

2901 Bayview Avenue and 630 Sheppard Avenue East – Official Plan Amendment and Zoning Amendment – Request for Directions Report

Date: May 13, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 17- Don Valley North

Planning Application Number: 17 208789 NNY 24 OZ

SUMMARY

This application by QuadReal Properties Group, on behalf of the owner bcIMC Realty Corporation, proposes to amend the Official Plan, Sheppard East Subway Corridor Secondary Plan, and the Zoning By-law to increase the permitted height and density at 2901 Bayview Avenue and 630 Sheppard Avenue East. The proposed amendments seek to permit the redevelopment of the site with three mixed-use buildings (6 – 19 storeys) and a retail expansion to the existing shopping centre in the north area of the site, two mixed-use buildings (28 and 33 storeys) connected by an six storey podium in the south area of the site, and a five level parking garage internal to the site. A total of 1,036 dwelling units are proposed as part of the full build out of the site.

An amendment to the Official Plan is required to amend the Sheppard East Subway Corridor Secondary Plan to permit the proposed tall building height along the north portion of the site and the proposed density of 1.71 across the whole of the subject lands. An amendment to the former City of North York Zoning By-law No. 7625 and the City-Wide Zoning By-law No. 569-2013 is required to permit the proposed location and amount of residential apartment units, height and density on the lands, and to create appropriate development standards to facilitate the proposed development.

Both the Official Plan and Zoning By-law amendment applications have been appealed to the Local Planning Appeal Tribunal (LPAT) on the basis that the City failed to make a decision within the prescribed time period set out in the *Planning Act*. This report recommends that the City Solicitor, together with City Planning staff, and other appropriate City staff, attend the LPAT hearing in opposition to the current proposal. It is also recommended that staff continue to work with the applicant in an attempt to resolve the outstanding issues with the application.

The LPAT held a pre-hearing on October 17, 2018. At that time the applicant, parties, and participants were identified, file status was discussed, and next steps and milestone dates were determined.

A second Pre-hearing was held by teleconference on April 24, 2019. The applicant, the City, and all other parties to the hearing were part of the teleconference. Timing for the City reporting out on the November 2018 submission were established. A third Pre-hearing Conference was set by the LPAT to take place on June 26, 2019 at which time a procedural order will be finalized, including the provision of an issues list by the City.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Local Planning Appeal Tribunal hearing to oppose the Official Plan and Zoning By-law Amendment (17 208789 NNY 24 OZ) applications in their current form.
2. City Council direct City Staff to continue to negotiate with the applicant to resolve the outstanding issues identified in this report.
3. In the event that the Local Planning Appeal Tribunal approves the applications in whole or in part, City Council authorize the City Solicitor to request that the Local Planning Appeal Tribunal withhold its Order approving the applications until such time as:
 - a. The Local Planning Appeal Tribunal has been advised by the City Solicitor that the proposed Official Plan and Zoning By-law amendments are in a form satisfactory to the Chief Planner and City Solicitor, and that they, amongst other matters, provide for the securing of the rental tenure of the proposed rental units and any other necessary matters;
 - b. The City Solicitor confirms the satisfactory execution and registration of a Section 37 Agreement between the owner and the City, satisfactory to the Chief Planner to secure community benefits to be provided under the authority of Section 37 of the Planning Act; and
 - c. The City Solicitor confirms that the owner has provided an updated Functional Servicing Report to the satisfaction of Engineering and Construction Services and that the owner has made arrangements satisfactory to Engineering and Construction Services for the construction of any improvements to municipal infrastructure identified in the updated Functional Servicing Report should it be determined that upgrades are required to the infrastructure to support this development, and that the applicant has

entered into a financially secured agreement to pay for and construct any necessary improvements to the municipal infrastructure.

d. The City Solicitor confirms that the owner has provided all necessary financial securities for transportation improvements in the area, including signal modifications and/or upgrades, and the installation of new signals at Bayview Mews and/or Hawksbury Road to the satisfaction of Engineering and Construction Services.

4. Should the Local Planning Appeal Tribunal approve the applications, City Council direct the City Solicitor to advise the LPAT that the zoning by-law should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the Ward councillor.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Previous Applications

In 1998, the owners of the Bayview Village Shopping Centre applied for an Official Plan Amendment and rezoning application to permit residential uses that would facilitate a 15-storey, 280 unit building at the southwest corner of the property (File No. 98 035527 NNY 24 OZ). The property immediately to the west of the shopping centre (2885 Bayview Avenue), also filed an application for a 15-storey, 280 unit project which would front on to Bayview Avenue (File No. 98 035504 NNY 24 OZ).

It was intended that the two development projects would be connected with each other and be integrated with the Bayview subway station. Both applications were appealed to the Ontario Municipal Board (OMB). In 2001, the OMB, through consideration of the owners' appeals to the Sheppard East Subway Corridor Secondary Plan (OPA 392), approved both developments. However, since the time of the OMB approval, only the adjacent property owner has implemented this approval with the completion of the 15-storey, 449 residential unit "Arc" building in 2009.

In 2012, site plan approval was issued for a two-storey, 1,998 square metre building which was constructed and currently exists halfway along the south side of the site fronting onto Sheppard Avenue East and is currently occupied by a restaurant.

Pre-Application Consultation

City staff held two pre-application consultation meetings with the applicant to discuss the planning policy framework that would apply to the proposal and the complete

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application submission requirements. City staff requested that the applicant bring forward a plan that addresses the long-term potential of the entire property including the southeast corner of the property. Staff also raised concerns about the proposed heights, compatibility and transition to the surrounding existing and planned context, proposed park location, public roads and active transportation network, loading areas, improvements to the public realm and landscaping.

ISSUE BACKGROUND

Original Proposal

The applicant's original proposal was for two development zones (a North Development Zone and South Development Zone), on a site with a total area of 8.69 hectares. The original proposal included a one-storey extension of the existing mall, two six-storey mixed-use buildings and a 19-storey residential tower in the North Zone and two towers (33 and 28 storeys) connected by an eight-storey podium, and a five-level commercial parking garage in the South Zone. The total number of proposed residential units was 1,132. The existing stand-alone two-storey building (restaurant) would remain. The proposed total new gross floor area was 127,171 square metres. The total gross floor area for the entire site (including the proposed development, on the North Development Zone and the South Development Zone, and the balance of the site being occupied by the existing shopping centre building and vehicular parking areas) was proposed to be 167,316 square metres.

Loblaws owns approximately 0.65 hectares of block that is located at the western end of the mall and is landlocked by the lands subject to this application. Accordingly, the Loblaws grocery store and its associated underground parking, are not part of the application. The two levels of parking in the southeast area of the site is included in the application, for the purpose of calculating the total proposed density, but the applicant has not proposed any redevelopment of this area.

The applicant had proposed three separate parkland dedications, totalling 3,039.64 square metres (which constituted an under-dedication of on-site parkland) and cash-in-lieu of a parkland dedication. The proposed parks were to be located on the north side of Sheppard Avenue East (between the proposed 28-storey building and the existing private driveway access to Sheppard Avenue East), between the shopping centre and the existing two-storey restaurant building, and in the northeast corner of the property. A Privately-Owned Publicly Accessible Space (POPS) was proposed between the entrance to the Bayview Subway Station and the proposed public park on the north side of Sheppard Avenue East.

As a result of the proposed development, loading facilities for the mall would have to be reconfigured. Loading was proposed to be provided on the south side of the shopping centre and within the proposed 19-storey building and accessed via Hawksbury Drive at the northeast corner of the property.

Vehicular access for the proposed development was proposed to be provided via existing curb cuts on Sheppard Avenue East and Hawksbury Drive, a new vehicular access from Hawksbury Drive and a new consolidated vehicular access from Bayview Mews. Site circulation was to be provided via the existing network of private driveways on the site and a new pedestrian mews in the north zone. No new public streets were proposed. The proposed development would have a direct underground connection to TTC Line 4 – Bayview Subway Station and a covered walkway access to the shopping centre.

The table below provides some of the key statistics for the applicant's original proposal.

Key Project Statistics

Criteria	North Zone: Mixed-use Development	South Zone: Mixed Use Development	South Zone: Commercial Parking Garage	Total
Site Area	17,594 m2	20,160 m2		86,877 m2 *
New Residential GFA	29,897 m2	72,434 m2	-	102,331 m2
Non-Residential GFA	8,796 m2	4,881 m2	11,163 m2	24,840 m2
Total New GFA	38,693 m2	77,315 m2	11,163 m2	127,171 m2
Total Existing GFA to be retained	-	-	-	35,807 m2
Floor Space Index (FSI)	2.3	4.3		1.9
Number of storeys (metres)	6, 6, 19 (23.2, 23.2, 65.9)	33, 28 (116.7, 100.4)	5 (12.48)	-
Total Residential Units	372	760	-	1,132
Studio	12	-	-	12 (1.1%)
1 bedroom	181	380	-	561 (49.6%)
2 bedroom	169	342	-	511 (45.1%)
3 bedroom	10	38	-	48 (4.2%)

* includes south east parking lot and shopping centre lands

Revised Proposal (November 16, 2018)

The applicant submitted a revised with prejudice proposal on November 28, 2019 based on comments received from the local community, a working group that was established and which is discussed later in this report, and from City staff through the application review process.

The proposal continues to be separated into two development zones. The North Development Zone continues to propose a one-storey extension of the existing mall, two six-storey mixed-use buildings and a 19-storey residential tower, while introducing a 4,050 square metre park at the northeast corner of the site, adjacent to the Hawksbury Drive and Bayview Mews Lane Intersection. The proposed 19-storey tower has been shifted south from its original location, and is now located directly adjacent to the existing 19-storey buildings located on the east side of Hawksbury Drive. The 6-storey mixed use buildings fronting onto Bayview Mews Lane have been modified to provide residential units fronting onto the street in order to animate the public street.

Two residential towers are still proposed for the South Development Zone. The overall tower heights remain unchanged at 28 and 33-storeys (100.4 m and 116.7 metres), but the applicant has reduced the height of the podium from 8-storeys to 6-storeys and reduced the overall size of the podium footprint. The reduced podium footprint allows for a larger POPS along the east side of the podium, adjacent to the proposed public park space. A public park with an area of 1,091 square metres is proposed at the southeast corner of the South Development Zone with frontage on Sheppard Avenue East.

The overall number of dwelling units has been reduced to 1,036 dwelling units due to a reduction in floor plate size of the towers. The unit mix has been changed to provide for a greater mix of units, including a greater number of family sized 3-bedroom units. The overall floor space index has been reduced from 1.9 times the lot area to 1.71 times the lot area.

A five-storey above grade parking facility, containing 229 commercial spaces is proposed to be located between the proposed 33 and 28-storey building and the existing Loblaws and shopping centre. In addition to the new parking garage, the total parking on site, including the shopping centre is proposed to be 2,729 spaces, of which, 1,895 will be for non-residential uses, and the remaining 834 will be for residential uses.

Vehicular access for the proposed development continues to be provided via existing curb cuts on Sheppard Avenue East and Hawksbury Drive, a new vehicular access from Hawksbury Drive and a new consolidated vehicular access from Bayview Mews. Site circulation would be provided via the existing network of private driveways on the site and a new pedestrian mews in the north zone. No new public streets are proposed. The proposed development would have a direct underground connection to TTC Line 4 – Bayview Subway Station and a covered walkway access to the shopping centre.

The table below provides some of the key statistics for the applicant's revised proposal

Revised Statistics **

Criteria	North Zone: Mixed-use Development	South Zone: Mixed Use Development	South Zone: Commercial Parking Garage	Total
Site Area	17,594 m2	20,160 m2		86,877 m2 *
New Residential GFA	28,363 m2	50,127 m2	-	78,490 m2
Non-Residential GFA	10,442 m2	15,736 m2	10,882 m2	37,060 m2
Total New GFA	38,805 m2	65,863 m2	10,882 m2	115,550 m2
Total Existing GFA to be retained	-	-	-	35,807 m2
Floor Space Index (FSI)	1.9	3.8		1.71
Number of storeys (metres)	6, 6, 19 (23.2, 23.2, 65.9)	33, 28 (116.7, 100.4)	5 (12.48)	-
Total Residential Units	341	695	-	1,036
Studio	5 (1%)	-	-	5 (0.5%)***
1 bedroom	116 (34%)	279 (40%)	-	395 (38%)
1 bedroom + den	47 (14%)	92 (13%)		139 (13%)
2 bedroom	91 (27%)	210 (30%)	-	301 (29%)
2 bedroom + den	48 (14%)	45 (6%)		93 (9%)
3 bedroom	34 (10%)	69 (10%)	-	103 (10%)

* includes south east parking lot and shopping centre lands

** statistics based on information provided by applicant

Site and Surrounding Area

The site is 8.69 hectares in size (excluding the Loblaws grocery store which is 0.65 hectares in size) and is located on the north side of Sheppard Avenue East, east of Bayview Avenue. The site is bounded by Bayview Mews to the north, Sheppard Avenue to the south, Hawksbury Drive to the east and the 15-storey "Arc" condominium building

at 2885 Bayview Avenue to the west. Loblaws currently holds a number of easements over the subject lands that provide pedestrian, vehicular and loading access to the Loblaws site from the two existing curb cuts on Bayview Mews. The site is generally rectangular in shape and has a frontage of approximately 347 metres along Sheppard Avenue East and is approximately 270 metres deep from Sheppard Avenue East to Bayview Mews.

The site is accessed via a signalized intersection at Sheppard Avenue East (opposite Barberry Place), Hawksbury Drive and Bayview Mews. The site generally slopes downward from west (intersection of Bayview Avenue and Sheppard Avenue East) to east across the site.

The Bayview Village Shopping Centre and a stand-alone restaurant building currently occupy the subject site. The shopping centre has a gross floor area of 35,800 square metres.

The surrounding uses are as follows:

North: The Bayview Mews rental apartment neighbourhood is located immediately north of the subject lands. This neighbourhood consists of three-storey apartment buildings. Further north there are single detached residential dwellings and Bayview Village Park.

South: A gas station, the Toronto Sheppard Avenue YMCA centre, single detached homes, and medium and high density residential apartments (ranging in height from 7 to 28 storeys) are located south of the subject lands, between Sheppard Avenue East and Highway 401.

East: Three 19-storey apartment buildings (Bayview Village Place) are located immediately east of the site. Hawksbury Park (1.2 hectares) is located north east of the site. Further east are mixed-use buildings and townhouses along Sheppard Avenue East.

West: A 15-storey residential condominium building ("Arc") and the Bayview subway station entrance are located immediately west of the site. On the west side of Bayview Avenue are a commercial office building, three-storey townhouses, single detached dwellings, an eight-storey apartment building and St. Gabriel Catholic School. A 25-storey apartment building was approved in a settlement at the former Ontario Municipal Board which would replace the existing commercial office building at the north west corner of Bayview Avenue and Sheppard Avenue East. There is also a proposed 11-storey building at the northwest corner of Teagarden Court and Bayview Avenue.

Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the

Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Planning Act Section 1.1 of the Planning Act identifies the purposes of the Act including providing for a land use planning system led by provincial policy, integrating matters of provincial interest in provincial and municipal planning decision and recognizing the decision-making authority and accountability of municipal councils in planning.

Section 2 of the Act identifies matters of provincial interest to which a municipality shall have regard carrying out its responsibilities under the Act. Amongst other matters this includes:

- the conservation of features of significant cultural, historical or archaeological interest;
- the supply, efficient use, and conservation of energy and water;
- the minimization of waste;
- the orderly development of safe and healthy communities;
- the protection of the financial and economic well being of the Province and its municipalities;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, support public transit, and be oriented to pedestrians; and
- the promotion of built form that is well designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

Decisions made by an approval authority must have regard for the *Planning Act*.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the [Planning Act](#) and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The

policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans. Staff will reviewed the applicants revised proposal for consistency with the PPS (2014) and for conformity with the Growth Plan (2017).

