

**2 Laird Drive - Zoning By-law Amendment Application
Request for Direction Report**

Date:	August 20, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	12 126026 NNY 26 OZ

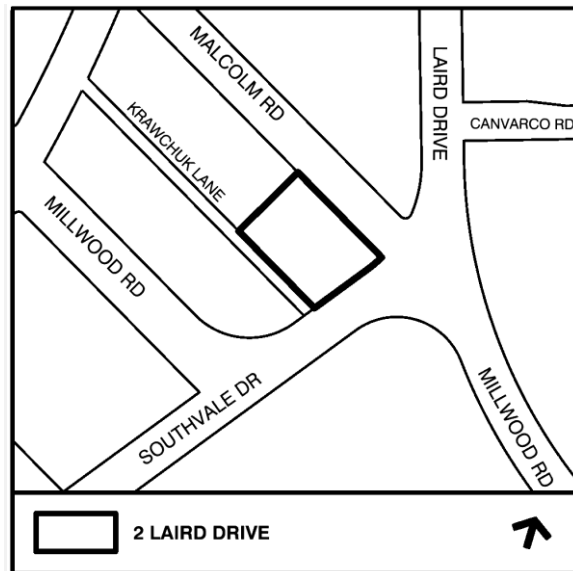
SUMMARY

The purpose of this report is to advise that the applicant has appealed the Zoning By-law Amendment application for 2 Laird Drive to the Ontario Municipal Board (OMB) citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act*, and to seek direction regarding staff representation at the upcoming OMB hearing. The appeal was filed on March 28, 2013. A pre-hearing conference was held on July 22, 2013. A second prehearing is scheduled November 22, 2013. The hearing is scheduled for five days commencing February 17, 2014.

This application proposes a 7-storey, 78-unit residential building with 94 parking spaces at 2 Laird Drive. The proposed building would have a gross floor area of approximately 7,375m² resulting in a density of 3.4 FSI.

The applications were formally amended on March 1, 2013, and under review at the time of the appeal. Since that time the applicant has been working with staff to address outstanding design matters and technical requirements.

Planning staff are in support of the proposal, in principle, subject to the recommendations outlined in this report



which include building design modifications that provide an appropriate transition to lands designated *Neighbourhoods* located west and south of the development, design modifications to reduce the visual impact of the corner element proposed at the corner of Millwood and Malcolm Roads and lowering the finished ground floor elevation to improve its relationship with adjacent public sidewalks.

As this matter has been appealed to the OMB this report recommends the City Solicitor and other appropriate staff attend the hearing in support of the proposed development at 2 Laird Drive subject to resolution of the design matters noted above, resolution of functional servicing and land conveyance matters raised by Engineering and Construction Services and the provision of appropriate community benefits pursuant to Section 37 of the *Planning Act*.

Staff is recommending the City Solicitor and appropriate staff be authorized to continue discussions with the applicant in an attempt to resolve the issues outlined in this report and, if necessary, seek further instruction from Council for additional instructions regarding any matters to be resolved before the OMB.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1 City Council instruct the City Solicitor, City Planning staff and any other City staff to attend the OMB hearing generally in support of the revised proposal at 2 Laird Drive provided that the following outstanding matters are resolved:
 - a) The Owner addressing the following design related matters to the satisfaction of the Director, Community Planning, North York District:
 - i) An appropriate transition be provided on the west and south sides of the building as outlined in the staff report;
 - ii) The design of the building element at the corner of Millwood and Malcolm Roads be refined to reduce its bulk and mass and its finished ground floor elevation lowered to improve its relationship with adjacent public sidewalks; and
 - iii) A reduction in the gross floor area as a result of addressing recommendations i) and ii) above.
 - b) The owner agreeing to a Section 37 contribution to the satisfaction of the Director, Community Planning, North York District; and
 - c) The owner addressing the requirements outlined in the memorandum dated May 2, 2013 to the satisfaction of the Engineering and Construction Services and at no cost to the City of Toronto.

2. City Council authorize the City Solicitor to request the OMB to withhold its Order(s) approving the Zoning By-law amendment until such time as:
 - a) The owner has entered into an agreement with the City to secure community benefits pursuant to Section 37 of the *Planning Act* to the satisfaction of the Director, Community Planning, North York District and City Solicitor;
 - b) An appropriate Zoning By-law amendment is prepared to the satisfaction of the Director, Community Planning, North York District and the City Solicitor. The implementing Zoning By-law should incorporate performance standards which include, but not be limited to, regulations on parking and loading standards, maximum building heights, building transition, maximum building floor plates and envelopes, maximum gross floor area, minimum building setbacks, maximum number of dwelling units, minimum indoor and outdoor recreational amenity area, bicycle parking spaces, and appropriate Section 37 contributions; and
 - c) The Owner has applied for Site Plan Approval and Notice of Approval Conditions have been issued by the Director, Community Planning, North York District.
3. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant in an attempt to resolve the issues outlined in this report and, if necessary, seek further instructions from Council regarding any matters to be resolved prior to the OMB hearing.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

A preliminary report for this application was considered by North York Community Council at its May 15, 2012 meeting. The report provided background information on the proposal and recommended that a community consultation meeting be scheduled with the Ward Councillor and that notice for the public meeting be given according to the regulations of the *Planning Act*.

Community Council adopted the staff recommendations and directed that the notice area for the community consultation meeting be expanded to include all landowners and residents in the area bounded by all addresses on McRae Drive, and south thereof from, and including, the west side of Laird Drive to the east side of Bayview Avenue (excluding addresses on Bayview Avenue) to, and including, all addresses on Leacrest Road and Mallory Crescent to the south.

The preliminary report is available at the following web link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY16.22>

ISSUE BACKGROUND

Proposal

On February 22, 2012, a Zoning By-law Amendment application was submitted to the City proposing a 7-storey, 98-unit residential building with 116 parking spaces. The proposed building had a gross floor area of approximately 7,975m² resulting in a density of 3.7 FSI.

The application was formally amended with revised plans received March 1, 2013. The OMB appeal was filed just after this resubmission. The gross floor area, density, number of dwelling units and parking spaces have been reduced since the original submission. Although the application has not been formally amended since that time, the proponent has been working with City staff to refine the proposal to address design and technical issues raised through the circulation process.

This current proposal is for a 7-storey, 78-unit residential building with 94 parking spaces (see Attachment 1). The proposed building would have a gross floor area of approximately 7,375m² resulting in a density of 3.4 FSI.

The building would have a maximum height of 7-storeys or 22.6 metres, plus a screened mechanical penthouse/stairwell having a height of 4.2 metres resulting in a total height of 26.8 metres. An outdoor amenity area is proposed on the rooftop overlooking Millwood Drive. As a result, from a zoning perspective, the proposed building would be considered 8 storeys in height. The 3rd, 4th, 5th, 6th and 7th floors have a variety of balconies, terraces and setbacks along the west and south sides of the building (see Attachments 2 and 3: Elevations) adjacent to lands designated *Neighbourhoods*. The adjacent lands are developed with single detached dwellings to the west and a public lane and townhouses to the south. The 6th and 7th floors facing Millwood Road and Malcolm Road are also stepped back 2 - 5 metres from the main face of the building.

