

111 Wenderly Drive, 746 and 748 Marlee Avenue – Official Plan Amendment, Zoning Amendment Applications – Final Report

Date: May 9, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 8 – Eglinton-Lawrence

Planning Application Number: 15 190379 NNY 15 OZ

SUMMARY

This application proposes to amend the Official Plan and the former City of North York Zoning By-law 7625 and the City of Toronto Zoning By-law 569-2013 at 111 Wenderly Drive, 746 and 748 Marlee Avenue to permit ten, 4-storey townhouse units (excluding the enclosed roof-top staircase access) fronting on Marlee Avenue arranged in two blocks of five units each. The total gross floor area of the proposal is 2,630 square metres which results in a density of 1.47 times the lot area. The proposed height of the buildings to the top of the roof of the staircase access enclosure to the rooftop terrace would be 13.95 metres. Each unit would have two parking spaces located at the rear, one within a rear integral garage and one on the driveway leading to the garage, accessed via a private driveway from Wenderly Drive.

The proposed development is consistent with the Provincial Policy Statement (2014), conforms with the Growth Plan for the Greater Golden Horseshoe (2017), and is in keeping with the intent of the Official Plan, including the *Neighbourhoods* policies.

The proposal represents a suitable and moderate intensification of the site which is on Marlee Avenue and considered a major street, and presents a built form that is compatible with the surrounding neighbourhood context.

This report reviews and recommends approval of the applications to amend the Official Plan and the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the City of Toronto, for the lands at 111 Wenderly Drive and 746 and 748 Marlee Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 4 to this report.

2. City Council amend Zoning By-law 7625 for the former City of North York, for the lands at 111 Wenderly Drive and 746 and 748 Marlee Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

3. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 111 Wenderly Drive and 746 and 748 Marlee Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to this report.

4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-application consultation meetings were held with the original applicant to discuss the development proposal which consisted of 6 townhouse units, complete application submission requirements, and the proposal relative to the City's Official Plan policies. During the initial and subsequent reviews of the applicant's proposals, staff identified issues related to the proposed built form, overall mass and scale of the proposed development, height and site access.

The original application for the proposed 6 townhouse units on the lands known as 111 Wenderly Drive was submitted on July 14, 2015 and a notice of complete application was issued on August 4, 2015.

A Preliminary Report on the applications was adopted by the North York Community Council on September 8, 2015 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Community Council decision and the Preliminary Report can be viewed at the following link: [111 Wenderly Drive September 2015 Community Council decision](#).

At the community consultation meeting of October 14, 2015, the applicant announced that two lots on Marlee Avenue had been added to the original single lot and that the proposed development would be revised to propose 29 stacked townhouse units on the 3 lots.

In June 2017, the City was notified that the property had been sold and that the new owner wished to revise the proposal for a 10 unit townhouse development on the 3 lots, which is the subject of this report.

ISSUE BACKGROUND

Proposal

The application proposes to develop the lands for 10, 4-storey (14 metre high) townhouse units over three properties at 111 Wenderly Drive and 746 and 748 Marlee Avenue. The ten townhouse units would be arranged in two blocks of five townhouse units fronting on Marlee Avenue. The total proposed gross floor area of the ten units would be 2,630 square metres, with a Floor Space Index (FSI) of 1.47 and a total lot coverage of 45.47%. A 3.44 metre wide road widening along Marlee Avenue is proposed as Marlee Avenue has a planned right-of-way of 27 metres in the Official Plan.

The proposed townhouse units would consist of 4 floors, excluding the stair access to a 4th floor outdoor rooftop terrace amenity area of approximately 40 square metres, including a combined basement and garage level. Both blocks of townhouses would be comprised of 3-bedroom units with 1 unit of 267 square metres of gross floor area (gfa), 3 units with 258 square metres of gfa and 1 unit of 272 square metres of gfa. At the rear first storey, amenity decks of approximately 9.5 square metres project 2.4 metres over a portion of the outdoor parking spaces. Along the Marlee Avenue frontage the third floor is also stepped back 1.2 metres to allow for decks of approximately 5 square metres in size.

At the mid-point of the site, the two townhouse blocks are separated by 2.8 metres. Within this gap is proposed a pedestrian walkway of 1.5 metres in width which provides access to the rear of the proposed units as well as the placement of utility meters.

As noted above, each townhouse unit would be provided two parking spaces; one enclosed within a garage and one on the outdoor driveway space, partially over which would be the rear first floor deck. A visitor parking space is also proposed to be located at the rear south-west corner of the site. A private driveway would allow access and egress to Wenderly Drive. Along the westerly lot line, a 2 metre landscape strip is proposed, as well as a 1.8 metre privacy fence. A portion of the landscaping would be occupied by the visitor parking space (see Attachment 9, Site Plan).

Table 1 – Site Statistics

Gross Floor Area	2,629.6 m ²
Floor Space Index	1.47
Lot Coverage	45.47%
Height	13.95 metres
Townhouse Units	10 – 3 Bedroom units Townhouse unit width from 4.2 to 4.36 metres
Townhouse Parking	Garage: 1 per unit (total 10) Driveway: 1 per unit (total 10) Visitor: 1 spot
Private laneway	6 metres in width
Outdoor Roof Top Amenity	40 square metres per unit

Setbacks	Marlee Avenue: minimum 3 metres to building Wenderly Drive: minimum 1.95 metres to building Westerly Property Line: minimum 12.42 metres to building Southerly Property Line: minimum 1.54 metres to building
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Refer to Attachment No. 1 for project data.

Site and Surrounding Area

The site is located south of Lawrence Avenue West on the south-west corner of Marlee Avenue and Wenderly Drive, and incorporates the original lot for this application known as 111 Wenderly Drive as well as 746 and 748 Marlee Avenue. The rectangular site is 1,784 square metres in area and has approximately 50 metres of frontage along Marlee Avenue with a depth of approximately 36 metres along Wenderly Drive. The site is generally flat with a slight slope southerly along Marlee Avenue. The site is an assembly of three existing residential lots, each with a single-detached dwelling and associated driveway, one fronting onto Wenderly Drive and two fronting onto Marlee Avenue. The application proposes the replacement of three single detached dwellings with ten townhouses. All of the existing dwelling units would be demolished in order to facilitate the proposed development. The site is located approximately 450 metres from the Lawrence West subway station on the Yonge-University line.

Land uses surrounding the subject lands include:

North: Single-detached dwellings directly to the north on the west side of Marlee Avenue to just before Lawrence Avenue West in a *Neighbourhoods* designation.

East: Three-storey walk-up apartment buildings on the east side of Marlee Avenue that continue onto Elway Court in an *Apartment Neighbourhoods* designation. Further east is the Allen Road, which runs north-south from Sheppard Avenue West to Eglinton Avenue West.

West: Directly west of the subject site are single detached dwellings in a *Neighbourhoods* designation.

South: Immediately south of the subject site are single detached dwellings in a *Neighbourhoods* designation. Further south is an entrance from Marlee Avenue to Wenderly Park. Further south of this park on Marlee Avenue are single family dwellings after which are located a mixture of strip retail plazas, townhouses and apartment buildings in a *Mixed Use Areas* designation.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a

clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;

- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

The City of Toronto Official Plan can be found here:

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

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

The site is designated *Neighbourhoods* on Map 17 - Land Use Plan of the Toronto Official Plan. *Neighbourhoods* are considered as physically stable areas primarily made up of low density type residential uses, such as detached houses, semi-detached houses, duplexes, triplexes and various forms of townhouses, as well as interspersed walk-up apartments that are no

higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Section 4.1 *Neighbourhoods*, Policy 7 states that proposals for intensification of land on major streets in *Neighbourhoods* are not encouraged by the policies of the Plan. Where a more intense form of residential development than that permitted by the existing zoning on a major street in a *Neighbourhood* is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the *Neighbourhood*.

According to Policy 5 of Section 4.1 *Neighbourhoods*, development in established *Neighbourhoods* will respect and enforce the existing physical character of each geographic neighbourhood, including:

- patterns of streets, blocks and lanes, parks and public building sites;
- prevailing size and configuration of lots;
- prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- prevailing building type(s);
- prevailing location, design and elevations relative to the grade of driveways and garages;
- prevailing setbacks of buildings from the street or streets;
- prevailing patterns of rear and side yard setbacks and landscaped open space;
- continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood; and
- conservation of heritage buildings, structures and landscapes.

Policy 5 continues to describe how the geographic neighbourhood will be delineated for the purposes of the policy by considering the context within the *Neighbourhood* in proximity to a proposed development including a list of specified criteria. However, Policy 5 notes that lots designated *Neighbourhoods* fronting onto a major street as shown on Map 3 of the Official Plan (Marlee Avenue, in this case) are often distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Plan.

Policy 5, Section 4.1 *Neighbourhoods* further states that lots fronting onto a major street, and flanking lots to the depth of the fronting lots, are often situated in geographic neighbourhoods distinguishable from that located in the interior of the *Neighbourhood* due to characteristics such as better access to public transit, adjacency to developments with varying heights and massing and scale or direct exposure to greater volumes of traffic on adjacent and nearby streets. In those neighbourhoods, such factors may be taken into account in the consideration of a more intense form of development on such lots to the extent permitted by the Plan.

Built Form and Context

Policy 2.3.1.1 states that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of the neighbourhood and its planned context.

Elements that are important to the character of the neighbourhood are set out in Policy 4.1.5 as outlined above.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the City can fit harmoniously within the existing and/or planned context of the neighbourhood. This includes locating and organizing new development to frame and support adjacent streets, parks and open spaces; locating and organizing vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and surrounding properties; massing new development and its exterior façade to fit into the existing and/or planned context; massing new development to define the edges of streets, parks and open spaces at good proportion; and provide public amenity by enhancing the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.

The Housing policies of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within *Neighbourhoods*. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan.

Building Height

Policy 3.1.2.3 of the Official Plan speaks to "massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion". The *Neighbourhoods* designation of the Official Plan permits building heights of 4 storeys or less.

Official Plan Amendment 320

The Local Planning Appeal Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals.

In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017).

More information regarding OPA 320 can be found at the following link:

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

The outcome of staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this Report.

Zoning

The site is subject to the former City of North York Zoning By-law 7625 and the new City-wide By-law 569-2013.

Under the former City of North York Zoning By-law 7625, the site is zoned as a R5 zone. A one family detached dwelling is permitted within the R5 zone. The minimum required lot frontage (15 metres) and lot area (550 square metres) as well as the maximum permitted lot coverage (35%), are the same as the provisions in the City-wide Zoning By-law 569-2013. However, the minimum required front, side and rear setbacks are 7.5 metres, 1.0 metre (3.0 metres for the side yard abutting a street), and 9.5 metres respectively.

Under the City-wide Zoning By-law 569-2013, the site is zoned RD (Residential Detached Zone). A maximum of one residential building on a lot is permitted in the RD zone. In the RD zone, the minimum required lot frontage is 15 metres, the minimum required lot area is 550 square metres, and the minimum required front, side and rear setbacks are 6 metres, 1.5 metres, and 7.5 metres (or 25% of lot depth) respectively. The maximum permitted lot coverage is 35%, the maximum required length of a detached house is 17 metres, and the maximum required building height is two storeys and 10 metres. Building depth may be no more than 19 metres from the required front yard set back.

Design Guidelines

Townhouse and Low-rise Apartment Guidelines

City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios.

The link to the Guidelines is here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>

Infill Townhouse Design Guidelines clarify the City's interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly integrating new development with existing housing patterns. It is important that new townhouses "fit" within the existing context, and minimize impacts on the surrounding neighbourhood. These guidelines provide direction on matters such as, but not limited to, the following:

- Ensuring that front entrances are near grade;
- Providing a minimum 2 to 3 metre setback from the front property line for services and privacy when parking is located at the back;
- Having front entrances on existing public streets; and
- Providing 7.5 metres (25 feet) back yard setback to the rear property line.

Growing Up Draft Urban Design Guidelines

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under-review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

The Growing Up Draft Urban Design Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2017/pg/bgrd/backgroundfile-103920.pdf>

Tree Preservation

This proposal 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 has submitted an Arborist Report, Tree Preservation Plan, and Landscaping Plan in support of the proposal.

