

**17 Hycrest Ave – Rezoning & Site Plan – Final Report**

<b>Date:</b>	May 2, 2008
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 23 – Willowdale
<b>Reference Number:</b>	07 250322 NNY 23 OZ & 07 250325 NNY 23 SA

**SUMMARY**

This application was submitted on August 3, 2007 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend North York Zoning By-law No. 7625 to permit the construction of three new townhouse units at 17 Hycrest Avenue.

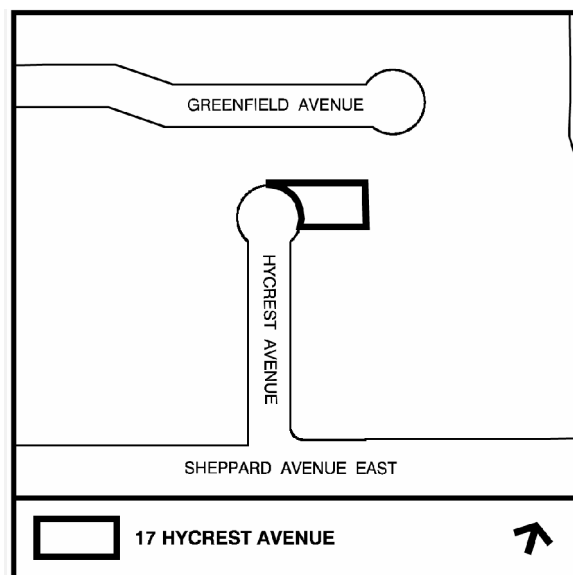
The proposal conforms to the *Neighbourhoods* and Sheppard East Subway Corridor Secondary Plan policies of the Official Plan and meets the objectives of the City’s Infill Townhouse Guidelines.

This report reviews and recommends approval of the application to amend the Zoning By-law and approval in principle of the Site Plan Control Application.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9;



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;
3. City Council approve in principal the site plan drawings and Site Plan Control Approval Conditions listed in Attachment 10 subject to stylistic and technical changes; and
4. City Council authorize the Chief Planner or his designate to issue final approval of the Site Plan Control Application once the conditions set out in Attachment 10 are satisfied, including entering into a satisfactory Site Plan Control Agreement.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

There are no previous planning applications or decisions related to this subject property.

### **ISSUE BACKGROUND**

#### **Proposal**

The application proposes to amend North York Zoning By-law No. 7625 to permit the construction of three new townhouse units at 17 Hycrest Avenue. The freehold townhouse development would be three storeys in height, have a floor space index of 1.1 and gross floor area of 847.2m<sup>2</sup>. Each townhouse unit would have an individual integral at-grade garage.

#### **Site and Surrounding Area**

Located in the area west of Bayview Avenue, north of Sheppard Avenue East, the subject property is situated at the end of the Hycrest Avenue cul-de-sac, fronting on to the east side. The site has a frontage of 20.8m, an approximate depth of 31.2m and an area of 750.0m<sup>2</sup>. The site currently sits vacant.

Hycrest Avenue, being a closed cul-de-sac, is separated from the surrounding residential neighbourhood to the north as vehicular access to the street is only available from Sheppard Avenue.

Land uses surrounding the site are as follows:

- North: single detached dwellings
- South: townhouses and a 10 storey condominium apartment building
- East: St. Elizabeth of Hungary Church and Montessori School
- West: single detached dwellings and townhouses across Hycrest Avenue

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) 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. City Council's planning decisions are required to be consistent with the PPS.

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 conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The City of Toronto Official Plan designates the site as *Neighbourhoods*, which provides for a full range of residential uses within lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses.

The site is within the Sheppard East Subway Corridor Secondary Plan, which sets out objectives to manage, direct and ensure quality development in support of the significant public investment in rapid transit along Sheppard Avenue East. Under the Secondary Plan, the lands are within the Bayview Node, which is identified as a residential development node for providing opportunities for new residential uses with a mix and range of housing types. Development will be transit supportive with the highest densities generally located closest to the rapid transit stations.

## **Zoning**

The site is zoned One Family Detached Dwelling Third Density (R3), which permits residential uses limited to one-family detached dwellings.

## **Site Plan Control**

A Site Plan Control application has been submitted. It is recommended that the Site Plan Control application be approved in principle, as per the Site Plan Approval Conditions outlined in Attachment 10.

## **Reasons for Application**

An amendment to Zoning By-law 7625 is required, as the R3 zoning that applies to the site does not permit the proposed townhouses.

## **Community Consultation**

A Community Consultation Meeting was held on November 26, 2007 at the North York Civic Centre. Ten residents were in attendance. Following presentations from City staff and the applicant a number of issues were discussed, including:

- Difficulty for residents to turn left on to Sheppard Avenue East from Hycrest Avenue and that any additional residential properties on Hycrest Avenue would make the problem worse;
- Three townhouse units on the lot represents over development and that two units would be more appropriate;
- The backyards on Greenfield Avenue, given their shallow depth, would be overshadowed by the proposed townhouses; and
- The townhouses are too long which presents a concern with regards to shadowing and lack of privacy for adjacent properties.

A petition signed by 13 residents from Hycrest Avenue and Greenfield Avenue voicing their objection to the proposed townhouse development was also submitted to City Planning on November 19, 2007.

## **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 appropriate by-law standards.

## **COMMENTS**

### **Land Use**

The Official Plan designates the subject lands as Neighbourhoods. The Plan states that development in Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood. Given that there are three existing townhouse developments on Hycrest Avenue, the proposal is in keeping with the predominant form of development for the street.

