

722 and 724 Marlee Avenue, Zoning By-Law Amendment Application – Final Report

Date: November 2, 2021

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 8 Eglinton-Lawrence

Planning Application Number: 20 119614 NNY 08 OZ

SUMMARY

This application proposes to construct a four storey (14 metre high) residential building with 28 units on lands at 722 and 724 Marlee Avenue. An on-site parkland dedication of 129 square metres, 20 vehicle parking spaces and 33 bicycle parking spaces are proposed in one level of underground parking. Access would be provided to the site by a 6 metre wide driveway at Marlee Avenue.

The site consists of 2 lots located on the west side of Marlee Avenue, north of Glengrove Avenue West and south of Coldstream Avenue. Each site is currently occupied by a single detached dwelling.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), 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 application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 722 and 724 Marlee Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.

2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

A pre-application meeting was held on Sep 19, 2019. The current application was submitted on February 26, 2020 and deemed complete on October 23, 2020. A Preliminary Report on the application was adopted by North York Community Council on June 16, 2021 authorizing staff to conduct a community consultation meeting. The Community consultation is summarized in the Comments section of this Report.

The preliminary report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY15.2>

SITE AND SURROUNDING AREA

The subject site is a rectangular shaped parcel 1,395 square metres in size with a frontage of 31 metres on Marlee Avenue and a depth of 46 metres. The site has two 2-storey detached dwellings.

Surrounding uses include:

North: single detached dwellings.

South: single detached dwellings.

East: Across Marlee Avenue are single detached dwellings.

West: Wenderly Park.

PROPOSAL

This application proposes to develop the lands at 722 and 724 Marlee Avenue with a four storey (14 metre high - excluding mechanical penthouse), residential apartment building containing 2,174 square metres of gross floor area (GFA) and 28 residential units which results in a density of 1.56 times the area of the lot (FSI). A total of 20 vehicle parking spaces and 33 bicycle parking spaces are proposed in a one level underground parking garage. Visitor parking is not proposed. An on-site parkland dedication of 129 square metres is proposed along the west (rear) property line of the site, adjacent to the existing Wenderly Park.

Vehicle access to the site would be provided via a one-way driveway from Marlee Avenue with a queuing area located on the south end of the site. Pedestrian access to the building would be provided via an entrance to a residential lobby on Marlee Avenue located at the south end of the proposed building. Two of the residential units located on the ground floor are also proposed with direct at-grade access to Marlee Avenue. Garbage storage would be located in the underground level. A loading space is not proposed as typical deliveries and garbage pick-up would be provided curb-side.

The proposed unit mix is as follows:

Bedroom Count		Average Unit Size
1-bedroom	13 (46%)	60.4 square metres
2-bedroom	15 (54%)	81.9 square metres
Total Units:	28	

The proposed building setbacks are as follows:

Front yard (after 3.44 metre road widening)	2.3 metres
Rear yard (from new property line after 4.2 metre wide parkland dedication)	10.1 metres
North side yard	1.8 metres
South side yard	1.0 metre

The proposal includes 53.5 square metres of indoor amenity space on the ground floor leading to 111.5 square metres of outdoor amenity space located at grade at the rear or west side of the site.

The proposed development is also within walking distance to bus public transit along Marlee Avenue and Lawrence Avenue and within 800 metres of the Lawrence West Subway Station to the north.

[See Attachment 1: Application Data Sheet, Attachment 6: Site Plan, Attachment 7a: East and West Elevations and Attachment 7b: North and South Elevations.](#)

Reasons for Application

The proposal for a four storey (14 metre high) residential building with 28 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 a four-storey low-rise residential apartment building and establish new performance standards for matters such as: setbacks, height, parking, landscaping and density.

APPLICATION BACKGROUND

Application Submission Requirements

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

- Context Plan;
- Architectural Plans;
- Civil and Utilities Plans;
- Landscape Plan and Details;
- Arborist Report and Tree Inventory and Preservation Plan;
- Functional Servicing & Stormwater Management Report;
- Hydrogeological Study;
- Transportation Impact Study;
- Functional Servicing and Stormwater Management Report;
- Servicing Report Groundwater Summary;
- Erosion Control Plan;
- Landscape Plan;
- Landscape Details;
- Planning Rational Report; and
- Toronto Green Standard Checklist Version 2.0.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation Outcomes

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

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given had an opportunity to view the oral submissions made at the statutory public

meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

Community Consultation

On September 23, 2020, City Planning Staff, together with the local Ward Councillor held a community consultation meeting on the proposed development. Comments raised included concerns related to:

- Traffic along Marlee Avenue;
- Bike lanes and pedestrian safety; and
- Height and shadowing.

POLICY CONSIDERATIONS

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 (2020)

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

Provincial Plans

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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2020), 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 (2020), 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows below. The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Official Plan Amendments 479 (Public Realm) and 480 (Built Form) were adopted as part of the Five-Year Official Plan Review pursuant to Section 26 and Subsection 17(34) of the Planning Act. On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types.

The policies reflect the continuous evolution of the application of urban design principles to achieve critical city building objectives, defining the roles and relationships of the public realm and new development to ensure that buildings and their surrounding public spaces work together to achieve a high standard of design. The new policies are in force and in effect for all lands as of September 11, 2020.

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 City of Toronto Official Plan. The Official Plan identifies Neighbourhoods as being physically stable areas made up of residential uses in lower scale buildings such as detached

houses, semi-detached houses, duplexes, triplexes and 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. (See Attachment 3: Official Plan Land Use Map).

Chapter 2 - Shaping the City

Section 2.3.1 Healthy Neighbourhoods

Chapter 2 of the Official Plan entitled Shaping the City contains principles for steering growth and change to some parts of the city, while protecting our neighbourhoods and green spaces from development pressures. Neighbourhoods are seen as being stable but not static, where significant growth is not encouraged and new development is to respect and reinforce the general physical patterns of the neighbourhood. It is recognized that Neighbourhoods will undergo some physical change over time as enhancements, additions and infill housing occurs. Policy 1 of Section 2.3.1 is a cornerstone policy, intended to ensure that new development in Neighbourhoods respects the existing physical character of the area and reinforces the existing physical character of buildings, streetscapes and open space patterns in these areas.

Chapter 3 - Building a Successful City of Toronto

Section 3.1.1 Public Realm

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets and lanes, including sidewalks and parks and open spaces) for pedestrians. Section 3.1.1, read in conjunction with Section 3.1.2 described below, requires new development to be massed to define the edges of streets at good proportion and provide amenity for adjacent streets to make these areas attractive, interesting, and comfortable and function for pedestrians. This can be achieved by the provision of adequate amenity and landscaped open space, coordinated landscape improvements in setbacks to create attractive transitions from the private to public realms and landscaped open space within the development itself, among others. The intention is to enable new developments to 'fit' within the context of the immediate neighbourhood, while also improving the character of the surrounding area.

