

Authority: Ontario Municipal Board Decision issued on October 25, 2016, in Board File PL150360

CITY OF TORONTO

BY-LAW 1324-2018(OMB)

To amend Zoning By-law 569-2013 with respect to the lands known municipally known in the year 2018 as 146-150 Laird Drive.

Whereas the Ontario Municipal Board, by its decision issued on October 25, 2016, in Board File PL150360 approved amendments to the City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands; and

Whereas the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in the height or density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act* may authorize increases in height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provisions of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond the otherwise permitted on the aforesaid lands by By-law 569-2013, as amended, is permitted in return for the provision of the facilities, services and matters set out in the By-law which is secured by one or more agreements between the owner and the land and the City of Toronto;

Pursuant to the Order of the Ontario Municipal Board, By-law 569-2013 is further amended as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the same meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10, respecting the lands outlined by heavy black lines to CR 2.0 (c2.0; r1.3) SS3 (x151), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number (151) so that it reads:

Exception CR 151

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 146-150 Laird Drive, if the requirements of By-law 1324-2018(OMB) and Schedule A are complied with, none of the provisions of regulations 40.10.40.10(3) and 40.10.40.40(1) 5.10.40.70(1) and (2), 40.5.40.10, 40.5.40.60, 40.10.40.10(5), , 40.10.40.60, 40.10.40.70(3), 40.10.40.70(4), 40.10.50.10(1) and (3), 40.10.90, 40.10.100.10(1)(C), 200.5.1(3), 200.10.1(1), 200.10.1(2), 230.5.10.1, 230.4.1.20(2), Table 200.5.10.1, 220.5.10.1, 230.5.10.1(1), apply to prevent the erection or use of a **retirement home, nursing home, structure**, addition or enlargement, if it complies with (B) to (K) below;
- (B) Despite 40.10.40.10(3), no portion of any **building** or **structure** on the **lot** may have a height greater than the height in metres specified by the number following the HT symbol as shown on Diagram 3 of By-law 1324-2018(OMB) with the exception of the following:
- (i) mechanical rooftops units, extending no more than 5.0 metres above the applicable height limit;
 - (ii) elevator overruns, extending no more than 3.0 metres above the applicable height limit;
 - (iii) rooftop screens, extending no more than 3.0 metres above the applicable height limit;
 - (iv) eaves, cornices, lighting fixtures, ornamental elements, vents, and architectural features, extending no more than 0.45 metres above the applicable height limit; and
 - (v) planters, guardrails, parapets, elements of a **green roof**, exhaust flues, lightning rods, and window washing equipment, extending no more than 2.0 metres above the applicable height limit;
- (C) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured from the Canadian Geodetic Datum elevation of 131.20 (CGVD2013);
- (D) Despite regulation 40.10.40.70(3), the above ground portion of a **building** or **structure** must be located entirely within the area delineated by heavy lines shown on Diagram 3 of By-law 1324-2018(OMB)
- (E) Despite 40.10.40.60, the following **building** elements and **structures** are permitted to extend into the required **building setback** areas as follows:
- (i) bay windows to a maximum of 1.0 metres;

- (ii) awnings and canopies to a maximum of 2.5 metres; and
 - (iii) balconies and associated protective barriers to a maximum of 2.5 metres;
- (F) Despite regulation 40.10.40.70(3), the below ground portion of a **building** or **structure** must have a **building setback** as follows:
 - (i) 0 metres from the north, east and south **lot lines**; and
 - (ii) A minimum of 2.0 metres from the west **lot line**;
- (G) Despite 40.10.40.10(5), the minimum height of the first **storey** of the **building** is 4.1 metres;
- (H) Despite 40.10.40.40(1), the maximum total **gross floor area** of all **buildings** and **structures** on the **lot** occupied by residential uses for the purposes of a **retirement home** must not exceed 21,486 square metres;
- (I) Despite Clause 200.5.10.1, a minimum of 186 **parking spaces** for the **retirement home** must be provided and maintained on the **lot**;
- (J) Despite the **parking space** dimensions in Section 200.5.1.10(2) a maximum of 2 **parking spaces** may have the following minimum dimensions:
 - (i) Length – 5.4 metres;
 - (ii) Width – 2.5 metres; and
 - (iii) Vertical clearance – 2.0 metres;
- (K) Despite Clause 220.5.10.1, a minimum of one Type "G" **loading space** must be provided and maintained on the **lot** and have the following minimum dimensions:
 - (i) Length – 13.0 metres;
 - (ii) Width – 4.0 metres; and
 - (iii) Vertical clearance – 6.1 metres;
- (L) Despite Clause 230.5.10.1, **bicycle parking spaces** must be provided and maintained on the **lot** in accordance with the following:
 - (i) a minimum of 62 "long term" **bicycle parking spaces**; and
 - (ii) a minimum of 21 "short term" **bicycle parking spaces**; and
- (M) Despite 200.5.1(3), the minimum **drive aisle** width is 5.5 metres.

