

126 to 132 Laird Drive – Zoning By-law Amendment and Site Plan Control Applications – Request for Directions Report

Date: September 23, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: 15 - Don Valley West

Planning Application Number: 20 181262 NNY 15 OZ and 20 181272 NNY 15 SA

SUMMARY

On August 17, 2020, a complete application to amend the Zoning By-laws and a Site Plan Control application were submitted to permit an 8-storey residential building at 126 to 132 Laird Drive.

On May 27, 2021, the applicant appealed both the Zoning By-law Amendment and Site Plan Control applications to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the 90-day and 30-day time frame in the Planning Act.

The proposed development is consistent with the Provincial Policy Statement (2020), however do not conform with a number of policies of the Growth Plan for the Greater Golden Horseshoe (2020). The proposal does not conform to the City's Official Plan, in particular the *Mixed Use Areas* designation, Public Realm, and Built Form policies, as well as the Laird in Focus Plan and OPA 450. Further, the proposed development does not adequately address the City's Laird in Focus Urban Design Guidelines.

This report recommends that City Council instruct the City Solicitor with the appropriate City staff to attend the OLT hearing and oppose the applications in their current form and to continue discussions with the Applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Applications regarding the Zoning By-law Amendment and Site Plan Control appeals for the lands at 126 to 132 Laird Drive.

2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner Executive Director, City Planning;

b) the owner has addressed all outstanding issues raised by Engineering and Construction Services as they relate to the Zoning By-law Amendment and Site Plan Control applications as set out in their memo dated June 14, 2021 or as may be updated in response to further submission(s) filed by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

c) the owner has provided a revised Functional Servicing Report, Stormwater Management Report, Municipal Servicing and Grading Plan, and any other reports or documents deemed necessary in support of the development to the City for review and acceptance by and to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; the reports will determine whether the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrade or improvements of the existing municipal infrastructure are required;

d) the owner has entered into a financially secured agreement to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services for the construction of any improvements to the municipal infrastructure, at the owner's sole expense, should it be determined that upgrades are required to support the development as identified in the accepted Functional Servicing and Stormwater Management Reports or other reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;

e) the owner has entered into an Agreement pursuant to Section 37 of the Planning Act to secure appropriate services, facilities, and/or matters, as may be required by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, and such agreement shall be registered on title to the subject lands to the satisfaction of the City Solicitor; or made other satisfactory arrangements to secure appropriate community benefits to the satisfaction of the City Solicitor;

f) the owner has withdrawn its appeal of Official Plan Amendment 450, being the Laird in Focus Area Site Specific Policy, and the associated Zoning By-law 628-2020, as relates to the subject lands; and

g) the owner has submitted a complete resubmission of the application to be circulated to relevant divisions and agencies and all revisions and identified pre-approval conditions through the circulation process have been met for the Site Plan Control application, to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant to address the issues outlined in this report.
4. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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 Preliminary Report was adopted by North York Community Council on November 4, 2020 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the North York Community Council can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY19.5>

Laird in Focus Planning Study

The Laird in Focus Planning Study was an initiative led by the City Planning Division that examined ways to focus and shape anticipated growth in the Laird Drive and Eglinton Avenue East area anchored by the transit infrastructure being constructed as part of the Crosstown Light Rail Transit (LRT) project.

Laird in Focus resulted in a new planning framework to guide future development and established a vision for this area. The four phase Study was initiated in July 2016 with Phases 1, 2 and 3 completed with City Council's adoption of the Consultant's Report as part of the July 2018, Laird in Focus Planning Study - Proposals Report.

Phase 4 is the implementation phase through OPA 450 with the recommended Site and Area Specific Policy (SASP 568) and Urban Design Guidelines that represent the conclusion of the final phase of the Laird in Focus study as implementation instruments. The Laird in Focus Final Report was considered at the November 26, 2019 City Council meeting and was approved with minor amendments.

The Laird in Focus Final report can be found here: [Agenda Item History - 2019.NY10.2 \(toronto.ca\)](#)

The website for the Laird in Focus Planning Study can be found here: <https://www.toronto.ca/city-government/planning-development/planning-studiesinitiatives/laird-in-focus/>

The current owner of this property has appealed Laird in Focus to the Local Planning Appeal Tribunal (LPAT), now the Ontario Land Tribunal (OLT), with respect to Council's

decision on OPA 450 on August 13, 2020. A case management conference has been scheduled on November 29, 2021.

SITE AND SURROUNDING AREA

The subject site is a rectangular shaped parcel with a frontage of 67.9 metres on Laird Drive to the east and, 36.2 metres on Stickney Avenue to the north. The site is 2,451 square metres in size.

The site presently contains two buildings, a 1 storey automotive car dealership and associated surface parking lot, accessed from Laird Drive and Stickney Avenue and a 1 storey automotive repair shop accessed from Laird Drive.

Surrounding uses include:

North: The north of the site is Stickney Avenue. On the north side of Stickney Avenue is an existing 1 storey automotive service and dealership building. Zoning by-law amendment and site plan control applications have been submitted and appealed by the applicant at 134 Laird Drive for an 8 storey residential building. Next to that is 146-150 Laird Drive, a site that has been rezoned to permit two residential buildings at 7 and 8 storeys, a 2 storey restaurant (180 Laird Drive) and beyond is McRae Drive.

East: To the east of the site is Laird Drive. On the east side of Laird Drive are two 2 storey car dealerships, north of Industrial Street. South of Industrial Street are 1 and 2 storey industrial and commercial buildings used for auto repair or car rental purposes.

South: To the south of the site are a mix of 1 and 2 storey commercial and office buildings that front onto Laird Drive.

West: To the west of the subject site is a residential community, which is designated Neighbourhoods in the Official Plan. Abutting the site are 1 and 2 storey detached dwellings fronting onto Randolph Road.

THE APPLICATION

Description

The application originally proposed an 8 storey mid-rise residential building, 25.75 metres in height, plus 3.4 metres for mechanical penthouse, containing 143 residential units. The total gross floor area of the proposal was 10,350.3 square metres, which equates to a floor space index of 4.21 times the area of the lot.

The applicant subsequently submitted a revised proposal on May 11, 2021. Only minor revisions were made to the plans which did not affect the building's overall height, and the density was only marginally reduced. The revisions included the following changes, a 1.0 metre ground floor setback along Stickney Avenue, a 1.5 metre stepback at the top of the 4th storey was included on the Stickney Avenue elevation of the building and an additional 28 parking spaces were also provided.

The proposed revised development would contain a total of 10,266.8 square metres of gross floor area. With a gross site area of 2,451 square metres the proposed development would result in a floor space index of 4.19 times the lot area.

The proposed 143 residential units would consist of 68 one-bedroom units, 50 two-bedroom units, 18 three-bedroom units, three live/work units (that front onto Laird Drive) and four three-bedroom townhouse style units (that front onto Stickney Avenue).

Vehicular access to the site would be provided via a 6.0 metre north-south wide private driveway from Stickney Avenue at the west side of the site. The driveway would provide access to the underground garage ramp and the loading space/servicing area. A total of 104 below-grade parking spaces would be provided in a 2-level underground garage (including 21 electric vehicle parking spaces and 6 accessible spaces), with 88 parking spaces being for residents and 16 for visitors. One Type 'G' Loading space is proposed and is located at the rear of the building off the north-south private driveway.

A total of 146 bicycle parking spaces are proposed with 130 long-term spaces located at the P1 level of the building, and 16 short-term spaces located outside the building along Laird Drive.