The ground floor of the building would include grade related dwelling units along both public streets and the public lane. The units along the public lane have been designed as grade related townhouse units, 3-storeys in height, in response to the existing townhouses opposite the lane. The main entrance/lobby to the building is located near the Malcolm Road entrance driveway with a direct connection to the public sidewalk. At grade open space is comprised of private patios along Malcolm Road, Millwood Road and Krawchuck Lane with varying building setbacks. With the exception of the corner building element at Millwood Drive/Malcolm, the building is generally set back 3.1 metres from Krawchuck Lane, 1.2 - 4.0 metres from Millwood Drive and 3 metres from Malcolm Road. The corner building element is set back 2 metres from both streets. Staff in Engineering and Construction Services has advised a 6.1 metre corner rounding conveyance (daylight triangle) is required which will necessitate design changes to this portion of the building.

Vehicular access and servicing is provided at the west end of the site from a driveway which enters from Malcolm Road. A second existing driveway access to Krawchuck Lane is proposed to be closed. The proposed driveway would provide access to two short term/drop-off parking spaces at grade and near the main building entrance, an enclosed loading/servicing area and a ramp leading to three levels of underground parking. The ramp provides access to 94 parking spaces in three levels of underground parking comprising 79 spaces for tenants and 15 spaces for visitors.

The proposed building has been designed to include 22 one bedroom units, 32 two bedroom units and 20 three-bedroom units. The design includes provision for future changes to the unit mix for an additional 4 dwelling units.

A total of 211 m² of amenity space is proposed consisting of 90 m² on the 3rd and 4th floors (1.2 m²/dwelling unit) and 121 m² of outdoor amenity space (1.65 m²/dwelling unit) on the rooftop terrace looking the intersection of Malcolm Road and Millwood Avenue. The roof of the 7th floor and roof of the mechanical equipment enclosure includes a green roof.

Detailed project statistics are included in the Application Data Sheet in Attachment 7.

Site and Surrounding Area

The 0.2 ha site is located at the termination of Laird Drive at Millwood Road in the former Town of Leaside. The site has frontages along Malcolm Road to the north, Millwood Road to the east and Krawchuck Lane to the south. The site has an area of approximately 2,148 m² a frontage of approximately 57 metres onto Millwood Road and a frontage of approximately 40 metres onto Malcolm Road. It is currently developed with a single storey building formerly owned and operated by Canada Post. The site is located at the south edge of a *Mixed Use Area* along the west side of Laird Drive that extends north to Eglinton Avenue East. The Leaside Business Park is located on the east side of Laird Drive/Millwood Road. The site is located on the eastern edge of a residential area. A row of mature trees along the rear property line of the site provides a buffer between the former post office building and homes to the west.

While the site takes its municipal address from Laird Drive, it physically fronts onto Millwood Drive. Laird Drive/Millwood Road is shown as a major street on Map 3 of the Official Plan with a planned right-of-way of 27 metres increasing to 30 metres. Laird Drive and Millwood Road are four-lane roads while Malcolm Road is a one-way road running west from Millwood Road. Millwood Drive is classified as a collector road along the frontage of the site having a right-of-way width of 20 metres increasing to 30 metres towards the intersection of Laird Drive/Millwood Drive. Malcolm Road is steps away from the Laird Drive/Millwood Drive signalized intersection.

The following is a summary of the area context:

North: Directly opposite the site, at Malcolm Road/Laird Drive, is a Sunoco gas

station then two-storey single detached dwellings fronting Malcolm Road.
South: Three storey townhouses fronting Krawchuck Lane and Millwood Road, then a five-storey apartment building at 955 Millwood Road.
East: Millwood Road then a surface parking for Leaside Memorial Community Gardens/Arena.
West: Two-storey single detached dwellings fronting Malcolm Road.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The lands are designated *Mixed Use Areas* on Map 17 - Land Use Plan (see Attachment 6). The *Mixed Use Areas* designation permits a range of residential, commercial and institutional uses, and provides criteria to direct the form and quality of development. It is one of four designations identified in the Official Plan as providing opportunities for increased jobs and/or population.

The Official Plan states that "*Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing." However, not all *Mixed Use Areas* will experience the same scale or intensity of development. The policies of *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

Official Plan Policy 4.5.2 provides Development Criteria for *Mixed Use Areas*, which include:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;

- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Other Official Plan policies applied in the evaluation of the proposal include the Healthy Neighbourhoods Policy 2.3.1, 3.1.1 (Public Realm), 3.1.2 (Built Form), and 5.1.1 (Section 37 – Height and/or Density Incentives).

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

http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_aug2007.pdf

Zoning

On May 9, 2013, City Council enacted the new City wide Zoning By-law No 569-2013. The site is not subject to the New Zoning By-law.

The site is zoned Commercial-General Zone (C1) by former Town of Leaside Zoning By-law No. 1916. (see Attachment 4 – Zoning). The current zoning permits a wide range of retail, service and office uses as well as dwelling units over a permitted commercial use. The current zoning permits a maximum building height of 12.2 metres and a maximum coverage or density of 0.80 FSI. Under the current zoning, buildings are required to be set back a minimum of 6m from the front property line, 3m from the side which abuts a residential zone with a setback equal to 20% of the lot depth from the rear lot line.

Site Plan Control

The property is subject to Site Plan Control. No application for Site Plan Control approval has been submitted.

Reasons for the Application

The proposed development requires an amendment to the former Town of Leaside Zoning By-law to permit residential uses as a standalone use, as well as to increase the permitted height and density of development. Appropriate standards regarding gross floor

area, height, setbacks, parking and other matters would be established through a site specific exception.

Ontario Municipal Board Appeal

On April 15, 2013 the City Clerk's Office received notification that the applicant filed an appeal of the Zoning By-law Amendment application to the OMB, citing Council's failure to make a decision on the application within the prescribed timelines of the Planning Act. A pre-hearing conference was held on July 22, 2013. A second prehearing is scheduled November 22, 2013. The full hearing is scheduled for five days commencing February 17, 2014.

Community Consultation

On September 24th, 2012, a community consultation meeting was held at St. Anselm's Anglican Church. Approximately 180 members of the public attended along with the applicant and their consultants, the Ward Councillor and City Planning and Transportation Services staff. Issues raised during the discussion of the proposal, which have been considered in the review of the application, were related to the following matters:

- Compatibility of proposed development with existing character of the area;
- Height, scale and massing of the proposed building;
- The proposed building does not provide an appropriate transition in scale to adjacent properties in particular, to the existing townhouses on Krawchuk Lane;
- The proposed building height and density represents a significant amendment to the current zoning, undermines the integrity of the Official Plan and would create a negative precedent for future development applications in the area;
- Light, view and privacy impacts on adjacent properties;
- Traffic and neighbourhood parking;
- Safety concerns regarding the intersection Malcolm Road/Millwood Drive due to its close proximity to the Laird Drive intersection;
- The loss of mature trees;
- The proposed outdoor refuse collection arrangement would generate noise, fumes/odour and pest concerns; and
- The proposal will create a nuisance during the construction phase (i.e., noise, dust, fumes, mud, debris, vibration, traffic and on-street parking).

Working Group Meetings

Following the Community Consultation meeting, the Ward Councillor organized a working group to further evaluate the proposed development.

