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December 16, 2024

Via Email: councilmeeting@toronto.ca

City of Toronto
City Clerk's Office, 2nd Floor
100 Queen Street West,
City Hall, 2nd Floor West
Toronto ON M5H 2N2

Attention: City Clerk

Mayor Olivia Chow and Members of Council:

**Re: Proposed ReNew Sheppard East Secondary Plan
Bayview Village Shopping Centre
2901 Bayview Avenue and 630 Sheppard Avenue East
Agenda Item No. NY19.11**

We are the solicitors for Bayview Village Holdings inc. (the "Company"), the registered owner of the lands municipally known as 2901 Bayview Avenue and 630 Sheppard Avenue East (the "Site"), which Site includes the Bayview Village Shopping Centre. The Site is approximately 8.7 hectares in size, located on the north side of Sheppard Avenue East, immediately adjacent to the Bayview Subway station entrance on the Sheppard Line (Line 4). The Site, which does not include the land occupied by the Loblaw grocery store, is one of the most significant sites in the Plan area. The Company is committed to the long term rejuvenation of the Site with the introduction of new transit supportive development which includes housing as well as ongoing reinvestment in the Shopping Centre, the introduction of public parks and the enhancement of the public realm.

On behalf of the Company, we wish to raise objections to the entirety of the proposed ReNew Sheppard East Secondary Plan (the "Proposed Secondary Plan" or the "Plan"), appended as Schedule 3 to Official Plan Amendment No. 777, both as it relates to the Site, and with respect to certain identified policies as are proposed to apply to the Plan area. We also wish to raise concerns with respect to the recently released background studies, specifically to the assumptions on which they are based and to the amount of time provided for a thorough review.

For these reasons, we request that Council's consideration of the Proposed Secondary Plan be deferred and that the Plan be referred back to City staff to allow for further consultation with respect to the proposed final form of the Proposed Secondary Plan. In the event consideration of the Plan is not deferred, we request the Plan be amended to, amongst other matters, to remove the proposed floor space index (FSI) density limit of 1.75 from the Site and remove the

proposed height restriction of “generally 45 storeys” from the Plan, both of which are inappropriate given the following:

- The Site is one of the most significant single parcels of land within the Plan area and is the only site in the Plan area subject to a density limit, in particular there is no density limit applicable to the Loblaws site which operates functionally as part of the existing Shopping Centre;
- The Site is exceptionally well located to transit, directly abutting the Sheppard Subway Station;
- The Section 37 Agreement entered into by the Company and the City in connection with the redevelopment of portions of the Site, as reflected in By-law 1261-2022, include, amongst other matters, provisions for a direct pedestrian connection from the redevelopment proposed in the southwest portion of the Site to the Bayview Subway Station;
- The Site, and the majority of the Plan area, is located within a Council adopted Major Transit Station Area (“MTSA”) and in an area designated as Strategic Growth Area; and
- The policies of the Provincial Planning Statement 2024 (the “PPS”).

Additional reasons in support of our request, and other objections to additional policies of the Proposed Secondary Plan are set out in this letter, including, but not limited to the objections and comments raised in Schedule “A” to this letter.

Background:

In 2018, the City initiated its review of the policies of the Sheppard East Subway Corridor Secondary Plan and other areas. The first public open house was held on January 27, 2020 for the Sheppard Avenue East Planning Review, with additional meetings held March 28, 2022, April 12, 2023, June 13, 2024 and September 24, 2024. Since the initiation of the study in 2018, there have been significant changes to the policy and legislative framework applicable to the whole of the Plan area, including but not limited to the Council adoption of OPA 575 which identifies the Bayview, Bessarion and Leslie Major Transit Station Areas and the issuance of the new 2024 Provincial Planning Statement (the “PPS”) which came into force on October 20, 2024. We note the first draft of the Secondary Plan policies was not released until October 7, 2024, with a subsequent draft available November 13, 2024, while supporting reports were made available on the City’s website posted as late as November 26th, prior to Community Council’s consideration on December 3, 2024.

The Site is designated *Mixed Use Area* in the City of Toronto Official Plan (the “OP”), is within a strategic growth area as defined by the PPS and is within the area identified by City Council as the Bayview Major Transit Station Area (the “MTSA”). Notwithstanding the unique characteristics of this significant Site, the Plan proposes to impose a floor space index (FSI) density limit of 1.75 times the area of the lot and general height limit of 45 storeys in the Plan area both of which limit the ability to provide transit supportive development on the Site.

Proposed Secondary Plan

Transportation Matters

The transportation issues relate to many of the concerns we have with respect to the requirement for having regard for Section 2 of the Planning Act, consistency with the PPS and the City's MTSA identification, as well as the City's Official Plan policies which speak to the integration of land use planning and transportation matters (as generally set out in section 2.2 of the Official Plan). We have concerns regarding the City's reliance on the report prepared by R.J. Burnside & Associates Ltd. dated September 2024, (the "Burnside report"), given the use of pre-pandemic traffic data, the generalized assumptions regarding existing travel behaviour that formed a basis for modal split rates, and the manner in which new vehicular trips were added to the network. The Burnside report states that the pre-pandemic traffic data is likely an over-estimation, which coupled with the proposed modal split of 50 percent as a target to be achieved, appears to form a basis to limit density. The result is a fundamental issue regarding the relationship of the Burnside report to staff's recommended Proposed Secondary Plan, the policies of which, in our view, preclude appropriate transit supportive development in proximity to the subway stations within the Plan area.

Given the approach reflected in the Burnside report, there is a lack of specificity as to where within the Plan area development might be best suited from an automobile traffic perspective (e.g. on roads that have more capacity rather than less), where development might be best suited from an overall modal split perspective or where specific land uses would be best suited to minimize the impacts of automobile traffic (e.g. is employment or residential best for specific sites based on differences between the modal splits as well as direction of peak hour travel?).

From a transportation perspective, the Plan does not support appropriate levels of growth and development, based on its proposed density limit of 1.75 FSI for the Site, the provision of a height limit of generally 45 storeys, the approach to Character Areas and other Plan policies. The location of the Site, as well as sites generally within the Plan area, vis-à-vis transit access and walkability, a site's location within the Plan Area as viewed from a road capacity perspective, and a site's ability to support a higher transit modal split as well as a lower parking demand, have not been adequately considered as reflected in the proposed Plan policies.

Density and Height Limits

The proposed application of a floor space index density limit of 1.75 on the Site, as reflected in Section 11 of the Plan, proposed Site and Area Specific Policy 1, is inappropriate and should be removed. There is no density limit proposed for the Loblaws property which abuts and is functional part of the existing Shopping Mall on the Site. In addition, all density limits previous set out in the Sheppard East Subway Corridor Secondary Plan (the "SESC Plan") are proposed to be removed in the Plan with the exception of the Site, which is one of the most significant sites in the Plan area immediately abutting the subway. Further, the density limits from previous Site and Area Specific Policies 72, 80 and 205 identified in Chapter 7 of the Official Plan are proposed to be deleted by OPA 777.

At the time policy 4.2.1 of the SESC Plan as applicable to the Site was amended by OPA 619, there were maximum density limits on all lands identified as Key Development Areas within the area of the SESC Plan. In the Proposed Secondary Plan the concept of Key Development

Areas has been eliminated and replaced by various Character Areas, none of which include maximum densities, with the exception of the Site.

The application of a density limit on the Site is not appropriate given the location of the Site abutting the subway, and its location within a strategic growth area and an “MTSA”. The density limit of 1.75 FSI is inconsistent with Provincial objectives with respect to intensification. Further, the PPS, specifically highlights the support for permitting and facilitating the intensification of shopping malls and plazas for residential uses, including Policies 2.2.1 b) and 2.4.1.3 e) of the PPS as well as the definitions of “intensification” and “strategic growth areas”. The 1.75 FSI limitation can not be reasonably maintained in the context of permission for proposed building heights of generally 45 storeys in combination with the current approvals reflected in By-law 1261-2022.

In our view the density limit of 1.75 as applicable to the Site and the height limit of generally 45 storeys should be removed from the Plan as both policies inappropriately limit the achievement of transit supportive development.

Further, the expansion to the east of the shopping centre should not be subject to a requirement to be “generally consistent in height with the existing residential apartment buildings located on the east side of Hawksbury Drive”. Such a policy is not appropriate in an area where transit supportive building heights should be achieved. Similar to objections raised with respect to the proposed density limit, no other lands identified as a Transit Station Character in the Plan area are subject to such height restriction in the Plan.

Proposed Green Loop

We object to the Green Loop identification on Bayview Mews Lane abutting this Site and as generally proposed within the Plan area, including associated policies which are inappropriate within a strategic growth area and an MTSA. The Green Loop is identified in Policy 5.7.1 to be “*comprised of a network of primarily local streets*”, however the policies in Section 5.2.2.d) of the Plan describes the Green Loop as a network of landscaped setbacks on local streets. Policy 5.8.5 also provides that “*in order to establish the Green Loop*” development should be setback from property lines adjacent the Green Loop. The policies are unclear if the Green Loop is to be provided on streets or on private lands and established by way of buildings setbacks to a property line. We object to the prescriptive language of “will” in connection with the policies in Section 5.7.2 which are to guide development adjacent to the Green Loop and require “*generous landscaped front yards fronting the Green Loop*” and “*where a development site is adjacent to a public park, provide pedestrian walkways to extend connections to the Green Loop within the development site.*” The determination of appropriate landscaping and walkway connections to the street and public parks, including many other elements identified in the Plan, should be determined through the review of development applications to be informed by the City’s many guidelines and streetscape manuals.

Likewise the Green Loop identification on the Site and as generally proposed within the Plan area is inappropriate within a strategic growth area and an MTSA if such an identification extends beyond the right-of-way and places unnecessary and premature restrictions on the development of adjacent lands, for example, through the use of a prescriptive setback standards in a Proposed Secondary Plan.

If the Green Loop is to be maintained within the Proposed Secondary Plan, we request its removal from Bayview Mews which has the characteristics of a collector road, including but not

limited to its function and anticipated vehicular volumes. We note that the Green Loop as proposed is not continuous.

Building Setbacks

We request that Section 8 be deleted in its entirety. The proposed numerical setback requirements are not appropriate in a Secondary Plan and are more appropriately dealt with in a guideline or zoning by-law. We object to the prescriptive policies included in the Plan which will limit the ability to achieve appropriate transit supportive built forms in a location that is in proximity to transit and within the area of a strategic growth area and an MTSA. In addition, the setback requirements are confusing, for example the policies of 5.8.5 provide that development adjacent the Green Loop should generally provide “a) a *minimum setback of 5.0 metres from the property line*” and “b) a *minimum setback of 3.5 metres from the property line on the flanking side yards*”. As policy 5.8.10 provides that where a conflict exists the greater setback shall apply, the intent of policy 5.8.5 b) is unclear as policy 5.8.5 a) is the greater setback in all cases. These setbacks may result in unnecessary Official Plan Amendments in support of appropriate development.

Additional Objections

Many policies of the Plan are too prescriptive, for example, the proposed policies mandating built form types (Policy 3.5.2 – Transition Zone Character Area) which are more appropriate in a zoning by-law or a City guideline, rather than an Official Plan policy.

A number of the policies in the Plan are also confusing and unclear, for example Policy 5.1.1 refers to “a network of green streets” but it is unclear what this term is in reference to and how it is to be applied. Policy 3.5.2 provides that the Transition Zone Character Area “will be developed to contain mid-rise and low-rise buildings” whereas the policy 7.7.1 provides that the Transition Zone Character Area will “generally develop with low-rise and mid-rise building”.