A total of 373 square metres of indoor amenity space (2.6 square metres per residential unit) and 200.7 square metres of outdoor amenity area (1.4 square metres per residential unit) would be provided as part of this development, for a total of 4.0 square metres per unit. The indoor amenity space would be located on the mechanical penthouse level (105.9 square metres) and three separate spaces on the ground floor (totaling 267.1 square metres). The outdoor amenity would be located on the mechanical penthouse level abutting the indoor amenity space (44.7 square metres), as well as an outdoor terrace on Level 8 of the building (156 square metres). This shared amenity is in addition to private amenity including balconies and terraces.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=xdQ1ZAUaCMbja0oCI2nbbg%3D%3D>

See Attachment 1 - 7 of this report for a location map, Application Data Sheet, site plan and elevations.

Reasons for the Application

An amendment to the former City of Leaside Zoning By-law No. 1916 and to the City of Toronto Zoning By-law 569-2013 is required to permit residential dwelling units on the ground floor, the proposed height, density and setbacks, on the lot zoned C1 (under By-law 1916) and CR (under By-law 569-2013) respectively, as well as to incorporate site specific development standards for the proposed development.

Site Plan Control

The application is subject to Site Plan Control. A Site Plan application (file no. 20 181272 NNY 15 SA) was submitted on August 17, 2020. That application has also been appealed to the OLT.

POLICY CONSIDERATIONS

The site is designated *Mixed Use Areas* on Land Use Map 17 of the Official Plan. The application is subject to Site and Area Specific Policy No. 568 - South of Eglinton Avenue East and west of Laird Drive. SASP 568 was introduced into the Official Plan through OPA 450. SASP 568 is currently under appeal and not in full force and effect for the subject site, but was adopted by City Council and does represent City Council's vision for this site and area.

The site is zoned Commercial Residential, which permits a mix of commercial and residential uses, with a maximum height of 12.2 metres and a maximum lot coverage of 80 percent of the area of the site.

Additional information on applicable policy documents can be found in Attachment 8.

COMMUNITY CONSULTATION

A Community Consultation Meeting was hosted by City staff on January 19, 2021. The meeting was held to discuss the proposal at 126-132 Laird Drive, as well as the proposal at 134 Laird Drive. Members of the public and the Office of the Ward Councillor participated. The following comments on the proposed development were made by community members prior to and following a presentation by the Applicant:

- Building density seems out of context and out of scale;
- Building height should adhere to Laird in Focus (SASP 568), mechanical penthouse shouldn't penetrate angular plane;
- Concerns with the live/work units located along Laird Drive regarding how they would function and contribute to public realm;
- What community benefits would be added with addition of the buildings;
- Concerns with groundwater and effect of construction and long term flooding on neighbouring properties;
- Not conforming to the Laird in Focus (SASP 568) or the Urban Design Guidelines with respect to setbacks and landscaping;
- Building design at the rear, facing neighbourhood, would visually appear as a wall of buildings.

COMMENTS

Planning Act

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the Planning Act.

Provincial Policy Statement and Provincial Plans

Planning Staff have reviewed the current proposal against the policies of the PPS, as described in the Policy Considerations Section in this report and find the proposal is

consistent with the policies of the PPS. The subject site is currently developed with a car dealership and automotive repair shop, a mid-rise residential building represents an appropriate level of intensification along Laird Drive and helps to promote transit-supportive development on a site that is approximately 650 metres from the new Laird LRT Station.

Growth Plan (2020)

Planning Staff have reviewed the current proposal against the policies of the Growth Plan, as described in the Policy Considerations Section in this report and find the proposal does not conform with policy 2.2.1.4.e. Although the proposal is a compact built form, it does not create a vibrant public realm due to the lack of non-residential uses on the ground floor and does not allow for a setback to accommodate public realm improvements and the overall vision along Laird Drive. Additionally, through policy 2.2.2.3.b, the scale of development should achieve an appropriate transition to adjacent areas. In this case there are some issues with the transition to the *Neighbourhood* to the rear, that are further discussed below.

Land Use

The site is designated Mixed Use Areas in the City of Toronto Official Plan.

The proposed land use is residential within an apartment building, which conforms with the Official Plan and is a permitted use in the CR/C1 zones of Zoning by-law 569-2013 and 1916. While the proposed use is generally acceptable, the live/work units proposed on the ground floor along the Laird Drive frontage, are not appropriate. The policy direction within SASP 568 speaks to encouraging at-grade active uses in buildings which abut Laird Drive, including commercial, institutional, and office uses, community facilities and/or other non-residential uses, in order to help with the transition of Laird Drive into a vibrant and unified enhanced main street. As currently proposed the Laird Drive frontage does not include any active non-residential uses.

Built Form, Planned and Built Context

Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan and relevant design guidelines.

The Official Plan states that development in Mixed Use Areas be massed to fit harmoniously into its existing and/or planned context by framing adjacent streets and open spaces in a way that respects the street proportion as well as providing an attractive, comfortable and safe pedestrian environment. Developments in *Mixed Use Areas* are to locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*. The Laird in Focus Study, specifically SASP 568 also states that development will be appropriately scaled, relate positively to the existing and planned context and that developments are to fit their surroundings and limit impacts with appropriate transition in scale from higher building forms to adjacent lower scale areas, by using setbacks, stepbacks, heights and angular planes.

SASP 568 as well as the Laird in Focus Urban Design Guidelines provide direction on how buildings are to transition down to adjacent *Neighbourhoods* utilizing height and angular plane provisions. Buildings are generally to be no taller than the planned 27 metre right-of-way width along Laird Drive and fit within a 45-degree angular plane taken from a height of 80% the Laird Drive right-of-way width at the front property line. On lots that are less than or equal to 41 metres, such as the subject site, buildings are to fit under a 45-degree angular plane measured from a height of 10.5 metres taken 7.5 metres from the rear property line. The angular plane provisions in the Laird in Focus Guidelines are consistent with the Mid-Rise Guidelines. Mechanical and elevator penthouses should not project beyond the prescribed building envelope, and are to be stepped back to reduce visual impact from the public realm.

In this case, the building does comply with the angular plane taken from the side property line (along Stickney Avenue), however, there are portions of the mechanical penthouse and balconies that do not from either the front property line (along Laird Drive) or the rear property line (that is abutting *Neighbourhoods*). The overall building height also exceeds 27 metres as it is a total of 29.15 metres when including the mechanical penthouse and amenity level. Staff will work with the applicant in order to revise the proposal to more appropriately address the angular plan and height and minimize the impacts.

The Laird in Focus Urban Design Guidelines indicate that there would be a 3.0m landscape buffer (or 5.0 metre where feasible), and 6.0m driveway so that the building would be setback 9.0 metres from the rear property line. The rear yard setback proposed is 7.5 metres; an increased setback at the third floor should be provided to minimize overlook and privacy issues for the properties to the west.

SASP 568 requires that all new development along Laird Drive have a setback of 3 metres from the front property line (including a portion of the first level of below-grade parking, in order to ensure adequate soil volumes for large canopy trees). The proposal provides a 3 metre setback at the ground level but does not provide the setback for the upper levels (floors 2 to 7) of the building. The setback is to allow for generous landscaping as well as additional space for pedestrians, amenities and soil volumes to accommodate healthy tree growth. Staff are reviewing whether there is sufficient soil volumes to accommodate large growth trees, as currently proposed. Balconies are also intended not to project beyond the prescribed building envelope along public streets. Balconies are currently proposed to project into the front stepback at the 6th and 7th floors on the Laird Drive frontage and should be removed, inset into the building, or provided as Juliette balconies.

The proposal in its current form does not conform with the policies of the Official Plan, and Council adopted SASP 568 as they related to height and transition and does not meet the intent of the Laird in Focus Urban Design Guidelines.

