

## 9, 11, 15, 17, 19 and 21 Leona Drive - Rezoning Application – Final Report

<b>Date:</b>	June 2, 2009
<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>	08 205746 NNY 23 OZ

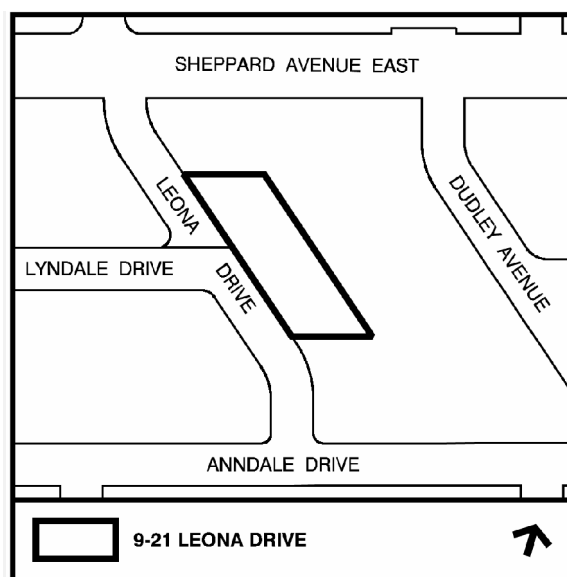
### SUMMARY

This application was made on September 22, 2008 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend Zoning By-law No. 7625 to permit the construction of eight single detached dwellings at 9, 11, 15, 17, 19 and 21 Leona Drive.

The proposal is in conformity with the City's Official Plan and is consistent with the Provincial Policy Statement. The proposal is appropriate for the site and compatible with the nearby residential context.

This report reviews and recommends approval of the application to amend Zoning By-law No. 7625 to permit the construction of eight single detached dwellings at 9, 11, 15, 17, 19 and 21 Leona Drive.



### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law No. 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No 8.
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.
5. Before introducing the necessary Bills to City Council for enactment, require the applicant to enter into a Site Plan Agreement under Section 41(16) of the *Planning Act* and Section 114 of the *City of Toronto Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

In July 2003, Official Plan Amendment and Zoning By-law Amendment applications were submitted seeking permission to construct an 8-storey apartment building on the site. City Planning recommended refusal of the project, on the grounds that the development, proposed to be built in a low density residential area, was contrary to the intent of the existing North York Official Plan.

At its meeting of January 27, 28, and 29<sup>th</sup> 2004, City Council adopted City Planning's recommendation that the requested Official Plan and Zoning Amendment applications be refused. The applicant appealed City Council's refusal to the Ontario Municipal Board. The Board dismissed the appeals.

An application to rezone the properties to permit 8 single detached dwellings was received on September 22, 2008. A Preliminary Report was considered by North York Community Council on January 13<sup>th</sup>, 2009 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be held.

The preliminary report is available at:

<http://www.toronto.ca/legdocs/mmis/2009/ny/bgrd/backgroundfile-17805.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing to demolish six existing single detached dwellings and replace them with eight 2-storey single detached dwellings with integral at grade garages. A gross floor area of approximately 331 m<sup>2</sup> per dwelling is proposed (2651 m<sup>2</sup> in total), resulting in a floor space index of approximately 0.9 FSI across the whole of the site.

Vehicular access is proposed via individual driveways from Leona Drive. Each dwelling will have 2 parking spaces. The applicant has also proposed the relocation of the cul-de-sac further north on Leona Drive so that all units will front onto Leona Drive as part of the local road network. Additional project information and details are contained on the attached Site Plan (Attachment 1) and Application Data Sheet (Attachment 7).

## **Site and Surrounding Area**

The subject lands are located south of Sheppard Avenue East, on the east side of Leona Drive. Currently the dwellings at 17-21 Leona Drive have direct access to Sheppard Avenue. The subject lands have a frontage of approximately 92 metres, a depth of 32 metres and an area of approximately 2925 m<sup>2</sup>.

Land uses surrounding the site are as follows:

North: Two storey commercial building. North along Sheppard Avenue there are office buildings.

South: Single detached dwellings.

West: Single detached dwellings.

East: The Glendora Park system which immediately abuts the site.

## **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. Staff will review the proposed development for consistency 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..

## **Official Plan**

The subject lands are designated *Neighbourhoods* in the City's Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwellings, townhouses and interspersed walk-up apartments that are no higher than four storeys. Parks, low scale institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Official Plan policies state that development in *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood. The Plan also states that no changes will be made through rezoning that are out of keeping with the neighbourhood.

## **Zoning**

The lands are zoned One Family Detached Dwelling Fourth Density Zone (R4). The R4 zoning permits one-family detached dwellings and accessory buildings as well as various recreational and institutional uses.

## **Site Plan Control**

A Site Plan Control application has not been submitted. The applicant will be required to enter into a Site Plan Control agreement prior to enactment of the proposed Zoning By-law Amendment.

## **Reasons for Application**

A rezoning application is required to implement the necessary zoning standards to permit the proposed 8 single detached dwellings and to provide the appropriate development standards for the development.

## **Community Consultation**

A community consultation meeting was held on March 4, 2009. The meeting was attended by the local Councillor, City Planning staff, the applicant and approximately 6 members of the public. Area residents also provided written comments to City Planning staff. The concerns raised by residents with respect to the proposed development were generally related to the following matters:

- Quality of landscaping on the lots and the public boulevard;
- Timing of the re-location of the Leona Drive cul-de-sac; and
- Ensuring the dwellings are designed to fit in with the existing neighbourhood.

