

Authority: Ontario Municipal Board Decision
issued December 28, 2016 and the Local Planning
Appeal Tribunal Order issued May 2, 2019 in Board
File PL140111

CITY OF TORONTO

BY-LAW 63-2021 (LPAT)

To adopt Amendment 208 to the Official Plan for the City of Toronto respecting the lands located at the south-east corner of Yonge Street and Cummer Avenue, municipally known as 45 and 53 Cummer Avenue and 5799 to 5915 Yonge Street.

Whereas the Local Planning Appeal Tribunal, pursuant to its Order dated May 2, 2019, deems it advisable to amend the City of Toronto Official Plan with respect to certain lands known municipally as 45 and 53 Cummer Avenue and 5799 to 5915 Yonge Street;

The Official Plan of the City of Toronto is amended by the Local Planning Appeal Tribunal as follows:

1. The attached Amendment 208 to the Official Plan for the City of Toronto is hereby approved.

Pursuant to the Ontario Municipal Board Decision issued December 28, 2016 and the Local Planning Appeal Tribunal Order issued May 2, 2019 in Board File No. PL140111.

SCHEDULE A**AMENDMENT 208 TO THE OFFICIAL PLAN****LANDS LOCATED AT THE SOUTHEAST CORNER OF YONGE STREET AND
CUMMER AVENUE, MUNICIPALLY KNOWN AS 45 AND 53 CUMMER AVENUE
AND 5799 TO 5915 YONGE STREET**

The Official Plan of the City of Toronto is amended as follows:

Clause 1

Chapter Six, Section 8 (North York Centre Secondary Plan) is amended as follows:

1. Section 13.1 is deleted.
2. Section 13.6 is deleted and replaced with the following:

**"LANDS KNOWN AS 45 AND 53 CUMMER AVENUE AND 5799 - 5915 YONGE
STREET**

Re-development of the lands shown as 6 on Map 8-13 will include a new public road to extend the Service Road and Associated Road Network, a new public park situated to provide a transition between new development and the adjacent neighbourhood and direct connections to the future subway extension, and will proceed as follows:

- (a) No additional gross floor area will be permitted on the lands municipally known in 2018 as 45 and 53 Cummer Avenue and the site plans for these lands shall ensure that parking, loading and landscaping areas are provided to the satisfaction of the City;
- (b) A new public park, as set out in subsection (h) will be located to the west of Averill Crescent to provide a transition to the existing residential uses to the east and improve neighbourhood amenities for residents;
- (c) A new public street will be provided to the west of the public park, will align with the Associated Road Network of the North York Centre North Service Road and serve to extend that network east of Yonge Street;
- (d) A new network of publicly accessible private streets will divide the site into smaller development blocks and connect the new public street and Yonge Street for vehicles, pedestrians, bicycles and utilities;
- (e) The permitted uses on the lands are retail, commercial, office, institutional, residential, public and private parks, recreational uses and transit terminals;
- (f) Despite the provisions of Section 5, development of the lands will incorporate the following urban design principles:

- (i) in order to achieve a pedestrian scale street wall along Yonge Street a base building height of 7 to 8 storeys (up to 25 metres) will be provided along at least two thirds of the street frontage;
 - (ii) base building heights from 2 to 6 storeys, excluding mechanical penthouses, access stairs and rooftop amenity areas, and will be provided along the new public street and base building heights along the private streets will step down from Yonge Street to provide an appropriate transition between Yonge Street and the new public street;
 - (iii) west of the new public street, tall building components will be separated by a minimum of 25 metres;
 - (iv) the residential floor plate sizes and architectural articulation of tall building elements will provide for appropriate sky views from the public realm and adequately limit shadows and adverse wind conditions on both adjacent public open space and private properties;
 - (v) tall building elements will provide for an appropriate relationship to the Relevant Residential Property Line, which respects the principle of optimizing heights along the Yonge Street corridor while respecting a effective transition to the existing residential uses to the east; and
 - (vi) the maximum tower heights are shown on Map 8-8a;
- (g) The lands will be developed in three phases which will proceed from south to north, in accordance with an approved plan of subdivision that will provide for three development blocks, public and private streets and a public park;
- (h) A maximum gross floor area of 164,994 square metres is permitted on the lands. Such increase over the amount set out in the applicable zoning by-law existing immediately prior to the approval of this Site Specific Policy is to be permitted in exchange for community benefits and the securing of other development standards which will include each of the following, as implemented in the zoning bylaw, section 37 agreement and subdivision approval process:
- (i) a finished community/social facility of a minimum 3232 square metres of space, including but not limited to a daycare facility, plus a minimum of 300 square metres of adjacent outdoor play space for use with the daycare facility;
 - (ii) a below-grade connection to the future subway station of approximately 280 square metres;
 - (iii) parkland dedication of a minimum of 6,006 square metres of parkland;
 - (iv) a new public road;
 - (v) residential amenity area of 1.5 square metres per unit;

