a mixed-use development of this scale would not achieve the objectives as directed by the City's Official Plan and would require the relocation of the designated heritage house.

This site, given its size and location, presents an opportunity to improve the overall traffic flow around the site. Staff feels that a solution that provides for greater connectivity and access to the neighbourhood is possible and will continue discussions with the applicant in this regard.

Proposed Relocation of Heritage House

This site includes a heritage designated house (The Waine House) on the 172 Finch Avenue West lands. The house is proposed to be re-located to the northeast corner of the site in order to accommodate the new private driveway. Section 3.1.5.2 of the Official Plan contains policies relating to Heritage Resources and states that:

"Heritage resources on properties listed on the City's Inventory of Heritage Properties will be conserved. A Heritage Impact Statement may be requested for development proposals on a property on the City's Inventory of Heritage Properties, and will be required where the development entails an amendment to the Official Plan and/or Zoning By-law. Development adjacent to properties on the City's Inventory of Heritage Properties will respect the scale, character and form of the heritage buildings and landscapes."

In its original location on the north side of Finch Avenue West, the Waine House contributes contextually to the development of this thoroughfare as it evolved from an access road to mills and farms into a residential corridor. The current scheme proposes to relocate the heritage building to the northeast corner of the property along a new private road.

An application to demolish the building at 172 Finch Avenue West was submitted on October 15, 2014. On November 17, 2014, an application to demolish the designated building or structure under Part IV of the Ontario Heritage Act was refused by the Chief Planner and Executive Director. On January 13, 2015, North York Community Council authorized the City Solicitor and appropriate City Staff to attend the Ontario Municipal Board hearing in support of the Chief Planner and Executive Director's refusal of the application for demolition under Section 34 of the Ontario Heritage Act for the property at 172 Finch Avenue West.

Staff has concerns with the proposed relocation of the heritage designated house on site and will continue discussions with the applicant to seek a revised plan that maintains the heritage house in its current location.

Site Plan Issues

Matters pertaining to loading areas, design features, and landscaping will be dealt with as part of the Site Plan Approval process at such time as an application for Site Plan Control is received.

Section 37

Section 37 of the *Planning Act* provides one means by which the City can achieve responsible, balanced growth. The City can pass a zoning by-law to grant a height and/or density increase for a particular project that is greater than the zoning by-law would otherwise permit in return for community benefits such as: additional parkland, non-

profit arts, cultural, community or child care facilities, public art, conservation of heritage buildings, transit improvements and purpose built rental housing. Agreements securing community benefits will promote the city-building objectives of the Official Plan and provide for the needs of the new residents, workers, and local communities.

Since this application is not considered to be good planning in its current form, discussions with the applicant about the nature and quantum of the community benefits have not taken place. In the event that the OMB considers granting additional density and/or height beyond that which is permitted, this report recommends that the OMB not approve the zoning by-law without the provision of such community benefits as are appropriate in the opinion of the Chief Planner in consultation with the applicant and the ward councillor.

Conclusion

While in principle staff do not oppose the combination of a mixed-use building and stacked townhouses for the portions of the site within the Central Finch Area Secondary Plan, there are a number of issues surrounding the current proposal relating to the organization of the site, street access to provide better connectivity, preservation of the heritage building, and distribution of scale of the proposal.

This report recommends that staff oppose the applicant's appeal of the application at the OMB and that staff be authorized to continue discussions on a revised proposal that addresses the issues as outlined in this report.

