

Authority: Ontario Land Tribunal Decision issued on
July 18, 2022 in Tribunal File PL200376

CITY OF TORONTO

BY-LAW 1121-2022(OLT)

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 126-132 and 134 Laird Drive.

Whereas the Ontario Land Tribunal, in its Decision issued on July 18, 2022, in file PL200376, in hearing an appeal under Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, ordered the amendment of Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 126-132 and 134 Laird Drive; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and 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 the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision 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, the 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 that 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 this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Ontario Land Tribunal, by Order, amends By-law 569-2013 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 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 from a zone label of CR 2.0 (c2.0;r1.3) SS3 (x1163) to a zone label of CR 2.0 (c2.0;r1.3) SS3 (x678) as shown on Diagram 3 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.678 Exception Number 678 so that it reads:

(678) Exception CR 678

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 126-132 and 134 Laird Drive, as shown on Diagram 1 of By-law 1121-2022(OLT), if the requirements of Section 6, where applicable and Schedule A of By-law 1121-2022(OLT) are complied with, a **building or structure** may be constructed, used or enlarged in compliance with Regulations (B) to (S) below:
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building or structure**, as identified on Diagram 2 attached to this by-law, as:
- (i) Block A, is the distance between the Canadian Geodetic Datum of 130.55 metres and the elevation of the highest point of the **building or structure**;
- (ii) Block B, is the distance between the Canadian Geodetic Datum of 130.25 metres and the elevation of the highest point of the **building or structure**;
- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** can be located on the same **storey** as non-residential use portions of the **building**;
- (D) Despite Regulation 40.10.40.10(3), the permitted maximum height of a **building or structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law 1121-2022(OLT);
- (E) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law 1121-2022(OLT):
- (i) parapet and roof drainage components to a maximum of 1.5 metres;
- (ii) safety railings, fences and guardrails to a maximum of 2.0 metres;
- (iii) **green roof** elements, planters, wind and noise mitigation elements, **structures** used for open air recreation, screens, trellises, landscape features and telecommunication equipment to a maximum of 2.5 metres;
- (iv) equipment used for the functional operation of the **building** including cooling towers, elevator shafts, overruns and machine rooms, maintenance and safety equipment, chimneys, pipes, vents, thermal and waterproofing

- assembly and **green roof** elements on top of a mechanical penthouse to a maximum of 3.0 metres;
- (v) trellis, pergolas, wheelchair ramps, structural/non-structural architectural columns/piers and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, and divider screens on a balcony and/or terrace may project up to a maximum of 4.0 metres; and
 - (vi) stairs, stair enclosures, window washing equipment, lighting rods, exhaust flues, vents, ventilating equipment, chimney stack, garbage chute overruns and **structures** that enclose, screen or cover the equipment, to a maximum of 6.0 metres;
- (F) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the **lot** is 18,100 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 10,000 square metres on Block A, as shown on Diagram 2;
 - (ii) the permitted maximum **gross floor area** for residential uses is 7,800 square metres on Block B, as shown on Diagram 2;
 - (iii) the required minimum **gross floor area** for non-residential uses is 200 square metres on Block A, as shown on Diagram 2;
 - (iv) the required minimum **gross floor area** for non-residential uses is 100 square metres on Block B, as shown on Diagram 2;
- (G) Despite Regulation 40.10.40.50(1), a **building** with 20 or more **dwelling units** must provide **amenity space** on the **lot** at the following rate:
- (i) at least 1.5 square metres for each **dwelling unit** as indoor **amenity space**;
 - (ii) at least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) no more than 25 percent of the outdoor component may be a **green roof**;
- (H) Despite Regulation 40.10.40.70(3), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law 1121-2022(OLT);
- (I) Despite (H) above, the required minimum **building setback** between a **building** height of 0.0 metres and 7.5 metres is 3.0 metres for the portion of the **building** abutting Laird Drive, and the required minimum **building setback** between a height of 0.0 metres and 4.5 metres is 1.0 metres for the portion of the building abutting Stickney Avenue, with the exception of any required corner rounding;

