

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

Date: December 10, 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

At the meeting of November 23, 2021, North York Community Council had before it an application to amend the Zoning By-law to permit 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 in one level of underground parking are proposed. Access would be provided to the site by a 6 metre wide driveway at Marlee Avenue.

The application was withdrawn from the agenda and included on the agenda for the January 4, 2022 North York Community Council meeting due to a Statutory Notification error of properties within the 120 metre notification area not receiving meeting notice.

This Supplementary Report adds to the recommendations in the Final Report from the Director, Community Planning dated November 2, 2021 (the "Final Report") to correct the recommendations section of the report to secure the proposed parkland dedication on site.

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 Neighbourhoods policies of the Official Plan.

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 supplementary report adds to the City Planning Division Recommendations and supports the recommended approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that City Council add an additional Recommendation to Item NY 28.1 as follows:

1. Before introducing the necessary bills to Council for enactment, City Council require the Owner of the lands at 722-724 Marlee Ave to enter into and register on title to the lands, at the Owners sole cost and expense, an agreement pursuant to Section 37 of the Planning Act, to the satisfaction of the Chief Planner, to secure the following, in a form satisfactory to the City Solicitor:

a. Prior to the issuance of the first above grade building permit, the Owner shall be required to convey the 129 square metres portion of the development site for public parkland purposes to the satisfaction of the General Manager Parks, Forestry and Recreation.

b. The subject parkland conveyance is to be free and clear, above and below grade of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation.

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>

The Final Report dated November 2, 2022 on the application that was before the North York Community Council on November 23, 2021 can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY28.1>

COMMENTS

The parkland dedication is discussed extensively in the report from Community Planning dated November 2, 2021 in Item NY28.1. This report identifies the method for securing that conveyance using a s.37 agreement to secure the parkland as a legal convenience to the development of the site.

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 addition of the parkland dedication requirement is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). The parkland dedication will provide added parkland to the area.

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SIGNATURE

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