CONTACT

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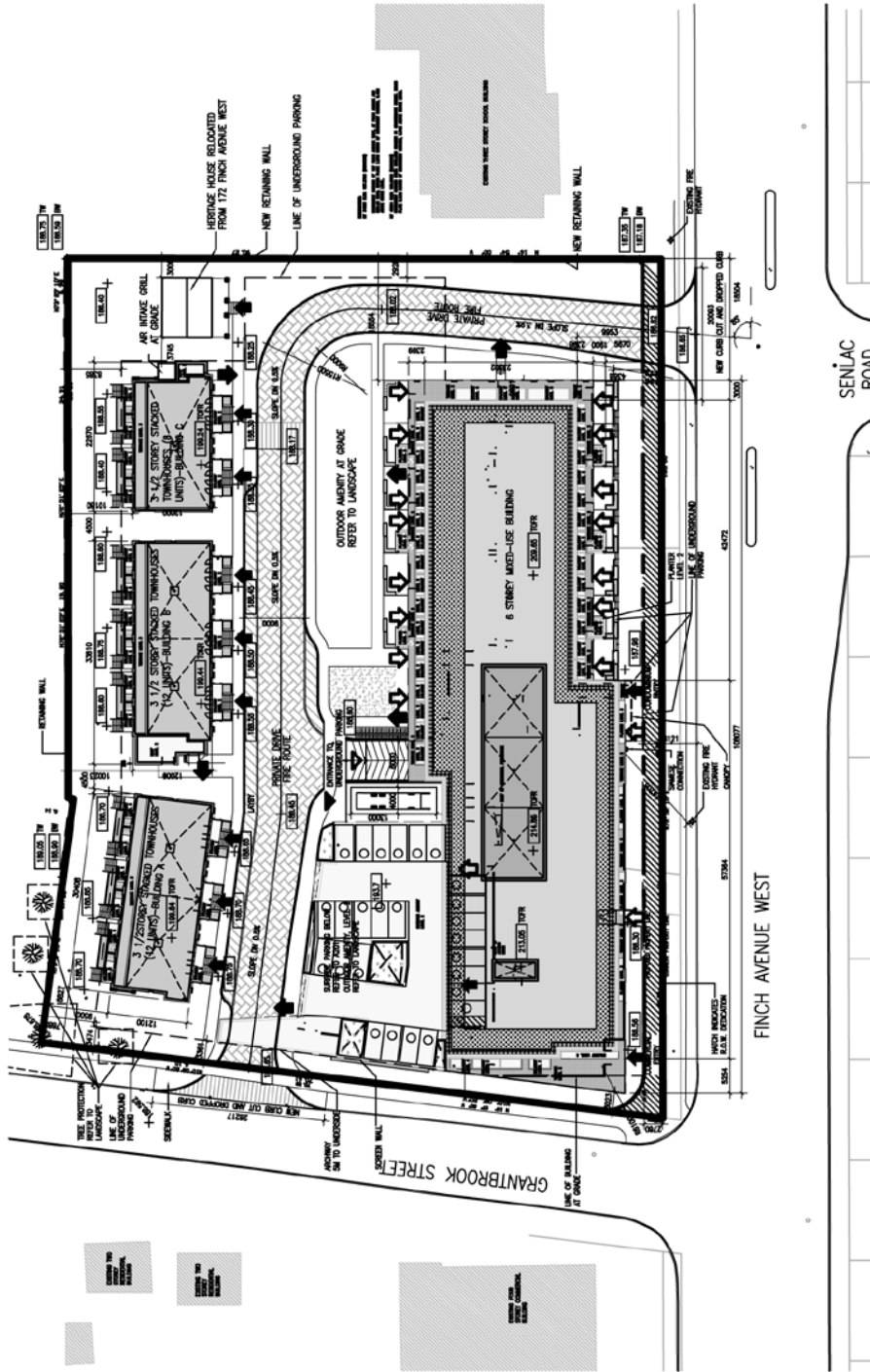
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: East and West Elevations
- Attachment 3: North and South Elevations
- Attachment 4: Townhouse Elevations
- Attachment 5: Zoning
- Attachment 6: Official Plan
- Attachment 7: Secondary Plan
- Attachment 8: Application Data Sheet