## **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**

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

The 2005 Provincial Policy Statement (PPS) includes policies to manage and direct land use to achieve efficient development and land use patterns. Municipal planning decisions are required to be “consistent with” the PPS. The PPS requires

that a range of housing types and densities are provided to meet the social, health and well-being of residents. This includes ensuring that a range of land uses are provided and that intensification and redevelopment opportunities are identified and promoted. The PPS promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. The proposal is consistent with the PPS.

The proposal also conforms with the Growth Plan for the Greater Golden Horseshoe.

## **City of Toronto Official Plan**

### **Existing Physical Character**

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. It also states that no changes will be made through rezoning that are out of keeping with the neighbourhood. The established Zoning By-laws are to remain in place and will establish the benchmark for what is permitted in the future within neighbourhoods.

The site is currently zoned R4 and the properties across the street are zoned R6. The proposed development would reinforce the R6 designation of the existing character of the established neighbourhood. The proposal is in keeping with Official Plan policies pertaining to 'Neighbourhoods' and does not require an Official Plan Amendment.

### **Built Form**

*Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as single and semi-detached dwellings, townhouses and interspersed walk-up apartments that are no higher than four storeys. The proposal for eight 2-storey single detached dwellings is consistent with the uses provided for in the *Neighbourhoods* designation.

New residential developments within *Neighbourhoods* must provide an appropriate transition in height to the existing neighbourhood, and the height, scale and built form of the new development should not create a significant adverse impact in terms of overview, shadowing or loss of privacy on adjacent properties.

The dwellings would be 2-storeys or 9.6 metres in height, and would not result in a loss of privacy for the adjacent single detached dwellings. The development would have a minimum front yard setback of 5.5 metres, minimum side yard setbacks of 1.2 metres,

and maintains the existing 8.4 metre rear yard setback to Glendora Park. The proposed height and its setbacks to adjacent lands are compatible with the existing neighbourhood.

The applicant has provided four different elevations to enhance the architectural variation along the street. In addition, the units have been sited so that the garages and driveways are paired, allowing for additional landscaped space at the front of each of the units. The front yards will be extensively landscaped to enhance the pedestrian environment. These matters will be secured as part of the site plan approval.

Because the units are on a 60 degree angle across the Leona Drive frontage, a portion of each of the flanking elevations is visible to the street. The applicant has been requested to provide additional architectural details of the flankage of the units as part of the Site Plan approval process.

### **Access and Parking**

Vehicular access to the site is proposed via individual driveways off Leona Drive. Technical Services requires revised drawings to provide at least two parking spaces that are appropriately dimensioned as outlined in their memo dated April 22<sup>nd</sup>, 2009.

The subject site is located on the east side of Leona Drive at its intersection with Lyndale Drive. Leona Drive is currently divided into two sections: the north section begins at Sheppard Avenue East and terminates into a cul-de-sac at the northern tip of Lyndale Drive. The southern section begins at Anndale Drive and merges westbound with Lyndale Drive. The applicant has also proposed the relocation of the cul-de-sac further north on Leona Drive so that all of the proposed units will front onto Leona Drive as part of the local road network. Technical Services have advised that as part of the site plan control process, the applicant must provide a functional plan of the proposed back-to-back cul de-sacs on Leona Drive.

### **Parkland Dedication**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are currently in an area with 1.57-2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

The proposal is for 8 residential units on a 2,925 m<sup>2</sup> site. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the parkland dedication would be 0.0106 hectares which represents 3.62% of the site. The minimum parkland dedication of 5% will apply. As such, if the development application is approved, it would be subject to a parkland dedication of 146.25m<sup>2</sup>.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu payment. This is satisfactory to Parks, Forestry & Recreation.

The actual amount for the cash-in-lieu payment will be determined at the time of issuance of the building permit by the Facilities and Real Estate Division. The applicant is to notify Parks, Forestry and Recreation at the time of building permit application in order to commence the appraisal process.

### **Green Development Standards**

The applicant has been encouraged to consider sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006. The applicant has not advised City Staff of any sustainable design measures being incorporated into the proposal.

### **Development Charges**

It is estimated the development charges for this project will be \$ 98,928. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **CONTACT**

Kelly Jones, Planner  
Tel. No. (416) 395-7127  
Fax No. (416) 395-7155  
E-mail: [kjones2@toronto.ca](mailto:kjones2@toronto.ca)

