

18-28 Athabaska Avenue – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval

Date: March 11, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 22 191099 NNY 18 OZ

Related Site Plan Application Number: 22 191098 NNY 18 SA

SUMMARY

This application proposes to develop a 43-storey (135.15 metres) mixed use building at 18-28 Athabaska Avenue. The building would contain 516 residential units and a gross floor area of 31,983 square metres for a Floor Space Index (“FSI”) of 10.81.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws. The proposed building represents an appropriate level of intensification on the site and begins to implement the vision of the Council-adopted Yonge Street North Secondary Plan (OPA 615).

RECOMMENDATIONS

The Director, Community Planning, North York District recommends that:

1. City Council amend the Official Plan for the lands at 18-28 Athabaska Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands 18-28 Athabaska Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.

4. City Council approve that in accordance with Section 42 of the *Planning Act* prior to the First Above Grade Building Permit, the Owner shall convey to the City, an off-site parkland dedication, having a minimum size of 260 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.

5. City Council approve the acceptance of an off-site parkland dedication, subject to the Owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition.

6. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

7. City Council direct that before introducing the necessary Bills to City Council for enactment, the applicant be required to:

- a) Withdraw its appeal of the Yonge Street North Secondary Plan (OPA 615) (By-law 1016-2022) to the Ontario Land Tribunal within Ontario Land Tribunal Case OLT-22-004346; and
- b) Submit a revised Functional Servicing and Stormwater Management Report for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

The application was submitted on August 15, 2022 and deemed complete on November 1, 2022 for the properties at 18-28 Athabaska Avenue. Staff conducted a Community Consultation Meeting for the application on January 17, 2023. Community consultation is summarized in the Community Consultation section of this Report.

The Yonge Street North Secondary Plan ("YNSNP") was adopted at the City Council meeting on July 19, 2022, through By-law 1016-2022 (OPA 615). In its decision, City Council directed City staff to use the Yonge Street North Secondary Plan in the evaluation of all current and new development proposals falling within its boundaries.

City Council's decision and a copy of the report can be found at the following link: [Yonge Street North Planning Study - City-Initiated Official Plan Amendment - Final Report](#)

The YSNSP was subsequently appealed to the Ontario Land Tribunal (“OLT”) by a number of landowners, including the landowners of 18-28 Athabaska Avenue. Four Case Management Conferences have been held to date, the most recent being on January 9, 2024. The status of the appeal may be found at the following link: [OPA 615 - Yonge Street North Secondary Plan](#)

On July 19-22, 2022, City Council adopted four Official Plan Amendments, Official Plan Amendments 540, 544, 570 and 575, that include a total of 115 Major Transit Station Areas (MTSAs)/Protected Major Transit Station Areas (“PMTSAs”). The subject site is located within the Yonge-Steeles PMTSA (SASP 760) as identified within OPA 570. The Official Plan Amendments were forwarded to the Minister of Municipal Affairs and Housing for approval. The Minister has not yet made a decision. A copy of the report and decision can be found at the following link: [PH35.16 - Our Plan Toronto: City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations - Final Report](#)

THE SITE

Description

The site is rectangular in shape and is located on the north side of Athabaska Avenue to the east of Yonge Street. The site is approximately 2599 square metres in area, with 79.24 metres of frontage on Athabaska Avenue and a lot depth of 37.34 metres.

Existing Use

The site is currently occupied by six detached dwellings.

THE APPLICATION

Description

The application proposes to amend the Official Plan and Zoning By-law to permit a 43-storey residential building with non-residential uses at-grade. The proposed building is comprised of a 5-storey podium and a 38-storey tower, which has a tower floor plate size of 750 square metres. The main residential lobby fronts the public street, with a secondary entrance located off the driveway on the west side of the building.

Non-Residential Component

At the southwest corner of the building, a 120 square metre non-residential space is proposed fronting Athabaska Avenue.

Height

The proposed building is 43-storeys (135.15 metres not including the mechanical penthouse).

Density

The proposal has a density of 10.81 times the lot area.

Dwelling Units

The proposed building includes 516 residential units, comprised of 327 (63 percent) 1-bedroom units, 103 (20 percent) 2-bedroom units and 86 (17 percent) 3-bedroom units.

Access, Bicycle Parking, Vehicle Parking and Loading

The proposed access to the site is provided from Athabaska Avenue. A 6.0 metre driveway is located along the west side of the proposed building, providing vehicle access to a pick-up and drop-off area, the underground parking ramp and the Type “C” and Type “G” loading spaces. The proposal includes three levels of underground parking with a total of 172 vehicle parking spaces, including 51 visitor parking spaces. There are also 478 bicycle parking spaces provided, including 48 short-term spaces and 75 energized outlets.

Mid-Block Connection

A 7.5 metre setback has been provided on the east side of the building to be reserved for a future 15-metre-wide mid-block connection which will extend through the Yonge Street North Secondary Plan area between Yonge Street and Dumont Street. When the lands to the east of the site redevelop in the future, the other half of the planned mid-block connection will be provided as part of that redevelopment and the connection will be constructed. The mid-block connection will consist of a five-metre-wide landscaped space on both sides of a five-metre-wide multi-use trail and will be secured through Site Plan Control.

Additional Information

See Attachments 1, 2, 3 and 4 of this report for the Application Data Sheet, the Location Map, the existing Official Plan Land Use Map, and the existing Zoning By-law Map, respectively. See Attachment 7 for the Site Plan and Attachment 8 for the Elevations.

Reasons for Application

An Official Plan Amendment application is required to re-designate the site from *Neighbourhoods* to *Mixed Use Areas*. The site is designated *Mixed Use Areas* in the Council-adopted Yonge Street North Secondary Plan (OPA 615), which is currently under appeal. An amendment to the City-wide Zoning By-law 569-2013 is also required to permit the proposed use, building form, height, density and other performance standards. An amendment to former City of North York By-law 7625 is not required.

Site Plan Control

A Site Plan Control application (22 191098 NNY 18 SA) has been submitted and is currently under review.

APPLICATION BACKGROUND

Application Requirements

The following reports/studies were submitted in support of the application:

- Arborist Report;
- Energy Strategy Report;
- Functional Servicing Report and Stormwater Management Report;
- Geotechnical Investigation;
- Hydrogeological Impact Assessment;
- Pedestrian Level Wind Study;
- Planning Rationale;
- Public Consultation Strategy Report;
- Sun/Shadow Study;
- Transportation Impact Study; and
- Transportation Noise and Vibration Assessment.

The submitted materials, including the reports listed above are available on the City's Application Information Centre at: www.Toronto.ca/18AthabaskaAve

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards. Comments are also being used in the evaluation of the Site Plan Control application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given had an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

COMMUNITY CONSULTATION

City Planning staff hosted a virtual community consultation meeting on January 17, 2023, which approximately 70 people attended including the local Ward Councillor. At the meeting, City Planning staff presented the planning policy framework and an overview of the application review process, and the applicant presented the development proposal. Comments and questions raised at the meeting included:

- Question about shadow impacts on properties to the north;
- Concerns about future increase in traffic due to the proposed development;
- Question about whether sidewalks will be added to Athabaska Avenue;
- Question about whether the proposal includes affordable housing;
- Concern about whether the amount of community facilities in the area can support the future population;
- Concern about the height of the proposed building; and
- Comments in support of the application given the housing crisis and need for transit-supportive development.