Section 3.1.2 Built Form

Built form policies in the Official Plan (Section 3.1.2) provide direction for new development with respect to its location and organization such that it fits within, and respects, its existing and planned context. More specifically, the section provides guidance pertaining to the massing of new buildings to frame adjacent streets in a way that respects the existing and/or planned street proportion, incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development, creating appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan, providing for adequate light and privacy, and adequately limiting any resulting shadowing of neighbouring streets and properties.

Section 3.1.3 Built Form - Building Types

Toronto is a complex city built over many decades with a diversity of uses, block, lot and building type patterns. These patterns vary street by street, block by block and neighbourhood by neighbourhood. Three scales of building types - Townhouse and Low Rise Apartments, Mid-Rise and Tall - buildings have emerged in the recent period of development. These building types are defined by their scale and physical characteristics including site and building organization, relationship to the public street, and building massing and height. The built form and relationships and design of these building types is informed by city wide guidelines that help to ensure the proper form and fit with the existing and planned context. For this particular application, the Townhouse and Low-Rise Apartment Guidelines are relevant.

Section 3.2.3 Parks and Open Spaces

Policy 3.2.3 Parks and Open Space states that the effects of development from adjacent properties, including additional shadows, noise, traffic and wind on parks will be minimized as necessary to preserve their utility.

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).

Staff analysis and review of Official Plan policies and designations are summarized in the Comments section below.

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/>

Zoning

The site is subject to both former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013.

Under Zoning By-law 7625, as amended, the site is zoned One-Family Detached Fifth Density Zone (R5). This zoning permits detached dwellings and accessory buildings in addition to home occupations, recreational and institutional uses. The maximum permitted height for a building in this zone is 8 metres and 2 storeys for a building with a flat roof and 8.8 metres and 2 storeys for any other type of roof. The minimum required lot frontage is 15.0 metres and the minimum required lot area in this zone is 550 square metres. The minimum required front yard setback is 7.5 metres which can be increased or decreased by up to 1 metre. The minimum required rear yard setback is 9.5 metres.

The site is also subject to the Downsview Airport Hazard Map Schedule 'D' to the former City of North York Zoning By-law 7625, which permits a maximum building height of 60.69 metres.

The site is zoned RD(f15.0; a550) (x5) by City of Toronto By-law 569-2013. The RD zone permits residential dwelling units in a detached house and a number of community uses. The minimum frontage for a lot in this zone is 15 metres with a minimum lot area of 550 square metres. A site specific provision stipulates that the minimum side yard setback is 1.8 metres. The maximum permitted height for a building in this zone is 10 metres or 2 storeys. The minimum required front yard setback is 6.0 metres and the minimum required rear yard setback is 7.5 metres or 25% of the lot depth.

Much of the City of Toronto harmonized city-wide Zoning By-law No. 569-2013 is now in full force and effect. In most cases it is no longer necessary to amend former Municipal by-laws, and as in this case, it is pragmatic and reasonable to proceed with a single site-specific amendment to Zoning By-law No. 569-2013.

The City's Zoning By-law 569-2013 may be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

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 where 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/>

Low-Rise Apartment Design Guidelines identify the City interest in addressing development impacts, with a focus on protecting streetscapes and seamlessly

integrating new development within existing housing patterns. It is important that new development “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 at or close to grade;
- Providing a minimum 2 to 3 metre setback from the front property line for services, access and landscaping;
- Have front entrances on existing public streets whenever possible; and
- Provide 7.5 metres (25 feet) back yard setback to the rear property line.

Growing Up Urban Design Guidelines

In July 2020, Toronto City Council adopted the Growing Up: Planning for Children in New Vertical Communities 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 of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods which in turn, will enhance the range and provision of housing for households across Toronto. Implementation of the Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The Report from the Chief Planner on the Growing Up Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at:

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

Pet Friendly Design Guidelines

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings
The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet friendly facilities, and by city staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments.

The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit

from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment.

The Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings are available at:

<https://www.toronto.ca/city-government/planning-development/planningstudies-initiatives/pet-friendly-design-guidelines-for-high-density-communities/>

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 application is subject to Site Plan Control under Section 41 of the Planning Act. A Site Plan Control application has been submitted and is being reviewed concurrently with this application (File number 20 119616 NNY 08 SA).

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 and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). 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 proposal is consistent with the PPS and conforms with the Growth Plan for the Greater Golden Horseshoe (2020) as discussed below.

Provincial Policy Statement (2020)

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 ". The apartment building 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 an apartment building 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 north-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. Given the location of the proposed development, additional opportunities are available for greater pedestrian and transit use and the potential for reduction of car ownership.

The proposed development is on Marlee Avenue south of Lawrence Avenue west and is within 800 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.

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

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) 1.6.7.4), and 1.7.1.

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 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, as well as north and south along Marlee Avenue, and three-storey apartment buildings across Marlee Avenue.

Policy 2.2.4.10 of the Growth Plan states that lands adjacent to or near existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities. The proposed four storey apartment building will house additional residents within proximity to transit stops and the Lawrence West subway station. The residents in the building will have the potential to become transit riders for the existing frequent transit service. Also, in terms of supporting active transportation, the proposed development will have individual residential unit entrances connected to the neighbourhood sidewalk network to ensure pedestrian connectivity. The proposed landscaping will also 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, and 2.2.4.10.

Official Plan

This application has been reviewed against the Official Plan policies and urban design guidelines described above as well as the policies of the Toronto Official Plan as a whole.

Section 4 of the PPS outlines methods in which the PPS should be implemented and interpreted. Policy 4.6 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 low-rise apartment 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 proposed apartment building would have similar front, side and rear setbacks to the existing residential buildings in the area and maintain the character of the area.

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 south and north 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 development proposal which is located adjacent to a stable residential area. Townhomes and Low-Rise Apartments 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 four-storey apartment building is an appropriate building type along Marlee Avenue and for this site within 800 metres from the Lawrence West subway station.

Land Use

This application has been reviewed against the official plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole. Given the planned context for the site and along Marlee Avenue, the proposed four storey apartment building is a permitted use in the neighbourhood designation.