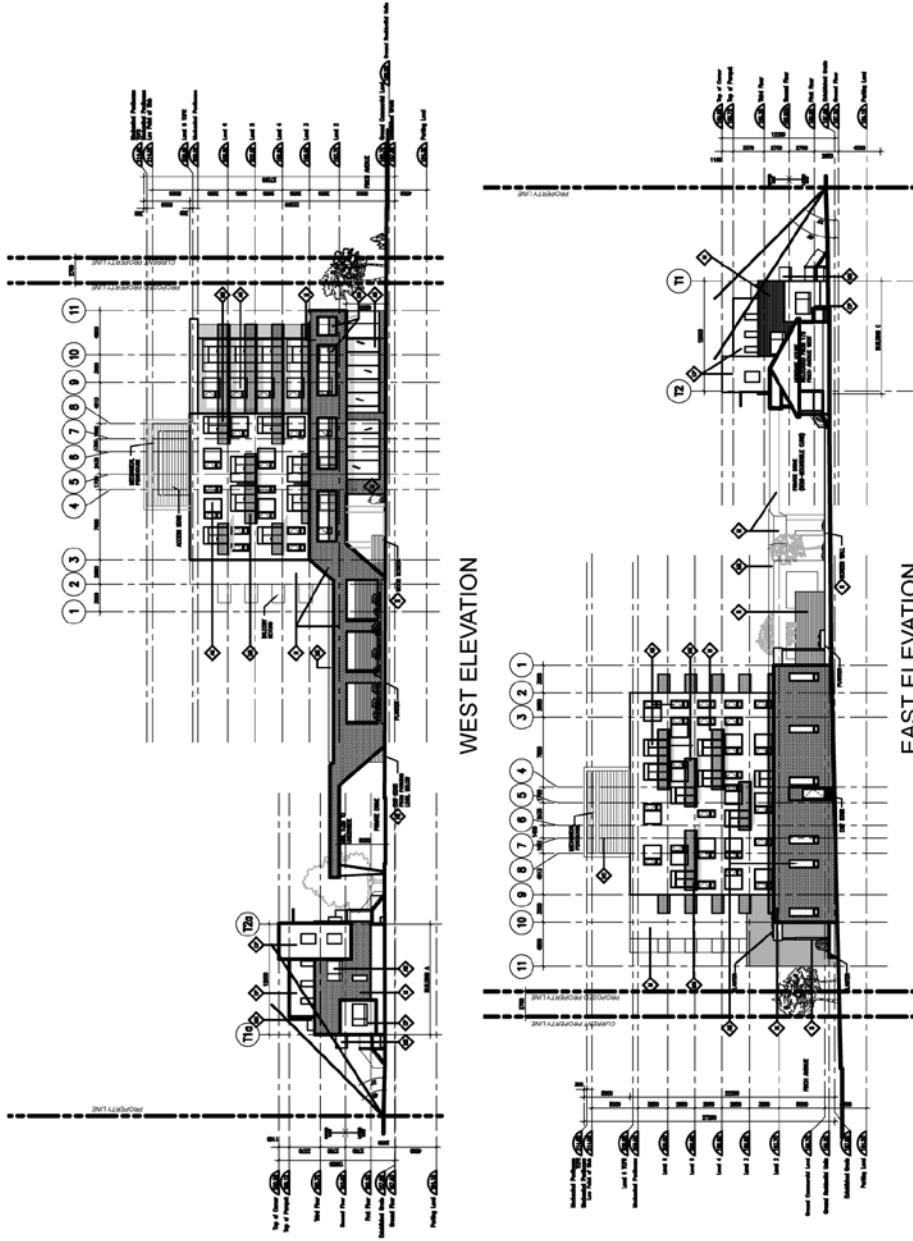
Attachment 1: Site Plan



Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 08/14/2013

172, 176, 180 Finch Avenue West & 1-11, 23 Grantbrook Drive
 File # 13 185749 NMY 23 02