- (vi) at-grade bicycle room or bike station of approximately 200 square metres;
 - (vii) street-related retail of approximately 7,000 square metres which may include at-grade retail uses which exceed a depth of 30 metres;
 - (viii) the reservation of dwelling units for an affordable ownership housing program, if available; and
 - (ix) a minimum of 10,000 square metres of gross floor area to be used for office and ancillary uses;
- (i) As plans for and/or implementation of higher level transit advance, or as the City reviews the land use planning attributes of the lands in the Yonge Street corridor, the density and other Plan policies applicable to the development block in the third and most northerly phase are to be reviewed and considered for its potential for greater intensification pursuant to the policies and circumstances of that time; and
 - (j) Despite any other provision of the Plan and this Secondary Plan, provided that at least 10,000 square metres of gross floor area for office and ancillary uses is provided on the lands, all such gross floor area will be exempted from the calculation of any increase in density that may apply to the third and most northerly phase of development in, future pursuant to subsection (h)."

Clause 2

Map 8-2 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Prime Frontage Area", is amended as shown on Schedule 2 attached.

Clause 3

Map 8-4 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Land Use Areas", is amended as shown on Schedule 3 attached.

Clause 4

Map 8-5 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Buffer Area", is amended as shown on Schedule 4 attached.

Clause 5

Map 8-7 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Density Limits", is as shown on Schedule 5 attached.