- (J) Despite Clause 40.10.40.60, 40.5.40.60(1) and (H) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) columns, lighting fixtures, awnings, canopies, cornices, architectural features, piers, window washing equipment, parapets, parapet flashing, roof and terrace scuppers, roof overhang, gutter, downspout, trellises, window sills, balcony railings, guardrails, balustrades, railings, wind mitigation and acoustic screens and features, planters, wheel chair ramps, mechanical exhaust and intake components, underground garage ramps and their associated **structures** and elements, retaining walls, fences, Siamese connections, structural and architectural elements of the overhang and canopies, and privacy screens to a maximum of 2.0 metres; and
 - (ii) balconies and terraces to a maximum of 2.5 metres; and
 - (iii) despite (ii) above, along Laird Drive balconies on the 6th storey or 7th storey to a maximum of 1.0 metre;
- (K) Regulation 40.10.50.10(1)(B), with respect to **front yard** landscaping, does not apply;
- (L) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 83 **parking spaces** for residents in Block A;
 - (ii) a minimum of 14 **parking spaces** for visitors or non-residential **gross floor area** in Block A;
 - (iii) a minimum of 58 **parking spaces** for residents in Block B;
 - (iv) a minimum of 12 **parking spaces** for visitors or non-residential **gross floor area** in Block B;
- (M) Despite Regulation 200.5.10.1(1), "car-share **parking spaces**" may replace **parking spaces** otherwise required for residential occupants, subject to the following:
- (i) a reduction of 4 resident occupant **parking spaces** will be permitted for each "car-share **parking space**" provided and that the maximum reduction permitted be capped by the application of the following formula:
 - a. 4 multiplied by (total number of **dwelling units** divided by 60), rounded down to the nearest whole number;
 - (ii) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such

"car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and

- (iii) for the purpose of this exception, "car-share parking space" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes;
- (N) The **parking spaces** required for non-residential uses in (M)(ii) and (M)(iv) above, may be used as **public parking**;
- (O) Despite Regulation 200.5.1.10(2)(A), a maximum of 15 percent of the required **parking spaces** may have a minimum dimensions of:
 - (i) length of 5.1 metres;
 - (ii) width of 2.4 metres;
 - (iii) vertical clearance of 1.7 metres; and
 - (iv) the side of the **parking spaces** may be obstructed;
- (P) Regulation 200.5.1.10(2)(D), with respect to a **parking space** obstructed by any part of a fixed object, does not apply;
- (Q) Despite Regulation 200.15.1(4), an accessible **parking space** is not required to be closest to a barrier-free passenger elevator that provides access to the first **storey** of the building or the shortest route from the required entrance to an elevator;
- (R) In addition to Regulation 220.5.1.10(8)(D), a staging pad adjacent to a Type "G" **loading space** may have a minimum vertical clearance of 4.4 metres;
- (S) Despite Regulations 230.5.1.10(4) and (5), **stacked bicycle parking spaces** must be provided and maintained with the following minimum dimensions:
 - (i) length of 1.8 metres;
 - (ii) width of 0.43 metres; and
 - (iii) vertical clearance of 1.2 metres.

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

5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

6. Section 37 Requirements:

- (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 3 attached to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A attached to this By-law 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 attached to 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 shall 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.