The Sheppard East Subway Corridor Secondary Plan includes Hycrest Avenue within the Bayview Development Node, which is a residential development node for providing opportunities for new residential uses with a mix and range of housing types. The Plan envisions development within this node that will be transit supportive, with higher densities being located closest to the subway stations so as to support the significant public investment in rapid transit along Sheppard Avenue. Given the close proximity of Hycrest Avenue to the Bayview subway station a more intense form of development such as townhouses is appropriate.

Any intensification on Hycrest Avenue should not result in the potential redevelopment of the low density, stable residential neighbourhoods to the north as Hycrest Avenue is a closed cul-de-sac with vehicular and pedestrian access only available from Sheppard Avenue.

## **Density, Height, Massing**

The proposed townhouses are in keeping with the *Neighbourhoods* policies of the Official Plan that dictate development should respect and reinforce the existing physical character of the street and neighbourhood. The applicants have revised their proposal so that it is compatible with existing developments on Hycrest Avenue with respect to density and scale while trying to maintain the intent of the zoning standards for the existing R3 zoning designation in regards to items such as height and length.

The three townhouse units would each have an average lot width of 6.9m. Of the three existing townhouse developments on Hycrest Avenue, two have average lot widths narrower than those proposed for the subject site.

The proposal represents a density of 1.1, with lot coverage at 41%. Each individual townhouse unit would have a maximum length of 16.8m, which is the current zoning standard for a single detached home under the R3 zoning designation. The townhouses would be three stories in height and have a physical height of 9.2m, which is one foot (0.4m) taller than the maximum R3 zoning standard. The three existing townhouse developments on Hycrest Avenue are each three stories in height.

The townhouses meet the objectives of the City's Infill Townhouse Guidelines.

## **CONCLUSION**

The proposed three storey townhouse development complies with the *Neighbourhoods* and Sheppard East Subway Corridor Secondary Plan policies of the Official Plan. The proposal also meets the objectives of the City's Infill Townhouse Guidelines. For these reasons, staff recommend that the application be approved.

## **CONTACT**

Jeff Markowiak, Assistant Planner  
Tel. No. (416) 395-7130  
Fax No. (416) 395-7155  
E-mail: jmarkow@toronto.ca

## **SIGNATURE**

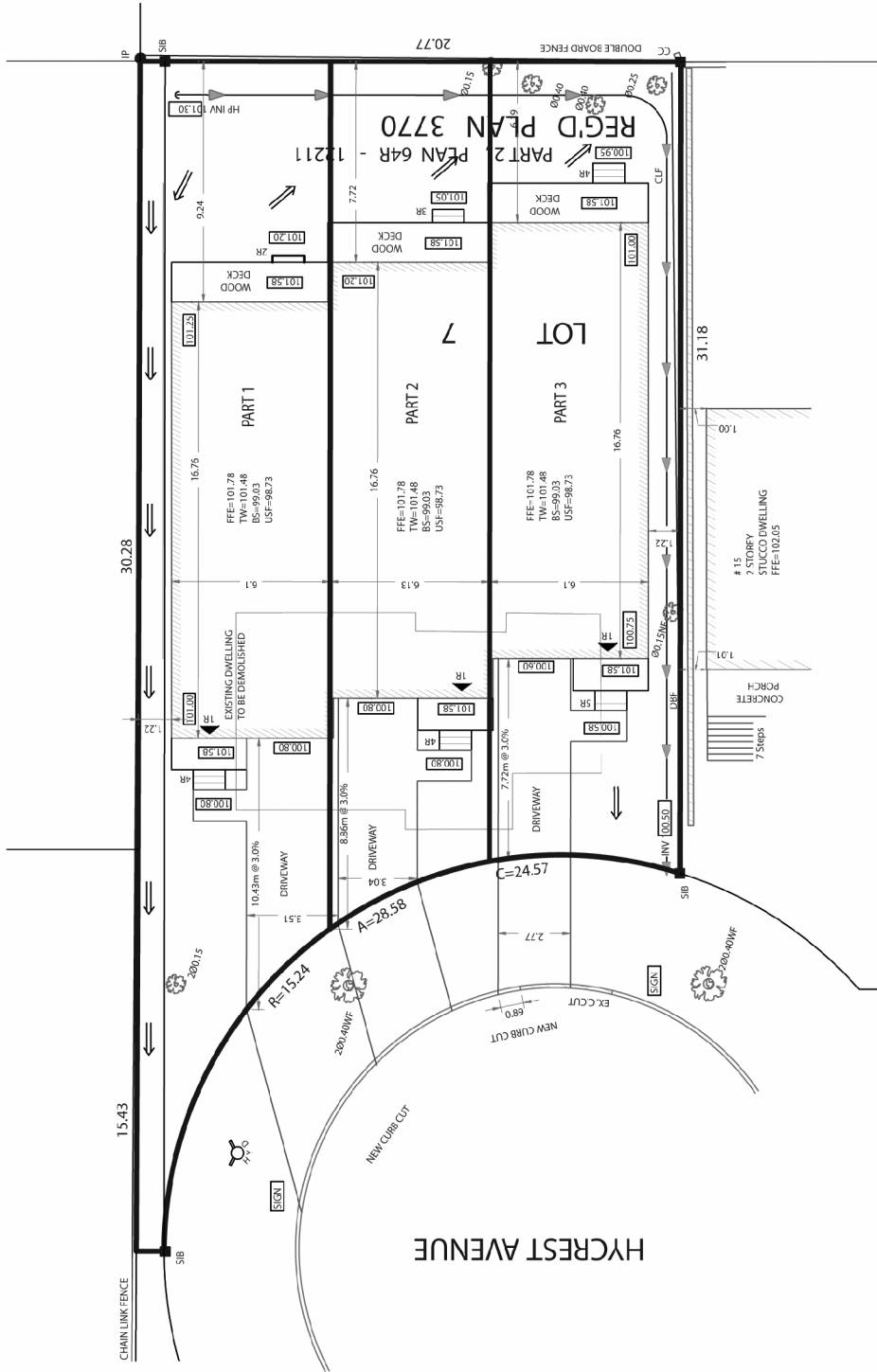
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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Landscape Plan
- Attachment 3: Elevation (Front)
- Attachment 4: Elevation (Rear)
- Attachment 5: Elevation (North Side)
- Attachment 6: Elevation (South Side)
- Attachment 7: Zoning (Map)
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Site Plan Control Approval Conditions