Clause 6

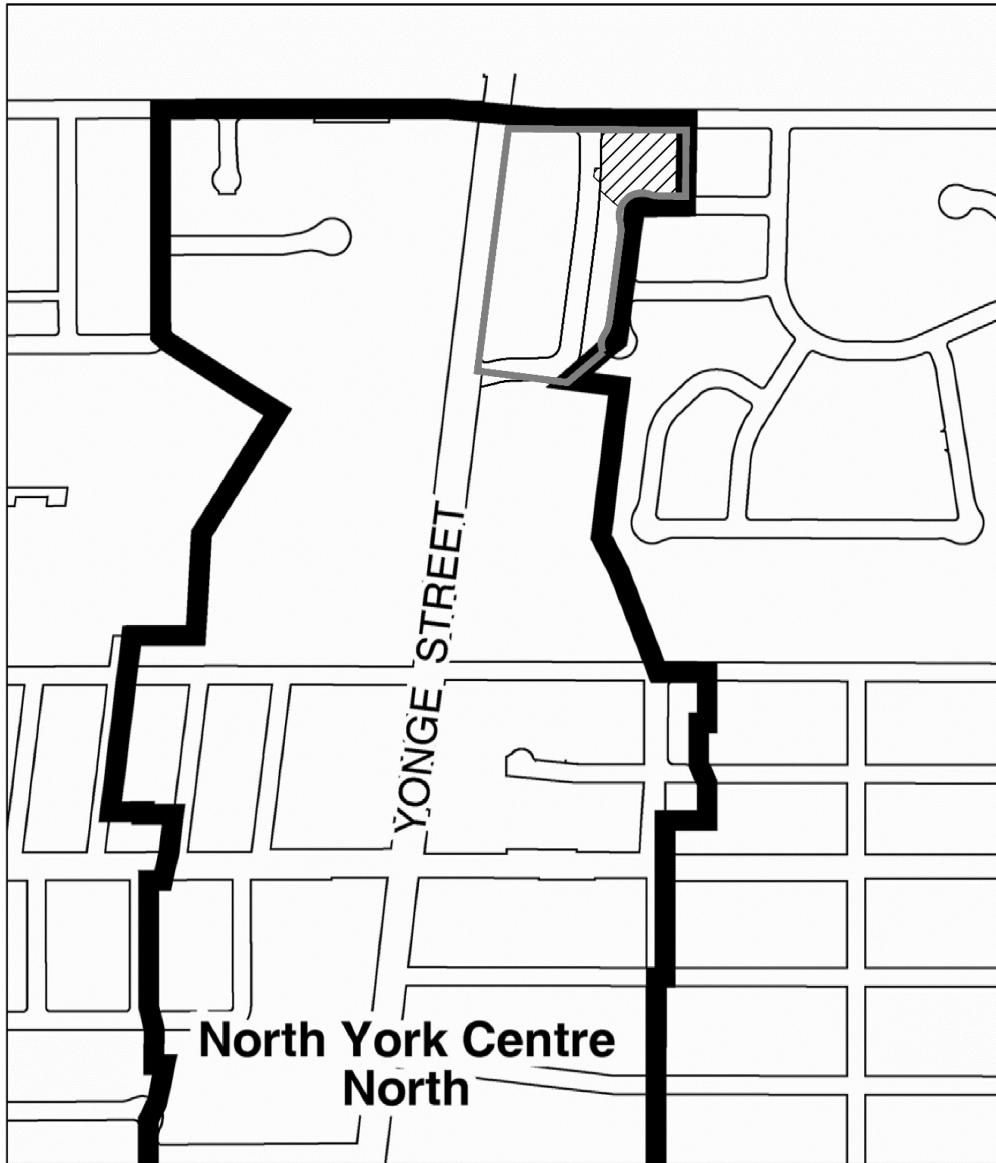
Map 8-8a of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Maximum Height Limits", is amended with respect to the lands shown in heavy outline on Schedule 6 attached.

Clause 7

Map 8-9a of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Conceptual Parks and Open Space", is amended as shown on Schedule 7 attached.

Clause 8

Map 8-13 of Chapter Six, Section 8 (North York Centre Secondary Plan) titled "North York Centre North Site Specific Policies", is amended as shown on Schedule 8 attached.