Site Plan Control

The proposal is subject to Site Plan Control under Section 41 of the *Planning Act*. A Site Plan application has been submitted and is being reviewed concurrently with this application (File # 15 190396 NNY 15 SA).

Reasons for Application

With the approval of OPA 320, lots designated *Neighbourhoods* fronting onto a major street as shown on Map 3 of the Official Plan (Marlee Avenue in this case) are to be distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets to the extent permitted by the Plan. Lots fronting onto a major street, and flanking lots to the depth of the fronting lots, are often situated in geographic neighbourhoods distinguishable from those located in the interior of the

Neighbourhood due to characteristics such as different lot configurations; better access to public transit; adjacency to developments with varying heights, massing and scale; or direct exposure to greater volumes of traffic on adjacent and nearby streets. In those neighbourhoods, such factors may be taken into account in the consideration of a more intense form of development on such lots to the extent permitted by this Plan.

When this application was originally submitted, it pre-dated OPA 320 and required an Official Plan Amendment to permit townhouses, which are not the prevailing dwelling type along Marlee Avenue. Planning staff are of the view that an Official Plan Amendment (OPA) is no longer necessary, however out of an abundance of caution and to recognize that an OPA was submitted by the applicant and for clarity, Staff are recommending approval of the OPA application to permit townhouses.

The proposal for ten, 4-storey townhouse dwelling units requires an amendment to the City of Toronto Zoning By-law 569-2013 and former City of North York Zoning By-law 7625, in order to permit townhouses and establish new performance standards for matters such as: setbacks, height, parking, landscaping and density.

Application Submission

The following reports/studies were submitted in support of the application:

- All required architectural and landscaping plans;
- Planning Rationale Report;
- Stormwater Management Report;
- Traffic Impact and Parking Study;
- Arborist Report;
- Servicing and Grading Plan;
- Hydrogeological Report;
- Geotechnical Study Report;
- Energy Efficiency Report;
- Draft Official Plan Amendment; and
- Draft Zoning By-law Amendments.

A Notification of Complete Application was issued on August 4, 2015.

These reports/studies for this application are available at the Application Information Centre (AIC) <https://www.toronto.ca/city-government/planning-development/application-information-centre>

Agency Circulation

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 standards and conditions of Site Plan Control approval.

Community Consultation

A Community Consultation meeting to discuss the original proposal for six townhouse units on the lot known as 111 Wenderly Drive was held on October 15, 2015, at St. Charles Catholic School. The meeting was attended by the Ward Councillor, the applicant, and approximately 44 members of the public. As mentioned previously, at the start of the community meeting, the applicant announced that the proposed development would be revised to propose 29 stacked townhouse units on 3 lots. As a result the discussion focused on the revised proposal for 29 stacked townhouse units and can be generally summarised as following:

- Proposal should respect the prevailing built form and character of the neighbourhood;
- Lack of sidewalks along Wenderly Drive;
- Type of tenure for the development;
- Traffic congestion along Wenderly Drive due to congestion on Lawrence Avenue West and Dufferin Street;
- Stormwater and flooding concerns, and
- Concern with overlook from the roof-top terraces impacting neighbouring properties.

In June 2017, the City was notified that the property had been sold and that the new owner wished to revise the proposal. Revised plans for 10 townhouse units were subsequently submitted to the City for review on October 23, 2017.

In order to inform the community on the proposed revisions to the proposal for ten townhouse units on the three lots, a second Community Consultation meeting was held on April 4, 2019, in consultation with the local Councillor's office, at St. Charles Catholic School. The meeting was attended by the Ward Councillor, planning staff, the applicant, and approximately 22 members of the public. The meeting began with a clarification that the proposed development had been revised by the new owner and applicant to ten residential townhouses on 3 lots. Issues raised by members of the community can be generally summarised as following:

- Townhouses are not consistent with the character of the neighbourhood or *Neighbourhoods* policies of the City's Official Plan;
- Impact of the proposed terraces on neighbouring properties;
- Traffic on Marlee Avenue;
- Lack of sidewalks along Wenderly Drive;
- Stormwater management and flooding concerns;
- Landscaping of the proposed development to ensure privacy for adjacent residential properties, and
- Concern that although Marlee Avenue is not an Avenue in the City's Official Plan, it will see intensification contrary to the community's wishes.

COMMENTS

Section 2 of the *Planning Act*

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, section 2 of the *Planning Act* requires that municipalities, when carrying out their responsibility under the *Act* shall have regard to matters of provincial interest including, 2 (p) the appropriate location of

growth and development, (q) the promotion of development that is designed to support public transit and to be oriented to pedestrians and (r) the promotion of built form that, is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are relevant to this proposal. It is City Planning staff's position that the proposed development appropriately addresses these matters by proposing a well-designed built form on a major street well served by transit that also provides for moderate intensification in an appropriate location.

Provincial Policy Statement (PPS) and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

Staff have determined that the proposed development is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017) as discussed below.

Provincial Policy Statement (2014)

One of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well-served by public transit.

Section 1.1 of the PPS focuses on 'Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns'. Policy 1.1.1.a) requires that efficient development and land use patterns be promoted which sustain the financial well-being of the Province and municipalities over the long term. Policy 1.1.1.e) requires the promotion of cost effective development patterns and standards to minimize land consumption and servicing costs.

Policy 1.8.1 of the PPS requires that planning authorities support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

The proposed development promotes efficient development patterns and utilizes existing municipal infrastructure in the immediate and surrounding area to optimize their efficiency. The proposed development is a compact form located in an area in close proximity to retail and services uses and along a street providing excellent transit service, thus having the potential to minimize the length and number of vehicle trips and support transit and alternative transportation modes.

Policy 1.1.2 of the PPS provides for sufficient land being made available within settlement areas to accommodate a mix of land uses to meet future needs. Policy 1.1.3.1 states that "settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted". The townhouse proposal intensifies a lot consolidation along Marlee Avenue, which is considered a major street in the City's Official Plan, assisting the City in meeting its growth objectives.

Policy 1.1.1.b of the PPS requires an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs. Policy 1.4.3 requires provision to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. The proposal for townhouses will assist in diversifying the range and mix of residential uses within this neighbourhood which is predominantly detached dwellings west of Marlee Avenue; low-rise three storey apartment buildings immediately east across Marlee Avenue, and a mixture of single family dwellings, townhouses and apartment buildings further to the south along Marlee Avenue.

Policy 1.6.7.2) states that efficient use shall be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. The proposed development will make use of the existing road network, avoiding the need for an expansion of the existing transportation networks.

With respect to transportation systems, Policy 1.6.7.4) promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the current and future use of transit and active transportation. The proposed development supports greater pedestrian and transit use that will assist in the reduction of car ownership.

The proposed development is located at the south-west corner of Wenderly Drive and Marlee Avenue and is approximately 450 metres from the Lawrence West Subway Station, and in proximity of the Glencairn Subway station which also provide connections to the Yorkdale GO bus station. The proposed development is also well served by the Marlee Avenue TTC bus which also connects to the Eglinton West Subway station.

In summary, the proposed development addresses the following policies of the Provincial Policy Statement: 1.1.1.a), 1.1.1.b), 1.1.1.e), 1.4.1., 1.8.1., 1.1.2., 1.6.7.2) and 1.6.7.4).

Growth Plan for the Greater Golden Horseshoe (GGH)

The Growth Plan supports intensification within built-up urban areas, particularly in proximity to transit. The plan is about accommodating forecasted growth in "complete communities", designed to "meet people's needs for daily living through an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities and a full range of housing to accommodate a range of incomes and household sizes".

Policy 1.7.1 of the PPS states that long-term prosperity should be supported by optimizing the use of land, resources, infrastructure and public service facilities, maintaining and enhancing the vitality and viability of downtowns and main streets, and encouraging a sense of place by promoting well-designed built form and cultural planning and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. The

proposed townhouse development and its built form optimize the use of the lands and local infrastructure and provides for an appropriate transition to the *Neighbourhoods* to the west along Wenderly Drive, as well as north and south along Marlee Avenue. In this regard, the proposed development is consistent with the PPS.

Policy 2.2.1.2 of the Growth Plan provides that forecasted growth be directed to settlement areas, where it will be focused in the delineated built-up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities. The proposed development supports the Growth Plan's growth allocation directive by focusing new growth through intensification in appropriate areas well served by transit to meet the forecasted residential demand for the City of Toronto, adding new residential units within Toronto's delineated urban boundary that is serviced by municipal infrastructure, and providing a pedestrian friendly environment adjacent to existing frequent bus transit and other public service facilities such as parks.

Policy 2.2.1.4.c) of the Growth Plan states that applying the policies of the Growth Plan will support the achievement of complete communities that provide a diverse range and mix of housing options, including second units and affordable housing to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. The proposed development will provide an additional housing form in this neighbourhood in which the predominant housing forms are detached dwellings within the *Neighbourhoods* area to the immediate west along Wenderly Drive, as well as north and south along Marlee Avenue, and three-storey apartment buildings across Marlee Avenue.

Policy 2.2.1.4 of the Growth Plan indicates that complete communities will expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation. The achievement of complete communities will ensure the development of high quality compact built form and an attractive vibrant public realm among other things. The proposed development provides convenient access to a range of transportation options, including bus service along Marlee Avenue and pedestrian access to the Lawrence Avenue West subway station within 450 metres.

The development supports the Growth Plan's directive to achieve complete communities by contributing to a mix of housing, and providing a pedestrian-friendly environment in an area with convenient access to local stores and businesses, public service facilities such as parks, and existing public transportation. The proposed development will also assist in diversifying the mix and range of housing options for residents at all household sizes and incomes in the neighbourhood and provide new residential units in a location that will support the existing community infrastructure, public open spaces, and public transportation.

Policy 2.2.4.10 of the Growth Plan states that lands adjacent to or near existing and planned frequent transit should be transit-supportive. The proposed townhouse development will house additional residents that will become potential transit riders for the existing frequent transit service. The proposed development will have individual residential unit entrances connected to the neighbourhood sidewalk network to ensure pedestrian connectivity, and landscaping that will provide an attractive and comfortable pedestrian environment to encourage walkability for existing and future residents.

Based upon the forgoing analysis, it is concluded that the proposed development conforms with a number of policies discussed above in the Growth Plan for the Greater Golden Horseshoe, 2017 as follows: 1.7.1, 2.2.1.2, 2.2.1.4 including 2.2.1.4.c) and 2.2.4.10.

Official Plan

These applications have been reviewed against the Official Plan policies and urban design guidelines described in the Issue Background Section of the Report as well as the policies of the Toronto Official Plan as a whole.

At submission of the original application in July of 2015 to redevelop 111 Wenderly Drive for six, 4-storey residential townhouse units, it was the opinion of City Planning staff that the proposal was not compliant with the City of Toronto's Official Plan as townhouses were not considered as a prevailing building type along Marlee Avenue in this area. An amendment to the City's Official Plan was determined to be required to permit the proposed development and was originally applied for by the applicant in July of 2015.

Subsequently, and as mentioned above, The Local Planning Appeal Tribunal issued an Order on December 7, 2018 to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. OPA 320 upholds the Plan goals to protect and enhance existing neighbourhoods that are considered stable but not static, and assists in determining whether a proposed development in a *Neighbourhoods* designation is materially consistent with the physical character of the geographic neighbourhood within which it would be located.

Specifically, lots fronting onto a major street, and flanking lots to the depth of the fronting lots, are often situated in a geographic neighbourhood distinguishable from lots located within the interior of a *Neighbourhood* due to characteristics such as;

- different lot configurations;
- better access to public transit;
- adjacency to development with varying heights, massing and scale, or
- direct exposure to greater volumes of traffic on adjacent and nearby streets.

In such neighbourhoods, these factors may be taken into account in the consideration of a more intense form of development to the extent permitted by the Official Plan, as has been determined with the proposal subject to this report. As a consequence, Planning staff are of the opinion that an amendment to the City's Official Plan is not required for townhouses along Marlee Avenue. However out of an abundance of caution and to recognize that an OPA was submitted by the applicant and for clarity, Staff are recommending approval of the OPA application to permit townhouses.