# Attachment 1: Site Plan



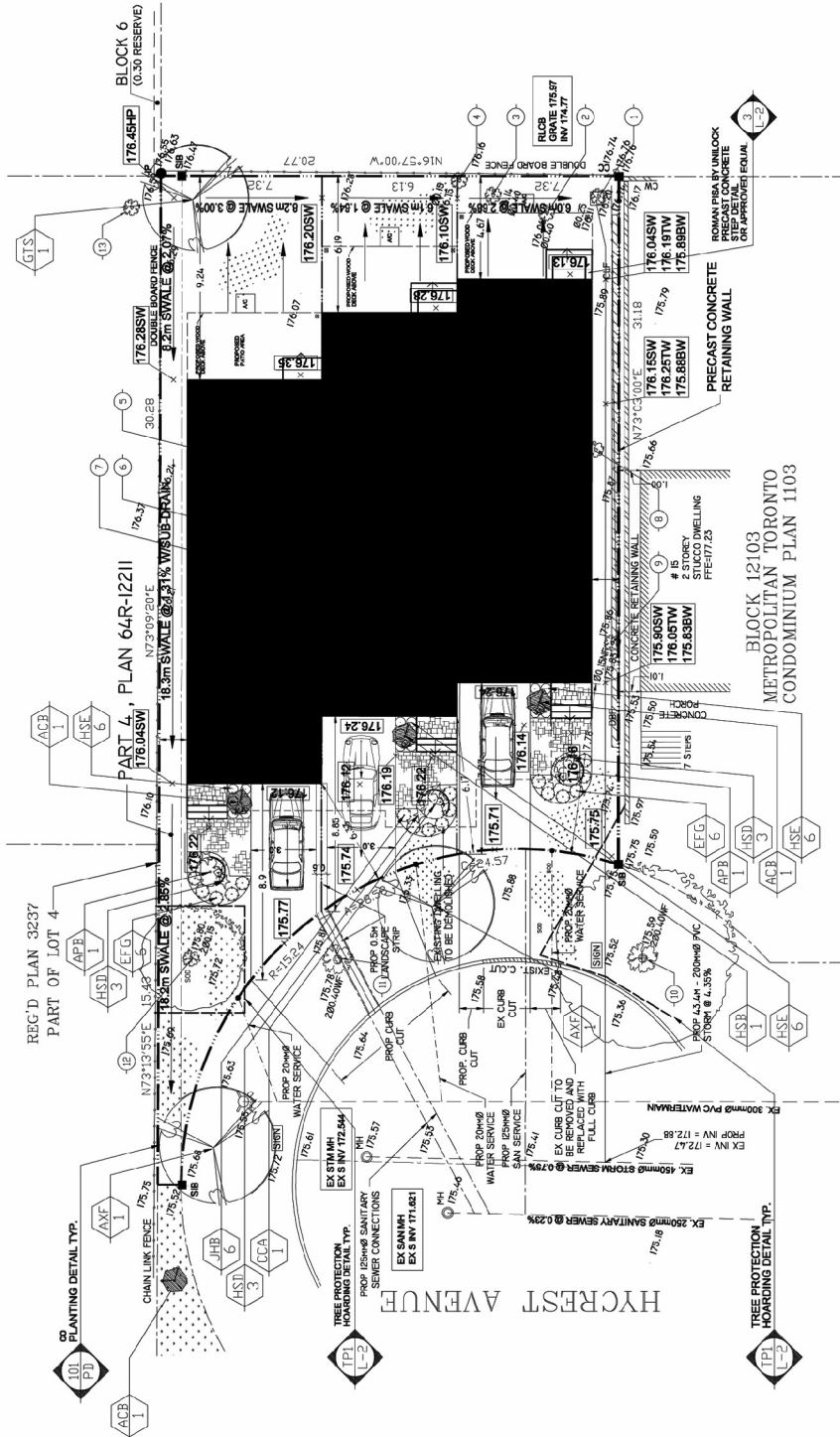
17 Hycrest Avenue

Site Plan  
Applicant's Submitted Drawing

File # 07\_250322

Not to Scale  
05/02/2008

# Attachment 2: Landscape Plan



17 Hycrest Avenue

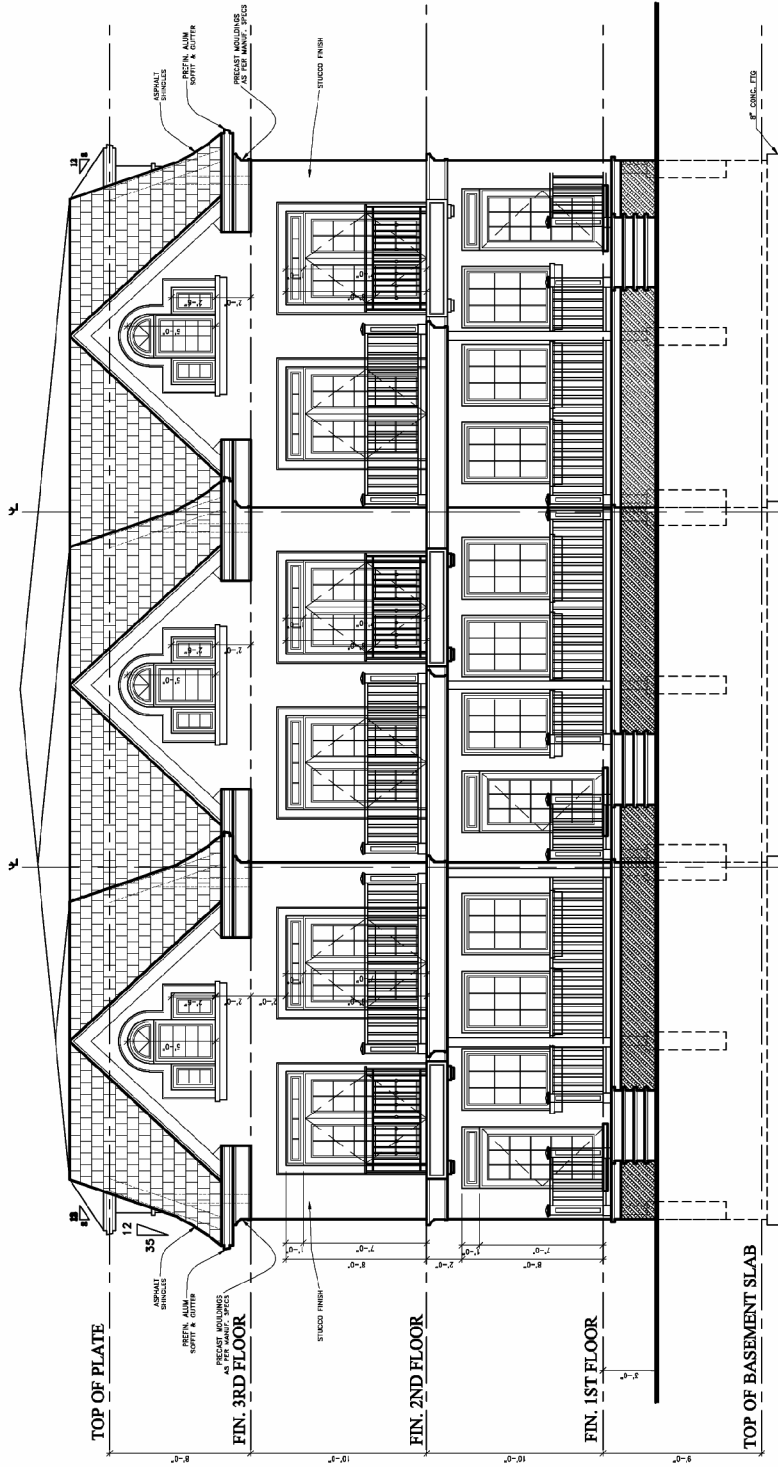