 **TORONTO** City Planning Division

Schedule 1

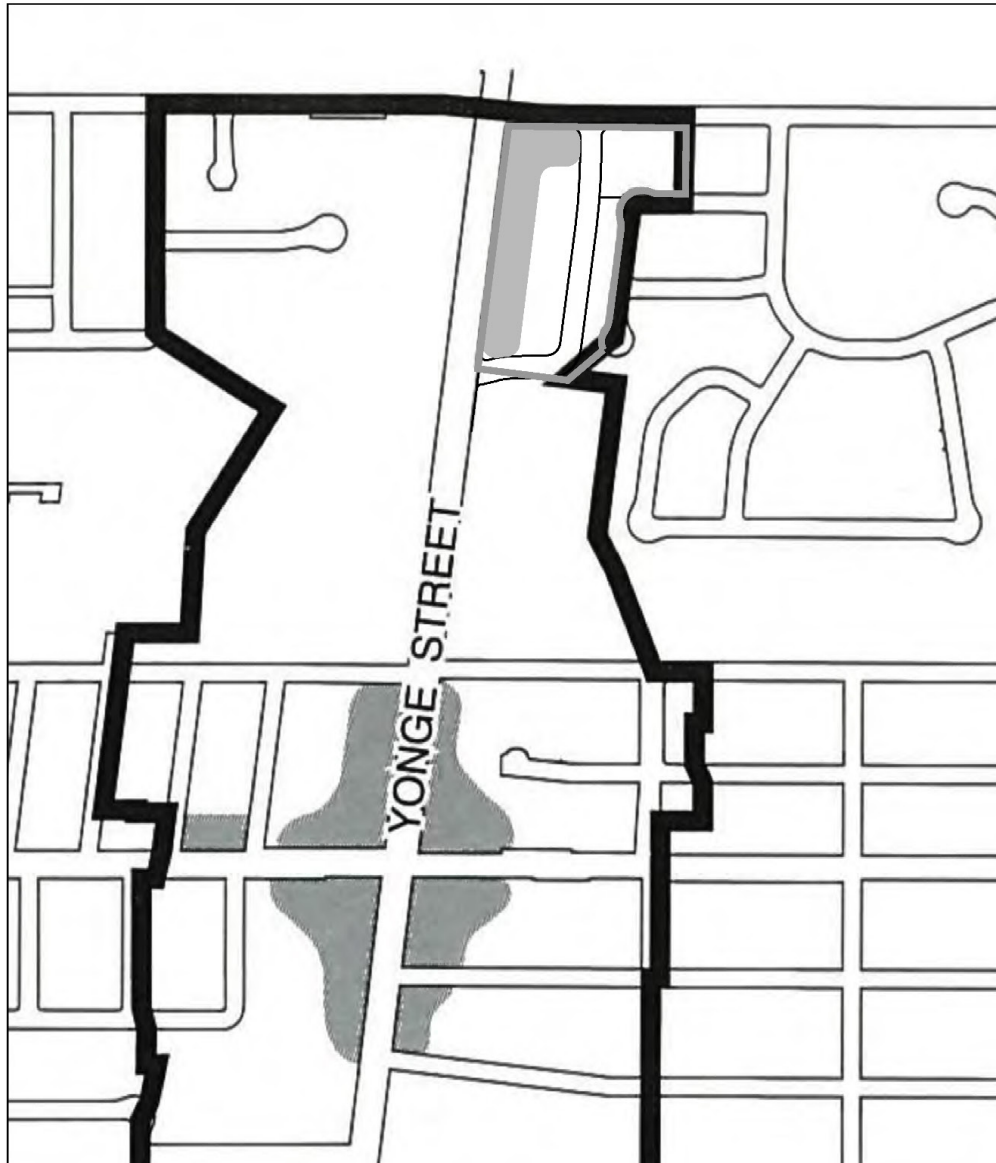
File # 11 287471 NNY 24 OZ

 *The Church and Nuc-Tuct Lands municipally known as 45 & 53 Cummer Avenue*

 *Secondary Plan Boundary*

 *Area Subject to Amendment*



Not to Scale




 **TORONTO** City Planning Division

Schedule 2 - Amending Map 8-2

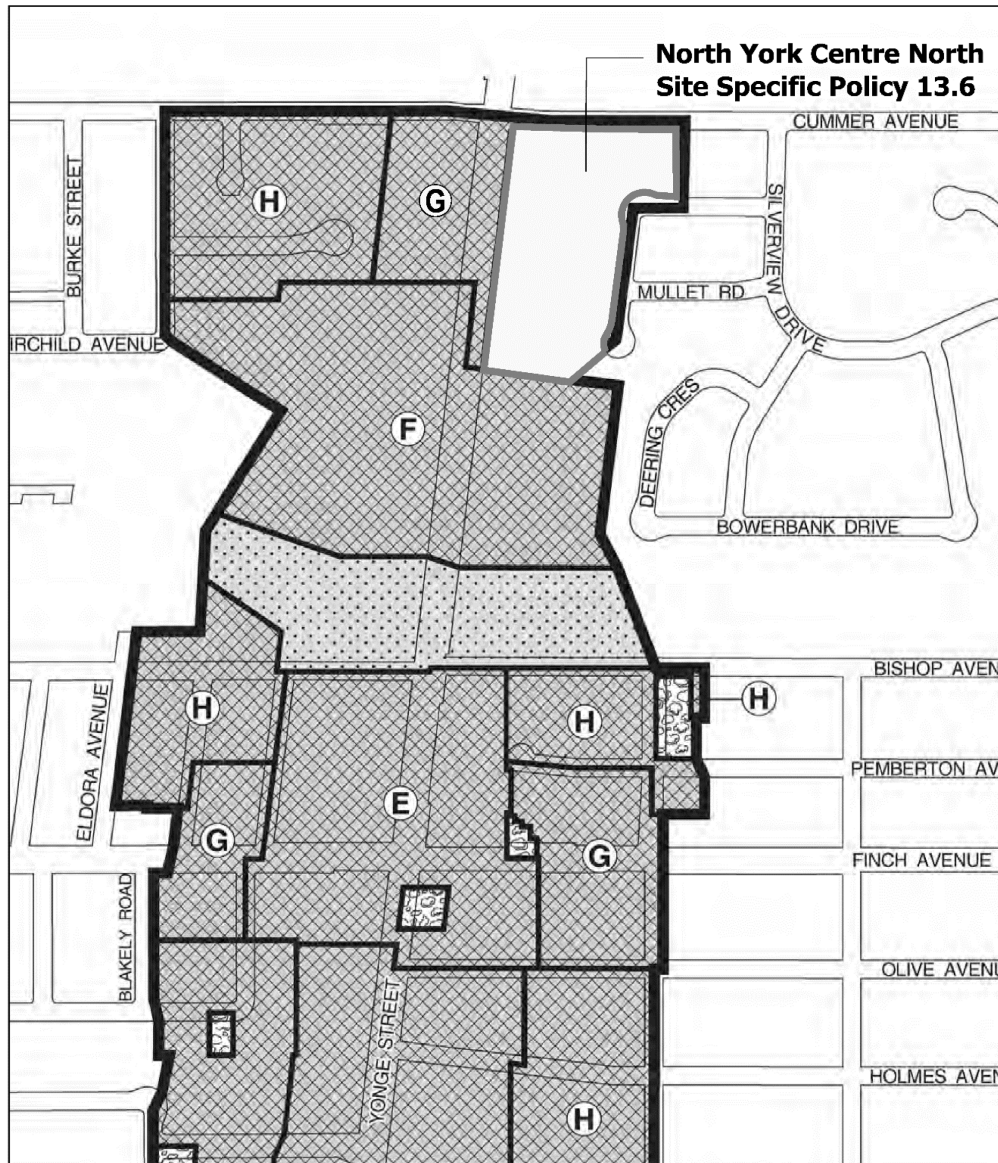
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 Secondary Plan Boundary

 Prime Frontage Areas






 Area Subject to Amendment


Not to Scale



Schedule 3 - Amending Map 8-4

File # 11 287471 NNY 24 OZ




-  Secondary Plan Boundary
-  Mixed Use Areas
 - Area E - Maximum 65% Commercial Use
 - Area F - Maximum 50% Commercial Use
 - Area G - Maximum 20% Commercial Use
 - Area H - 0% Commercial Use
-  Parks and Open Space Areas
-  Utility Corridors
-  Area Subject to Amendment