Section 4 of the PPS outlines methods in which the PPS should be implemented and interpreted. Policy 4.7 states that a municipality's "official plan" is the most important vehicle for

implementation of the Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through official plans." Furthermore, the PPS directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

The subject site is located in an area designated *Neighbourhoods* in the Official Plan. The Official Plan recognizes that neighbourhoods are not static, but require new development to fit in with the existing physical character. Staff consider the proposal an appropriate redevelopment that can take advantage of nearby amenities and infrastructure while maintaining a respectful built form that is compatible with the surrounding neighbourhood.

The City's Official Plan directs growth to the *Downtowns, Centres, Avenues* and *Employment Areas*. *Neighbourhoods* are not growth areas in the Official Plan, however a more intense form of development can be considered on *Neighbourhood* lots located on major streets that have certain characteristics.

Marlee Avenue is identified as a major road by Map 3 – Right-of-Way Widths Associated with Existing Major Street and the portion onto which the proposed development fronts has a planned right-of-way width of 27 metres.

The lands designated *Neighbourhoods* to the west of the subject site are an established neighbourhood characterized by mostly one- and two-storey detached dwellings. The Townhouse and Low-Rise Apartment Guidelines provide guidance when evaluating a townhouse proposal which is located adjacent to a stable residential area. Townhomes can serve as a transitional element between busier main streets and lower scaled neighbourhoods. Considering the patterns and characteristics of the surrounding built form, public realm and open space, the proposed townhouses are an appropriate building type along Marlee Avenue and for this site approximately 450 metres from the Lawrence West subway station. The townhouse built form can serve to buffer the areas of predominantly detached dwellings from visual and noise impacts of the major street.

Height, Massing and Density

Immediately across Marlee Avenue are located 3 storey walk up apartments. To the north and south along Marlee Avenue, and west of the site are located one and two storey single family dwellings. The subject lands are located in a *Neighbourhoods* designation and the maximum permitted height is 4 storeys. In Section 2.1 Building Types of the Townhouse and Low-Rise Apartment Guidelines, the maximum building height for the various building types covered by the guidelines is also 4 storeys. The internal living area for each of the townhouse units are on 4 levels, including the garage and basement level. There are enclosed roof-top stair access enclosures which project a maximum of 2.9 metres above the fourth level.

The proposal conforms to the Official Plan policy for *Neighbourhoods* and the provisions of the Townhouse and Low-Rise Apartment Guidelines. The height of existing dwellings in the immediately adjacent low density area are generally reflective of the Zoning By-law standard of 8.8 metres maximum building height under the former North York Zoning By-law 7625 and 10.0 metre maximum building height under the City of Toronto Zoning By-law 569-2013, and 2 storey building heights for single detached dwellings under both Zoning By-laws. Both Block 1

and Block 2 of the proposed townhouse development would have a height of 13.95 metres to the top of the roof-top staircase access enclosure to the roof terraces.

Healthy Neighbourhoods Policy 2.3.1.1. requires that development will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in neighbourhoods. Policy 4.1.5 also requires that development in *Neighbourhoods* should respect and reinforce the existing physical character of the neighbourhood. The physical character of neighbourhoods vary across the city and is determined by attributes such as the prevailing building heights, massing and density, prevailing building types, existing building setbacks of buildings from the street, patterns of streets, size and configuration of lots, and heights, massing and scale of nearby residential properties.

The Townhouse and Low-Rise Guidelines provide direction in terms of organizing a site and locating a building block on it. The Guidelines also provide guidance on the design of a building that fits into an existing stable neighbourhood.

Section 3.1 Streets, Lanes, Mews and Walkways contains guidance on an appropriate front yard setback when parking is underground or at the rear of a unit. A minimum of 3 metres is recommended as being appropriate from a street lot line but encroachments such as porches and stairs must be taken into consideration. In the case of the proposed development, the applicant has provided a 3 metre setback from the Marlee Avenue lot line within which will be located a front porch and stairs to the units as well as front yard landscaping.

Section 4.3 of the Guidelines contain direction for primary entrances to units. The Guidelines require that stoops and porches be designed to transition from the public to private realm with architectural and landscape cues such as subtle changes in grade, materials, decorative railings, and landscape plantings. The proposed development conforms to this guideline, and provides for front entrances and front yards that enhance privacy for the resident while maintaining "eyes on the street".

The application proposes a minimum setback of 12.42 metres from the rear wall of the building at grade and the rear lot line. A privacy fence along the rear lot line, a 2 metre wide landscaped area, and a 6 metre wide drive aisle would provide access to rear garages and outdoor parking spaces.

The 12.42 metre building setback from the rear lot line meets the guideline which requires a minimum 7.5 metres rear setback. The application proposes setbacks of 1.95 metres from the north side property line and 1.54 metres from the south side property line. These setbacks are consistent with typical setbacks in the neighbourhood and are acceptable.

The Townhouse and Low-Rise Guidelines provide direction to ensure buildings fit within the existing or planned context and provide appropriate transitions in scale to buildings, parks, and open space. The Guidelines require the application of angular planes, minimum horizontal separation distances, and other building envelope controls to transition down to lower-scale buildings such as the detached dwellings west of the proposed development. Adherence to angular planes minimizes the impact of shadow and maximizes access to sunlight, sky view, and privacy on neighbouring properties. The applicant has demonstrated that the proposed

development is within the 45 degree angular plane taken from the west lot line with the neighbouring single family dwellings.

Given the site area of 1,784 square metres and the proposed total gross floor area of 2,630 square metres, the proposed density of 1.47 times the lot area, can be considered within the low range of density for similar townhouse developments.

Private Amenity Space

The proposed townhouse development incorporates a roof-top terrace to be used as outdoor amenity space for each unit. Section 4.4 Private Outdoor Amenity Space of the Townhouse and Low-Rise Apartment Guidelines addresses the usability, comfort and appearance of private outdoor amenity spaces including those in the form of a roof top terrace. Roof terraces provide an extension to the livable space of a dwelling unit with access to sunlight while affording a level of privacy to both the residents living in the unit and the backyards of adjacent detached dwellings. Both the roof top terraces and the access stair enclosure are within the 45 degree angular plane. City Planning staff have no concerns with the inclusion of a roof terrace for these units as the stair access is appropriately located in a central location on the roof to minimize its view from surrounding properties and the size of the access stair component is considered appropriate for its function. Section 4.4 of the Guidelines suggests that privacy can be provided and overlook mitigated with appropriate terrace design including setbacks, architectural elements, translucent or solid railings, and plantings. These details to ensure minimal overlook and impact on adjacent properties will be secured through the Site Plan approval process.

Grading and Landscape Buffer to the west

Section 4.5 Building Relationship to Grade and Street of the Townhouse and Low-Rise Guidelines speaks to grading transition between a development site and surrounding properties. The existing grade at property lines should be maintained as much as possible and artificially raised or lowered grades should be avoided, where possible.

The applicant has generally maintained the existing grade as well as proposed a privacy fence and 2 metre landscape strip along the west property line that will provide room for the planting of trees and shrubbery to provide an appropriate visual buffer along the west property line with the adjacent single detached residential dwellings.

Traffic Impact, Access, Parking and Loading

The applicant's traffic engineering consultant, BA Group, submitted a Traffic Operations Analysis dated June 29, 2015 and a Traffic Impact Study dated October, 2017.

The proposed development is expected to generate approximately 8 trips and 9 trips during weekday morning and afternoon peak hours, respectively. The consultant concludes that traffic generated by the site can readily be accommodated by the adjacent roads and intersections with negligible impact to roadway intersection operations. Transportation Services Staff agree with this conclusion.

The subject site is proposed to be accessed by a shared 6 metre wide access driveway located on the south side of Wenderly Drive. The proposed location of the site access and design is satisfactory to Transportation Services staff.

The parking requirements contained in City of Toronto Zoning By-law 569-2013 are applicable to this project. A total of 10 residential and 1 visitor parking spaces are required to satisfy the by-law requirement. A total of 20 residential and 1 visitor parking spaces are proposed for the development. A Parking Study prepared by the applicant's traffic consultant confirms that the proposed parking supply will adequately service the proposed development.

As proposed, the visitor parking space is located at the south-west corner of the site against the westerly property line. Given the compact nature of the site, this is the only location for the required visitor parking space. However, the reduction of the landscape area by the proposed one visitor parking area is not acceptable, and would also potentially negatively impact the adjacent residential properties with noise and exhaust. Given that each unit would be provided with 2 parking spots, and the nominal nature of the visitor parking proposed, staff are of the opinion that the proposed visitor parking space should be removed.

Garbage and recycling pickup will be from curbside in front of each unit, with storage in the garage area. Therefore, no loading space is required for this development.

Road Widening

In order to satisfy the Official Plan requirement of a 27.0 metre right-of-way for this segment of Marlee Avenue as shown on Map 3 Right-of-Way Widths Associated with Existing Major Streets, a 3.44 metre road widening will be required along Marlee Avenue fronting the site. A 6 metre corner rounding will also be required at the southwest corner of Marlee Avenue and Wenderly Drive. These road dedications will be secured through the Site Plan approval process.

Streetscape

The applicant has submitted a Landscape Plan which illustrates the planting of trees and landscaped areas along Marlee Avenue in front of the proposed development. The applicant has proposed 6 new City trees within the boulevard area of Marlee Avenue. The applicant has also proposed 2 new trees and 1 private tree along Wenderly Drive. A 2.1 metre wide sidewalk will also be constructed along Marlee Avenue and Wenderly Drive which will be AODA compliant. The proposed street trees will provide additional greenery and in tandem with the new sidewalk will create a defined streetedge and safe pedestrian walking environment.

Marlee Avenue Visioning Open House

On February 20, 2019 City staff and local Councillor Colle held a Marlee Avenue Visioning Open House to discuss public realm improvements for the area. Specific to this site comments were received as follows:

- Widen sidewalks on Marlee Avenue to meet Accessibility for Ontarians with Disabilities Act requirements;
- Add sidewalks on Wenderly Drive;
- Add traffic calming on Wenderly Drive;
- Improve the tree canopy; and

- Improve the frontage of Wenderly Park along Marlee Avenue and Wenderly Drive.

The construction of sidewalks on Wenderly Drive between Marlee Avenue and Corona Street is in the Transportation Services capital budget for 2019.

Servicing

Engineering and Construction Services have reviewed the submitted materials and have no outstanding concerns to the sanitary sewer capacity analysis in the Functional Servicing and Stormwater Management Report.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

The site is an approximately 150 metre walk away from Wenderly Park, a 2.29 hectare park which contains a baseball diamond field, horticulture display and playground.

Tree Preservation

An Arborist Report, Tree Preservation Plan, and Landscaping Plan have been reviewed by Urban Forestry - Tree Protection and Plan Review Staff.

The plans and report show the proposed removal of three trees on the subject property and the injury of two trees on a neighbouring property. Under the provisions of the Private Tree By-law, the planting of nine replacement trees is required. The landscape plans shows 7 large growing canopy trees proposed on the site, 2 new City trees, and two trees to be paid as cash-in-lieu.

There is one City owned tree to be preserved adjacent to the site on municipal property. The landscape plan shows two new trees on the Wenderly Drive flank.

The applicant is required to apply for and complete the necessary permits for tree removal and tree preservation as required by the City of Toronto's Private Tree By-law and the City's Street Tree By-law.

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. Tier 1 performance measures are secured in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), the Toronto Official Plan, and the Townhouse and Low-Rise Apartment Guidelines.

Staff are of the opinion that the proposal for ten townhouses is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan. The proposal takes advantage of nearby amenities and infrastructure while maintaining a respectful built form compatible with the surrounding neighbourhood.

The proposal will provide an appropriate built form and transition from Marlee Avenue which is considered a major street to the low density neighbourhood to the west, while providing a broader range of family-oriented dwelling units compatible with the surrounding context. Staff recommend that Council support approval of the applications.