The first working group meeting was held on August 21, 2012. The meeting was attended by City Planning staff, the Ward Councillor and residents within the immediate vicinity of the site. The meeting gave residents an opportunity to review the submission in detail, discuss their specific concerns with Planning staff and Ward Councillor and discuss the planning framework that guides development of the site.

The second meeting was held on October 29, 2013 after the community consultation meeting. The meeting was attended by City Planning and Urban Design staff, the Ward Councillor, area residents and the applicant with their consultant team. The meeting gave the applicant an opportunity to present their proposal and describe the planning and urban design merits of the proposal. The issues raised at the community consultation meeting dealing with built form and massing, urban design, setbacks and open space, traffic and parking impacts, shadow, privacy and overview impacts and the proposed loading activities were discussed in more detail.

In response to the concerns conveyed by residents at the community consultation meeting, the working group, and from comments received from City Planning's initial circulation of the application, the application was formally amended with revised plans received March 1, 2013. The gross floor area, density, number of dwelling units and parking spaces have been reduced since the original submission. The submission also included: provision for an indoor garbage pick up with the refuse bins and recycling bins located within the building envelope; providing additional setback from the intersection of Millwood Road and Malcolm Road and creating outdoor patios along both street frontages; extending the ground floor corridor to allow a pedestrian entrance to the building from Millwood Road; providing 5 townhouse units with private patios along Krawchuk Lane to relate to the existing 3-storey townhouses on the south side of Krawchuk lane and reinforce its character; providing additional amenity in the form of an outdoor rooftop terrace; redesigning the massing of the building by incorporating transition measures including setbacks, step-backs and angular planes to limit shadow and overview; relocating the ground floor indoor amenity room to the 3rd and 4th floors to enable the building entrance to be shifted closer to the on-site drop-off area.

Subsequent to this formal submission, on March 28, 2013, the applicant appealed the application to the OMB.

On July 9th, 2013, Planning staff, the Ward Councillor, two immediate neighbours and a member of the Leaside Home Owners Association met in a neighbour's home to discuss the appeal and Ontario Municipal Board process in anticipation of the first pre-hearing held on July 15, 2013.

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 recommendations. Due to the timing of the appeals, certain outstanding design and technical requirements remain to be addressed to the satisfaction of City staff. Accordingly, staff are recommending these outstanding requirements be secured through the Zoning By-law Amendment provisions and the Site Plan Approval conditions, prior to the OMB issuing any Orders on the appeal.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) promotes intensification and redevelopment opportunities through a more compact building form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Staff have reviewed the proposal and determined that it is consistent with the PPS and conforms to, or does not conflict with, the Growth Plan for the Greater Golden Horseshoe.

Policy 1.1.3.2 promotes densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and a range of uses and opportunities for intensification and redevelopment. Policy 1.1.3.3 provides that planning authorities identify and promote opportunities for redevelopment and intensification. The site is designated *Mixed Use Areas* in the Official Plan, a designation which anticipates accommodating most of the retail, employment and housing growth in the coming decades.

Policy 1.1.3.4 indicates that appropriate development standards should be promoted to facilitate intensification, redevelopment and compact form. Subject to resolving staff's built form recommendations, the proposed development will promote intensification and compact urban design within the *Mixed Use Areas* along the west side of Laird Drive to Eglinton Avenue East.

Policy 1.4.3 requires provisions be made for an appropriate range of housing types and densities to meet the projected requirements of current and future residents. The Statement directs that this be accomplished through facilitating all forms of residential intensification and redevelopment and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of public transit. The proposed residential development addresses this policy by providing an additional housing type with a range of unit sizes in this neighbourhood which is currently predominantly made up of single family homes. Additionally, it efficiently utilizes existing infrastructure through increased density.

Policy 1.6 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports development of viable choices and plans for public transit and alternative transportation modes. The proposed development is located on an established existing transit route along Laird Drive which will connect to the Eglinton-Crosstown LRT at Laird Drive.

Similarly, Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The proposal conforms to the Growth Plan. Section 2.2.2 of the Plan seeks to accommodate population growth by directing new growth to built up areas through intensification. Additionally the Plan strives to reduce dependence on the automobile through the development of mixed-use, transit supportive, pedestrian friendly. The proposed development is served by public transit and promotes better use of land and infrastructure by directing growth to an already built up urban area.

Land Use

The *Mixed Use Areas* land designation of the Official Plan permits a broad range of commercial, residential and institutional uses in single use or mixed use buildings. The proposed single use residential building is consistent with the land use provisions of the Official Plan and appropriate for this site.

Height, Massing and Density

This proposal has been reviewed against the policies of the Official Plan as a whole.

Policy 4.5.2c) directs new buildings in *Mixed Use Areas* to provide transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*. This objective is also interrelated with Policy 2.3.1 – Healthy Neighbourhoods, which states that, at the boundary points between neighbourhoods and growth areas, development in the *Mixed Use Areas* must demonstrate a transition in height, scale and intensity to ensure the stability and general amenity of the adjacent residential area are not adversely affected.

Policy 2.3.1(3) directs new development to protect *Neighbourhoods* and be planned in a way that respects the existing and/or planned street proportion and states that "intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that neighbourhoods are protected from negative impact." Policy 3.1.2.3 – Built Form states that "new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties" by "creating appropriate transitions in scale to neighbouring existing and/or planned buildings" and "providing for adequate light and privacy."

The building siting, use of setbacks/step backs and the use of angular planes to sculpt the proposed 7-storey development is generally in keeping with the development criteria for "*Mixed Use Areas*" in Section 4.5 of the Official Plan, Healthy Neighbourhoods Policy 2.3.1, and the Built Form policies in Section 3.1.2. It is staff's view the relationship of the building to surrounding streets would result in a comfortable street proportion and would have acceptable shadow and skyview impacts on the adjacent lands designated *Neighbourhoods* subject to the recommendations outlined in this report. The relationship of the building to the adjacent *Neighbourhood* lands is discussed in detail in the next two sections of this report.

In accordance with Built Form policy 3.1.2.3a) the proposed building has been designed to frame the edges of Millwood Road and Malcolm Road with stepped building heights along the street edges that respect the varying street proportions and the scale of adjacent buildings. The proposal incorporates varying step backs along the Millwood Road of 3 to 7 storeys and along Malcolm Road of 4 to 7-storeys. The 6th and 7th floors of the buildings (along both street frontages) step back 2 metres and 5 metres respectively from the main face of the building and are finished in glazing material. The lower floors are finished in brick.

Built Form policy 3.1.2.1a) provides direction to development located on a corner lot such as the subject site. The policy states new development should be located and organized along both street frontages and give prominence to the corner and if the site ends a street corridor development should acknowledge the prominence of that site.

While not directly at the end of a view terminus, and not at the most prominent location on Laird Drive, the site still falls within a view corridor from the southern approach of Millwood Road as it emerges from the railway underpass. The site is visible across the open parking lot of Leaside Memorial Gardens site and the extensive right-of-way width at the intersection of Laird Drive and Millwood Road. The highest portion of the building is located at the corner of Millwood Road and Malcolm Road and the Millwood Road façade would fall within this view corridor (see Attachment 4: Building Mass Model). From a policy perspective the proposed height is considered appropriate, particularly in view of the existing right-of-way width along this portion of the site. However, staff is concerned the proposed massing and design of the corner element visually dominates the building and is recommending the design be refined to reduce its bulk and mass.

