

**127 and 129 Laird Drive and 4A, 6 and 8 Industrial Street
Rezoning Application – Final Report**

Date:	October 14, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	10 268290 NNY 26 OZ

SUMMARY

This application proposes to amend the Zoning By-law to allow for automotive uses on the site. The applicant would demolish three existing buildings at the corner of Laird Drive and Industrial Street and a portion of a large building at the east of the site and redevelop the remaining building at the corner of Industrial Street and Laird Drive. The new facility would be a Gyro Hyundai dealership and automotive repair shop. The proposal also includes the purchase of Markham Avenue east of Laird Drive. The land would be added to the existing site.

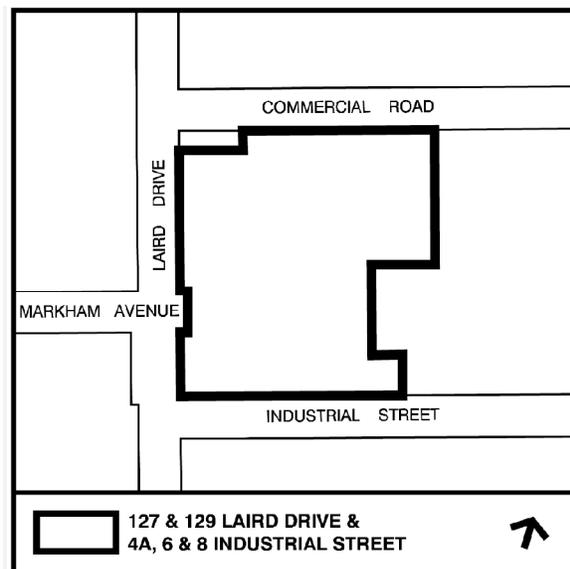
The proposed development conforms to the City's Official Plan, is in conformity with the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

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 former Town of Leaside Zoning By-law 1916, for



- the lands at 127 and 129 Laird Drive and 4A, 6 and 8 Industrial Street and a portion of Markham Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
 3. Before introducing the necessary Bills to City Council for enactment, require that:
 - (a) The applicant purchase the portion of Markham Avenue east of Laird Drive following Council's authorization to close and sell this portion of Markham Avenue; and
 - (b) The owner enter into a Section 37 Agreement to secure matters pertaining to:
 - a. The proposed landscaped centre median on Laird Drive and that the applicant provide a certified cheque, to the satisfaction of the Director, City Planning, North York District and the Director, Transportation Services, equal to the construction cost of a median in Laird Drive along the frontage of the site.
 - (c) A Site Plan Notice of Approval Conditions be issued by the Director, Community Planning, North York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

There have been no previous applications on the subject site. A preliminary report on this application was adopted by North York Community Council January 18, 2011. A copy of the report can be found at:

<http://www.toronto.ca/legdocs/mmis/2011/ny/bgrd/backgroundfile-34215.pdf>

ISSUE BACKGROUND

Proposal

This is an application to rezone the subject site to permit automotive uses for the purpose of operating a car dealership and ten automotive service bays. The proposed new showroom, office space and automotive service building will be located on the south portion of the site and will have a gross floor area of approximately 1600 m². A total of 64 at-grade parking spaces will be provided to support the proposed uses. The remaining buildings will continue to be used by Diesel Equipment Limited and parking will continue to be provided on the roof of the existing building to support that business.

The proposed uses are not permitted under Town of Leaside By-law 1916. As part of the application, the applicant is proposing to purchase the portion of Markham Avenue east of Laird Drive and consolidate it with the subject lands to provide better site circulation and access.

The applicant has also filed a Site Plan Control application in conjunction with this application. It proposes that a new auto showroom would be constructed at the north east corner of Laird Drive and Industrial Street in the location of these demolished buildings.

The site plan and elevations of the development are attached as Attachments 1 and 2. Site data is attached as Attachment 4.

Site and Surrounding Area

The property is approximately 4250 m² in size and fronts both Laird Drive to the west and Industrial Street to the south. The property is flat with a very slight grade from south to north. The property contains two detached residential dwellings as well as two large commercial buildings. The large building at the east of the site extends north to Commercial Road. A portion of this building will be demolished to allow for the new proposed building and adjacent parking facilities.

Abutting uses include:

North: A large shopping centre containing a Home Depot, Sobeys and numerous retail stores and restaurants is located on the block north of the subject property.

South: Small scale retail and automotive businesses.