CONTACT

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E-mail:Ben.DiRaimo@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Draft Official Plan Amendment to the City of Toronto Official Plan

Attachment 5: Former City of North York Zoning By-law 7625

Attachment 6: City of Toronto Zoning By-law 569-2013

Attachment 7: Draft Zoning By-law Amendment Former City of North York
Zoning By-law 7625

Attachment 8: Draft Zoning By-law Amendment City of Toronto
Zoning By-law 569-2013

Applicant Submitted Drawings

Attachment 9: Site Plan

Attachment 10: East (Marlee Avenue) Elevation

Attachment 11: North (Wenderly Drive) Elevation

Attachment 12: West Elevation

Attachment 13: South Elevation (Block 2)

Attachment 14: Cross Section AA (Block 1)

Attachment 1: Application Data Sheet

Municipal Address: 111 Wenderly Drive and 746 and 748 Marlee Avenue Date Received: July 14, 2015

Application Number: 15 190379 NNY 15 OZ

Application Type: OPA and Rezoning filed concurrently July 14, 2015

Project Description: Revised proposal for 10, 4-storey townhouses (2 blocks of 5 each) fronting onto Marlee Avenue. A total of 20 parking spaces (one in each garage, and one in a driveway) located at grade at the rear and 1 visitor parking spot accessed via a driveway to Wenderly Drive. Proposal consists of 3 lots. Concurrent Site Plan Application.

Applicant	Agent	Architect	Owner
The Biglieri Group, 20 Leslie Street, Suite 121, Toronto ON, M4M 3L4		ICON Architects 813-4789 Yonge Street, Toronto ON, M2N 0G3	Landmark Capital Ltd., 5145 Steeles Avenue West, Suite 202, Toronto ON M9L 1R5

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD	Heritage Designation:	N
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,784 Frontage (m): 50 Depth (m): 36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			811	811
Residential GFA (sq m):			2,630	2,630
Non-Residential GFA (sq m):				
Total GFA (sq m):			2,630	2,630
Height - Storeys:			4	4
Height - Metres:			14	14

Lot Coverage Ratio (%): 45.47 Floor Space Index: 1.47

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	2,630	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:	3			
Condominium:			10	10
Other:				
Total Units:	3		10	10

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:					10
Total Units:					10

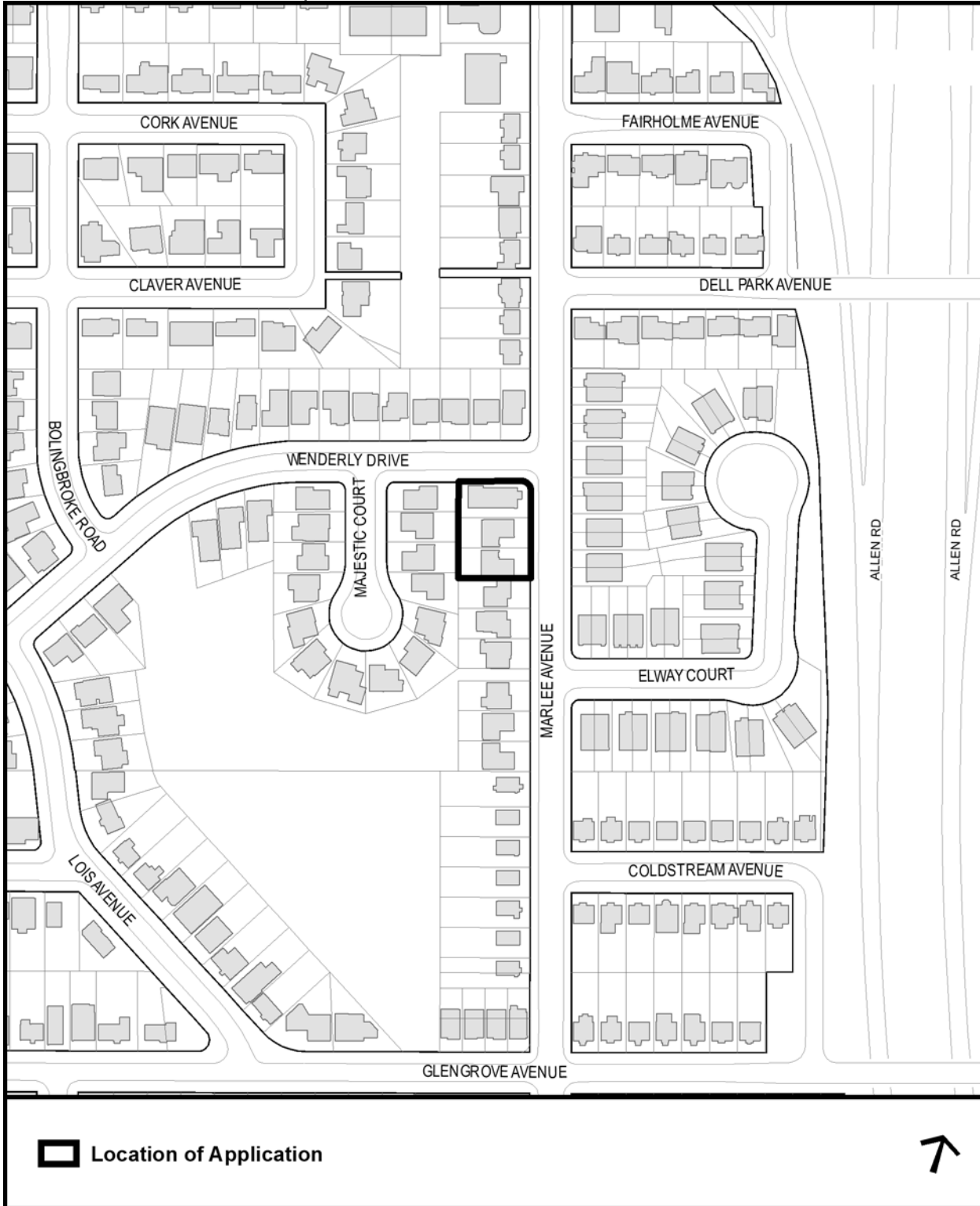
Parking and Loading

Parking Spaces:	21	Bicycle Parking Spaces:	10	Loading Docks:	0
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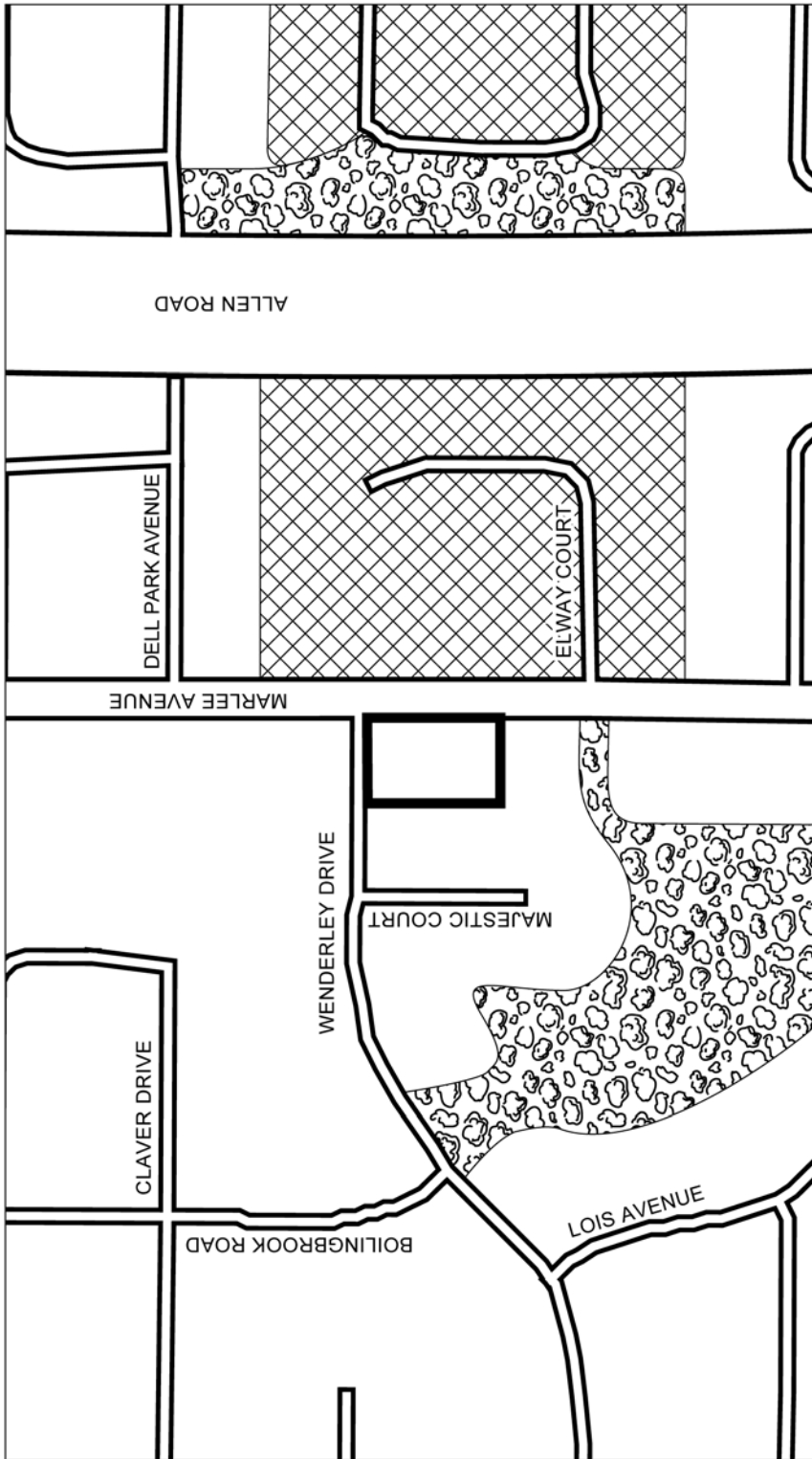
CONTACT:

Ben DiRaimo, Senior Planner
416-395-7119
Ben.DiRaimo@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



111 Wenderly Drive and 746 & 748 Marlee Avenue

TORONTO City Planning
 Extract from Official Plan

File # 15 190379 NMY 15 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Parks & Open Space Areas
-  Parks



Not to Scale
 01/08/2019

Attachment 4: Draft Official Plan Amendment to the City of Toronto Official Plan

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2019

Enacted by Council: ~, 2019

CITY OF TORONTO

Bill XXX

BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2019, as
111 Wenderly Drive, 746 and 748 Marlee Avenue**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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 enacts:

1. The attached Amendment No. ~~~ to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 2019.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

AMENDMENT NO. 454 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
111 WENDERLY DRIVE, 746 AND 748 MARLEE AVENUE**

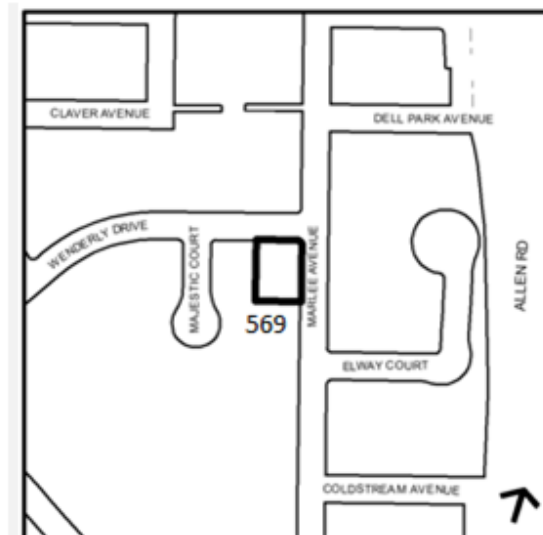
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site 569 and Area Specific Policies, is amended by adding Site and Area Specific Policy No. [] for lands known municipally in 2019 as 111 Wenderly Drive, 746 and 748 Marlee Avenue, as follows:

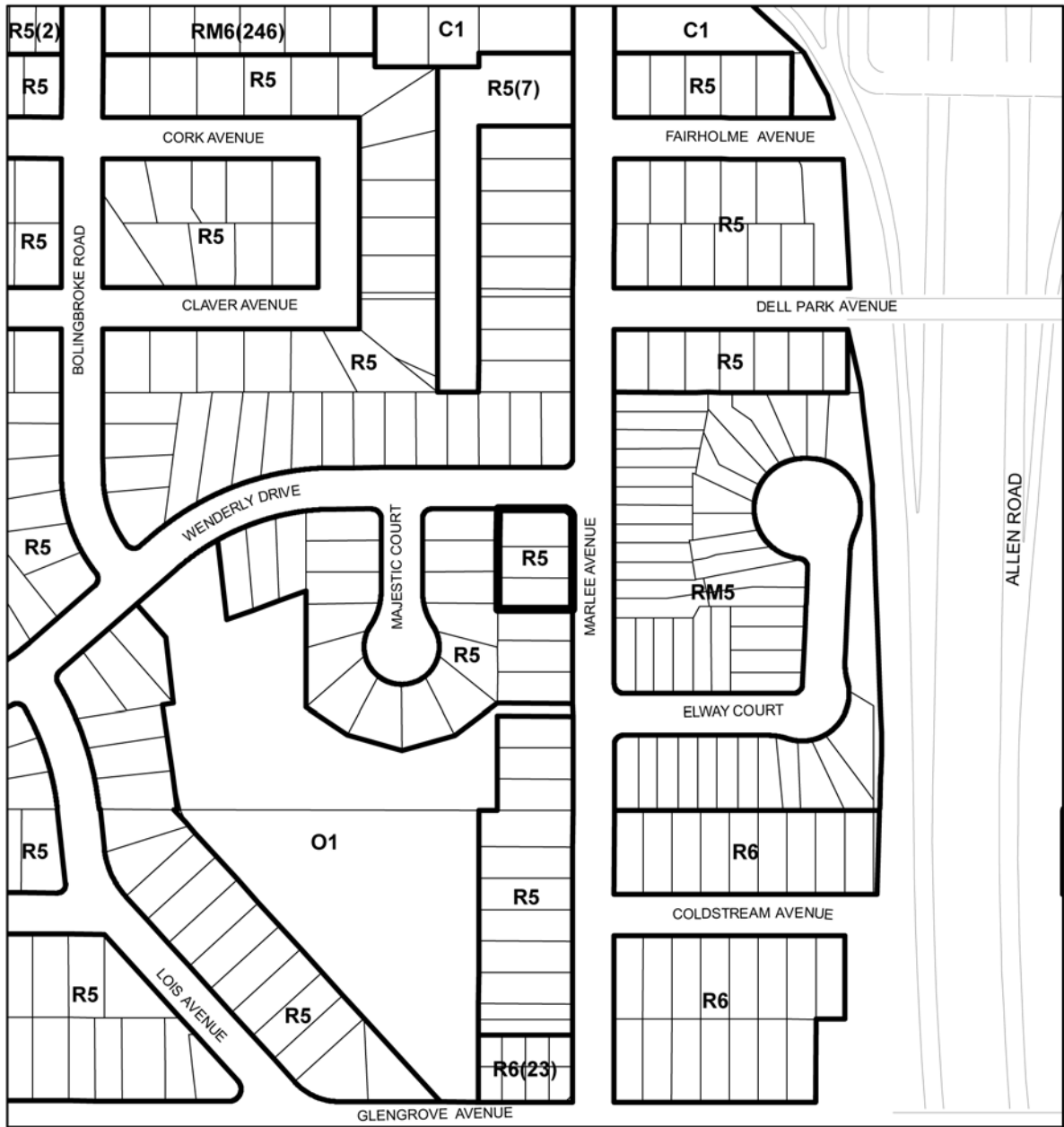
[569]. 111 Wenderly Drive, 746 and 748 Marlee Avenue

Townhouse development is permitted.

2. Chapter 7, Map 28, Site and Area Specific Policies, is revised to add the lands known municipally in 2019 as [111 Wenderly Drive, 746 and 748 Marlee Avenue](#) shown on the map above as Site and Area Specific Policy No. 569.



Attachment 5: Former City of North York Zoning By-law 7652



111 Wenderly Drive and 746 & 748 Marlee Avenue

Zoning By-law 7625

File # 15 190379 NNY 15 0Z

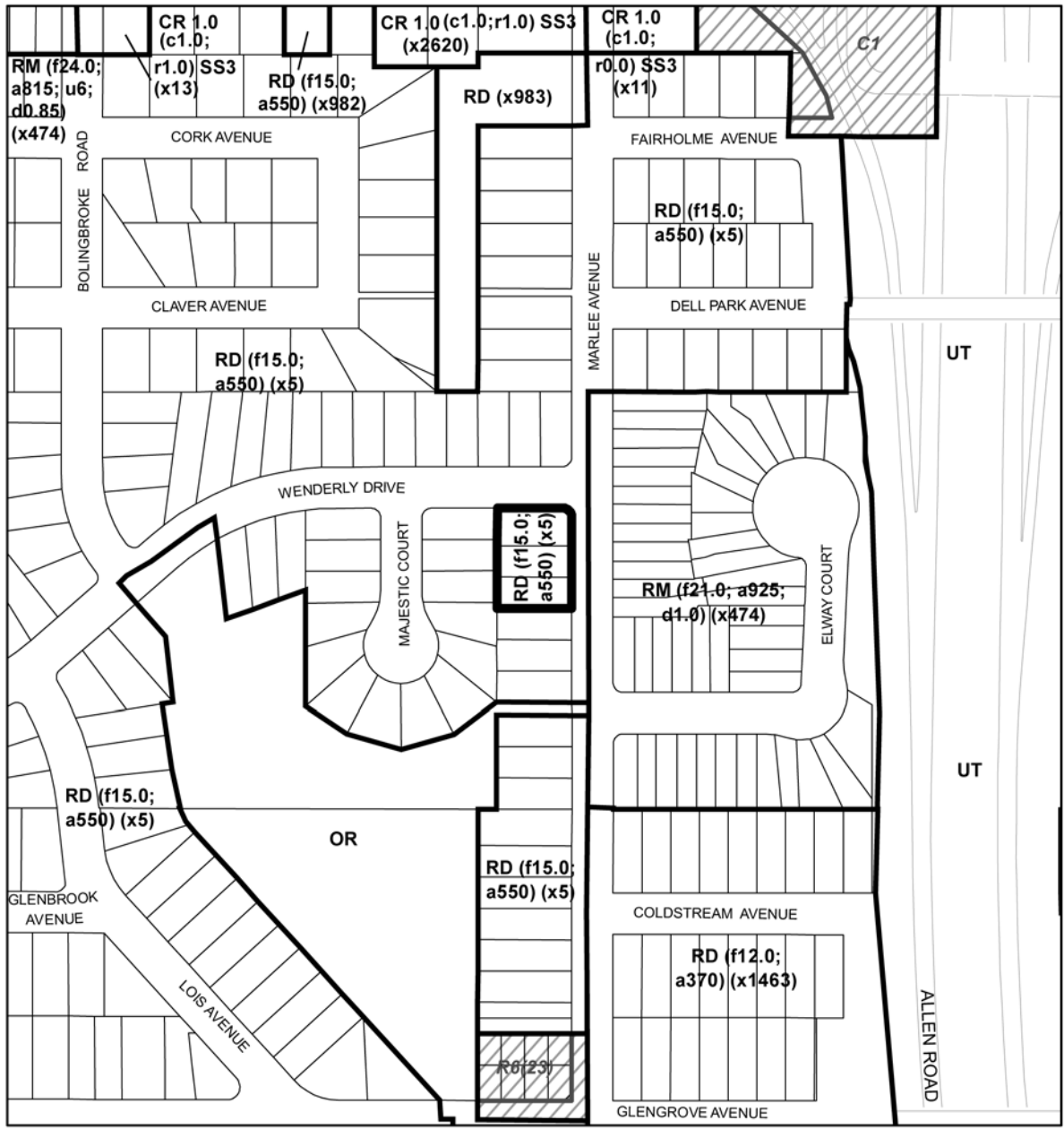
Location of Application

R5 One-Family Detached Dwelling Fifth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone

RM5 Multiple-Family Dwellings Fifth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
O1 Open Space Zone

Not to Scale
 Extracted: 01/07/2019

Attachment 6: City of Toronto Zoning By-law 569-2013



111 Wenderly Drive and 746 & 748 Marlee Avenue

Zoning By-law 569-2013

File # 15 190379 NNY 15 0Z



Location of Application

- RD Residential Detached
- RM Residential Multiple
- CR Commercial Residential
- OR Open Space Recreation
- UT Utility and Transportation



- See Former City of North York By-Law No. 7625
- R6 One-Family Detached Dwelling Sixth Density Zone
- C1 General Commercial Zone



Not to Scale
Extracted: 01/07/2019

Attachment 7: Draft Zoning By-law Amendment Former City of North York
Zoning By-law 7625

CITY OF TORONTO BY-LAW No. XXX-2018

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 111 Wenderly Drive, and 746-748 Marlee Avenue.

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, pursuant to Sections 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, with respect to lands known municipally in the year 2018 as 111 Wenderly Drive and 746-748 Marlee Avenue;

AND WHEREAS the Council of the City of Toronto, at its meeting on, adopted a resolution to amend Zoning By-law No. 7625 of the former City of North York, as amended;

NOW THEREFORE 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 64.16 of By-law No. 7625 is amended by adding the following subsection:

64.16(X) RM1 (X)

DEFINITIONS

- a) For the purpose of this exception, “established grade” for the purpose of establishing the permitted height shall mean the geodetic elevation of 178.30 metres.

PERMITTED USES

- b) The permitted uses shall include multiple attached dwellings.

EXCEPTION REGULATIONS

MULTIPLE ATTACHED DWELLINGS

- c) A maximum of ten (10) multiple attached dwellings are permitted.
- d) Ten (10) multiple attached dwellings shall front onto Marlee Avenue.
- e) A multiple attached dwelling shall have a minimum width of 4.2 metres.

LOT AREA

- f) The minimum lot area shall be 100 square metres per dwelling unit.

GROSS LOT COVERAGE

- g) Maximum all buildings 46 percent.

BUILDING HEIGHT

- h) The building heights shall not exceed the maximum heights in metres specified on Schedule "RM1(X)".
- i) The enclosed roof top staircase access shall not be considered a storey.

YARD SETBACKS AND DISTANCE BETWEEN BUILDINGS

- j) The minimum yard setbacks shall be as set out in Schedule "RM1(X)".
- k) Despite (j) above, the following building elements and structures are permitted to encroach into the required building setbacks to a maximum of 0.5 metres shown on Schedule "RM1(X)" as follows:

- Architectural banding;
- Canopies; and,
- Other ornamental elements.

LANDSCAPING

- l) A minimum of 60% of the required front yard landscaping must be soft landscaping.

PARKING

- m) A minimum of two parking spaces per dwelling unit in a tandem arrangement shall be provided for residential use.
- n) Visitor parking shall not be required.
- o) Parking spaces shall have access to a street by means of a private driveway from Wenderly Drive.