**Landscape Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 05/20/2008

File # 07\_250322





Attachment 4: Elevation (Rear)



East (Rear) Elevation

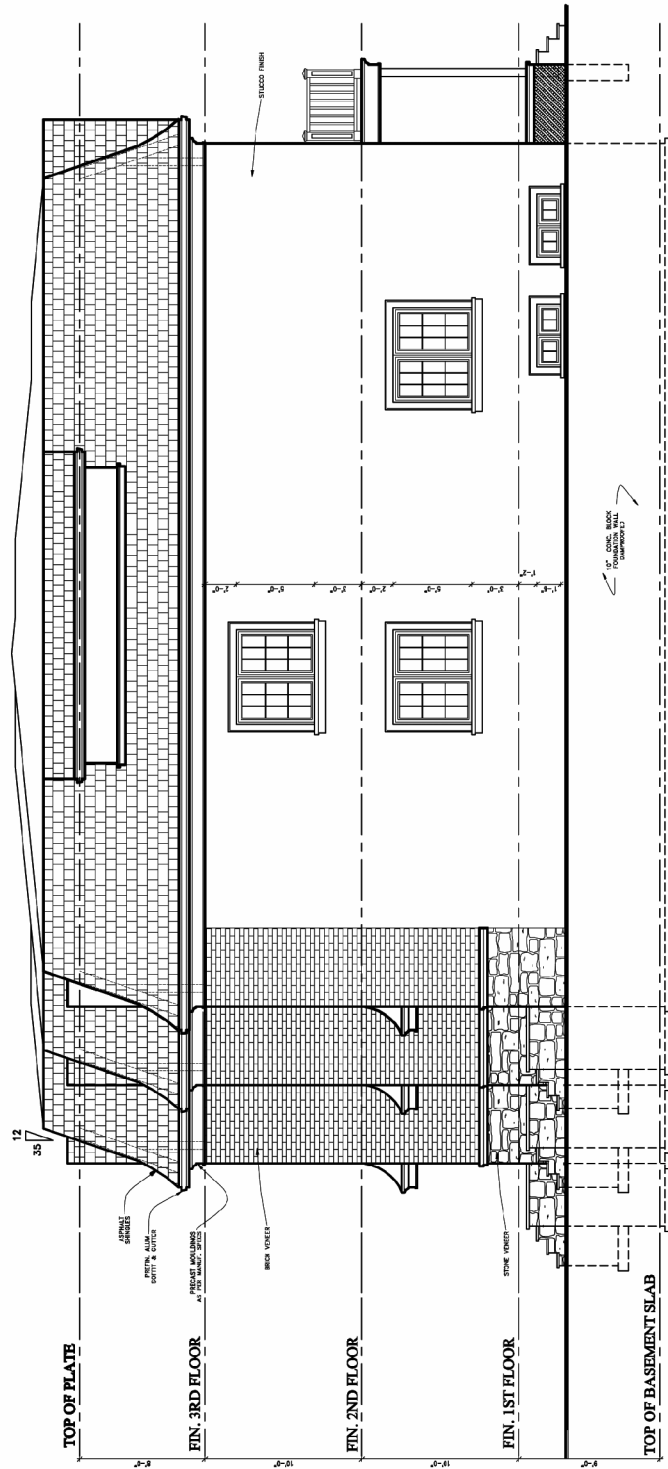
17 Hycrest Avenue

Elevations  
Applicant's Submitted Drawing

Not to Scale  
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File # 07\_250322