Any reference to the provision of public art (Policy 5.12 and Map 51-5) in connection with development should be deleted from the Plan given the lack of clarity as to how the City will secure various community benefits, including but not limited to public art, POPS, and mid-block connections.

In addition, it is premature to identify a potential park expansion area and mid-block connection on the Site and we request that Maps 51-4, 51-5 and 51-7 be revised to remove these elements from the Site. It is also unclear how a parkland expansion is to be achieved, particularly in the context of the Plan’s proposed density limit of 1.75 FSI on the Site. The appropriate time to determine the size and location of any parkland expansion on the Site is when there is a development application.

Matters of Provincial Interest

We are concerned that the Proposed Secondary Plan does not provide appropriate regard for matters of Provincial interest such as subsections (a), (d), (e), (f), (h), (h.1), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r) and (s) of Section 2 of the Planning Act.

The 2024 PPS, which came into force October 2024, is aimed at increasing housing supply by streamlining existing policies and removing barriers to achieving the targets within the Housing Supply Action Plan, namely the construction of 1.5 million new homes in Ontario by 2031

(including 285,000 new homes in Toronto by 2031). As such, the policies of the proposed Plan are inconsistent with the policies of the PPS which promote densities for new housing which optimize and efficiently use land, resources, infrastructure and public services facilities, and support the use of active transportation and intensification in a strategic growth area and a MTSA.

The policies of the Plan are inconsistent with the policies of the PPS, particularly for lands which are located in a strategic growth area and Council adopted MTSA.

Considerations related to Population and the Provision of Housing

In our view, the Proposed Secondary Plan does not support, prioritize or promote development in excess of baseline planning forecasts. In our view appropriate consideration has not been given to exceeding baseline forecasts, due to risk and length of planning approval process and uncertain market conditions.

Our objections are related to a number of considerations, including but not limited to:

1. the City's proposed populations ranges included in the Proposed Secondary Plan,
2. the City-Wide Official Plan anticipated population growth (which is identified in Section 1.1 as "More than 700,000 new residents and almost half a million new jobs are expected by 2051"),
3. the City's Housing Pledge of 285,000 units by 2031, as adopted by Council on May 10, 2023,
4. the Population Projections for Toronto published by the Ministry of Finance, dated October 1, 2024 of approximately 4,191,000 persons, which is significantly higher than the City's Official Plan forecasts, and
5. the Secondary Plan's lack of consistency with the policies of the PPS, including but not limited, to Sections 2.1.1, 2.1.2., 2.1.3., and 2.1.4, and to the policies identified below, and in particular, the PPS policies which, amongst other matters, promote densities for new housing to both optimize and efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and prioritize intensification.

In our view the Proposed Secondary Plan is not consistent with the policies of the PPS and good planning principles and should not apply to limit the development potential of the Site, which is located within a strategic growth area, a City adopted MTSA, including but limited to the PPS policies identified below.

Lack of Consistency with the Provincial Planning Statement (2024)

The Company's objections raise issues of inconsistency with the PPS. The Plan inappropriately limits the provision of transit supportive housing and intensification through its use of prescriptive and numerical limits. The Secondary Plan is not consistent with the policies of the PPS which, amongst other matters, promote densities for new housing to both optimize and efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and prioritize intensification, including but not limited to:

Chapter 1: Introduction, Vision (Paragraphs 1, 2 and 4), Role of the Provincial Policy Statement (Paragraphs 1, 2 and 4), How to Read the PPS (Paragraph 1); Consider Specific Policy Language (Paragraph 3); Geographic Scale of Policies (Paragraph 2); Policies Represent Minimum Standards (Paragraphs 1 and 2);

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities, Section 2.1 Planning for People and Homes, Policies 2.1.1, 2.1.3, 2.1.4, 2.1.6; Section 2.2 Housing, Policies 2.2.1 b), c) and d), Section 2.3 Settlement Areas and Settlement Area Boundary Expansions, Policy 2.3.1, 2.3.1.2, 2.3.1.2, 2.3.1.3, 2.3.1.4, 2.3.1.5 and 2.3.1.6; Section 2.4 Strategic Growth Areas, Policies 2.4.1.1, 2.4.1.2 and 2.4.1.3; Section 2.4.2, Major Transit Station Areas Policies;

Chapter 3: Infrastructure and Facilities, Section 3.1 General Policies for Infrastructure and Public Service Facilities, Policies 3.1.1 and 3.1.2; Section 3.2 Transportation Systems, Policy 3.2.2;

Chapter 6: Implementation and Interpretation, Section 6.1 General Policies for Implementation and Interpretation, Policies 6.1.1, 6.1.5, 6.1.6, 6.1.12 and 6.1.13.

8 - Definitions: relevant definitions, including but not limited to the definitions of “infrastructure”, “major transit station area”, “regional market areas” and “strategic growth areas”

The Company is very concerned about the timeline that has been set by City staff in advancing the Proposed Secondary Plan for adoption by City Council. Insufficient time has been provided to the Company and other affected landowners to undertake a detailed review and provide comments on the proposed policies and associated studies. We respectfully request the deferral of City's Council's consideration of the Plan to allow for further revisions to the Plan which address our clients objections as raised herein. In the event consideration of the Plan is not deferred and the Company's objections are not resolved, the objections and concerns raised herein will form part of the Company's appeal of the Proposed Secondary Plan.

Please accept this letter as our respectfully request to be notified of all City decisions with respect to OPA 777.

Yours truly,



Cynthia A. MacDougall
Senior Counsel

Schedule “A”

Note: Unless other wise noted, the following policy references reflect the proposed version of the ReNew Sheppard East Secondary Plan as considered and recommended for amendment by North York Community Council on December 3, 2024, and available on the City’s website as of December 15, 2024.

Section	Policy	Bayview Village Shopping Mall
AMENDMENT 777 TO THE OFFICIAL PLAN		
Map 51-1 Plan Boundary	-	
Map 51-2 Character Areas	-	
Map 51-3 Retail Streets	-	
Map 51-4 Long Term Parks Plan	-	For the reasons set out in this chart and the cover letter, delete the Parkland Expansion Area from the Site.
Map 51-5 Public Realm	-	For the reasons set out in this chart and the cover letter, the Mid-Block Connection, Parkland Expansion Area and the Potential Public Art Location should be removed from the Site.
Map 51-6 Street Network	-	
Map 51-7 Cycling and Pedestrian Network	-	For the reasons set out in this chart and the cover letter, delete the Mid-Block Connection on Site.
Map 51-8 Transit and Travel Demand Management	-	
Map 51-9 SASPs	-	
TEXT		
1	Map 16, Land Use Plan, is amended by redesignating lands between Wilfred Avenue and Clairtrell Road, from the north side of Alfred Avenue and Spring Garden Avenue to both sides of Greenfield Avenue from Neighbourhoods to Mixed Use Areas as shown on Schedule 1.	
2	Map 16, Land Use Plan, is amended by redesignating lands between Wilfred Avenue and Clairtrell Road, south of Greenfield Avenue to the north side of Sheppard Avenue East from Apartment Neighbourhoods to Mixed Use Areas as shown on Schedule 1.	
3	Map 16, Land Use Plan, is amended by redesignating certain lands between the east side of Calvin Avenue to west of Bayview Avenue from the north side of Granlea Road to Highway 401 from Neighbourhoods to Mixed Use Areas as shown on Schedule 1.	
4	Map 19, Land Use Plan, is amended by redesignating certain lands generally between Sheppard Avenue East in the south, Elkhorn Drive and Arrowstock Crescent in the north, both sides of Whittaker Crescent in the west and the west side Ambrose Road in the east from Neighbourhoods to Mixed Use Areas as shown on Schedule 2.	
5	Map 19, Land Use Plan, is amended by redesignating the lands on the south side of Marceline Crescent between the Richmond Hill GO rail corridor and Eunice Road from Neighbourhoods to Mixed Use Areas as shown on Schedule 2.	
6	Map 19, Land Use Plan, is amended by redesignating certain lands along Talara Drive, Caracas Road and	

Section	Policy	Bayview Village Shopping Mall																																													
	Bessarion Road from Neighbourhoods to Mixed Use Areas as shown on Schedule 2.																																														
7	Map 19, Land Use Map, is amended by redesignating 4000 Leslie Street from Mixed Use Areas to Institutional Areas as shown on Schedule 2.																																														
8	<p>Schedule 2 of the Official Plan, The Designation of Planned but unbuilt Roads, is amended by adding the following new planned but unbuilt roads:</p> <table><tr><th>Street Name</th><th>From</th><th>To</th></tr><tr><td>New Link A*</td><td>Alfred Avenue</td><td>New Link B</td></tr><tr><td>New Link B*</td><td>Hycrest Avenue</td><td>Highland Avenue</td></tr><tr><td>New Link C*</td><td>Maplehurst Avenue</td><td>Greenfield Avenue</td></tr><tr><td>New Link D*</td><td>Greenfield Avenue</td><td>Teagarden Court</td></tr><tr><td>New Link E*</td><td>Granlea Road</td><td>Sheppard Avenue East</td></tr><tr><td>New Link F*</td><td>Kenaston Gardens</td><td>Barberry Place</td></tr><tr><td>New Link G*</td><td>Rean Drive</td><td>Dervock Crescent</td></tr><tr><td>New Link H*</td><td>Dervock Crescent</td><td>Caracas Road</td></tr><tr><td>New Link I*</td><td>Elkhorn Drive</td><td>Lockton Court</td></tr><tr><td>New Link J*</td><td>Talara Drive</td><td>Bessarion Road</td></tr><tr><td>New Link K*</td><td>Ethennonnhawahstihnen' Lane</td><td>Provost Drive</td></tr><tr><td>New Link L*</td><td>Esther Shiner Boulevard</td><td>Sheppard Avenue East</td></tr><tr><td>New Link M*</td><td>Provost Drive</td><td>Esther Shiner Boulevard</td></tr><tr><td>New Link N*</td><td>Esther Shiner Boulevard</td><td>Ends</td></tr></table> <p>*Refer to Chapter 6, Section 51, Renew Sheppard East Secondary Plan, Map 51-6, for the general location of the planned, but unbuilt new roads</p>	Street Name	From	To	New Link A*	Alfred Avenue	New Link B	New Link B*	Hycrest Avenue	Highland Avenue	New Link C*	Maplehurst Avenue	Greenfield Avenue	New Link D*	Greenfield Avenue	Teagarden Court	New Link E*	Granlea Road	Sheppard Avenue East	New Link F*	Kenaston Gardens	Barberry Place	New Link G*	Rean Drive	Dervock Crescent	New Link H*	Dervock Crescent	Caracas Road	New Link I*	Elkhorn Drive	Lockton Court	New Link J*	Talara Drive	Bessarion Road	New Link K*	Ethennonnhawahstihnen' Lane	Provost Drive	New Link L*	Esther Shiner Boulevard	Sheppard Avenue East	New Link M*	Provost Drive	Esther Shiner Boulevard	New Link N*	Esther Shiner Boulevard	Ends	
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9	Chapter 6, Secondary Plans, is amended by adding Section 51, Renew Sheppard East Secondary Plan, as shown on the attached Schedule 3.																																														
10	Map 35, Secondary Plan Key Map, is amended by adding Section 51, Renew Sheppard East Secondary Plan																																														
11	<p>Chapter 6, Secondary Plans, Section 9, Sheppard East Subway Corridor Secondary Plan, is amended as follows, and the policy amendments in Paragraph 11. a. and b. below shall come into effect for the portions of the Renew Sheppard East Secondary Plan that overlap with the Sheppard East Subway Corridor Secondary Plan, as those portions of the Renew Sheppard Secondary Plan come into effect for those same lands:</p> <p>a. deleting the words “The lands shown on Map 9-1 are subject to the following policies.”; and</p> <p>b. adding a new Policy 1.3 as follows “The lands shown on Map 9-1 are subject to the policies of this Plan. Despite Map 9-1, the policies within the Sheppard East Subway Corridor Secondary Plan do not apply to lands within the boundaries of Map 51-1 of the Renew Sheppard East Secondary Plan and do not apply to the lands west of Bayview Avenue.”</p>																																														
12	<p>Chapter 6, Section 29, Sheppard Willowdale Secondary Plan, Policy 1.2 is amended as follows, and Policy 1.2, as amended, shall come into effect for the portions of the Renew Sheppard East Secondary Plan that overlap with the Sheppard Willowdale Secondary Plan, as those portions of the Renew Sheppard East Secondary Plan come into effect for those same lands:</p> <p>a. deleting the words “The east portion of the Plan Area falls within the boundaries of the existing Sheppard Avenue East Subway Corridor Secondary Plan. In the event of a conflict between the Sheppard Avenue East Subway Corridor Secondary Plan and this Plan, this Plan will prevail to the extent of the conflict.”; and</p> <p>b. adding the words “Despite Map 29-1, the policies within the Sheppard Willowdale Secondary Plan do not</p>																																														