Attachment 2: East and West Elevations

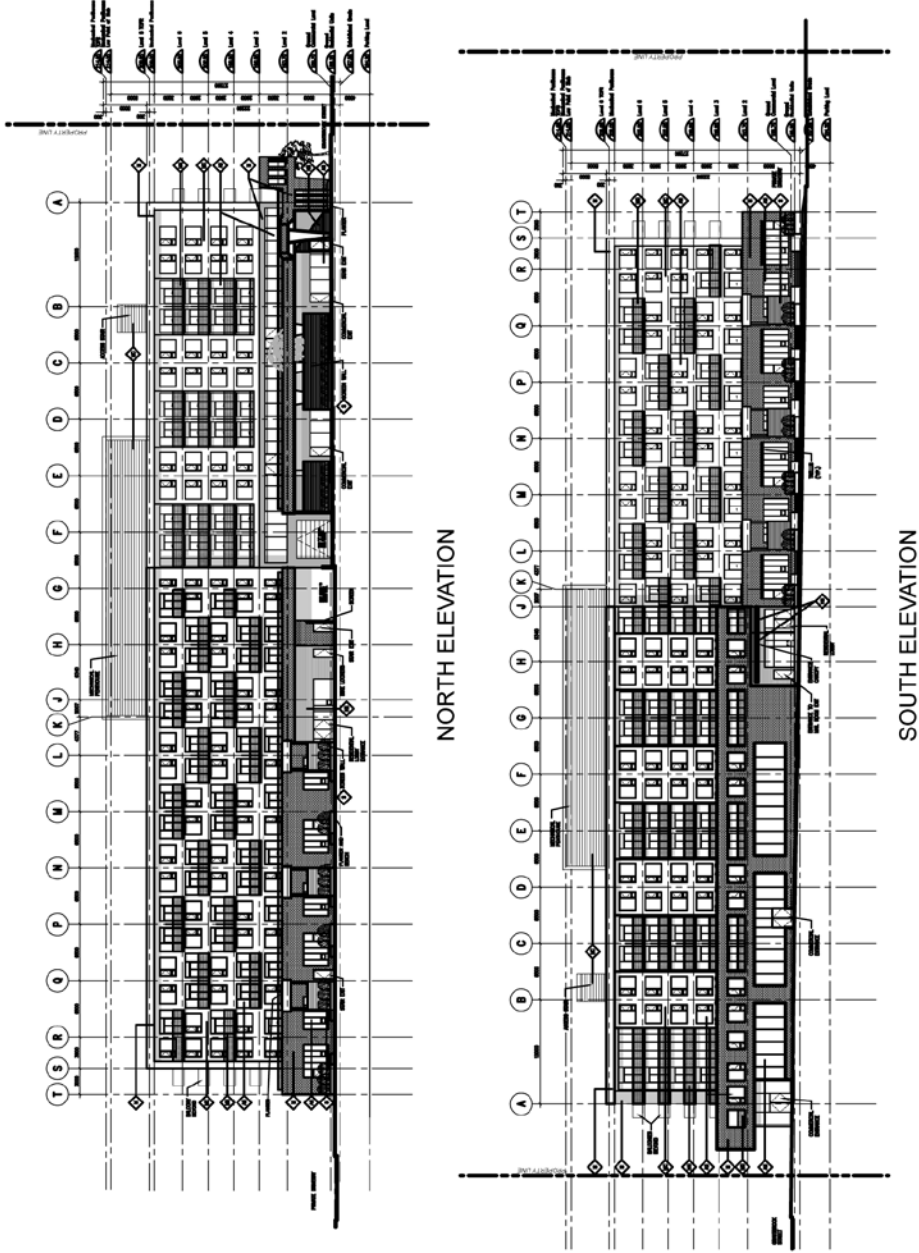


172, 176, 180 Finch Avenue West &
1-11, 23 Grantbrook Drive

File # 13 185749 NNY 23 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
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Attachment 3: North and South Elevations