East: A large commercial lot used to load and unload transport trucks with two large buildings.

West: On the west side of Laird Drive are two automotive dealerships and service centres. Behind the commercial properties on Laird Drive is a residential neighbourhood of predominantly detached homes.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates these lands as *Employment Areas*. The Urban Structures Map of the Official Plan also recognizes these lands as being located in an *Employment District*. These designations are intended to protect and enhance employment uses. Automobile dealerships are considered to be employment uses which are supportive of the business and economic activity in *Employment Areas*.

The Official Plan also provides criteria to review development proposed within *Employment Districts* and *Employment Areas*. The objective of these criteria is to ensure that proposed developments contribute to the creation of competitive, attractive, highly functional employment areas. The Built Environment policies of the Plan will also be referenced in evaluating the applications for Rezoning and Site Plan approval.

The Toronto Official Plan is available on the City's Website at:

<http://www.toronto.ca/torontoplan/index.htm>

Zoning

The subject site is zoned for industrial uses under Town of Leaside By-law 1916 with the western half being zoned as Light Industrial Zone M1 with the remainder of the site zoned General Industrial Zone M2. Retail uses in both the M1 and M2 zones are restricted to a maximum of 30% commercial gross floor area. Uses permitted within the General Industrial Zone M2 include heavier industrial uses such as manufacturing of equipment and chemicals and waste recycling. The current Zoning By-law map can be found at Attachment 3.

Site Plan Control

An application for Site Plan Control approval under Section 41 of the *Planning Act* was filed on September 29, 2010 in conjunction with this application for rezoning. The Site Plan application is only for the southern part of the site. The drawings and reports have been circulated to staff and Technical Services, Urban Forestry and Urban Design still have some outstanding site plan issues. These will be addressed prior to a Notice of Approval Conditions being issued.

Reasons for Application

The proposed vehicular uses are not permitted in the M1 and M2 zones in the Town of Leaside By-law 1916.

Community Consultation

A public meeting was held on May 10, 2011 and was attended by City staff, the local councillor and the applicant. Approximately twenty members of the public attended the meeting. Residents raised concerns regarding the proposed materials cladding the building, general traffic issues in the area and streetscape improvements.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

COMMENTS

Land Use

The site is located on the east side of Laird Drive which is currently in transition from industrial uses to retail uses. Automotive uses currently exist on Laird Drive including a Mazda dealership and service centre located at 134 Laird Drive, across the street from the subject site. The applicant is also the owner of that dealership.

The Official Plan designates this site as an employment area which seeks to attract employment uses to the area. An automotive dealership is considered an employment use and as such is an appropriate use of the site.

Transportation

Markham Avenue is an east-west street that intersects Laird Drive approximately half way through the site. The portion of Markham Avenue east of Laird Drive is approximately thirty metres long and solely provides access to the subject site. Transportation Services staff have encouraged the applicant to purchase this portion of Markham Avenue through the road closure process. The applicant agreed. The road has been deemed surplus and it is anticipated that the closure and sale of Markham Avenue to the applicant will be completed by early 2012. It is anticipated that the report by Transportation Services will be going to North York Community Council January 10, 2012. The lands would be added to the site and should be rezoned to the same specifications as the rest of the subject site.

Transportation Services have recommended a parking supply of 3.5 parking spaces per 100 m² of automotive trade or vehicle repair be provided. As a result, there will be 64 parking spaces provided.

The applicant is also dedicating a 3.44 metre road widening across the Laird Drive frontage to the City to create the required 27 metre right-of-way as set out in the Official Plan. This is being provided along the portions of the site on which no building currently sits. Portions of the existing buildings have no setbacks and it would be inappropriate to obtain a widening through an existing building. A widening at this location will be secured at the time of redevelopment of those buildings. The proposal provides a total of 64 parking spaces which is in excess of the By-law requirements.

Streetscape

This section of Laird Drive has recently undergone some streetscape improvements with the installation of a centre median. The applicant has indicated that they are willing to provide the City with a certified cheque for the future construction of a median along the

Laird Drive frontage. This would be completed when the remainder of the site is redeveloped. The design of the median will be secured through the Site Plan approval process.

Servicing

The applicant filed a stormwater management report with subsequent revisions to address staff comments. The report evaluates capacity for sanitary servicing, the supply and on-site distribution of municipal water to meet domestic and fire flow requirements, and stormwater management opportunities and constraints.