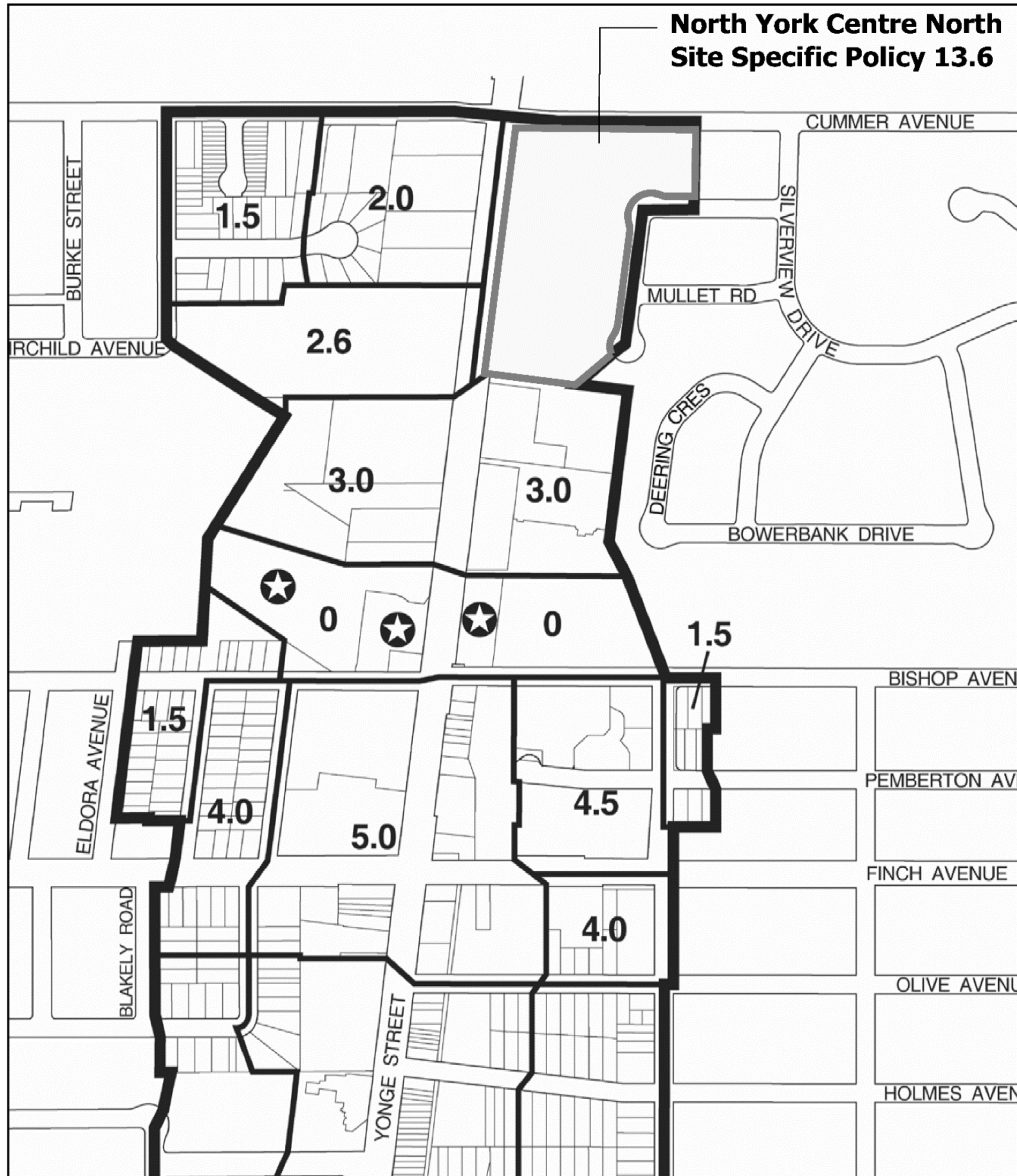


Schedule 4 - Amending Map 8-5

File # 11 287471 NNY 24 OZ

-  Secondary Plan Boundary
-  Buffer Area
-  Area Subject to Amendment





**North York Centre North
Site Specific Policy 13.6**




Schedule 5 - Amending Map 8-7

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 Secondary Plan Boundary



Density can only be assigned to these lands pursuant to the Official Plan, North York Centre Secondary Plan, Section 3 or Section 13