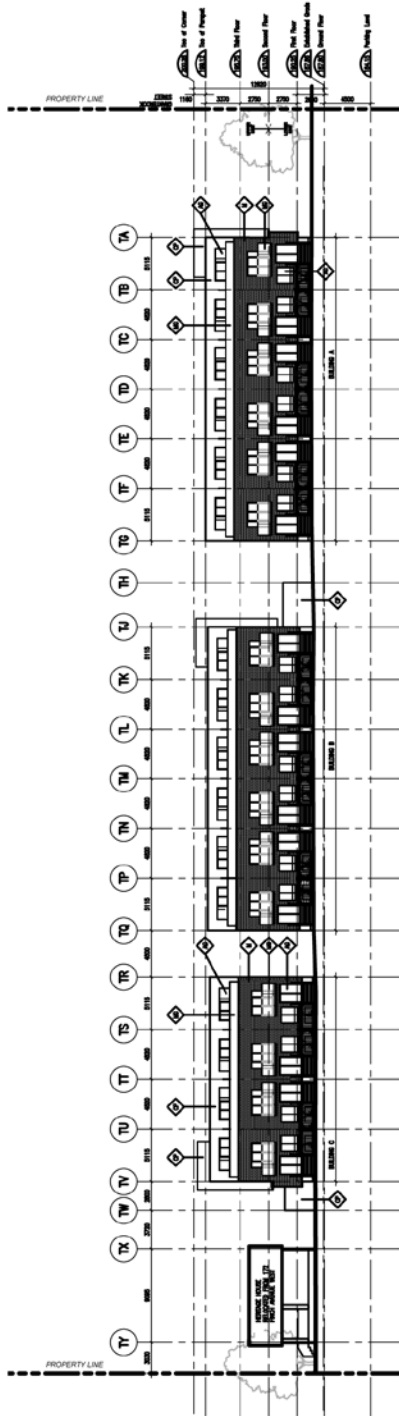


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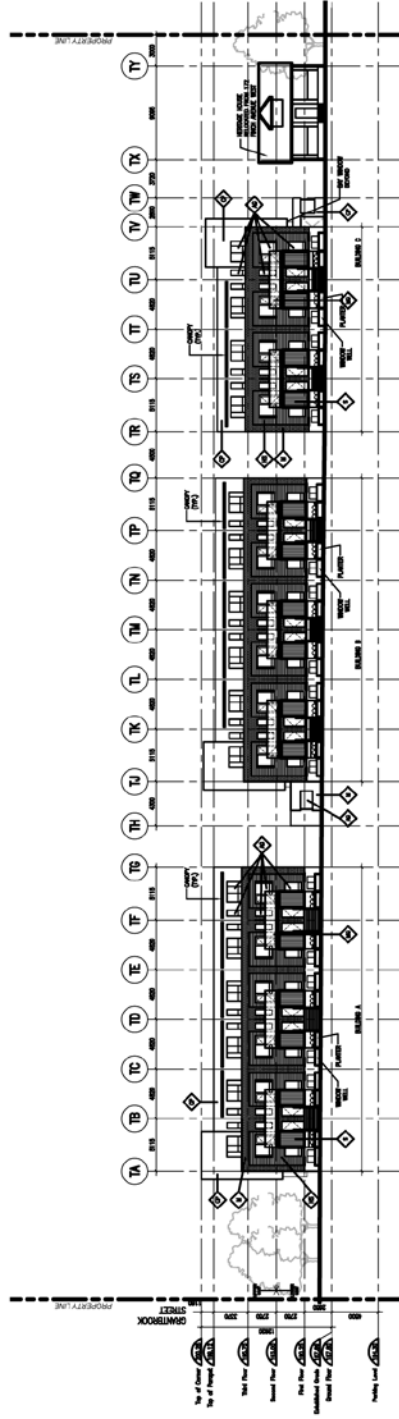
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Elevations
Applicant's Submitted Drawing
Not to Scale
08/14/2013