The issues raised through community consultation have been considered through the review of the application.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

Toronto Official Plan

The site is currently designated *Neighbourhoods* in the City of Toronto Official Plan. See Attachment 3 of this report for the Official Plan Land Use Map. The Official Plan directs that *Neighbourhoods* are physically stable areas made up of low-rise residential uses. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Yonge Street North Secondary Plan (OPA 615)

The Yonge Street North Secondary Plan establishes a new planning framework for the area generally bounded by Steeles Avenue to the north, Cummer and Drewry Avenues to the south, Willowdale Avenue to the east, and Lariviere Road to the west. The Secondary Plan includes policies to guide growth and develop a complete community, including but not limited to, policies related to the area structure, public realm, parks and open spaces, transportation and mobility, housing, community services and facilities, built form, and implementation.

The site is located within the Steeles Transit Station Area and is designated *Mixed Use Areas* in the Yonge Street North Secondary Plan. In accordance with Map 49-5 of the Yonge Street North Secondary Plan, the site permits a mix of tall and mid-rise buildings.

The Secondary Plan was adopted by City Council at its meeting on July 19, 2022, as Official Plan Amendment 615 ([By-law 1016-2022](#)). The Secondary Plan was appealed by numerous landowners, including the applicant. Although OPA 615 is currently under appeal, it is relevant as it represents City Council's latest vision for the site and surrounding area.

Zoning

The site is currently zoned RD (f12.0; a370) under City of Toronto Zoning By-law 569-2013. The site is also currently zoned R6 by former City of North York By-law 7625. The current zoning permits residential uses in the form of detached dwellings. City-wide Zoning By-law 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following Design Guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines; and
- Growing Up: Planning for Children in New Vertical Communities.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Toronto Green Standard

The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMENTS

Provincial Policy Statement and Provincial Plans

City staff's review of this application has had regard for the relevant matters of provincial interest as set out in the *Planning Act*. The current proposal was reviewed for consistency with the Provincial Policy Statement ("PPS") and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "Growth Plan").

The site is located within the Council-adopted Yonge-Steeles PMTSA, which has a minimum planned density of 300 residents and jobs combined per hectare. The site is proposed to be redeveloped in a transit-supportive manner that maximizes the number of potential transit users as required by the Growth Plan. The proposal also adds to the range and mix of housing options in the area in accordance with Provincial policy. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

The proposed redesignation of the site to *Mixed Use Areas* is consistent with Council's decision to designate the lands *Mixed Use Areas* through OPA 615. The proposed land use is permitted on the site under OPA 615 and is compatible with the planned context

of the area. The application proposes a mix of residential and non-residential uses, which helps to achieve the planning objectives of the Official Plan by providing an opportunity for residents to live, work and shop in the same area and depend less on their cars.

Built Form and Public Realm

The proposed height of 43-storeys is appropriate for the site and fits within the planned context for the Steeles Transit Station Area in accordance with Policy 8.16 and Map 49-5 of the Secondary Plan. The site can accommodate a tall building while achieving appropriate setbacks, stepbacks and other built form objectives of the YSNSP and relevant design guidelines.

The proposed building height will allow for a transition in height upwards towards the Yonge Street and Steeles Avenue intersection where the greatest heights are to be located, as required by Policy 8.17 of the YSNSP.

The application proposes a 5-storey podium with a height of 15.85 metres, which allows for a pedestrian-scale streetwall condition that is no greater than 80 percent of the adjacent right-of-way, in accordance with Policy 8.7 of the YSNSP.

A 7.5 metre setback at the east side of the building is proposed in order to facilitate a future mid-block connection as envisioned in the Secondary Plan. The mid-block connection will be designed with trees and soft landscaping and will be publicly accessible to enhance the public realm network in the Yonge Street North area. The proposed mid-block connection is further described in the Transportation and Mobility section below. The interim condition for this development's half of the mid-block connection will be secured as part of the Site Plan Control application. Those details include landscaping, trees, and the multi-use trail which would be secured through plans/drawings and a Landscaping Credit to ensure the site's half of the mid-block connection is coordinated with any future development to the east of the site.

Sun, Shadow, Wind

The applicant prepared and submitted a shadow study that illustrates the extent of shadowing that would result from the proposed development, which concludes that shadow impacts will generally be limited to land designated *Mixed Use Areas* by OPA 615. The shadows created by the proposed development will generally not have adverse impacts on stable low-rise residential uses, open spaces or parks during the spring, summer or fall.

The submitted Pedestrian Level Wind Study found that the future wind conditions over most grade-level pedestrian wind-sensitive areas within and surrounding the study site will be acceptable for the intended uses on a seasonal basis. No areas over the study site were found to experience wind conditions that could be considered unsafe. The Study recommends wind mitigation measures to increase comfortability over portions of the sidewalks, landscaped spaces and rooftop amenity area. Detailed wind control measures will be designed and secured through the Site Plan Control application.

Transportation and Mobility

Maps 49-3 and 49-8 of the Yonge Street North Secondary Plan identify a proposed mid-block connection at the east edge of the site. The mid-block connection extends from Steeles Avenue East in the north to Centre Avenue in the south within in the Mid-Rise East Character Area. The Secondary Plan provides that the mid-block connection is to be secured through future developments and will be of generous width to support movement by all forms of active travel, including walking and biking. The proposed development will provide 7.5 metres of the 15-metre future mid-block connection, which will consist of a five-metre multi-use trail with a five-metre landscaped space on both sides of the trail. The proposed mid-block connection will be secured as a standard access easement later in the Site Plan Control stage.

Traffic Impact, Access, Parking

Transportation Services staff accept the conclusions of the Transportation Impact Study submitted by the applicant to evaluate the parking, loading and vehicular trips generated by the proposal. The applicant will be required to develop a stronger TDM plan through the Site Plan Control process to encourage sustainable transportation choices.

The application proposes 172 resident and 51 visitor vehicle spaces parking spaces, as well as 48 short-term and 430 long-term bicycle parking spaces, which is acceptable to Transportation Services and Transportation Planning staff. The proposal includes one Type 'C' loading space and one Type 'G' loading space, which meets the requirements of Zoning By-law 569-2013. A pick-up and drop-off area is provided at the west side of the building off the private driveway, providing direct access to the non-residential use space and the residential lobby corridor. The proposed driveway access and configuration is acceptable to Transportation Services staff.

Unit Mix

A total of 516 units are proposed, including 327 (63 percent) one-bedroom units, 103 (20 percent) two-bedroom units and 86 (17 percent) three-bedroom units. The proposed unit mix achieves unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines") to provide a minimum of 15 percent two-bedroom units and 10 percent three-bedroom units within new developments. City Planning staff will continue to work with the applicant through the Site Plan Control process to ensure applicable provisions of the Growing Up Guidelines are met.

Amenity Space

The application proposes 4.1 square metres of amenity space per unit, of which approximately 1.7 square metres per unit is indoor amenity space and 2.4 square metres per unit is outdoor amenity space. The proposed outdoor amenity space is located at-grade at the rear of the proposed building and on the sixth floor terrace, connected to the indoor amenity spaces. In addition to the outdoor amenity space, units throughout the proposed building have access to private balconies.

Detailed design and programming of the amenity space will be reviewed and secured through the Site Plan Control process. The amenity will be designed in consideration of households with children through the Growing Up Guidelines, and pets through the Pet-Friendly Design Guidelines.

Servicing

Further review of the Functional Servicing Report and Stormwater Management Report is required to confirm that no upgrades are necessary to the existing infrastructure for this development. Staff recommend that the Bills necessary to implement the approval of this project be withheld until the Reports have been reviewed and accepted by Engineering and Construction Services staff.

Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The development site is currently in an area with 12 - 28 square metres of parkland per person, which is less than the City-wide average provision of 28 square metres of parkland per person. In accordance with Chapter 415, Article III of the Toronto Municipal Code, the proposal is subject to a parkland dedication of 10% of the development site. Parks, Forestry & Recreation would accept the conveyance of lands off-site that would expand an existing park or which would create a new park as the required parkland dedication. Alternatively, payment of cash-in-lieu of parkland would be accepted. The value of the cash-in-lieu of parkland dedication would be appraised through Real Estate Services. The appraisal would be conducted upon the submission of an application for the first Above Grade Building Permit and payment would be required prior to the issuance of said permit.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). Urban Forestry Staff have reviewed the application and have no objections to the proposed Official Plan and Zoning By-law Amendment application.

Toronto Green Standard

The Toronto Green Standard ("TGS") is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, the City of Toronto Official Plan, and the Council-adopted Yonge Street North Secondary Plan (OPA 615). Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Growth Plan. Furthermore, the proposal conforms with the intent of the Official Plan and the Council-adopted Yonge Street North Secondary Plan. Staff recommend that Council support approval of the application.

CONTACT

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SIGNATURE

David Sit, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law 569-2013 Map
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law 569-2013 Amendment

Applicant Submitted Drawings

- Attachment 7: Site Plan
- Attachment 8: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 18-28 ATHABASKA AVE **Date Received:** August 15, 2022

Application Number: 22 191099 NNY 18 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Proposal for a 43-storey residential building with 518 residential units, having a gross floor area of 30,642 square metres. The proposal includes 162 parking space and 497 bicycle parking spaces.

| Applicant | Agent | Architect | Owner |
|------------------|--------------|------------------|---------------------|
| TODD TRUELLE | | | AMIR ISMAILZADEH |

EXISTING PLANNING CONTROLS

| | | | |
|----------------------------|------------------|--------------------------|---|
| Official Plan Designation: | Neighbourhoods | Site Specific Provision: | |
| Zoning: | RD (f12.0; a370) | Heritage Designation: | N |
| Height Limit (m): | 10 | Site Plan Control Area: | Y |

PROJECT INFORMATION

Site Area (sq m): 2,958 Frontage (m): 79 Depth (m): 37

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|-----------------|-----------------|-----------------|---------------|
| Ground Floor Area (sq m): | | | 1,803 | 1,803 |
| Residential GFA (sq m): | 713 | | 31,983 | 31,983 |
| Non-Residential GFA (sq m): | | | | |
| Total GFA (sq m): | 713 | | 31,983 | 31,983 |
| Height - Storeys: | 2 | | 43 | 43 |
| Height - Metres: | 8 | | 135 | 135 |

Lot Coverage Ratio (%): 60.94 Floor Space Index: 10.81

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|-----------------------------|---------------------------|---------------------------|
| Residential GFA: | 31,830 | 153 |
| Retail GFA: | | |
| Office GFA: | | |
| Industrial GFA: | | |
| Institutional/Other GFA: | | |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--|-----------------|-----------------|-----------------|--------------|
| Rental: | | | | |
| Freehold: | 6 | 0 | | |
| Condominium: | | | 516 | 516 |
| Other: | | | | |
| Total Units: | 6 | 0 | 516 | 516 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|--------------|-----------------|------------------|------------------|-------------------|
| Retained: | | | | | |
| Proposed: | | | 327 | 103 | 86 |
| Total Units: | | | 327 | 103 | 86 |

Parking and Loading

Parking Spaces: 172 Bicycle Parking Spaces: 478 Loading Docks: 2

CONTACT:

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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

18, 20, 22, 24, 26 & 28 Athabaska Avenue

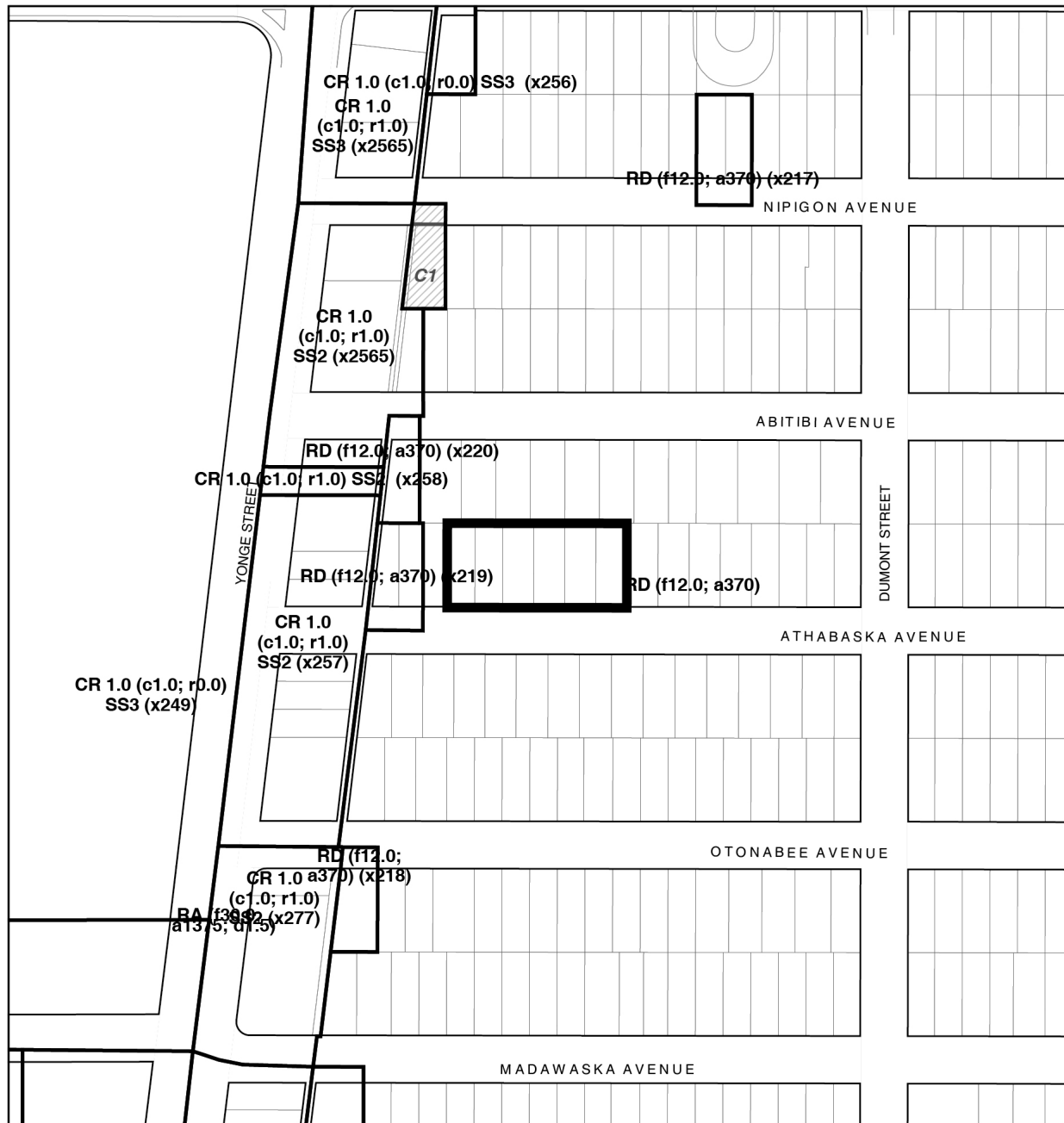
File # 22 191099 NNY 18 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas



Not to Scale
Extracted: 08/22/2022

Attachment 4: Existing Zoning By-law 569-2013 Map



Zoning By-law 569-2013

18, 20, 22, 24, 26 & 28 Athabaska Avenue

File # 22 191099 NNY 18 0Z

-  Location of Application
- RD** Residential Detached
- RA** Residential Apartment
- CR** Commercial Residential

-  See Former City of North York By-law No. 7625
- C1** General Commercial Zone



Not to Scale
Extracted: 08/22/2022

Attachment 5: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2024

Enacted by Council: ~, 2024

CITY OF TORONTO

Bill XXX

BY-LAW XXX-2024

To adopt amendment No. XXX to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023 as 18, 20, 22, 24, 26 and 28 Athabaska Avenue

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. XXX to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT NO. XXX TO THE OFFICIAL PLAN

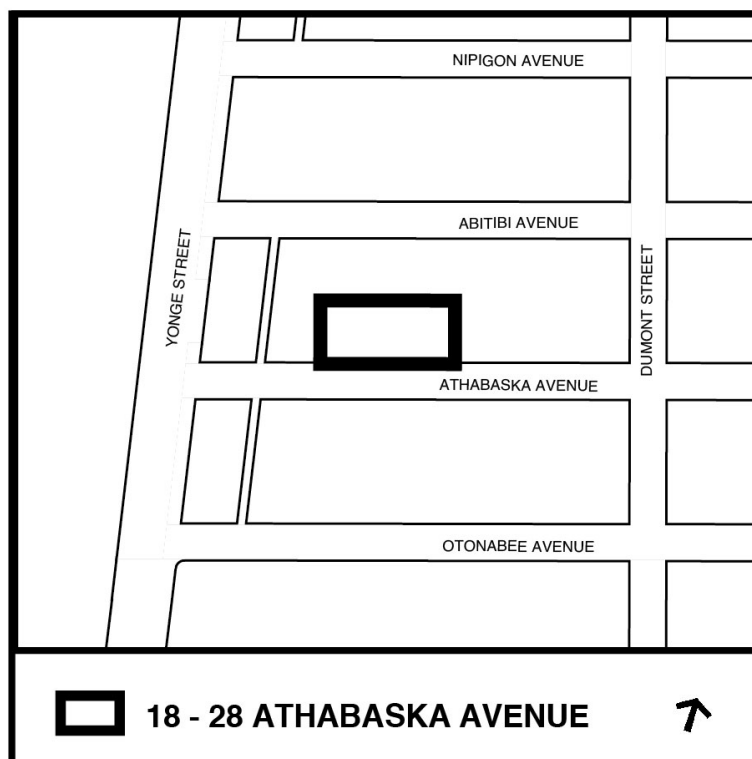
LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS 18, 20, 22, 24, 26 AND 28 ATHABASKA AVENUE

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

1. Map 16, Land Use, is amended by re-designating the lands known municipally as 18, 20, 22, 24, 26 and 28 Athabaska Avenue from *Neighbourhoods* to *Mixed Use Areas*, as shown on the attached Schedule 1.
2. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy XXX for the lands known municipally in 2023 as 18, 20, 22, 24, 26 and 28 Athabaska Avenue as follows:

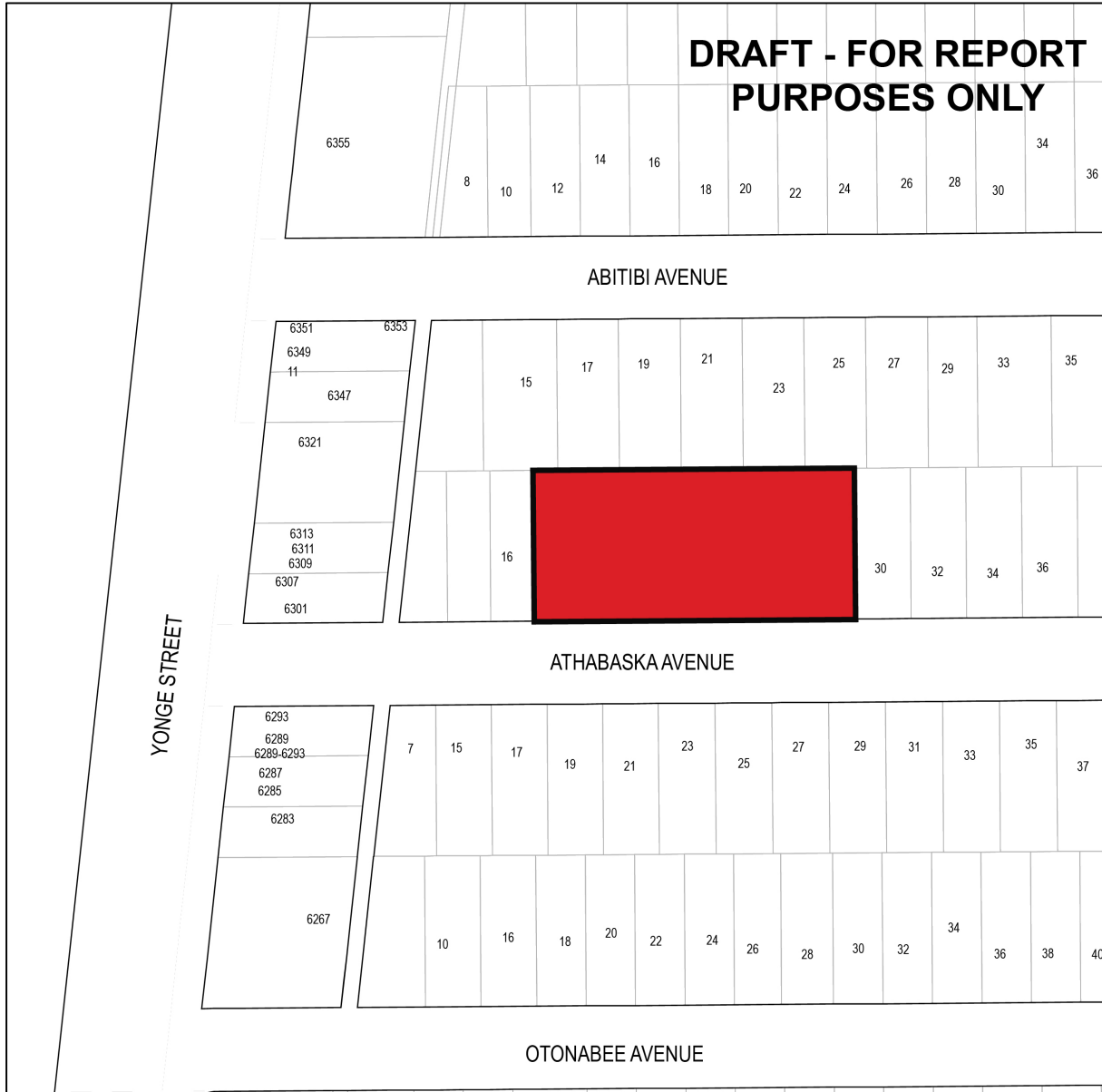
XXX 18, 20, 22, 24, 26 and 28 Athabaska Avenue

- a. Notwithstanding any policies in the Official Plan including the Yonge Street North Secondary Plan, a 43-storey mixed use building with a maximum gross floor area of 32,100 square metres shall be permitted on the lands known municipally as 18, 20, 22, 24, 26 and 28 Athabaska Avenue as shown on the key map below.
- b. A 7.5 metre east side yard setback shall be provided with no above-grade encroachments to facilitate a mid-block connection that will be secured as a public access easement in the Site Plan Control process.



3. Chapter 7, Map 27, Site and Area Specific Policies, is amended by adding the lands known municipally in 2023 as 18, 20, 22, 24, 26 and 28 Athabaska Avenue as shown on the key map above as Site and Area Specific Policy XXX.