Toronto Official Plan

The Official Plan provides policies and a strategy for managing future growth within the City. The Official Plan directs growth towards the *Downtown, Centres, Avenues* and *Employment Areas*. The subject site is located on Sheppard Avenue East, an identified *Avenue* as shown on Map 2 – Urban Structure in the Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities that are oriented around planned or existing transit service while improving the pedestrian environment, the look of the street, and shopping opportunities.

The Official Plan designates the subject site as *Mixed Use Areas* on Map 16 - Land Use Plan (see Attachment 2). *Mixed Use Areas* anticipate a broad array of residential uses, offices, retail services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. Consistent with Policy 4.5.2 of the Official Plan, new development in mixed use areas will:

- create a balance of uses that reduce automobile dependency and meet the needs of the local community;
- be massed in a way that provides a transition between areas of different development intensity and scale;
- be located in a manner that frames the edges of streets and parks;
- provide an attractive, comfortable and safe pedestrian environment; and
- take advantage of nearby transit services.

Healthy Neighbourhoods

The Healthy Neighbourhoods policies of the Official Plan (Section 2.3.1) require new development within *Mixed Use Areas* to provide a gradual transition of scale and density. This may be achieved through maintaining adequate light and privacy and the stepping down of buildings towards stable areas of the city including the neighbourhoods located to the northwest and parks located to the northeast.

Public Realm

The public realm policies in section 3.1.1 of the Official Plan place emphasis on the importance of good design in creating a great city. The Official Plan promotes new development that enhances the quality of the public realm including, streets, sidewalks, parks, public spaces and the buildings that frame and define these spaces.

Built Form

Section 3.1.2 of the Official Plan, ensures that new development is located and organized to fit within the existing and/or planned context of the neighbourhood. New development is to be massed and designed to fit harmoniously into its existing and planned context, including framing adjacent streets and creating appropriate transitions in height and scale.

The Official Plan also provides specific direction on the built form of tall buildings. Policy 3.1.3.2 provides that tall buildings will address key urban design considerations, including: meeting the general built form principles of the Official Plan; reinforcing the overall City structure; addressing the relationship to the existing and planned context; addressing the relationship to topography and other tall buildings; the provision of quality, comfortable and usable publicly accessible open space areas; and meeting other goals and objectives of the Official Plan.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of Section 3.1.3 provide additional direction on how they fit into the existing and planned context and how they are designed. Policy 2 requires that tall building proposals address key urban design considerations that include: demonstrating how the proposal will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Housing

Policy 3.2.1.9 of the Official Plan requires that the development of large sites (sites greater than 5 hectares) where an increase in height and/or density is sought, in accordance with Policy 5.1.1 of the Official Plan, that “the first priority community benefit will be the provision of 20 per cent of the additional residential units as affordable housing”.

Community Services and Facilities

The Official Plan requires the effective and co-ordinated planning, the involvement of all human services sectors, and investment in a comprehensive social infrastructure. Policy 3.2.6 requires community services strategies and implementation mechanisms for all new neighbourhoods and mixed use sites generally larger than 5 hectares in order to inform the range of facilities needed to support development.

Transportation

Policies 2.4.3 and 2.4.4 of the Official Plan states that planning for new development will be undertaken in the context of reducing auto dependency and creating a multi-modal approach to address the transportation demands and impacts of new development. The Official Plan also requires subway stations and underground light rail transit stations to be integrated into new multi-storey developments where feasible.

Parks and Open Spaces

The City's parks, open spaces and natural areas are an integral part of our quality of life and social well-being. For sites greater than 5 hectares in area, Policy 3.2.3.5 requires the dedication of land for parks up to 20 per cent of the land area (as determined based on local parkland needs and based on the alternative Parkland Dedication By-law No. 1020-2010). In addition, for sites greater than one hectare, dedication of land for parks purposes is preferred over payment of cash-in-lieu of an on-site parkland dedication.

New Neighbourhoods

The Official Plan requires a comprehensive planning framework for areas to be developed as a new neighbourhood. New neighbourhoods will be carefully integrated into the surrounding fabric of the city. Policy 3.3.1 identifies the elements that should be considered when developing a comprehensive planning framework and includes identifying the pattern of streets, development blocks, open spaces, the mix and location of land uses, a strategy to provide community services, and a strategy for the provision of affordable housing.

Section 37

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the Planning Act. The proposal meets the Official Plan's threshold for Section 37 considerations, as it has a gross floor area in excess of 10,000 square metres. Accordingly, this development proposal would be subject to the Section 37 policies of the Official Plan should City Council approve the application.

All other relevant Official Plan policies will be considered in the evaluation of this development proposal. The Toronto Official Plan can be found here:
http://www.toronto.ca/planning/official_plan/introduction.htm

Sheppard East Subway Corridor Secondary Plan

The Sheppard East Subway Corridor Secondary Plan (OPA 392) was approved by City Council on December 11, 1996, and was appealed and approved in part by the former Ontario Municipal Board on May 6, 1999. The site is located within the Bayview Development Node in the Secondary Plan, which is envisioned as a residential development node providing opportunities for new residential uses with a range and mix of housing types that will enhance the destination shopping and employment. The Secondary Plan identifies maximum permitted densities that would support subway facilities. The maximum floor space index (FSI) for the subject lands is 1.5 times the area of the lot, as shown on Map 9-2 Key Development Area "A" (Bayview Node) (see Attachment 3).

Section 4.2.1 of the Secondary Plan provides specific policy direction for the Bayview Village Shopping Centre block which corresponds to the lands subject to this application, save and except for lands owned by Loblaws. Policy 4.2.1 states that:

“Efforts should be made to relate any new development to the Bayview/Sheppard intersection, and to integrate it with the Bayview subway station through attention to building orientation, scale, height and setbacks. Continuous and ideally weather protected pedestrian connections should be provided between the subway station and new development.

Design solutions which protect for coordinated vehicular access for development of the lands abutting Bayview Avenue and the shopping centre lands are encouraged.

Proposed expansions of the existing shopping centre are to be massed primarily to the south of the existing commercial buildings. Expansions to the north of the existing commercial buildings are generally to be low rise additions approximately two to three storeys in height.”

Policy 4.3.1 of the Secondary Plan provides direction on development densities and states that:

"The densities assigned to the Mixed Use Areas, Neighbourhoods and Apartment Neighbourhoods on Map 9-2 are intended to be in support of the subway facility. Maximum densities are defined by built form, urban design objectives, community resources, infrastructure capacity and the need to address potential impacts on stable land uses and areas within and beyond the boundaries of the Sheppard East Subway Corridor."

And with respect to additional density, the Secondary Plan reads:

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"Where a comprehensive development proposal involves lands of sufficient size, it is recognized that a maximum density greater than that indicated on Map 9-2 may result on individual parcels comprising the development site provided that the maximum density assigned to the development as a whole does not exceed that established by this Secondary Plan."

Policy 4.3.3 identifies that density incentives are to be achieved through rezoning. The scale of the incentive requested and the implications in terms of built form, infrastructure, and public benefit will be assessed on the basis of individual development applications.

The urban design principles of Section 4.4 supports the provision of a network of public streets that integrate with their communities and respect the character of existing communities. Further, the greatest densities and building heights should be promoted closest to the subway stations. Particular attention will be given to the height relationship between new buildings within Mixed Use Areas and existing buildings on properties designated Neighbourhoods outside of the development nodes. Policy 4.4.5 states that public art is encouraged in the design of transit buildings and public facilities particularly in prominent locations.

All other relevant Secondary Plan policies were considered in the evaluation of this development proposal. The Sheppard East Subway Corridor Secondary Plan can be found here: <https://www1.toronto.ca/planning/9-sheppard-subway-east-corridor.pdf>

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Zoning

The site is subject to the former City of North York Zoning By-law 7625 and is zoned "Local Shopping Centre Zone" pursuant to Exception C2(10) (see Attachment 4). The C2 zone allows for a range of commercial and retail uses and a shopping centre. As noted previously, the site was subject to a zoning by-law amendment, which was approved in 2001 by the former Ontario Municipal Board (By-law No. 610-2001OMB). The site specific provisions that apply to the site permit a 15-storey, 280 unit apartment building specifically located in the southwest corner of the site.

The site is not subject to the City-wide Zoning By-law 569-2013 (see Attachment 5). However it is anticipated that any potential zoning amendments based on this application would be incorporated into Zoning By-law 569-2013.

Design Guidelines

Mid-Rise Building Guidelines

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications. The main objective of the Avenues and Mid-Rise Request for Direction- 2901 Bayview Avenue and 630 Sheppard Avenue East Page 15 of 58

Buildings Study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The Mid-Rise Building Guidelines identifies a list of best practices, categorizes the *Avenues* based on historic, cultural and built form characteristics, establishes a set of performance standards for new mid-rise buildings, and identifies areas where the performance standards should be applied.

Mid-Rise Building Performance Standards Addendum

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. The Addendum is to be used by City staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings.

The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines. Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

The Mid-Rise Building Performance Standards Addendum may be found here:

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all current and new tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within the existing or planned context and minimize their local impacts.

The Tall Buildings Design Guidelines require that development of larger sites be coordinated through a Master Plan. The Master Plan should include, amongst other considerations, the general layout and dimensions of new streets, blocks, parks and public or private open space and the general location of base buildings and tower footprints. Tall buildings shall also ensure that they fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open spaces. The Tall Buildings Design Guidelines also limit the tower floor plate for tall buildings to 750 square metres or less per floor.

The city-wide Tall Buildings Design Guidelines are available at

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Site Plan Control

The proposed development is subject to Site Plan Approval. An application for site plan control has not been submitted, but would be required prior to any construction being initiated.

Tree Preservation

An Arborist Report was submitted with the application and has been circulated to Urban Forestry staff for review. A total of 12 privately-owned trees and 62 City-owned trees are proposed to be removed and replaced. The 12 privately-owned trees proposed for removal would be replaced by 36 new trees.

Reasons for the Applications

An amendment to the Official Plan is required to amend the Sheppard East Subway Corridor Secondary Plan to permit the proposed taller building heights along the north portion of the site and the proposed density across the whole of the subject lands. An amendment to the former City of North York Zoning By-law No. 7625 and the City-Wide Zoning By-law No. 569-2013 is required to permit the proposed location and amount of residential apartment units, height and density on the lands, and to create appropriate standards to facilitate the proposed development.

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendments;
- Tree Preservation Plan;
- Community Services and Facilities Study;
- Public Consultation Plan;
- Energy Strategy Report;
- Toronto Green Standard templates and checklist;
- Pedestrian Level Wind Study;
- Sun/Shadow Study;
- Urban Transportation Considerations Report;
- Geotechnical Investigation Report;
- Hydrogeological Site Assessment;
- Servicing and Stormwater Management Report;
- Arborist Report;
- Noise Impact Study; and
- Accessibility Design Standards Checklist.

As part of the applicant's Public Consultation Plan, the applicant has established a website where the public will be able to receive up to date information. The applicant's website can be found here: <https://www.futureofbvshops.com/>

A Notification of Complete Application was issued on July 31, 2017.

The submitted information for the application is available at the Application Information Centre (AIC) at <http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4218053&isCofASearch=false&isTlabSearch=false>

Agency Circulation

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.

Community Consultation

There have been a number of consultation meetings held with the local community on this site. Two Community Consultation Meetings were held by the City Planning Division on January 10, 2018, and on February 5, 2018 for residents of former Wards 24 and 23 respectively.

Due to the scale of the development proposed, and the interest from the local community, it was decided that a working group should be established in addition to the two Community Consultation Meetings. The working group consisted of community stakeholders, City staff, the applicant, and the former Ward Councillors. The purpose of the working group was to provide input into City staff's review of the proposed development and to inform future revisions to the proposal.

Staff held 5 working group meetings between April and October 2018. Each meeting was chaired by City Planning staff and focused on specific aspects of the proposal.

Working Group Meeting No. 1 was held on April 18, 2018. City Planning staff identified the purpose of the working group and the Terms of Reference for the working group. Comments from the working group members related to site access and circulation, parks, and the development areas.

Working Group Meeting No. 2 was held on May 2, 2018 and focused on Public Realm and Built Form. Comments from this session included, the need for public realm improvements to the streets, pedestrian connections, internalizing parking and loading functions, activating street frontages, stepping buildings back from street frontages, heights of proposed buildings, and the mix of built form.

Working Group Meeting No. 3 was held on May 24, 2018. This meeting was focused on identifying the challenges and solutions related to the transportation network and site access. The working group discussion was focused on improvements to Hawksbury Drive and Bayview Mews Lane, the Bayview Avenue and Sheppard Avenue East intersection, the greater transportation network and the need to balance the function of the Sheppard Avenue corridor within the public right-of-way for all users.

Working Group Meeting No. 4 was held on June 14, 2018. This meeting was focused on identifying opportunities for community services and facilities, as well as public art. The working group members noted that a number of Community Services and Facilities were missing from the neighbourhood including a community centre with a pool, a large central park, daycare, medical facilities and community space. Concerns were also flagged with regards to school capacity. Members were supportive of the proposal providing larger, family sized units, and that public art could contain fountains or water features, sculptures, and that public art be distributed throughout the site.

Working Group Meeting No. 5 was held on October 2, 2018. The purpose of this meeting was to provide the opportunity for the applicant to present their revisions to the working group prior to making a formal resubmission to the City. Working group members raised concerns including traffic congestion, servicing, infrastructure capacity, and proposed parking supply.

In addition to the meetings held by the City Planning Division, the applicant held a number of Open House Meetings with shopping mall tenants as well as with the larger community. The applicant has been engaging tenants and the larger community since 2016. The applicant has set up a website for this project with updates. The applicant's website can be accessed via the following link:

<https://www.futureofbvshops.com/community/>

COMMENTS

Local Planning Appeal Tribunal Hearing

The owner and applicant appealed the application to the former Ontario Municipal Board, now the LPAT on February 9, 2018 (LPAT File No. PL 180148, PL180149, PL180150). A pre-hearing was held on October 17, 2018. At the pre-hearing, parties, and participants were identified, file status was discussed, and next steps milestone dates were determined.

A second pre-hearing was held by teleconference on April 24, 2019. The applicant, the City and all other parties to the hearing were part of that teleconference. Timing for the City reporting out on the November 2018 submission were established. A third pre-hearing conference has been scheduled for June 26, 2019, at which time a procedural order will be finalized, including the provision of a list of issues with the application by the City and the other parties.

The applicant raised the possibility of LPAT led mediation as part of this appeal. The City and other parties will identify to the LPAT if they are willing to participate in future mediation to resolve the outstanding issues with any resolution of the appeal between the City and the owner/applicant through mediation being subject to receiving further instructions from City Council.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement, 2014 (PPS) and the Growth Plan for the Greater Golden Horseshoe (2017) (Growth Plan) are high-level and broad reaching policy documents. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong communities, wise use and management of resources, and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the Planning Act, to be consistent with the PPS.

Similar to the Growth Plan, Section 1 provides policy direction on where growth should be focused. The Provincial Policy Statement, 2014 (PPS) provides for a coordinated and integrated approach to planning matters within municipalities. Speaking to sustaining the health, livability, and safety of communities, Policy 1.1.1 states that land use should accommodate an appropriate range and mix of uses to meet long-term needs, avoid development which may cause environmental or public health and safety concerns, and that promote development that conserves biodiversity and considers the impacts of a changing climate. The applicant's proposal partially conforms to this policy as it proposes a mix of land uses by introducing additional residential uses.