### **SIGNATURE**

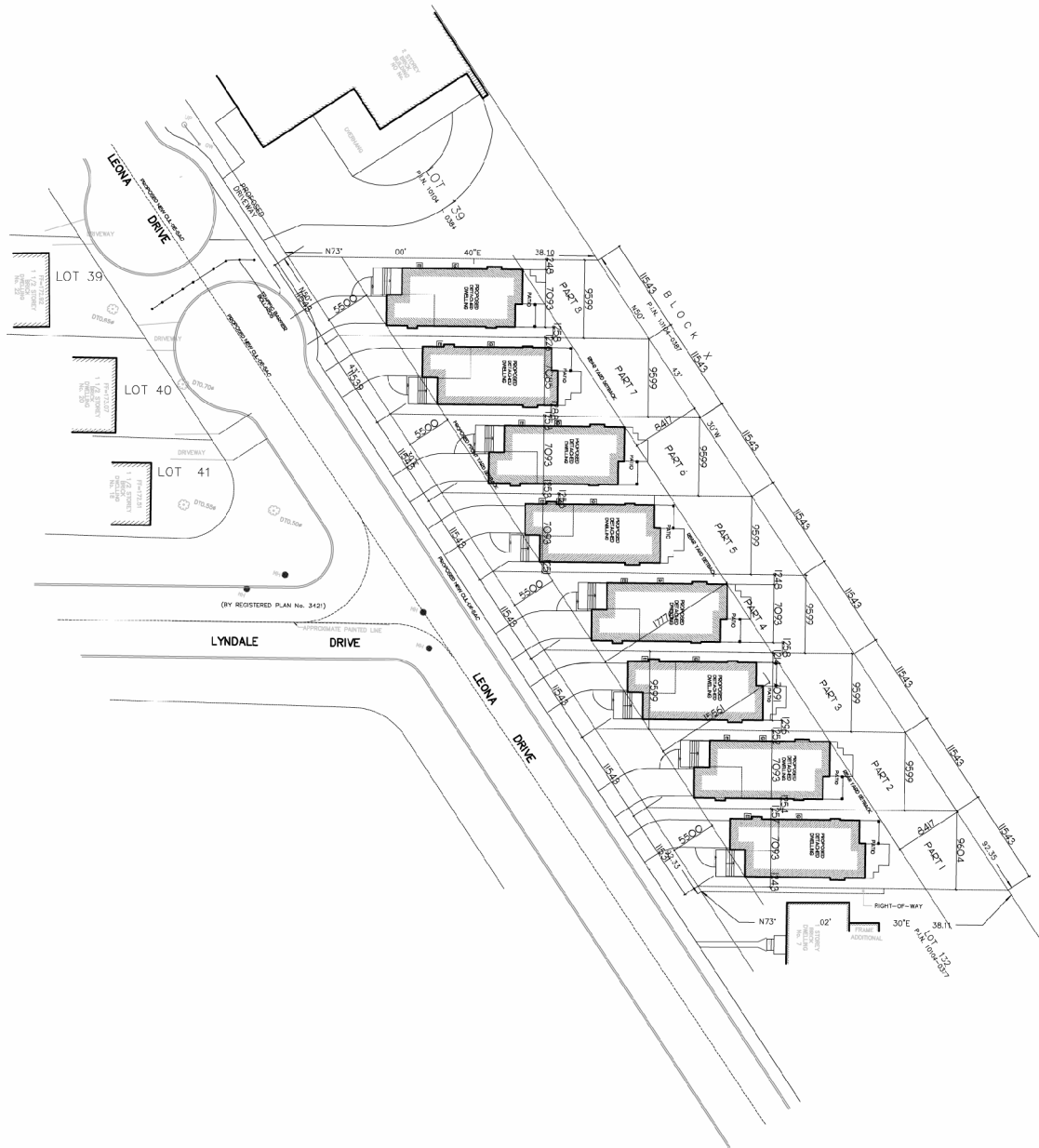
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Thomas C. Keefe, Director  
Community Planning, North York District

### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Elevations  
Attachment 4: Elevations  
Attachment 5: Elevations  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet  
Attachment 8: Draft Zoning By-law Amendment