SCHEDULE 1




18, 20, 22, 24, 26 & 28 Athabaska Avenue



Official Plan Amendment

Proposed revisions to Land Use Map 16 to redesignate lands from XXX to XXX (text from planner)

File # 22 191099 NNY 18 0Z

 Mixed use Areas



03/05/2024

Attachment 6: Draft Zoning By-law 569-2013 Amendment

Authority: North York Community Council Item ____ as adopted by City of Toronto Council on _____

CITY OF TORONTO

BY-LAW ____-2024

To amend Zoning By-law 569-2013, as amended, with respect to lands municipally known in the year 2023 as 18, 20, 22, 24, 26 and 28 Athabaska Avenue.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

The Council of the City of Toronto enacts:

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 subject to this By-law from a zone label of RD (f12.0; a370) to a zone label of CR 1.0 (c1.0; r1.0) SS2 (x979) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception CR 979 so that it reads:

(979) Exception CR 979

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions:

Site Specific Provisions:

- (A) On lands municipally known as 18, 20, 22, 24, 26 and 28 Athabaska Avenue, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building or structure** may be constructed, used or

enlarged in compliance with Regulations (B) to (T) below;

- (B) Despite Regulations 40.5.40.10(1) and (2) the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 191.92 metres and the elevation of the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.30.40(1), the permitted maximum **lot coverage** for all the **buildings** on the **lot** is 70 percent of the **lot area**;
- (D) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building** provided it is for:
 - (i) residential lobby access;
 - (ii) related residential uses such as a mail room, management office, waste room and storage;
 - (iii) indoor **amenity space**; and
 - (iv) **dwelling units** that have direct access to an exterior walkway connecting to a **street**;
- (E) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the floor of the second **storey**, for non-residential uses is 4.2 metres;
- (F) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the floor of the second **storey**, for residential uses is 3.4 metres;
- (G) Despite Regulation 40.10.40.10(2) the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (H) Despite Regulation 40.10.40.10(5) the permitted maximum number of **storeys** in a **building** is the number following the letters "ST" as shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (I) Despite Regulations 40.5.40.10(3) to (8) and (G) above, the following equipment and **structures** may project above the maximum height shown on Diagram 3 of By-law [Clerks to insert By-law ##]:
 - (i) parapets, trellises, window washing equipment, guardrails, safety railings, stairs, stair enclosures, vents, stacks, fences, wind or privacy screens, landscape elements (including **green roof**), skylights, flues, access roof hatch, chimneys, **structures** on the roof used for outside or open air recreation, ramp enclosures, or

- structure** enclosing such elements, by a maximum of 3.5 metres;
- (ii) mechanical penthouses, elevator overruns and associated enclosures, heating, cooling or ventilating equipment or a fence, wall or **structure** enclosing such elements by a maximum of 6.5 metres;
- (J) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 32,100 square metres, of which:
- (i) The required minimum **gross floor area** for non-residential uses is 120 square metres;
- (K) The maximum number of **dwelling units** permitted on the **lot** is 520;
- (L) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 17 percent of the total number of **dwelling units** must have 2 or more bedrooms;
 - (ii) a minimum of 13 percent of the total number of **dwelling units** must have 3 or more bedrooms; and
 - (iii) any **dwelling units** with 3 or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above;
- (M) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
- (i) At least 1.7 square metres of indoor **amenity space** per **dwelling unit**; and
 - (ii) At least 2.3 square metres of outdoor **amenity space** per **dwelling unit**;
- (N) Despite Regulation 40.10.50.10(1)(A), a minimum of 20 percent of the area of the **lot** must be for **landscaping**;
- (O) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are shown on Diagram 3 of By-law [Clerks to insert By-law ##];
- (P) Despite Regulations 40.5.40.60(1) and 40.10.40.70(2) and (O) above, the following elements may encroach into the required minimum **building setbacks** as follows:
- (i) Decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) Outdoor amenity terrace on the sixth floor, by a maximum of 2.0 metres;

- (iii) Underground garage ramp, by a maximum of 1.0 metre;
 - (iv) Canopies, awnings and lighting fixtures, by a maximum of 1.0 metre;
 - (v) exterior stairs, access ramps and elevating devices, by a maximum of 2.5 metres;
 - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, or ornamental elements, by a maximum of 1.5 metres;
 - (vii) window projections and window washing equipment, by a maximum of 1.5 metres; and
 - (viii) eaves, by a maximum of 1.0 metre;
- (Q) Despite Regulation 40.10.90.10(1), a **loading space** on the **lot** may be located in the **side yard** abutting a **lot** in the Residential Zone category;
- (R) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** for **dwelling units** shall be provided and maintained as follows:
- (i) a maximum rate of 0.7 **parking spaces** per **dwelling unit** for residents;
 - (ii) a minimum rate of 2 **parking spaces** plus 0.01 **parking spaces** per **dwelling unit** for visitors;
- (S) Regulation 200.15.1(4) with respect to the location of accessible **parking spaces** does not apply;
- (T) Despite Regulations 230.5.10.1(1) and (5)(B), and Table 230.5.10.1(1), **bicycle parking spaces** must be provided and maintained in accordance with the following minimum rates:
- (i) a minimum of 0.68 "long-term" **bicycle parking spaces** for each **dwelling unit**; and,
 - (ii) a minimum of 0.07 "short-term" **bicycle parking spaces** for each **dwelling unit**.

Prevailing By-laws and Prevailing Sections: None Apply

5. Despite the provisions outlined in sections 1 to 4 in this By-law, any development on the lands outlined in Diagram 1 are required to provide space within the development for installation of maintenance access holes and sampling ports on private property, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the City of Toronto Sewers By-law Chapter 681.