The application proposes a gross floor area of 7,375 m² which results in a density of 3.4 FSI. Given the intensification objectives of the PPS and the Official Plan, staff can support an increase in density on this site and are of the opinion that a density of 3.4 times the area of the lot is appropriate. The proposed density allows for a built form that meets the *Mixed Use Areas* development criteria of the Official Plan, as well as the goals and objectives of the land use designation, and is therefore appropriate and supportable, subject to the applicant providing an appropriate transition to the *Neighbourhood* west and south of the site and refining the design of the corner element at Millwood Road and Malcolm Road.

Light and Privacy

Concerns were expressed at the community consultation meeting and working group sessions that the development will create undesirable overlook and privacy concerns for the existing residents located north, west and south of the development.

Built Form Policy 3.1.2 directs that new development be designed to limit its impact on neighbouring properties by providing for adequate light and privacy. The purpose of this policy is to ensure that the distance between main residential windows/balconies/terraces and property lines is adequate to permit residential units to have access to day light and to visual privacy separation between facing windows/balconies/terraces of adjacent buildings. In this case, the proposed dwelling units and windows/balconies/terraces are oriented to overlook Malcolm Road to the north, the front and sides of townhouses on Krawchuk Lane to the south, Millwood Road to the east, and the rear and side yards of single family homes to the west.

To the south of the proposed building are three-storey townhouses which contain main residential windows looking onto Krawchuk Lane. The townhouses are setback 2 metres from the lane. The south façade of the proposed building has windows/juliet balconies/terraces looking onto Krawchuk Lane. The proposed 3-storey townhouse base

of the building is setback 6 metres from the lane to create a 14 metre separation zone. The floors above the townhouse base would step back 3 metres at each level and fall beneath a 45 degree angular plane measured from the main face of the proposed townhouses (refer to West Elevation on Attachment 3). Staff is recommending the building massing along the south side of the building facing Krawchuk Lane be revised so that the height of the building, or any portion thereof, does not exceed the horizontal distance separating the building or portion thereof measured from the front property line of the existing townhouses facing Krawchuk Lane (beginning at No. 1 Krawchuk Lane). This 45 degree transition would provide more appropriate access to day light and a visual privacy separation for the existing townhouses facing the lane. In view of the orientation of the existing 3-storey townhouse form buildings fronting Millwood Road, with no windows facing the lane and rear yard driveway/parking areas, staff can support the proposed building transition at this corner of the building along Millwood Road (refer to East Elevation on Attachment 3).

To the west, at 23 Malcolm Road, the single detached dwelling has windows looking onto the subject site. The west façade of the proposed building also has windows, balconies and terraces looking onto Krawchuk Lane. The lower portion of the proposed building (4-storeys) is setback 12.4 metres from the west property line and the windows on 23 Malcolm Road are set back 3 metres from the property line to create a separation distance over 15 metres. The upper floors (5 to 7) would step back 3 metres at each level and fall beneath a 45 degree angular plane measured from the west property line. The existing grade along the west property line slopes approximately 1.5 metres from the south (Krawchuk Lane) to the north (towards Malcolm Road). The proposed transition appears to be measured from the highest point of the property line. Staff is recommending the height of the building, or any portion thereof, not exceed the horizontal distance separating the building or portion thereof measured from a point taken from at the mid-point of the west property line (adjacent to the existing dwelling at 23 Malcolm Road).

Directly opposite the site, on the north side of Malcolm Road is a Sunoco gas station and the front yards of two-storey single detached dwellings. The distance between facing windows, balconies or terraces is approximately 30 metres.

It is noted, directly opposite the site, on the east side of Millwood Road, is a surface parking for Leaside Memorial Community Gardens/Arena.

It is staff's view that subject to the applicant addressing the staff recommendations noted above on transition, the proposed development, with changes, will have acceptable built form impacts on the adjacent lands designated *Neighbourhoods*.

Sun & Shadow

Policy 4.5.2d) of the Official Plan requires new buildings in *Mixed Use Areas* to be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the Spring and Fall equinoxes. Lands designated *Neighbourhoods* are situated immediately north, west and south of the site.

In order to assess shadow impacts, shadow studies were undertaken for the proposed building. The shadow studies submitted by the applicant indicate the incremental shadows produced by the proposed height and massing would generally result in acceptable shadow impacts on the adjacent lands. The shadow impacts will further improve as a result of staff's recommendations on building transition.

During the Spring and Fall equinoxes, between the hours of 9:18 a.m. and 10:18 a.m., there would be incremental shadows cast on the property at 23 Malcolm Road located immediately west of the site. There are no shadow impacts on the other surrounding properties during these hours and at no time during the Summer solstice do shadows cast from the proposed development reach properties within the surrounding low scale neighbourhood.

Streetscape

Policy 3.1.2 of the Official Plan requires that new development frame and support adjacent streets to improve the safety, pedestrian interest and casual views to the street from the development by: generally locating buildings parallel to the street with a consistent setback; by locating building entrances so that they are clearly visible and directly accessible from the public sidewalk; and by providing ground floor uses that have views into and wherever possible, access to, adjacent streets. Additionally, policy 4.5.2f) requires development in *Mixed Use Areas* to provide attractive, comfortable and safe pedestrian environments.

The building would be aligned along both street edges and along the public lane to provide an appropriate street definition for this building type. The ground floor uses along all three public spaces will support these spaces with grade related units that have views into adjacent streets and in the case of the townhouses adjacent to the public lane direct access to the lane. The proposed setbacks will accommodate lighting, landscaping and private patios to promote "eyes on the street" and a comfortable and safe pedestrian environment. The proposal also incorporates a 1.5 metre wide walkway connecting the grade related units on the lane to the public sidewalk on Millwood Road and extending the ground floor corridor to provide a secondary pedestrian entrance to the building from Millwood Road.

Staff are concerned with the streetscape at the corner of Millwood Road and Malcolm Road. The applicant is proposing to maintain the existing grades on the site which slope down from Krawchuk Lane towards Malcolm Road. As a result, there would be a 2 metre grade difference between the proposed finished floor elevation of the building and the existing grade on the public sidewalk. Staff recommends this relationship be improved by lowering the proposed finished floor at this corner of the building to create a more attractive streetscape.

Subject to the applicant addressing the above noted grading issue, the proposal addresses this policy objective.

Amenity Space

Policy 3.1.2.6 of the Official Plan states that significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of new development. The policy goes on to state each resident will have access to outdoor amenity space such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces. Similarly, policy 4.5.2k) of the Plan reiterates the need to provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development in Mixed Use Areas. The Plan is not prescriptive as to the location or amount of open space rather each application is assessed based on its own merits and context.

A total of 211 m² of common amenity space is proposed consisting of 90 m² on the 3rd and 4th floors (1.2 m²/dwelling unit) and 121 m² of outdoor amenity space (1.65 m²/dwelling unit) on the rooftop terrace looking the intersection of Malcolm Road and Millwood Avenue. The modest amount of outdoor space is supplemented by private balconies and terraces to the majority of the 78 units. Staff can accept the amount of amenity space given the modest size of the building but would be reluctant to support these rates for a larger development.