Height , Massing and Density

Across Marlee Avenue to the north-east 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 detached 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 proposal conforms to the Official Plan policies 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. The proposed four-storey building would have a height of 14 metres high - excluding the mechanical penthouse. The proposed apartment building implements Official Plan Neighbourhoods policy 4.1.5 by respecting and reinforcing the existing physical character. Prevailing patterns of rear and side yard setbacks and landscaped open space would be maintained. Impacts to the north and

south adjacent dwellings are mitigated by minimizing window openings and providing appropriate landscape screening. With respect to the Townhouse and Low-Rise Apartment Guidelines, the proposed apartment building would be oriented to Marlee Avenue and be parallel to the street. The proposed driveway would result in the consolidation of two existing driveways. The front entrance would be on Marlee Avenue with direct connection to the sidewalk. There would be two apartment units at grade which would have direct pedestrian access from the sidewalk on Marlee Avenue. These apartments and their entrances would provide eyes on the street and animation. The apartment building would have appropriate indoor and outdoor amenity space for families with children and pets. The on site park dedication would result in the expansion of Wenderly Park. The proposed site access (6 metre wide driveway), parking and site services would be appropriate for an apartment building with 28 units.

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 proposed development has used a combination of stepback and materiality to create a 3 storey expression to fit with the existing neighbourhood.

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 to ensure that it fits into the existing stable neighbourhood, achieving appropriate fit and transition by integrating the height, scale and character of the neighbouring buildings and reinforcing the city structure.

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 minimum 2.3 metre setback from the Marlee Avenue lot line after the road widening is taken into consideration within which will be located front landscaping, seating and access to the at grade lobby area for the building. Two of the residential units will also have direct access at grade to Marlee Avenue within the front yard streetscaping.

Policy 3.1.2.1 b of the Guidelines contain direction for primary entrances to units and to building lobbies. The Guidelines require that access, 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 the public realm while also maintaining "eyes on the street".

After a 4.2 metre parkland dedication, the application proposes a minimum setback of 10.1 metres from the rear wall of the building at grade to the new rear lot line. A privacy fence along the rear lot line, with a landscaped area, and access gates to Wenderly Park provide for the opportunity for a continuation of the private outdoor amenity space into the public realm of Wenderly Park.

The 10.1 metre building setback from the rear lot line after the parkland dedication meets the guideline which requires a minimum 7.5 metres rear setback. The application also proposes setbacks of 1.8 metres from the north side property line and 1.0 metre from the south side property line. These setbacks are appropriate for the proposed four-storey building, consistent with typical setbacks in the neighbourhood and are acceptable. The proposal has used the combination of setbacks and materials to create a 3 storey expression along Marlee, Wenderly Park, and along the north and south elevations.

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. As designed the proposal is also within the 45 angular plane from the west lot line along Wenderly Park.

Given the site area of 1,395 square metres and the proposed total gross floor area of 2,174 square metres, the proposed density is 1.58 times the lot area. This is considered to be appropriate.

Traffic Impact, Access, Parking and Loading

The applicant's transportation consultant, Nextrans, prepared a Transportation Impact Study to reflect the projected future traffic conditions. The consultant estimates in this study that the proposed development will generate approximately 14 total new two-way trips during the weekday morning and 22 total new two-way trips during the afternoon peak hours, respectively.

The consultant concludes that traffic generated by the proposed development can be accommodated by the adjacent street system. The proposal would provide 20 vehicular parking spaces in a one-level below grade garage, located at the south side of the property, which also includes parking for 33 bicycle spaces. Transportation Services Staff agree with this conclusion.

No loading spaces are proposed for the project and none are required in accordance with By-law 569-2013 as the proposal contains less than 30 residential dwelling units. Garbage and recycling pickup will be from curbside in front of the building, 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 metre right-of-way for this segment of Marlee Avenue a 3.4 metre road widening dedication along the Marlee Avenue frontage of the subject site is required and is proposed to be conveyed to the City with this application.

Streetscape / Landscaping

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 3 new City trees within the boulevard area of Marlee Avenue. The applicant has also proposed 3 new trees along the rear property line adjacent to the proposed expansion of Wenderly Park. Landscaping and tall coniferous shrubs and low scale shrubbery along the north and south property lines will provide screening as well as augment the overall landscape environment. The proposed street trees will provide additional greenery and in tandem with the widened sidewalk will create a defined street edge and safe pedestrian walking environment.

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.

Parks and Open Space

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 hectare 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.

The application is to facilitate the development of a four storey building with 2,174 square meters of residential gross floor area comprising 28 units.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication and comply with Policy 3.2.3.8 of the Official Plan. The applicant has proposed an on-site parkland dedication of 129 square metres on the west side of the property that expands Wenderly Park and it is of a size, location and configuration that is acceptable.

Amenity Space

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the development. Zoning By-law 4 569-2013 requires a combined amenity space of 4.0 square metres per unit. The proposal provides for 53.5 square metres of indoor amenity space on the ground floor and 111.5 square metres of outdoor amenity area located at grade at the rear or west side of the site. A total

combined indoor and outdoor amenity space of 165 square metres (slightly less than 6 square metres per unit).

While the amount of indoor and outdoor amenity space being provided is sufficient, appropriate design measures for amenity areas including indoor and outdoor play areas for children and youth, flexible spaces for use by any age group and hobby rooms is required.

Housing - Unit Mix and Size

The PPS (2020) and the Growth Plan (2020) acknowledge the importance of providing a full range of housing and identify affordable housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities.

Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes affordable rental housing and shared and/or congregate-living housing.

The Council-adopted Growing Up Urban Design Guidelines (2020) provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that a minimum of 10% of the total residential units should be three-bedroom units and a minimum of 15% should be two-bedroom units.

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87-90 square metres and 100-106 square metres representing an acceptable diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The unit breakdown for the proposed residential portion of this development is as follows: 13 (46%) 1-bedroom and 15 (54%) 2-bedroom. Staff are satisfied with the unit mix for a small apartment building.

Pet Friendly Design

The proposed development incorporates outdoor space at grade for pets as well as waste receptacles. For a building with more than 20 units, pet amenity should be 10% of the required amenity space and include an outdoor pet relief area at least 5 square metres in size. An indoor pet washing station is recommended. Per Policy 5.7.5 of the Secondary Plan, development that includes residential units will be encouraged to include pet amenity areas that include facilities for the disposal of pet waste.

Given the current rise in dog-owning populations, the applicant is strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations to accommodate their future residents' needs in accordance with the Pet

Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. This will help alleviate pressure on neighbourhood parks.

Tree Preservation

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

The landscape plans shows 3 trees at the rear of the site and 3 new City trees. 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 on site plan drawings and through a Site Plan Agreement.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through a Site Plan Agreement.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, and the Townhouse and Low-Rise Apartment Guidelines.

Staff are of the opinion that the proposal four storey residential building with 28 units is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan. The proposal augments the neighbouring Wenderly Park, takes advantage of nearby amenities and infrastructure while maintaining a respectful built form compatible with the surrounding neighbourhood.