Attachment 4: Townhouse Elevations



NORTH ELEVATION-TOWNHOUSES



SOUTH ELEVATION-TOWNHOUSES

Elevations

Applicant's Submitted Drawing

Not to Scale
08/14/2013

172, 176, 180 Finch Avenue West &
1-11, 23 Grantbrook Drive

File # 13 185749 NNY 23 0Z


Attachment 5: Zoning



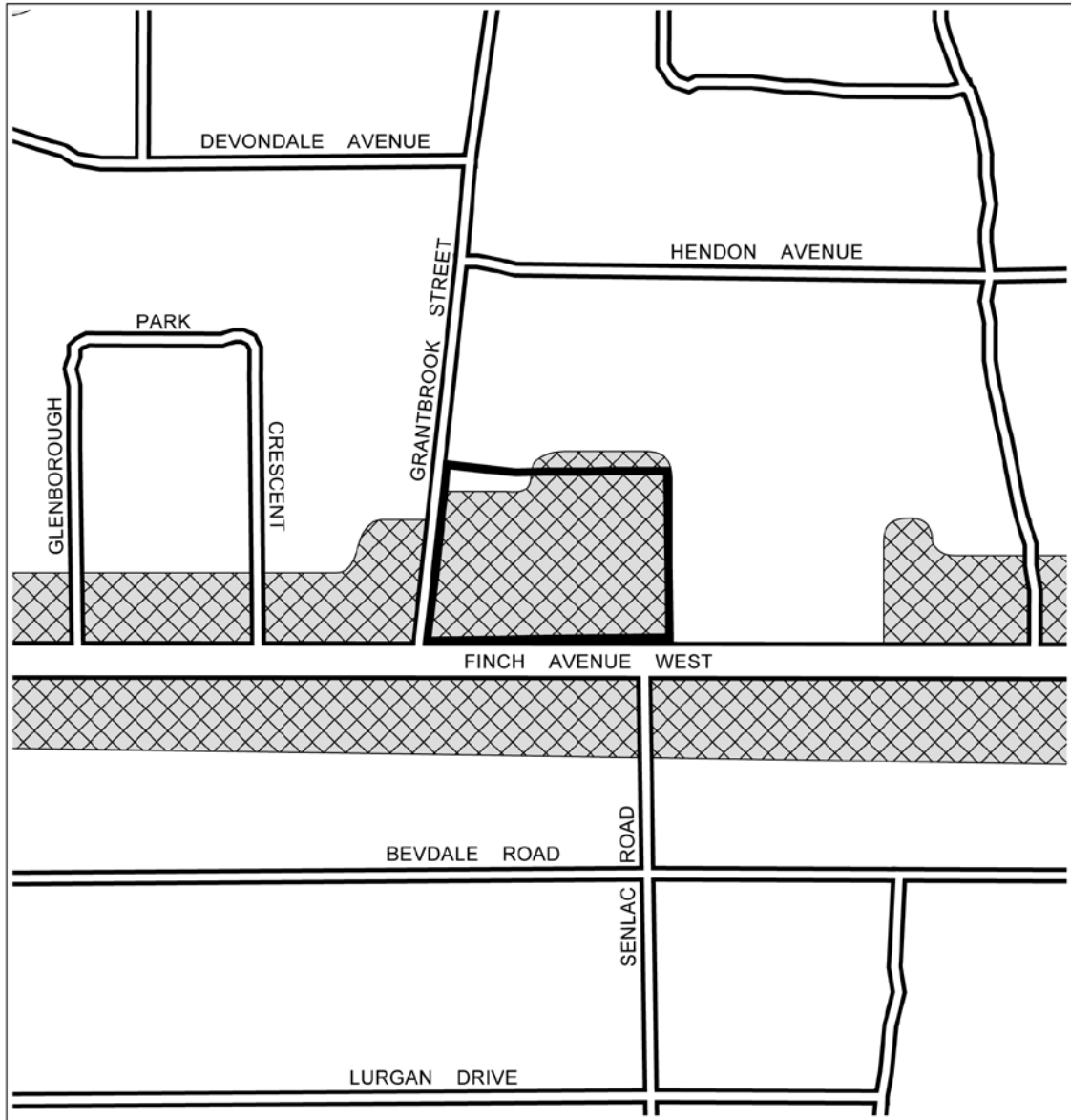
TORONTO City Planning
Zoning By-law 569-2013

**172, 176, 180 Finch Avenue West &
 1-11, 23 Grantbrook Drive
 File # 13 185749 NNY 23 02**

- | | | | |
|---|----------------------------|---|--|
|  | Location of Application |  | See Former City of North York Bylaw No. 7625 |
| RD | Residential Detached | R4 | One-Family Detached Dwelling Fourth Density Zone |
| UT | Utility and Transportation | RM1 | Multiple-Family Dwellings First Density Zone |
| | | C1 | General Commercial Zone |
| | | C4 | Mixed Use Commercial Zone |