Technical Services staff have reviewed the stormwater assessment and generally accept the consultants findings however additional engineering detail is required. These matters will be addressed through the Site Plan approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits. The Plan states Council can pass a Zoning By-law to grant an increase in height and/or density for a project that is greater than the Zoning By-law would otherwise permit in return for community benefits such as, in the case of this application streetscape improvements.

Planning staff is recommending the owner enter into a Section 37 agreement to secure the landscaped median down the centre of Laird Drive in front of the site that the applicant has agreed to fund. As noted previously, design details including landscaping, irrigation, timing and financial guarantee will be secured through the Site Plan agreement.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The subject lands are in an area with less than 300 people and therefore no ratio of hectares to 1,000 people has been calculated. The site is in a parkland priority area as per the Alternative Parkland Dedication By-law 1420-2007.

The development proposal will be subject to a 2% parkland dedication as per By-law 30152.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. Parks, Forestry & Recreation staff advise this is acceptable as the dedication would be too small to be of functional use.

The actual amount of cash-in-lieu to be paid will be determined by the Facilities and Real Estate Division at the time of issuance of the building permit.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific Zoning By-law will secure performance measures for the following Tier 1 development features: automotive and bicycle infrastructure. Other applicable TGS performance measures will be secured through the Site Plan approval process.

Development Charges

The development charges for this project are estimated at approximately \$142,400. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Guy Matthew, Planner

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Fax No. (416) 395-7155

E-mail: gmatthe2@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevations

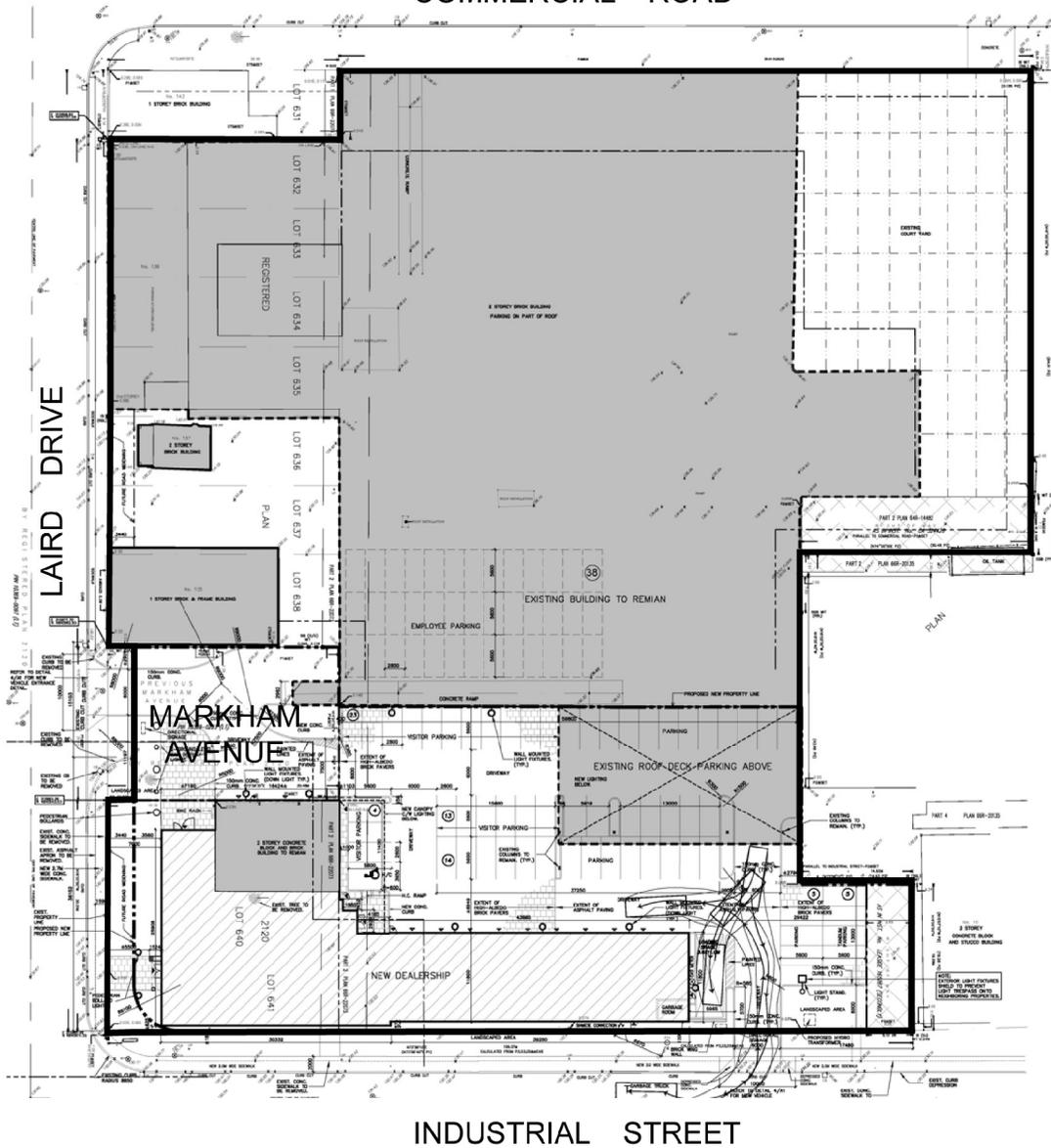
Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