Staff recommend that Council support approval of the application.

CONTACT

Ben DiRaimo, Senior Planner, Community Planning
Tel. No. (416) 395-7119
E-mail: Ben.DiRaimo@toronto.ca

SIGNATURE

David Sit, MCIP RPP
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: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 6: Site Plan
- Attachment 7a: East and West Elevations
- Attachment 7b: North and South Elevations

Attachment 1: Application Data Sheet

Municipal Address: 722 and 724 Marlee Avenue Date Received: February 26, 2020
 Application Number: 20 119614 NNY 08 OZ
 Application Type: Rezoning

Project Description: Zoning By Law Amendment Application for a proposed four storey residential building with 28 units, 20 below-grade vehicle parking spaces and 33 bicycle parking spaces. Concurrent site plan application (File # 20 119616 NNY 08 SA) is being reviewed.

Applicant	Agent	Architect	Owner
WALKER NOTT DRAGICEVIC ASSOCIATES LTD 90 Eglinton Avenue East, Suite 970 Toronto, ON M4P 2Y3		RAW 405-317 Adelaide Street West Toronto, ON M5V 1P9	MARLEE RESIDENCES INC 892A College Street, Unit 201 Toronto, ON M6H 1A4

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	N
Zoning:	RD (f15.0; a550) (x5)	Heritage Designation:	N
Height Limit (m):	10	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1,395	Frontage (m):	31	Depth (m):	46
Building Data	Existing	Retained	Proposed	Total	
Ground Floor Area (sq. m):	175		484	484	
Residential GFA (sq. m):	263		2,174	2,174	
Non-Residential GFA (sq. m):					
Total GFA (sq. m):	263		2,174	2,174	
Height - Storeys:	2		4	4	
Height - Metres:			14	14	

Lot Coverage Ratio (%) 34.7 Floor Space Index: 1.58

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

Residential GFA: 2,174

Retail GFA:

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:

Freehold:	2		28	28
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Condominium:

Other:

Total Units:	2		28	28
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Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
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Retained:

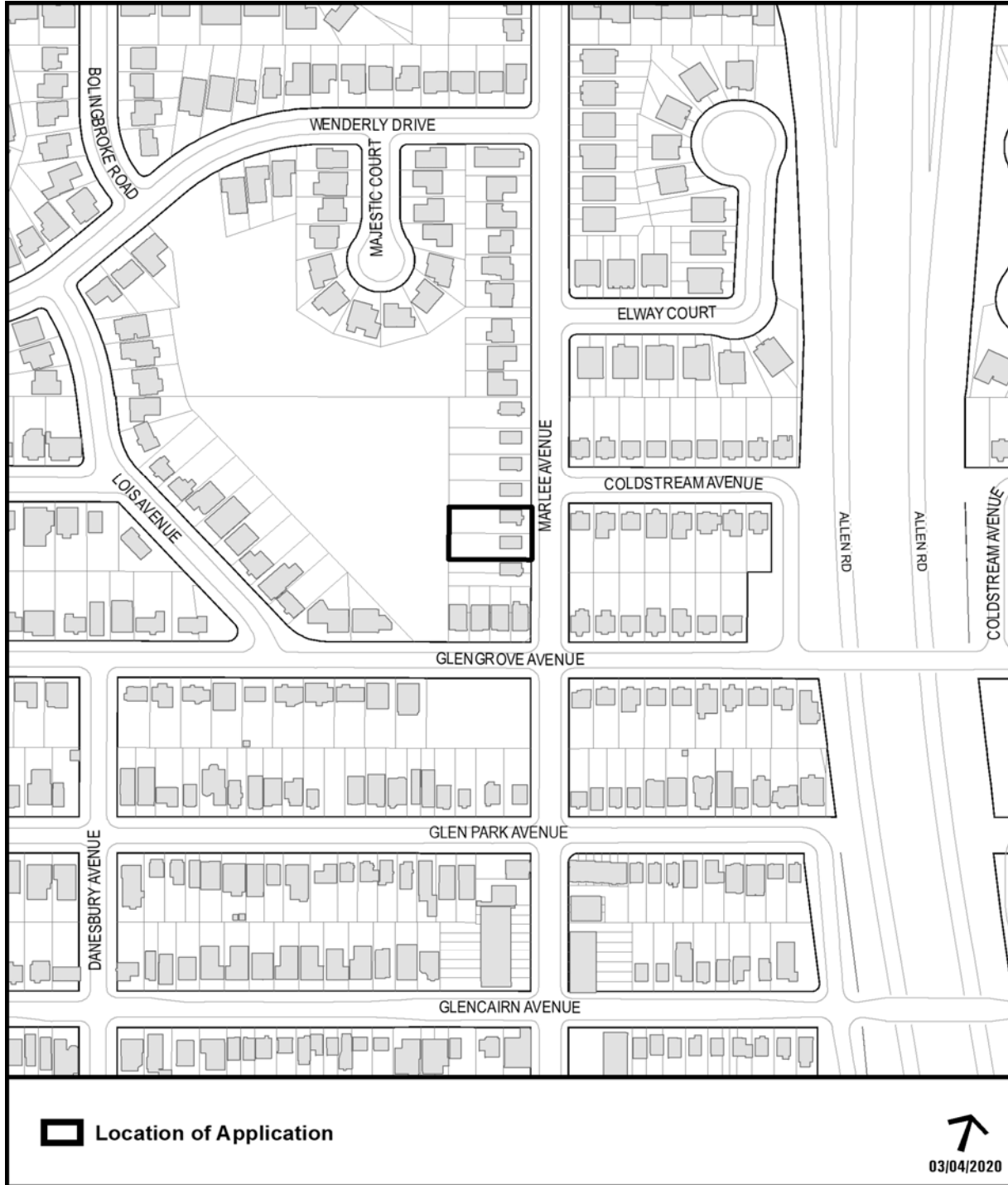
Proposed:			13	15	
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Total Units:			13	15	
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Parking and Loading

Parking Spaces:	20	Bicycle Parking Spaces:	33	Loading Docks:	0
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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