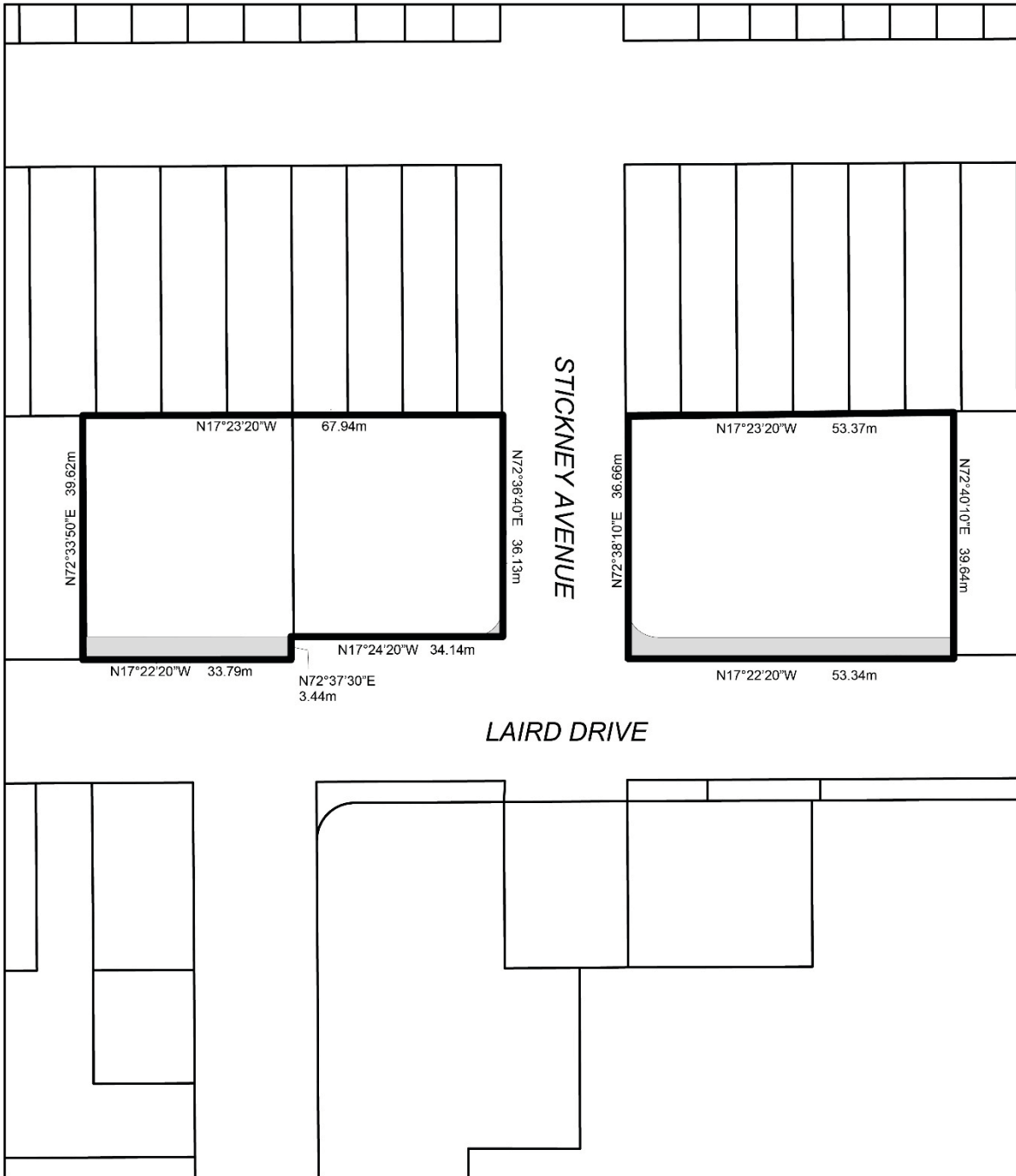
Ontario Land Tribunal Decision issued on July 18, 2022 in Tribunal File PL200376.

SCHEDULE A
Section 37 Requirements

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 as shown in Diagram 4 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. Prior to issuance of the first above-grade permit on either Block A or Block B as shown on Diagram 2, the owner shall:
 - (A) Make a cash contribution to the City in the amount of Eight Hundred Fifty Thousand Dollars (\$850,000.00) to be allocated towards local improvements at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, with such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made.
 - (B) Make a one-time contribution to the City in the amount of twenty-five thousand dollars (\$25,000.00) for each of Block A and Block B for a total of fifty thousand dollars (\$50,000.00), with such amount to be upwardly indexed in accordance with the terms set out in the Section 37 agreement, towards the installation of one new bike-share station on the lands or in the surrounding area.
2. Prior to Site Plan Approval, the owner shall:
 - (A) Make arrangements, to the satisfaction of the Chief Planner, in consultation with the General Manager, Transportation Services, to:
 - (i) Provide and maintain a minimum of one (1) bike repair station on each of Block A and Block B.
 - (ii) Provide and maintain a minimum of one (1) real-time transportation screen on each of Block A and Block B.
 - (iii) Provide and maintain a minimum of two (2) publicly accessible car-share parking spaces on either Block A or Block B.
 - (B) Work with City staff to, at no cost to the City:
 - (i) Install a historical plaque or equivalent commemoration at the southeast corner of Block B.
 - (ii) Install of a combination of gateway landscape and streetscape improvements at the corners of Laird Drive and Stickney Avenue.
 - (iii) Cap and/or remove decommissioned infrastructure as may be required, subject to confirmation of the status of any existing Toronto Water infrastructure on site.