Attachment 5: Elevations (South Side)



South Elevation

17 Hycrest Avenue

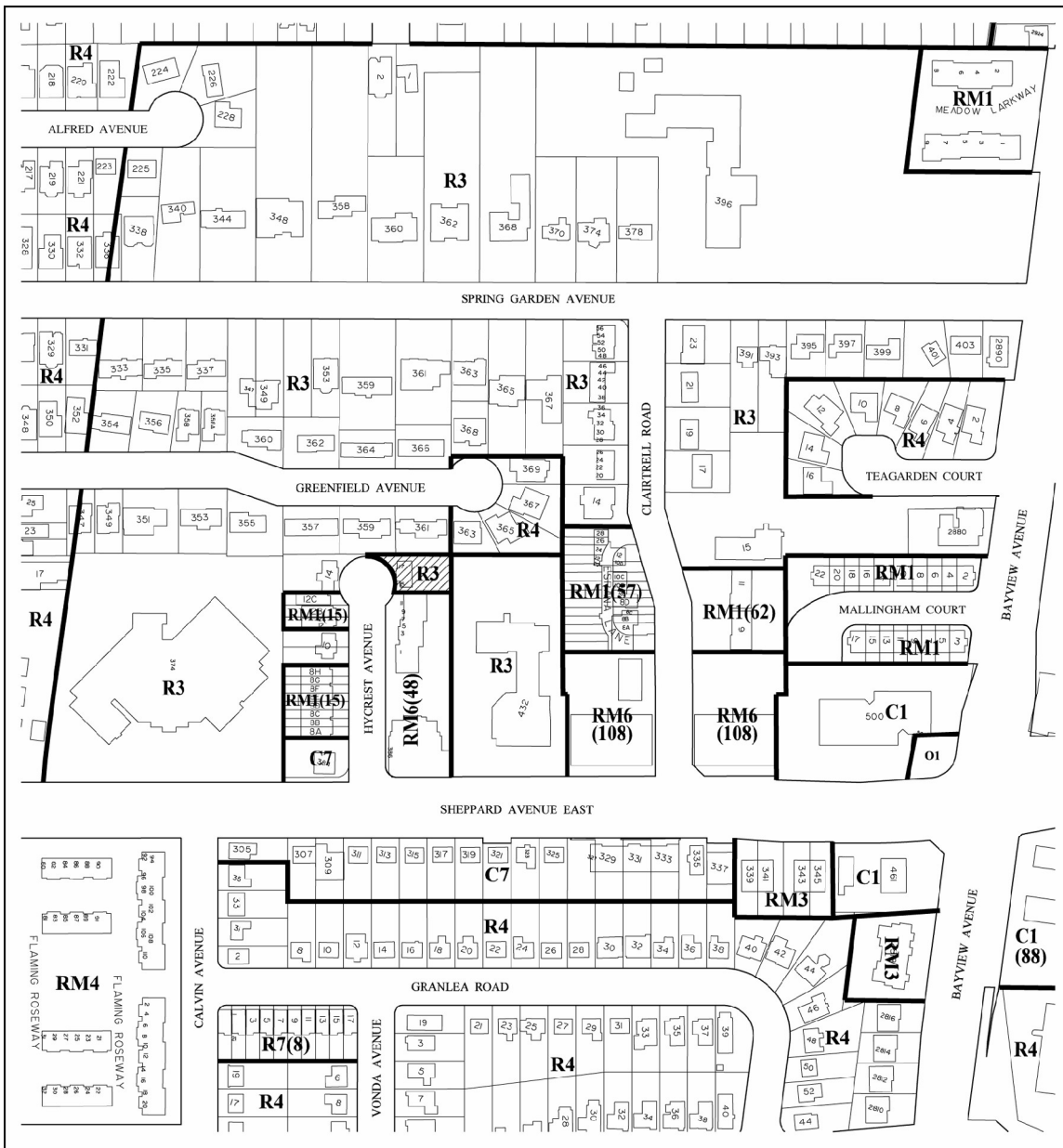
Elevations  
Applicant's Submitted Drawing

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05/02/2008

File # 07\_250322



## Attachment 7: Zoning (Map)



**17 Hycrest Avenue**  
File # 07\_250322

- |  |  |
|--|--|
| R3 One-Family Detached Dwelling Third Density Zone                 | RM3 Multiple-Family Dwellings Third Density Zone |
| R4 One-Family Detached Dwelling Fourth Density Zone                | RM6 Multiple-Family Dwellings Sixth Density Zone |
| R7 One-Family Detached Dwelling Seventh Density Zone               | C1 General Commercial Zone                       |
| RM1 Multiple-Family Dwellings First Density Zone                   | C7 Mixed Use Commercial Zone                     |
| NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category | O1 Open Space Zone                               |

Not to Scale  
 Zoning By-law 7625  
 Extracted 05/02/2008

## Attachment 8: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	07 250322 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	August 3, 2007

Municipal Address: 17 HYCREST AVE, TORONTO ON M2N 5G2  
 Location Description: PLAN 3770 LOT 7 \*\*GRID N2304  
 Project Description: Proposing to construct three new townhouse units at 17 Hycrest Avenue

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MAVUK HOLDINGS INC.		RUBINOFF DESIGN GROUP	MAVUK HOLDINGS INC.