Policy 1.1.3.3 requires planning authorities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing and planned infrastructure and public service facilities to meet projected needs, and shall be directed in accordance with the policies dealing with Resource Management (Section 2) and Public Health and Safety (Section 3). These locations and areas are to be identified in the official plan and zoning by-laws in accordance with policies 4.7 and 4.8 of the PPS.

The PPS and the Growth Plan encourage intensification and redevelopment in urban areas and direct planning authorities to identify appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs. The subject site is located adjacent to a subway station but they have not adequately demonstrated that the proposed level of intensification can be accommodated by existing municipal infrastructure. The City through its Official Plan has identified that Avenues are important corridors along major

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streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. The subject site is located along the Sheppard Avenue East corridor on the Sheppard Subway Line where growth is anticipated and directed. Through the review of the applicant's application, it has been identified that the proposal for this site has impacts on infrastructure and services for the area, and cannot be supported until such time as the infrastructure issues have been adequately addressed by the applicant, including servicing capacity issues.

City Planning Staff are of the opinion that although the proposed development partially addresses the policies in the PPS, the proposal in its current form has not demonstrated there is sufficient infrastructure for the intensification proposed and are therefore is not consistent with the PPS.

Growth Plan (2017)

The Growth Plan for the Greater Golden Horseshoe (2017) 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. The Growth Plan strives, among other goals, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan identifies that municipalities are obligated to undertake integrated planning to manage forecasted growth to the horizon of the Growth Plan which provides direction for urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact urban form. The proposal optimizes infrastructure along a transit corridor and promotes a complete community

The guiding principles of the Growth Plan, Policy 1.2.1 supports the achievement of complete communities that are designed to support healthy and active living and meet people's daily needs throughout an entire lifetime. It supports a range and mix of housing options, including second units and affordable housing to serve all sizes, incomes, and ages of households.

Policy 2.2.1.4 of the Growth Plan identifies that the policies of the Growth Plan are to be applied to support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities; provide a diverse range and mix of housing options to accommodate people at all stages of life; to accommodate the needs of all household sizes and incomes; and ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. Compact built forms within complete communities can be achieved at different densities, heights, and building typologies that take the planned local context into account.

Any intensification for the site should be designed in a manner to ensure the achievement of a complete community for the long term. In order to ensure that the site and the block as a whole develop as a complete community in a compact urban form over the long term, a master plan and block plan are required to be completed. The proposal partially meets Policy 2.2.1.4.

The Growth Plan indicates that complete communities provide a diverse range and mix of housing options to accommodate households of all sizes and incomes. Policy 2.2.6.3 identifies that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The City's Official Plan, Policy 3.2.1.9 identifies that large developments provide an opportunity to achieve a mix of housing in terms of type and affordability. On large sites, generally greater than 5 hectares in site, the first priority community benefit will be the provision of 20 per cent of the additional residential units as affordable housing. The applicant has proposed to provide some affordable housing as part of the North Development Zone, but more work is required to address the policies of the Growth Plan as well as the large sites policies contained within the City's Official Plan.

A number of policies of the Growth Plan establish the requirement that an integrated approach to land use and infrastructure planning consider municipal built form and public realm policies. The creation of a walkable neighbourhood that is characterized by a well-connected network of streets, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment that encourages active transportation is required for this site. The proposal partially addresses these objectives, but further improvements to the proposal are required, particularly around the northern park.

The proposal in its current form partially conforms to the Growth Plan policies, however, the proposal in its current form does not conform to the policies in way that comprehensively implements the Growth Plan for the Greater Golden Horseshoe.

Land Use

The subject lands are designated *Mixed Use Areas in the Official Plan*. *Mixed Use Areas* are expected to absorb most of the anticipated new housing in the City, however, not all *Mixed Use Areas* will experience the same scale or intensity of development, with the highest densities found in the *Downtown*, followed by the sites in the *Centres* and along the *Avenues*. The subject site is located on a transit corridor and intensification is anticipated along transit corridors and within *Mixed Use Areas*.

The Sheppard East Corridor Secondary Plan identifies that *Mixed Use Areas* may be permitted to be developed primarily for residential uses, however, mixed use developments with non-residential uses such as retail or small offices at grade with multiple residential or offices located above grade are encouraged along the Sheppard Avenue frontage. The subject site is located within the Bayview Node on Map 9-2 of the Secondary Plan. The Secondary Plan identifies that The Bayview subway station will be

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a residential development node providing opportunities for new residential uses with a mix and range of housing types. The Secondary Plan identifies that residential development will enhance the destination shopping and employment at the Bayview Village Shopping Centre. New development will be focused at locations which are readily accessible to the Bayview subway station. The applicant's proposal has identified that the South Development Zone will be integrated with a connection to the Bayview Subway station, and connected to the shopping centre with a pedestrian bridge.

The lands are also subject to Specific Development Policy 4.2.1 - Bayview Village Shopping Centre Block. The Secondary Plan states that additional development on this block is encouraged to maximize its *Mixed Use Areas* designation and development potential. Mixed use development, including residential units, is supported by the Secondary Plan. The policies speak to new development relating to the Bayview/Sheppard intersection, integration to the subway, and pedestrian connections and weather protection, among other matters. The plan also identifies that proposed expansions of the existing shopping centre are to be massed primarily to the south of the existing commercial buildings. Expansions to the north of the existing commercial buildings are generally to be low rise additions approximately two to three storeys in height.

The residential uses proposed as part of this development application will be complimentary to the shopping and employment uses that currently exists at the Bayview Village Shopping Centre. The proposed residential uses on the site are in keeping with the land use policies of the Sheppard East Corridor Secondary Plan. The proposed expansion to the shopping centre is also in keeping with the Secondary Plan policies. The massing of the proposal and its compliance with the Secondary Plan policies are discussed later in this report.

Site Organization

The subject property is a 8.68 hectare site in a block that is located at the northeast corner of Bayview Avenue and Sheppard Avenue East. In order to ensure the future development of a site of this site into a compact, complete community, the site must be reviewed and planned comprehensively.

The Public Realm policies of the Official Plan identify that City streets are significant public open spaces which connect people and places and support the development of sustainable, economically vibrant and complete communities. The policies identify that interior shopping malls, underground concourses, plaza walkways, and private mid-block connections will be designed to complement and extend, but not replace, the role of the street as the main place for pedestrian activity. They should be accessible, comfortable, safe and integrated into the local pattern of pedestrian movement with direct, universal physical and visual access from the public sidewalk and clear path-finding within. Additional infrastructure needed for the building of new communities will be laid out and organized to reinforce the importance of public streets and open space

as the structural framework that supports high quality city living. The applicant's proposal addresses some of the public realm policies, but additional work is required in order to provide improved pedestrian connections and integration of the existing shopping centre with the new development and the existing community.

The Official Plan contains policies in Section 3.3 regarding building new neighbourhoods. The Plan states that once a decision has been made to develop an area as a new neighbourhood, a comprehensive planning framework is required. New neighbourhoods will usually need new infrastructure, streets, parks and local services to support new development and connect it with the surrounding fabric of the City. They must also function as communities, not just housing. The policies of the Plan state that new neighbourhoods will have a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context. The policies go on to identify that new neighbourhoods will be carefully integrated into the surrounding fabric of the City, and will have: a) good access to transit and good connections to the surrounding streets and open spaces; b) uses and building scales that are compatible with surrounding development; c) community services and parks that fit within the wider system; and d) a housing mix that contributes to the full range of housing.

The subject site is located at the intersection of Bayview Avenue and Sheppard Avenue East in close proximity to Line 4 of the subway system. There are opportunities through the redevelopment of the site to better connect the site directly to the subway, as well as to provide connectivity to and through the site for pedestrians, cyclists, and vehicles through the site design. The built form proposed is discussed further in this report, as well as the housing matters. The applicant's proposal shows two on-site parkland dedications. A larger, 4,050 square metre, park is proposed in the North Development Zone, adjacent to the Hawksbury Drive and Bayview Mews Lane intersection, and a smaller, 1,091 square metre park is proposed at the South Development Zone, fronting onto Sheppard Avenue East. A POPS is being proposed adjacent to the proposed park fronting onto Sheppard Avenue East. The size, configuration and location of the public parks are under review and are described in more detail later in this report.

In order to meet the Official Plan objectives and ensure the long term redevelopment of the site into a complete community, City staff identified the requirement for a comprehensive master plan, and a future public road/street network and block plan in the issues section of the Preliminary Report that was before Council in 2017. In order to ensure the orderly redevelopment of this large site, future streets within the block should be public streets that are designed and laid out as part of a network that would improve the block's connectivity, provide access and addresses for new buildings, and create adequate space for pedestrians, cyclists, landscaping, as well as transit, vehicles, utilities and utility maintenance. The applicant has not submitted a master plan or future public road/street network, or block plan to date. A master plan and future public road/street network and block plan will allow for the comprehensive planning of the site over the long term.

The Implementation Section of the Sheppard Avenue East Corridor Secondary Plan identifies that key development areas have been identified and primarily designated Mixed Use Areas. Comprehensive redevelopment is promoted in the key development areas to prevent piecemeal development. The Secondary Plan also identifies that in key development areas, context plans may be required for the entire block on which the development is located, including its relationship to adjacent streets, open space and development sites, as part of rezoning applications. The purpose of the context plan is to:

- a) provide a context for co-ordinated incremental development by showing the proposed development in relation to relevant adjacent conditions in the area surrounding the site;
- b) to assist in evaluating the conformity of the proposed development with the relevant provisions of the Secondary Plan, including the conceptual parks plan; and
- c) to provide a framework within which streetscape initiatives of the City will be developed and implementation mechanisms identified.

The purpose of a Context Plan will become the manner in which to organize the block over the long term as redevelopment of the land occurs over time. A plan which illustrates the phased development of the entire site, including the parks, is required as part of this application.

Housing Issues

The City's Official Plan contains policies that state that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock. Official Plan policy 3.2.1.9 is the City's "large sites" policy and reads:

"Large residential developments provide an opportunity to achieve a mix of housing in terms of types and affordability. On large sites, generally greater than 5 hectares in size:

- a) a minimum of 30 per cent of the new housing units will be in forms other than single-detached and semi-detached houses, such as row housing, triplexes and multi-unit residential buildings; and
- b) in accordance with and subject to Section 5.1.1 of this Plan where an increase in height and/or density is sought, the first priority community benefit will be the provision of 20 per cent of the additional residential units as affordable housing. This affordable housing contribution may take the form of affordable housing constructed on-site or the conveyance of land in the development to the City for the purpose of affordable housing, or, at the discretion of the City: i) with the agreement of

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the developer, affordable housing units constructed near the development site or elsewhere in the City; ii) the conveyance of land to the City for the purpose of affordable housing near the proposed development site; or iii) cash in lieu for the purpose of constructing affordable housing in or near the proposed development site."

The framework should include a strategy to provide affordable housing. The area of the site is greater than 5 hectares, and thus is a large site. Official Plan Policy 3.3.1 requires that new neighbourhoods will have a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context.

There is opportunity for the proposal to address the need for affordable housing in line with the Growth Plan for the Greater Golden Horseshoe 2017 as well as the City's Official Plan policies.

The applicant has indicated in their Addendum to Housing Issues Report dated November 16, 2018, that all of the 341 residential units proposed in the North Development Zone will be rental. In addition to the 341 rental units, the applicant has indicated that up to 5% of the increase in residential gross floor area could be provided as affordable rental. The 5% proposal would result in approximately 575 square metres of residential gross floor area that could be included as part of the first phase of development, and allocated to affordable rental housing. The applicant has indicated that the affordable rental could be provided in this portion of the development. The applicant has also indicated that if it were determined that affordable ownership housing should be provided as an alternative to rental housing, or as part of the total contribution, this could potentially be included in the development in the South Development Zone because no ownership housing is proposed in the first phase (North Zone).

Through the Growing Up Guidelines, the City seeks to secure a minimum of 10% of the proposed units having three or more bedrooms and a critical mass of both two and three-bedroom units. The applicant is proposing to provide 34 three-bedroom units in the 19-storey tower (approximately 10%), as well as 69 three-bedroom units in the 28 and 33-storey towers (approximately 10%). Overall, 103 three-bedroom units are proposed across the entire site is in keeping with the City's Growing Up Guidelines.

Staff are of the opinion that securing more affordable housing on site which is in keeping with the Official Plan's large site policy would be appropriate for this site due to its large size, availability of commercial services on-site, and proximity to higher order transit.

Density, Height, Massing

The subject site is within the Sheppard East Subway Corridor Secondary Plan, and is identified as being within the Bayview Node on Map 9-2. The Secondary Plan identifies that the Bayview subway station will be a residential development node providing opportunities for new residential uses with a mix and range of housing types.

Residential development will enhance the destination shopping and employment at the Bayview Village Shopping Centre.

The subject lands are subject to Specific Development Policy 4.2.1 - Bayview Village Shopping Centre Block. The Secondary Plan states that additional development on this block is encouraged to maximize its *Mixed Use Areas* designation and development potential. Mixed use development, including residential units, is supported. The policies speak to new development relating to the Bayview/Sheppard intersection, integration to the subway, and pedestrian connections and weather protection, among other matters.

The Sheppard East Subway Corridor Secondary Plan encourages development to be transit supportive with the highest densities generally located closest to the rapid transit stations, and to a lesser extent along arterial road frontages. The pedestrian environment of Sheppard Avenue will be a key consideration in transit supportive urban design. Intensification has to be accommodated by community services, physical infrastructure, has to be able to fit on the sites, and it is also an opportunity to achieve some net benefits of reinvestment and improvement in the buildings to be retained. The Secondary Plan does not prescribe specific heights for development parcels along the Sheppard Avenue East corridor, however the policy does state that the highest densities and heights are directed to locations along Highway 401 and locations closest to the subway nodes, and to a lesser extent along the arterial roads.

Map 9.2 of the Secondary Plan sets out maximum densities in the designated Key Development Area between 1.4 and 3.71 FSI. The maximum densities are located at various sites within the Bayview node. The subject site is located within the Bayview Node and within the Bayview Village Shopping Block Centre, and the permitted maximum density is 1.5 FSI. The site immediately adjacent to the Bayview Village Shopping Centre lands has a maximum permitted density of 3.5 FSI (Arc building) . The applicant has revised their proposal so that the proposed densities are 1.9 FSI for the North Development Zone, and a density of 3.8 for the South Development Zone. An overall site density of 1.71 FSI is proposed for the entire site.

The existing area context consists of a mix of building heights and typologies. Immediately adjacent to the site is a 15-storey residential condominium building ("Arc"). To the east of the subject site are three, 19-storey apartment buildings. Further south of the site, residential development ranges in height from 7 to 28-storeys. The built form character of Sheppard Avenue, east of Bayview Avenue, is predominantly of a mid-rise scale, with taller buildings located adjacent to Highway 401. The area further north, beyond the Bayview Mews apartment neighbourhood, consists of single detached dwellings. The planned context of the area includes taller buildings, with the approval of a 25-storey mixed use building on the northwest corner of the Bayview and Sheppard intersection. The proposed gradation of building heights on the site, with the tallest being closest to the Bayview/Sheppard Node is generally acceptable subject to further reductions to the overall building height in the South Development Zone to be more in

keeping with the existing and planned context and in keeping with the Secondary Plan policies.