The amending Zoning By-law for the site should incorporate these minimum performance standards.

Traffic Impact

The Official Plan states development in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of the *Neighbourhood*. The Plan goes on to state the functioning of the local road network of streets in neighbourhoods will be improved by discouraging parking on local streets for non-residential purposes. It is noted there non-residential uses are not proposed within this development.

A Traffic Impact Study was submitted and reviewed by Transportation Services staff. The study examines traffic generated by future residents of the proposed building in the context of existing, under construction and approved development in the area. The report also includes a scenario which assesses the impacts of the project on the planned elimination of the eastbound channelized right-turn lane at the Laird Drive/Millwood Road intersection. A Transportation Update letter was also submitted to provide a summary update of the transportation related aspects of the development proposal.

The Transportation Update letter estimates that the project will generate approximately 25 and 20 two-way trips during the AM and PM peak hours, respectively. Given this level of estimated trips, the consultant concludes that the traffic impacts of the proposed development are small and that the net new site related traffic activity can be acceptably accommodated at the area signalized intersections. The traffic operations analyses that was undertaken has indicated that the area road system and key intersections in the site vicinity operate acceptably today and in the future with the addition of new traffic related

to other area development without the need for any physical improvements. The findings and conclusions of the study have been accepted by Transportation Services staff.

Transportation Services is recommending the applicant contribute funds towards the cost of eliminating the eastbound channelized right-turn lane.

Transportation Services note there was consideration in the initial proposal to changing all or a portion of Malcolm Road from its current one-way westbound operation to two-way operation in order to respond to concerns expressed by area residents. However, based on the current submission and the Transportation Update letter, the applicant is not pursuing a change in the operation of Malcolm Road as it is not explicitly required to accommodate site traffic volumes.

A concern was raised at the community consultation meeting regarding unsafe turning movements at the intersection of Malcolm Road and Millwood Road. Aside from eliminating the eastbound channelized right-turn lane at the Laird Drive/Millwood Road intersection, Transportation Services staff have not recommended any further changes in the design of the local road network.

Access

Vehicular access and servicing is provided at the west end of the site from a driveway which enters from Malcolm Road. A second existing driveway access to Krawchuck Lane is proposed to be closed. Malcolm Road operates as a one-way westbound roadway connecting Millwood Road to Randolph Road. Given the current operation of the roadway, only left-in and left-out movements will be permitted at the proposed entrance driveway.

Transportation Services staff advise the location of the entrance driveway along with its intended operation is generally acceptable. However, Transportation Services staff further advise that additional comments related to access design and operation, site circulation and site layout will be provided through the site plan review process.

Parking

Official Plan policy 4.5.2h) and 4.5.2i) requires development in *Mixed Use Areas* to take advantage of nearby transit services and provide an adequate supply of parking for residents and visitors. The application proposes 2 short term surface parking spaces near the entrance lobby of the building and 94 parking spaces in three levels of underground parking comprising 79 spaces for tenants and 15 spaces for visitors.

Transportation Services staff support the proposed supply and are recommending minimum parking rates of 0.9 parking spaces per one bedroom unit; 1.0 parking spaces per two bedroom unit; 1.2 spaces per three bedroom unit; and 0.20 spaces per unit allocated for visitors. These rates would be secured in the implementing Zoning By-law.

Bicycle Parking

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City. The applicant proposes to provide a total of 59 bicycle parking spaces consisting of 47 occupant spaces and 12 visitor spaces. These rates would be secured in the implementing Zoning By-law. Details related to the design and location of the spaces would be secured through the Site Plan approval process.

Loading Facilities

Official Plan policy 4.5.2j) requires service areas, ramps and garbage storage to be located and screened to minimize the impact on adjacent streets and residences.

In response to concerns expressed by immediate neighbours, the applicant has revised the service area, ramp and garbage storage/pick-up arrangements for the development. The facilities would be contained within the building with overhead doors to ensure these areas are not visible from adjacent streets and properties.

One Type G loading space would be provided for this development. Transportation Services advise the provision of a single loading space is acceptable as it meets the minimum requirements of Zoning By-law 1156-2010.

The Transportation Update letter filed with the revised submission contains a set of vehicular swept path drawings which indicate that applicable design vehicles can access the proposed loading space and enter/exit the public right-of-way system in a forward motion. Transportation Services staff have indicated this is acceptable however they have advised additional design related comments will be provided through the site plan review process.

Servicing

The applicant submitted a Functional Servicing Report which concludes that full sewer and water services can be provided to the proposed development, including necessary utility infrastructure. The applicant also submitted a stormwater management report in support of this proposal. City Engineering staff the reports however additional engineering detail must be provided before staff can provide final approval.

This report recommends the OMB be requested to withhold its Order until the applicant has addressed the outstanding matters to the satisfaction of Engineering and Construction Services and at no cost to the City of Toronto.

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 local parkland provisions across the City. The lands which are the subject of this application are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The

site is in the third highest quintile of current provision of parkland. The site is in a parkland priority area, as per Harmonized Parkland Dedication By-law 1020-2010.

The application proposes 78 units on a total site area of 0.2148 hectares (2,148 m²). At the alternative rate of 0.4 hectares (4,000 m²) per 300 units specified in By-law 1020-2010, the parkland dedication would be 0.0214 hectares (214 m²) which equates to 10% of the site area.

The parkland dedication is considered too small to be functional. Therefore, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

Tree Preservation

The applicant has provided a tree inventory plan that indicates there are 9 trees on or near the site that meet the size criteria for protection under the City's tree by-laws. The owner will be required to obtain the necessary permits prior to removing any trees pursuant to Private Tree Protection By-law No. 780-2004 and the 'Trees On City Streets' By-law.

Urban Forestry advises the Arborist Report submitted with the application proposes the removal of one private tree on the site that qualifies for protection under the Private Tree By-law and the removal of one private tree situated on an adjacent property (23 Malcolm Road) that would also qualify. Urban Forestry advises where it is not possible to adequately protect or retain the two trees it will necessary for the applicant to submit an application requesting permission to injure or destroy the trees. The required application will need to include a Letter of Consent from the abutting property owner in order to complete the application.

Urban Forestry also advises the Arborist Report proposes the removal of 7 City trees along Malcolm Road and Millwood Road that qualify for protection under the 'Trees On City Streets' By-law. The applicant will be required to complete an application to remove the trees and prior to removal Urban Forestry staff requires a payment of \$14,291.60 representing the amenity value for the trees.

The applicant is proposing to plant 11 Red Oak and London Plane trees on the Malcolm Road and Millwood Road public boulevards adjacent to the site with a spacing ranging from 4.2 metres to 7.2 metres. Urban Forestry is not in agreement with the proposed tree spacing as there would not be adequate room for large growing canopy trees. They are requiring a tree spacing of 8 to 10 metres.

The requirements of Urban Forestry Services would dealt with through the Site Plan Control process and included in Notice of Site Plan Approval conditions.

Built Form policy 3.1.2 of the Official Plan encourages the preservation of existing mature trees wherever possible and incorporating them into landscaping design. Planning

staff will work with the applicant and Urban Forestry staff to preserve as many trees as possible through the Site Plan approval process.