#### PLANNING CONTROLS

Official Plan Designation: AN	Site Specific Provision:
Zoning: R3	Historical Status:
Height Limit (m): 8.8	Site Plan Control Area: Y

#### PROJECT INFORMATION

Site Area (sq. m):	750	Height:	Storeys:	3	
Frontage (m):	20.77		Metres:	9.45	
Depth (m):	31.18				
Total Ground Floor Area (sq. m):	307.87				<b>Total</b>
Total Residential GFA (sq. m):	847.2		Parking Spaces:	6	
Total Non-Residential GFA (sq. m):	847.2		Loading Docks	0	
Total GFA (sq. m):	847.2				
Lot Coverage Ratio (%):	41.0				
Floor Space Index:	1.1				

#### DWELLING UNITS

Tenure Type:	Freehold
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	3
Total Units:	3

#### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	847.2	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Jeff Markowiak, Assistant Planner**  
**TELEPHONE: (416) 395-7130**

## Attachment 9: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ [or Report No. ~, Clause No. ~]  
as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

### CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend City of North York Zoning By-law No. 7625, as amended,  
With respect to the lands municipally known as  
17 Hycrest Ave**

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

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules “B” and “C” of By-law No. 7625 of the former City of North York are amended in accordance with Schedule “1” of this By-law.
2. Section 64.16 of By-law No. 7625, as amended, is amended by adding the following subsection:

“64.16(76) RM1(76)

#### PERMITTED USES

- (a) The only permitted uses shall be Multiple Attached Dwellings, Single Family Dwellings and uses accessory thereto.

#### EXCEPTION REGULATIONS

#### MAXIMUM NUMBER OF DWELLING UNITS

- (b) The maximum number of dwelling units shall be 3.

#### MAXIMUM GROSS FLOOR AREA

- (c) The maximum gross floor area shall be 847.2 square metres.

- (d) For purposes of this exception, the Basement shall not be included in the maximum gross floor area calculation.

#### LOT COVERAGE

- (e) The maximum lot coverage shall be 41%.

#### BUILDING HEIGHT

- (f) The building shall not exceed 9.45 metres or 3 storeys in height. For the purpose of this exception, “Established Grade” shall be considered to be the geodetic elevation of the centre line of Hycrest Avenue. The stairwell dormers on the north and south sides of the roof will be excluded from any height calculation.
- (g) For purposes of this exception, the Basement shall be deemed not to be a Storey, provided that any basement has not more than 65% of the height between the floor and the ceiling above the Established Grade.

#### BUILDING ENVELOPE

- (h) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelope identified on Schedule RM1(76).

#### PARKING

- (i) Two parking spaces per unit shall be provided on the site.
- (j) A Parking space size shall have a minimum width of 2.6 metres, a minimum length of 5.6 metres, and a minimum vertical clearance of 2.0 metres.
- (k) The driveways shall not exceed 3 metres in width.

#### YARD SETBACKS AND DISTANCES BETWEEN BUILDINGS

- (l) The minimum yard setbacks and distances between buildings shall be as shown on Schedule RM1(76).

#### PERMITTED PROJECTIONS

- (m) For the purpose of establishing permitted projections into required yard setbacks, the front yards shall be considered to be the yards adjacent to the west sides of the building and the rear yards shall be considered the yards adjacent to the east sides of the building.



- (n) Exterior stairways and wheelchair ramps shall be permitted to project into the minimum front yard setback by not more than 2.2 metres.
- (o) Each dwelling unit is permitted a maximum of 1 deck, which is located at the rear yard first floor level.
- (p) Each dwelling unit is permitted a maximum of 1 balcony, which is located at the rear yard second floor level.
- (q) Notwithstanding Section 6(9)(l) of Zoning By-law 7625, balconies shall be permitted to project not more than 1.52 metres beyond the rear wall of the building, shall be permitted a maximum width of 3.27 metres and a maximum area of 5.0 square metres.