The Secondary Plan also identifies that proposed expansions of the existing shopping centre are to be massed primarily to the south of the existing commercial buildings. Expansions to the north of the existing commercial buildings are generally to be low rise additions approximately two to three storeys in height. The applicant is proposing development north of the existing commercial building with two, 6-storey midrise buildings as well as a 19-storey tower at the northeast portion of the mall, south of the proposed public park. The proposed built form for the North Development Zone is intended to provide a transition in heights from the site as one moves north towards the stable *Apartment Neighbourhoods* and *Neighbourhoods*. Modification of the building massing, particularly the tower floor plate size of the 19-storey building is necessary in order to ensure that impacts on the stable neighbourhoods are minimized.

The overall density proposed for this block has impacts on infrastructure and services for the area, and cannot be supported until such time as the infrastructure issues identified by City staff have been addressed, including servicing and transportation infrastructure.

Transition

The Built Form policies within the Official Plan stress the importance of new development fitting harmoniously into its existing and/or planned context and limiting its impacts on neighbouring streets, parks, open spaces and properties. The Official Plan identifies the need to consider new development not only in terms of the individual building and site, but also in terms of how that building and site fit within the context of the neighbourhood and the City. The Official Plan also identifies that tall buildings are desirable in the right places, but also acknowledges that they are not appropriate in all locations. When tall buildings are poorly located or designed, they can physically and visually overwhelm adjacent streets, parks and neighbourhoods. The Plan acknowledges that tall buildings are also only one form of intensification.

The Tall Building Design Guidelines stipulate that when a tall building is proposed on a site surrounded by other tall buildings of consistent height, the height and scale of the proposed tower should relate to the existing context. The surrounding existing residential buildings, immediately adjacent to the site, range in height from 15 to 19-storeys. The surrounding planned building heights are up to 25-storeys. The proposed towers range in height from 19 to 33-storeys.

Given the existing and planned context, and Secondary Plan policies regarding integrating new development with the Bayview subway station through attention to building orientation, scale, height and setbacks, the proposed South Development Block requires a reduction in building height. The height reduction will also assist in adequately limiting shadows on the public realm, adjacent properties and open spaces.

In addition, transition to existing adjacent residential developments requires modifications to the podium design of the tall buildings within this development zone. The proposed 6 and 19-storey buildings proposed for the North Development Zone are appropriate in terms of height and transition, subject to further refinement of the tower floor plate size of the tower.

Sun, Shadow, Wind

The applicant has submitted a shadow study as part of the November 16, 2018 resubmission. The applicant's proposal for the South Development Zone casts a long shadow, which impacts properties to the west of the site, and west of Bayview Avenue, during the early morning hours of the spring/summer equinox. Long shadows are cast during the winter equinox in the early morning hours which cast shadow on the school yard and the *Neighbourhoods* to the north-west. Although intensification on the site is contemplated by the Secondary Plan, the current tower height and massing of the buildings at the South Development Zone need to be reduced and articulated so as to adequately limit shadowing on neighbouring streets, properties and open spaces.

Servicing

The applicant submitted a number of engineering drawings and studies including Stormwater Management and Functional Servicing Reports as part of their resubmission for this application. Engineering and Construction Services staff have reviewed the submitted drawings and studies and identified a number of issues that require resolution.

The site is encumbered by an existing City storm sewer easement. It is City policy to not allow direct site servicing connections to municipal storm/sanitary sewers and watermains within easements. Engineering and Construction Services has indicated that the design of the development will be required to have direct connections to the existing municipal infrastructure that is located on Sheppard Avenue East, Bayview Mews Lane and Hawksbury Drive. The service connections to the Sheppard Avenue East municipal sewers can be achieved with the assistance of pumping flows with a back-up system which is standard design for residential towers with multiple levels of below grade parking, where the sanitary and storm flows get pumped to the storm sewer system as a result of the depth of the weeping tile system and garage drain floors draining to a sanitary sewer.

The applicant's engineer also provided General Schematic Sanitary Design Plans as part of their resubmission. Engineering and Construction Services staff have indicated that all existing private pipes located within the proposed park located in the North Development Zone, will have to be relocated away from the proposed park. Currently the applicant's engineer proposes a sanitary service connection for the proposed 5-storey parkade, located south of the Loblaws building, which falls within the area that has been identified for parkland within the North Development Zone. Engineering and Construction Services has indicated that this is not permitted and the connection will

have to be relocated away from the existing easement and connect directly to Hawksbury Drive. In addition, a proposed storm storage tank to service the new building is proposed within the new park in the North Development Zone. This is not acceptable and will have to be relocated to another area on the site.

Engineering and Construction Services has reviewed the applicant's Functional Servicing Report and identified that within the South Development Zone, additional information is required specifying the size of the required domestic and fire service connections to ensure that larger service connections are not to be connected to smaller sized municipal watermains. A revised Functional Servicing Report needs to be submitted in order to ensure that the issues are addressed to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction.

The applicant may be required to upgrade the municipal infrastructure in order to accommodate the development and to ensure compliance with City standards and polices. In addition, within the South Development Zone, the applicant's engineer has not provided a sanitary sewer analysis that demonstrates that no negative impact is generated with regard to sanitary sewer discharge. Currently, there is no downstream sewer capacity to accommodate foundation ground water discharge to the sanitary sewer during construction for the entire development. The applicant's engineering report indicates that the redevelopment of this site will cause three legs of sanitary sewers to become surcharged under dry weather conditions. The report also suggests that upgrades to these sewers is not appropriate due to disruption in the valley area at the intersection of Sheppard Avenue East and Leslie Street. The City is sensitive to environmental conditions and has encouraged the applicant's engineer to explore and propose upgrade designs and construction techniques that mitigate the environmental impacts as well as address the surcharging conditions that this development causes to the municipal sanitary sewer system.

There is a servicing capacity issue raised by the proposal which has not been satisfactorily addressed at this time. In order for Engineering and Construction Services to accept the submitted servicing drawings, and Stormwater Management and Functional Servicing Reports, the applicant is required to address a number of issues related to the foundation groundwater concerns, sewer capacity issues, as well as the proposed modifications to the existing municipal infrastructure. There may be a need for servicing infrastructure upgrades for the site to ensure the timely provision of infrastructure as part of the development proposal. This may require the use of a Holding Provision for the site.

Traffic Impact

An Urban Transportation Considerations Report, prepared by BA Group (dated July 2017) was submitted to support the original application. The report was updated to reflect the changes to the proposed density of the site and number of parking spaces. The consultant estimated that the proposed development would generate approximately

255, 320, and 530 two-way trips during the morning, afternoon, and Saturday peak hours respectively.

The report found that the site area intersections will continue to operate under acceptable levels, in general, during the peak hour with various proposed improvements. The consultant proposes the following additional left-turn advance phases:

- Eastbound left-turn advance phases at Sheppard Avenue East/Bayview Avenue during the weekday morning and Saturday peak periods;
- Southbound left-turn advance phase at Sheppard Avenue East/Hawksbury Drive/Rean Drive during the Saturday peak period; and
- Optimizations/co-ordination of the Bayview Avenue/Sheppard Avenue East and Highway 401/Bayview Avenue traffic signals.

Transportation Services accepts, in principle, the optimized signal timings and added phases under future conditions in the consultant's report subject to the Ministry of Transportation approval of the signal optimizations at the Bayview and 401 intersection. The Ministry of Transportation has not provided a sign-off of this proposed modification at this time. A review of these optimizations (such as cycle lengths, phasing, and offsets) must be reviewed by the City's Traffic signal group. As part of any approvals, the applicant will be required to provide funds to secure the signal optimizations. The applicant is proposing other road improvements as part of this proposal. The applicant proposes to remove the median that exists along Bayview Mews, and install a new signal at Bayveiw Mews and the proposed entrance to the underground garage.

In order to ensure the orderly redevelopment of a large site, such as this one, it is necessary to identify potential future streets within the block to ensure the proposed development does not preclude the possibility of a future street network. Any new streets should be public streets that are designed and laid out as part of a network that would improve the block's connectivity, provide access and addresses for new buildings, and create adequate space for pedestrians, cyclists, landscaping, as well as transit, vehicles, utilities and utility maintenance. Although there are no plans to redevelop the shopping centre building at this time, a future public road/street network and block plan will allow for the comprehensive planning of the site over the long term should the shopping centre be re-imagined in the future. Staff have also requested that a phasing plan be provided for review and acceptance by Transportation Services for Transportation Impact Study purposes. The applicant will be required to submit an updated Transportation Impact Study with each phase of development. Staff are awaiting an updated Transportation Impact Study and Phasing Plans for review.

Parking

As part of the November 16, 2018 revision, the applicant has revised the amount of parking provided as the proposed gross floor area has been decreased. The applicant is

proposing to provide a total of 2,729 parking spaces, of which 834 will be provided for resident spaces and the remaining 1,895 spaces will be for the non-residential gross floor area. The required resident visitor parking will be shared with the existing and proposed non-residential parking on the site. Given the location of the subject site, in close proximity to Line 4 of the TTC, Transportation staff have indicated that they agree with the application of Policy Area 3 parking rates, as per By-law 569-2013. The reduction of resident visitor parking by way of sharing is acceptable to Transportation Services staff.

City staff have identified that further Transportation Demand Measures are required for this site. Given the area traffic congestion, as identified by residents in the community meetings and working group sessions, there is a need to promote active transportation, the use of public transit, as well as other transportation measures. The City is looking for a clear commitment to providing on-site car share vehicles and spaces as part of this application in order to consider the reduced parking supply, as well as improvements to the on-site pedestrian and cycling connections and infrastructure.

Loading

Transportation Services has identified that the loading requirements for the proposed development are as follows:

	Required Number of Loading Spaces	
Loading Space Type	North Zone	South Zone
Type G	1	1
Type B	3	2
Type C	1	1

The applicant has proposed providing the following loading provisions

	Proposed Number of Loading Spaces	
Loading Space Type	North Zone	South Zone
Type G	1	1
Type B	3	2

Transportation Services have identified that with the potential for sharing of loading spaces between the commercial and residential uses, they accept the proposed loading provisions.

The North Development Zone proposes to locate their loading area, at the north-eastern portion of the building. The location is adjacent to the proposed City park, in the North Development Zone accessed by a 5 metre wide driveway that is located adjacent to the proposed park. City Planning and Parks staff have identified that the loading spaces proposed for the North Development Zone must be screened or enclosed within the building, and there must be the provision of an appropriate setback of any elements of the development proposal to the park, including the loading spaces.

Road Widening

The applicant submitted a Transportation Study prepared by BA Group (dated July 2017). The consultant's study identified that Bayview Mews Lanes is identified as needing additional public right-of-way to provide for travel lanes, parking lay-bys and boulevard parking spaces. In order to satisfy the Official Plan policies a 1.0 metre road widening dedication along the north side of Bayview Mews Lane, and a 2.5 metre road widening along the south side of Bayview Mews Lane will be required to bring the total public right-of-way width to 23 metres.

Transportation Services has noted that there is a lack of boulevard space, on the west side of Hawksbury Drive, and the proposed sidewalk is shown entirely on private land. For the Hawksbury Drive frontage, in lieu of a property dedication, the City will require the owner to grant an easement to the City for the purpose of a continuous sidewalk of 2.1 metres in width along the frontage of the entire site from Sheppard Avenue East to Bayview Mews Lane for the use of the general public.

TTC Connection

The Secondary Plan identifies that efforts should be made to relate any new development within the Bayview Village Shopping Centre Block to the Bayview/Sheppard intersection, and to integrate it with the Bayview subway station through design. The Secondary Plan also identifies that continuous and ideally weather protected pedestrian connections should be provided between the subway station and new development.

The applicant proposes a direct pedestrian connection to the Bayview TTC subway station under portions of the Sheppard Avenue East right-of-way fronting the site. The TTC connection is required as part of the applicant's Transportation Demand Management measures to encourage active transportation use. Staff will work with the applicant and the TTC on this integrated connection to the Bayview Subway Station, including securing pedestrian connections through the site and the shopping centre, in compliance with the Sheppard East Corridor Secondary Plan.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest quintile of current provision of parkland.

As set out in Policy 3.2.3.5 of the Toronto Official Plan, and in Toronto Municipal Code Chapter 415, Article III, the site is in a parkland acquisition priority area where the alternate parkland dedication rate of 0.4 hectares per 300 units applies to residential uses. The alternate parkland dedication on sites larger than five hectares is capped at 20 percent of the site area. This site has an area of 86,877 square metres or 8.69 hectares and as a result, a cap of 20 percent of the site is applied to the development of residential uses, while the development of non-residential use is subject to a 2 percent parkland dedication cap. As the development proposes a mix of residential and non-residential uses on the site, the respective rates are allocated proportionately according to the floor spaces of the respective uses.

The site contains an existing shopping mall which will be retained with substantial alterations to the northeast corner of the mall building (within the North Development Zone). The shopping mall outside of the North and South Development Zones is considered to have satisfied parkland dedication requirements at the time of its original approvals and additional parkland dedication requirements are not being levied on this retained portion of the site as part of the current development proposal. In the future, should the retained portion of the site be redeveloped (as defined in Toronto Municipal Code Chapter 415, Article III), additional parkland dedication requirements will be considered.

The November 2018 revisions to the proposal included additional portions of the existing shopping mall, along its Hawksbury Drive frontage, as part of the North Development Zone. The area of the site that would remain unaltered decreased, and the parkland dedication requirement for the site therefore increased to 7,108 square metres.

The applicant's revised proposal shows two on-site parkland dedications, one in each of the North and South Development Zones. A 4,050 square metre park is proposed at the northeast corner of the North Development Zone, adjacent to the Hawksbury Drive and Bayview Mews Lane intersection, and a smaller, 1,091 square metre park is proposed within the South Development Zone, fronting onto Sheppard Avenue East. The combined area of the proposed on-site dedication totals 5,141 square metres, resulting in a shortfall of 1,976 square metres. Parks Staff have indicated that the applicant is required to satisfy the full parkland dedication requirement through an on-site dedication which complies with Policy 3.2.3.8 of the Toronto Official Plan. Parks staff have indicated there may be opportunities to provide the parkland dedication

Request for Direction- 2901 Bayview Avenue and 630 Sheppard Avenue East Page 34 of 58

shortfall through an off-site dedication accessible to the site. The off-site dedication is required to be a good physical substitute for an on-site dedication and of an equal value to the on-site dedication shortfall as set out in Policy 3.2.3.7 of the Toronto Official Plan.

The north end and south end parkland dedications, as well as any additional parkland dedications, are required to be free of all encumbrances including but not limited to: retaining walls, ramps, stormwater storage tanks, and any other infrastructure or easements required to facilitate the proposed development. The design of the park blocks will be developed in consultation with Parks Staff and the local community.

Privately-Owned Publicly Accessible Open Space (POPS)

Privately-owned publicly accessible open space (POPS) is being proposed adjacent to the proposed 1,091 square metre park fronting onto Sheppard Avenue East. Staff have reviewed the proposed location and configuration of the POPS and determined that its size and location are acceptable in this configuration. The POPS dedication cannot be considered as parkland, nor can it be used to address the on-site parkland dedication shortfall identified in the section above. Staff recommend that the POPS located adjacent to the park fronting onto Sheppard Avenue East be secured in the Section 37 Agreement as a legal mechanism and its final design be secured through the Site Plan Control approval process. The design of the POPS will be developed in consultation with Parks staff to optimize the interface with the adjacent parkland dedication.

Tree Preservation

The City's Official Plan identifies that Toronto's urban forest plays an important role in making Toronto a clean and beautiful city. Trees significantly enhance all new development and renewal projects, enhancing both the quality and value of our environment. The Official Plan contains policies that call for an increase in the amount of tree canopy coverage.

