

## **2810-2816 Bayview Avenue – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval**

Date: January 31, 2025

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 18 - Willowdale

**Planning Application Number: 24 185488 NNY 18 OZ**

### **SUMMARY**

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This Report recommends approval of the application to amend the Official Plan and Zoning By-law to permit a 42-storey (133.23 metres plus mechanical penthouse) residential building containing 540 dwelling units at 2810-2816 Bayview Avenue.

The proposed development is consistent with the Provincial Planning Statement (2024). The proposal is also consistent with the general intent of the City's Official Plan, including the Council-adopted Renew Sheppard East Secondary Plan (OPA 777).

### **RECOMMENDATIONS**

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The Director, Community Planning North York District recommends that:

1. City Council amend the Official Plan for the lands municipally known as 2810-2816 Bayview Avenue substantially in accordance with the draft Official Plan Amendment included as Attachment 5 to this Report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 2810-2816 Bayview Avenue substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 to this Report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council request that the Owner make reasonable commercial efforts to convey off-site parkland to the City equal to the value of the on-site parkland dedication, in fulfilment of the parkland dedication requirements pursuant to Section 42 of the

*Planning Act*, with the off-site parkland dedication to be acceptable to the General Manager, Parks and Recreation, to be conveyed prior to the issuance of the first above grade building permit and;

- a. in the event that the off-site parkland dedication is less than the value of the on-site parkland dedication, then the owner will pay cash-in-lieu of parkland to make up for the shortfall in parkland dedication, prior to the issuance of the first above grade building permit;
- b. in the event that the owner is unable to provide an acceptable off-site parkland dedication to the City, the owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu; and
- c. the value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services and payment will be required prior to the issuance of the first above grade building permit.

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

6. City Council direct that should the cost of acquiring the land for the off-site dedication, including the purchase price, less reasonable real estate commissions of up to 5 percent, land transfer tax, and typical closing adjustments incurred, to the satisfaction of the General Manager, Parks and Recreation, be less than the value of the parks levy calculated upon the submission of an application for the first above-grade building permit, the difference will be paid as cash in lieu to the City prior to the issuance of the first above-grade building permit for the development.

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

## **FINANCIAL IMPACT**

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The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

## DECISION HISTORY

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Prior to the subject application, a proposal for a 7-storey residential building was approved for the lands at 2810-2814 Bayview Avenue by the Ontario Land Tribunal (“OLT”). The application (City File No. 19 150397 NNY 18 OZ) had been appealed to the OLT as a result of the City’s failure to make a decision on the application. An offer to settle was received and accepted by City Council on April 6, 2022. A copy of the report and Council decision can be found here: [Agenda Item History - 2022.CC42.15](#). The OLT issued its Final Order on August 12, 2022 (OLT Case No. OLT-21-001387). The ownership of the lands has since changed, and the 7-storey proposal was not further pursued by the new owner.

On July 19-22, 2022, City Council adopted four Official Plan Amendments, Official Plan Amendments 540, 544, 570 and 575, that include a total of 115 Major Transit Station Areas (“MTSAs”)/Protected Major Transit Station Areas (“PMTSAs”). The subject site is located within the Bayview MTSA (SASP 728) as identified within OPA 575. The Official Plan Amendments were forwarded to the Minister of Municipal Affairs and Housing for approval. The Minister has not yet made a decision. A copy of the report and decision can be found here: [PH35.16 - Our Plan Toronto: City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations - Final Report](#).

On December 18, 2024, City Council adopted the Renew Sheppard East Secondary Plan with amendments (OPA 777). A copy of the report and decision can be found here: [Agenda Item History - 2024.NY19.11](#). The Secondary Plan is currently under appeal.

## THE SITE AND SURROUNDING AREA

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### Description

The site is located on the west side of Bayview Avenue, to the south of Sheppard Avenue East. The site is generally rectangular in shape and has an area of approximately 2,326 square metres, with 67 metres of frontage on Bayview Avenue, and a lot depth of 35 metres. The site is currently occupied by four detached dwellings. See Attachment 2 for the Location Map.