#### OTHER REGULATIONS

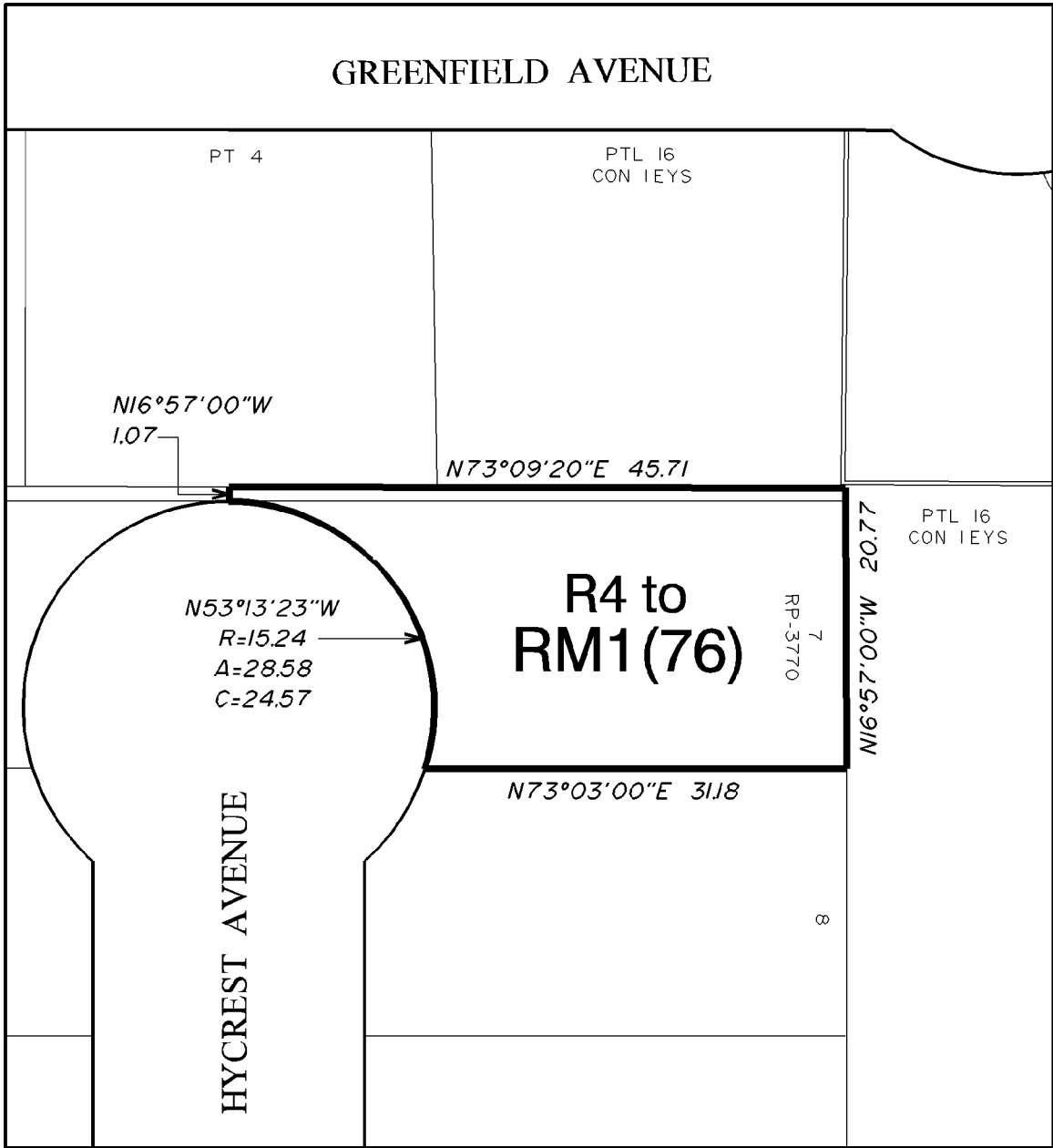
- (r) Sections 15.8(a), 16.2.1, 16.2.2, 16.2.3, 16.2.4, 16.2.6 shall not apply.
- (s) Notwithstanding any severance, partition or division of the site, as shown on Schedule RM1(76), the provisions of this by-law shall apply to the whole of the site as if no severance, partition or division occurred.

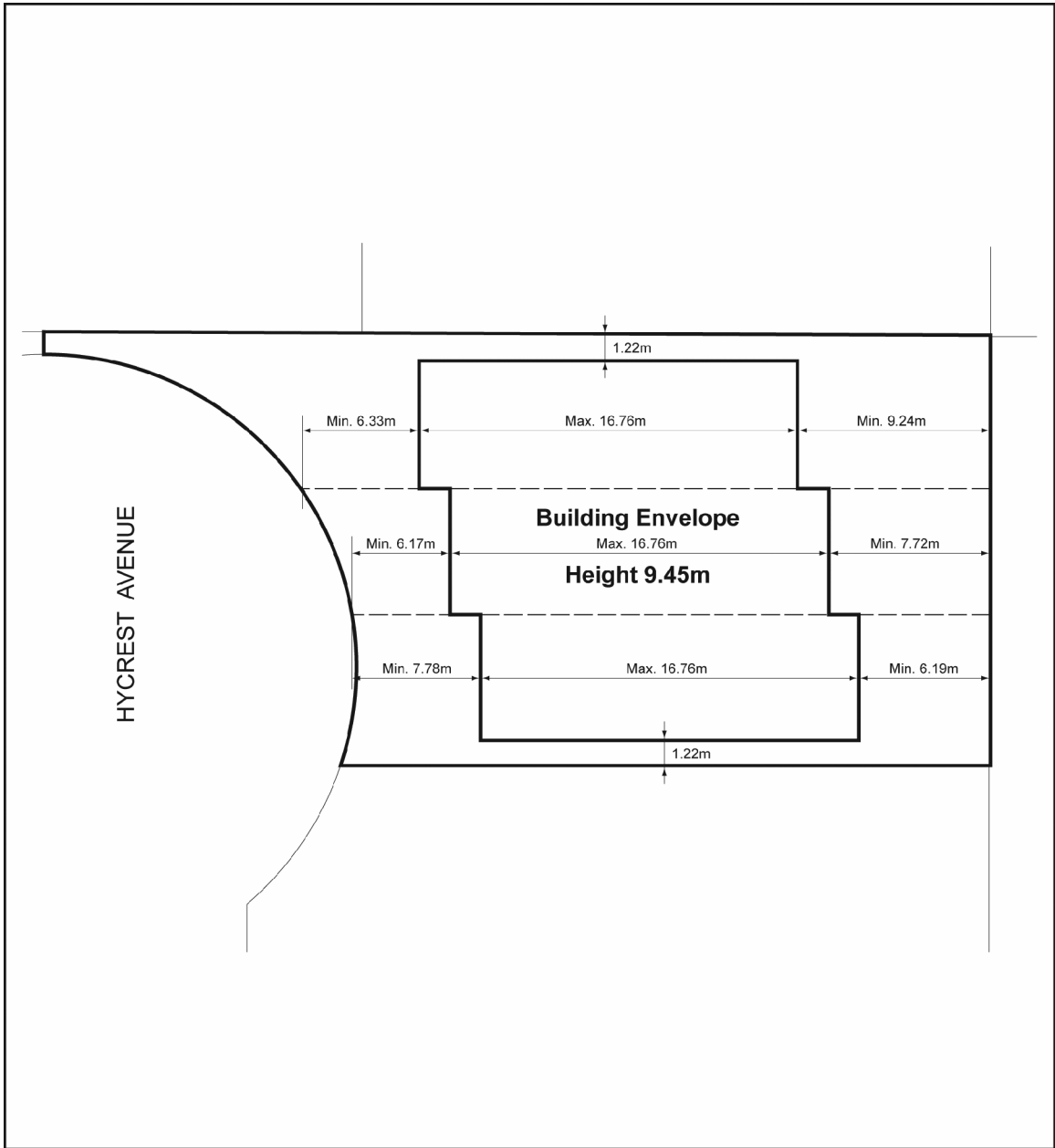
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)