Section	Policy	Bayview Village Shopping Mall
	apply to lands within the boundaries of Map 51-1 of the Renew Sheppard East Secondary Plan.”	
13	Chapter 7, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policy 72 in its entirety and this amendment shall come into effect as those portions of the Renew Sheppard East Secondary Plan come into effect for those same lands.	
14	Chapter 7, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policy 80 in its entirety and this amendment shall come into effect as those portions of the Renew Sheppard East Secondary Plan come into effect for those same lands.	
15	Chapter 7, Site and Area Specific Policies, is amended by deleting Site and Area Specific Policy 205 in its entirety and this amendment shall come into effect as those portions of the Renew Sheppard East Secondary Plan come into effect for those same lands.	
16	Chapter 7, Map 27, Site and Area Specific Policies, is amended by removing the areas affected by the Site and Area Specific Policies 72, 80 and 205 and this amendment shall come into effect as those portions of the Renew Sheppard East Secondary Plan come into effect for those same lands.	
1. HOW TO READ THIS PLAN		
1.1.1 The policies of the Renew Sheppard East Secondary Plan (this “Plan”) apply to the area shown on Map 51-1: Secondary Plan Boundary.		
1.1.2 Paragraphs that are listed by number and/or letter contain the policies of this Plan. Other paragraphs provide the context and intent of the policies.		
2. VISION AND GOALS		
<p>2. The Renew Sheppard East Secondary Plan area will transform over time to become a complete, prosperous, connected, livable, sustainable, and transit-supportive community. The Plan Area has the potential to accommodate an estimated 83,000-86,000 residents and 13,000-21,000 jobs in the coming decades – an increase from approximately 20,750 residents and 10,750 jobs in 2021. Change will build upon the existing transit infrastructure and the area’s distinct neighbourhoods which have unique public realm elements that reinforce community identity. Significant public realm moves include the creation of the “Sheppard Promenade” and the “Green Loop” to support mixed-use communities and anticipated population and employment growth. Growth will be accommodated in compact built form that supports the Plan Area’s higher order transit assets. The Plan Area will have a resilient public realm network of green streets, parks, open spaces and is connected to the broader natural heritage system, that supports social gathering and pedestrian activity and opportunities to promote a healthier environment.</p>		<p>Policy is not clear how population ranges were established given the background studies appear to use different projections. Concern with lack of clarity with respect to population ranges and how such population ranges relate to the back ground studies. We would appreciated more information in this regard.</p> <p>In our view the Secondary Plan does not appropriately set the stage for reurbanization and redevelopment of the Site or meet city building objectives in accordance with Section 5.2.1. of the Official Plan, as further detailed in this chart and the cover letter.</p>
<p>2.1.1 The Vision of this Plan will be guided by the following goals:</p> <ul style="list-style-type: none"> a) leveraging and supporting subway and regional rail infrastructure with transit supportive densities and compact built form; b) achieving a balance of jobs and housing, including affordable housing, to serve local residents and to offer opportunities for residents to work close to home; c) supporting a strong local economy with a diversity of retail uses and innovative businesses that serve the community and provide a diversity of employment opportunities; d) connecting new and expanded parks and open spaces with an active transportation network that links people with local and regional transit as well as natural areas and community uses; e) protecting the natural heritage of the East Don River Valley and supporting its recreational and ecological functions while improving access to this important community destination; .and f) reinforcing the North York General Hospital area as a health-care hub with a broad range of health sciences, education and research uses complementary to the hospital. 		<ul style="list-style-type: none"> a) As set out in this chart, the policies of the Plan do not support the achievement of transit supportive densities given the proposed density limit of 1.75 on the Site which abuts the Sheppard Subway and other prescriptive policies in the Plan which deal with, for example, setbacks. The Plan’s approach will result in unnecessary amendments to the Official Plan when considering redevelopment applications. d) We are concerned with the policies that provide for expanded parkland on the Site as set out below.

Section	Policy	Bayview Village Shopping Mall
3. AREA STRUCTURE		
<p>The Plan Area is centred along the Sheppard Avenue East Corridor (the “Corridor”). The Corridor is served by two subway stations and one interchange station consisting of a subway station and a regional rail station. This transit infrastructure is a stimulus for continued change, focused on each of these three transit station areas linked as a whole. Together, the Plan Area will develop into a transit-supportive complete community, consisting of distinct character areas, complementary in their function and purpose.</p>		
<p>3.1 Character Areas</p> <p>3.1.1 Seven (7) Character Areas are identified on Map 51-2, Character Areas, reflecting existing and planned context, to shape where and how each Character Area is envisioned to evolve, as follows:</p>		
<p>3.2 Transit Station Character Area</p> <p>3.2.1. The Transit Station Character Area, along Sheppard Avenue East, will contain the tallest buildings within the Plan Area, primarily on lands closest to existing and planned transit stations. As the most intensely developed locations, these areas will be busy hubs near transit, with a public realm designed to handle higher pedestrian and cyclist volumes.</p>		<p>The Transit Station Character Area should accommodate tall buildings generally. The words “along Sheppard Avenue” should be removed.</p>
<p>3.2.2 The Transit Station Character Area will contribute to the Sheppard Promenade as a green street that includes a vibrant commercial main street with a variety of retail and non-residential uses, while providing goods and services for both local and more regional needs. Community services and facilities will welcome an increased population living within this and surrounding Character Areas. The Transit Station Character Area will be lively and will serve as a destination for many.</p>		<p>The policy lacks clarity with respect to what is mean by a ‘green street’ in the context of the policies which speaks to the provision of retail and non-residential uses. . The policy should be revised to acknowledge that not every Transit Station Character Area fronts on Sheppard Avenue East</p>
<p>3.3 Sheppard Corridor Character Area</p> <p>3.3.1 The Sheppard Corridor Character Area, along Sheppard Avenue East, will contain buildings in a mid-rise built form, fitting with the existing character of the area and providing as a transition from the Transit Station Character Area. This area will be vibrant and active, at a lower intensity than the Transit Station Character Area and will provide access to mid-day sunlight and open views of the sky.</p>		
<p>3.3.2 The Sheppard Corridor Character Area will contribute to the Sheppard Promenade as a green street that includes a vibrant commercial main street with a variety of retail and non-residential uses, while providing goods and services for both local and more regional needs. Community services and facilities will welcome an increased population living within this and surrounding Character Areas. The Sheppard Corridor Character Area will be lively place and serve as a destination for many.</p>		
<p>3.4 Edge Character Area</p> <p>3.4.1 The Edge Character Area, along the northern edge of Highway 401 and adjacent to ravines, will be developed predominantly with tall and mid-rise buildings, in a green landscaped setting. Close to the highway, an intense planting of deciduous and coniferous trees will help create a pleasant, soft edge and buffer to the highway.</p>		
<p>3.4.2 Connectivity to, and through, the Edge Character Area, and to adjacent areas will be enhanced through improved connections, including the addition of a landscaped multiuse trail to provide opportunities for sustainable modes of transportation.</p>		
<p>3.4.3 Portions of the Edge Character Area will contain retail, commercial and employment opportunities, predominantly along Retail Required Streets. However, small scale retail, service and community uses that serve local needs may be found throughout the Edge Character Area.</p>		

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3.5 Transition Zone Character Area		
3.5.1 Lands within the Transition Zone Character Area are areas of transition between more intense and less intense scales of development.		
3.5.2 The Transition Zone Character Area will be developed to contain mid-rise and low-rise buildings, in a green, landscaped setting; which provide a variety of housing forms and types.		
3.5.3 Connectivity to, and through, the Transition Zone Character Area will be enhanced through improved connections, including new or extended public streets, and pedestrian and cycling connections. Non-residential uses that provide local amenity and serve local needs are encouraged in the Transition Zone Character Area.		
3.6 Institutional Zone Character Area		
3.6.1 The Institutional Zone Character Area will continue to be a hub for research, healthcare and educational uses. Anchored by the North York General Hospital and associated sites, this area will leverage healthcare related uses to expand job opportunities and investments in public health, research, services, and educational uses.		
3.7 Green Character Area		
3.7.1 The Green Character Area consists of three locations within the Plan Area. These areas may change over time but will continue to contain significant landscaping, a generous canopy of mature trees, and green pathways.		
3.8 Neighbourhood Character Area		
3.8.1 The Neighbourhood Character Area consists of lands designated as Neighbourhoods. Development in this Character Area will be in accordance with the policies of the Official Plan that relate to Neighbourhoods.		
4. LAND USE		
4.1 General Policies		
4.1.1 The Plan Area will develop as a complete community with a diverse mix of land uses that serve the daily needs of all residents. A broad range of non-residential uses will be provided to allow for nearby access to local job opportunities, retail, and services. Healthcare-related uses are encouraged within and adjacent to the Institutional Zone Character Area to support the expansion of the healthcare network including the North York General Hospital.		
4.1.2 Development is encouraged to incorporate existing businesses and existing non-residential uses in new development and to expand opportunities for local employment. Displacement of existing businesses by new development is discouraged.		
4.1.3 To support the City’s provision of emergency services to the Plan Area, emergency and safety services such as fire, paramedic and police facilities may be considered as part of development. New or relocated facilities for emergency and safety services may be provided within new development.		
4.2 Land Use Compatibility		
4.2.1 A Vibration Study, Rail Safety and Risk Mitigation Report, Compatibility/Mitigation Study and/or a noise study may be required as part of a complete application for development near to existing or planned transportation infrastructure, including the Sheppard subway corridor, subway stations, the Richmond Hill GO rail corridor, and the Highway 401 corridor.		