 Area Subject to Amendment





**North York Centre North
 Site Specific Policy 13.6**



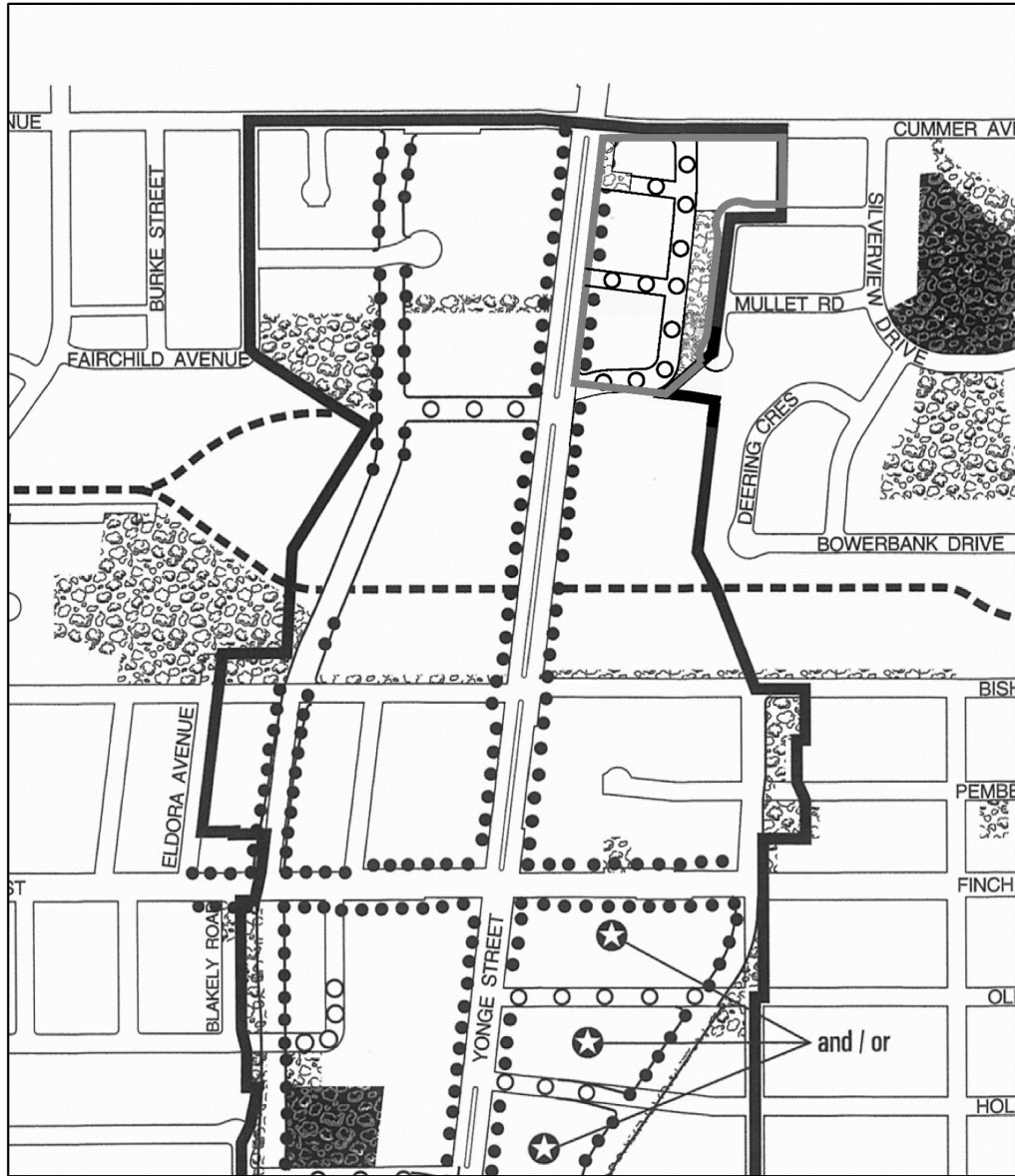
Schedule 6 - Amending Map 8-8a








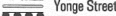

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Secondary Plan Boundary	Maximum 50% Horizontal Distance from RRPL
The Lesser of 11m or 3 Storeys	Maximum 70% Horizontal Distance from RRPL
The Lesser of 18m or 6 Storeys	Street Facade Limit as per Section 5.3 of this Secondary Plan
The Lesser of 35m or 12 Storeys	Relevant Residential Property Line (RRPL)
Maximum 87m Above Grade	Area Subject to Amendment

