

January 6, 2022

Attention:  
NYCC  
North York Community Council Members



**Re: Application No: 20 119616 NNY 08 / 722-724 Marlee Avenue**

---

The WPCA Inc. represents the residents living within the boundaries of Lawrence Avenue West to Glencairn Avenue and Dufferin Avenue to Bathurst Street.

The subject properties presently consist of two (2) one-storey single family residential dwellings designated '*Neighbourhoods*' in the City of Toronto's Official Plan, and zoned *R5* in the former North York Zoning By-Law and *RD* (Residential Detached) in the new ***Zoning By-Law No. 569-2013***.

The Wenderly Park Community Association Inc. (WPCA Inc.) wishes to formally oppose the application for Zoning By-Law Amendment to permit the proposed four storey (17.2 metres high) residential apartment building containing 28 residential units resulting in a density of 1.56 times the area of the lot (FSI) and below grade parking structure as it pertains to properties municipally known as 722-724 Marlee Avenue of the City of Toronto.

The Official Plan under the *Neighbourhoods* designation directs that "physical changes to our established neighbourhoods must be sensitive, gradual and generally 'fit' the existing physical character." This building proposal is a profound departure from the directions contained in the Official Plan in that the proposed development fails to even closely conform to the massing, height, density, setbacks, number of units, and traffic patterns considerations.

The reasons for the opposition, among others, are as follows:

1. The proposed project does not provide a **modest** form of intensification because it is not consistent with the policies of the Official Plan for *Neighbourhood* residential designation;
2. The proposed project does not provide a sensitive intensification because adjoining houses are single family residential homes;
3. The proposed project has no significance to the Townhouse and Low Rise Apartment Guidelines as that build form is presently non-existent in the immediate *Neighbourhood* designation and would not be an appropriate transition to the adjoining one and two storey family residential homes;
4. The proposed project does not increase the quality of housing options but would only impose an adverse impact on the character of the surrounding neighbourhood and build form;
5. The proposed project's massing and density consisting of 28 living units and 20 parking spaces equating to a density of 1.56x lot area are inconsistent with the Official Plan Site and Area Specific Policy of .30 x lot area. The permitted density of 1.56x lot area is a substantial increase also from the permitted densities under ***Zoning By-Laws No. 7625 and No. 569-2013***. With the proposed project, through its massing, is not in line with but offends the adjoining residential single family homes and would create an adverse effect in terms of privacy, shadows, noise, and deprive the proposed project of any green space;

6. The proposed project's floor area does not conform with the existing development standards in the Zoning By-Law;
7. In light of the existing traffic problems along Marlee Avenue experienced especially during peak hours, the addition of 20 parking spaces, hence possible 20 vehicles exiting onto and entering from Marlee Avenue, would not only further aggravate the existing traffic.
8. The proposed project's new property line is not in line with the existing property lines and will create an irregular flow of the streetscape;
9. The proposed project's height is 17.2 metres (including the mechanical penthouse) does not closely conform to the maximum height requirement of 10m as prescribed by **Zoning By-Law 7625.;**
10. The proposed project's conveyance of 129 sq metres of on-site parkland dedication to the existing Wenderly Park is of no benefit to the park or the community but would best benefit the subject property with needed green space;

### **Background Information:**

On April 11, 2016 North York Planning Department refused an application to permit the construction of two single of lots found in the surrounding Neighbourhood. Planning staff are concerned with the creation of two lots from an existing parcel and the impact on the character of the neighbourhood. This application is proposing to create two undersized lots from one parcel with family homes on ONE lot, namely 720 Marlee Ave (the neighbour to the south of applicant on Marlee 722 Ave).