722 and 724 Marlee Avenue

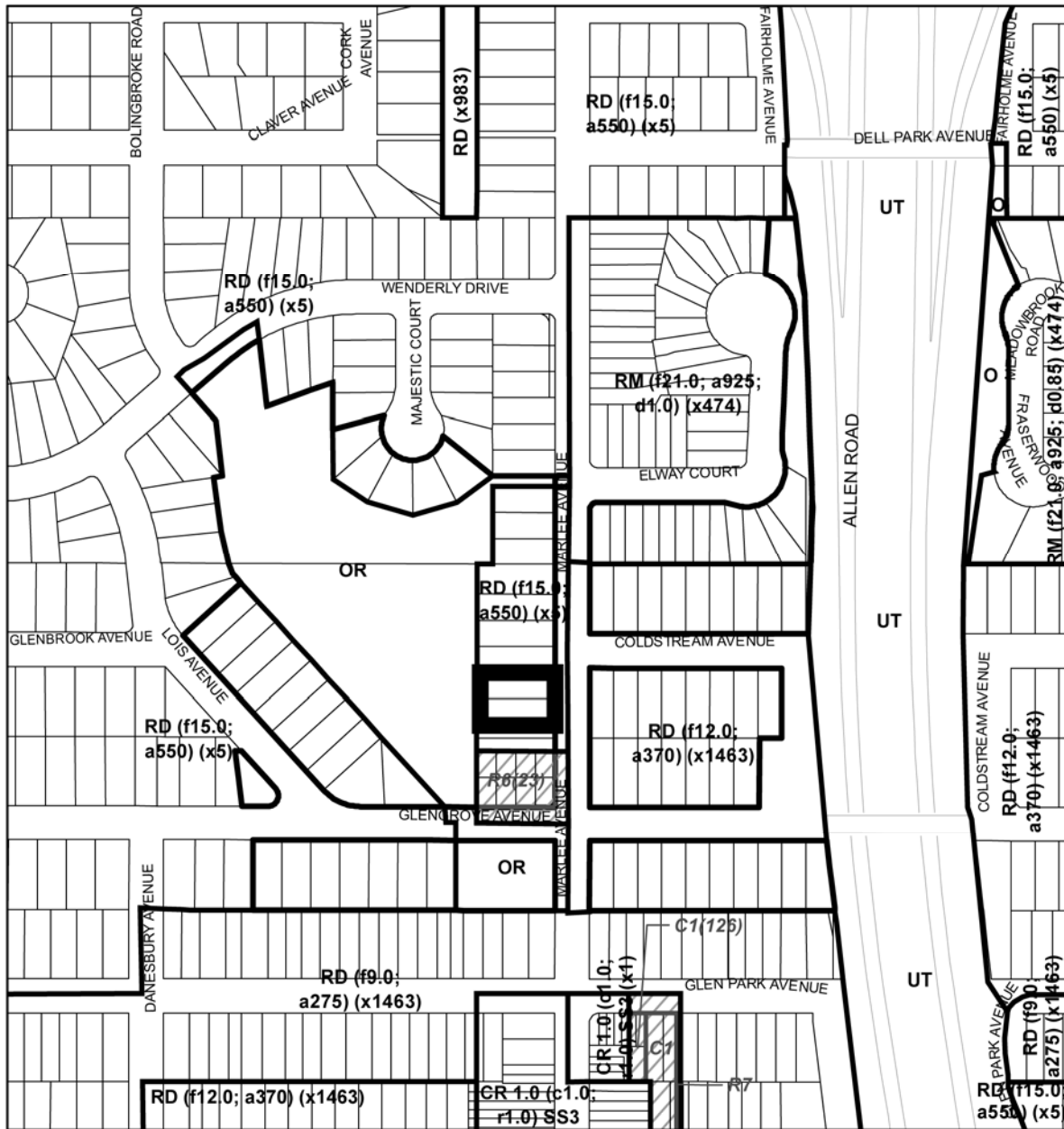
Official Plan Land Use Map #17

File # 20 119614 NNY 08 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks


Not to Scale
03/04/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

722 - 724 Marlee Avenue

File # 20 119614 NNY 08 OZ



Location of Application

- RD Residential Detached
- RM Residential Multiple
- CR Commercial Residential
- O Open Space
- 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
- R7 One-Family Detached Dwelling Seventh Density Zone
- C1 General Commercial Zone



Not to Scale
Extracted: 10/20/2021

Attachment 5: Draft Zoning By-law Amendment

Bill No. ~
BY-LAW No. [XXXX- 2021]

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as, 722 and 724 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; 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; and

The Council of the City of Toronto enacts:

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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to R (f 31.0, a 1160) (x####), as shown on Diagram 2 attached to this By-law;
4. Zoning By-law No. 569-2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30.1 for the lands subject to this By-law, from a lot coverage label of 370 to 1160 as shown on Diagram 2 attached to this By-law;
5. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.[--].[--] Exception Number [###] so that it reads:

Exception R [####]

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

Site Specific Provisions:

(A) On 722 and 724 Marlee Avenue a residential building is permitted if it complies with By-law [Clerks to insert this by-law Number].

(B) For the purposes of this Exception, established grade is the Canadian Geodetic Datum 2013 elevation of 175.95 metres;

- (C) Despite regulation 10.10.40.10 (1), the permitted maximum height of a building or structure is the height in metres specified by the numbers following the symbol “HT” on Diagram 3 attached to By-law XXXX-2021;
- (D) Despite regulation 10.10.40.30 (1), the permitted maximum building depth is 40.0 metres;
- (E) Despite regulation 10.10.60.70 (1) the maximum permitted area of the lot covered by ancillary buildings and structures may not exceed 10% of the lot area;
- (F) Clause 10.5.60.20 and regulations 200.15.1 (4), 200.15.1.5 (1), and 10.5.80.30 (1) do not apply;
- (G) Despite regulation 10.5.50.10 (5) a 1.5 metre strip of soft landscaping is not required;
- (H) Despite regulation 10.10.40.40 (1), the permitted maximum gross floor area is 2,180 square metres;
- (I) A maximum of 28 dwelling units are permitted;
- (J) Despite regulations 10.5.40.10 (2) and (3), the following building elements and structures are permitted to project vertically beyond the height limits specified on Diagram 3 attached to By-law XXXX-2021;
- (i) Roof drainage components, or thermal and waterproofing assemblies located at each of the roof levels of the building, if the maximum vertical distance does not exceed 0.25 metre;
 - (ii) A parapet to a maximum of 1.5 metres;
 - (iii) Safety railings and fences at each of the roof levels of the building, if the maximum vertical dimension does not exceed 1.8 metres above the height of each roof level of the building;
 - (iv) Structures on the roof of any part of the building used for, green roofs, wind mitigation, landscape features, partitions dividing outdoor balcony or terrace areas, privacy screens, telecommunications equipment and antennae, window washing equipment, or lightning rods and exhaust flues, if the maximum vertical distance does not exceed 2.5 metres;
 - (v) Equipment used for the functional operation of the building, such as electrical, utility, mechanical, and ventilation equipment, and structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof accesses, elevator shafts, vents and water supply facilities, as shown on Diagram 3 and the maximum vertical dimension does not exceed 4.0 metres;

(K) Despite regulation 10.5.40.70 (1) and Clause 10.10.40.70, the required minimum buildings setbacks from Marlee Avenue are as shown on Diagram 3;

