

Authority: North York Community Council Item 12.29,
as adopted by City of Toronto Council on January 29 and 30, 2008
Enacted by Council: April 29, 2008

CITY OF TORONTO

BY-LAW No. 394-2008

To amend By-law No. 1916, as amended, for the former Town of Leaside, with respect to lands municipally known as 85 Laird Drive.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified as “Area Subject to Amendment” as shown on Schedule 1 attached hereto.
2. Schedule “A” to Zoning By-law No. 1916, as amended, is hereby further amended by changing the zoning category for the lands identified on Schedule 1 of this By-law from “Light Industrial (M1) Zone” and “General Industrial (M2) Zone” to “Light Industrial (M1 (11)) Zone”.
3. Zoning By-law No. 1916, as amended, is hereby further amended by adding a new Section 8.2.3(i) immediately after Section 8.2.3(h) of the By-law as follows:

“8.2.3(i) 85 Laird Drive (M1(11) Zone)

- (i) Area Restricted

The provisions of this section shall only apply to those lands being Part of Lots 13 and 14 Concession 3 from the Bay (Geographic Township of York) and Lots 652 to 663 Both Inclusive), Part of Lea Avenue (Closed By By-law No. 915, Inst. No. TL 14767) Registered Plan 2120, City of Toronto, (former Borough of East York), which are zoned Light Industrial (M1(11)) on Schedule “A” of By-law No. 1916.

- (ii) Definitions

- (1) **Motor Vehicle Dealership**

For the purposes of this exception, Motor Vehicle Dealership shall mean the use of land, buildings or structures for the parking or display of operable new and/or used motor vehicles for sale, rental or lease, and may include as accessory uses, facilities for the servicing and/or mechanical repair of motor vehicles. The outdoor storage or outdoor parking or display of said motor vehicles shall not be considered as open storage.

(2) **Gross Floor Area**

Shall mean the aggregate of the areas of each storey above Finished Grade measured between the exterior faces of the exterior walls of the Building or Structures at the level of each Storey excluding therefrom the following:

- (a) Any part of the Building or Structure below Finished Grade.
- (b) Any part of the Building or Structure above Finished Grade used for mechanical equipment related to the operation and maintenance of the Building, stairwells, elevators and elevator shafts.
- (c) The existing basement storage garage.
- (d) Tower display structure adjacent Esandar Drive as shown on Schedule 2 of this By-law.

(3) **Established Grade**

For the purposes of this exception, **Established Grade** shall be 131.88 metres Canadian Geodetic Datum.

(iii) **General Provisions**

Notwithstanding Section 8.2.2 of this By-law, on those lands referred to in Section 8.2.3 (i) of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building, Structure or land or part thereof except in accordance with the maximum building envelopes, the minimum yard setbacks and the maximum building heights as shown in Schedule 2 of this By-law and the following provisions:

(1) **Permitted Uses**

- (a) In addition to the uses permitted by Section 8.2.1, a maximum of four (4) **Motor Vehicle Dealerships** are also permitted.
- (b) Buildings and Structures accessory to the foregoing.
- (c) For other uses permitted within the Light Industrial (M1) Zone, the provisions of By-law No. 1916 shall apply.

(2) **General Development Requirements**

- (a) Maximum floor space index 0.5.

- (b) The maximum permitted gross floor areas are as follows:
 - (i) Building 1 – 2553m².
 - (ii) Building 2 – 2410m².
 - (iii) Building 3 – 2820m².
 - (iv) Building 4 – 2635m².
 - (v) Existing Building – 4939 m².

- (c) Building Location and Setbacks
 - (i) For the purposes of this exception, Buildings “1”, “2”, “3” and “4”, “existing building” and “existing basement storage garage” shall be located and set back from property lines as shown on Schedule 2.
 - (ii) Motor vehicle display, parking and/or storage shall be permitted within the required yards as shown on Schedule 3 to this By-law.

- (d) Maximum Building Height
 - (i) The maximum building heights shall not exceed the lesser of that shown on Schedule 2 of this By-law.
 - (ii) following exceptions apply to the maximum building height as permitted by Section 8.2.3(i), (iii), (2)(d)(i):
 - (a) A total of two structural elements per building comprising no more than 5% of the roof area shall be permitted to a maximum of 3 metres above the maximum building height.
 - (b) Mechanical penthouses shall be permitted to a maximum height of 2 metres above maximum building height.
 - (c) Parapets shall be permitted to a maximum height of 0.8 metres above maximum building height.

(e) Landscaping

The only landscaping provision that will apply is as follows:

- (i) All yard areas other than driveways, walkways, stairs, motor vehicle parking, storage and display will be landscaped.

(f) Outdoor display of motor vehicles

- (i) A maximum of 12 motor vehicles will be displayed in the area adjacent Laird Drive as shown on Schedule 3 to this By-law.
- (ii) No other outdoor display of motor vehicles shall be permitted.