Attachment 1: Site Plan

COMMERCIAL ROAD



Site Plan

Applicant's Submitted Drawing

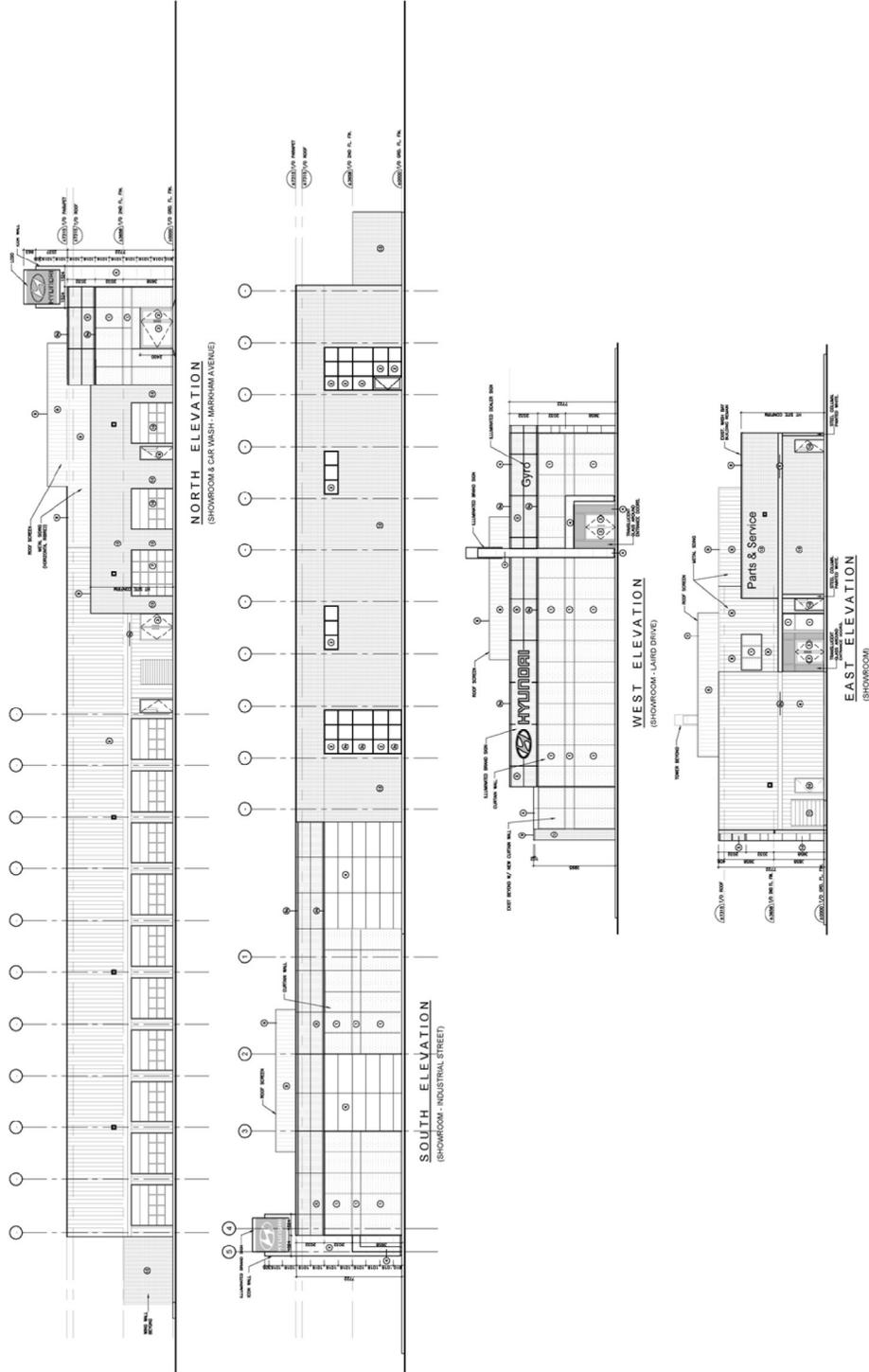
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 REZONING BOUNDARY