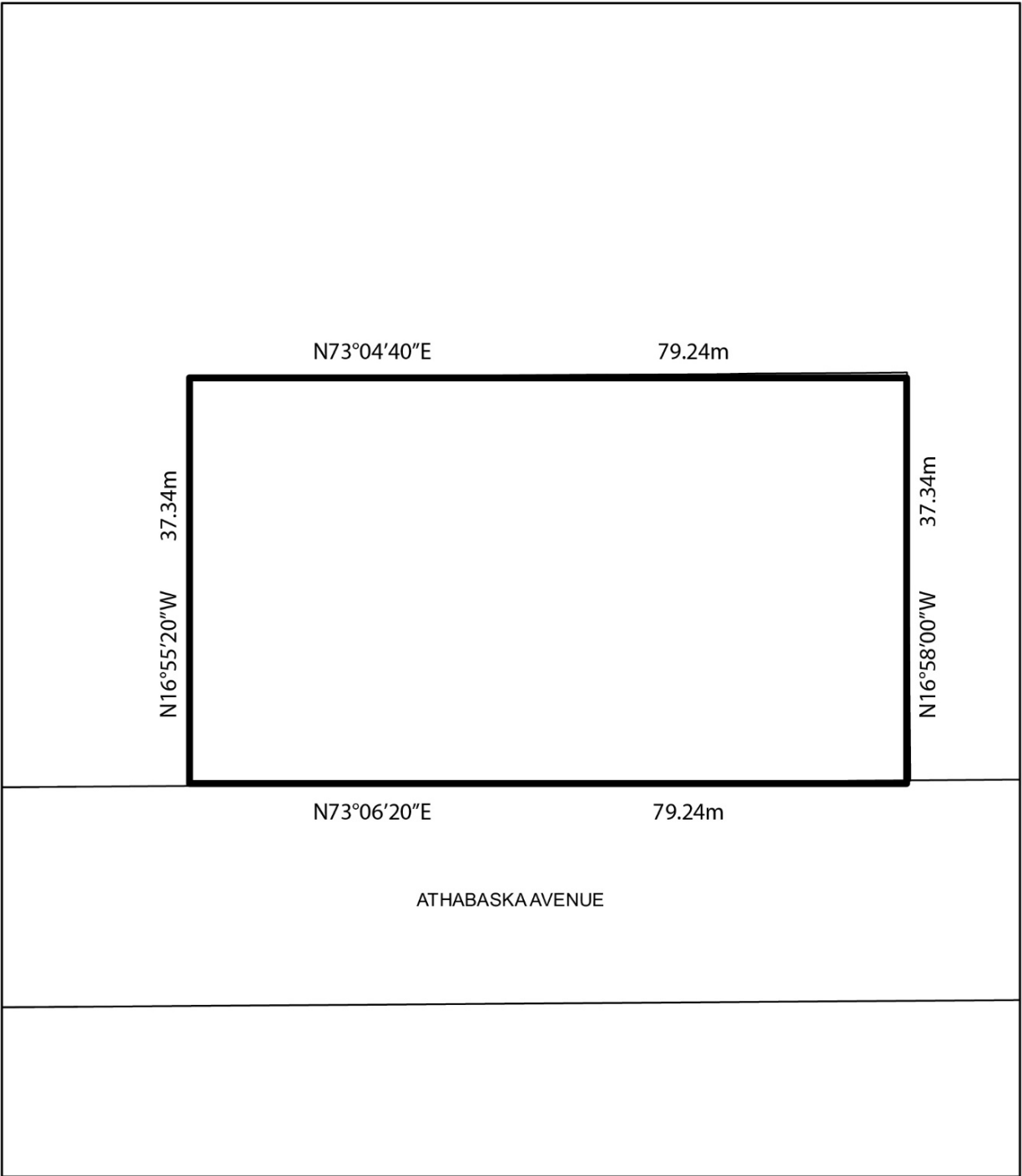
6. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

Enacted and passed on _____, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