(g) Parking

Notwithstanding the requirements of Section 5.17, the following parking requirements shall apply for a motor vehicle dealership:

- (i) a minimum of 1 parking space per 47 m² of Gross Floor Area. Motor vehicle storage spaces shall not be considered as part of the off-street parking supply.

(h) Loading Spaces

Notwithstanding the requirements of Section 5.19, the following requirements for off-Street loading shall apply:

- (i) One (1) motor vehicle delivery truck loading space having minimum dimensions of 5.6 metres in width and 38.5 metres in length to be shared by the motor vehicle dealerships must be provided on-site.
- (ii) A minimum of one (1) loading space per motor vehicle dealership building must be provided on-site with a minimum dimension of 3.5 metres in width and 7.0 metres in length, with a minimum of 4.2 metres of vertical clearance.

(i) Outdoor Storage

Outdoor storage of new and used motor vehicles will be limited to those areas shown on Schedule 3 of this By-law as motor vehicle storage.

(j) Outdoor Display

Outdoor display of new or used motor vehicles will be limited to those areas shown on Schedule 3 of this By-law as motor vehicle display.

(k) Phasing

No building permit shall be issued for Buildings 3 or 4 as shown on Schedule 2 until building permits have been issued for buildings 1 and 2 as shown on Schedule 2.

(l) Services

Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

(a) All new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway.

(b) All water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.”

(3) Notwithstanding anything else contained in this By-law, the provisions of Section 8.2.3(i) shall continue to apply collectively to all of the lands identified in 8.2.3(i)(i), notwithstanding any future division of the lands into two or more parcels of land.

(4) Other Provisions of the By-law

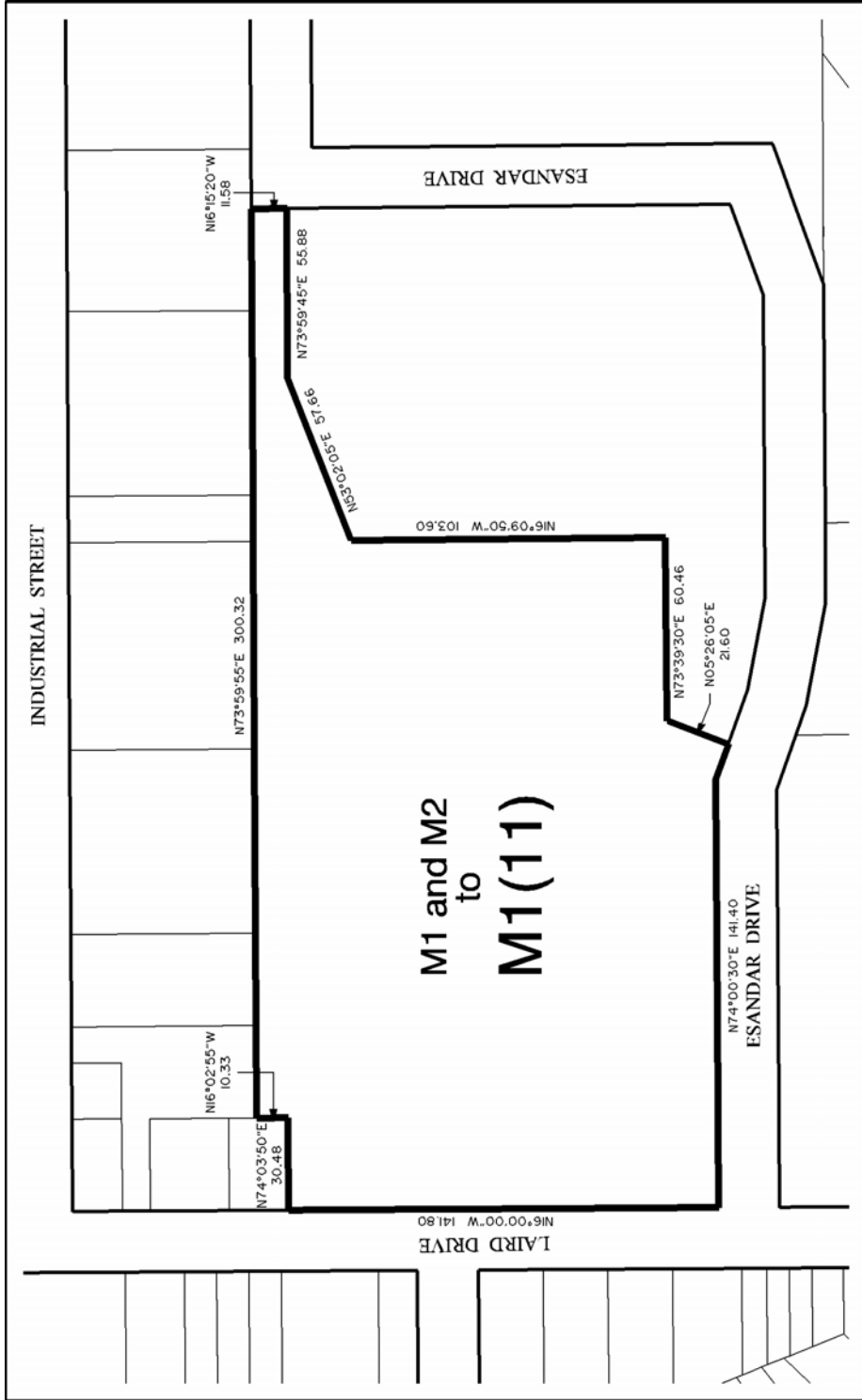
Except as amended in this By-law, all the other provisions of By-law No. 1916 shall apply to the lands.