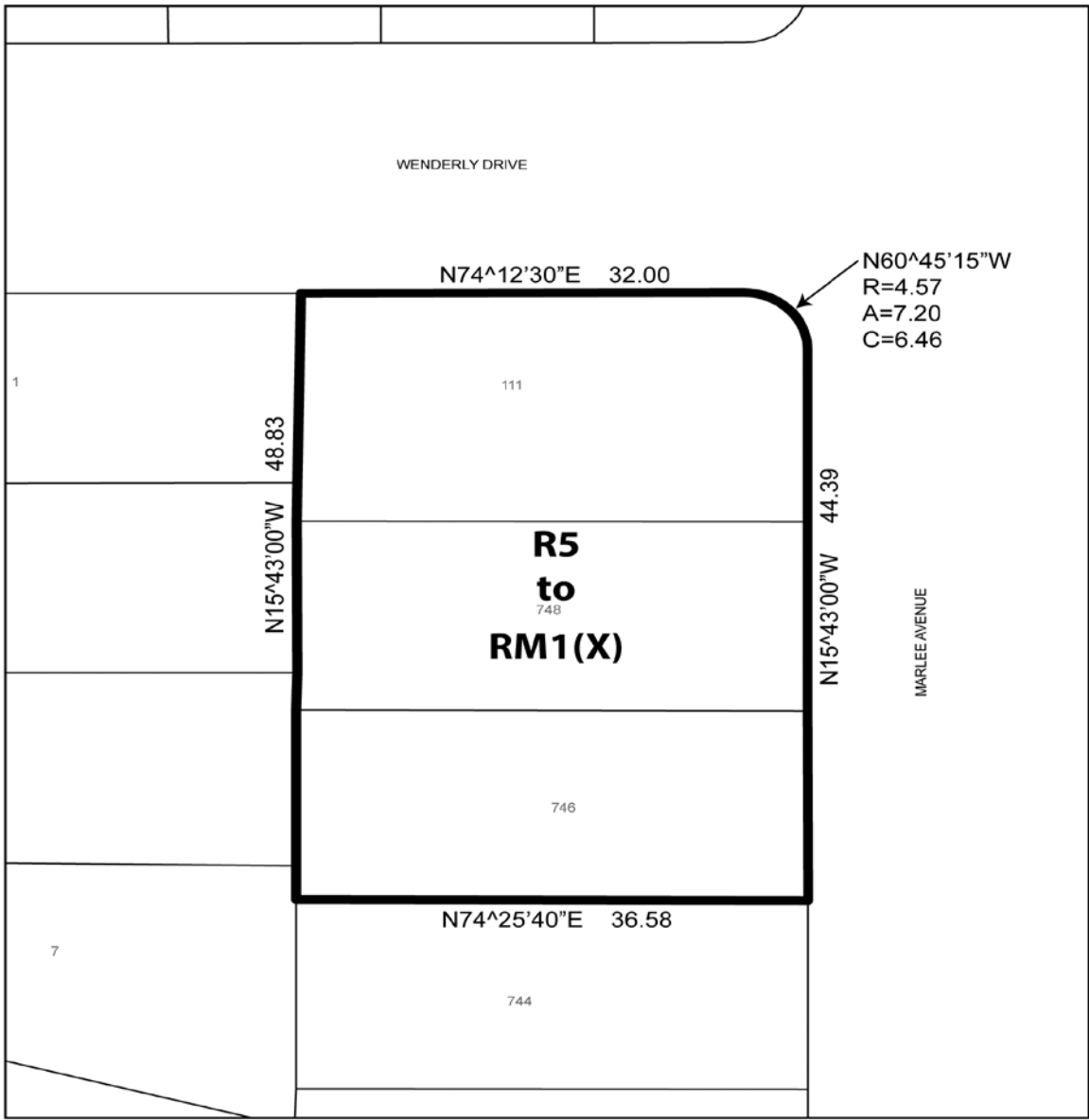
OTHER REGULATIONS

- p) The provisions of Sections 6A(2), 6(9), 6(24), 15.8(a), 15.8(f)(i), 16.2.2, 16.2.3, 16.2.4, 16.2.6, and 16.3.2 of By-law No. 7625, as amended, shall not apply.
 - q) Notwithstanding any future severance, partition or division of the lands shown on Schedule "RM1(X)", the provisions of this By-law shall apply to the whole of the lands as if no severance, partition or division occurred."
3. Section 64.16 of By-law No. 7625 is amended by adding Schedule RM1(X) attached to this by-law.

ENACTED AND PASSED this ~ day of ~, A.D. 2019.

JOHN TORY, ULLI S. WATKISS
Mayor City Clerk

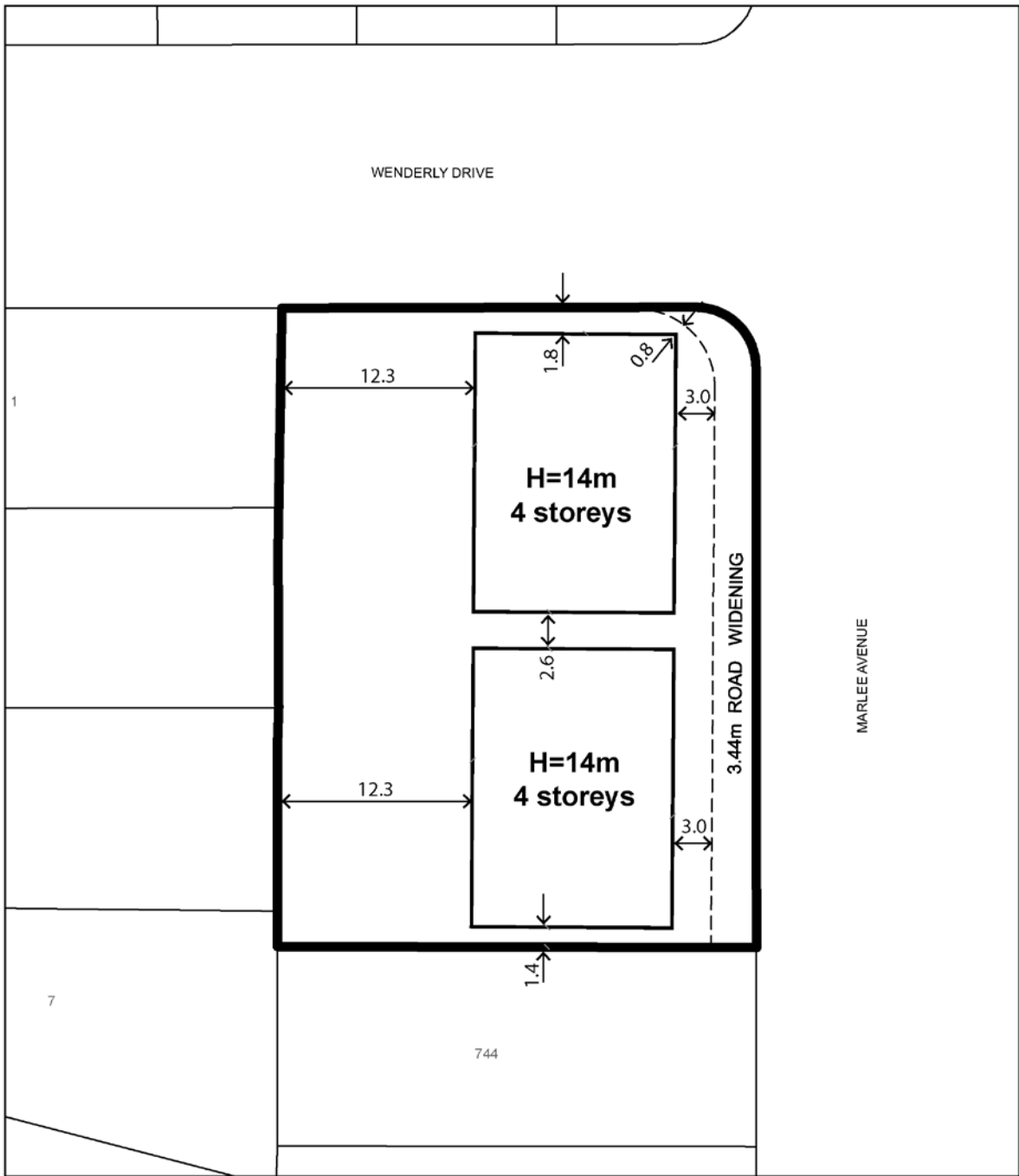
(Corporate Seal)



TORONTO
Schedule 1

**111 Wenderly Drive,
746 and 748 Marlee Avenue**
File # 15 190379 NNY 15 02

City of Toronto By-law 7625
Not to Scale
1/7/2019



TORONTO
Schedule RM1(X)

111 Wenderly Drive,
746 and 748 Marlee Avenue
File # 15 190379 NNY 15 02

Applicant's submitted drawing

City of Toronto By-law 7625
Not to Scale
5/10/2019

Attachment 8: Draft Zoning By-law Amendment City of Toronto Zoning By-law 569-2013

BY-LAW No. XXXX-2018

To amend the Zoning By-law for the City of Toronto, being By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2018 as 111 Wenderly Drive and 746-748 Marlee Avenue

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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) The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
- 2) The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
- 3) Zoning By-law No. 569-2013, as amended, is further amended by applying the following zone labels to the lands known municipally as 111 Wenderly Drive and 746-748 Marlee Avenue: (RT (f4.2; au100; x###), as shown on Diagram 2 attached to this By-law; and
- 4) Zoning By-law No. 569 -2013, as amended, is further amended by applying the following height label to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 14, ST 4, as shown on Diagram 3 attached to this Bylaw; and
- 5) Zoning By-law No. 569-2013, as amended, is further amended by applying the following lot coverage label to the Lot Coverage Overlay Map in Section 995.30.1, and applying the following lot coverage label to these lands: 46 percent, as show on Diagram 4 attached to this By-law;
- 6) Zoning By-law No. 569-2013, as amended, is further amended by adding Articles Exception Number (###) so that it reads:

Exception (RT (f4.2; au100) (x###)

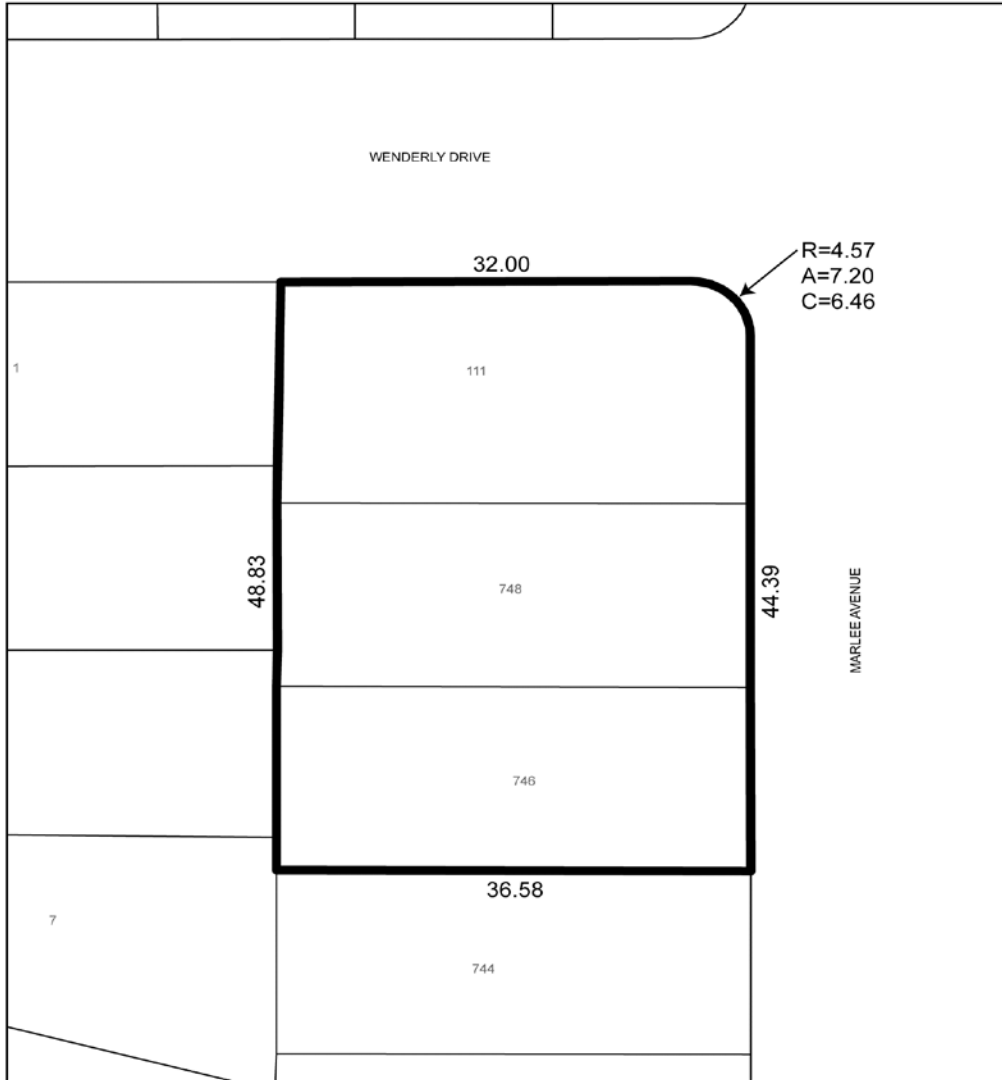
The lands, or a portion thereof as noted below, are subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections.