 **TORONTO**
Diagram 1

18 - 28 Athabaska Avenue

File #: 22 191099 NNY 18 OZ



City of Toronto By-law 569-2013
Not to Scale
02/26/2024

**CR 1.0 (c1.0; r1.0) SS2
(x979)**

ATHABASKA AVENUE

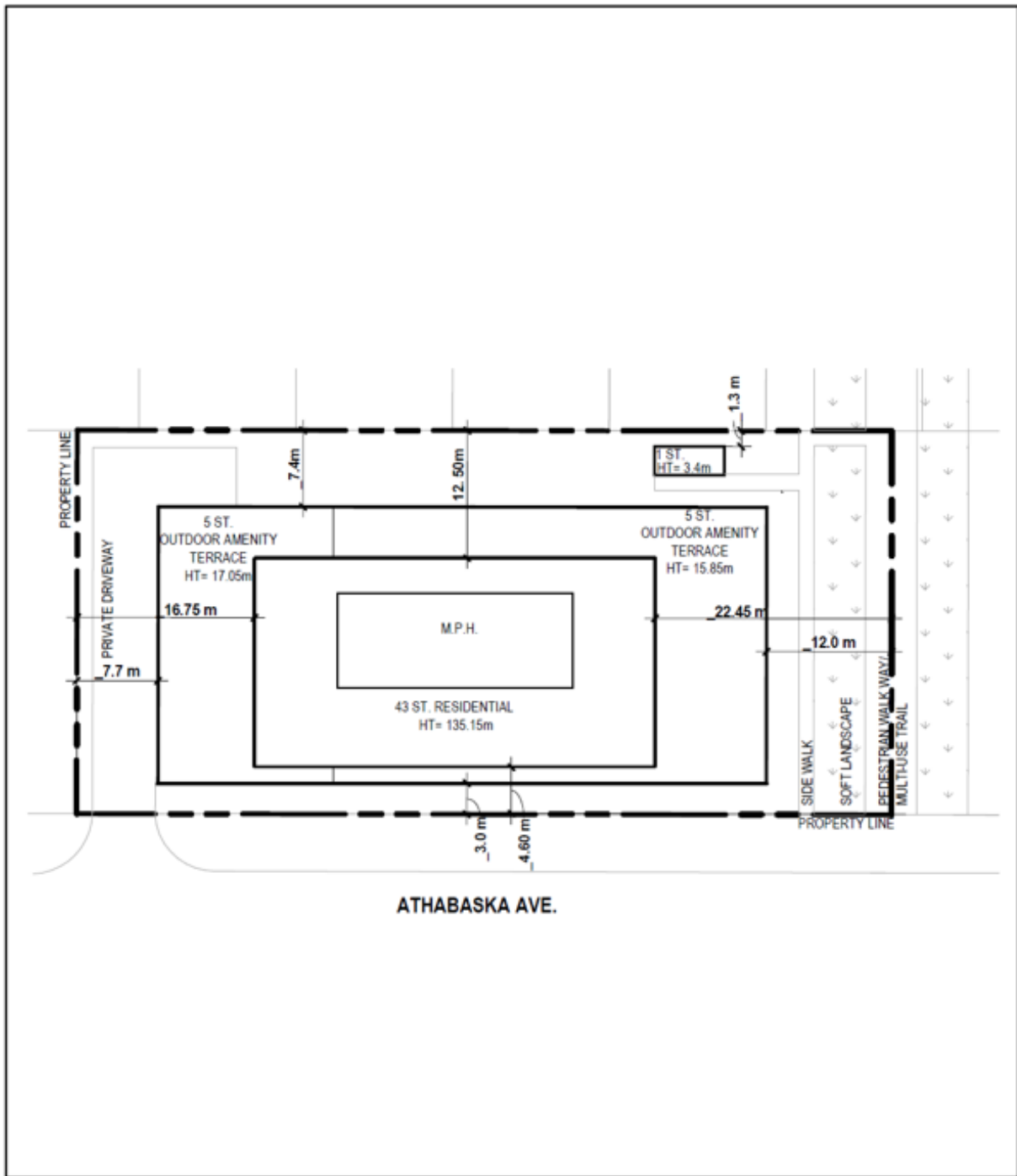
 **TORONTO**
Diagram 2

18 - 28 Athabaska Avenue

File #: 22 191099 NNY 18 02



City of Toronto By-law 569-2013
Not to Scale
02/26/2024



TORONTO
Diagram 3

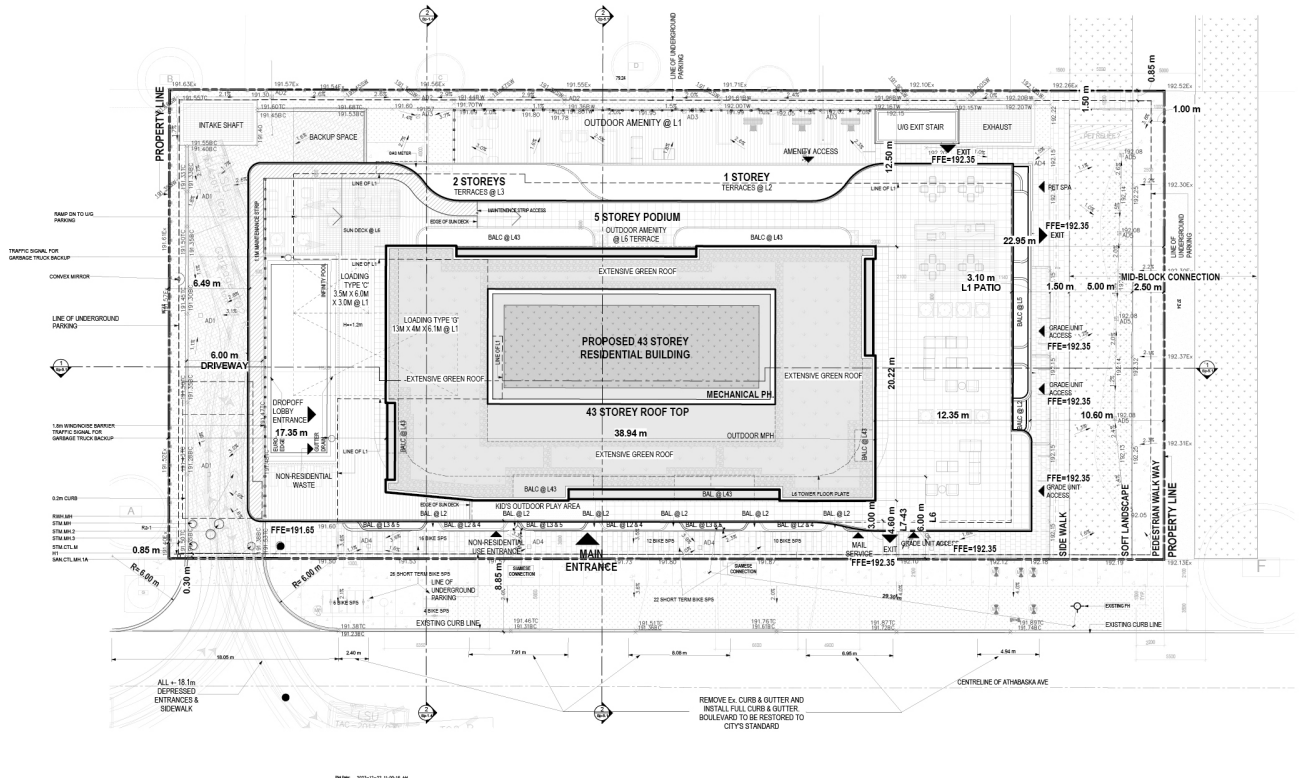