## Attachment 1: Site Plan



### Site Plan

Applicant's Submitted Drawing

Not to Scale  
05/04/2009

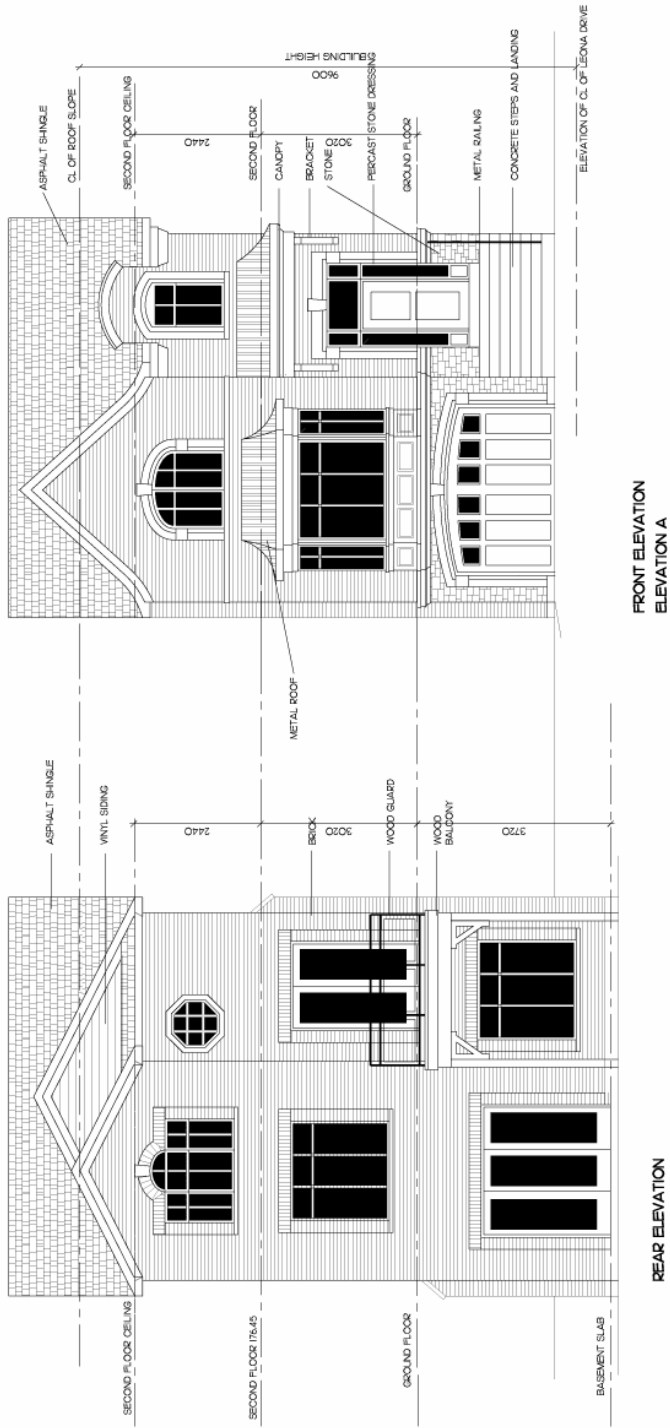


9-21 Leona Drive

File # 08\_205746



Attachment 2: Elevations



9-21 Leona Drive

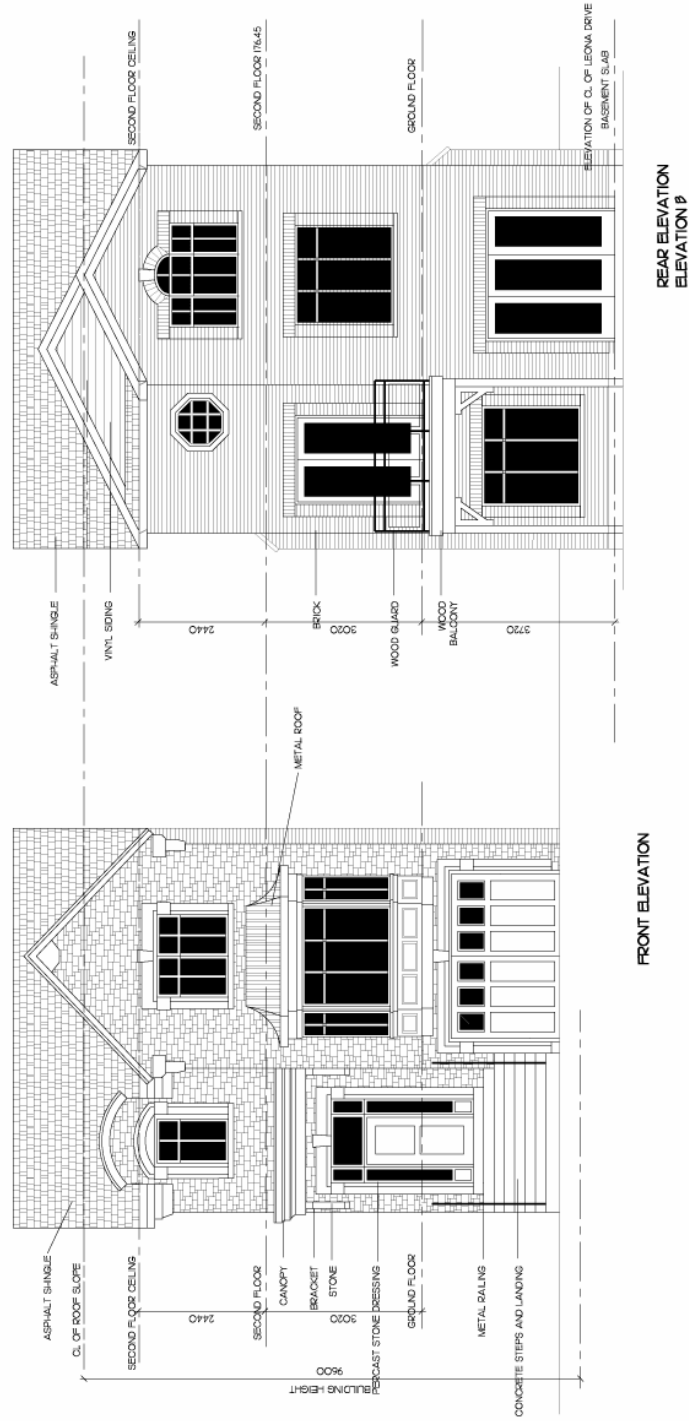
Elevations

Applicant's Submitted Drawing

Not to Scale  
05/04/2009

File # 08\_205746

## Attachment 3: Elevations



### Elevations

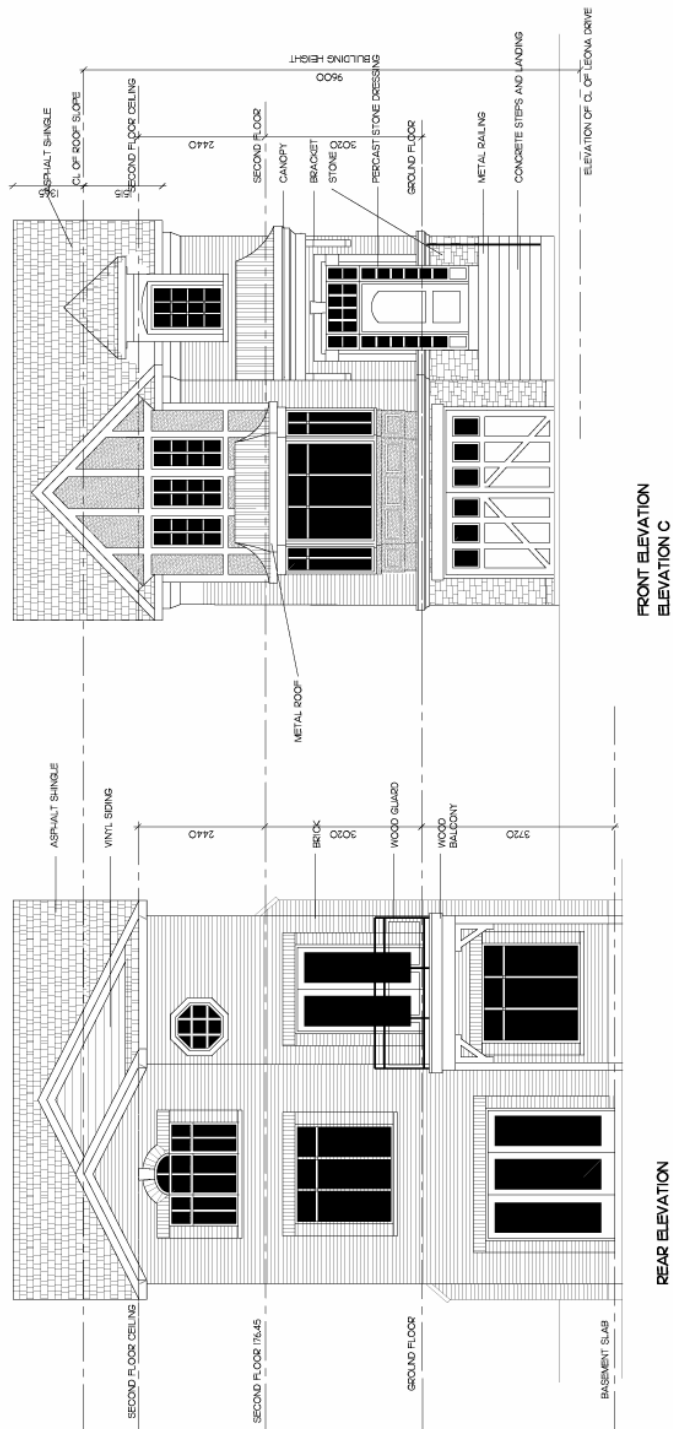
Applicant's Submitted Drawing

Not to Scale  
05/04/2009

9-21 Leona Drive

File # 08\_205746

Attachment 4: Elevations

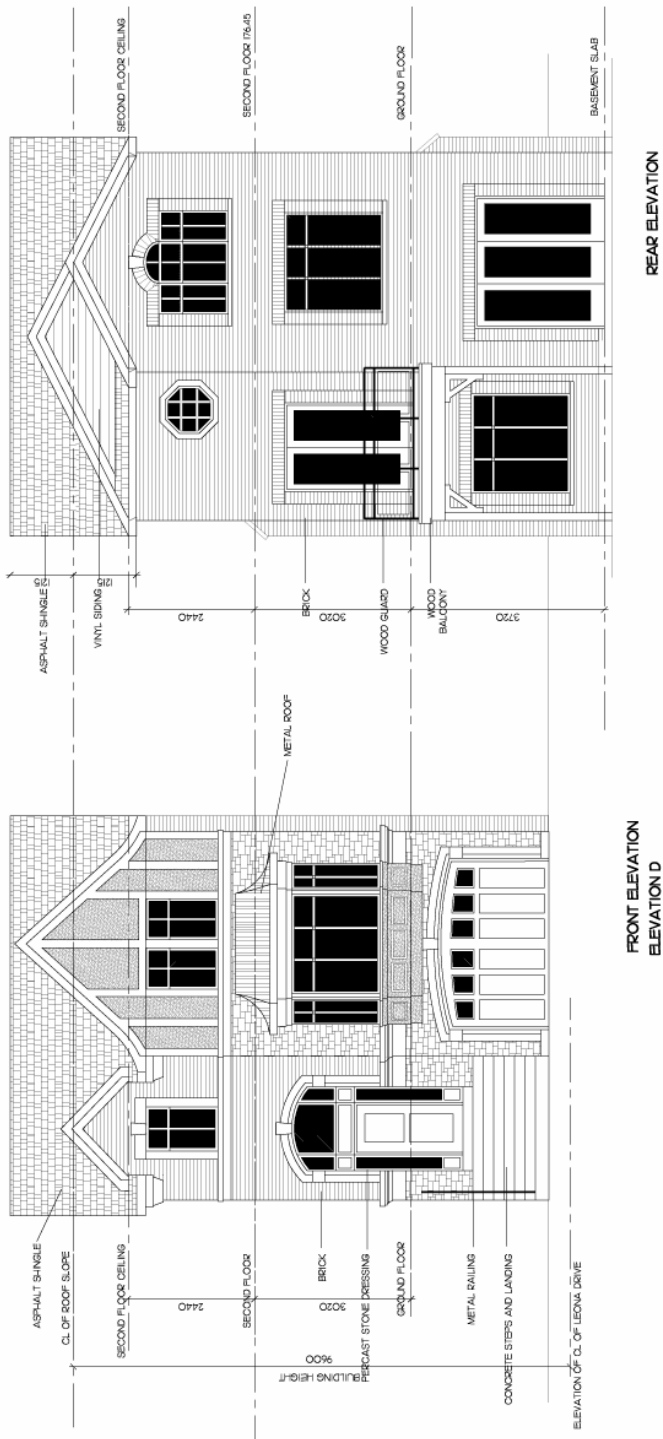


**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
05/04/2009

**9-21 Leona Drive**

File # 08\_205746

Attachment 5: Elevations

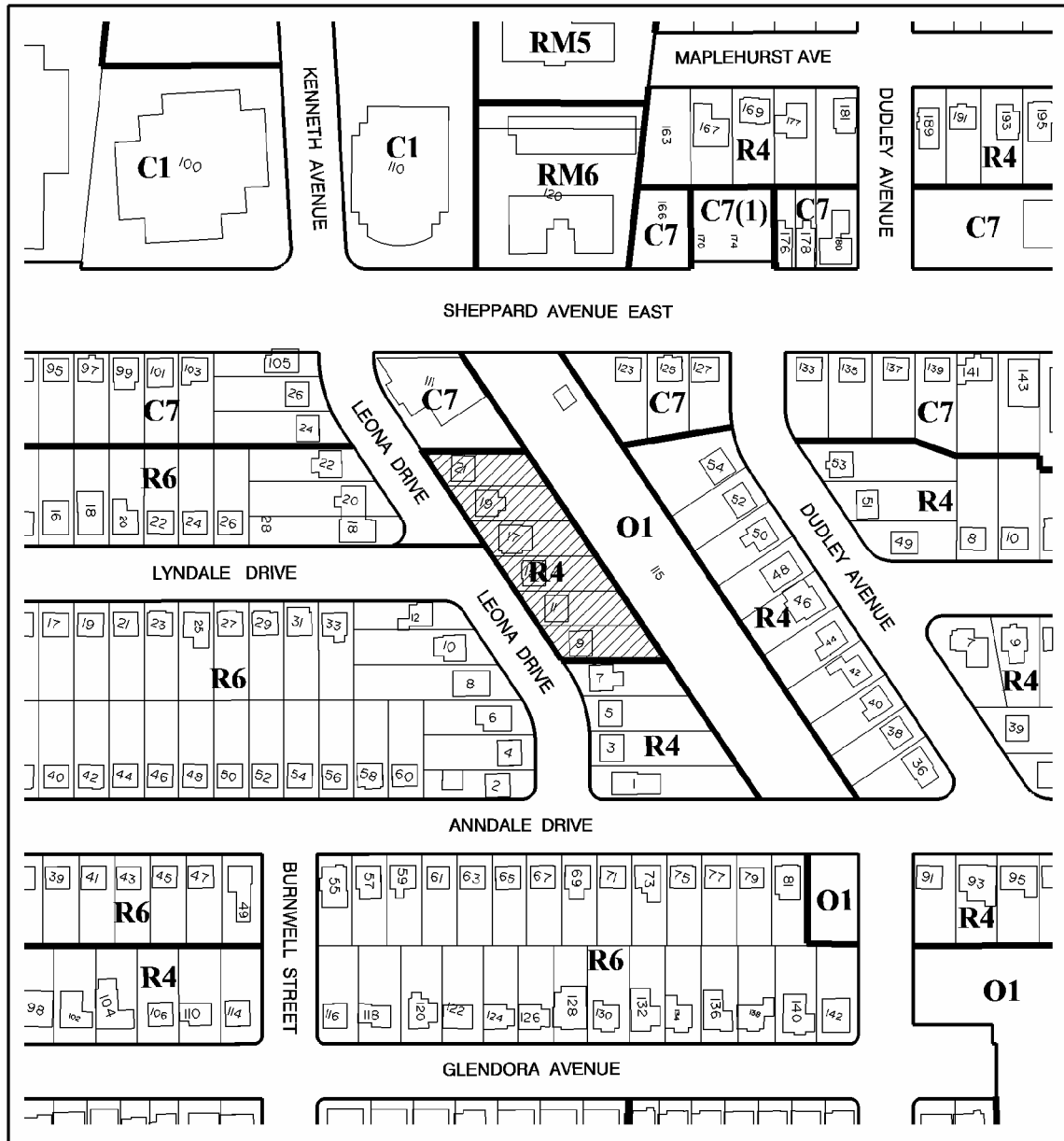


**Elevations**  
Applicant's Submitted Drawing  
Not to Scale  
05/04/2009

9-21 Leona Drive

File # 08\_205746

## Attachment 6: Zoning



**Toronto** City Planning  
Zoning

9-21 Leona Drive

File # 08\_205746