The planting of large growing shade trees on both public and private lands should be an important objective for all development projects. The applicant proposes to remove 12 privately owned trees and injure 6 other private trees. Urban Forestry, Tree Protection & Plan Review has indicated that they do not object in principle to the applicant's proposal to injure or destroy trees as part of this application subject to a number of conditions. Urban Forestry will require the planting of replacement trees at a ratio of 3:1. The location and species of trees, as well as any cash-in-lieu payments for tree planting, will be secured through the Site Plan Control Approval process. Staff will also work with the applicant to improve the tree planting and streetscapes adjacent to the site.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). 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. 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 required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through the site specific zoning by-law and through the Site Plan Control application.

Community Services Assessment

A key objective of the Official Plan is to ensure development contributes to livable, healthy and inclusive communities. Providing for a full range of housing and community services within neighbourhoods is a key component for achieving these objectives.

Official Plan policy 3.3.1, 3.3.2 and 3.3.3 direct that new neighbourhoods should include, amongst other matters, strategies to provide community services and affordable housing. The policies also highlight the need to carefully integrate these neighbourhoods into the surrounding fabric of the City, while having community services and parks that fit within the wider system and a housing mix that contributes to the full range of housing.

Policy 3.2.2.6 requires that community services strategies and implementation mechanisms will be prepared for residential or mixed use sites generally larger than 5 hectares and all new neighbourhoods. This includes identifying a range of facilities needed to support development. Policy 3.2.2.7 states that community services facilities will be encouraged in all significant private sector development across the City.

The subject site is located within the Sheppard East Subway Corridor Secondary Plan. Policy 2.(i) states that sufficient community amenities to serve future residents will be provided, including:...(ii) community facilities such as schools, emergency services, libraries and child care. The applicant's study did not provide a complete review of the available capacity of existing facilities to support the proposed development. City staff have not accepted the findings contained within the applicant's study.

Staff are of the opinion that the significant size and location of the subject site provides an opportunity to achieve key city-building objectives. With that opportunity, comes the need to ensure that the Official Plan's policies for building new neighbourhoods that include both community services and affordable housing are addressed. Based on the significant scale of the proposed development a comprehensive package of public benefits, including substantive Community Services and Facilities contribution could be considered in review of this application. Staff are continuing discussions on the appropriate public benefits to secure as part of this application.

Toronto District School Board

Toronto District School Board (TDSB) has reviewed the proposal and have determined that this is insufficient space at the local schools to accommodate students anticipated from this proposed development and others in the area. The TDSB has designated the following schools to serve children emanating from new developments in the area:

- Crestview Public School
- Woodbine Middle School
- Georges Vanier Secondary School

The TDSB has also requested that the status of local school accommodation should be conveyed to potential purchasers, as well as to the existing community, to inform them that children from new development will not displace existing students at local schools.

Public Art

The Toronto Official Plan encourages the inclusion of public art in all significant private sector developments across the City. The governing principle for the Percent for Public Art Program is that art is a public benefit to be enjoyed and experienced by residents and visitors throughout the city. The privately-owned art is intended to make buildings and open spaces more attractive and interesting and to improve the quality of the public realm. The Program requires that the artwork must be clearly visible at all times from publicly accessible areas. Alternatively, City Planning may seek public art contributions to be directed to City-owned public lands. Staff will work with the applicant to secure public art on the site.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for an increase in height and/or density pursuant to Section 37 of the Planning Act. As the application is seeking an increase in height and density, and meets the threshold as outlined in the Official Plan, a Section 37 contribution would be required if this application were approved in some form.

At this time, Community Planning staff have not negotiated a Section 37 public benefits package with the applicant because several issues remain outstanding. In the event that Section 37 contributions cannot be successfully negotiated, and the LPAT considers granting additional density and/or height beyond that which is permitted by the zoning by-laws, the City will request that the LPAT withhold any order to allow the owner and the City an opportunity to discuss and settle the Section 37 contribution, and to allow a Section 37 agreement to be entered into between the owner and the City and registered on title to the entire site.

City staff recommend that the Board not approve any official plan and zoning by-law amendments without the provision of Section 37 community benefits as are appropriate

to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the applicant and the local councillor.

Conclusion

The applicant's November 16, 2018 resubmission has been reviewed by City Divisions and agencies. Although there have been some improvements to the proposal with regards to building siting, massing of some building elements, open space and park locations, and the provision of POPs, several issues remain unresolved including height in the South Development Zone, massing and density, the provision of a future street and block plan, servicing, transportation matters, and appropriate community benefits under Section 37 of the Planning Act. The purpose of this report is to obtain direction from City Council to appear at the Local Planning Appeal Tribunal in opposition to the current proposal. Staff will continue discussions with the applicant to resolve the outstanding issues and will report back to City Council as necessary.

CONTACT

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Tel: 416-392-9337

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Official Plan Land Use Map
- Attachment 3: Sheppard East Corridor Secondary Plan Map
- Attachment 4: Zoning By-law 7625 Map
- Attachment 5: Zoning By-law 569-2013

Applicant Submitted Drawings

- Attachment 6a: Site Plan
- Attachment 6b: Site Plan- North Development Zone

Attachment 6c: Site Plan- North Development Zone
Attachment 6d: Site Plan South Development Zone
Attachment 7a: East Elevation- North Zone
Attachment 7b: East Elevation- South Development Zone
Attachment 7c: North Elevation North Development Zone
Attachment 7d: North Elevation North Development Zone
Attachment 7e: North Elevation - South Development Zone
Attachment 7f: South Elevation - North Development Zone
Attachment 7g: South Elevation- South Development Zone
Attachment 7h: West Elevation South Development Zone
Attachment 7i: West Elevation- South Development Zone

Attachment 1: Application Data Sheet

Municipal Address: 2901 BAYVIEW AVE Date Received: July 31, 2017

Application Number: 17 208789 NNY 24 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Bayview Village development including two principal development sites (North and South). The North site to include one 19-storey mixed use building; two 6-storey mixed use buildings; and a retail addition to the existing Bayview Village Shopping Centre (341 dwelling units, 8,808.0 square metres of commercial space). The south site includes a mixed use building with two towers (33 and 28 storeys); and a five storey parking structure (695 dwelling units and 5,524 square metres of commercial space).

Applicant	Agent	Architect	Owner
QUADREAL PROPERTY GROUP			BCIMC HOLDCO (2007) INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: Y

Zoning: C2(10) Heritage Designation: N

Height Limit (m): Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 86,877 Frontage (m): 400 Depth (m): 275

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	30,346	26,501	14,831	41,332
Residential GFA (sq m):			78,646	78,646
Non-Residential GFA (sq m):	42,422	32,608	36,984	69,592
Total GFA (sq m):	42,422	32,608	115,630	148,238
Height - Storeys:	1	1	33	33
Height - Metres:			123	123

Lot Coverage Ratio (%): 47.58 Floor Space Index: 1.71

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	78,646	
Retail GFA:	69,592	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			187	187
Freehold:				
Condominium:			849	849
Other:				
Total Units:			1,036	1,036

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		5	534	394	103
Total Units:		5	534	394	103

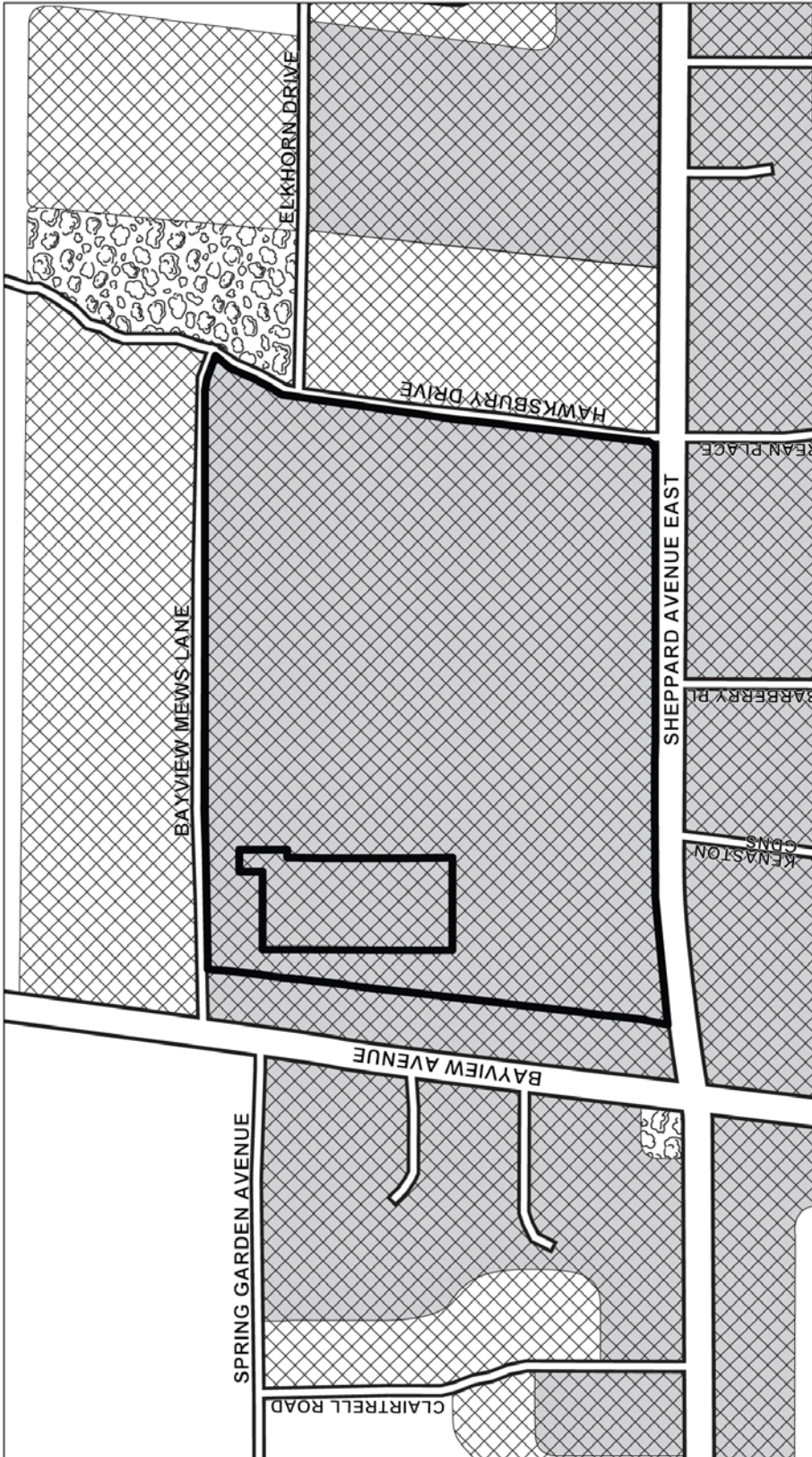
Parking and Loading

Parking Spaces: 2,729 Bicycle Parking Spaces: 1,012 Loading Docks: 13

CONTACT:

Marian Prejel, Senior Planner
 (416) 392-9337
 Marian.Prejel@toronto.ca







Attachment 2: Official Plan Land Use Map



Toronto
 Extract from Official Plan

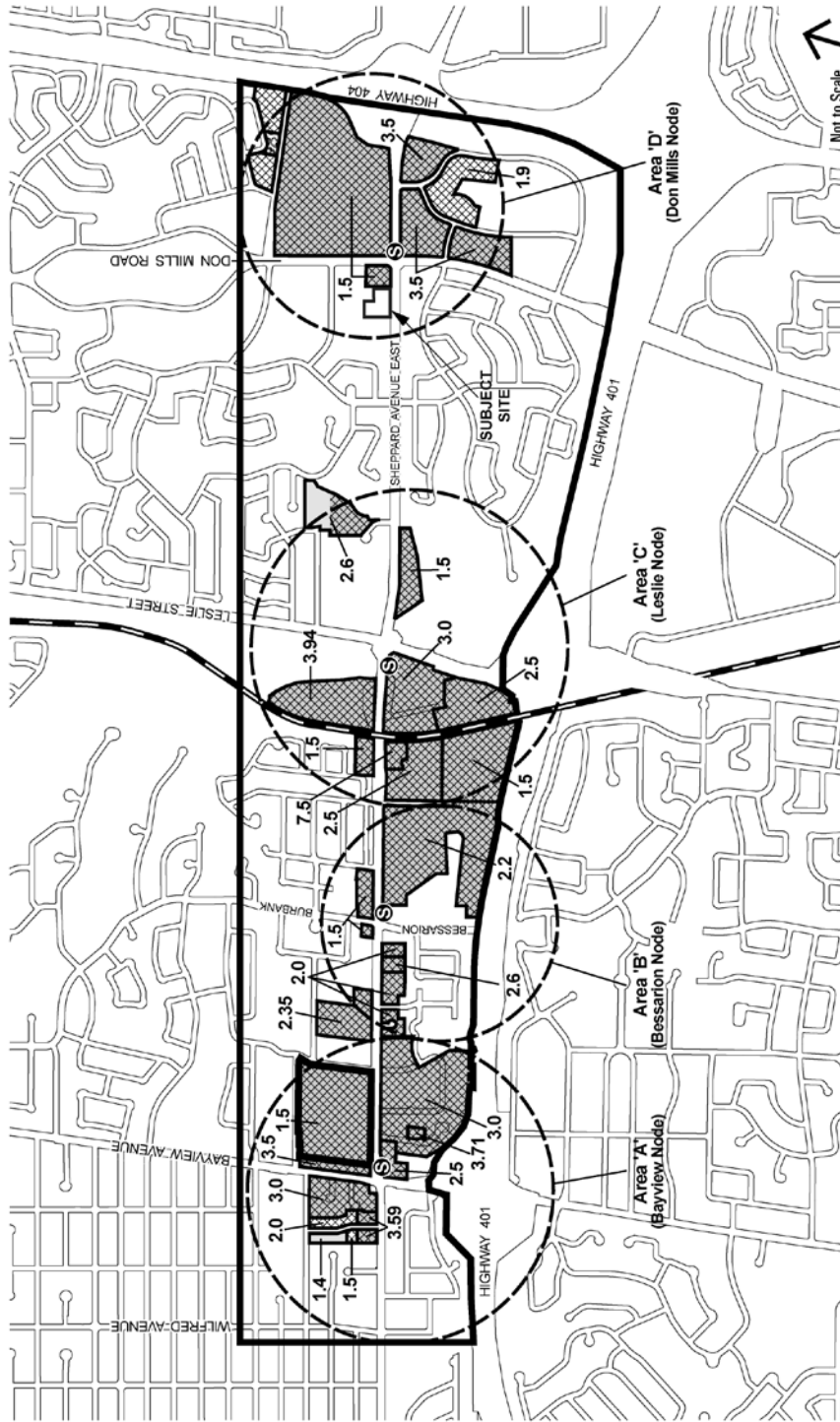
Toronto
 Extract from Official Plan

File # 17 208789 NNY 24 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks

↑
 Not to Scale
 08/22/2017

Attachment 3: Sheppard East Corridor Secondary Plan Map

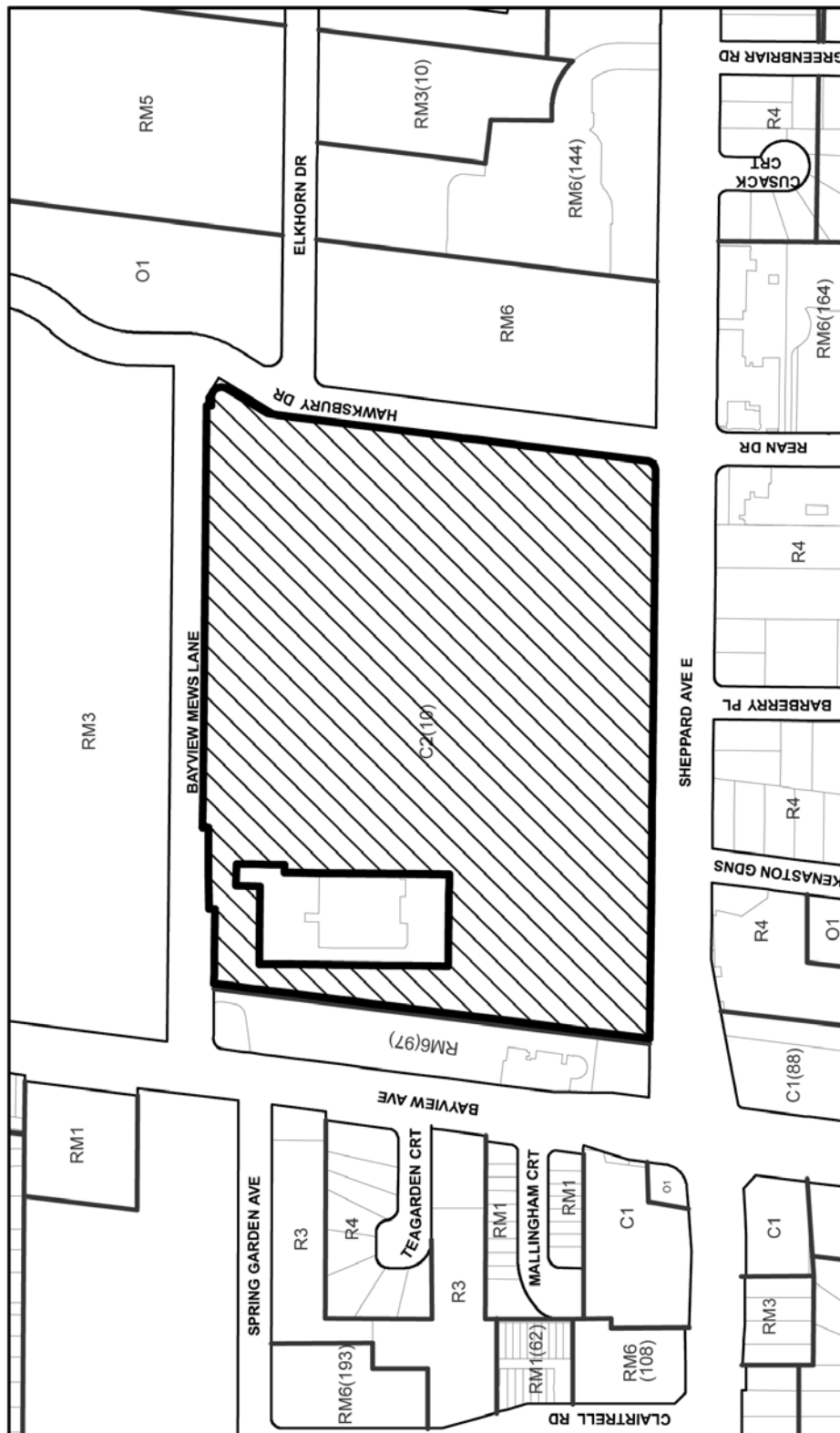


Sheppard East Subway Corridor Secondary Plan MAP 9-2 Key Development Areas



- Secondary Plan Boundary
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks & Open Space Areas
- Parks
- Density
- Subway Station

November 2015



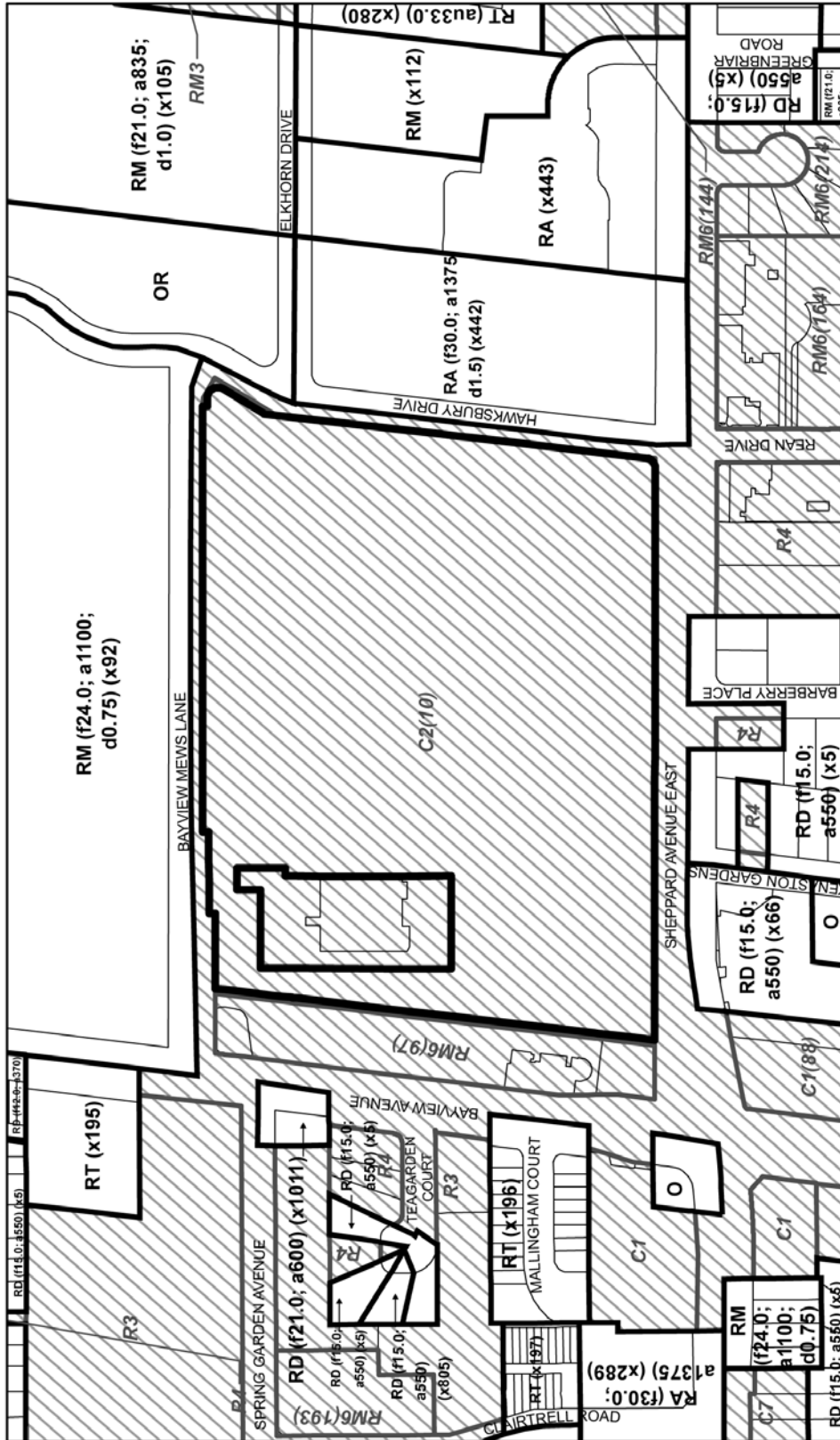
Toronto
Zoning By-Law No. 7625
2901 Bayview Ave. & 630 Sheppard Ave. E
 File # 17 208789 NNY 24 OZ

- Location of Application
- R3 One-Family Detached Dwelling Third Density Zone
 - R4 One-Family Detached Dwelling Fourth Density Zone
 - RM1 Multiple-Family Dwellings First Density Zone
 - RM3 Multiple-Family Dwellings Third Density Zone
 - RM5 Multiple-Family Dwellings Fifth Density Zone
 - RM6 Multiple-Family Dwellings Sixth Density Zone
 - C1 Multiple-Family Dwellings First Density Zone
 - C2 Multiple-Family Dwellings Second Density Zone
 - C7 Multiple-Family Dwellings Seventh Density Zone
 - O1 Open Space Zone
 - General Commercial Zone
 - Local Shopping Centre Zone
 - Mixed Use Commercial Zone
 - Open Space Zone



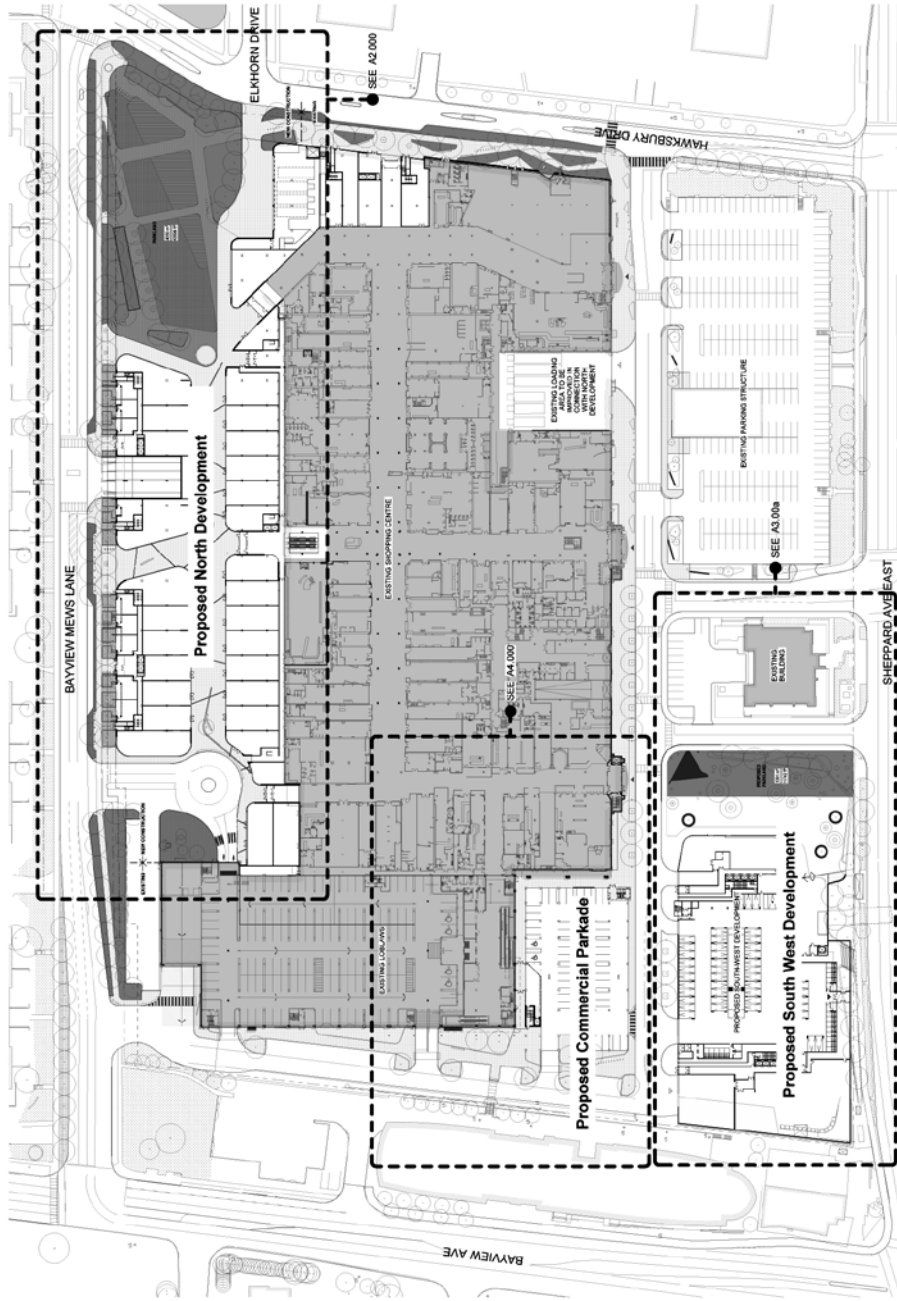
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 Extracted: 08/22/2017

Attachment 5: Zoning By-law 569-2013 Map



Toronto
Zoning By-Law No. 569-2013
2901 Bayview Ave. & 630 Sheppard Ave. E
File # 17 208789 NNY 24 0Z

- Location of Application**
- See Former City of North York By-Law No. 7625
 - Residential Detached
 - Residential Apartment
 - Residential Townhouse
 - Open Space
 - Residential Multiple
 - Open Space Recreation
- Location of Application**
- R3 One-Family Detached Dwelling Third Density Zone
 - R4 One-Family Detached Dwelling Fourth Density Zone
 - RM3 Multiple-Family Dwellings Third Density Zone
 - RM6 Multiple-Family Dwellings Sixth Density Zone
 - C1 General Commercial Zone
 - C2 Local Shopping Centre Zone
 - C7 Mixed Use Commercial Zone
- Not to Scale
 Extracted: 08/22/2017