 Not to Scale
 Extracted 07/05/2013

Attachment 6: Official Plan



TORONTO City Planning
Official Plan

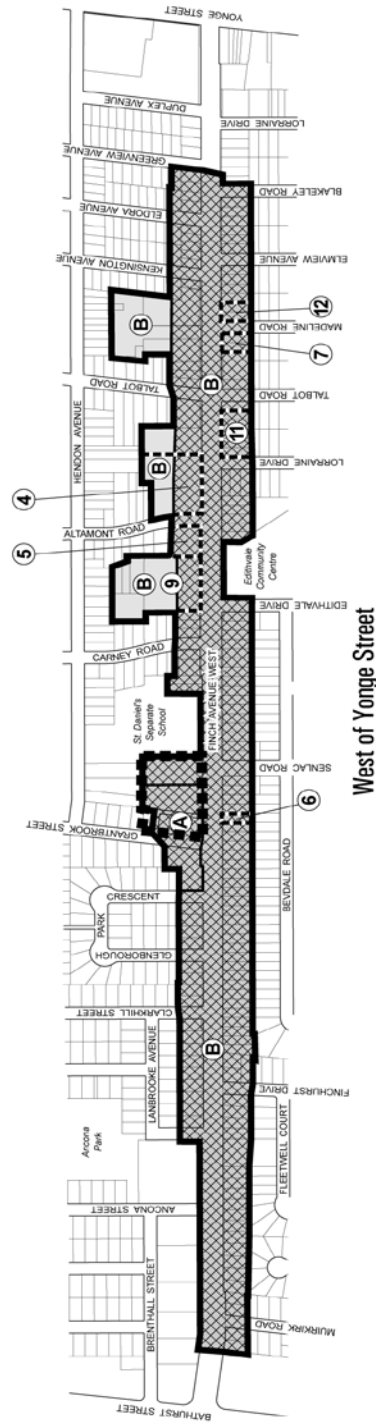
172, 176, 180 Finch Avenue West &
1-11 & 23 Grantbrook Street

File # 13 185749 NNY 23 02

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas


Not to Scale
08/13/2013

Attachment 7: Secondary Plan



Central Finch Area Secondary Plan
MAP 22-1 Land Use Areas

Not to Scale
 08/19/2013

172, 176, 180 Finch Avenue West &
 1-11, 23 Grantbrook Drive

File # 13 185749 NNY 23 0Z

Neighbourhoods
 Subject Property
 Secondary Plan Boundary
 Mixed Use Areas
 Site and Area Specific Policy Areas

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 185749 NNY 23 OZ
Details	OPA & Rezoning, Standard	Application Date:	June 11, 2013

Municipal Address: 172, 176, and 180 Finch Avenue West, 1-11 and 23 Grantbrook Street

Location Description: PLAN 2056 PT LOT 16 **GRID N2301

Project Description: Proposal is for one 6-storey, mixed-use building fronting onto Finch Ave. and thirty-two 3.5-storey stacked townhouse dwellings served by a private internal roadway providing access to both Finch and Grantbrook Street. Proposal will also maintain existing Heritage Building.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC.			STEELWELL DEVELOPMENTS LTD. IN TRUST

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C1, C1(53) R4	Historical Status:	Y
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	11346	Height:	Storeys:	6
Frontage (m):	130		Metres:	27.29
Depth (m):	90			
Total Ground Floor Area (sq. m):	4176			Total
Total Residential GFA (sq. m):	18506.5		Parking Spaces:	251
Total Non-Residential GFA (sq. m):	1016		Loading Docks	1
Total GFA (sq. m):	19522.5			
Lot Coverage Ratio (%):	36.8			
Floor Space Index:	1.72			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	18506.5
Bachelor:	0	Retail GFA (sq. m):	1016
1 Bedroom:	96	Office GFA (sq. m):	0
2 Bedroom:	87	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	183		