Toronto Green Development 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 Zoning By-law would secure performance measures for the Tier 1 development features which include providing minimum number of parking spaces and securing weather protected bicycle parking spaces. Other applicable TGS performance measures would be secured through the Site Plan approval process including: landscape treatments and green roofing techniques to reduce the urban heat island effect; incorporating landscaped areas with water efficient plants and native species and capturing stormwater for irrigation or grey water; the provision of user-friendly and accessible handling and storage facilities for recyclable materials and organic waste; and stormwater management/retention.

Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvements above and beyond the parkland dedication; public art; streetscape improvements on the public boulevard not abutting the site; and other works detailed in Section 5.1.1.6 of the Official Plan.

Section 37 may also be used as may otherwise be agreed upon, subject to the policies contained in Chapter 5 of the Official Plan. The community benefits must bear a reasonable planning relationship to the proposed development including at a minimum, an appropriate geographic relationship and the addressing of planning issues associated with the development (e.g., local shortage of parkland, provision of new parks facilities).

Section 5.1.1.4 of the Official Plan allows Section 37 of the Planning Act to be used for all developments with a gross floor area of more than 10,000 square metres and when the proposed zoning by-law amendment increases the permitted gross floor area by at least 1,500 square metres, and/or when there is a significant increase in height. In this case, while the gross floor area of the proposed development is 7,375 square metres, it is staff's view the proposed height increase above the height permitted by former Town of Leaside Zoning By-law 1916 (i.e., 4 storeys or 12.2 metres to 7 storeys or 22.6 metres) would be subject to Section 37 benefits.

Due to the timing of the appeals, the process to identify appropriate community benefits has not been completed. Section 37 contributions for recently approved developments in the area have included the provision of a landscaped centre median on Laird Drive and a

cash payment towards the cost of constructing and equipping the expansion to Leaside Memorial Gardens. On a preliminary basis, based on issues conveyed to Planning staff through the consultation process on this application, Section 37 considerations for this application could also include matters pertaining to improving the pedestrian environment on Krawchuk Lane and/or improvements to the signalized intersection of Laird Drive and Millwood Road including landscaping. Other benefits will be explored in consultation with the Ward Councillor.

Planning staff have commenced the process to determine the appropriate community benefits and the quantum of the benefits prior to the OMB hearing.

This report recommends that City Council instruct the City Solicitor, City Planning staff and any other City staff to attend the OMB hearing generally in support of the revised proposal, provided that appropriate facilities, services and matters pursuant to Section 37 of the *Planning Act* are secured in an agreement registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor prior to the issuance of the Board's Order.

Tenure

All units will be part of a condominium corporation. An application for draft plan of condominium approval will be required.

School Boards

The Toronto District School Board advises there is insufficient space at the local schools to accommodate students from the development. The Board indicated that students may be accommodated in facilities outside the area until adequate funding or space becomes available and is recommending potential purchasers be advised on the status of accommodation and busing through appropriate agreements.

The Toronto District Catholic School Board did not provide any comments on the application.

Site Plan Control

The property is subject to Site Plan Control. No application for Site Plan Control approval has been submitted.

This report recommends the OMB be requested to withhold its Order until the owner files an application for Site Plan Control approval and Notice of Approval Conditions have been issued by the Director, Community Planning, North York District. This will ensure matters pertaining to the design of the building and technical concerns of Engineering and Construction Services will be addressed to staff's satisfaction and appropriately align with a rezoning approval.

Construction Management

One of the concerns expressed by the local community related to demolition and construction activity and the related off-site impacts. As a condition of Site Plan Control approval, the applicant will be required to submit a Construction Management Plan to the satisfaction of Engineering and Construction Services in consultation with the Director of Community Planning. The plan will include information regarding the demolition and construction timetable and protocols to address construction activities such as noise, dust, temporary loss of facilities and services, parking of vehicles, standards for cleanliness of public spaces and contact numbers for complaints.

CONTACT

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Fax No. (416) 395-7155

E-mail: sforrest@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North and South Elevations