### Surrounding Uses

North: An existing 3-storey residential apartment building is located directly to the north of the site. Further to the north, at the southwest corner of Sheppard Avenue East and Bayview Avenue, is an Esso gas station, which is subject to an approval for a 44-storey mixed use development (File No. 23 230561 NNY 18 OZ). On the north side of Sheppard Avenue East is Bayview Station, providing access to the Sheppard Subway line. Bayview Village shopping centre is also located on the north side of Sheppard Avenue, to the east of Bayview Avenue.

South: Directly to the south of the site is the cul-de-sac of Irvington Crescent. Further south, fronting onto Irvington Crescent, are two-storey detached dwellings.

East: The North York YMCA is located to the east of the site, on the east side of Bayview Avenue. The YMCA property is subject to a development application to permit two high-rise residential buildings with heights of 45- and 55-storeys (File No. 24 135633 NNY 17 OZ).

West: A low-rise residential neighbourhood comprised of primarily detached dwellings is located to the west of the site. There are also multiple blocks of two-storey townhouses located within the neighbourhood, further to the west.

## **THE APPLICATION**

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### **Description**

The application proposes to amend the Official Plan and Zoning By-law to permit a 42-storey (133.23 metres not including mechanical penthouse) residential building.

### **Density**

The proposal has a density of 13.16 times the area of the lot.

### **Residential Component**

The proposal includes 540 dwelling units, including 378 one-bedroom (70%), 108 two-bedroom (20%), and 54 three-bedroom units (10%).

### **Access, Parking and Loading**

The proposal includes a total of 134 vehicular parking spaces, including 7 visitor parking spaces, within three levels of underground parking, a total of 406 bike parking spaces, one Type G and one Type C loading space.

### **Amenity Space**

The proposal includes 1,001 square metres (1.85 square metres/unit) of indoor amenity space and 835 square metres (1.55 square metres/unit) of outdoor amenity space. The proposed amenity space is located primarily on levels one and five of the building. The mechanical penthouse level also includes indoor and outdoor amenity space.

### **Mid-Block Connection**

The proposal incorporates a 2.5-metre-wide mid-block connection along the northern edge of the site, along with 2.5 metres of soft landscaping. This is designed to contribute to a future mid-block connection, with an ultimate width achieved through a similar contribution from the property to the north. The future east-west mid-block connection would provide a landscaped pedestrian connection between Bayview Avenue and Granlea Road.

## **Additional Information**

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, and elevations of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: [www.toronto.ca/2810BayviewAve](http://www.toronto.ca/2810BayviewAve).

## **Reasons for Application**

An Official Plan Amendment is required to amend the existing, in-force Sheppard East Subway Corridor Secondary Plan to allow for the proposed height and density on the site. A Zoning By-law Amendment is required to apply site-specific provisions to permit the proposed height, density, setbacks and other performance standards.

## **APPLICATION BACKGROUND**

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A pre-application consultation (PAC) meeting was held on September 19, 2023. The current application was submitted on July 22, 2024 and deemed complete on September 17, 2024, satisfying the City's minimum application requirements. The reports and studies submitted in support of this application are available on the [Application Information Centre](#).

## **Agency Circulation Outcomes**

The application was circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law amendments.

## **POLICY & REGULATION CONSIDERATIONS**

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### **Provincial Land-Use Policies**

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement (2024), and shall conform to provincial plans.

### **Official Plan**

The Official Plan designates the site as *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of residential, commercial, and institutional uses, in single use or mixed use buildings, and are planned to accommodate the City's growing population. See Attachment 3 of this report for the Official Plan Land Use Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## Secondary Plans

The in-force Sheppard East Subway Corridor Secondary Plan (SESCSP) identifies the site as being within the Bayview Node. The development nodes are the primary areas for intensification within the Secondary Plan and are located at subway stations along the Sheppard Subway Line. Policy 4.2.A sets out a reurbanization strategy for the Bayview Node. The Sheppard East Subway Corridor Secondary Plan can be found here: [9 - Sheppard East Subway Corridor Secondary Plan \(toronto.ca\)](#).

The Council-adopted Renew Sheppard East Secondary Plan is intended to replace the SESCSP and provides an updated vision for the area. It identifies the site as being within the Transit Station Character Area. The Transit Station Character Area will be the most intensely developed locations and contain the tallest buildings within the Plan Area. The Council-adopted Renew Sheppard East Secondary Plan is currently under appeal. It can be found here: [OPA 777 - Renew Sheppard East Secondary Plan](#).