Below is the justification for refusal:

*"Staff conducted analyses of the frontages, depths and areas 15.24 metre frontage. The lot in its current form is consistent with the character of the area and complies with the requirements of the Zoning Bylaw. Approval of a consent involving the redevelopment of an individual lot into two undersized parcels could lead to other applications of similar scope and **considerably weaken the established character of the neighbourhood**. It is the opinion of Planning staff that the subject lot in its current form **maintains and reinforces the stability and character of the neighbourhood**, and approval of a severance on a lot this size could risk weakening the established character of the neighbourhood. Therefore, staff recommend that the applications be refused **in order to respect and reinforce the existing lot pattern and frontages in the neighbourhood.**"*

Mr. Salih Korkmaz's application was appealed to the OMB and in 2018 was granted permission to construct two single family homes, **718 & 720 Marlee Ave.**

In February 2021 Mr. Salih was putting the final touches on the two new beautiful homes at 718 & 720 Marlee Ave. when an **unauthorized** sign went up at 722 Marlee Avenue advertising the sale of 28 condo units. It wasn't until July 6, 2021 that Mr. Ted Van Vliet, City of Toronto Sign Bylaw Unit was successful in having the sign taken down.

North York Planning refused the application at 720 Marlee Avenue (adjacent property to the south of proposed project) to convert one lot into two lots thereby forcing the property owner to obtain approval at the OMB. Therefore, if two family homes on one lot were deemed to '*weaken the established character of the neighbourhood*', how can this application of 28 residential units on two lots be justified.



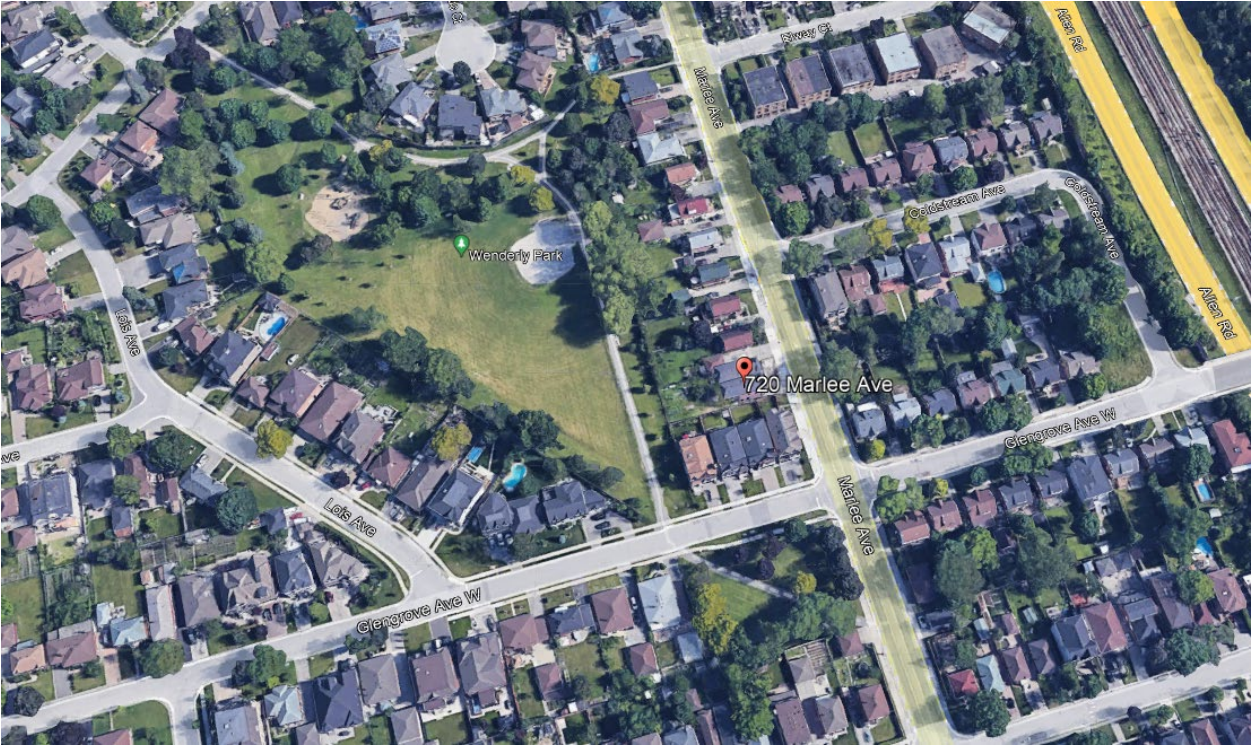
718 & 720 Marlee Ave. (December 2021)