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4.2.2	The Highway 401 corridor is a known source of Transportation Related Air Pollution (TRAP). An Air Quality and Odour Study and/or Compatibility/Mitigation Study may be required for development applications within 500 metres of Highway 401. Results of the Study may include buffering, separation distance or at-receptor mitigation measures (e.g. architectural, mechanical, building position and orientation) that minimize exposure to transportation related air pollution.	
4.2.3	A Methane Gas Study is generally required for development within the Plan Area between the Richmond Hill GO rail corridor to the west and Leslie Street to the east	
4.3	<p>Retail</p> <p>A diversity of retail uses is essential to creating a sustainable, complete community by allowing residents and workers to access daily necessities and job opportunities within walking distance. Fine-grained retail supports a vibrant public realm by providing frequent entrances and new retail stores or services mere steps from each other. As a result, a variety of services are available in a short walking distance, and a range of options are nearby. This helps to create an interesting and enjoyable environment while supporting local business and encouraging active transportation.</p>	<p>The policy is unclear if the intent is to prohibit larger retail stores. The language is too prescriptive and “Fine-grained retail” should be replaced with “Retail uses”. The language in the policy is confusing, for example providing that a “diversity of retail uses is essential” while referring only to “fine-grained retail”. The Plan should be revised to acknowledge and support the importance of the shopping centre within the Plan area and beyond, including but not limited to its economic contribution.</p>
4.3.1	Retail Required Streets, shown on Map 51-3: Retail Streets, are the primary retail corridors in the Plan Area.	
4.3.2	Where development fronts onto a Retail Required Street, the ground floor frontage will only include retail and service uses or publicly accessible institutional or community uses that animate street frontages. Exceptions may be made for parks. Exceptions may also be made for compact residential lobbies if they cannot be located on side streets.	<p>This language of the policy is too prescriptive and should be deleted. The Retail Required Street identification extends along approximately 3 kilometers of the Sheppard Avenue frontage. It is not realistic to require that both the north and south side of the street be devoted to retail uses for this extended length of road and the background studies do not assess the need for this level of street related retail.</p> <p>Other uses, such as but not limited to ground-level amenity spaces are able to achieve the intent of Policy 4.3.2 by providing desired and animated street frontages.</p> <p>It is not clear what is meant by “ground floor frontage”. We note there are exceptions that will be made for parks and an exception needs to be made for the shopping mall and residential developments.</p>
4.3.3	<p>Development on Retail Required Streets should:</p> <ul style="list-style-type: none"> a) establish a variety of storefronts with sufficient retail depth along the street frontage; b) contribute to the establishment of a fine-grained pattern of retail uses with frequent entrances; and, c) provide flexible layouts to support usable and adaptable spaces for new and future retail uses. 	See our objections in 4.3.2 above. Retail development should be encouraged where appropriate to include the elements in a), b) and c). but not be limited to only those elements. The policy does not acknowledge the existing shopping mall. The language between the policies is inconsistent, for example policy 4.3.2 refers to “Where development fronts onto a Retail Required Street”.
4.3.4	Retail on Retail Required Streets will provide a well-articulated, active public realm interface that animates the street with retail entrances directly accessible from the sidewalk.	See our objections in 4.3.2 above. The policy is too restrictive and does not acknowledge existing conditions, for example, the Site has an existing shopping mall which is setback far from the street, in addition the grades along Sheppard Avenue may not allow for retail entrances accessible directly from the street.
4.3.5	Larger retail units are encouraged to:	See our objections in 4.3.2 above.

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	<ul style="list-style-type: none"> a) be located behind and/or to be wrapped with smaller retail storefronts on the primary retail facade; or b) be located above or below-ground with the exception of entranceways. 	The policy is not clear what is meant by “above or below-ground”, is the intent to prevent larger retail units from locating at grade? The Site should be exempted.
	4.3.6 Vehicle entry points are not permitted from a Retail Required Street, unless a vehicle entry point is not possible from another street or from a laneway. Where placement of vehicle entry points on Retail Required Streets cannot be avoided, the vehicle access points will be consolidated to minimize their impact on, improve the safety of, and improve the attractiveness of the public realm.	The policy is too restrictive and should be revised to acknowledge the retention where appropriate of existing entrances on Retail Required Streets, for example, the Site has two existing vehicle entry points on Sheppard Avenue East.
	4.3.7 Where a site with frontage on a Retail Required Street also has frontage on another public street, retail is encouraged to wrap onto both streets.	
5. PUBLIC REALM		
	5.1.1 The public realm will be designed as a walkable, attractive and sustainable network of green streets, pathways, parks and open spaces for residents, workers and visitors to interact, connect with nature and enjoy a variety of active and passive activities, while also improving mobility and access to and from transit, mixed-use areas and local destinations.	<p>The Secondary Plan refers to a ‘network of green streets’, but it is not clear from the Plan what ‘green streets’ is in reference to and how the policies will be applied.</p> <p>The policy should be deleted given the lack of clarity and to avoid uncertainty during the development process.</p>
	<p>5.2 General Policies</p> <p>5.2.1 The public realm will be designed as a walkable, attractive and sustainable network of green streets, pathways, parks and open spaces for residents, workers and visitors to interact, connect with nature and enjoy a variety of active and passive activities, while also improving mobility and access to and from transit, mixed-use areas and local destinations.</p>	This is duplicate policy from 5.1.1 and should be deleted.
	<p>5.2.2 Key Public Realm elements, identified on Map 51-4: Long Term Parks Plan, Map 51-5: Public Realm, and Map 51-7: Cycling and Pedestrian Network include parks, open spaces and natural areas, the Sheppard Promenade, the Green Loop, Higher Order Pedestrian Zones, new public streets, midblock connections and potential locations for Privately Owned Publicly Accessible Spaces and public art. Priorities for the public realm include, but are not limited to:</p> <ul style="list-style-type: none"> a) delivering new and expanded parks with a focus on areas identified as Parkland Priority areas, areas with lower parkland provision rates, areas with walkability gaps and areas of high growth, including through parkland dedication on larger development sites; 	<p>The Site was the subject of recent development approvals in 2022 which secured the provision of two new public park on the Site. Given the recent approval, we object to a further identification of a “parkland expansion area” on the Site. Any determination with respect to parkland should be reviewed in the context of a site specific application.</p> <p>The references in the Proposed Secondary Plan to the provision of public art should be deleted, given the lack of clarity as to how the City will secure the provision of public art.</p>
	<ul style="list-style-type: none"> b) maintaining and protecting the East Don River Valley system as an important destination and improving access to the Natural Heritage System where appropriate; 	
	<ul style="list-style-type: none"> c) creating the Sheppard Promenade as a green and vibrant commercial main street; 	The Plan is unclear and does not indicate what is meant by “green” streets, particularly in the context of a commercial main street.
	<ul style="list-style-type: none"> d) creating the Green Loop as a network of landscaped setbacks on local streets to provide a continuous greenway connection between parks and open spaces, schools, community services and facilities and natural heritage areas that prioritizes pedestrians, cyclists and green infrastructure; 	<p>The Green Loop identification on the Site and as generally proposed within the Secondary Plan area is inappropriate within a strategic growth area and an MTSA, to the extent that such an identification extends beyond the right of way and places unnecessary restrictions on the development of adjacent lands, for example, through the use of prescriptive setback standards. This is a concern that applies beyond the Site.</p> <p>The Green Loop identification should be removed from Bayview Mews Lane which we</p>

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		note has characteristics of a collector road and as presently proposed the Green Loop is not continuous. An alternative approach would be to relocate the Green Loop onto the local street Foxwarren Drive. In addition, Bayview Mews Lane is a street that is abutting a transit station character area on the south and should be abutting a transit station area on the north. The policy lacks clarity as the policies indicate the green loop is on local streets
	e) securing privately owned publicly accessible open spaces to support an expanded public realm, especially within the Higher Order Pedestrian Zones to support gateway sites and urban squares with a high volume of people moving through the area; and	The policy lacks clarity as it refers to a ‘gateway site’ which is a term not referenced elsewhere in the text of the Secondary Plan nor on the associated Mapping and should be deleted.
	f) extending the street network through new public streets, mid-block connections, and multi-use trails to improve active transportation circulation and the prominence of parks, open spaces, transit, schools and local destinations.	<p>Map 51-5: Public Realm Plan identifies a mid-block connection extending north into the subject site and terminating mid-block, generally in alignment with the existing vehicular entrance to the parking structure on the Site. It is unclear what purpose is served by securing a mid-block connection in this location which is currently be used as the vehicular entrance to the parking garage in support of the Shopping Centre. We request the mid-block connection on Map 51-5 be removed from the Site.</p> <p>With respect to f) it is not clear if the intent is to extend the network of pedestrian connections rather than the street network.</p>
	<p>5.2.3 Sustainability and climate resilience will be integrated into the design of the public realm to minimize environmental impact, reduce embodied emissions from materials, manage stormwater and reduce the impact of heat exposure. Development and streetscape improvements will:</p> <ul style="list-style-type: none"> a) promote biodiversity through prioritizing native and pollinator-friendly plants in landscaping, and reducing impervious areas; b) optimize infiltration and retention of stormwater through low impact development approaches including, but not limited to, rain gardens, swales, soakaways, and permeable paving; c) incorporate sufficient soil volume to ensure growth of large, healthy shade trees, and, where appropriate, other plantings; d) coordinate capital projects, municipal servicing and utilities in a manner that is compatible with existing trees and ensures space for planting new trees within the public right-of-way; and e) encourage the use high quality, sustainable and durable materials that minimize embodied carbon. Consideration should be given to effective maintenance and ability to support the intensity of use by residents, workers and visitors in all seasons. 	Policy 5.2.3 should be revised to reflect that the City is to provide for sustainability and climate resilience in the design of the public realm. The reference to “Development” should be deleted given, for example, it is the City’s responsibility to coordinate capital projects.
	<p>5.3 Parks</p> <p>Parks will be healthy, active and green places with areas for active and passive uses that meet a range of outdoor and recreational needs for residents, workers and visitors and provide valuable spaces for natural habitats and systems. The priority areas for new parks, as identified on Map 51-4: Long Term Parks Plan, are intended to complement the existing parkland network and green space system, delivering equitable access to significant recreational and/or gathering spaces as growth in the Plan Area occurs. New parks will be coordinated with enhancements to key public realm elements and complemented by the broader green space system including trails and the natural heritage areas of the East Don River Valley and ravine system, to provide a connected network of green spaces, with a variety of recreational facilities, amenities and activities within easy reach.</p>	<p>The City’s parkland policies are confusing as neither the Plan, the Staff Report or the Community Service Study provides an analysis for the number, size and location of the parks within the Plan area. We note the City in October 2024, launched a review of its 2019 City’s Parkland Strategy.</p> <p>The Site was the subject of recent development approvals in 2022 which secured the provision of two new public park on the Site. Given the recent approval, we object to a further identification of a “parkland expansion area” on the Site. Any determination with respect to future parkland should be</p>