R4 One-Family Detached Dwelling Fourth Density Zone  
R6 One-Family Detached Dwelling Sixth Density Zone  
RM5 Multiple-Family Dwellings Fifth Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

C1 General Commercial Zone  
C7 Mixed Use Commercial Zone  
O1 Open Space Zone



Not to Scale  
Zoning By-law 7625  
Extracted 10/16/2008

## Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	08 205746 NNY 23 OZ
Details	Rezoning, Standard	Application Date:	September 22, 2008

Municipal Address: 9 – 21 LEONA DR  
 Location Description: PLAN 3421 LOT 132 \*\*GRID N2306  
 Project Description:

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
HYATT HOMES LEONA INC			HYATT HOMES LEONA INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	N

### PROJECT INFORMATION

Site Area (sq. m):	2925.36	Height:	Storeys:	2
Frontage (m):	92.33		Metres:	9.4
Depth (m):	31.68			
Total Ground Floor Area (sq. m):	880			<b>Total</b>
Total Residential GFA (sq. m):	2651.2		Parking Spaces:	16
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	2651.2			
Lot Coverage Ratio (%):	30.1			
Floor Space Index:	0.9			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Freehold		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	2651.2	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	8	Institutional/Other GFA (sq. m):	0	0
Total Units:	8			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Kelly Jones, Planner
	<b>TELEPHONE:</b>	(416) 395-7127

**Attachment 8: 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 ~ Zoning By-law No. ~, as amended,  
With respect to the lands municipally known as,  
9, 11, 15, 17, 19 and 21 Leona Drive**

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 7625 of the former City of North York are amended in accordance with Schedule “1” of this by-law.
2. Section 64.14-A of By-law 7625 of the former City of North York is amended by adding the following:

**“64.14-A(19) R6(19)**

**PERMITTED USES**

- (a) The only permitted use shall be single detached dwellings and accessory uses.