- (C) Provide documentation that it has explored:
- (i) the potential elimination of existing utility poles on the lands adjacent to the South Lands and the North Lands, if feasible, and
 - (ii) further reductions to the height of and area required for the mechanical equipment located on the rooftop of each building, where feasible.
3. The owner shall provide proof of purchase and distribution of 1-year Car-Share memberships to all first-time residential unit owners to the satisfaction of the Chief Planner.
 4. The owner shall construct and maintain the development in accordance with Tier 1, Toronto Green Standard.
 5. In the event the cash contribution referred to in Clause 1(A) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, provided that the purpose is identified in the Official Plan and will benefit the community in the vicinity of the lands.



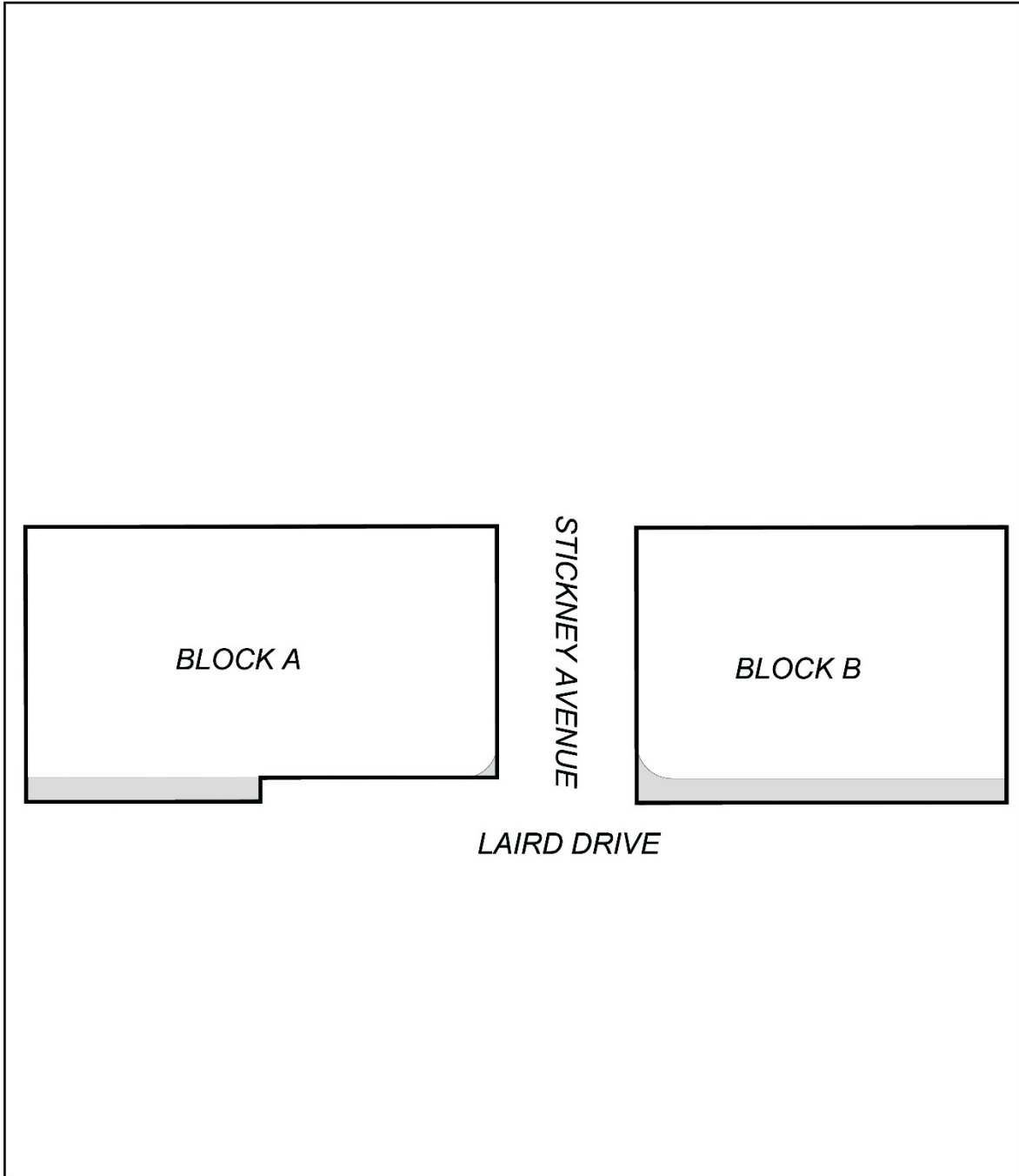
 **TORONTO**
Diagram 1

126-134 Laird Drive

File # 20 181297 NNY 15 0Z