## Site and Area Specific Policy

The properties at 2810-2814 Bayview Avenue are subject to Amendment 532 to the Official Plan, as enacted by By-law 1167-2022. Amendment 532 designates the properties *Mixed Use Areas* and adds Specific Development Policy Area 4.2.A.5 within the Sheppard East Subway Corridor Secondary Plan. The site-specific policy permits a maximum density of 3.0 times the lot area and a maximum building height of 7 storeys.

## Zoning

The properties at 2810-2814 Bayview Avenue are currently zoned Commercial Residential - CR 3.0 (c0.0; r3.0) SS2 (x354) under Zoning By-law 569-2013, as amended by site-specific By-law 1168-2022. The current zoning permits a 7-storey residential building.

The property at 2816 Bayview Avenue is currently zoned Residential Detached - RD (f15.0; a550) (x5) under Zoning By-law 569-2013. The RD zone category permits detached dwellings. See Attachment 4 of this Report for the existing Zoning By-law Map. Zoning By-law 569-2013 can be found here: [Zoning By-law-569-2013 \(toronto.ca\)](#).

## Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- [Tall Building Design Guidelines](#)
- [Growing Up Guidelines for Children in Vertical Communities](#)
- [Pet Friendly Design Guidelines for High Density Communities](#)
- [Design Guidelines for Privately-Owned Publicly Accessible Spaces](#)

## Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of

the TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured in zoning by-laws, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

A virtual community consultation meeting was held on October 28, 2024 by Community Planning staff with 44 members of the public in attendance, in addition to the applicant, their consultants, and the local Ward Councillor. Comments and questions raised at the consultation were related to the following matters:

- Traffic at the Bayview Avenue and Sheppard Avenue East intersection;
- Traffic at the Bayview Avenue 401 on-ramp/off-ramp;
- Pedestrian safety within the neighbourhood and crossing the 401 access;
- Cumulative impact of all proposed development at this intersection;
- Impact of the proposed building's height and density;
- Impact to traffic on local roads;
- Location of parkland dedication;
- Subway access and potential for an access at the southeast corner of the Bayview Avenue and Sheppard Avenue East intersection;
- Interface with the adjacent detached dwellings directly to the west;
- Construction impacts and timeline; and
- Renew Sheppard East Secondary Plan policies and approval process/timing.

On January 27, 2025, the local Ward Councillor hosted a second community consultation meeting at the Ethenonnhawahstihnen' Community Recreation Centre. Community Planning staff, the applicant and their consultants, and 22 members of the public attended the meeting. Concerns raised were consistent with those raised at Community Planning's meeting of October 28, 2024.

### **Statutory Public Meeting Comments**

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

## **COMMENTS**

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### **Provincial Planning Statement and Provincial Plans**

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff has reviewed the current proposal for consistency with the PPS (2024).

The site is located within the Council-adopted Bayview MTSA, which has a minimum planned density of 200 residents and jobs combined per hectare. The proposed development is transit-supportive, adds to the range of housing options in proximity to transit, and optimizes existing infrastructure and public service facilities. Staff find the proposal consistent with the PPS (2024).

## **Land Use**

The site is located in a *Mixed Use Areas* designation in the Official Plan. The proposed residential development conforms with the development criteria of *Mixed Use Areas* in Policy 4.5.2 of the Official Plan, which permits a broad range of commercial, residential, and institutional uses in single or mixed use buildings. Within the Sheppard East Subway Corridor Secondary Plan, the site is located within the Bayview Node where residential intensification of *Mixed Use Areas* is encouraged. The proposed high-density residential development meets the intent of the Sheppard East Subway Corridor Secondary Plan.

The Council-adopted Renew Sheppard East Secondary Plan directs that the tallest buildings will be located in the Transit Station Character Area, specifically on lands close to the transit stations at Leslie Street and Bayview Avenue. The Plan Area is intended to develop as a complete community with a diverse mix of land uses. While ground floor non-residential uses are encouraged to provide residents with nearby access to retail and services, the site does not front onto a Retail Required Street as identified on Map 51-3 of the Secondary Plan. The proposed land use reflects the land use policies of the Council-adopted Secondary Plan.