**EXCEPTION REGULATIONS**

**MAXIMUM NUMBER OF LOTS**

- (b) The maximum number of lots shall be 8.

**MAXIMUM NUMBER OF DWELLING UNITS**

- (c) The maximum number of lots shall be 8.

#### LOT AREA

- (d) The minimum lot area shall be 360 m<sup>2</sup>.

#### LOT FRONTAGE

- (e) The minimum lot frontage shall be 11.5 metres.

#### YARD SETBACKS

- (f) The minimum yard setbacks shall be as shown on Schedule R6(19).

#### HEIGHT

- (g) The maximum building height shall be 9.4 metres or 2 storeys.

#### HEIGHT OF FIRST FLOOR

- (h) The maximum height of the finished first floor elevation above established grade shall be 2.95 metres.

#### LENGTH OF DWELLING

- (i) The maximum length of dwelling is 17.9 metres.

#### BUILDING ENVELOPES

- (j) No portion of any building or structure erected and used above established grade shall be located otherwise than wholly within the building envelopes shown on Schedule RM6(19).
- (k) Notwithstanding the above, decks at the rear of each unit will be permitted to a maximum of 7.4 m<sup>2</sup>.
- (l) Notwithstanding the above, porches may encroach into the front yard setbacks a maximum of 2.6 metres.



## PARKING

- (m) A minimum of 2 parking spaces per dwelling unit shall be provided site.

## LANDSCAPING

- (n) A minimum of 1,834 m<sup>2</sup> landscaping shall be provided on the site.

## OTHER REGULATIONS

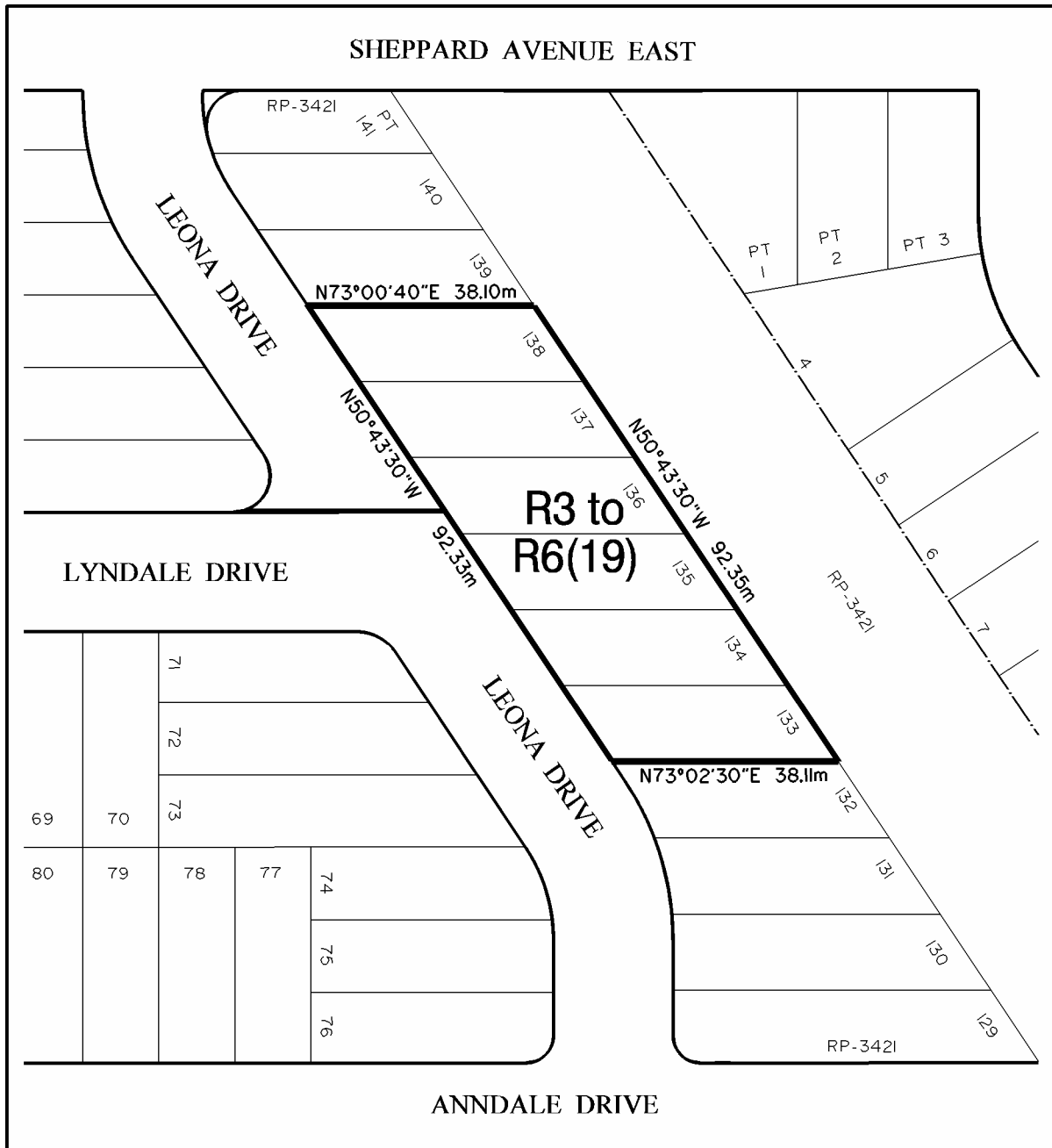
- (o) Notwithstanding any severance, partition or division of the site shown on Schedule R6(19), the provisions of this By-law shall apply to the whole of the site as if no severance, partition or division occurred.”
3. Section 64.14-A(19) of By-law No. 7625 is amended by adding Schedule R6(19) attached to this By-law.
4. Within the lands shown on Schedule R6 (19) attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