ENACTED AND PASSED this 29th day of April, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)



City Planning

Lots 652 to 663 & Part of Lea Avenue (closed) Registered Plan 2170 and Part of Lots 13 & 14 Concession 3 From the Bay, City of Toronto Bearings and dimensions from Survey prepared by C.E. Dottentli, dated July 28, 2006
 Date: 10/24/2007
 Approved by: D.N.

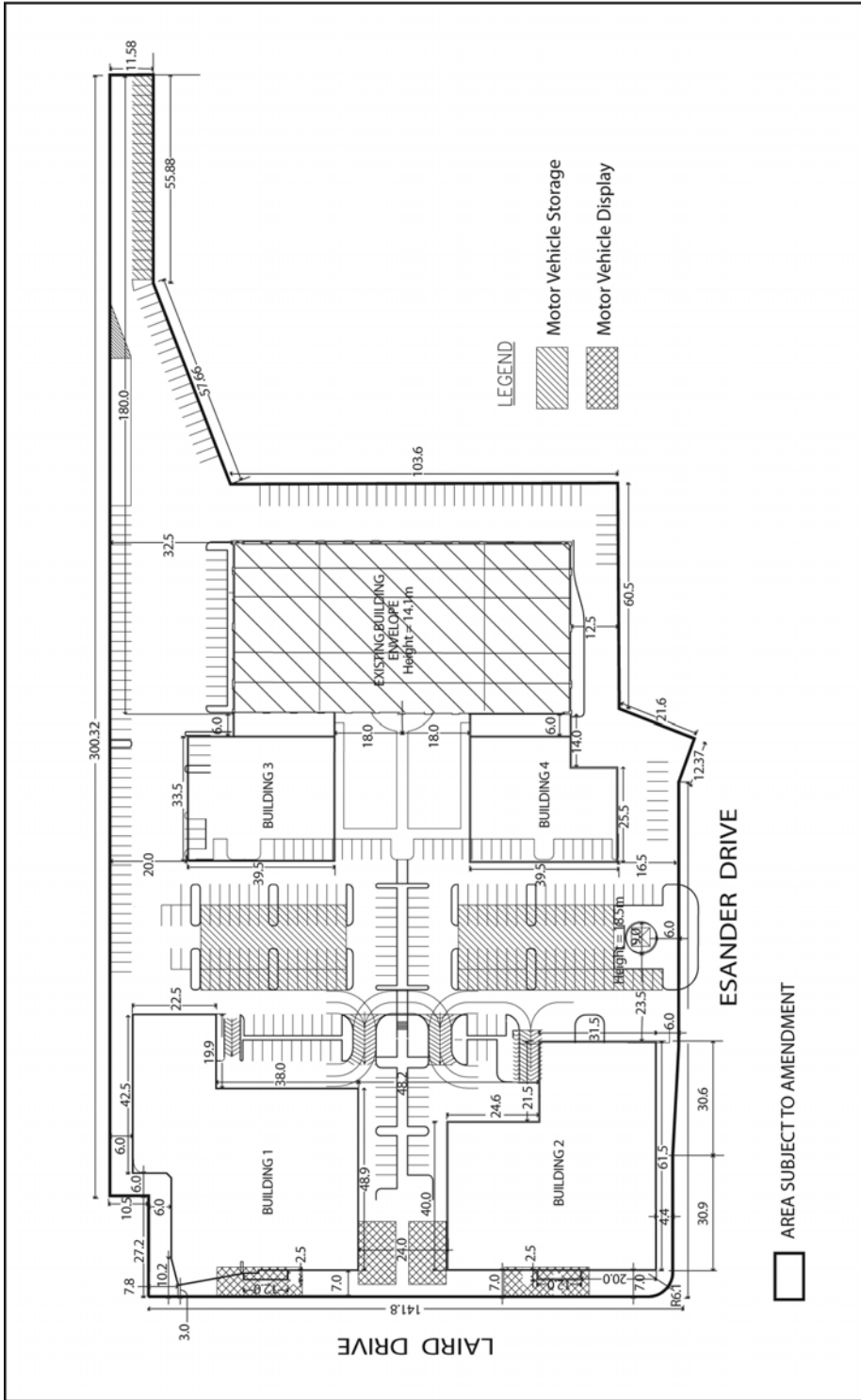
Schedule 1

File # 06_176563



AREA SUBJECT TO AMENDMENT





Schedule 3

File # 06_176563



Not to Scale



Applicant's submitted drawing

Date: 01/08/2008

Approved by: D.N.