(L) Despite regulations 10.5.40.60(1), (2), (3), (7), and (8), the following building elements and structures are permitted to encroach into the required building setbacks shown on Diagram 3;

(i) a platform or balcony attached to or within 0.3 metre from a building if the encroachment into the required building setbacks does not exceed a maximum of 2.0 metres;

(ii) a canopy, awning, or similar structure at the first floor, with or without structural support, or a roof over a platform, if the encroachment into the required building setbacks does not exceed a maximum of 2.0 metres;

(iii) exterior stairs, wheelchair access ramps, pedestrian access ramps, and elevating devices, if the encroachment into the required building setbacks does not exceed a maximum of 1.0 metre;

(iv) roof projections, such as cornices and eaves, if the encroachment into the required building setbacks does not exceed a maximum of 1.0 metre;

(v) vents, pipes, utility equipment, siamese connections, satellite dishes and antennas (including mounting poles), if the encroachment into the required building setbacks does not exceed a maximum of 1.4 metres and does not encroach into the required front yard setback;

(M) Despite regulation 10.10.40.50 (1), the required minimum amount of amenity space is 53 square metres of indoor amenity space and 111 square metres of outdoor amenity space;

(N) Despite clause 200.5.10.1 a minimum of 20 parking spaces for residents and 0 parking spaces for residential visitors are required; and,

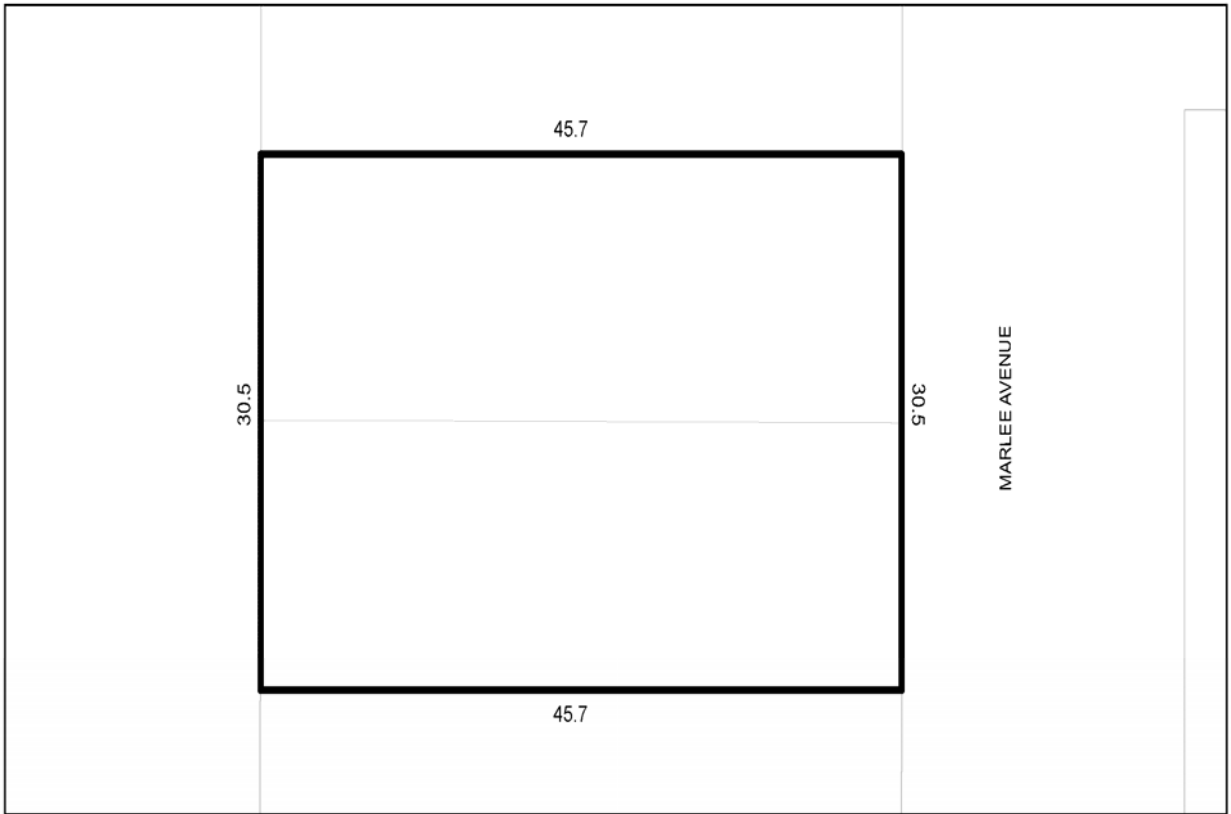
(O) Despite regulation 230.5.10.1 (5), a minimum of 33 bicycle parking spaces are required.

Prevailing By-laws and Prevailing Sections: (None apply)

Enacted and passed on month ##, 2021.

Name, Ulli S. Watkiss,
Speaker City Clerk

(Seal of the City)