127 & 129 Laird Drive &
4A, 6 & 8 Industrial Street

File # 10_268290 & 10_268296

Attachment 2: Elevations



Elevations

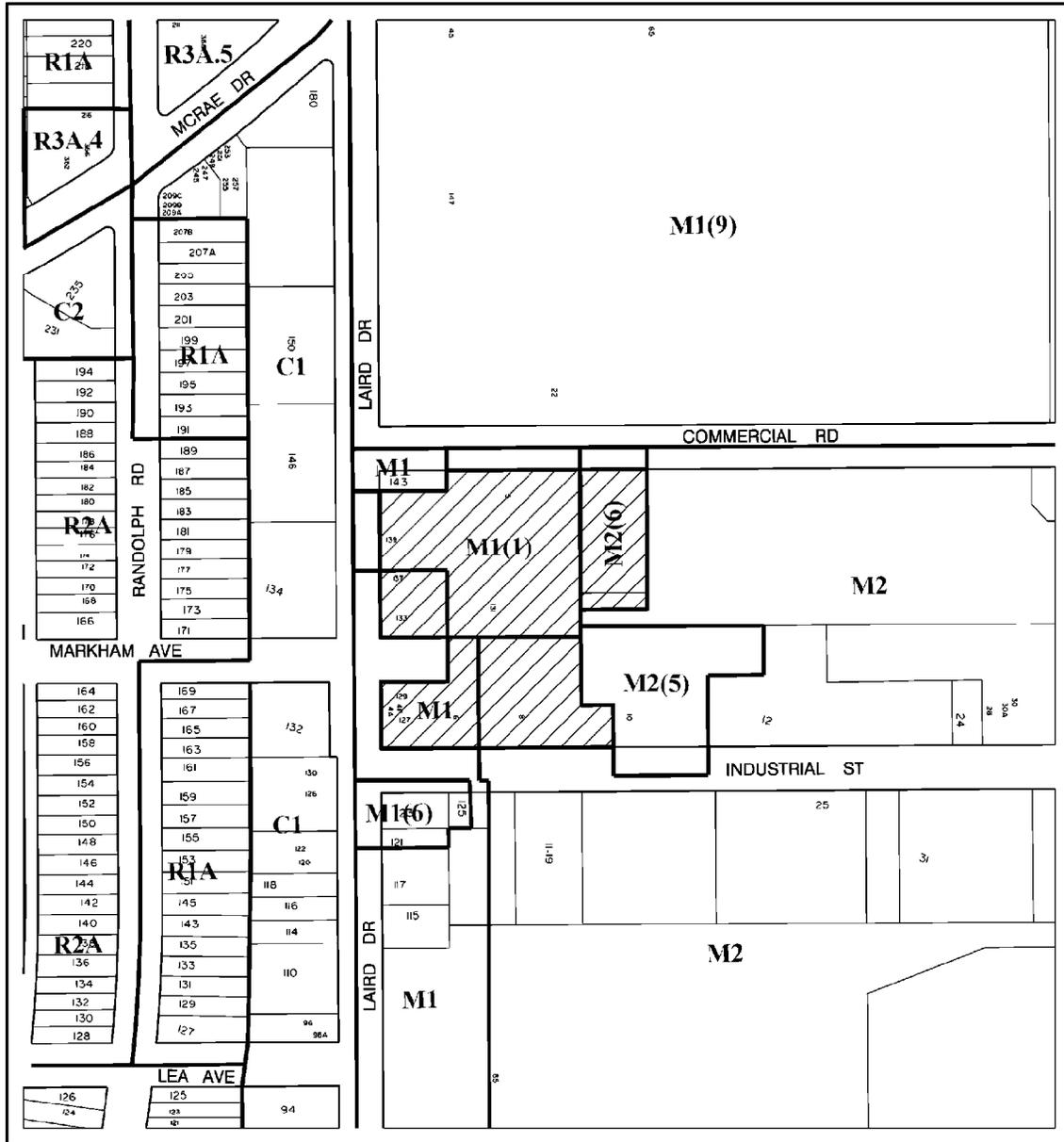
Applicant's Submitted Drawing

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10/03/2011

File # 10_268290 & 10_268296

Attachment 3: Zoning



127 & 129 Laird Drive & 4A, 6, 8 Industrial Street
 File # 10_268290 & 10_268296

R1A	Low Density Residential	M.1	Light Industrial
R2A	Medium Density Residential	M.2	General Industrial
R3A	High Density Residential		
C.1	Commercial - General		
C.2	Commercial - Local		