18 - 28 Athabaska Avenue

File #: 22 191099 NNY 18 0Z



City of Toronto By-law 569-2013
Not to Scale
02/26/2024

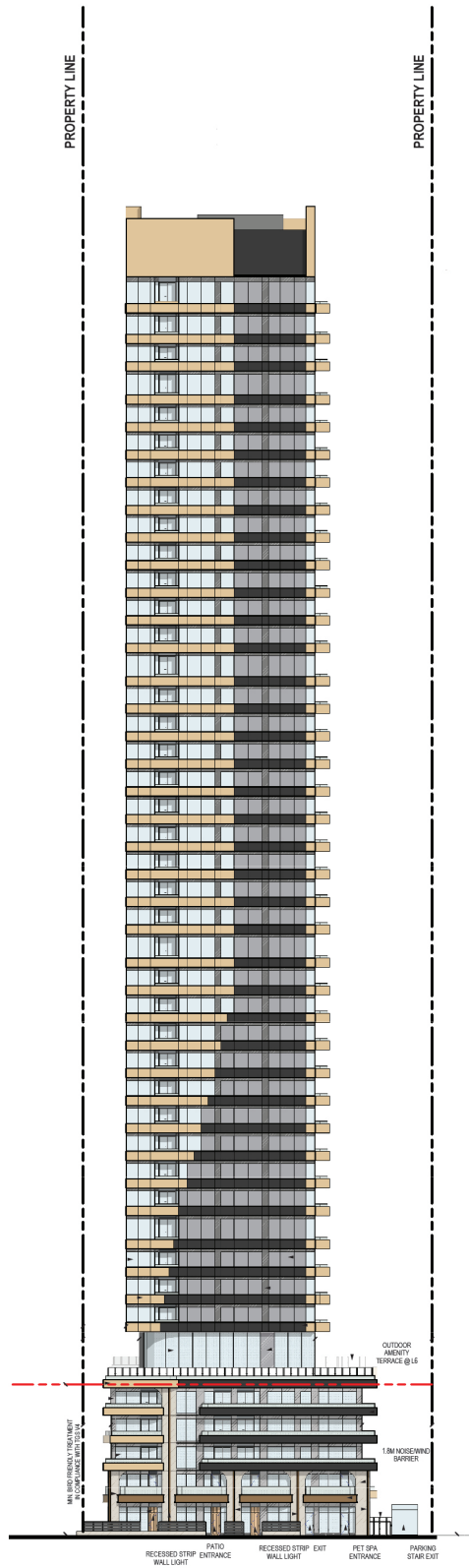
Attachment 7: Site Plan



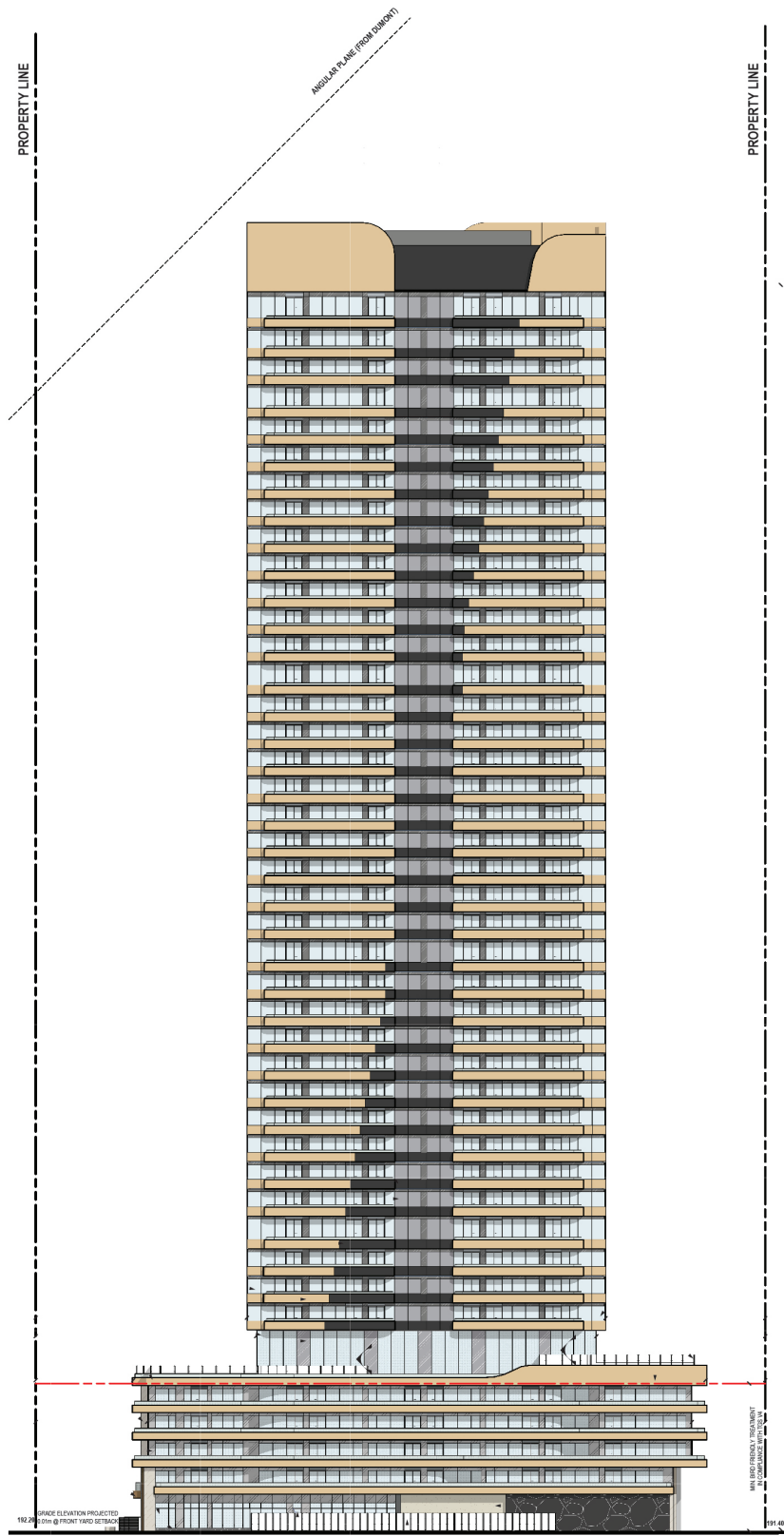
Site Plan



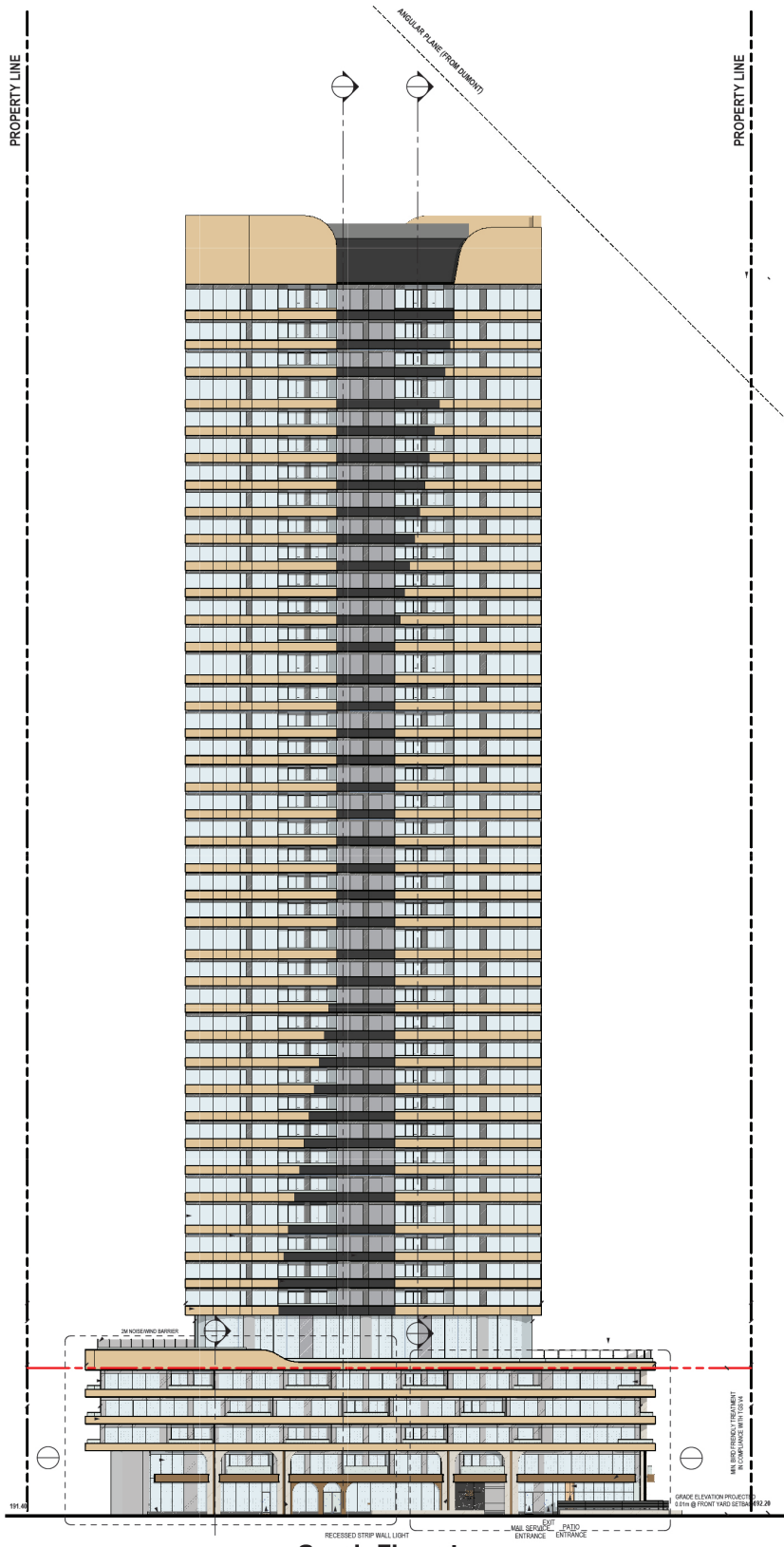
Attachment 8: Elevations



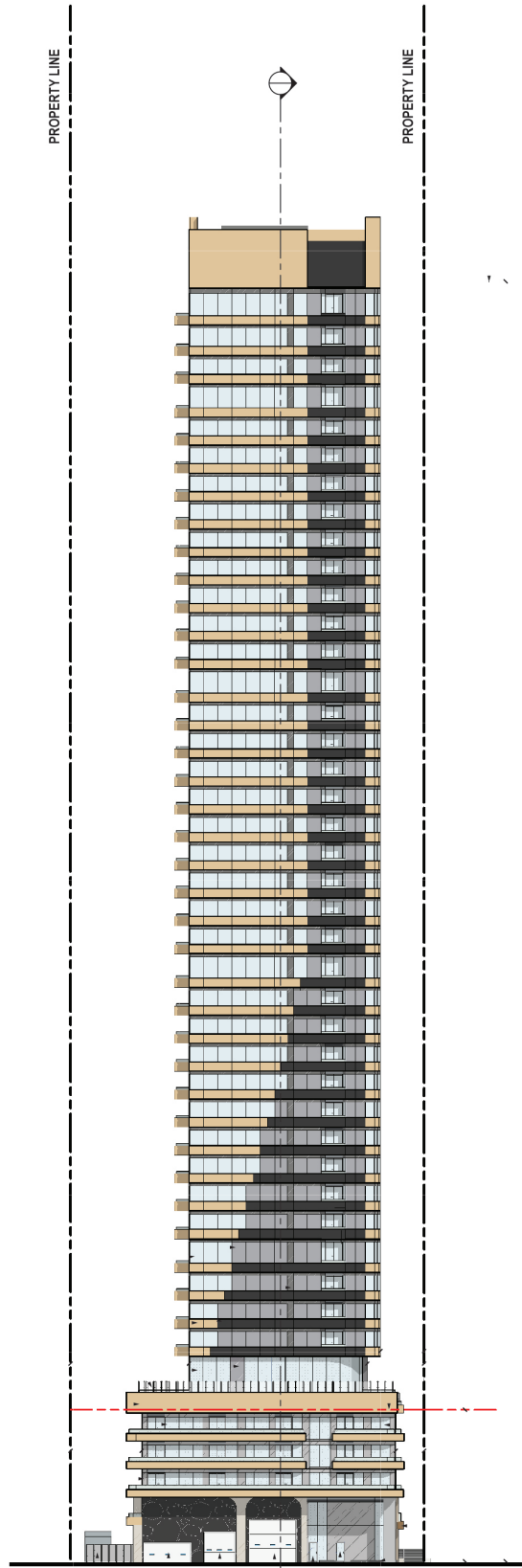
East Elevation



North Elevation



South Elevation



West Elevation