Attachment 3: East and West Elevations

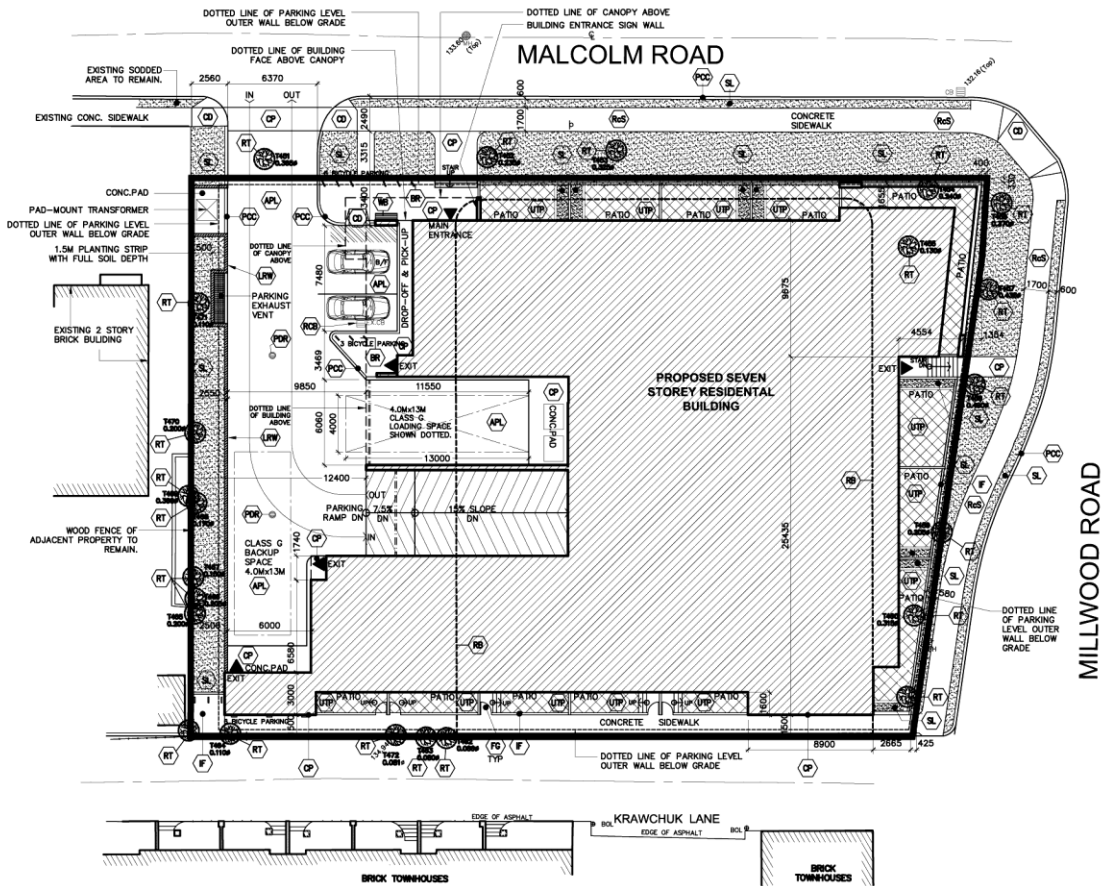
Attachment 4: Building Mass Model

Attachment 5: Zoning

Attachment 6: Official Plan

Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

2 Laird Drive

Applicant's Submitted Drawing

Not to Scale
07/15/2013

File # 12 126026 NNY 26 0Z

Attachment 2: North and South Elevations



North Elevation



South Elevation

Elevations

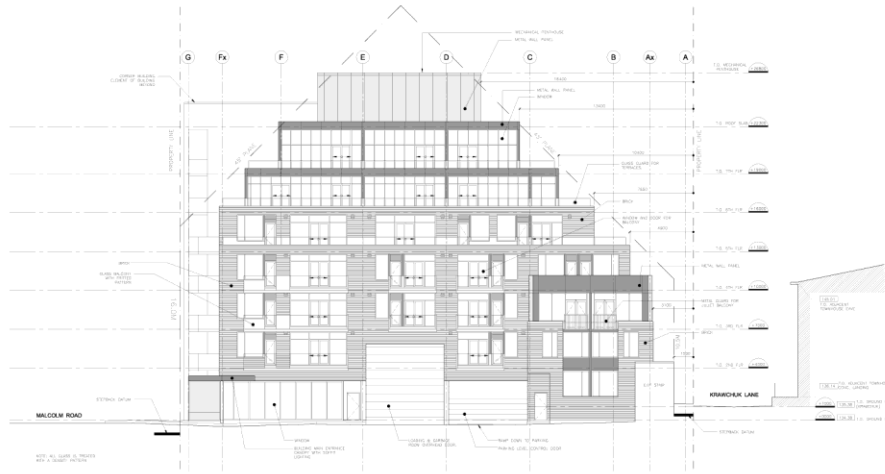
Applicant's Submitted Drawing

Not to Scale
05/13/2013

2 Laird Drive

File # 12 126026 NNY 26 0Z

Attachment 3: East and West Elevations



West Elevation



East Elevation

Elevations

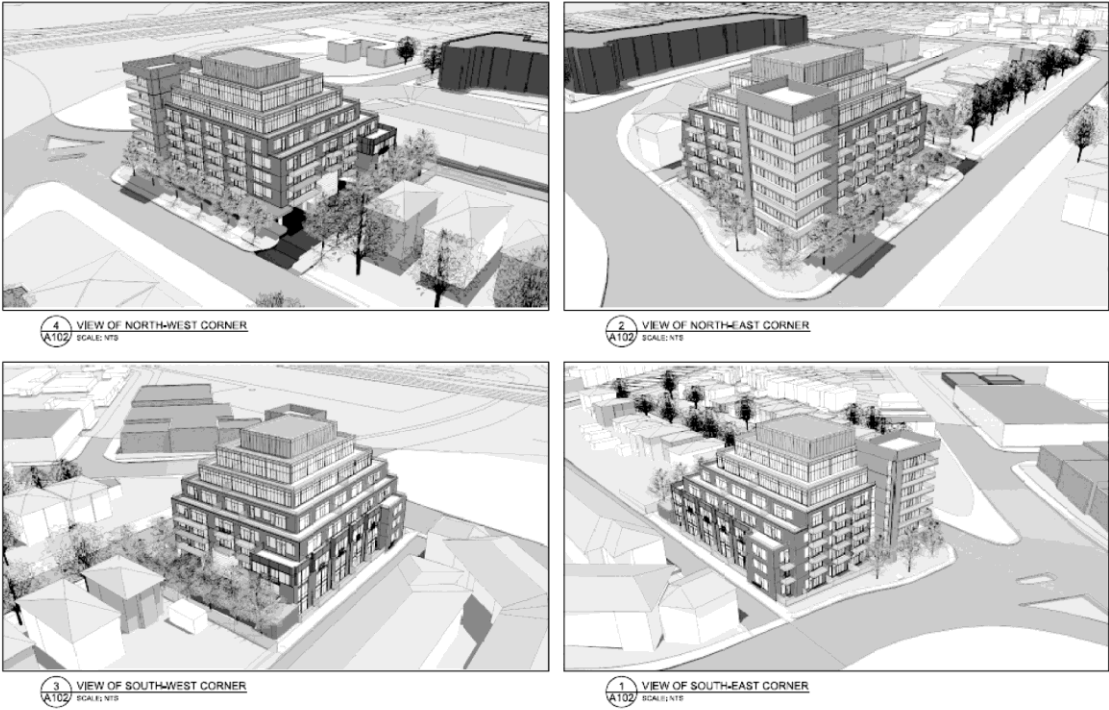
Applicant's Submitted Drawing

Not to Scale
05/13/2013

2 Laird Drive

File # 12 126026 NNY 26 0Z

Attachment 4: Building Mass Model



Building Mass Models

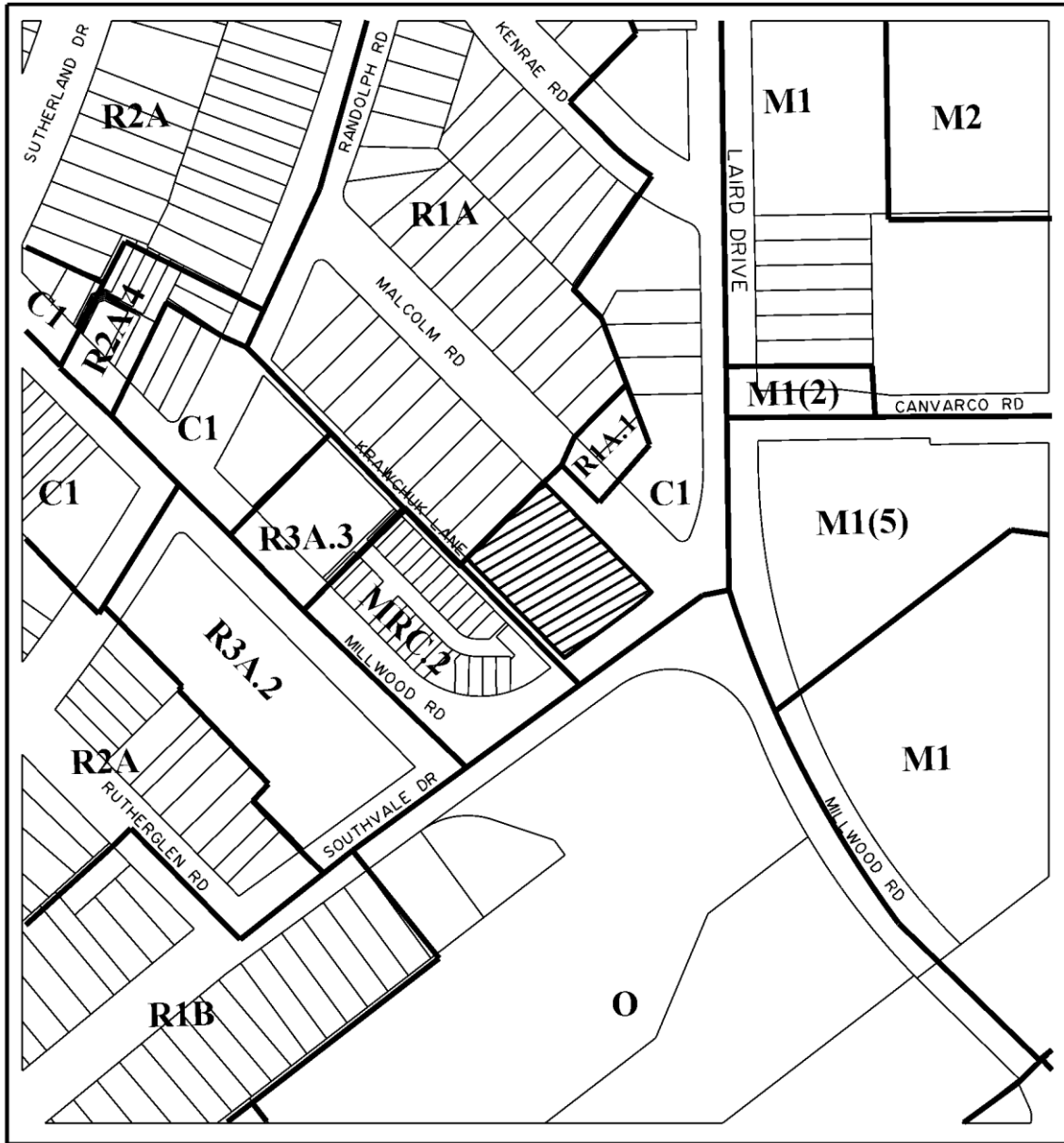
2 Laird Drive

Applicant's Submitted Drawing

Not to Scale
07/15/2013

File # 12 126026 NNY 26 0Z

Attachment 5: Zoning




Toronto City Planning
Zoning

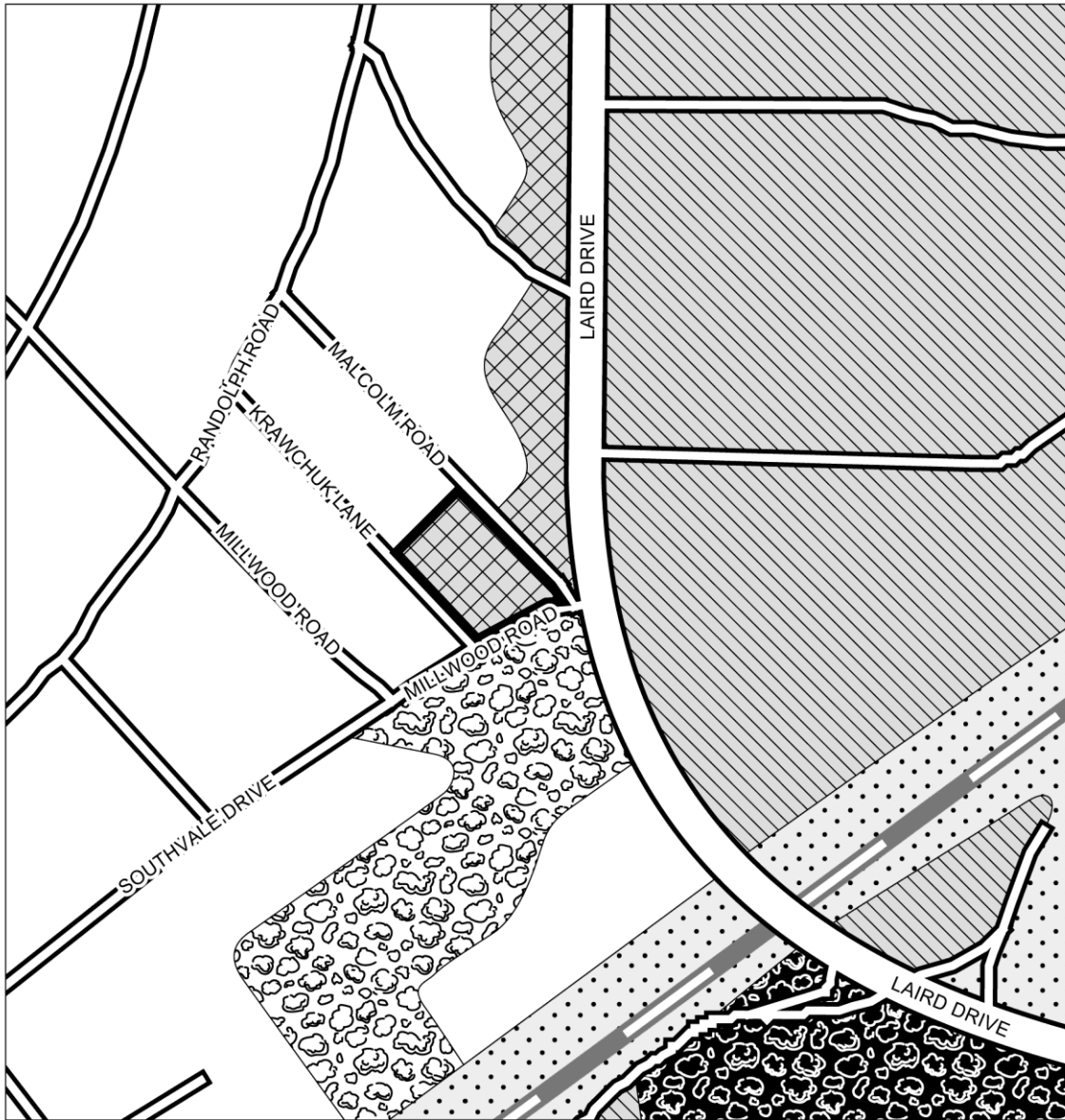
2 Laird Drive
 File # 12 126026 NNY 26 02

R1A	Low Density Residential	C.1	Commercial - General
R1B	Low Density Residential	M.1	Light Industrial
R2A	Medium Density Residential	M.2	General Industrial
R3A	High Density Residential	O	Open Space (Parks)

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category


 Not to Scale
 Zoning By-law 7625
 Extracted 03/07/2012

Attachment 6: Official Plan



TORONTO City Planning