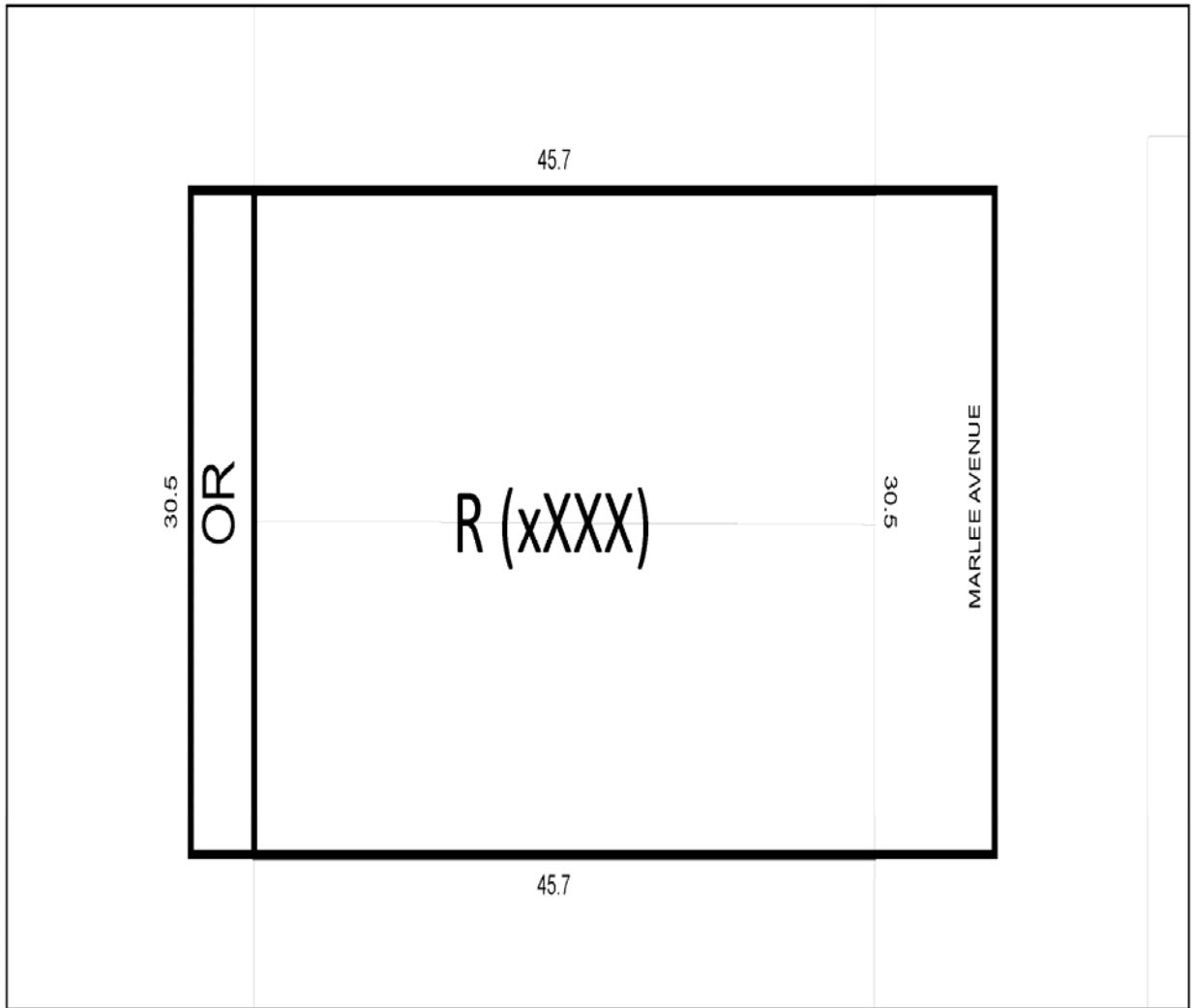
 **TORONTO**
Diagram 1

722-724 Marlee Avenue

File # 20 119614 NNY 08 QZ, 20 119616 NNY 08 SA



City of Toronto By-law 569-2013
Not to Scale
09/30/2021



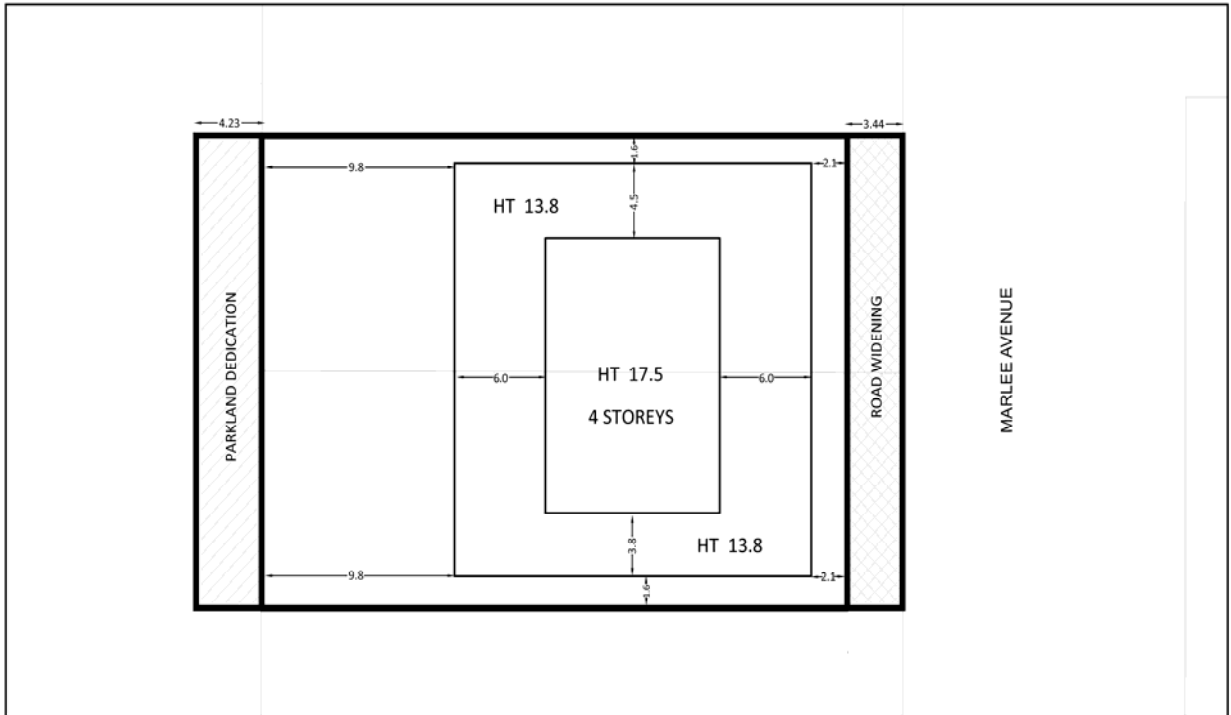
TORONTO
Diagram 2

722-724 Marlee Avenue

File # 20 119614 NNY 08 QZ, 20 119616 NNY 08 SA



City of Toronto By-law 569-2013
Not to Scale
09/30/2021



Toronto
 Diagram 3