## **Height and Massing**

Given the site's location within an MTSA, the surrounding development context, and the Council-adopted Renew Sheppard East Secondary Plan policies, the site is an appropriate location for a tall building. The Renew Sheppard East Secondary Plan is permissive of a tall building on the site, and establishes a maximum height of 45-storeys to be located on lands closest to transit stations. At 42-storeys, the proposed development would represent a gradual step down from the Bayview Avenue and Sheppard Avenue East intersection.

While the lands directly to the west and south of the site, along Granlea Road and Irvington Crescent, are currently occupied by low-rise residential development, the Renew Sheppard East Secondary Plan redesignates the lands to *Mixed Use Areas* and locates the lands within the Transit Station Character Area. The long-term vision for this area is for a more intense form of development than what currently exists. The proposed tall building provides for appropriate separation and transition to the future planned context to the west.

The proposed tall building meets the tower separation distance requirements of the Tall Building Design Guidelines and the Council-adopted Renew Sheppard Secondary Plan, providing a 12.5 metre tower setback at the north and west lot lines. The base building provides an appropriate separation with a 9.5 metre setback at the west lot line and a 5.5 metre setback at the north lot line. The proposed tower floor plate size of 750

square metres is also consistent with the Tall Building Design Guidelines and the Built Form policies of the Renew Sheppard East Secondary Plan.

The 4- to 6-storey podium provides for a pedestrian scale along Bayview Avenue, Irvington Crescent and the future mid-block connection. The proposed tower has been angled away from Bayview Avenue to provide wider tower setbacks at the Bayview Avenue frontage to reinforce the base building as the defining element for the public realm, and limit the visual impact of the tower at grade. All balconies along the Bayview Avenue frontage are proposed to be inset to minimize visual mass. The proposed massing is consistent with the Tall Building Design Guidelines and has regard for the Built Form policies of the Official Plan and the Council-adopted Renew Sheppard East Secondary Plan.

### **Public Realm and Streetscape**

The proposal includes a setback of 5 metres along the Bayview Avenue frontage to accommodate an enhanced streetscape and public realm, ensuring a seamless public-private transition by incorporating soft landscaping and providing an appropriate balance of visual and physical access, consistent with the Renew Sheppard East Secondary Plan. While the proposed building cantilevers over the setback at the fifth storey, it provides between 15.15 metres and 18.25 metres of vertical clearance to allow for tree canopy growth along Bayview Avenue. The proposed development also provides a 2.1 metre pedestrian clearway and protects for a 2.4 metre future cycle track within the Bayview Avenue boulevard. Overall, the proposed development provides a curb to building setback of over 10 metres to comfortably accommodate pedestrian movement, streetscape elements and activities related to the uses at-grade.

The Renew Sheppard East Secondary Plan identifies a “Green Loop”, which extends along the Irvington Crescent frontage of the site. The proposal supports the development of the Green Loop through the enhanced landscaped setbacks and active lobby use at the Irvington Crescent frontage. The proposed development also supports the opportunity for a mid-block connection at the northern edge of the site. The Green Loop and mid-block connection are important public realm elements identified in the Council-adopted Renew Sheppard East Secondary Plan.

### **Shadow Impact**

The applicant submitted a shadow study that illustrates the extent of shadowing that would result from the proposed development during the spring/fall equinoxes (March/September 21<sup>st</sup>), the summer solstice (June 21<sup>st</sup>) and the winter solstice (December 21<sup>st</sup>) from 9:18am to 6:18pm. The submitted shadow study demonstrates incremental shadowing on the neighbourhood to the west of the site, Sheppard Avenue East, Bayview Avenue and the Kenaston Gardens Parkette.

It is noted that the *Neighbourhoods* designation is changed to *Mixed Use Areas* in the neighbourhood to the west of the site through the Council-adopted Renew Sheppard East Secondary Plan. Further, the Secondary Plan was amended through a Council motion to designate a number of properties within the Parkland Priority as *Parks and Open Space Areas*. The proposal results in minor shadows on a small area of the

proposed *Parks and Open Space Areas* lands at 9:18am on March 21<sup>st</sup> and between 9:18-10:18am on June 21<sup>st</sup>.