Public Realm and Streetscaping

The Official Plan states that city streets are significant public open spaces which connect people and places and support development of sustainable, economically

vibrant and complete communities. All streets are to be designed as Complete Streets and are to accommodate a safe and efficient movement of pedestrians, space for trees and landscaping, as well as space for other street elements such as utilities and services, street furniture, boulevard cafés, etc.

SASP 568 states that new development and public realm improvements are to prioritize pedestrian movement and promote safe, convenient comfortable and resilient spaces for pedestrians and cyclists. Laird Drive is envisioned to be an enhanced main street. Generous landscaped setbacks are to be provided along all streets in order to integrate with the Leaside character, contribute to the public realm, and allow additional space for pedestrians, landscaping, amenities, and soil volumes to accommodate healthy tree growth. The setbacks are to be sufficient to ensure direct and accessible at-grade connections from ground floor uses to the public sidewalk.

Landscaped setbacks are an integral defining features of Leaside, and new buildings will use setbacks to build upon this character. New buildings along Laird Drive south of Vanderhoof Avenue, are to be setback 3 metres, including a portion of the first level of below-grade parking to provide increased soil volumes which can accommodate large growing trees. Buildings on private property are to expand the perceived public realm for retail and residential ground floor uses, and support spillout activities, by enlarging the usable space of the street, providing areas for pedestrians, spill-out activities, and landscaping. The proposed front yard setback on the ground floor of the building is 3 metres, however 3 metres is not provided for the storeys above which would impact the ability to accommodate the canopy of large growth trees. The proposed live/work units fronting onto Laird Drive also do not achieve this intent, as they do not provide active uses that help animate and expand the perceived public realm.

Road Widening

In order to satisfy the Official Plan requirement of a 27 metre right-of-way for this segment of Laird Drive, a 3.44 metre road widening dedication along the Laird Drive frontage of the subject site is required and is proposed to be conveyed to the City as a condition of site plan approval.

A 6.0 metre radius corner rounding at the northeast corner of the property at Laird Drive/Stickney Avenue is required. This conveyance will be required as a condition of site plan approval.

Traffic Impact and Driveway Access

The applicant's traffic engineering consultant BA Group submitted a Transportation Study report dated May 2021 and Urban Transportation Consideration Update, dated May 2021. The report estimates that the project will generate approximately 29 and 37 trips during the a.m. and p.m. peak hours, respectively. The nearest station for the planned Eglinton Crosstown Light Rail Transit (ECLRT) project along Eglinton Avenue is situated approximately 700m north of the subject site at Eglinton Avenue East and Laird Drive. The ECLRT project is expected to be operational by 2022. The consultant concludes that with the ECLRT and the surrounding roadway improvements, the site traffic can be appropriately accommodated on the area road network. Despite this

conclusion, revisions are required to the study in order to address the parking deficiency as discussed below.

Driveway access to the site is proposed on Stickney Avenue via a full-moves driveway. Transportation Services accept the location and design of the proposed driveway.

Parking

The parking requirements for the project are governed by the applicable parking provisions contained in the City of Toronto Zoning By-law 569-2013 under "All other areas". By-law 569-2013 requires a total of 167 parking spaces (139 residents, 28 visitor) for the proposed development. However, given the location of the subject site and the justification provided in the Transportation Impact Study (TIS), Transportation Services can support the Policy Area 4 (PA4) rate of 146 parking spaces (125 residents, 21 visitor). A total of 104 parking spaces are proposed to be provided for this project, including 88 residential spaces and 16 visitor spaces. The proposed supply results in a parking deficiency of 42 parking spaces.

Transportation Services acknowledges that a list of proxy sites were referenced in the TIS Addendum, of which, 3 of the referenced sites are acceptable. However, it is noted that these proxy sites are all located on the Eglinton corridor, whereas, the proposed development is approximately 700 metre from Eglinton Avenue East. At this time, Transportation Services requires that the parking for the project be provided in accordance with the PA4 rates stipulated in Zoning By-law No. 569-2013, unless acceptable documentation is submitted which justifies otherwise.

City of Toronto By-law No. 579-2017 requires a minimum of 5 accessible parking spaces for the first 100 spaces, plus 1 space per additional 50 spaces above 110 spaces. As per By-law 579-2017, the required number of accessible parking spaces for this development is 6, and 6 are being provided which satisfies the accessible parking by-law requirement.

Loading

Similar to the parking space requirements, loading space requirements are also governed by City of Toronto Zoning By-law 569-2013. One Type G space is required and 1 Type G space is provided. Appropriate turning movement diagrams have been provided illustrating a heavy vehicle entering and exiting the site in a forward motion. As such, Transportation Services accepts the proposed Type G loading space location and configuration.

Servicing and Stormwater Management

The applicant has submitted a Functional Servicing and Stormwater Management Report in support of the proposal. Engineering and Construction Services staff have reviewed the submitted materials and require revisions to the Functional Servicing and Stormwater Management Report as outlined in the memorandum from Engineering and Construction Services dated June 14, 2021. The applicant must also provide a revised

Hydrological Review Summary Form and Servicing Report Groundwater Summary to be reviewed and accepted.

In the event that the OLT allows the Zoning By-law Amendment application appeal in whole or in part, the final Order should be withheld pending confirmation that the Functional Servicing and Stormwater Management Report has been revised to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and it is demonstrated that the municipal water, sanitary and storm sewer systems can support the proposed development and whether upgrades or improvements of the existing municipal infrastructure are required. Any upgrade are at the owner's sole expense, should it be determined that upgrades are required to support the development as identified in the accepted Functional Servicing and Stormwater Management Reports or other reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

Solid Waste

Based upon the information provided, Solid Waste Management will provide bulk lift compacted garbage, recycling and organic collection services to the multi-residential component of the development. Collection of waste materials from this component will be in accordance with the "City of Toronto Requirements for Garbage, Recycling and Organics Collection Services for New Developments and Re-Developments" and Chapter 844, Solid Waste of the Municipal Code.

The City of Toronto does not provide service to large non-residential, industrial, commercial and institutional components of development. Therefore any commercial component of this development is ineligible for City of Toronto waste collection services, and all garbage and recyclables must be collected privately. Garbage and other waste materials are not to be placed on public property. Proper loading/storage facilities located on private property are required and must meet all applicable bylaws and legislation, including Chapter 841 of the Municipal Code.

Open Space/Parkland

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 site is approximately 550 metres away from Trace Manes Park, a 3.8 acres public park which contains the Trace Manes Community Centre, a baseball diamond, two tennis courts, and a horticulture display.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component is subject to a cap of 10% parkland dedication.

Given the current rise in dog-owning population, the applicant should provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will also help alleviate pressure on existing parks.

Tree Preservation

The application 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 in support of the application.

The report concludes that there are no trees on the subject property and that there are a total of four trees on neighbouring properties within six metres of the subject property. No tree removals are required to accommodate the proposed development.

Urban Forestry has reviewed the application and has requested revisions and additional information as outlined in the Memorandum from Urban Forestry dated June 14, 2021, and would be required to be satisfied as a condition of site plan approval.

Toronto Green Standard

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. Some performance measures for the Tier 1 development features are secured in the site-specific zoning by-law and others through the Site Plan Control application, such as cycling infrastructure, transportation demand management measures, pedestrian infrastructure, tree canopies and water programs, bird-friendly glazing and light pollution.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. The development's height and density are a significant increase over the applicable zoning for the site, and as such the development is subject to delivery of Section 37 benefits.

Section 37 benefits were not discussed in the absence of an agreement on the proposal's density and height. Should this proposal be approved in some form by the OLT, City Planning staff recommends staff be authorized to negotiate an appropriate agreement for Section 37 benefits with the applicant, in consultation with the Ward Councillor.