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		determined in the context of a future development application.
5.3.1	<p>Parkland priorities within the Plan Area include, but are not limited to:</p> <ul style="list-style-type: none"> a) expanding and enhancing the size, function, visibility, and accessibility of existing parks; b) creating new parks, including within Parkland Priority areas identified in Map 51-4: Long Range Parks Plan; and c) complementing and integrating parkland with adjacent Natural Heritage System, where appropriate, and with Privately Owned Publicly-Accessible Spaces (POPS) and other open spaces. 	<p>See comments in 5.3 above.</p> <p>This policy also refers to complementing and integrating parkland with a POPS, however the Plan is not clear as to how the City intends to secure the provision of a POPS or other community benefits.</p>
5.3.2	<p>Priority locations for new parkland are conceptually shown on Map 51-4: Long Term Parks Plan. Parkland locations are identified as follows:</p> <ul style="list-style-type: none"> a) Potential Future Parks are locations where it is anticipated development could accommodate new parkland on-site; b) Parkland Priority areas are areas where parkland dedication or acquisition will be encouraged to achieve multiple public realm objectives; c) Anticipated Parks are parks that have been approved by Council as part of development; and, d) Parkland Expansion Areas are intended to guide future opportunities to expand existing parks over time. 	See our comments under proposed Policy 5.3 above.
5.3.3	<p>The dedication of land to the City is to be prioritized through the development process to meet parkland dedication requirements. As part of development, parkland provision will be considered in the following order of priority:</p> <ul style="list-style-type: none"> a) on-site parkland dedication; b) off-site parkland dedication; c) cash-in-lieu of parkland. 	
5.3.4	The precise size, location and configuration of Potential Future Parks and Parkland Priority areas, including additional parks not shown on Map 51-4, will be determined through the development review process and as other opportunities arise.	The identification of the proposed Parkland Expansion Area on the Site is inappropriate for the reason described above.
5.3.5	Consolidation of parkland dedication from more than one development and/or multiple landowners, assembled to create a larger park, is encouraged.	
5.3.6	Improvements, expansions and connections to the public realm network are encouraged to enhance access to the Natural Heritage System, including the East Don River Valley system.	
5.3.7	<p>Development adjacent to parks will:</p> <ul style="list-style-type: none"> a) achieve appropriate setbacks to allow the building and any of its exterior features and amenities, including fire separation structures and landscape elements, to be provided and maintained within the development b) accommodate walkways and other pedestrian circulation from adjacent developments within the development site; c) provide an appropriate interface between public and private lands; d) be oriented to maximize public access and views to parks; e) be designed to have an attractive façade with active uses at grade f) avoid locating loading and servicing areas, and mechanical equipment, including venting, abutting or adjacent to parks; g) provide for casual overlook, increasing the passive surveillance and safety of parks; and h) be located and designed to ensure wind conditions in parks are suitable for comfortable sitting and standing. 	<p>The policy is too prescriptive as the stated requirements may not be appropriate in all instances, for example the requirement in policy 5.3.7 b) to accommodate walkways and other pedestrian circulation from adjacent developments within the development site.</p> <p>Suggest the language refer to “Development adjacent to parks is encouraged to:”</p> <p>-</p>
5.4	Streetscape – All Streets	Toronto’s Complete Streets Guidelines, 2017, implement the policies of the City’s Official Plan (Section 3.1.1, 3.1.1.8, sidebar page 3-3) with respect to complete

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5.4.1	<p>All streets will be designed with a complete streets and green streets approach, supporting a welcoming, active, pleasant pedestrian environment, and will include:</p> <ul style="list-style-type: none"> a) functional streetscape zone, which is the space between the street curb and building, that includes landscaping, a pedestrian clearway and, where appropriate, a furniture zone; b) a row of trees in the right-of-way on both sides of the street, where possible; c) an additional row of trees within a required setback, where possible; d) green infrastructure to the greatest extent possible, including ecological and hydrological functions to manage stormwater where it falls; and e) coordination among underground utilities to support the public realm objectives of this Plan, including the provision tree retention and large, long-term tree growth. 	<p>streets and other City building objectives. We suggest this policy is not necessary in the Secondary Plan as its duplicative and confusing with respect to existing Official Plan policies and City Guidelines.</p> <p>It will be challenging for all streets to be designed with a complete streets and a green streets approach that is mandated by the Plan to include all of the elements listed in the policy. The “Complete Streets” side bar on page 3-3 of the Official Plan <i>“recognises that there is no single way to make a street “complete”</i>. The side bar also provides that <i>“Guidelines for applying the “Complete Streets” approach will be developed to assist in resolving and balancing the competing demands placed upon the use of street rights-of-way and applied when streets are constructed, reconstructed or otherwise improved.”</i> Whereas the proposed policy in the Plan is too prescriptive and requires all listed elements to be achieved on all streets.</p> <p>If maintained, the policy should read as follows: “All streets are encouraged to be designed with a complete streets approach as informed by applicable City Guidelines.”</p>
5.5 Streetscape		
Retail 5.5.1	<p>Retail Streets are those that are designed to support animated ground floor retail and service uses and accommodate more people visiting the area. Retail streets will include all of the elements of 5.4 of this Plan, and:</p> <ul style="list-style-type: none"> a) a wider functional streetscape zone; b) a marketing zone supporting ground level active uses, where feasible; and c) enhanced pedestrian weather protection, such as canopies and awnings. 	<p>The policy is too prescriptive and we are concerned that it will be difficult for Retail Streets, such as Sheppard Avenue which is also identified as the ‘Sheppard Promenade’, to include <u>all</u> elements in 5.4 of the Plan, including landscape streetscape, a row of trees within the ROW of each side of the street, an additional row of trees within a required setback and green infrastructure, as well as the elements of this policy 5.5.1 which require a marketing zone and enhanced pedestrian weather protection.</p> <p>Additional flexibility needs to be provided in this policy, and in the Plan generally, to allow for appropriate streetscape to be informed by City guidelines, which change over time.</p> <p>Further, it is not clear what a ‘marketing zone’ is in policy 5.1.1 b).</p>
5.6 Streetscape – Sheppard Promenade 5.6.1		
	<p>The Sheppard Promenade will be a vibrant and green commercial main street, acting as the primary street in the Plan Area. The Sheppard Promenade will include all of the elements of Policies 5.4 and 5.5 of this Plan, and:</p> <ul style="list-style-type: none"> a) the widest functional streetscape zone with rows of trees and, where possible, a double row of trees, including within the setback; b) a functional frontage and market zone; c) enhanced weather protection, such as canopies and awnings; and d) public art, installations, gateway features, and other enhancements, as appropriate. 	<p>Similar to comments on 5.5.1 above, this policy is too prescriptive.</p> <p>The Sheppard Promenade is intended to be the primary street in the Plan area and includes components additional to those outlined in Draft Policies 5.4 and 5.5 above. Additional flexibility needs to be provided in this policy, and in the Plan generally, to allow for appropriate streetscape design as informed by City guidelines.</p>
5.7 Green Loop		
	<p>5.7.1 The Green Loop is comprised of a network of primarily local streets, shown on Map 515: Public Realm, that connects parks and open spaces, schools, community services and facilities and natural heritage areas. The</p>	<p>The Green Loop policies are confusing and it is not clear if such policies apply to the City street or the setback area from a City street. If applicable to private lands adjacent the Green Loop the policies do not support efficient use</p>

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	Green Loop will, support a sustainable and resilient public realm by prioritizing people walking and using mobility devices, and maximizing soft landscaping, the retention of mature trees and expanding the tree canopy. Wherever possible the Green Loop will include green infrastructure to support stormwater management.	of land within a strategic growth area and an MTSA, in proximity to transit, for example the requirement to maximize soft landscaping and retain mature trees. If applicable to private lands, the policies should be deleted.
	<p>5.7.2 Development adjacent to the Green Loop will:</p> <ul style="list-style-type: none">a) have grade-related uses that provide generous landscaped front yards fronting the Green Loop;b) incorporate green infrastructure, such as bioretention and permeable pavement, as appropriate;c) where a development site is adjacent to a public park, provide pedestrian walkways to extend connections to the Green Loop within the development site;d) retain existing mature trees, where feasible, and plant new large shade trees to maximize the urban tree canopy;e) locate and design underground facilities, such as parking, to provide sufficient soil volume to maintain a permanent, high-branching tree canopy, including existing trees; andf) relocate above-grade and underground utilities, where necessary, to minimize utility conflicts for new tree plantings.	<p>Policy 5.7.2 requires developments adjacent to the Green Loop to meet all requirements set out in (a) to (f). As drafted the policy is onerous and should be revised to provide greater flexibility in the design of developments having regard to site-specific considerations. For example, the proposed Policy a) mandates that development “will” provide “generous landscaped front yards”. However, the determination of what is generous is subjective and achieving “generous” landscaped front yards may not be appropriate in the context of development within a strategic growth area and an MTSA. The policy language should be amended to “encourages” as a reasonable approach to the provision of the elements listed in proposed Policy 5.7.2, which allows for an assessment of what is appropriate based on site specific conditions.</p> <p>As proposed in Policy c) it may not be appropriate in every condition to provide connection from the Green Loop to an adjacent public park.</p> <p>In Policy e) the reference to “existing trees” should be removed.</p> <p>In Policy f) the requirement to relocate existing utilities to accommodate new tree planting is not reasonable and should be deleted.</p>
<p>5.8 Setbacks</p> <p>5.8.1 Setbacks assist in achieving the intent of the policies of this Plan, including those for streetscapes and built form.</p>		<p>Setbacks are more appropriately dealt with in Guidelines and prescribed in zoning by-laws rather than Official Plans.</p> <p>Prescriptive building setback requirements in the Secondary Plan should be removed as such policies may limit the ability to provide appropriate transit supportive built forms in proximity to transit and within the area of a strategic growth area and an MTSA. The appropriate form of new development should be guided by the City’s existing design guidelines, including but not limited to the Tall Buildings Design Guidelines, the Mid-Rise Buildings Design Guidelines and the Townhouse and Low-Rise Apartment Guidelines, and determined in the context of site specific development applications. As provided in the intro language to Section 3.1.4 of the Official Plan: “<i>The built form relationships and design of these building types is informed by citywide urban design guidelines that help to ensure the proper form and fit with the existing and planned context.</i>” It is not appropriate to require an official plan amendment where a development does not comply with an Official Plan setback requirement.</p>

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		The setback requirements in Section 5.8 of the proposed Secondary Plan should be deleted.
5.8.2	Setback areas should be designed to be directly associated with the pedestrian environment, be visible and directly accessible from the public realm.	This policy is unclear, is the intent to only required setbacks from the public realm? See comment under proposed Policy 5.8 above. This policy should be deleted.
5.8.3	A minimum setback of 5.0 metres from the property line is required along Sheppard Avenue East to establish the Sheppard Promenade. No cantilevering of buildings will be permitted within the setback area.	This policy is too prescriptive generally for inclusion in a secondary plan and should be deleted. See comment under proposed Policy 5.8 above. Further, the required setback does not reflect the setbacks as supported by the City for the development of the Site as secured through 1261-2022(OLT).
5.8.4	A minimum setback of generally 5.0 metres from the property line is required along Leslie Street and Bayview Avenue to accommodate an enhanced streetscape and pedestrian realm. Minor cantilevering of buildings into the setback may be permitted above a height of 16 metres.	This policy is too prescriptive for inclusion in a secondary plan and should be deleted. See comment under proposed Policy 5.8 above.
5.8.5	To establish the Green Loop, development adjacent to the Green Loop should generally provide: <ul style="list-style-type: none"> a) a minimum setback of 5.0 metres from the property line; b) a minimum setback of 3.5 metres from the property line on the flanking side yards; and c) a minimum underground setback of 2.5 metres from the property line to accommodate soft landscaping, including trees. 	This policy is too prescriptive generally for inclusion in a secondary plan and should be deleted. See comment under proposed Policy 5.8 above. Further, the required setbacks do not reflect the setbacks as agreed to by the City for the development of the Site as secured through 1261-2022(OLT). This policy should be deleted as it applies to the Site.
5.8.6	A minimum setback for all other streets, is generally 3.0 metres from the property line. Larger setbacks are strongly encouraged where retail and grade related residential units are proposed.	Setbacks are more appropriately dealt with in Guidelines and prescribed in zoning by-laws rather than in Official Plan policies. See comment under proposed Policy 5.8 above.
5.8.7	A setback is required to a Provincial Highway. This setback exists above and below grade. No permanent structures are permitted within the required setback zone. Within this setback, an intense planting of deciduous and coniferous trees is encouraged close to the highway to create a soft edge and buffer to the highway.	
5.8.8	Larger setbacks are required in Higher Order Pedestrian Zones to accommodate greater pedestrian circulation and activity.	The policy as drafted is too prescriptive and requires equal compliance with all of a), b) and c) which does not allow for an analysis of site specific conditions. We object to the application of this policy to the Site as it conflicts with the recently secured and City supported development permissions set out in By-law 1261-2022(OLT)
5.8.9	Where additional space is needed to accommodate a publicly accessible open space, forecourts, urban squares, and/or additional space for tree planting, the City may request that a setback be increased.	We suggest the language be revised to read: Where appropriate areas for publicly accessible open space, forecourts, urban squares, and/or tree planting may be accommodated through the use of design elements such as setbacks.
5.8.10	Where a conflict exists among the required setbacks noted above, the greater setback shall be considered the minimum required setback for any given development site.	This proposed Policy is inappropriate in an official plan and is more reflective of a requirement found in a zoning by-law. Setbacks are more appropriately dealt with in Guidelines and prescribed in zoning by-laws rather than Official Plans. As noted in the comments under policy 5.8, prescriptive and numerical setback requirements should be removed from the Plan.
5.9	Higher Order Pedestrian Zones	
5.9.1	Higher Order Pedestrian Zones are located at transit stations and are anticipated to experience the highest volume of retail activity, people	