## Schedule 1

**Lots 133 to 138 Registered Plan 3421**

Survey info taken from Relotting Site Plan by Cassidy & Co., Job No. 06 75, dated February 4, 2008

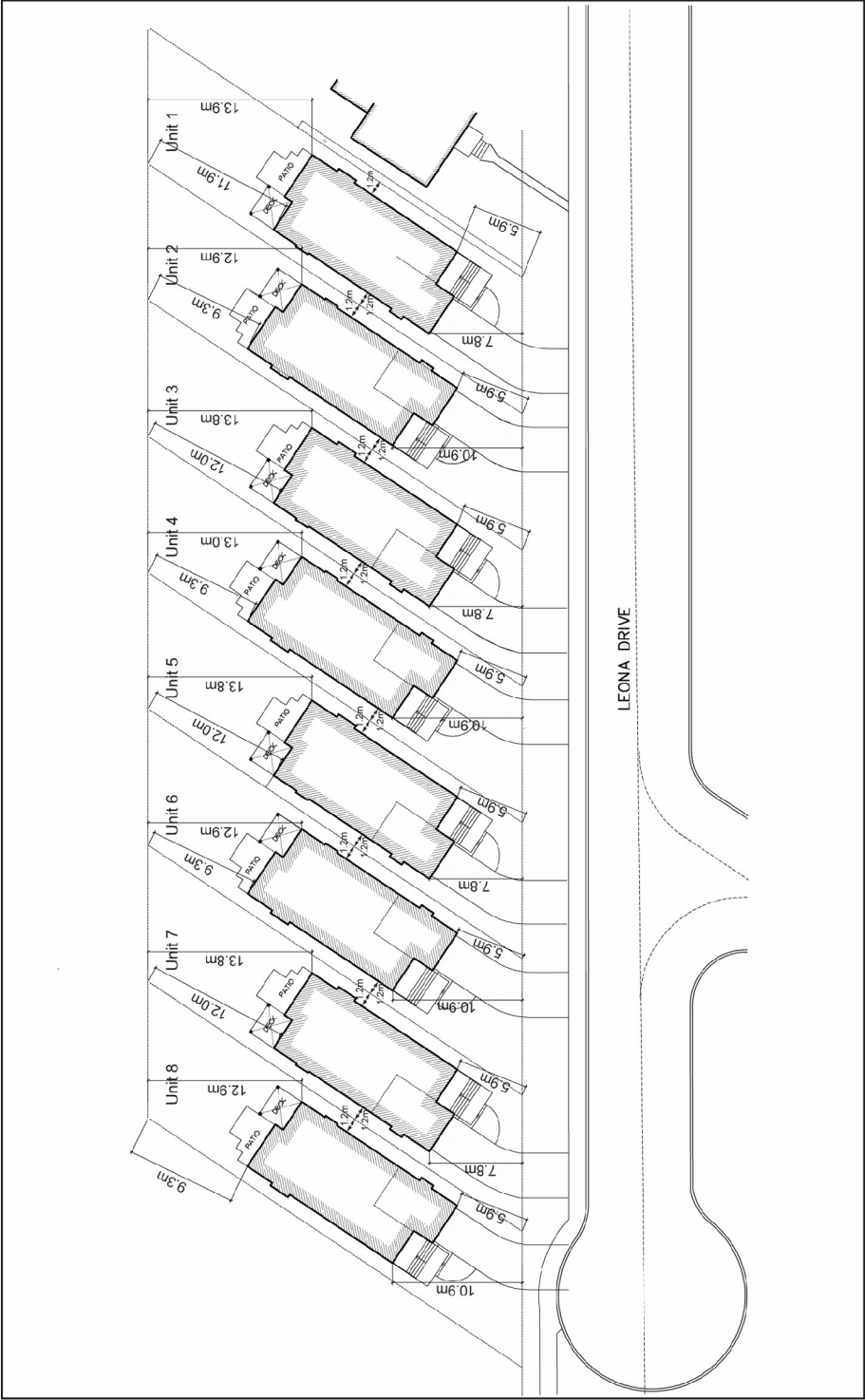
Date: 05/06/2009

Approved by: K.Jones

File # 08\_205746



Not to Scale



**Toronto** City Planning **Schedule R6(19)**

Date: 06/01/2009  
Approved by: Kelly Jones  
File # 08\_205746  
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