Site Plan

A site plan control application was also submitted on August 17, 2020. The applicant has also appealed that application to the OLT, due to Council's failure to make a decision on the application within the time prescribed by the Planning Act. There are a number of items that are dealt with through the site plan control process. Applications are reviewed to make sure they are attractive and compatible with the surrounding area. Features such as buildings designs and materials, site access and servicing, waste storage, parking, loading and landscaping are reviewed. For this proposal, aspects such as the landscaping, building materials and massing are still being reviewed. It is City Planning's recommendation that should the OLT approve the application, City Council

authorize the City Solicitor to request that the OLT withhold its Order(s) approving the application until such time as a full, complete resubmission of the application is made and circulated to relevant divisions and agencies and all revisions and identified pre-approval conditions through the circulation process have been met for the Site Plan Control application.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan and applicable City guidelines intended to implement Official Plan policies. The current proposal does not conform with the Toronto Official Plan, particularly as it relates to Public Realm, Built Form and *Mixed Use Areas* policies and development criteria. It also does not conform with the Laird in Focus Plan and OPA 450, and does not meet the intent of the Laird in Focus Design Guidelines or Mid-rise Guidelines.

This report recommends that City Council direct the City Solicitor, with appropriate staff, to attend the OLT in opposition to the Applications in their current form and to continue discussions with the Applicant in an attempt to resolve outstanding issues.

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions of materials submitted in support of the proposal and through deputation made by members of the public to Community Council. In addition, Planning staff may be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, in addition to the issues specifically addressed above, Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Planning staff may report back to City Council as necessary.

CONTACT

Sarah Ovens, Planner
Tel. No. 416-395-7129
E-mail: Sarah.Ovens@toronto.ca

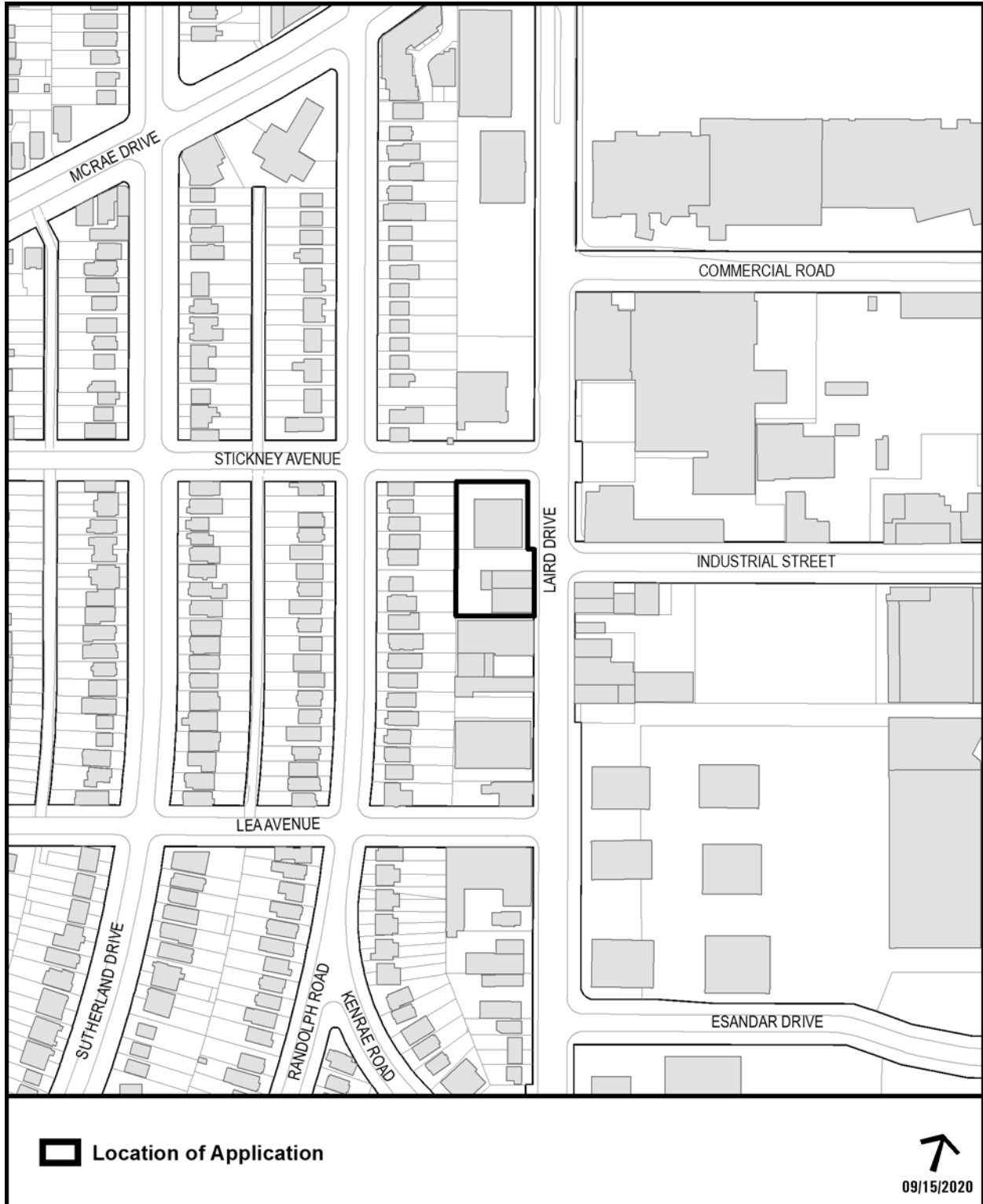
SIGNATURE

John Andreevski, Acting Director
Community Planning, North York District

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Site Plan
- Attachment 4: North Elevation
- Attachment 5: East Elevation
- Attachment 6: South Elevation
- Attachment 7: West Elevation
- Attachment 8: Policy Considerations
- Attachment 9: Official Plan Land Use Map
- Attachment 10: Zoning By-law Map 569-2013
- Attachment 11: Zoning By-law Map 1916

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 126 LAIRD DR Date Received: August 17, 2020

Application Number: 20 181262 NNY 15 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Zoning By Law Amendment application to permit an 8-storey building. The proposed development consists of a total 143 residential dwelling units, including four townhouse units and three live-work units. Vehicular and bicycle parking is proposed within two levels of underground parking; a total of 104 vehicular spaces and 146 bicycle spaces are proposed.

Applicant	Agent	Architect	Owner
Core Development Group Ltd.	Core Development Group Ltd.	Turner Fleischer	LEASIDE RESIDENCES I INC.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: 568

Zoning: CR 2.0 (c2.0; r1.3) SS3 (x1163) Heritage Designation: N

Height Limit (m): 12.2 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,451 Frontage (m): 68 Depth (m): 40

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,160		1,251	1,251
Residential GFA (sq m):			10,267	10,267
Non-Residential GFA (sq m):	1,160			
Total GFA (sq m):	1,160		10,267	10,267
Height - Storeys:	1		8	8
Height - Metres:	6		26	26

Lot Coverage Ratio (%): 51.04 Floor Space Index: 4.19

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

Residential GFA: 10,172 95
 Retail GFA:
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			143	143
Other:				
Total Units:			143	143

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		3	68	50	22
Total Units:		3	68	50	22