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	walking or using mobility devices, cyclists, and transit users. Higher Order Pedestrian Zones are important placemaking sites that can enhance neighbourhood identity and support commercial and social activity.	
	5.9.2 Higher Order Pedestrian Zones, shown on Map 51-5: Public Realm, will be designed as the centre of public life and will include publicly accessible urban squares and open spaces supported by retail and commercial uses.	It is not clear from Map 51-5 and the proposed policy if the Higher Order Pedestrian Zones applies to the Site. If applicable, we object to the application of proposed Policy 5.9.2 to the Site as the policy conflicts with the recent development approval supported by the City, as reflected in 1261-2022(OLT), which allow for a one storey podium to be built to the lot lines in the south west corner of the Site. The policy should provide for greater flexibility as it may not be appropriate in every instance.
	5.9.3 Higher Order Pedestrian Zones will include protected and safe pedestrian crossings and intersection designs that prioritize pedestrian safety and comfort such as wide sidewalks, tactile walking indicators, narrow lanes, right turn restrictions, corner extensions or boulevard bump outs and pedestrian supportive signalling and timing. They may also include multi-modal shared mobility hubs.	
	5.9.4 Development in Higher Order Pedestrian Zones will address both public streets and Publicly Accessible Open Spaces (POPS) with integration of landscaping and potential public art to create a distinct sense of place and will be designed to: <ul style="list-style-type: none"> a) provide additional setbacks from public streets and open spaces to support retail spillover and public realm enhancement; b) provide Privately Owned Publicly Accessible Open Spaces in the form of urban squares, plazas and forecourt to expand the public realm; and c) enhance pedestrian amenities, tree planting and soft and hard landscaping. 	The policy as drafted is too prescriptive and requires equal compliance with all of a), b) and c) which does not allow for an analysis of site specific conditions. We object to the application of this policy to the Site as it conflicts with the recently secured and City supported development permissions set out in By-law 1261-2022(OLT)
	5.10 Mid-block Connections Mid-block connections support active transportation by providing universal access through a block for people walking or using a mobility device. These connections supplement and build on the network of public sidewalks and multi-use trails.	
	5.10.1 Development will incorporate mid-block connections at locations conceptually identified on Map 51-5: Public Realm Plan.	Map 51-5: Public Realm Plan identifies a mid-block connection extending north into the subject site and terminating mid-block. It is unclear what purpose is served by securing a mid-block connection in this location and note that the location identified is also the vehicular entrance to the parking garage serving the existing shopping mall which the Company intends to maintain. We request the mid-block connection on Map 51-5 be removed from the Site.
	5.10.2 Mid-block connections will be accessible for people of all ages and abilities. Where appropriate, mid-block connections will accommodate cyclists.	
	5.10.3 All mid-block connections will be generous in width. Where a mid-block connection is internal to a building, it should also be generous in height. As amended by North York Community Council on December 3, 2024 to be replaced with: All mid-block connections will have generous dimensions, generally exceeding 5 metres in width. Where a mid-block connection is internal to a building, it should also be generous in height. Outdoor mid-block connections will accommodate a pathway and landscaping, and should include tree planting.	Proposed Policy 5.10.3, as amended by North York Community Council, places an onerous and unreasonable requirement on lands identified to provide a mid-block connection. The width of mid-block connections should be determined on a site specific basis, reflecting its purpose and site context. The policy should be deleted.

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As amended by North York Community Council on December 3, 2024 to be replaced with:	Development adjacent to an existing or approved mid-block connection will contribute additional width to enhance and support the functionality of the mid-block connection.	<p>The policy as written is overly prescriptive and compliance may not be possible particularly in the case of existing mid-block connections where existing site conditions , including building locations, may prevent compliance with the policy. It is also not clear what is meant by “approved mid-block connections”, does this refer to the mid-block connections shown on Map 51-5?</p> <p>We request the policy be revised as follows:</p> <p>Development adjacent to an existing or mid-block connections shown on Map 51-5 may be encouraged to contribute additional width to enhance and support the functionality of the mid-block connection, where appropriate.</p>
5.10.4 [Re-numbering to follow due to new policy above]	Development is encouraged to include ground floor units with direct pedestrian access along a mid-block connection.	The policy is unclear if this is a requirement for all uses with ground floor units to have direct access to a mid-block connection.
5.11 Connections to and Enhancements of the Natural Heritage System		
5.11.1 The Plan Area will be connected to the Natural Heritage System through a network of connections as shown on Map 51-5: Public Realm, and Map 51-7: Cycling and Pedestrian Network, and will be coordinated, where required, with the local conservation authority.		
5.12 Public Art	Public art can celebrate local stories about the community’s history and culture, including those of Indigenous peoples, that supports the Plan’s vision to enhance the shared sense of place and contribute to community identity.	The references in the Proposed Secondary Plan to the provision of public art should be deleted, given the lack of clarity as to how the City will secure the provision of public art.
5.12.1 Development is encouraged to incorporate Public Art at locations conceptually identified on Map 51-5: Public Realm.		
5.13 Privately Owned Publicly Accessible Open Spaces (POPS)		
5.13.1 POPS can create landmark destinations that reinforce special places within neighbourhoods particularly within the Sheppard Promenade and the Higher Order Pedestrian Zones. Development is encouraged to incorporate POPS at locations conceptually identified on Map 51-5: Public Realm.		
5.13.2 POPS on the Sheppard Promenade should co-ordinate their design with the Sheppard Promenade streetscape to develop a coherent landscape open space along the street.		See our comments on proposed policy 5.6 above.
5.13.3 POPS at Higher Order Pedestrian Zones should include high-quality public realm treatments, including well-designed soft and hard landscape elements, public art, and wayfinding elements to mark community destinations and gateway intersections.		The references in the Proposed Secondary Plan to the provision of public art should be deleted, given the lack of clarity as to how the City will secure the provision of public art.
MOBILITY		
6.1 Walking, Personal Mobility and Cycling Network		
6.1.1 Connections for people walking and people using personal mobility devices will be prioritized as part of the mobility network. These connections will be integrated into the larger transportation network, so that people walking and people using personal mobility devices can comfortably and directly access transit and daily needs.		
6.1.2 Bikeways identified on Map 51-7: Cycling and Pedestrian Network, are to be incorporated into the design of new and existing streets. Where physically separated facilities and other bikeways intersect, protected		

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	intersection designs such as corner islands, may be required to mitigate conflicts between people and vehicles.	
6.2 Multi-use trails		
	6.2.1 Multi-use trails shown on Map 51-7: Cycling and Pedestrian Network will establish a network for a recreational trail and alternate pedestrian and cycling connections throughout the Plan Area.	
	6.2.2 Multi-Use trails identified on Map 51-7 provide local connectivity and access for people walking and cycling. Trails should be landscaped on both sides to provide landscaped buffers from adjacent properties.	
	6.2.3 Landowners are encouraged to coordinate efforts to dedicate the required public access easements to implement the Multi-Use Trails.	
	6.2.4 Development adjacent to Highway 401 is required to use the provincially required setback between the highway and the building face to: <ul style="list-style-type: none"> a) provide a continuous pedestrian Multi Use Trail, as conceptually shown on Map 51-7, designed for all times and seasons, with ample clear sight lines along the route; b) provide landscaping with lighting to promote safe use during all times and seasons; c) provide an intense planting of deciduous and coniferous trees close to the highway to create a soft edge and buffer to the highway.; d) provide green infrastructure for stormwater management to enhance climate change resiliency; and e) coordinate with adjacent landowners to facilitate the design, access, and implementation of the Multi Use Trail, as conceptually shown on Map 51-7. 	
6.3 Street Network		
	6.3.1 New public streets are identified on Map 51-6: Street Network. A fine-grain network of public streets will be provided to improve walkability, enhance connectivity for active transportation modes, establish a block structure to support transit-supportive development, and provide vehicular access to development.	
	6.3.2 The exact location, alignment and design of streets will be refined through the development application review process.	
	6.3.3 Vehicular movement is intended to be focused primarily on Sheppard Avenue East, Bayview Avenue, and Leslie Street. All other streets will be designed with traffic calming measures to limit vehicle speeding, and limit traffic infiltration. These traffic calming measures may include speed humps, raised intersections, reduced speed limits, narrow lanes, bump-outs, or other measures.	Requiring traffic calming on all street is not appropriate and does not allow flexibility to provide traffic calming measures taking into account the function and volumes on the street. The second sentence should be revised to state: “All other streets will be designed with traffic calming measures to limit vehicle speeding, and limit traffic infiltration, where appropriate.”
	6.3.4 Signalized intersections are proposed to be located as conceptually identified on Map 51-6. Additional signalized intersections are encouraged to facilitate all modes of transportation and ensure safe pedestrian and cycling connections.	
6.4 Transit Infrastructure		
	6.4.1 Development near the Bayview Subway Station and the Leslie Subway Station will protect for local and regional transit infrastructure and future improvements.	
	6.4.2 To support transit-oriented development, transit agencies and/or other public authorities are encouraged to integrate transit infrastructure with private development and the public realm.	