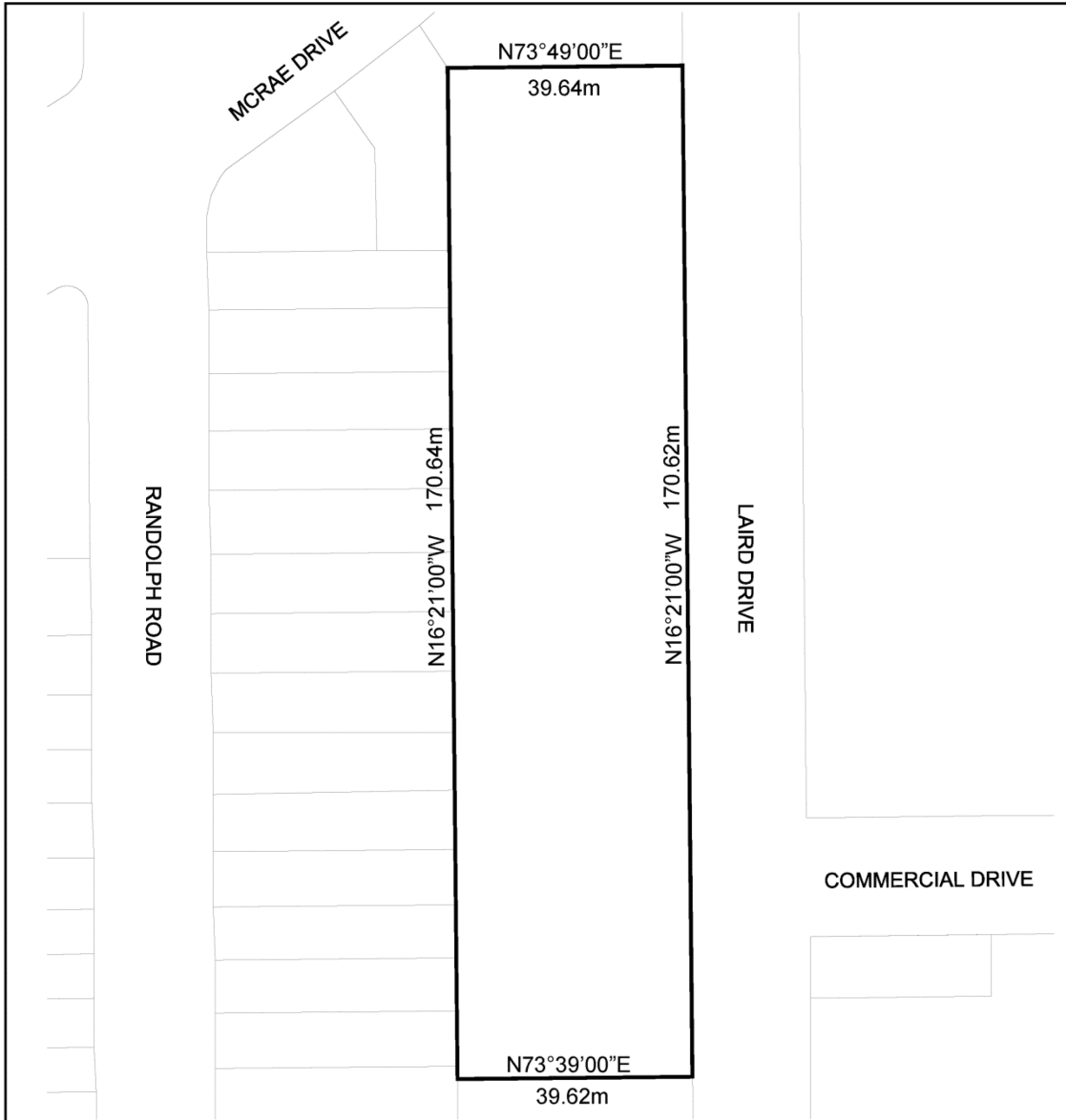
Prevailing By-law and Prevailing Sections: (None Apply)

4. Section 37 Provisions

- (A) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A and which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lands to the satisfaction of the City Solicitor;
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same; and
- (C) The owner must not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this by-law unless all provisions of Schedule A are satisfied.