## Attachment 10: Site Plan Control Approval Conditions

The City Planning Division, North York District, has completed our review of the proposal for the construction of three new townhouse units as outlined in the following plans and drawings:

Plan Number(s)	Plan Title	Author/Date
1	Site Plan	Rubinoff Design Group, stamped "Dated May 2, 2008"
2-5	Elevations	Rubinoff Design Group, stamped "Dated May 2, 2008"
L1	Landscape Plan	M+S Landscape Architects, date February 2007, revised to May 20, 2008

Before we can grant approval to your proposal we require that the following conditions be fulfilled:

### Technical Services

1. The applicant shall amend the Site plan Drawings and/or Studies and/or Drawings to address the comments outlined under Section A in the Technical Services Memorandum dated October 9, 2007, and resubmit for the review and acceptance by the Executive Director of Technical Services.
2. Any landscaping within the Hycrest Avenue boulevard must be approved by the Transportation Services Division prior to Site Plan approval.
3. Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.

### Parks, Forestry and Recreation

4. If the development application is approved, based on the Parkland Dedication By-law 30152 of the former City of North York, which still remains in full force and effect, this development will be subject to a 5% cash-in-lieu of parkland dedication payment. The cash-in-lieu will be payable prior to building permit issuance. If the application is approved after the new City of Toronto parkland dedication by-law is adopted, the policies of the new by-law will prevail.
5. The Arborist Report identifies tree No. 5 will be directly impacted by the proposed development. Urban Forestry Services does not object to issuance of a permit for removal, as this tree is in poor condition. Submission of a completed private tree permit application with the accompanying permit fee of \$300.00 is required.
6. Submission of a Tree Security Guarantee deposit of \$1,538.00 for the protection of one (1) City tree denoted as Tree No. 10. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque.

7. Submission of a Tree Planting Security deposit of \$1,166.00 for the planting of two (2) new trees within the City street allowance. The deposit is to be in the form of an irrevocable Letter of Credit or certified cheque.
8. The landscape plan identifies that Tree No. 11 will require removal to facilitate construction of a new driveway. This tree can be removed under the Crab Apple Tree policy. Submission of a fee of \$350.00 for the removal of a tree under the Crab Apple Tree Removal policy is required.
9. Submission of a completed Contractors Agreement form to remove a City tree.

### **Planning**

10. Submission of a cost estimate and financial securities to guarantee the provision of all landscaping as indicated on the Landscape Plan, Drawing No. L1, prepared by M+S Landscape Architects, dated February 2007, revised to May 20, 2008

### **Legal**

11. The execution of a Site Plan Agreement

Please note that if these conditions are not fulfilled within 2 years of the date of this notice, then this notice is no longer valid and a new submission is required unless a written request for time extension is received and granted by the Director of Community Planning.

In addition to the above, the following conditions are to be fulfilled following Site Plan approval and will be incorporated into a Site Plan Agreement:

### **Technical Services**

1. Facilities to Provide Access to and from the Land
  - 1.1 Any encroachments within the City of Toronto Municipal Road Allowances will not be permitted unless they are explicitly approved by the Right-of-Way Management section of Transportation Services. The applicant is required to contact the Right-of-Way Management section of Transportation Services through the permit approval process to obtain the exact particulars of these requirements;
  - 1.2 Remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the Executive Director of Technical Services.
2. Facilities for the Landscaping of the Lands or the Protection of Adjoining Lands
  - 2.1 Existing drainage patterns on adjacent properties shall not be altered and stormwater runoff from the subject development shall not be directed to drain onto adjacent properties.
3. Facilities for the Storage of Garbage and Other Waste Material

- 3.1 Construct and maintain all facilities necessary to permit the City to collect solid waste and recyclable materials in accordance with By-law 235-2001, Waste Collection for Residential Properties.
4. Grading and Provision for the Disposal of Storm, Surface and Wastewater from the Land
  - 4.1 Construct and maintain stormwater management measures/facilities and site grading as recommended in the accepted Stormwater Management Report entitled Stormwater Management Brief – Proposed 3 Unit Residential Townhouse Development – 17 Hycrest Avenue, prepared by Politis Engineering Limited, and dated (*date will be provided upon approval*), and Grading Plan, Drawing No. 101, prepared by Politis Engineering Limited, and dated (*date will be provided upon approval*).
  - 4.2 Construct and maintain site servicing indicated on the accepted Site Servicing Drawings No. 101, prepared by Politis Engineering Limited, and dated (*date will be provided upon approval*).
  - 4.3 Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction that the stormwater management facilities and site grading have been constructed in accordance with the accepted Stormwater Management Report and the accepted Grading Plans.
  - 4.4 Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.

### **Planning**

5. All site illumination shall be designed to prevent the spread of light onto adjacent lands.
6. The municipal address of the building shall be well-illuminated, provided in a prominent location, and designed to be easily readable from adjacent streets
7. All outdoor mechanical equipment (i.e. air conditioning units) shall be located in a manner which minimizes impact to adjoining lands.