On Sheppard Avenue East, the building casts shadows between 9:18-11:18am on March 21<sup>st</sup> and September 21<sup>st</sup>. There are no shadows cast on Sheppard Avenue East from the proposed development on June 21<sup>st</sup>. On Bayview Avenue, shadows generally exist between 2:18-6:18pm to the east of the tower on March 21<sup>st</sup>, June 21<sup>st</sup> and September 21<sup>st</sup>. With respect to Kenaston Gardens Parkette, the proposed development would shade a small area of the parkette at 4:18pm on March 21<sup>st</sup>, September 21<sup>st</sup> and December 21<sup>st</sup>, with no shadows reaching the park on June 21<sup>st</sup>. Overall, the proposed tower's slenderness in the north-south direction helps to minimize shadow impact in the middle of the day. The resulting shadows are limited in accordance with Official Plan policies.

### **Wind Impact**

A Pedestrian Level Wind Study and subsequent addendum were submitted in support of the application. The study and addendum found that the future pedestrian wind conditions within and surrounding the site will be acceptable for intended uses on a seasonal basis, with mitigation. Built form modifications related to setbacks, stepbacks, tower placement and podium design were explored throughout the review process to minimize wind impacts and ensure acceptable conditions. Further mitigation measures include coniferous plantings, pergolas and a full terrace perimeter guard at the amenity terraces, which will be further explored, designed and secured through the Site Plan Control application.

### **Housing**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. Guideline 2.1 of the Growing Up: Planning for Children in New Vertical Communities states that a building should provide a minimum of 25% large units (10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units). The application proposes 108 two-bedroom (20%), and 54 three-bedroom units (10%), which satisfies the requirements of the Guidelines.

The proposed development includes the demolition of three occupied rental dwelling units. Official Plan policy 3.2.1.12 requires a Tenant Relocation and Assistance Plan be provided to lessen hardship for existing tenants. However, none of the existing rental dwelling units contain eligible tenants. The existing tenants moved in after the application was submitted and they have all confirmed they were made aware of the redevelopment prior to signing their leases. As such, a Tenant Relocation and Assistance Plan is not required.

### **Access, Vehicular and Bicycle Parking and Loading**

Site access is consolidated to one driveway off Irvington Crescent, with no vehicular access from Bayview Avenue. Transportation Review staff and the Ministry of

Transportation (MTO) accept the proposed access location. A driveway on Bayview Avenue would not be acceptable due to the proximity to the Highway 401 on-ramp.

The application proposes 134 resident and 7 visitor vehicle parking spaces, as well as 38 short-term and 368 long-term bicycle parking spaces, which is acceptable to Transportation Review and Transportation Planning staff. The proposal includes one Type 'C' loading space and one Type 'G' loading space, which meets the requirements of Zoning By-law 569-2013.

## **Parkland**

In accordance with Section 42 of the *Planning Act*, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 residential units to a cap of 10% of the development site as the site is less than five hectares. The total parkland dedication requirement is 232.6 square metres.

In this instance and as per the Toronto Municipal Code Chapter 415-26, Parks and Recreation would accept the conveyance of lands off-site that would expand an existing park or create a new park as the required parkland dedication. The off-site dedication shall comply with Policy 3.2.3.8 of the Toronto Official Plan. The size and location of the off-site conveyance would be subject to the approval of the General Manager, Parks and Recreation and would be subject to Parks and Recreation's conditions for conveyance of parkland prior to the issuance of the First Above Grade Building Permit.

Should the parkland dedication requirement not be able to be satisfied through a suitable off-site parkland dedication, payment of cash-in-lieu would be accepted. The value of the cash-in-lieu of parkland dedication would be appraised through Real Estate Services. The appraisal would be conducted upon the submission of an application for the first Above Grade Building Permit and payment would be required prior to the issuance of said permit.

This report seeks direction from City Council on authorizing a credit of the Parks and Recreation component of the Development Charges in exchange for Above Base Park Improvements to be provided by the Owner upon agreement with the City. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of installing the Above Base Park Improvements, as approved by the General Manager, Parks and Recreation, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time. The Owner will be required to enter into an agreement with the City to provide for the design and construction of the improvements and will be required to provide financial security to ensure completion of the works.