Prevailing By-laws and Prevailing Sections: (None Apply)

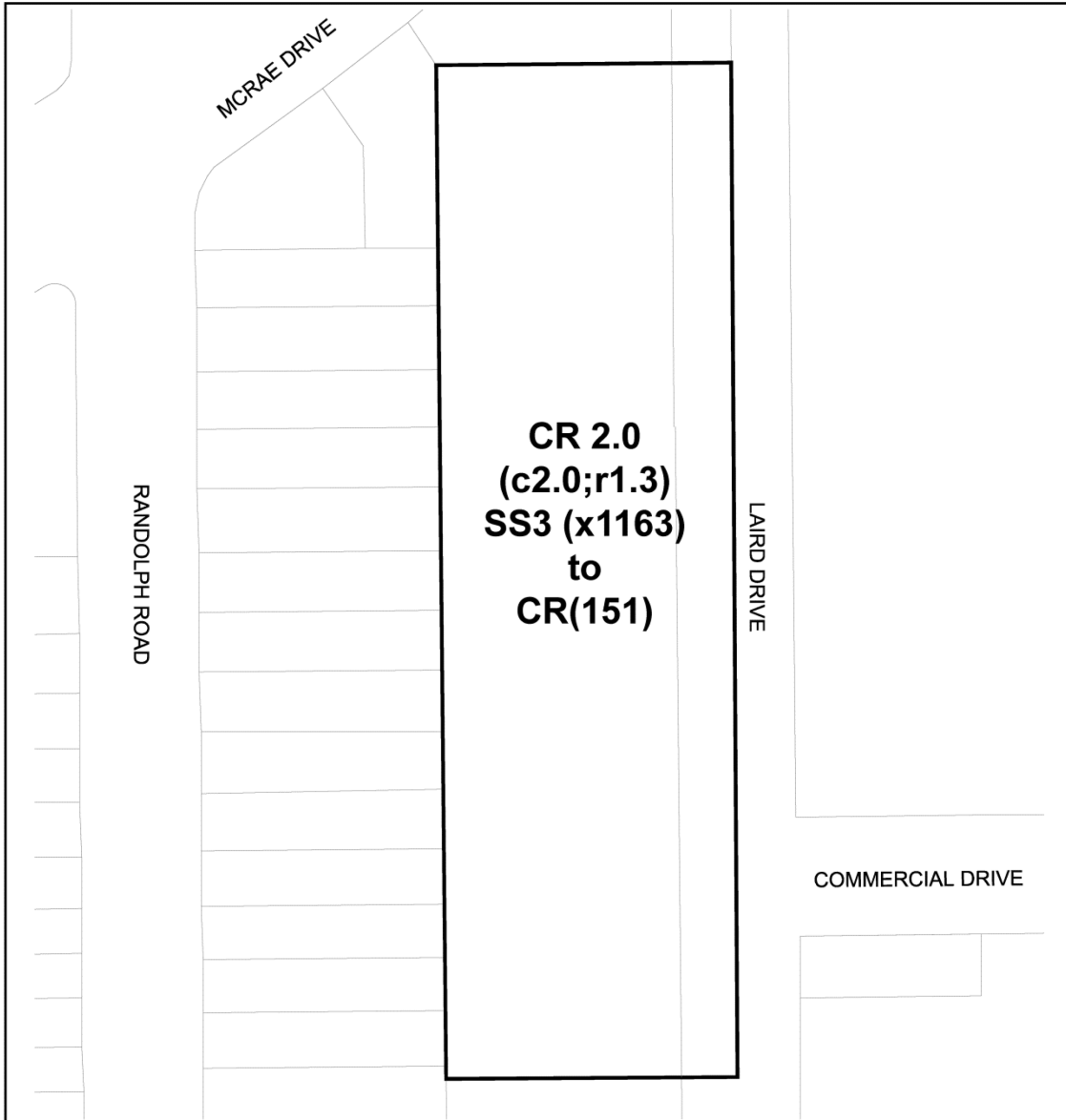
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 **TORONTO**
Diagram 1