None of the provisions of sections 10.5.30.20(2), 10.5.40.10(2) (4) (5), 10.5.40.60, 10.5.40.70(1), 10.5.50.10(1) (D), 10.5.50.10(3), 10.5.100.1(2) (B), 10.60.40.1(3), 10.60.40.70(1), 10.60.40.80(2), 200.5.1.10(3) (5), 200.5.10.1(1) and 200.15.10(1) shall

apply to prevent the erection or use of a building on the lands delineated by the heavy line on Diagram 1 of By-law No. XXXX-2018 and used for the uses permitted if the whole of the premises on those lands collectively comply with the following:

- A) The front lot line is adjacent to Marlee Avenue;
- B) Maximum number of dwelling units 10.
- C) The height of any building or structure on the lot must not exceed the maximum height in metres specified by the numbers following the symbol H as shown on Diagram 3 of By-law [Clerks to supply by-law #], measured from a Canadian Geodetic Datum elevation of 178.58 metres;
- D) The enclosed roof top staircase access shall not be considered a storey.
- E) No above grade portion of any building or structure is located otherwise than wholly within the areas delineated by black lines shown on Diagram 3 of By-law [Clerks to supply by-law #];
- F) Despite clause (E), the following building elements and structures are permitted to encroach into the required building setbacks to a maximum of 0.5 metres shown on Diagram 3 of By-law [Clerks to supply by-law #] as follows:
 - Architectural banding;
 - Canopies; and,
 - Other ornamental elements.
- G) Despite regulation 10.5.50.10(1) (D), a minimum of 60% of the required front yard landscaping must be soft landscaping.
- H) Despite regulation 200.5.10.1(1), minimum 2 parking spaces per unit in a tandem arrangement for residential use.
- I) Despite regulation 200.5.10.1(1), a visitor parking space is not required.
- 7) Prevailing By-laws and Prevailing Sections: None Apply

ENACTED AND PASSED this ~ day of ~, A.D. 2019.

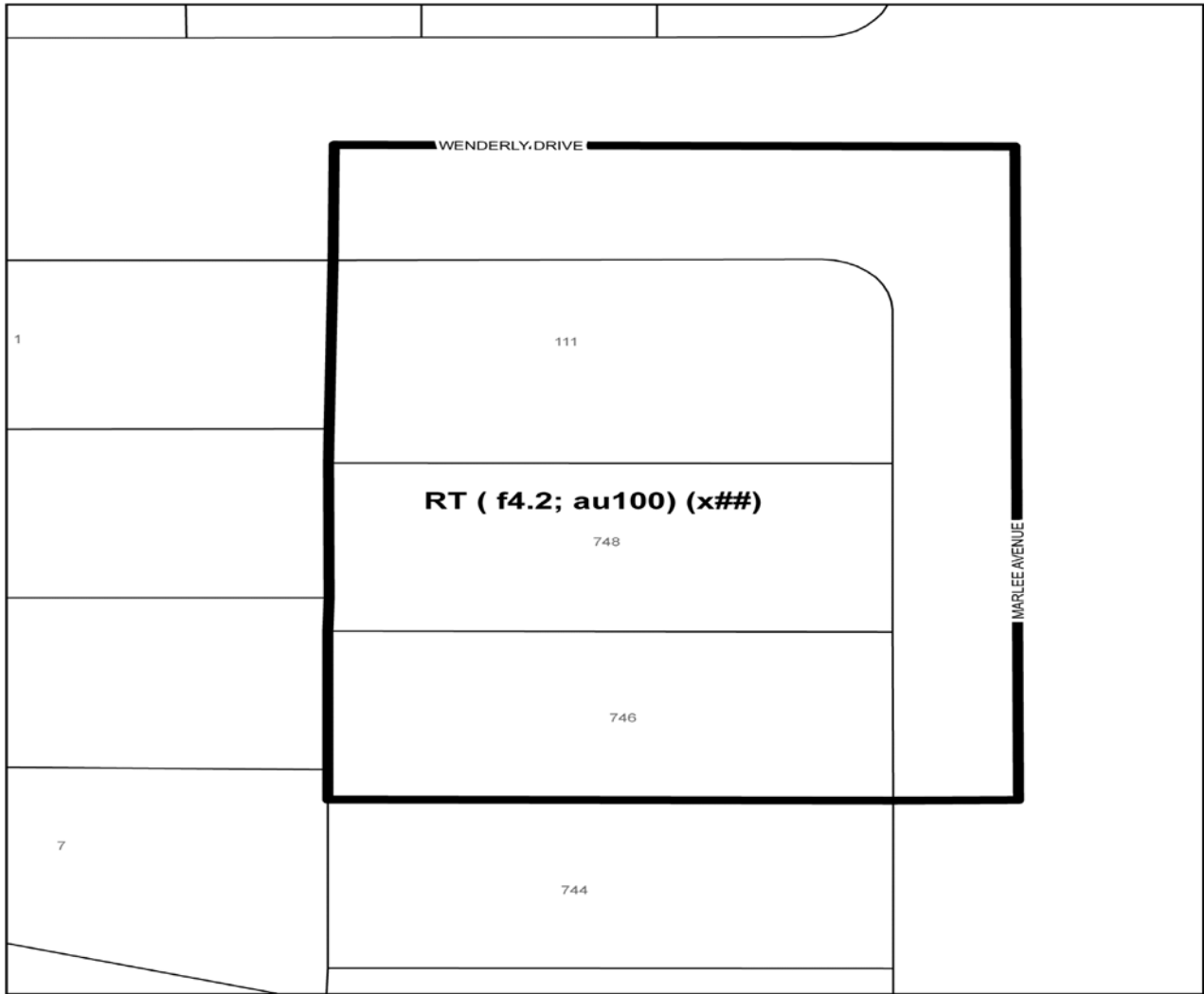


TORONTO
 Diagram 1

**111 Wenderly Drive,
 746 and 748 Marlee Avenue**
 File # 15 190379 NNY 15 OZ

City of Toronto By-law 569-2013
 Not to Scale
 1/7/2019

Diagram 1 File#15 190379 NNY 15 OZ

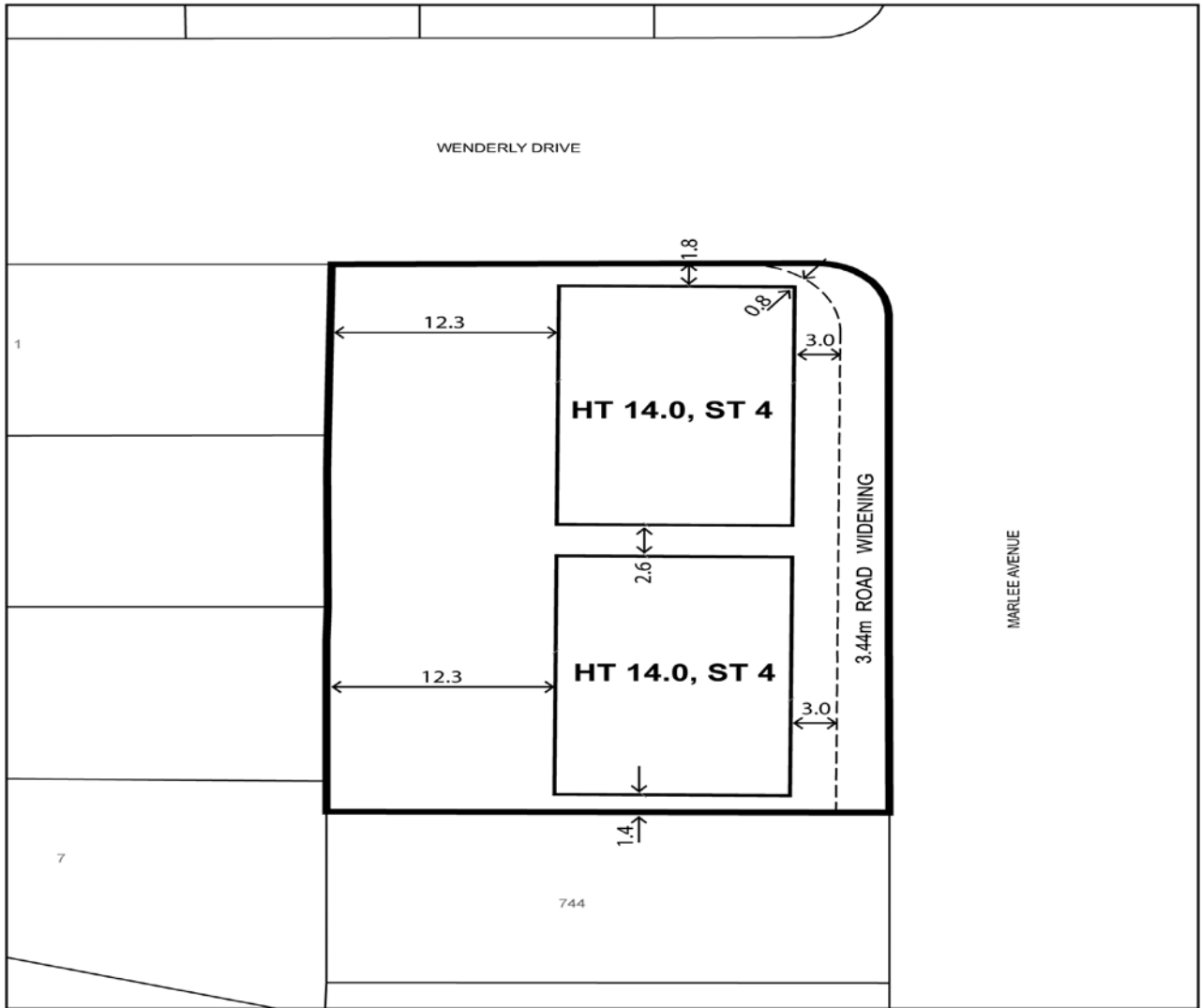


TORONTO
Diagram 2

**111 Wenderly Drive,
746 and 748 Marlee Avenue**
File # 15 190379 NNY 15 OZ

City of Toronto By-law 569-2013
Not to Scale
1/7/2019

Diagram 2 File#15 190379 NNY 15 OZ



TORONTO
Diagram 3

**111 Wenderly Drive,
746 and 748 Marlee Avenue**

File # 15 190379 NNY 15 OZ

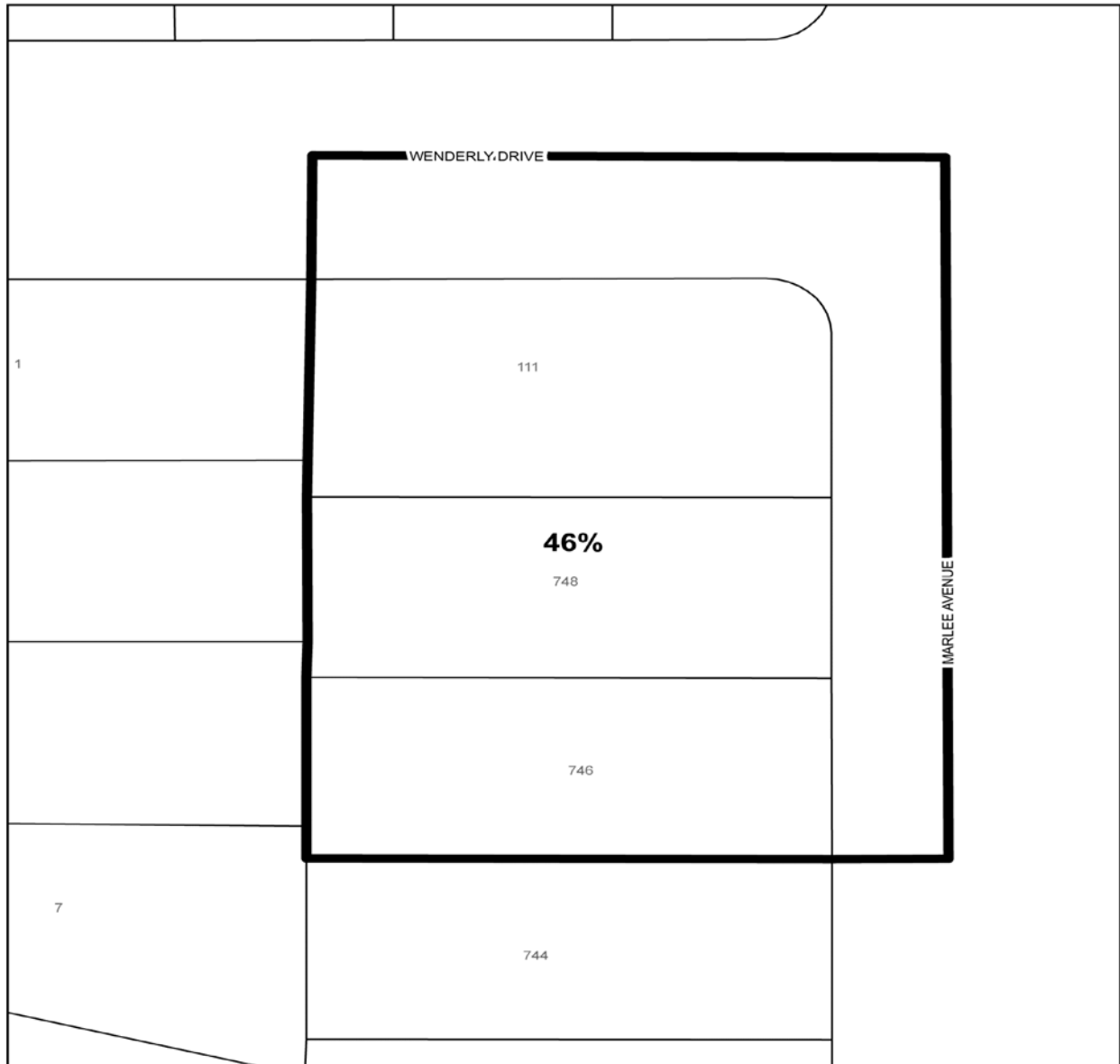
City of Toronto By-law 569-2013
Not to Scale
1/7/2019