## **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant submitted a Tree Protection Plan to ensure the planting of nine new private trees and

three new public trees. Urban Forestry staff will secure the new trees through the Site Plan Control process.

## **Servicing**

The applicant has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. Engineering Review staff have reviewed the submitted materials and have identified outstanding items for review. Staff are recommending that the Zoning By-law be subject to a holding provision pending the revision, review, and acceptance of the Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

## **Holding Provision**

This report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the *Planning Act*, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the proposed holding provisions in the proposed By-law include:

- The owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
- If the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
  - a) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; or,
  - b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services; and

- All necessary approvals or permits arising from (1)(ii)(a) or (1)(ii)(b) above are obtained, where required all to the satisfaction to the Chief Engineer and Executive Director, Engineering and Construction Services.

The Executive Director, Development Review and their designate have the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features such as bicycle parking will be secured through the site-specific zoning by-law and additional measures will be secured through the Site Plan Control process.

### **Conclusion**

The proposal has been reviewed against the policies of the Provincial Planning Statement (2024). Staff are of the opinion that the proposal is consistent with the PPS. The proposed Official Plan amendment to amend the Sheppard East Subway Corridor Secondary Plan will allow the site to redevelop in a manner supported by Provincial policy and Official Plan policy particularly relating to *Mixed Use Areas*, built form and public realm. The proposal also has regard for and begins to implement the vision of the Council-adopted Renew Sheppard East Secondary Plan. Staff worked with the applicant through the application review process to address and resolve key concerns with respect to tree plantings, soil volume requirements, wind impacts, and public realm and streetscape design elements. Staff recommend that Council support approval of the application.

### **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Information/Drawings**

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

### **Applicant Submitted Drawings**

- Attachment 7: Site Plan
- Attachment 8: Elevations

Attachment 1: Application Data Sheet

**Municipal Address:** 2810-2816 BAYVIEW AVE **Date Received:** July 22, 2024

**Application Number:** 24 185488 NNY 18 OZ

**Application Type:** OPA & Rezoning

**Project Description:** Proposed 42-storey residential building with 30,601 square metres of GFA and 540 dwelling units. The proposed building would contain 134 parking spaces and 406 bicycle parking spaces.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
A-O BAYVIEW INC			A-O BAYVIEW INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Y
Zoning:	CR 3.0 (c0.0; r3.0) SS2 (x354)	Heritage Designation:	N
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq m): 2,326      Frontage (m): 67      Depth (m): 33

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Ground Floor Area (sq m):		0	1,068	<b>1,068</b>
Residential GFA (sq m):			30,601	<b>30,601</b>
Non-Residential GFA (sq m):			0	<b>0</b>
<b>Total GFA (sq m):</b>		<b>0</b>	<b>30,601</b>	<b>30,601</b>
Height - Storeys:			42	<b>42</b>
Height - Metres:			133	<b>133</b>

Lot Coverage Ratio (%): 45.74      Floor Space Index: 13.16

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	30,495	106
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:	3	0	0	<b>0</b>
Freehold:				
Condominium:	0	0	540	<b>540</b>
Other:				
<b>Total Units:</b>	<b>3</b>	<b>0</b>	<b>540</b>	<b>540</b>

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		0	378	108	54
<b>Total Units:</b>		<b>0</b>	<b>378</b>	<b>108</b>	<b>54</b>