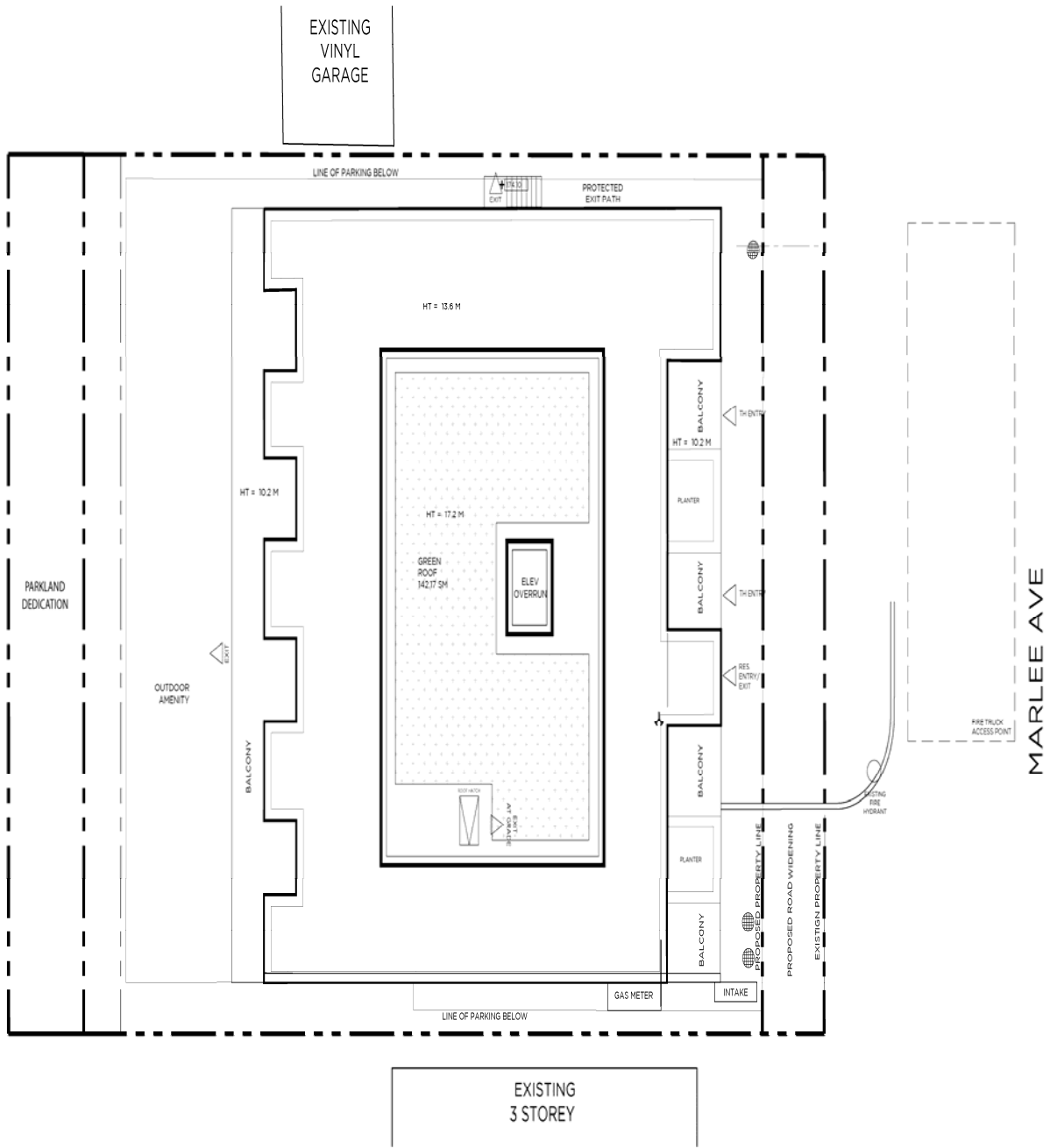
722-724 Marlee Avenue

File # 20 119614 NNY 08 0Z, 20 119616 NNY 08 SA



City of Toronto By-law 569-2013
 Not to Scale
 09/30/2021

Attachment 6: Site Plan



Site Plan



Attachment 7a: East and West Elevations

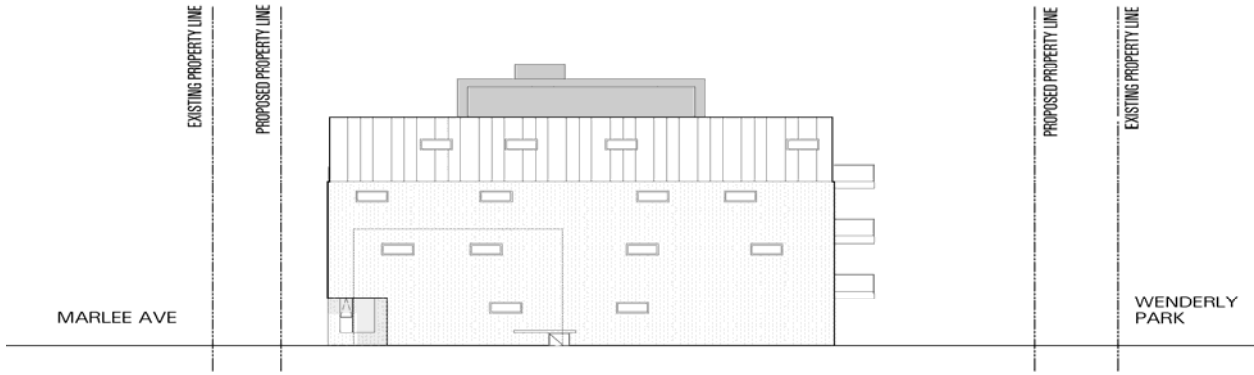


East Elevation

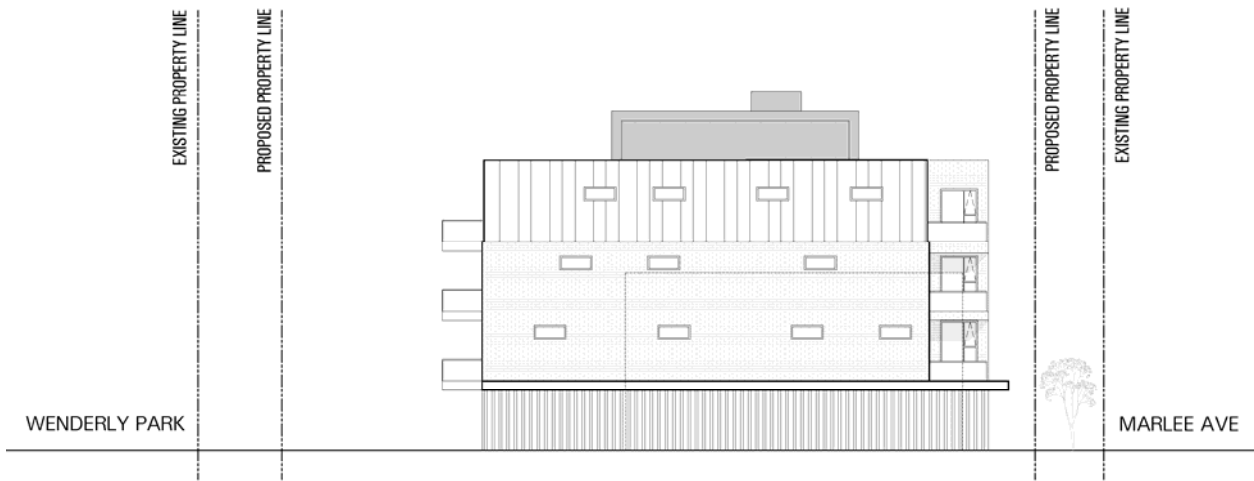


West Elevation

Attachment 7b: North and South Elevations



North Elevation



South Elevation