Diagram 3 File#15 190379 NNY 15 OZ

File#15

NOTES:

H denotes maximum height in metres above established grade
Established grade is measured at 178.SSm. All dimensions are in metres



 **TORONTO**
Diagram 4

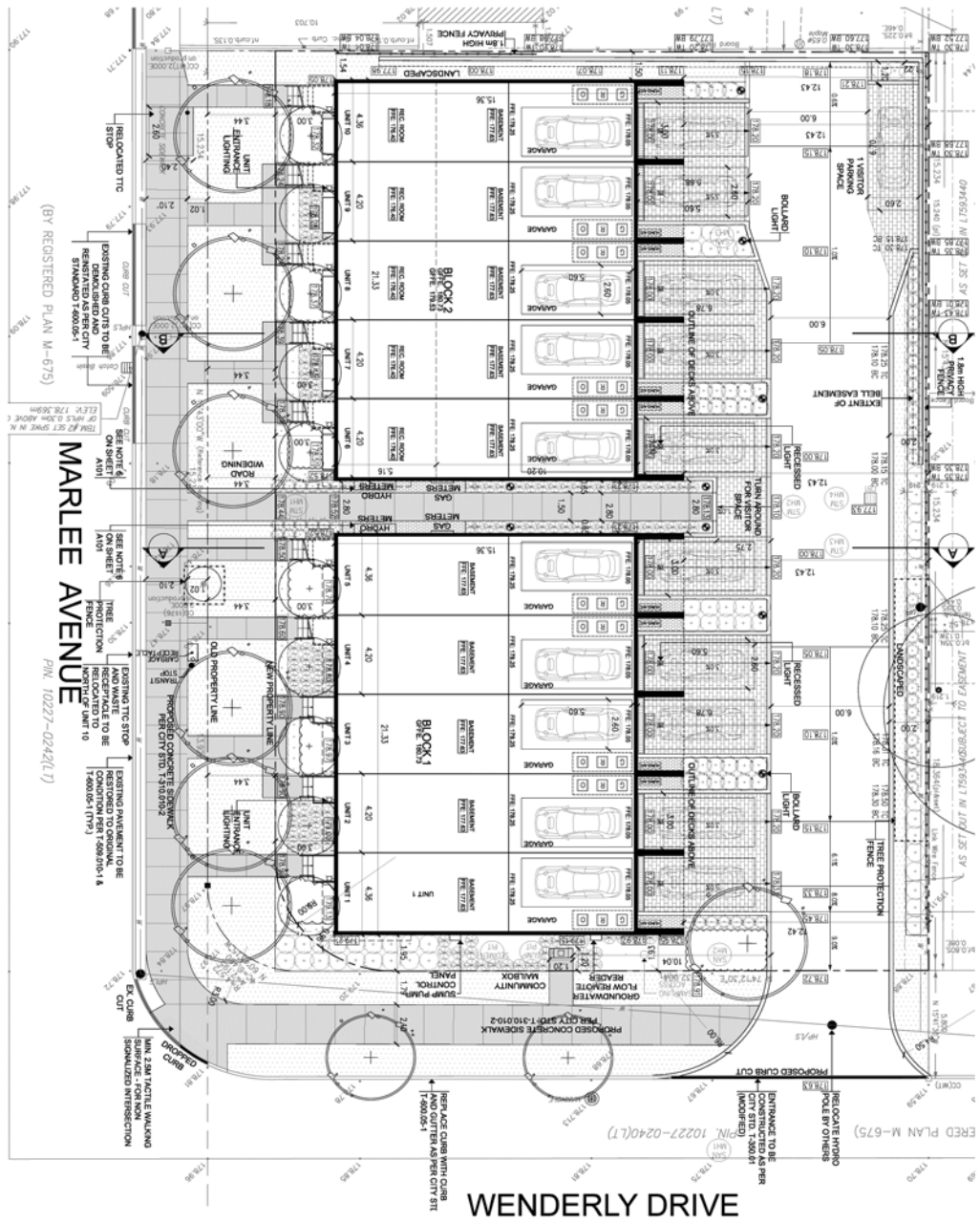
**111 Wenderly Drive,
746 and 748 Marlee Avenue**
File # 15 190379 NNY 15 OZ


City of Toronto By-law 569-2013
Not to Scale
1/7/2019

Diagram 4 File#15 190379 NNY 15 OZ

Plan of Lots 52, 53 & 54 R.P M-675 Donald E. Roberts Ltd.
Not to Scale

Attachment 9: Site Plan



Site Plan

111 Wenderly Drive and 746 & 748 Marlee Avenue

Applicant's Submitted Drawing

Not to Scale
04/30/2019



File # 15 190379 NNY 15 0Z

Attachment 10: East (Marlee Avenue) Elevation



111 Wenderly Drive and 746 & 748 Marlee Avenue

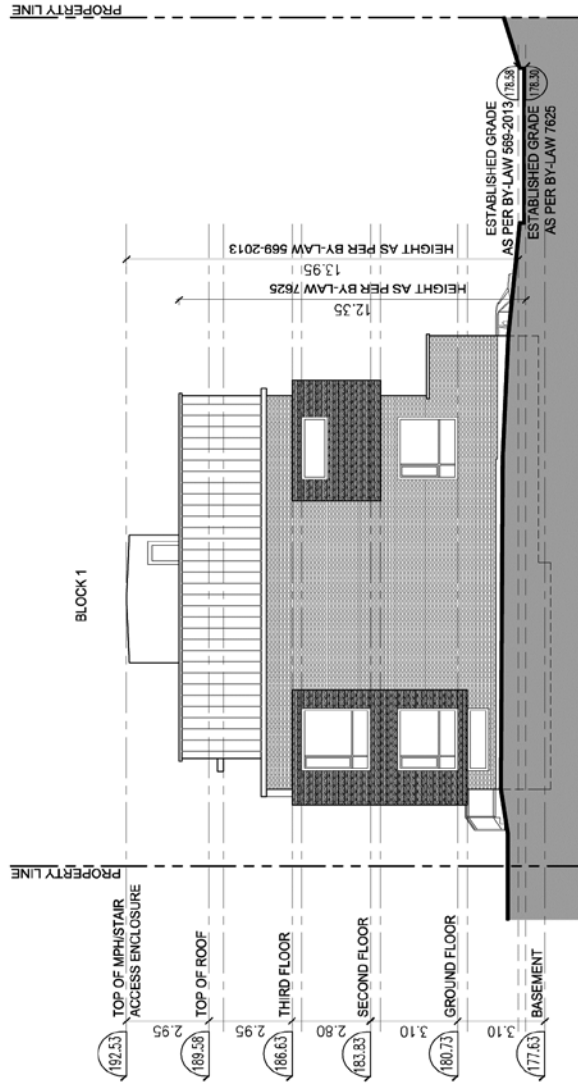
East (Marlee Avenue) Elevation

Applicant's Submitted Drawing

Not to Scale
04/30/2019

File # 15 190379 NNY 15 0Z

Attachment 11: North Elevation



North (Wenderly Drive) Elevation - Block 1 111 Wenderly Drive and 746 & 748 Marlee Avenue

Applicant's Submitted Drawing

Not to Scale
04/30/2019

File # 15 190379 NNY 15 0Z

Attachment 12: West Elevation



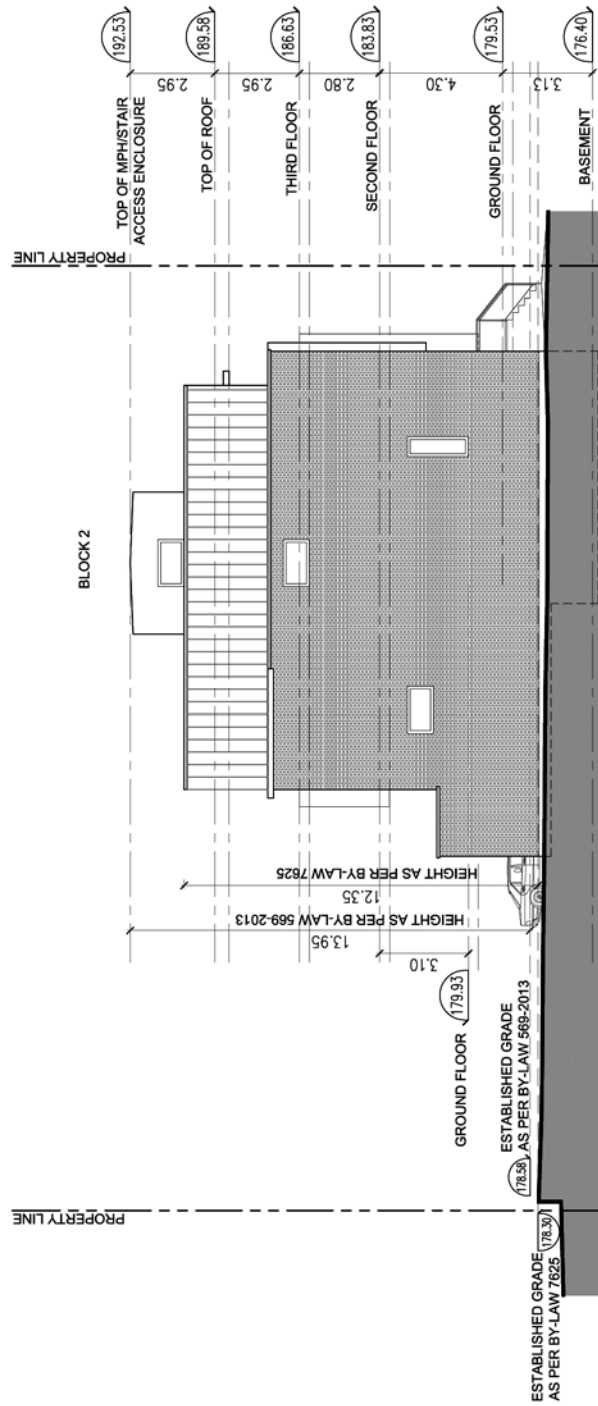
111 Wenderly Drive and 746 & 748 Marlee Avenue

West Elevation
 Applicant's Submitted Drawing

Not to Scale
 04/30/2019

File # 15 190379 NNY 15 0Z

Attachment 13: South Elevation (Block 2)



111 Wenderly Drive and 746 & 748 Marlee Avenue

South Elevation - Block 2

Applicant's Submitted Drawing

Not to Scale
04/30/2019

File # 15 190379 NNY 15 0Z