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6.5 Travel Demand Management		
6.5.1 A “multi-modal shared mobility hub” provides a variety of movement choices in one location. Such a hub consists of a combination of elements which may include bike share stations, publicly accessible carshare spaces, public electric vehicle charging and alternative fuel stations, micromobility stations (e.g. electric bike charging points), taxi stands, and pick-up-and-drop-off locations.		
6.5.2 Locations for multi-modal shared mobility hubs are conceptually shown on Map 51-8: Transit and Travel Demand Management. Additional locations may be identified through the development review process.		Delete application as applicable to the Site given existing approvals reflected in By-law 1261-2022.
7. BUILT FORM		
7.1 General		
Policies 7.1.1 Prior to development, consolidation of lots may be necessary to ensure the comprehensive development site is of sufficient size and/or configuration to support new development and to ensure that lots are not orphaned or undersized to achieve the policies of this Plan.		
7.1.2 A variety of building types and heights are required on sites: <ul style="list-style-type: none"> a) that can accommodate multiple buildings; and b) where new development will result in new development blocks. 		Lack of clarity with respect to the policy given it is prescriptive, for example, it is not clear what a “building type” refers to. As a further example, the policy suggests that a site could not be developed with apartment buildings with a variety of heights, which may be appropriate. Suggest the language refers to “ are encouraged ” rather than “are required”.
7.1.3 Development fronting on Retail Required Streets will: <ul style="list-style-type: none"> a) provide generous floor-to-ceiling heights on the first storey of generally no less than 4.5 metres; b) provide setbacks at-grade for retail spill over and public realm enhancements; c) provide high quality flexible design to allow for adaptability and a diversity of retail uses; and d) have main retail entrances accessed directly from the street, where possible. 		<p>The policy should provide that the elements in a), b), c) and d) be provided “where appropriate” rather than phrase the policy as a prescriptive requirement.</p> <p>Policy a) should read: “provide generous floor-to-ceiling heights on the first storey”, to provide appropriate flexibility.</p> <p>For example, the form of development on the Site as supported by the City and reflected in By-1261-2022 provides for buildings in the south west corner of the Site with no setback at-grade.</p>
7.1.4 Developments will contribute to a high level of block permeability, by utilizing mid-block connections, new streets, or other active mobility routes.		The policy is confusing given there is mapping and other policies which address mid-block connections and new streets. Suggest the policy should be deleted.
7.1.5 Balconies shall be designed to be of a useable size, shape, and configuration, while also achieving comfort and good building performance, including energy performance. Balconies shall be designed to minimize their impact on building mass.		<p>Policy should be deleted as balconies are appropriately addressed in City’s Tall Building Design Guidelines, March 2013, which refer to “minimizing negative impacts on the building mass” etc. The Guidelines state:</p> <p><i>“3.2.5 Balconies Design balconies to maximize usability, comfort, and building performance, while minimizing negative impacts on the building mass, public realm, and natural environment.”</i></p>
7.1.6 Where the ground floor of a multi-storey building contains residential units, these units: <ul style="list-style-type: none"> a) must be directly accessible from the public sidewalk or publicly accessible mid-block connection; and a) b) be designed to have clear distinction between public and private space through measures such as having entryways which are generally elevated from the public realm. 		<p>This should be a guideline and deleted from the Secondary Plan. For example, the requirement for a clear distinction between public and private spaces may conflict with accessibility.</p> <p>Tall Building Design Guidelines, March 2013, state: “2.2 Building Address and Entrances: Organize tall buildings to use existing or new</p>

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		<i>public streets for address and building entrances. Ensure primary building entrances front onto public streets, are well-defined, clearly visible, and universally accessible from the adjacent public sidewalk. “ The Mid-Rise Performance Standards provide that “The ground floor of the residential units may have individual entrances and can be level with the sidewalk.”</i>
7.1.7 Development along the Green Loop shown on Map 51-5: Public Realm, and development within the Transit Station Character Area and Sheppard Corridor Character Area will locate pick-up and drop-off areas for services such as deliveries and rideshare on the site itself to minimize impacts to the public realm.		<p>The policy should provide flexibility to allow site-specific solutions for pick-up/drop-off to be determined through the development review process.</p> <p>Recommendation: Revise Policy to state: “...is encouraged to locate pick-up and drop-off areas for services such as deliveries and rideshare on the site itself to minimize impacts to the public realm, where appropriate and feasible.”</p>
7.1.8 Development impacting the property on the Heritage Register at 9 Barberry Place will improve visibility to the Thomas Clark House (c.1855) by restoring its frontage to Sheppard Avenue East.		
7.1.9 Alternative design responses, including but not limited to increased setbacks, stepbacks and stepping down of building heights, may be required to conserve heritage properties on the City’s Heritage Register as determined by a Heritage Impact Assessment.		
<p>7.1.10 Sustainability and climate resilience will be integrated into the design of new buildings. Development will:</p> <ul style="list-style-type: none"> a) be designed to minimize energy demand; b) provide an efficient building shape, scale and massing, location and orientation to reduce heat loss and energy demand; and c) ensure adequate thermal comfort in the public realm. 		<p>The policy needs to provide flexibility as it may not be reasonable to require that, for example, energy demands be minimized. The policy is not clear. If the policy is to be maintained suggest that it be revised to read:</p> <p>“Development is encouraged to:” rather than “Development will:”</p>
<p>7.1.11 Development is encouraged to:</p> <ul style="list-style-type: none"> a) pursue zero emissions and carbon positive development, including impacts from embodied emissions from materials; b) incorporate low-carbon/renewable thermal energy technologies such as geo-exchange and solar thermal systems, as well as heat recovery from sources such as sewers, data centers, and industry to reduce greenhouse gas emissions; c) develop or incorporate connections to an existing or planned thermal energy network (district energy system); d) integrate on-site renewable energy and electricity production to reduce electricity demand; and e) provide backup power for resilience to area-wide power informed by guidelines developed by the City. 		
<p>7.2 Mid-rise Buildings</p> <p>7.2.1 Mid-rise buildings will provide for a minimum of 5 hours of sunlight on the public realm during the spring and fall equinoxes.</p>		<p>These policies are overly prescriptive and the numerical standards in these policies are inappropriate for a Secondary Plan. Mid-rise setbacks should be evaluated through the development review process and the proposed standard is more appropriate as a guideline. As the city uses the Mid-rise Buildings Guidelines, which Guidelines were recently updated and considered by Planning and Housing Committee on December 5, 2024, wherein the Chief Planner was directed to utilize the updated Guidelines in the evaluation of mid-rise development proposals. Given these recent updates to the Mid-rise Building Guidelines we suggest this policy should be deleted.</p>

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7.2.2	To achieve a consistent street wall, a step-back will generally be required above: <ul style="list-style-type: none"> a) the 6th storey along Sheppard Avenue East, Leslie Street, and Bayview Avenue; and b) above the 4th storey in all other locations. 	As noted in our response to proposed Policy 7.2.1 above, this policy is more appropriate as a guideline and should be deleted.
7.2.3	Step-backs should generally be not less than 3.0 metres in depth.	As noted in our response to proposed Policy 7.2.1 above, this policy is more appropriate as a guideline and should be deleted.
7.3	Tall Buildings	City Council has supported heights in excess of 45 storeys at transit stations locations on the Sheppard Subway corridor, as well as other subway station locations. The limit of “generally no greater than 45 storeys” is not appropriate in locations close to transit stations and does not optimize the use of land and infrastructure in an area identified as a Strategic Growth Area. Further, the 2024 Provincial Planning Statement, which came into effect on October 20, 2024, specifically speaks to the intensification of shopping malls and plazas for residential use (Policy 2.2.1(b)).
7.3.1	Tall buildings will be located close to the transit stations. The tallest buildings, generally no greater than 45 storeys, will be located on lands close to the transit stations at Leslie Street and Bayview Avenue. Buildings will have lower heights on lands closest to the transit station at Bessarion Road.	Height limits should be based on a thorough review of site specific built form considerations, which would include the preparation and review of Wind Studies, Shadow Studies, etc. The words “generally no greater than 45 storeys” should be removed from the policy.
7.3.2	Where tall buildings are permitted, they will be provided in a variety of heights, provided they can meet appropriate setbacks and separation distances. Heights of tall buildings will generally transition down to natural areas, parks, open spaces, and areas of lower scale.	The first sentence of the policy should be revised to state: “Where tall buildings are permitted, they will be provided in a variety of heights, with appropriate setbacks and separation distances.”
7.3.3	Tower portions of tall buildings will provide appropriate setback distances to the nearest lot line and separation to the building face of adjacent existing and/or planned tower portions of tall buildings; and should include: <ul style="list-style-type: none"> a) a minimum setback of generally 12.5 metres to the side and rear lot line or centre line of a lane; b) separation distances of generally a minimum of 25 metres to the nearest adjacent existing or planned tall building; c) where taller buildings are proposed, greater setbacks and separation distances should be provided. 	The policies are overly prescriptive given the policies of the Official Plan and the Tall Building Design Guidelines. These policies should be deleted.
7.3.4	Tower portions of tall buildings will provide appropriate setbacks distances to the nearest lot line and separation to the building face of adjacent existing and/or planned mid-rise buildings and planned low-rise areas; and should include: <ul style="list-style-type: none"> a) a separation distance of generally a minimum of 20 metres to the nearest existing or planned mid-rise building; and b) a setback of generally 20 metres to existing or planned low-rise areas. 	
7.3.5	The base building of a tall building will generally contain: <ul style="list-style-type: none"> a) no more than 6 storeys along Sheppard Avenue East, Leslie Street, and Bayview Avenue; and b) no more than 4 storeys in all other locations. 	
7.3.6	A step-back of 5.0 metres is required above a base building on Sheppard Avenue East.	
7.3.7	A step-back of generally 5.0 metres is required above a base building along Leslie Street, Bayview Avenue, and/or abutting a park.	
7.3.8	A minimum step-back of generally 3.0 metres is required above a base building locations other than those noted in Policies 7.3.6 and 7.3.7 of this Plan.	


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7.3.9	Encroachments into a required step back are not permitted, except for minimal projections, such as those features required for the functioning of the building.	The policy should be deleted given the City often sees some encroachments as beneficial such as wind screens, weather protection canopies and privacy screens. The determination of appropriate encroachments should be determined during the review of site specific planning applications.
7.3.10	The residential tower portion of a tall building will have a floor plate of generally not more than 750 square metres, inclusive of all area within the building, but excluding balconies.	Overly prescriptive given the policies of the Official Plan and the Tall Building Design Guidelines. By-law 1261-2022(OLT), as supported by City Council allows for tall building floorplates larger than 750 square metres, and there are numerous examples of previously approved and existing tall buildings with floorplates larger than 750 square metres in the surrounding area. The appropriate floor plate size should be determine during the review of site specific planning applications. The policy should be deleted.
7.4	Transit Station Character Area 7.4.1 The Transit Station Character Area will develop primarily to contain tall buildings and mid-rise buildings. Development in the Transit Station Character Area will provide a variety of building forms and heights to transition to areas of lower scale.	We suggest the policy be revised to state: “7.4.1 The Transit Station Character Area will develop primarily to contain tall buildings and mid-rise buildings. Development in the Transit Station Character Area will provide a variety of building forms and heights <u>which will provide an appropriate</u> transition to areas of lower scale Neighbourhoods.”
7.4.2	Base buildings of tall buildings, shall generally be a minimum of 3 storeys.	
7.4.3	Heights will generally transition downward in all directions with increasing distance from the transit stations.	Given Transit Station Character Areas are located in proximity to transit stations it is inappropriate to require transition between, for example, buildings in a Transit Station Area. The policy should be deleted.
7.4.4	Mid-rise buildings shall generally not have a step-back below the third storey, to frame the public realm, including streets, parks, and open spaces.	
7.5	Sheppard Corridor Character Area 7.5.1 The Sheppard Corridor Character Area will consist of mid-rise buildings, with heights generally not exceeding a value equivalent to the width of the right-of-way plus any required setback, to ensure a minimum of 5 hours of sunlight is provided on the public realm.	
7.5.2	Mid-rise buildings shall generally not have a step-back below the third storey, to frame the public realm, including streets, parks, and open spaces.	
7.6	Edge Character Area 7.6.1 The Edge Character Area will develop primarily to contain tall and mid-rise buildings within generous landscaped settings.	
7.6.2	The tallest buildings in the Edge Character Area will be located on large sites close to Highway 401.	
7.6.3	Base buildings of tall buildings will generally not be less than 3 storeys to frame the public realm, including public streets, parks, and open spaces.	
7.6.4	Mid-rise buildings shall generally not have a step-back below the third storey, to frame the public realm, including streets, parks, and open spaces.	
7.7	Transition Zone Character Area	