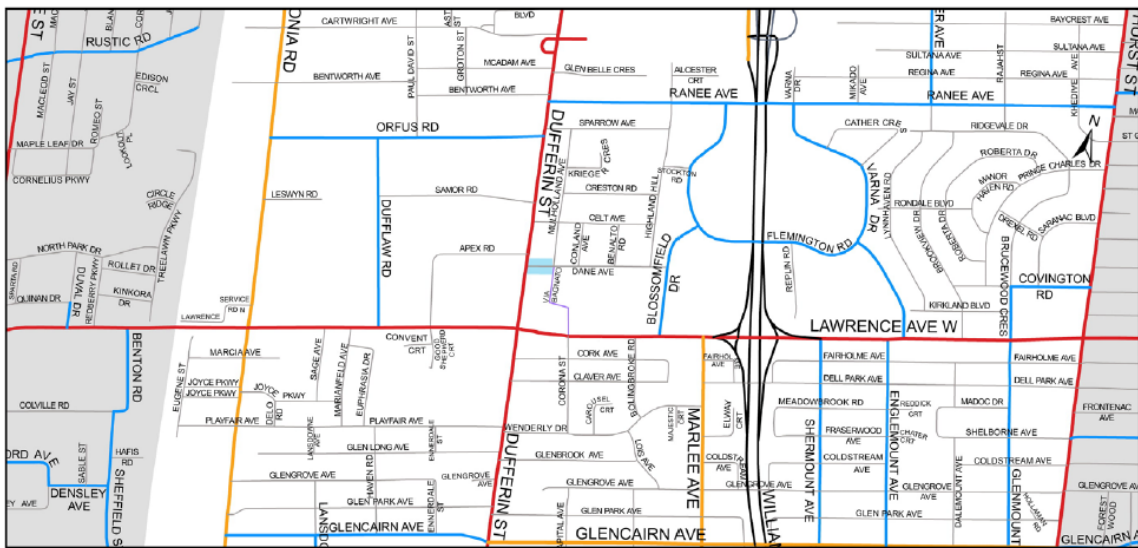
720 Marlee Ave. (February 25, 2021) & No Application sign (Advertising Signed removed July 6, 2021)



718 to 722 Marlee Ave. (Summer 2021)



The neighborhood (Family Homes –maximum height-10 meters)



**Road Classification System Update Eglinton - Lawrence (15)**



**Legend**

Recommended Road Classification	Current Road Classification
Major Arterial (Red)	City Expressway (Black)
Minor Arterial (Orange)	Provincial Expressway (Grey)
Collector (Blue)	Major Arterial (Red)
Local (Grey)	Minor Arterial (Orange)
	Pending (Purple)
	Park Road (Yellow)

Map 5

March, 2018 0 95 190 380 570 760 Metres

**Marlee Ave –designation Minor Arterial Road (NOT a major street as “CONSIDERED” by NY Planning)**

[https://www.toronto.ca/wp-content/uploads/2018/11/9287-TS\\_Road-Classification\\_City-Streets-2018.pdf](https://www.toronto.ca/wp-content/uploads/2018/11/9287-TS_Road-Classification_City-Streets-2018.pdf)

Councillor, if you accept the premise that the official Plan is the rule book by which Planning decisions are made and you sincerely believe that all Toronto residences and tax payer should be treated equally, you will understand why we cannot support this application in its present form.

We are asking for a level playing field and your support in refusing this application and we look forward to working with all parties on a compromised solution.

Yours Truly,

Joe Nobrega,  
On behalf of  
Wenderly Park Community Association Inc.  
<http://wenderlypark.weebly.com>