 Road Widening


City of Toronto By-law 569-2013
Not to Scale
05/02/2022

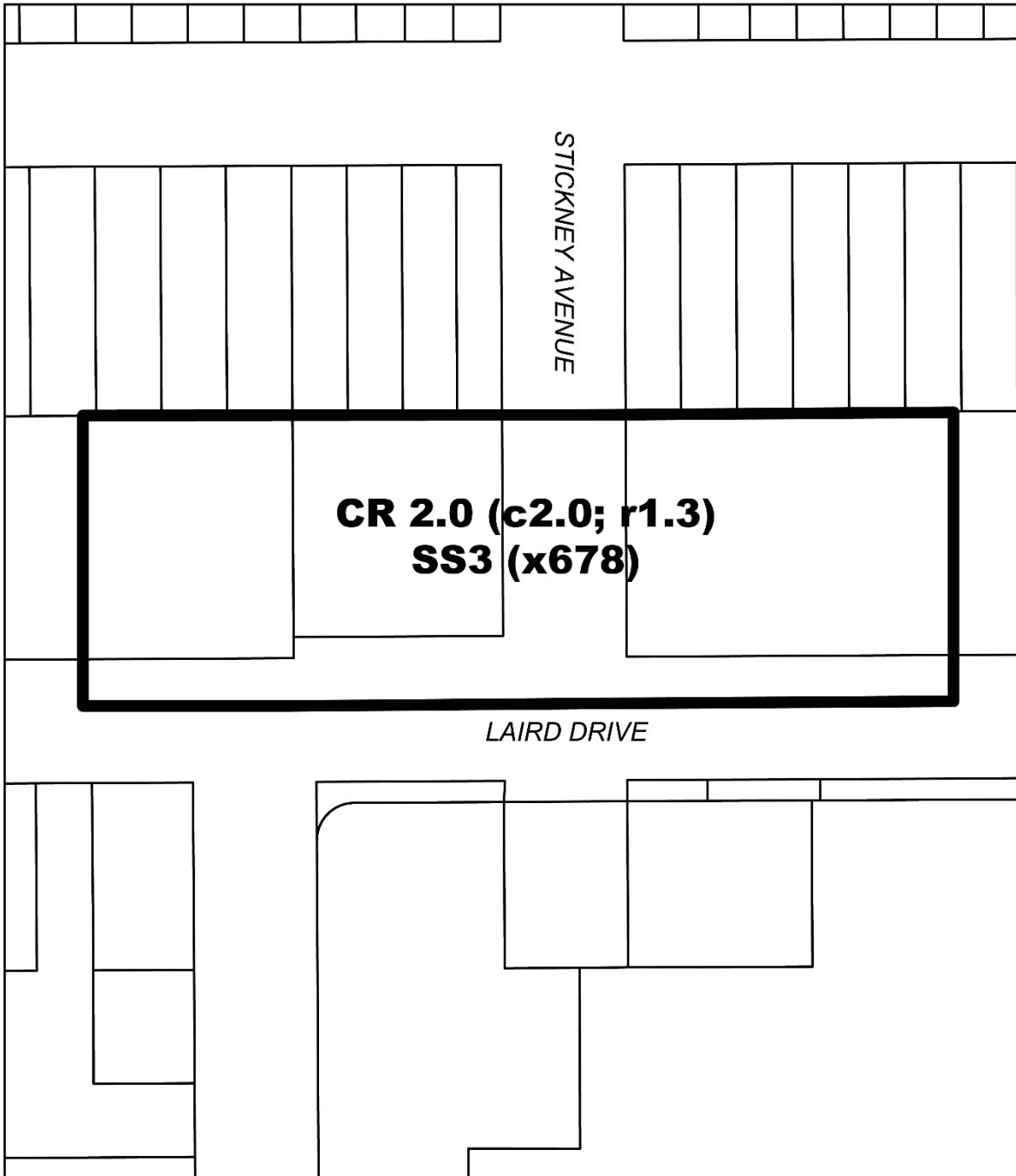


 **TORONTO**
Diagram 2

126-134 Laird Drive

File # 20 181262 NNY 15 02

20 181297 NNY 15 02

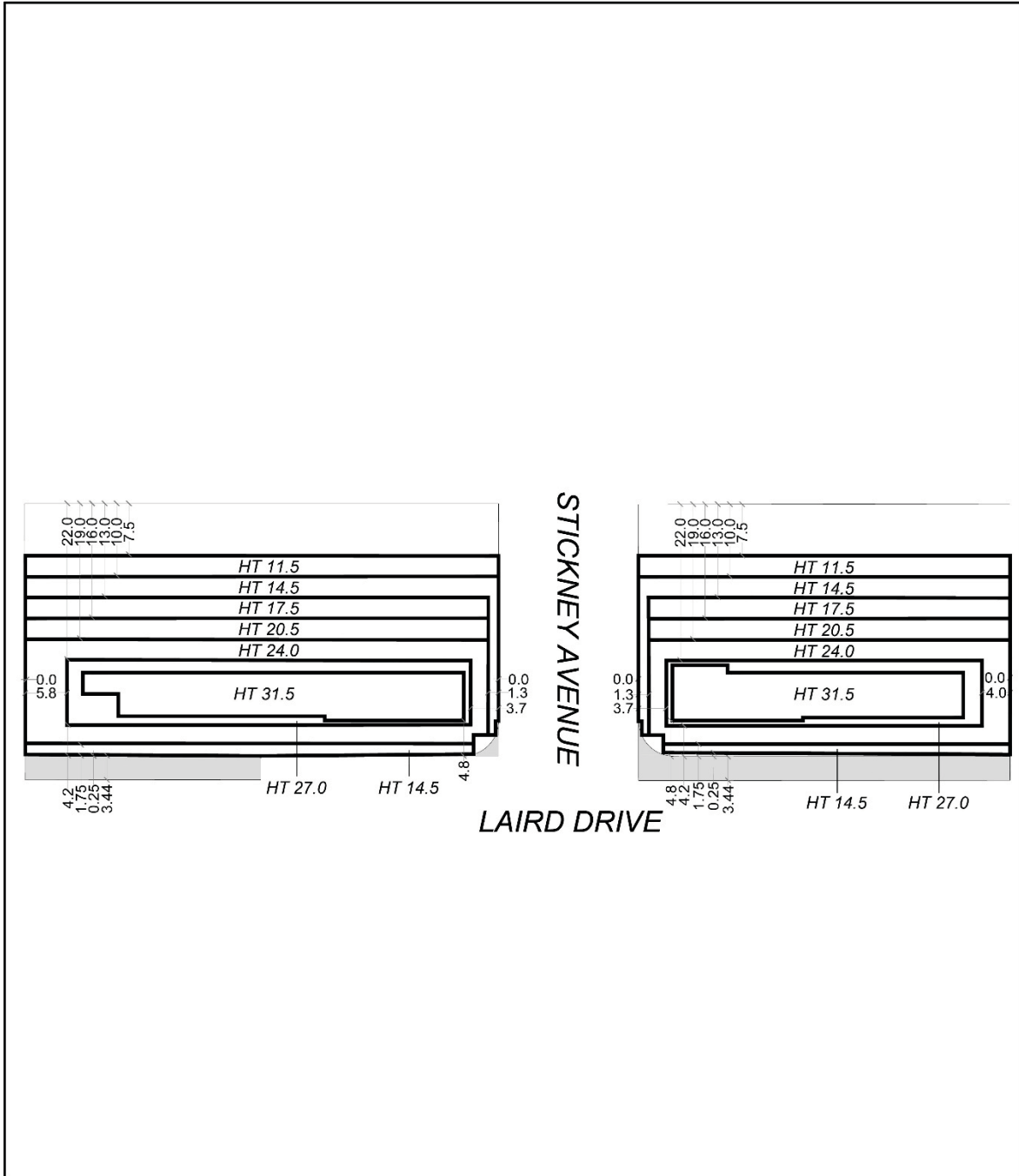


 **TORONTO**
Diagram 3

126-134 Laird Drive

File # 20 181262 NNY 15 02

20 181297 NNY 15 02




 **TORONTO**
Diagram 4

126-134 Laird Drive

File # 20 181262 NNY 15 02

20 181297 NNY 15 02


City of Toronto By-law 569-2013
Not to Scale
05/02/2022