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 Zoning By-law 7625 as amended
 Extracted 11/24/2010

Attachment 4: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 268290 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	September 29, 2010

Municipal Address: 127 LAIRD DR
 Location Description: **GRID N2604
 Project Description: Automotive dealership and repair shop proposed for a portion of the Del Equipment site at Laird Drive and Industrial Street.

Applicant:	Agent:	Architect:	Owner:
DAVID MCKAY			DIESEL EQUIPMENT LIMITED

PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	M1	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	4252.5	Height:	Storeys:	2
Frontage (m):	50		Metres:	11.56
Depth (m):	94.57			
Total Ground Floor Area (sq. m):	12390.44			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	64
Total Non-Residential GFA (sq. m):	1622.63		Loading Docks	0
Total GFA (sq. m):	1622.63			
Lot Coverage Ratio (%):	33.4			
Floor Space Index:	0.43			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	1622.63
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

CONTACT: PLANNER NAME: Guy Matthew, Planner
TELEPHONE: (416) 395-7102

**Attachment 5: Draft Zoning By-law Amendment
(Leaside Zoning By-law No. 1916)**

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2011
Enacted by Council: ~, 2011

**CITY OF TORONTO
BY-LAW No. ____ - 2011**

**To amend By-law No. 1916, as amended, for the former Town of Leaside, with
respect to lands municipally known as 127 and 129 Laird Drive and 4A, 6 and 8
Industrial Street**

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. Zoning By-law No. 1916, as amended, is hereby further amended by inserting the following new Section 8.2.3(j) immediately after Section 8.2.3(i) as follows:

“8.2.3(j) 127 and 129 Laird Drive and 4A, 6 and 8 Industrial Street M1(13) Zone

1. Area Restricted

The provisions of this section shall only apply to those lands being Lots 632, 633, 634, 635, 636, 637, 638, 639, 640 and 641, Registered Plan 2120 and Part of Block A, Registered Plan 2574 City of Toronto, (former Borough of East York) and designated as M1(13) on Schedule "1" of this By-law.

2. General Provisions

- (i) Permitted Uses Buildings and Structures

- (i) In addition to the uses permitted by Section 8.2.1, an automotive trade is also permitted;
- (ii) In addition to the uses permitted by Section 8.2.1, the lands and premises identified on Schedule "1" may also be used for the purposes of building truck bodies and related hydraulic equipment; and

- (ii) For other uses permitted within Section 8.2.1, the provisions of By-law No. 1916 shall apply.

- (ii) Use Restrictions

- (i) A motor vehicle repair shop accessory to an automotive trade is permitted.

- (iii) General Development Requirements

- (i) Maximum Floor Space Index of 0.8
 - (ii) Maximum Lot Coverage of 70%.
 - (iii) Minimum building setbacks shall be in accordance with Schedule "2"
 - (iv) Landscaping

Notwithstanding the requirements of Section 8.1.5, all yard areas other than driveways, loading areas, motor vehicle parking, walkways, stairs, and patios shall be landscaped.

- (v) Parking

In addition to the requirements of Section 5.17, the following requirements shall apply:

- (i) a minimum supply of 3.5 parking spaces per 100 m² of automotive trade use;
 - (ii) a minimum supply of 3.5 parking spaces per 100m² of motor vehicle repair shop; and
 - (iii) a maximum of 5 tandem parking spaces are permitted on site.

- (vi) Loading Spaces

Notwithstanding the requirements of Section 5.19(b), the following requirements shall apply;

(i) 1 loading space for a building exceeding a gross floor area between 500 m² and up to and including 2300 m²; and

(ii) 2 loading spaces for a building with a gross floor area between 2301 m² and 7500 m².

(vii) Bicycle Parking

(i) A minimum of 8 bicycle parking spaces shall be provided.

