

**126-132 Laird Drive, 134 Laird Drive & OPA 450 OLT  
Appeals – Request for Further Directions**

**Date:** March 29, 2022

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 15 - Don Valley West

**Planning Application Numbers:** 20 181262 NNY 15 OZ, 20 181297 NNY 15 OZ

**REASON FOR CONFIDENTIAL INFORMATION**

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This report is about litigation or potential litigation that affects the City or one of its agencies or corporations. This report contains advice or communications that are subject to solicitor-client privilege.

**SUMMARY**

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The Owner of the properties at 126 to 132 Laird Drive (the "South Lands") and 134 Laird Drive (the "North Lands") made applications to amend the Zoning By-law and for Site Plan Control to permit an 8-storey residential building on each of the two sites. The applications were deemed complete on August 17, 2020.

The applications were appealed by the Owner to the Ontario Land Tribunal ("OLT") on May 17, 2021 citing Council's failure to make a decision within the time allotted by the *Planning Act*.

The City Solicitor requires further direction from City Council in respect of this matter prior to the OLT hearing that is scheduled to commence in November 2022.

City Planning has been involved in the preparation of this report.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential at the discretion of the City Solicitor, as it contains advice that is subject to solicitor-client privilege.
4. City Council authorize the public release of the confidential information and documents in Confidential Attachments 2 and 3 to the report (March 29, 2022) from the City Solicitor if the confidential recommendations in Confidential Attachment 1 are adopted by City Council.

## **FINANCIAL IMPACT**

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Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

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### **Laird in Focus Site and Area Specific Plan (SASP)**

In 2016 City Planning staff initiated the Laird in Focus study which resulted in recommendations respecting a planning framework and urban design guidelines for the Laird Drive and Eglinton Avenue East area that were adopted by City Council on November 27, 2019. At this meeting City Council adopted amendments to the Official Plan (Official Plan Amendment 450, or "OPA 450") comprised of a Site and Area Specific Policy ("SASP 568") applicable in certain areas including the properties located on the west side of Laird Drive between Millwood Road and Vanderhoof Avenue.

OPA 450 was appealed to the LPAT (now the "OLT" or "Tribunal") by two appellants, including the owner of the 126-132 and 134 Laird Drive properties. After the second Case Management Conference was held on May 17, 2021, OPA 450 came into force and effect except with respect to the specific policies appealed by the appellants with respect to their properties, including 126-132 and 134 Laird Drive.

### **Preliminary Reports**

On November 4, 2020, North York Community Council considered Preliminary Reports from the Acting Director, Community Planning, North York District, dated October 12,

2020 for the application at 126-132 Laird Drive, and 134 Laird Drive. North York Community Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY19.5>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY19.6>

### **Request for Directions Reports**

On November 9, 10 and 11, 2021, City Council considered Request for Directions Reports dated September 23, 2021 regarding the applications submitted for 126-132 Laird and 134 Laird and directed the City Solicitor, together with appropriate City staff, to attend the OLT hearing to oppose the Zoning and Site Plan applications in their current form. City Council's decisions can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY27.4>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY27.5>

A first Case Management Conference for the appeals related to both sites took place at the OLT on November 29, 2021, concurrently with the third CMC for the OPA 450 appeals. The OLT issued an order consolidating the Zoning and Site Plan appeals for 126-132 and 134 Laird with the related appeal of certain OPA 450 policies and scheduled a 9-day hearing to begin on November 14, 2022 to address all of these matters.

## **SITE AND SURROUNDING AREA**

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The North Lands (134 Laird) are composed of a rectangular parcel with a frontages of 53.3 metres on Laird Drive to the east and 39.7 metres on Stickney Avenue to the south and are currently occupied by an existing 1-storey automotive service and dealership building.

The South Lands (126 and 132 Laird) are composed of a rectangular parcel with a frontage of 67.9 metres on Laird Drive to the east and 36.2 metres on Stickney Avenue to the north and are currently occupied by two 1-storey buildings: a car dealership with associated surface parking and an automotive repair shop.

**North:** To the north of the North Lands is a site that has been rezoned to permit two residential buildings of 7 and 8 storeys and further north is a 2-storey restaurant.

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

**West:** To the west of both sites is a low-rise residential neighbourhood of 1 to 2-storey detached dwellings.

**East:** On the east side of Laird Drive are two 2 storey car dealerships and 1 and 2 storey industrial and commercial buildings.

## **COMMENTS**

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This report is about potential litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege. Confidential Attachments 1, 2 and 3 to this report contain confidential information and should be considered by Council in camera.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor



## **ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Confidential Information
3. Confidential Attachment 3 - Confidential Information