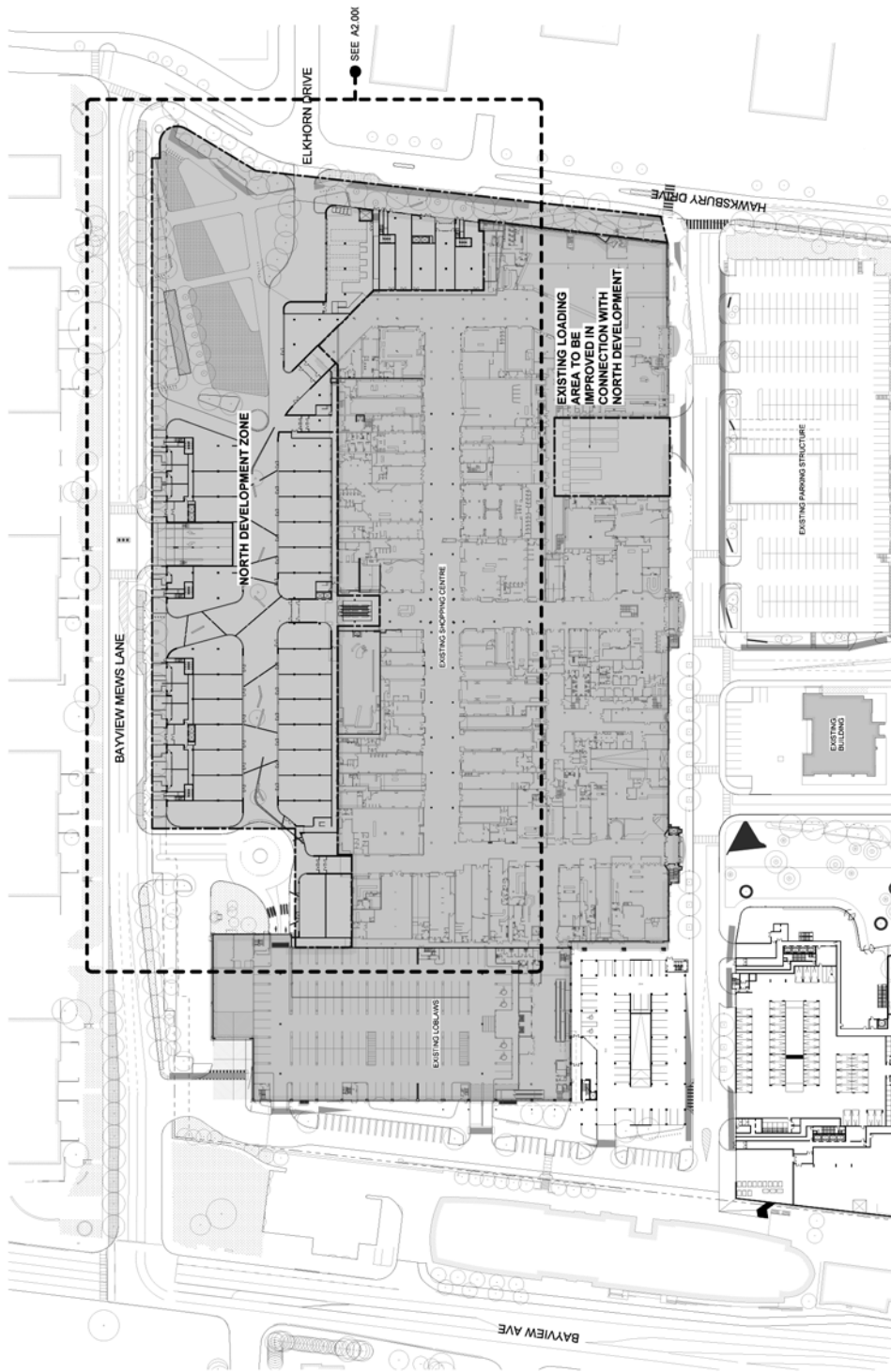


2901 Bayview Ave. & 630 Sheppard Ave. E.

Site Plan
Applicant's Submitted Drawing
Not to Scale
12/11/2018



File # 17 208789 NNY 24 02



Site Plan - North Development Zone

Applicant's Submitted Drawing

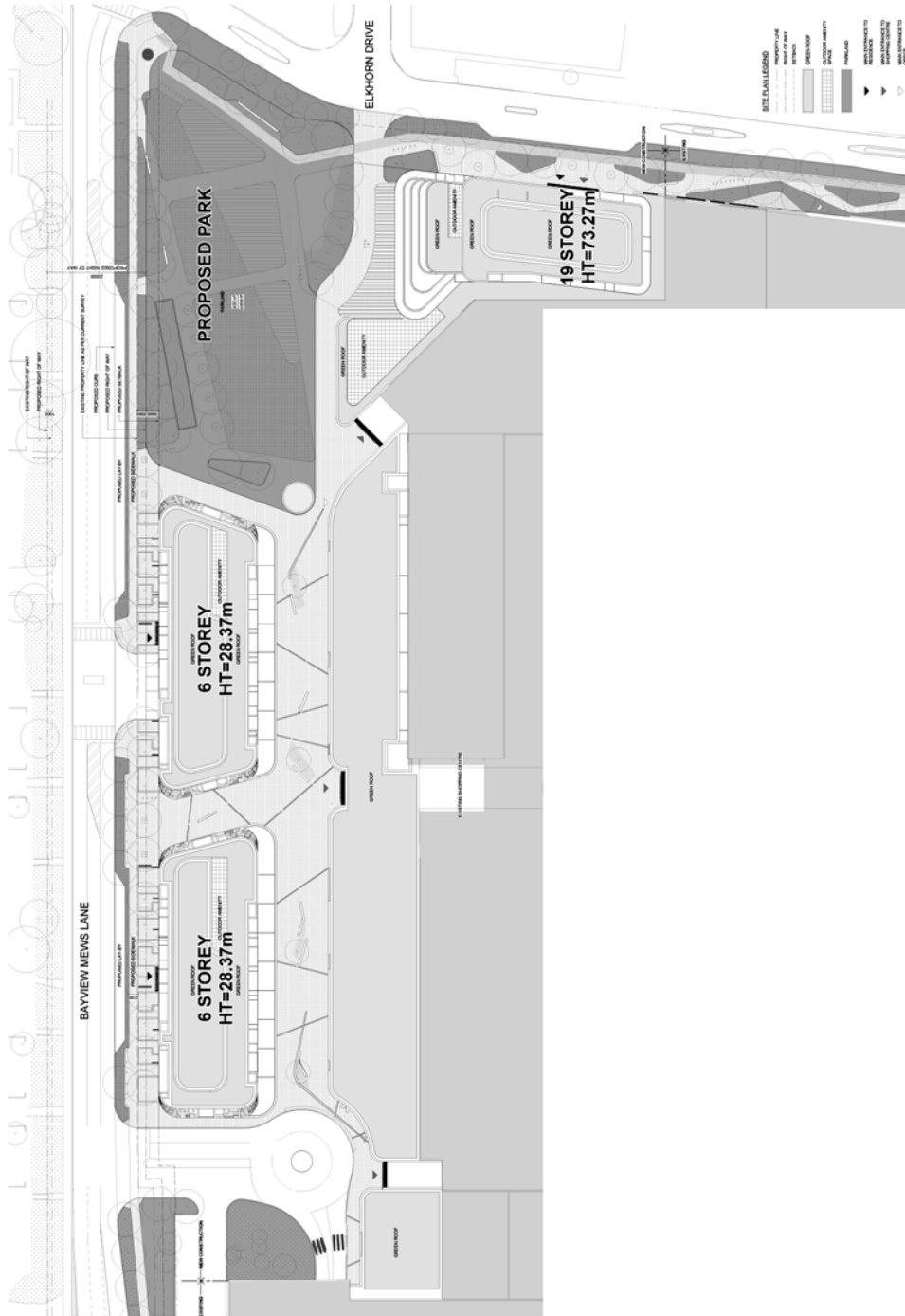
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2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24.0Z

Attachment 6c: Site Plan- North Development Zone



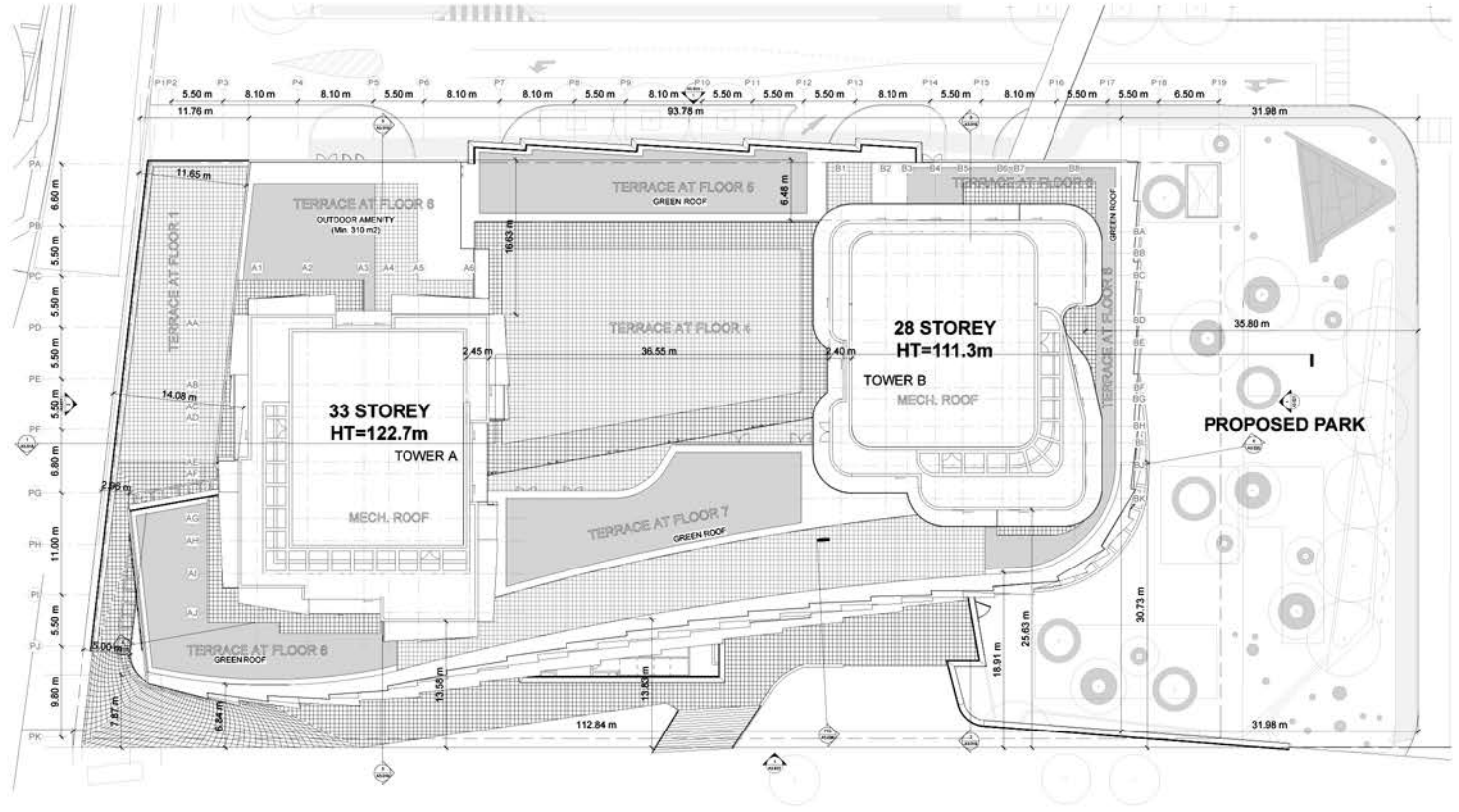
2901 Bayview Ave. & 630 Sheppard Ave. E.

Site Plan - North Development Zone (Mixed Use)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

File # 17 208789 NNY 24 0Z



Site Plan - South-West Development

2901 Bayview Ave. & 630 Sheppard Ave. E.

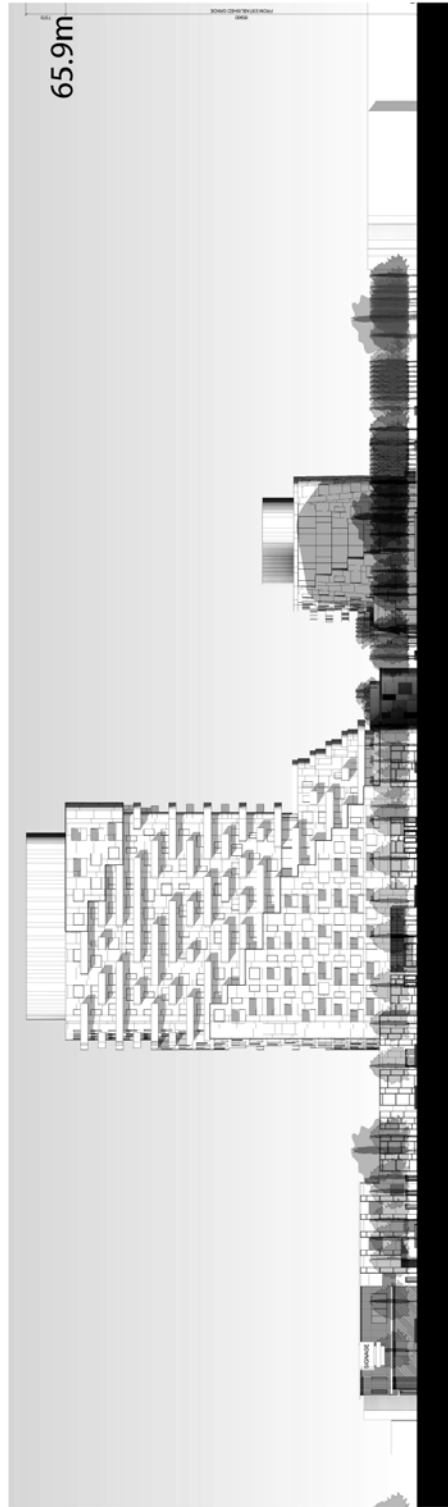
Applicant's Submitted Drawing

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12/11/2018

File # 17 208789 NNY 24 0Z

Attachment 7a: East Elevation- North Zone



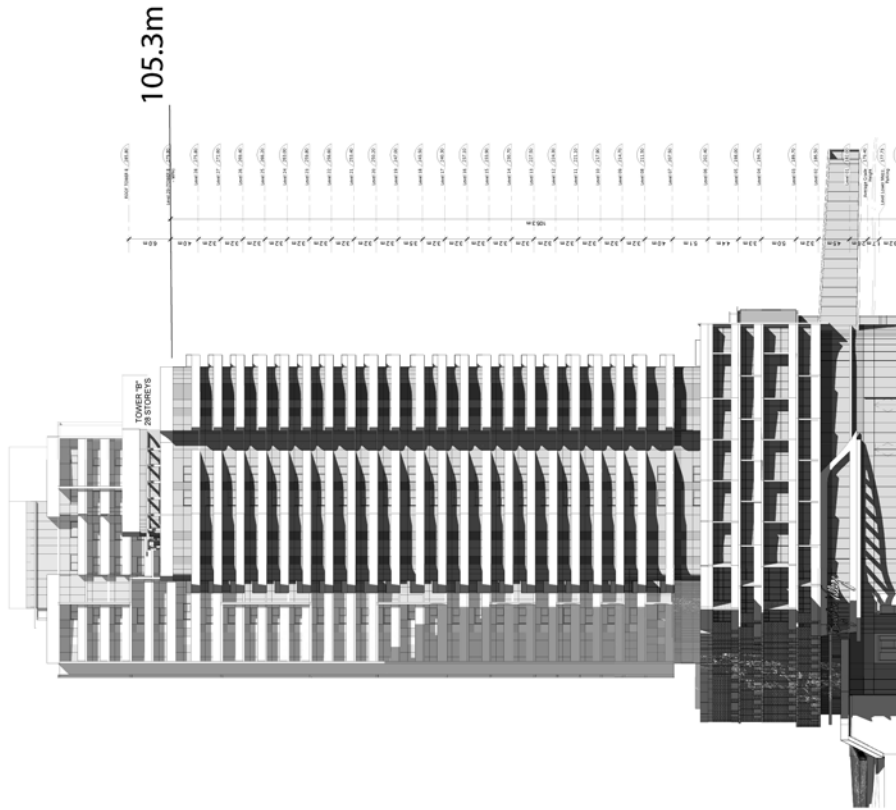
East Elevation (North Zone)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24 0Z



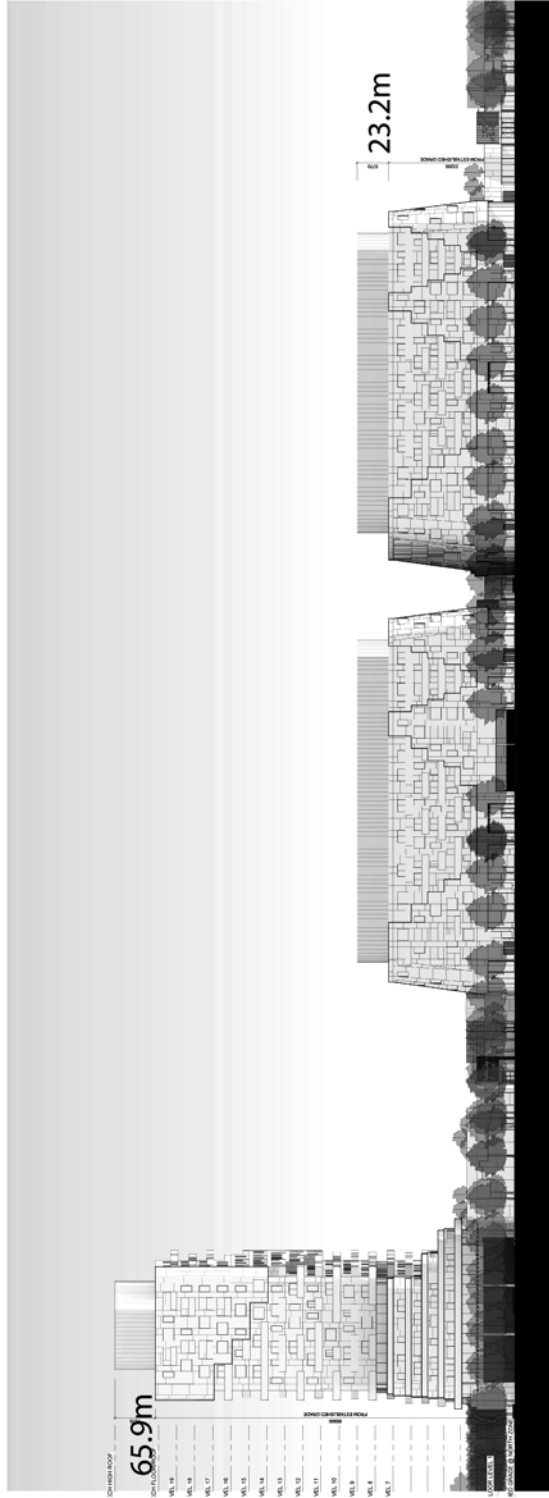
East Elevation - (South Zone)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24 0Z