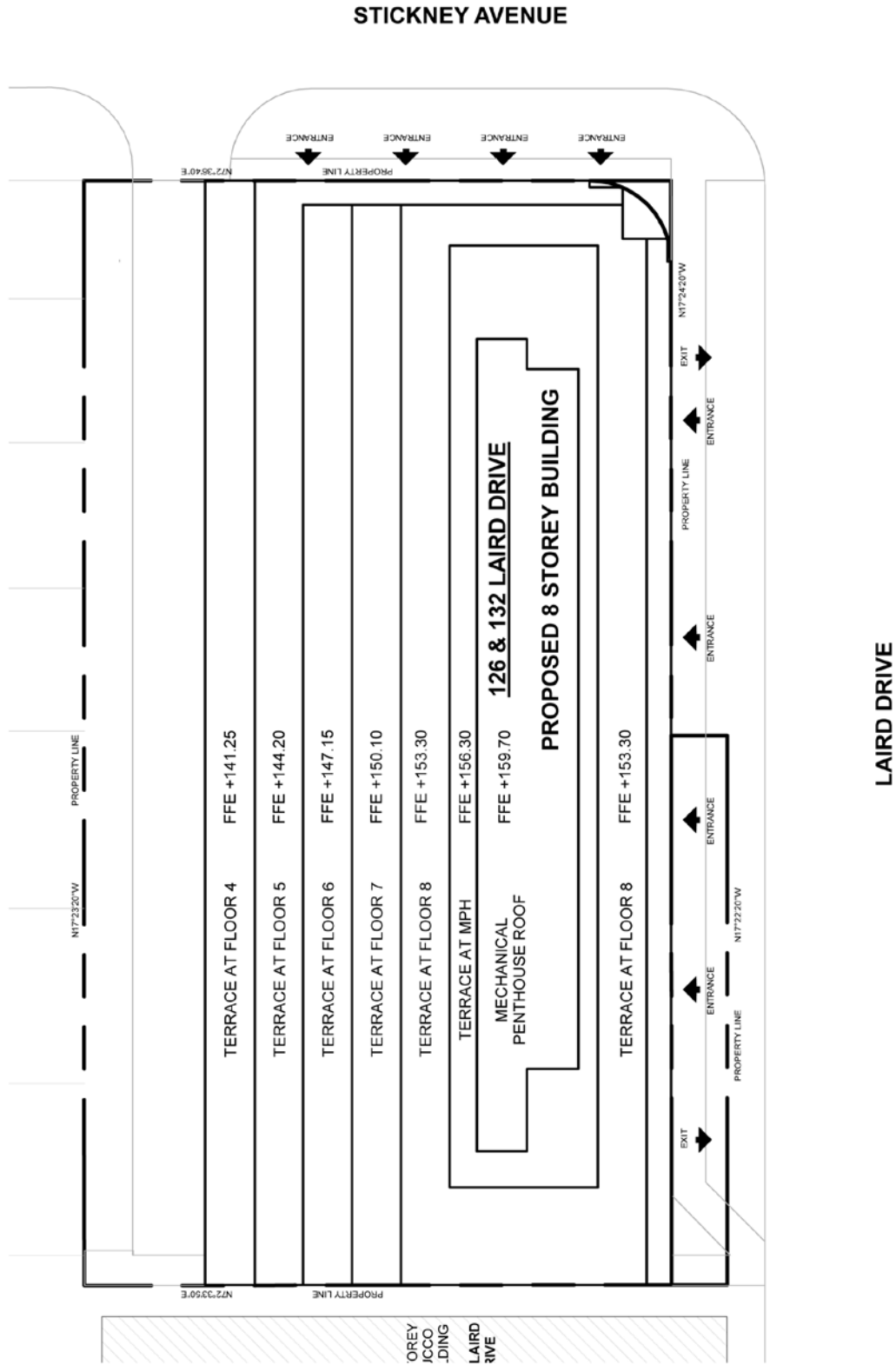
Parking and Loading

Parking Spaces: 104 Bicycle Parking Spaces: 146 Loading Docks: 1

CONTACT:

Sarah Ovens, Planner
 416-395-7129
 Sarah.Ovens@toronto.ca

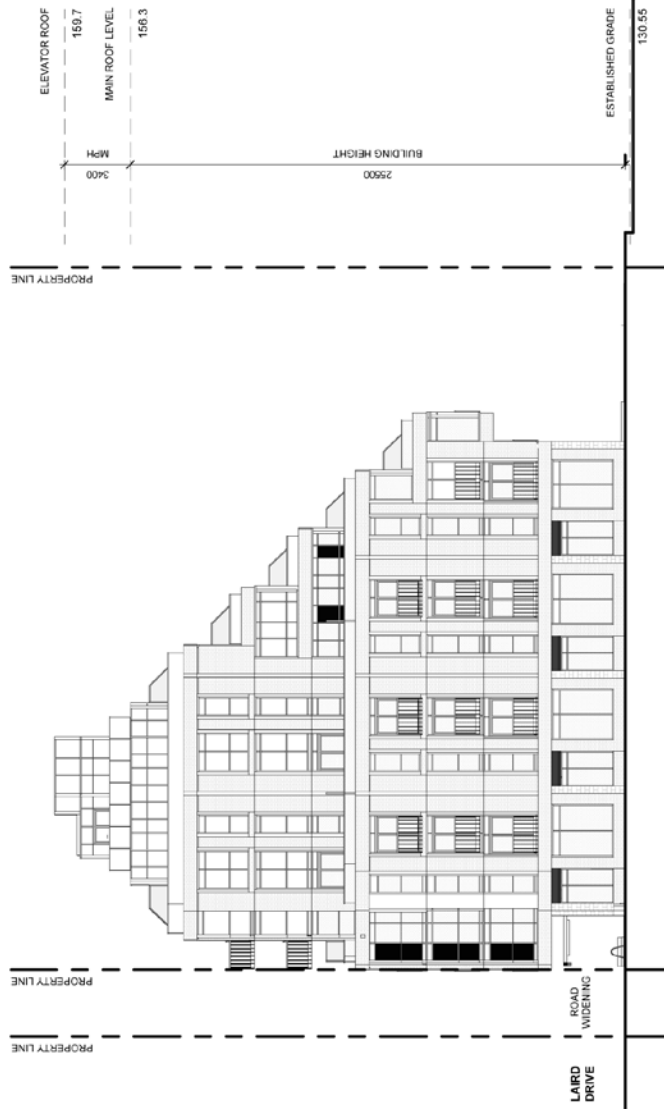
Attachment 3: Site Plan



Site Plan

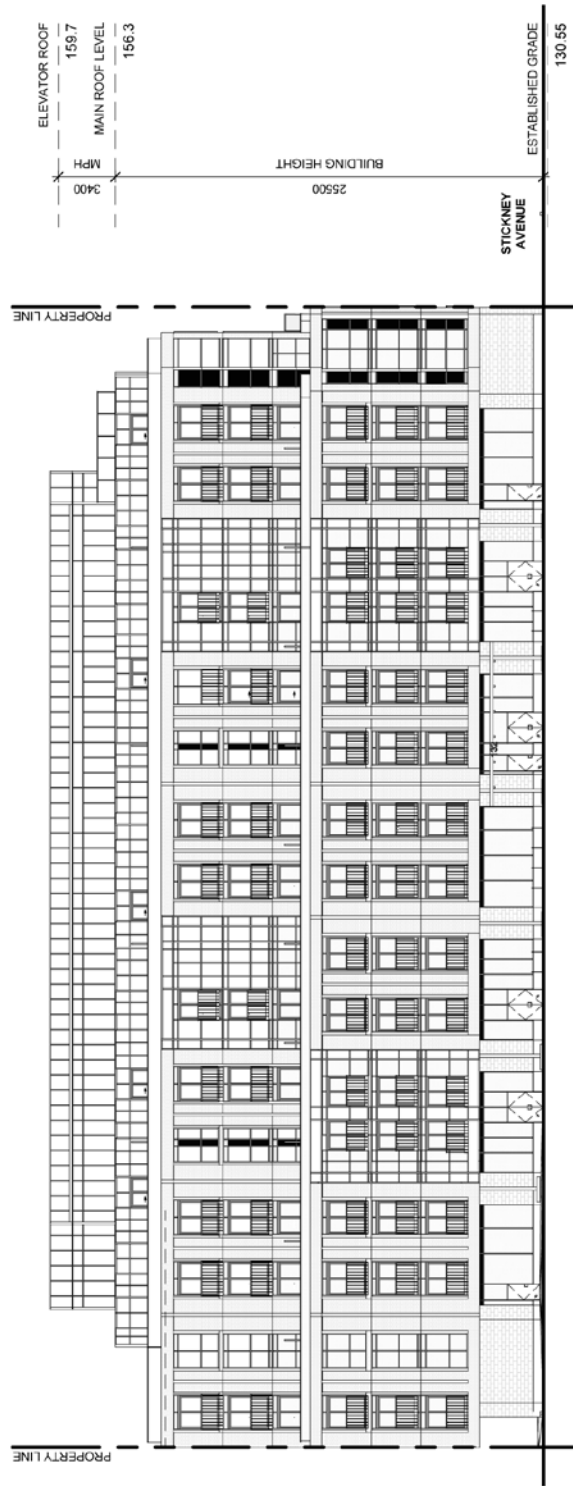


Attachment 4: North Elevation



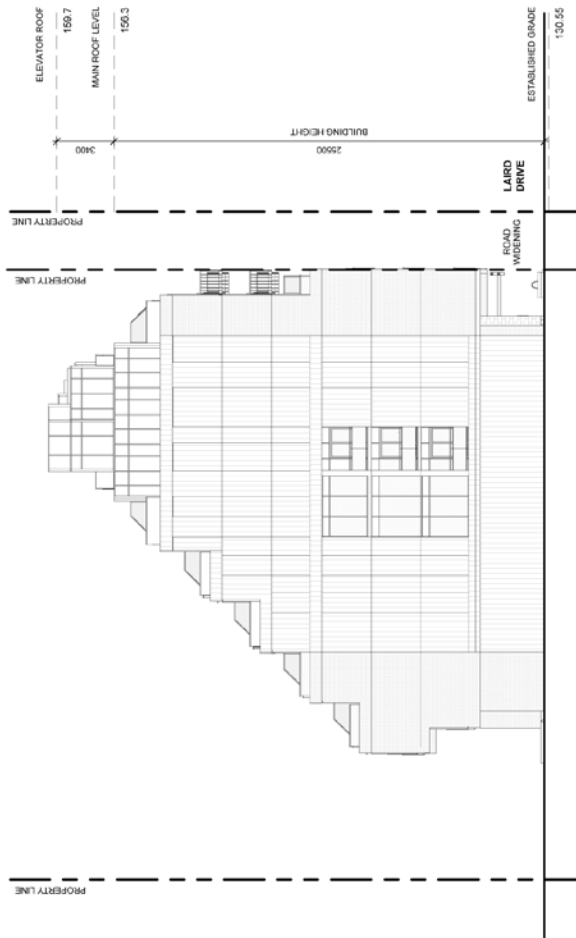
North Elevation

Attachment 5: East Elevation



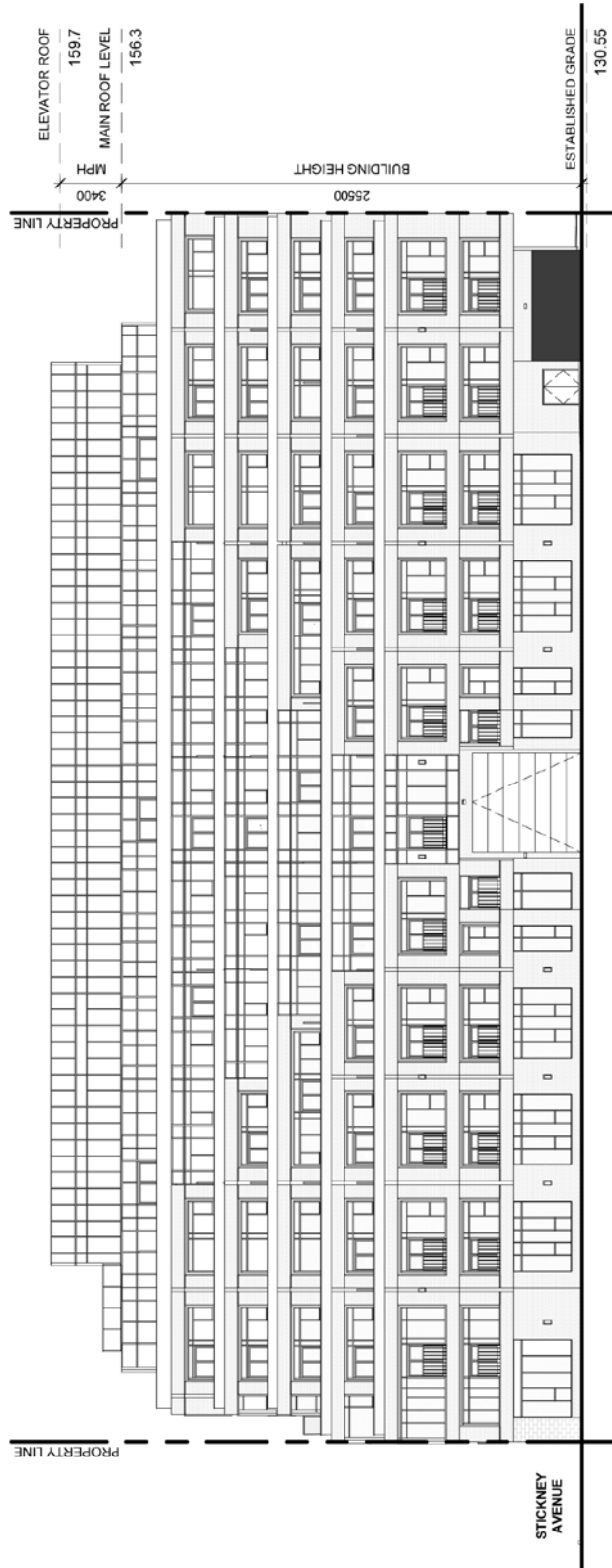
East Elevation

Attachment 6: South Elevation



South Elevation

Attachment 7: West Elevation



West Elevation

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) (the "Growth Plan (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).

Planning for Major Transit Station Areas

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

The City of Toronto Official Plan (the "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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The current application is located on lands designated Mixed Use Areas as shown on Land Use Map 17. See Attachment 9 of this report for the Official Plan Land Use Map. Mixed Use Areas are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan directs new development to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to existing and/or planned buildings. Further, development in Mixed Use Areas will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale.

The application is subject to Site and Area Specific Policy No. 568 (SASP 568) - South of Eglinton Avenue East and west of Laird Drive. SASP 568 was introduced into the Official Plan through OPA 450 and requires that proposed developments integrate with and respect the physical and cultural character of Leaside, establish a high quality and well-connected public realm, improve and prioritize connections and movement opportunities for pedestrians, cyclists and transit riders, transform Laird Drive into a vibrant and unifying main street, which accommodates appropriately scaled mid-rise development and protects *Neighbourhoods* from intensification pressures by directing growth to *Mixed Use Areas*.

SASP 568 is currently under appeal and not in full force and effect, but was adopted by City Council and does represent City Council's vision for this site and area.

See Attachment 9 for the site's Official Plan Land Use Map.