(iv) Section 37 Agreement

i. The owner of the lands as shown in Schedule "1" shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this by-law applies in the manner and to the extent specified in the agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto:

(i) The provision of a landscaped centre median in Laird Drive to the satisfaction of the General Manager, Transportation Services.

3. The provisions of Section 8.2.3(j) shall continue to apply collectively to all lands identified in 8.2.3(j)(1), 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.

5. 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:

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

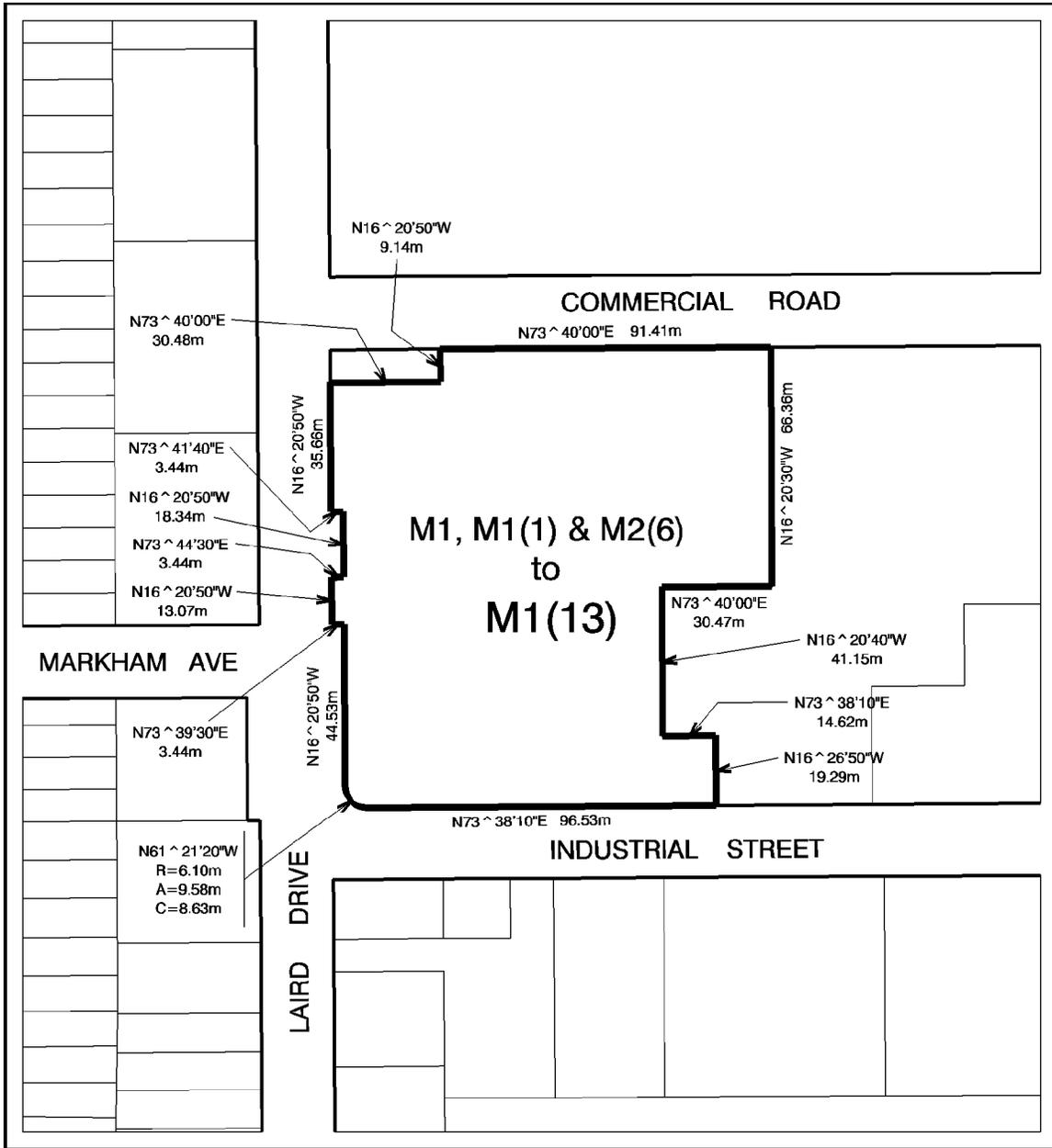
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Schedule 1

Lots 632, 633, 634, 635, 636, 637, 638, 639, 640, 641 & Part of Markham Avenue, R.P. 2120
& Part of Blk. A, R.P. 2574, City of Toronto