Official Plan

2 Laird Drive

File # 12 126026 NNY 26 0Z



Not to Scale
 08/20/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	12 126026 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	February 22, 2012

Municipal Address: 2 LAIRD DR
 Location Description: PLAN 2120 LOT 830 TO 834 **GRID N2603
 Project Description: Zoning By-law Amendment application to permit a 7-storey, 78-unit residential building with 94 parking spaces (2 surface, 92 below grade) on a *Mixed Uses Areas* site at 2 Laird Drive. The proposed building would have a gross floor area of 7,375 square metres resulting in a density of 3.4 FSI.

Applicant:	Agent:	Architect:	Owner:
DAVID BRONSKILL		KEARNS MANCINI	KCAP LAIRD INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	C1	Historical Status:
Height Limit (m):	12.2	Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m):	2148	Height:	Storeys:	7
Frontage (m):	56.6		Metres:	22.38
Depth (m):	39.6			
Total Ground Floor Area (sq. m):	1138.44			Total
Total Residential GFA (sq. m):	7375		Parking Spaces:	94
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	7375			
Lot Coverage Ratio (%):	53			
Floor Space Index:	3.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	7375	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	22	Office GFA (sq. m):	0	0
2 Bedroom:	32	Industrial GFA (sq. m):	0	0
3 + Bedroom:	20	Institutional/Other GFA (sq. m):	0	0
Total Units:	74			

CONTACT:	PLANNER NAME:	Steve Forrester, Senior Planner
	TELEPHONE:	(416) 395-7126