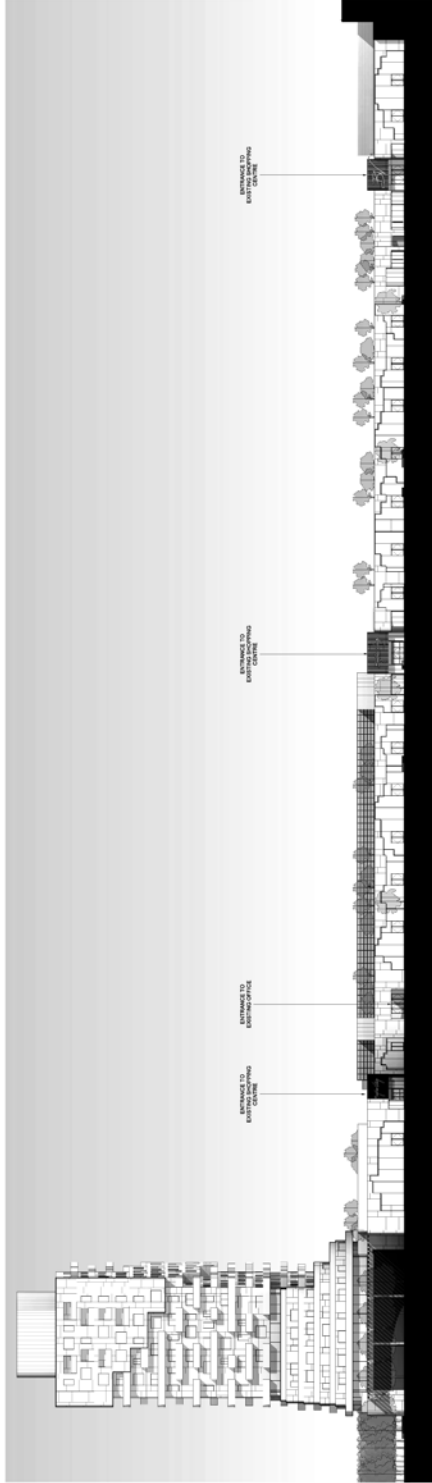
North Elevation - (North Zone)

2901 Bayview Ave. & 630 Sheppard Ave. E.

Applicant's Submitted Drawing

Not to Scale
12/11/2018

File # 17 208789 NNY 24 0Z

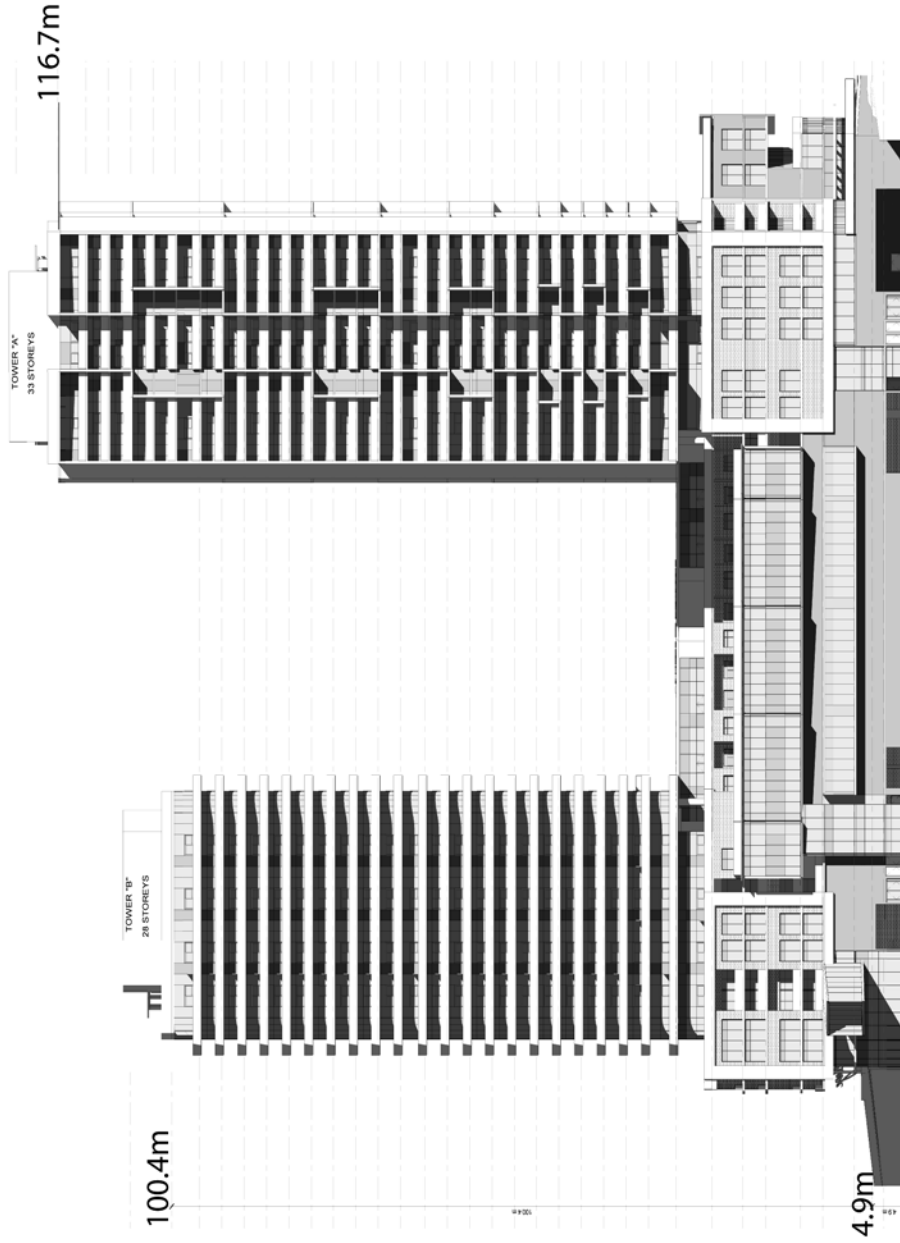


North Elevation - (North Zone) from Promenade **2901 Bayview Ave. & 630 Sheppard Ave. E.**

Applicant's Submitted Drawing

Not to Scale
12/11/2018

File # 17 208789 NNY 24 0Z



North Elevation (South Zone)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24.0Z

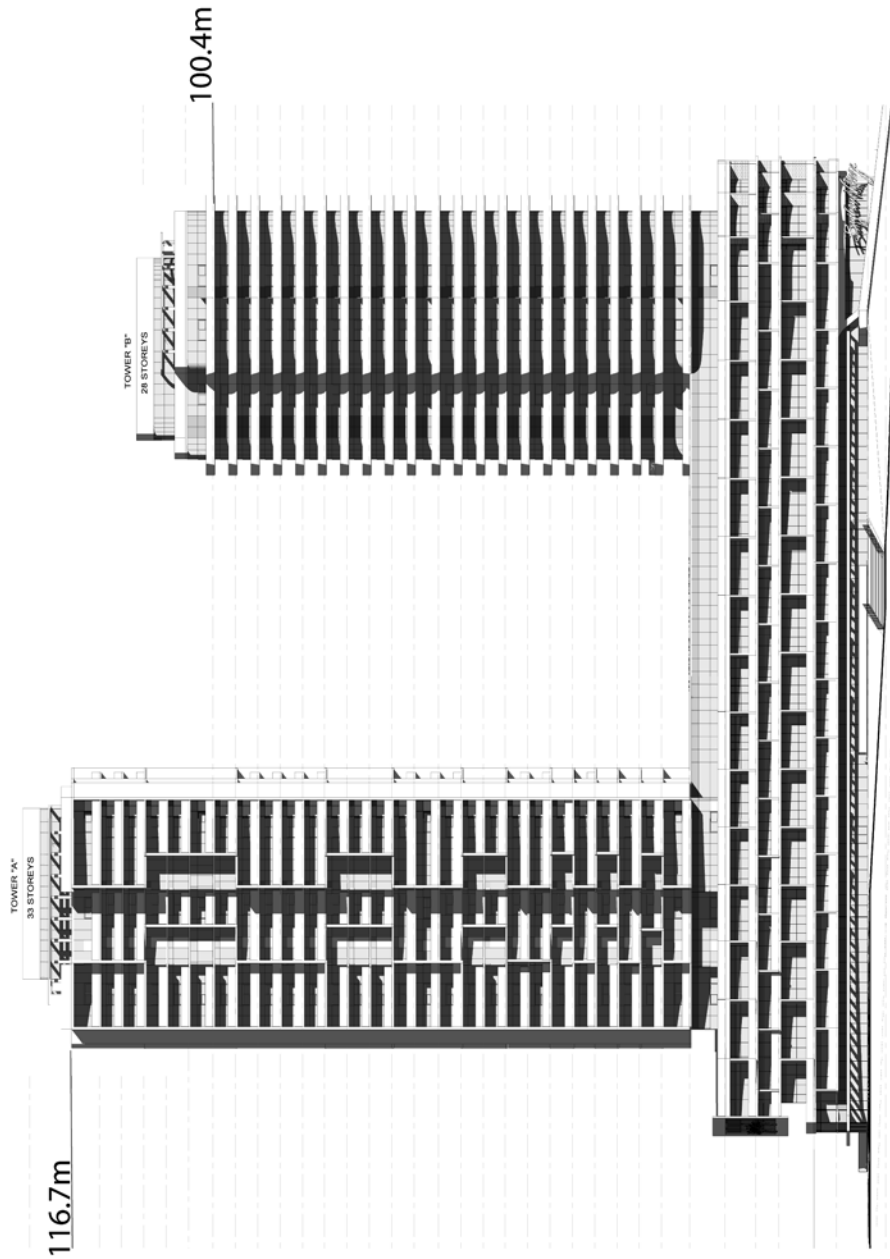


South Elevation - (North Zone) from Promenade **2901 Bayview Ave. & 630 Sheppard Ave. E.**

Applicant's Submitted Drawing

Not to Scale
12/11/2018

File # 17 208789 NNY 24.0Z



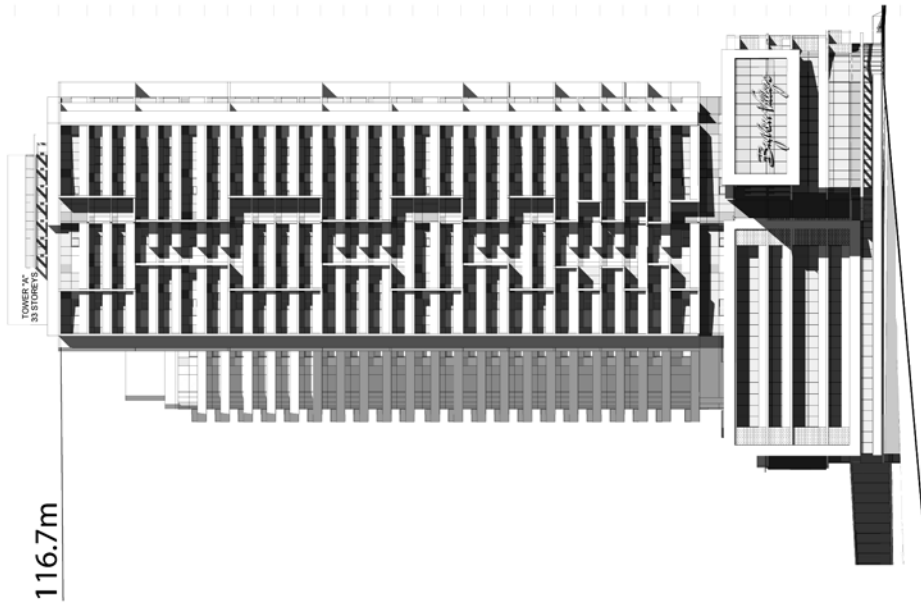
South Elevation - (South Zone)

2901 Bayview Ave. & 630 Sheppard Ave. E.

Applicant's Submitted Drawing

Not to Scale
12/11/2018

File # 17 208789 NNY 24 0Z



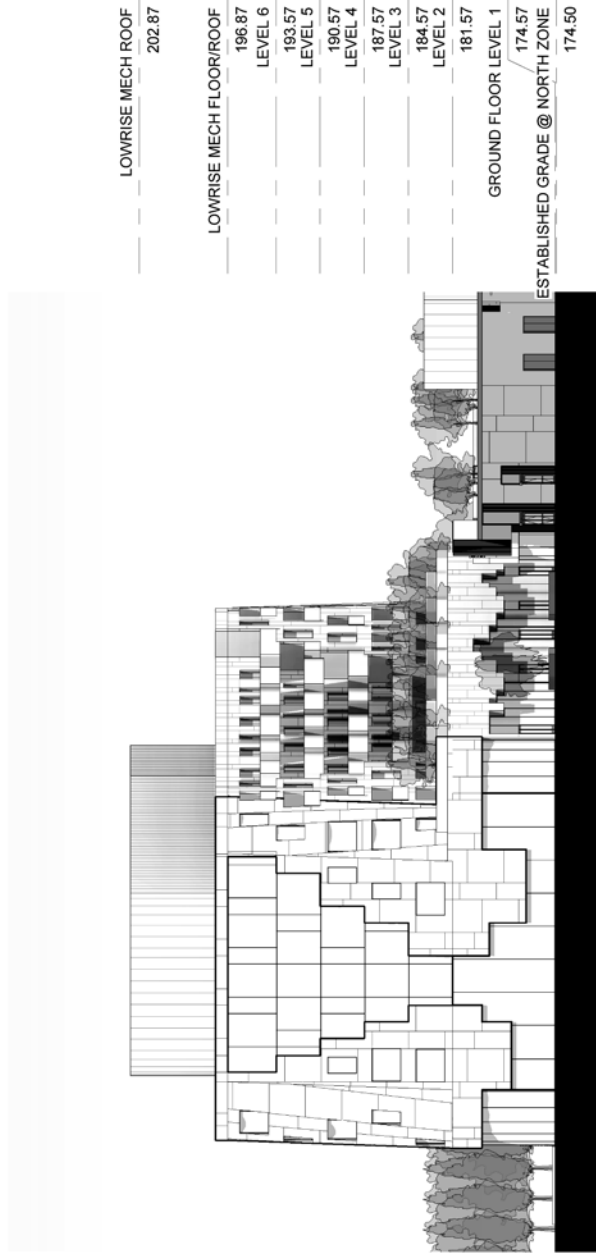
West Elevation - (South Zone)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24 0Z



West Elevation - (North Zone)

Applicant's Submitted Drawing

Not to Scale
12/11/2018

2901 Bayview Ave. & 630 Sheppard Ave. E.

File # 17 208789 NNY 24.0Z