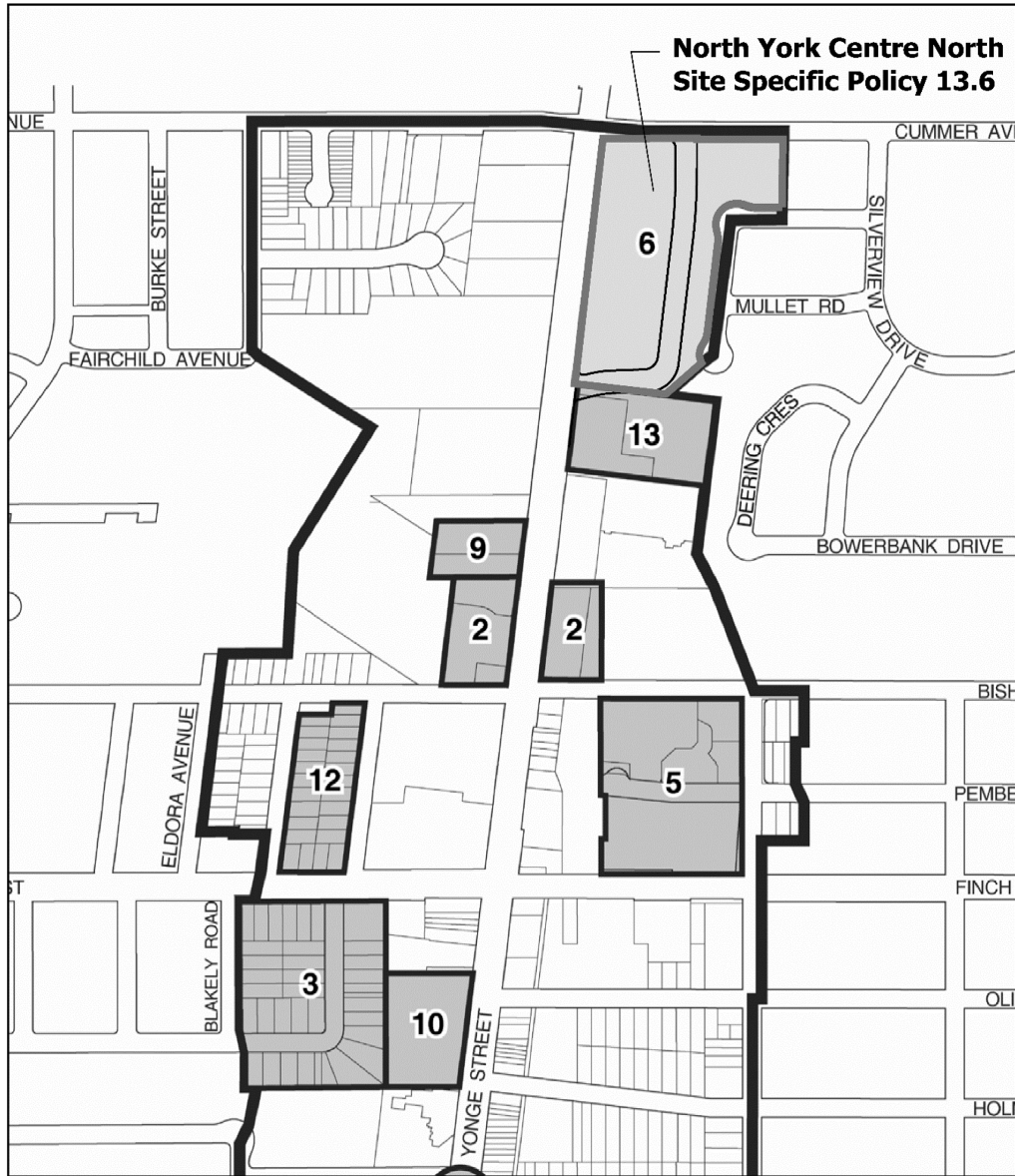


110 Maximum Tower Height in Metres



-  Secondary Plan Boundary
-  Treed Arterial and Collector Roads
-  Treed Side Streets and Pedestrian Links
-  Parks and/or Private Publicly Accessible Open Spaces
-  Trails
-  Schools, Cemetery and Ancillary Open Spaces
-  Places Under Consideration by City for Additional Parks
-  Yonge Street Promenade
-  Area Subject to Amendment





Secondary Plan Boundary

Site Specific Policy Areas*

Area Subject to Amendment