Zoning

The site is currently zoned Commercial – General (C1) by former Town of Leaside Zoning By-law 1916. This zone permits a wide range of retail and commercial uses. Residential dwelling units are permitted over a permitted commercial use except for over a garage or service station. Dwelling units are not permitted if there is no commercial use on the ground floor. A maximum lot coverage of eighty percent is permitted and a maximum height of 12.2 metres is permitted. The C1 zoning requires a front yard setback of six metres and a rear yard setback equal to twenty percent of the lot depth but in no case less than six metres.

The site is also zoned CR 2.0 (c2.0; r1.3) SS3 (x1163) by City of Toronto Zoning By-law 569-2013. The CR zoned permits a mix of commercial and residential uses. Permitted residential uses including an apartment building. A maximum height of 12.2 metres and a maximum lot coverage of eighty percent is permitted. A minimum rear yard setback of 7.5 metres is required. Exception 1163 only permits residential uses above the first floor of a building.

See Attachment 10 and 11 of this report for the Zoning By-law Maps.

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/>

Laird in Focus Design Guidelines

City Council adopted the Urban Design Guidelines for Laird in Focus on November 26, 2021. The Urban Design Guidelines establish a context for coordinated development and are to be used as a planning tool to ensure development conforms with the Official Plan and Site and Area Specific Policy (SASP 568).

The Urban Design Guidelines will also be used as a planning tool to guide standards included in the implementing Zoning By-laws, where one has not been established through the study process, and to evaluate applications for approval of Plans of Subdivision and Site Plan Control. The Urban Design Guidelines together with the Structure Plan in SASPS 568 and 579, and set out a framework for the creation of a high quality public realm and built form. The link to the guidelines is here: https://www.toronto.ca/wp-content/uploads/2020/12/8b72-CityPlanning-LaidinFocus_UDG.pdf

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the final Growing Up Urban Design Guidelines ("Growing Up Guidelines") and directed City Planning staff to apply the guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building and unit scale. The Growing Up Guidelines can be found at:

<https://www.toronto.ca/citygovernment/planning-development/planningstudiesinitiatives/growing-up-planning-for-children-in-new-vertical-communities/>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of the Pet Friendly Design Guidelines 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 pet amenities for high density residential communities. The Pet Friendly Design Guidelines can be found at:

<https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>

Retail Design Manual

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual supports the objectives of complete communities and vibrant streets which are closely tied to the provision of successful, resilient and dynamic retail uses. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces by providing aspirational retail design best practices to inform, guide, inspire and educate those involved in the design and development of retail uses. The Retail Design Manual can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>

Urban Forest/Ravines/Environment

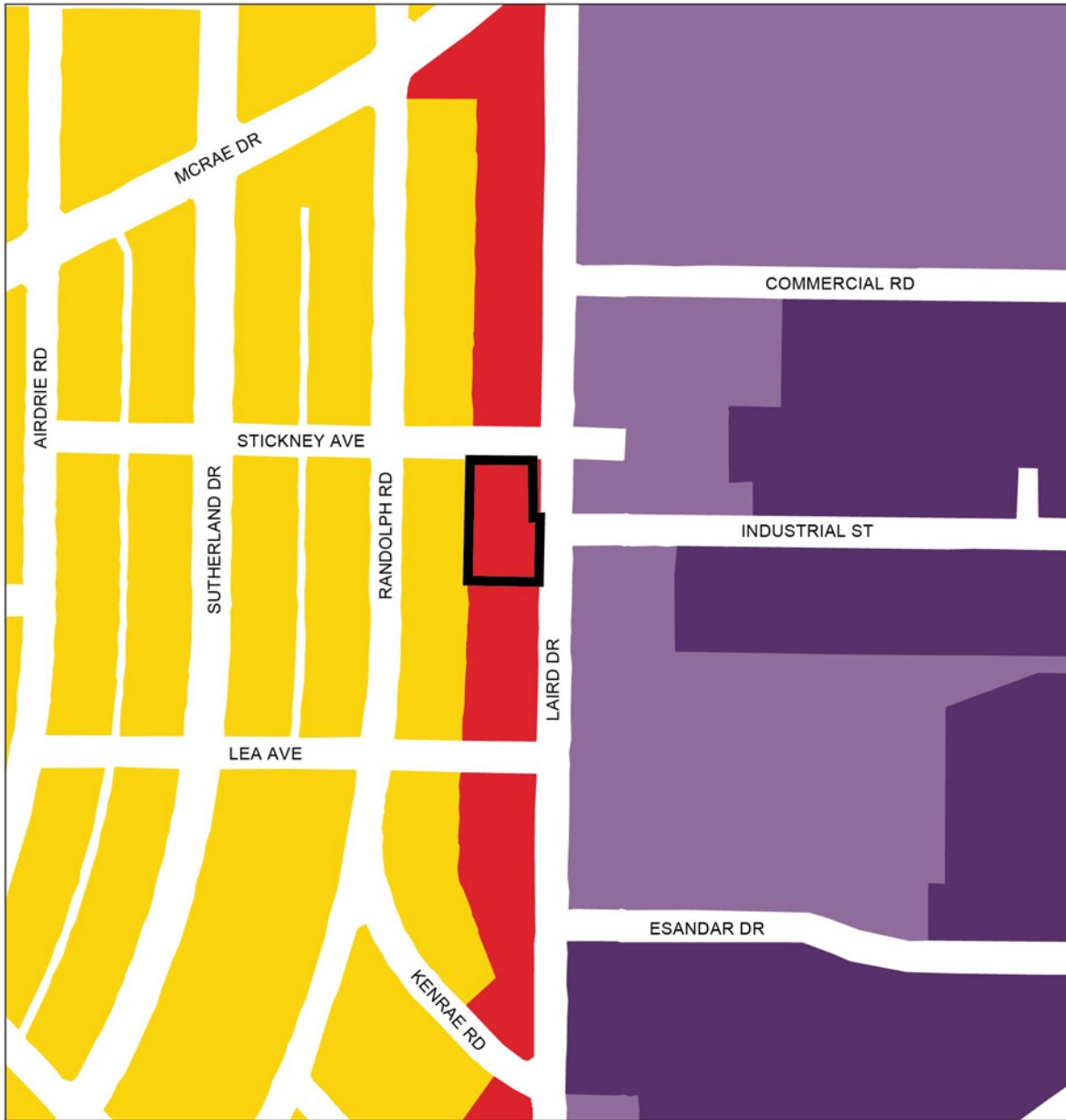
The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the Toronto Green Standard in effect at the time of the initial application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. The Toronto Green Standard website can be found here: https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/tier-1_planning-application-requirements/.