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7.7.1	The Transition Zone Character Area will generally develop with low-rise and mid-rise buildings fronting on to local streets, within generous landscaped settings to fit with the existing and planned context.	
7.7.2	Mid-rise buildings shall generally not have a step-back below the 3rd storey, to frame the public realm, including streets, parks, and open spaces.	
7.8	Institutional Zone Character Area	
7.8.1	The Institutional Zone Character Area will generally develop with tall buildings, mid-rise buildings and buildings which contain institutional uses.	
7.8.2	Buildings which contain institutional uses may be permitted to have floor plates larger than those noted in this Plan to support their institutional functions, provided: <ul style="list-style-type: none"> a) the public realm intent of this Plan is maintained, and b) there is good transition to nearby natural heritage features, including significant soft landscaping along valley lands. 	
7.9	Green Character Areas	
7.9.1	Development will maintain the unique characteristics of these areas, including: <ul style="list-style-type: none"> a) significant green landscaping; b) generous setbacks along the public realm; and c) landscaped and tree-lined publicly accessible connections to provide a high degree of permeability and interest. These connections function as both movement corridors and places to wander. 	
7.10	Amenity Spaces	
7.10.1	All amenity spaces located on properties abutting Highway 401 will be located and designed to ensure that the impacts of noise, vibration and air pollution are mitigated.	
7.10.2	Indoor and outdoor amenity spaces are encouraged to be co-located and directly accessible to each other.	
7.10.3	Developments that include residential units are encouraged to provide pet amenity space, prioritizing outdoor play space including an outdoor pet relief area.	
8. HOUSING		
8.1.1	For developments that contain more than 80 new residential units, a minimum of 40 per cent of the total number of new units will be a combination of two-, three- or more bedrooms units, including: <ul style="list-style-type: none"> a) a minimum of 15 per cent of the total number of units as two-bedroom units; and b) a minimum of 10 per cent of the total number of units as three-bedroom units; and c) A minimum of an additional 15 per cent of the total number of units as either 2bedroom, 3- bedroom, or more bedroom units. 	<p>The proposed policy is too prescriptive and does not allow for developments to respond to market demands.</p> <p>Section 8.1.1 should be deleted and replaced with “For developments that contain more than 80 new residential units, a minimum number of new units are encouraged to be a combination of two-, three- or more bedrooms units, including:</p> <p>a) a minimum of 15 per cent of the total number of units as two-bedroom units; and</p> <p>b) a minimum of 10 per cent of the total number of units as three-bedroom units”</p> <p>Policy c) is too prescriptive and should be deleted.</p>
8.1.2	The City may reduce the minimum requirements identified in policy 8.1 where development is providing social housing or other publicly funded housing; or specialized housing such as residences owned or operated by a	

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	post-secondary institution or a health care institution or other entities to house students, patients or employees, or people with special needs.	
9. COMMUNITY SERVICES AND FACILITIES		
	9.1.1 New and/or expanded community services and facilities are to be provided in a timely manner to support growth. Community service facilities priorities include: a) new non-profit licensed childcare facilities; and a) b) new community space.	
	9.1.2 Existing community service facilities will be renewed through redevelopment, wherever possible. Development on sites with existing community service facilities will replace the total gross floor area of the community service facility on site. Off-site replacement of community service facilities will be at the City’s discretion.	The official plan should not mandate that the gross floor area of existing community service facilities will be replaced, such policies are inappropriate. For example, such facilities are often subject to lease requirements, the terms of which cannot be appropriately dealt with in a secondary plan policy.
	9.1.3 New community service facilities, and expansions to existing community service facilities will be: a) geographically well-distributed to provide broad access to new and existing residents and workers in the area; b) designed to provide flexible, multi-purpose space that can be used throughout the year to deliver diverse programming and adapt over time to meet varied needs; c) incorporated at grade or within the lower storeys of mixed-use buildings containing other uses; and d) co-located with other community service facilities where possible.	
	9.1.4 Public use of school space outside of school hours and school use of parks during school hours may be accommodated through a shared-use agreement. Any access to parks provided for school use will be contingent on maintaining the primary use and function as a park available for community use.	
10. IMPLEMENTATION		
	10.1 Block Context Plan 10.1.1 A Block Context Plan is generally required as part of a complete application on sites that include new public streets, mid-block connections, trails, or other public realm moves shown on Maps 51-4, 51-5, 51-6, 51-7 or 51-8.	The policy should be amended to refer to “ A Block Context Plan may be required.... ” rather than “is generally required” to provide consistent language in the Plan.
	10.1.2 A Block Context Plan may be required as part of a complete application in any location in the Plan Area, particularly on larger sites.	
	10.2 Growth Management – Holding Symbol 10.2.1 Growth in the Plan Area must be considered and sequenced to ensure: a) orderly development; b) appropriate infrastructure is available to service intensification c) appropriate land use compatibility with major facilities, such as transportation infrastructure and corridors; and d) protection of public health and safety.	
	10.2.2 In addition to the Policy 5.1.2 of the Official Plan, and to ensure growth is considered and sequenced, conditions to be met prior to the removal of the holding provision may include: a) the submission of a Block Context Plan that meets the intent of the policies of this Plan; b) the implementation or the provision the street network and/or related transportation infrastructure improvements as required in this Plan; c) the construction of, or securing the construction of, required water, sewer and/or stormwater infrastructure;	Section 5.1.2 of the Official Plan provides that: <i>“A holding provision may be placed on lands where the ultimate desired use of the lands is specified but development cannot take place until conditions set out in the Plan or by-law are satisfied.”</i> It is not appropriate to require a Block Context Plan as a condition for lifting a holding symbol. Any requirement for a Block Context Plan should be dealt with prior to the

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d)	Securing the implementation of mitigation measures set out in any accepted study, including a Methane Gas Study and/or Air Quality Study that evaluates Transportation Related Air Pollution.	<p>implementation of zoning. Hence, policy a) should be deleted.</p> <p>The intro to the policy should be revised to read: “In addition to the Policy 5.1.2 of the Official Plan, and to ensure growth is considered and sequenced, conditions which are to be met in support of a development prior to the removal of the holding provision may include:”</p> <p>In addition, the wording of Policy b) is confusing and should be revised to be consistent with policies c) and d) to state: “The construction of, or securing the construction of, the street network shown on Map 51-6 and/or related transportation infrastructure improvements as required in this Plan;”</p>
10.4 Avenue Study		
10.4.1 This Plan meets the requirements and objectives of an Avenue Study for lands identified as Avenues within the Plan Area.		
10.5 Transportation Network		
10.5.1 The required transportation network improvements will be refined, protected, and implemented through the development review and approvals process, and identified capital projects.		
10.5.2 Transportation Impact Studies, which determine the effects of a proposed development on the surrounding transportation system, will include quantitative analysis of multimodal transportation infrastructure and site related mitigation measures.		
10.6 Thermal Comfort		
10.6.1 A detailed thermal comfort study may be required on large sites of approximately 5 hectares or more where significant new public realm elements are proposed.		
11. SITE AND AREA SPECIFIC POLICIES		
This section contains Site and Area Specific Policies which apply to the lands respectively identified on Map 51-9. All policies of the Official Plan apply to areas subject to Site and Area Specific Policies. Where there is a conflict between the Site and Area Specific Policies and the policies of the Official Plan, including this Plan, the SASP policies prevail.		
1. 2901 Bayview Avenue and 630 Sheppard Avenue East With respect to the lands municipally known as 2901 Bayview Avenue and 630 Sheppard Avenue East, in year 2022, despite Policy 3.2.1.9 of the Official Plan, the provision of 20 percent of the residential dwelling units as affordable housing units is not required provided that at least 40 Affordable Rental Housing units are provided on the site and maintained with Affordable Rents for a period of at least 15 years.		Reference to a density limit applicable to the Site should be deleted, given the City’s objectives to encourage the construction of housing as well as the reasons identified throughout this chart and the cover letter. There is no density limit applicable to the Loblaws site and all density limits in the Plan area which were previous set out in the Sheppard East Subway Corridor Secondary Plan (the “SESC Plan”) are proposed to be removed, with the exception of the Site, which is a significant site in the Plan area immediately abutting the subway. Further, the density limits from previous Site and Area Specific Polices 72, 80 and 205 identified in Chapter 7 of the Official Plan are also proposed to be deleted by OPA 777.
On the lands shown on Map 51-9 as 1, additional development on the block bounded by Sheppard Avenue/Bayview Avenue/Bayview Mews Lane/Hawksbury Drive is encouraged to maximize its Mixed Use Areas designation and development potential. Mixed use development, including residential units, is supported. 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.		At the time the Site Specific Policy applicable to the Site was amended by OPA 619, there were maximum density limits on all lands identified as Key Development Areas within the area of the SESC Plan. In the Proposed Secondary

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	<p>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 to midrise additions. Expansions to the east of the existing shopping centre are to be generally consistent in height with the existing residential apartment buildings located on the east side of Hawksbury Drive;</p> <p>The density of 1.75 times the area of the lot, is the maximum density permitted for uses on the Bayview Village Shopping Centre Lands. The density of 1.75 times the area of the lot, is the maximum density permitted for uses on the Bayview Village Shopping Centre Land</p>	<p>Plan the concept of Key Development Areas has been eliminated and replaced by various Character Areas, none of which include maximum densities ,with the exception of the Site. Also since the approval of OPA 619 the policy regime has changed with the introduction of the PPS, as well as the updated housing forecasts applicable to the City.</p> <p>The application of a density limit on the Site is not consistent with the location of the Site within a strategic growth area and does not support municipal and provincial objectives with respect to intensification. Further, the 2024 Provincial Planning Statement, which came into effect on 2024, specifically speaks to the intensification of shopping malls and plazas for residential use (Policies 2.2.1 b) and 2.4.1.3 e) of the PPS as well as the definitions of “intensification” and “strategic growth areas).</p> <p>Expansion to the east of the shopping centre should not be subject to a requirement to be “<i>generally consistent in height with the existing residential apartment buildings located on the east side of Hawksbury Drive</i>”. Such a policy is not appropriate in an area where transit supportive building heights should be achieved. Similar to concerns with respect to the density limit, no other lands identified as a Transit Station Character that is subject to such height restriction in the Plan.</p>
2. 1200, 1210, 1220 Sheppard Avenue East	<p>On the lands shown on Map 51-9 as 2, public access shall be provided at the north and east limit of the lands through key private open spaces to provide access to the adjacent East Don River Valley.</p> <p>Interior and exterior lighting of the mechanical penthouses and rooftop amenity areas for all buildings located on the lands shall be minimized.</p>	
3. 640 Sheppard Avenue East		

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 <p>A map of the Bayview Village Shopping Mall area. The map shows several streets: Bayview News Lane at the top, Elkhorn Drive running horizontally across the middle, and Sheppard Avenue East running horizontally at the bottom. A vertical street, Hainsbury Drive, runs through the center. To the left of Hainsbury Drive is Barbary Place. To the right of Hainsbury Drive is Rean Drive. At the bottom right, Greenbark Road is shown with an arrow pointing upwards. A rectangular parcel, labeled with the number 3, is highlighted with a thick black border. This parcel is located between Elkhorn Drive and Sheppard Avenue East, and between Hainsbury Drive and Rean Drive.</p>		