File # 10_268290 NNY 26 0Z

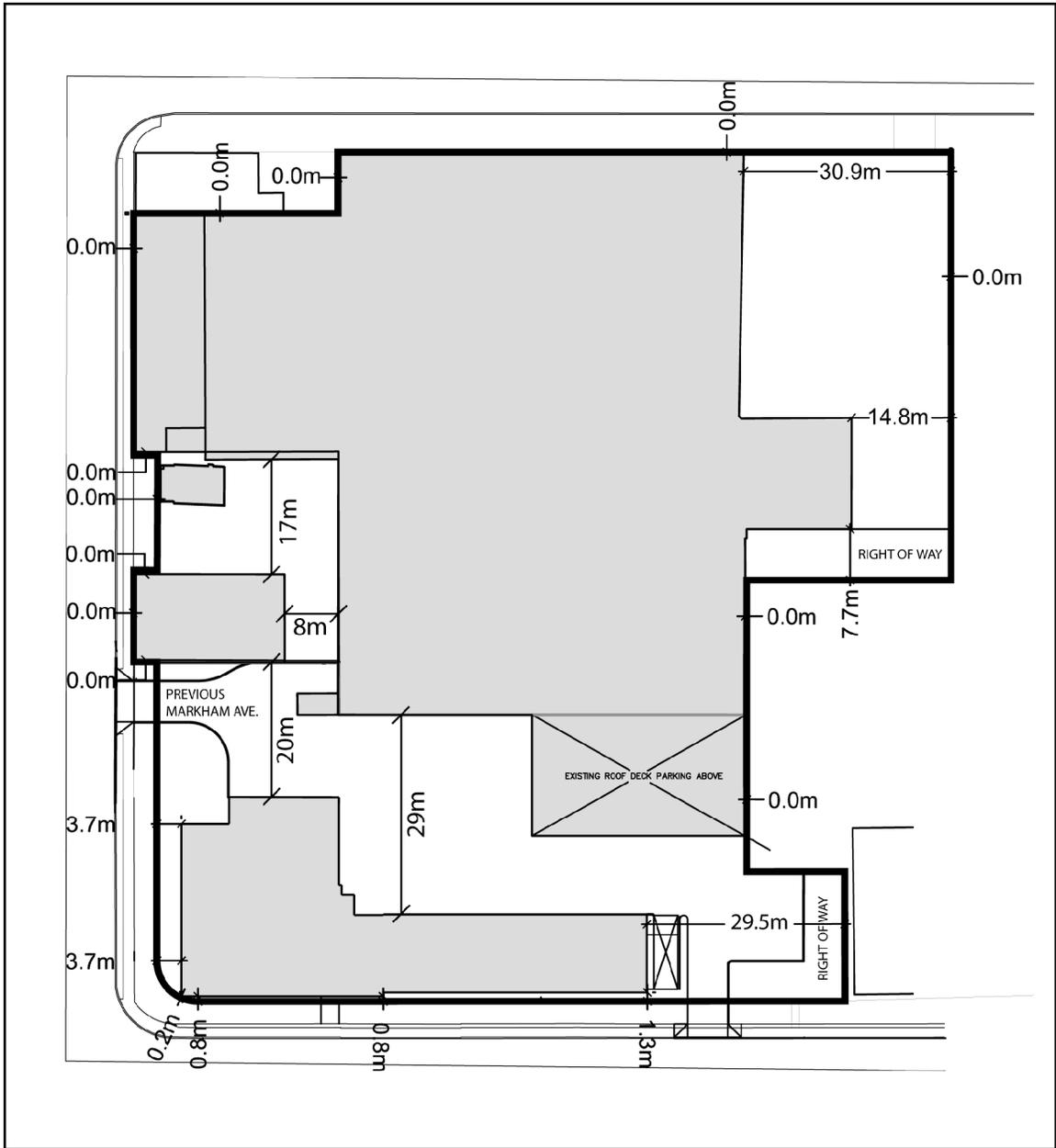
H. Pillar Corporation Ltd., Surveyors

Date: 09/27/2011

Approved by: **Guy Matthew**



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Lots 632, 633, 634, 635, 636, 637, 638, 639, 640, 641 & Part of Markham Avenue, R.P. 2120

File # 10 268290 NNY 26 OZ

& Part of Blk. A, R.P. 2574, City of Toronto

H. Pillar Corporation Ltd., Surveyors

Date: 10/05/2011

Approved by: Guy Matthew



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