Attachment 9: Official Plan Land Use Map



126 - 132 Laird Drive

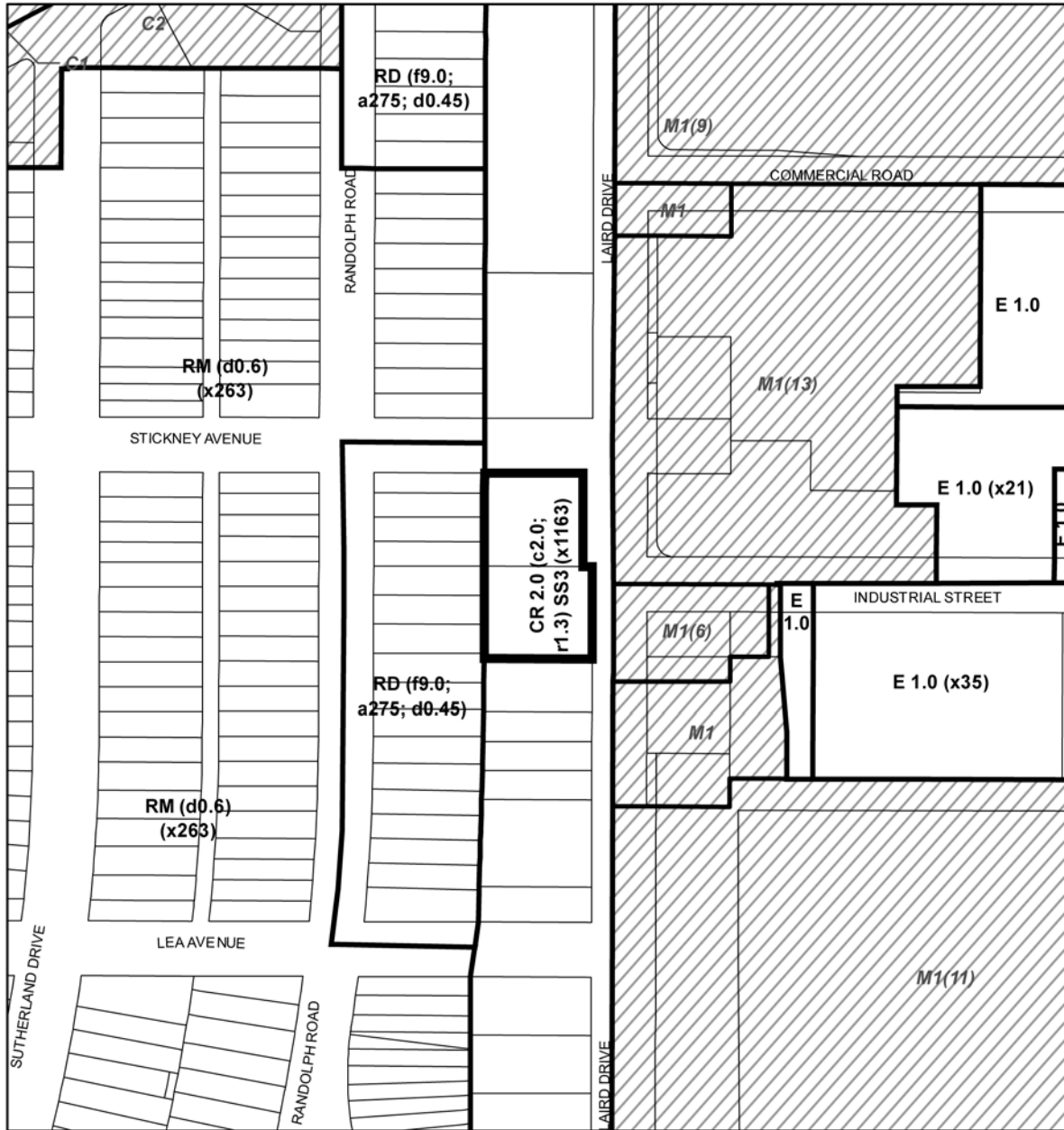
Official Plan Land Use Map #17

File # 20 181262 NNY 15 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  General Employment Areas
-  Core Employment Areas


Not to Scale
09/16/2020

Attachment 10: Zoning By-law Map 569-2013



Zoning By-law 569-2013

126 - 132 Laird Drive

File # 20 181262 NNY 26 0Z



Location of Application

RD Residential Detached CR Commercial Residential
 RM Residential Multiple E Employment Industrial



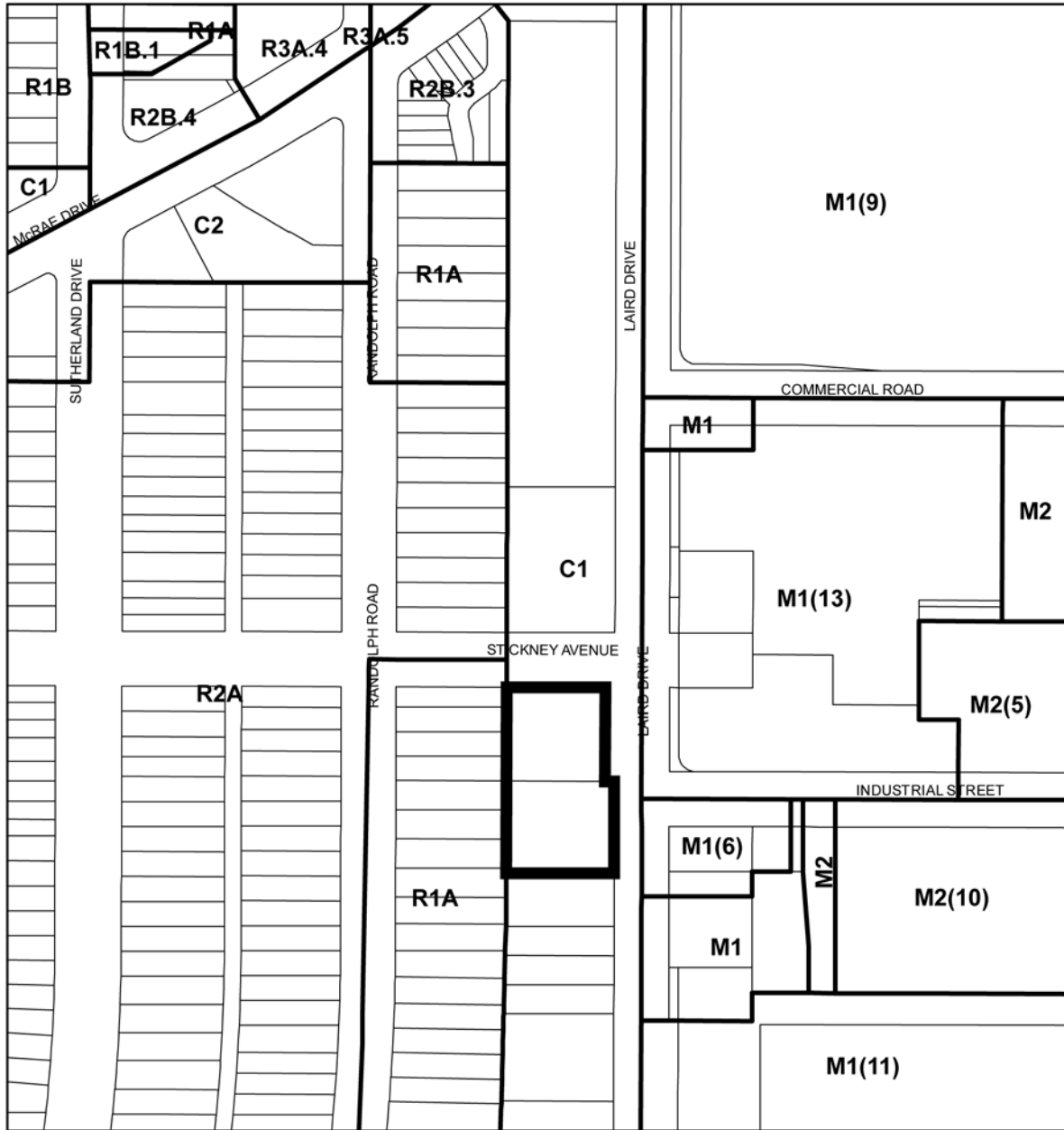
See Former Borough of East York By-law No. 1916

C1 Commercial
 C2 Commercial
 M1 Employment Industrial



Not to Scale
 Extracted: 08/26/2021


Attachment 11: Zoning By-law Map 1916



Zoning By-law 1916

126 - 132 Laird Drive

File # 20 181262 NNY 26 0Z

 Location of Application

- R1A Residential
- R1B Residential
- R2A Residential
- R2B Residential
- R3A Residential



Not to Scale
Extracted: 09/03/2021