146-150 Laird Drive

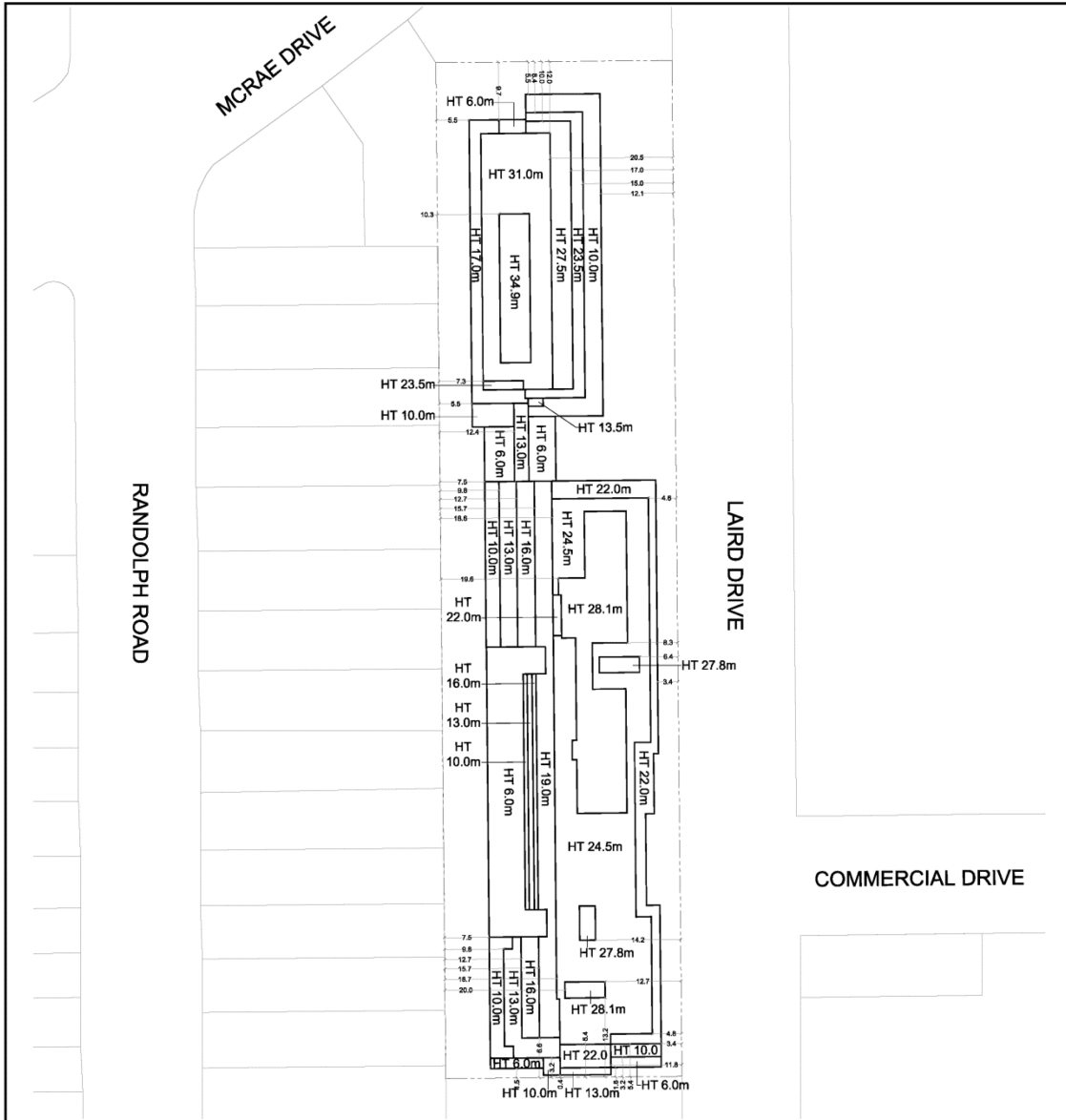
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 **TORONTO**
Diagram 2

146-150 Laird Drive

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 **TORONTO**
Diagram 3

146-150 Laird Drive

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SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands shown in Diagram 1 of this By-law and secured in one or more agreements pursuant to Section 37(3) of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexing escalation of both the financial contributions and letters of credit, development charges, indemnity, insurance, GST, HST, termination and unwinding, and registration and priority of the agreement

1. Prior to the issuance of the first above-grade building permit the Owner agrees to pay to the City the sum of \$500,000, which shall be indexed annually in accordance with the Statistics Canada Construction Price Index calculated from the date of the Section 37 Agreement to the date the payment is made, which monies shall be paid by certified cheque and used for capital improvement projects in Ward 26, at the direction of the Ward Councillor, in consultation with the Chief Planner.