**Parking and Loading**

Parking Spaces: 134      Bicycle Parking Spaces: 406      Loading Docks: 2

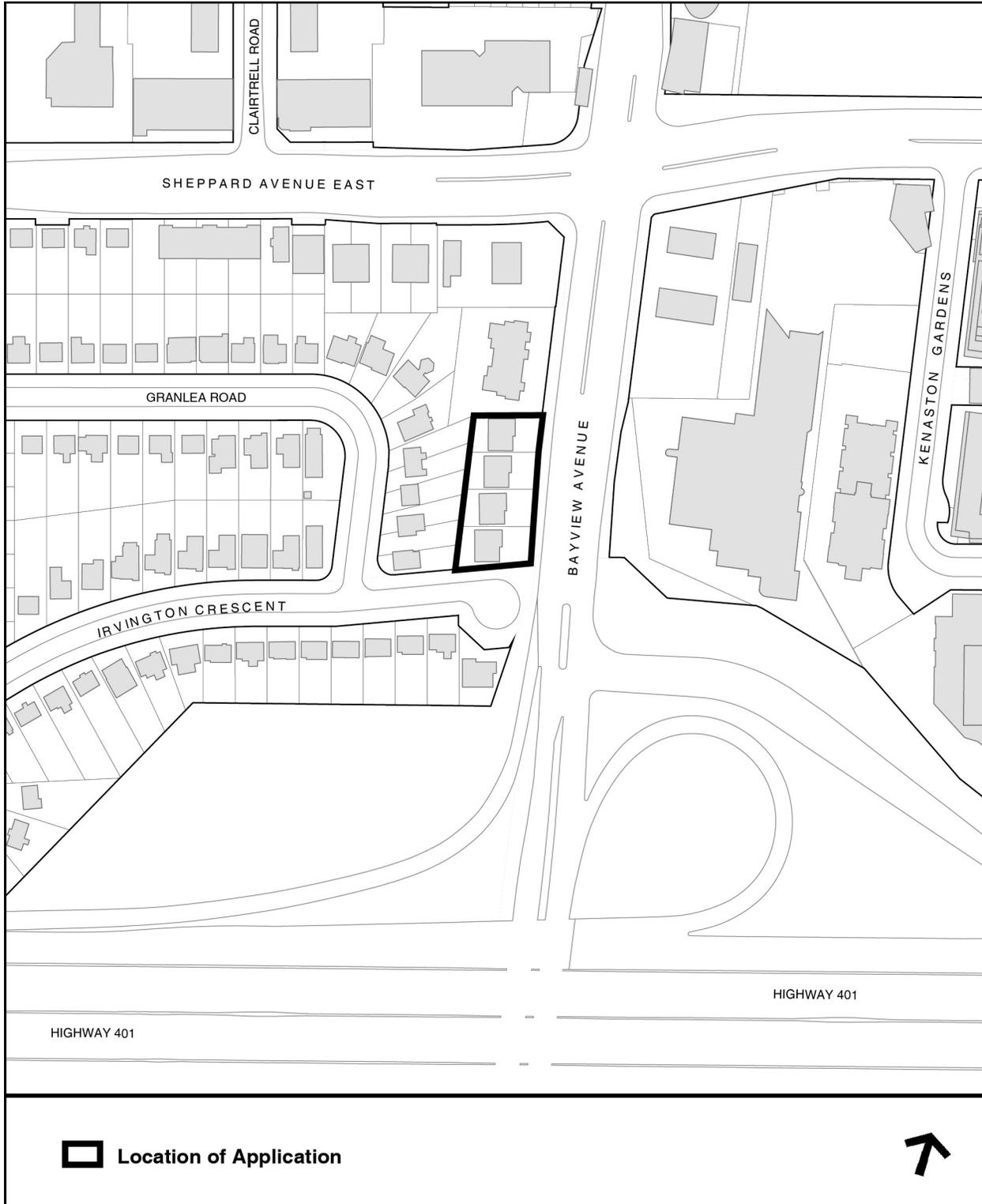
**CONTACT:**

Heather Au, Senior Planner, Community Planning

(416) 396-5570

Heather.Au@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

2810-2816 Bayview Avenue

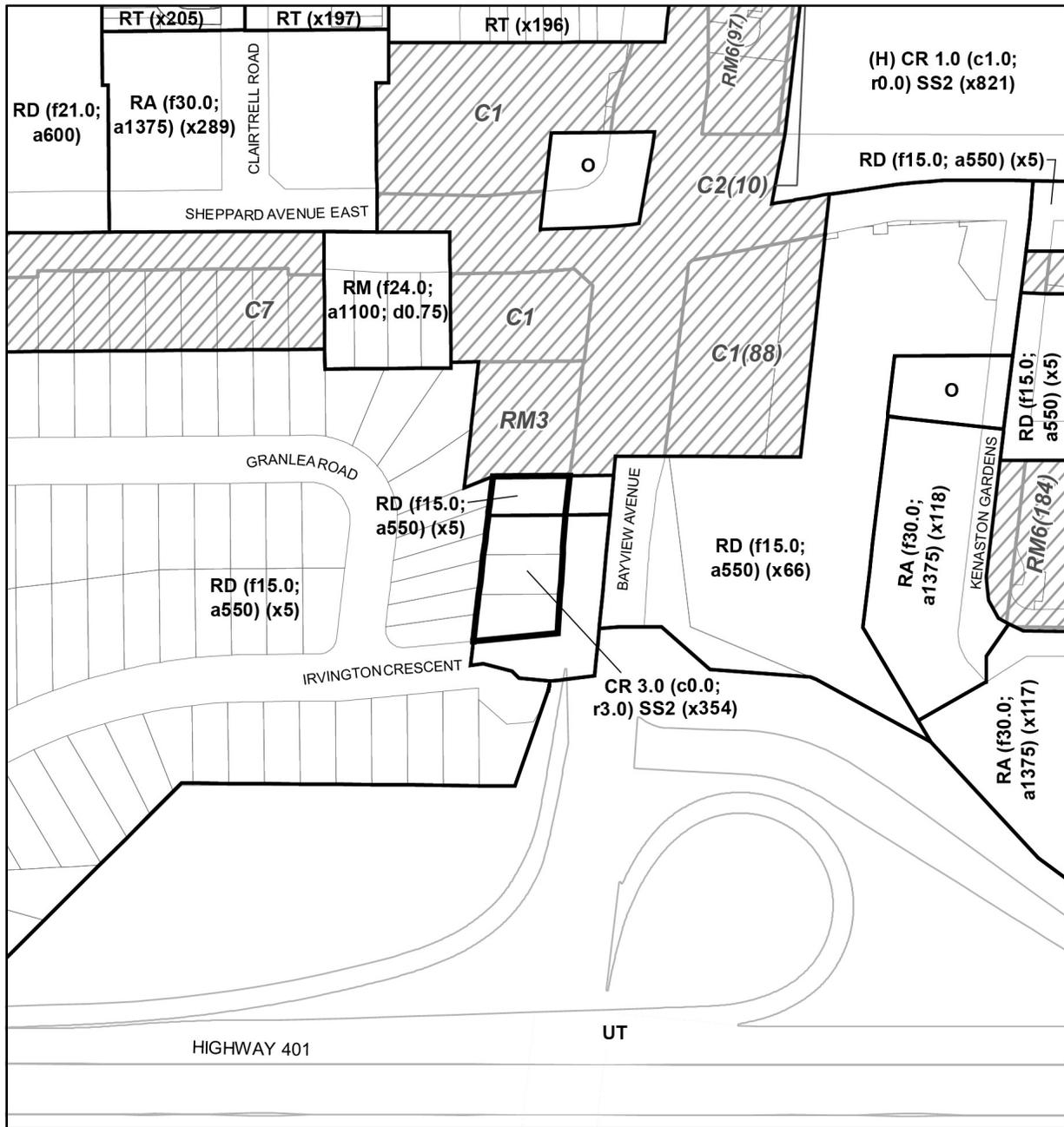
File # 24 185488 NNY 18 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks



Not to Scale  
Extracted: 07/31/2024

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

2810-2816 Bayview Avenue

File # 24 185488 NNY 18 0Z

Location of Application

- RD Residential Detached
- RT Residential Townhouse
- RM Residential Multiple
- RA Residential Apartment
- CR Commercial Residential
- O Open Space
- UT Utility and Transportation



See Former City of North York By-law No. 7625

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- C7 Mixed Use Commercial Zone



Not to Scale  
Extracted: 08/01/2024

Attachment 5: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2025

Enacted by Council: ~, 2025

**CITY OF TORONTO**

**Bill XXX**

**BY-LAW ###**

**To adopt Official Plan Amendment ~ for the City of Toronto respecting the lands known municipally in the year 2024, as 2810, 2812, 2814 and 2816 Bayview Avenue**

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

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

The Council of the City of Toronto enacts:

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

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

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

## **AMENDMENT NO. ### TO THE OFFICIAL PLAN**

### **LANDS MUNICIPALLY KNOWN IN THE YEAR 2024 AS 2810, 2812, 2814 AND 2816 BAYVIEW AVENUE**

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

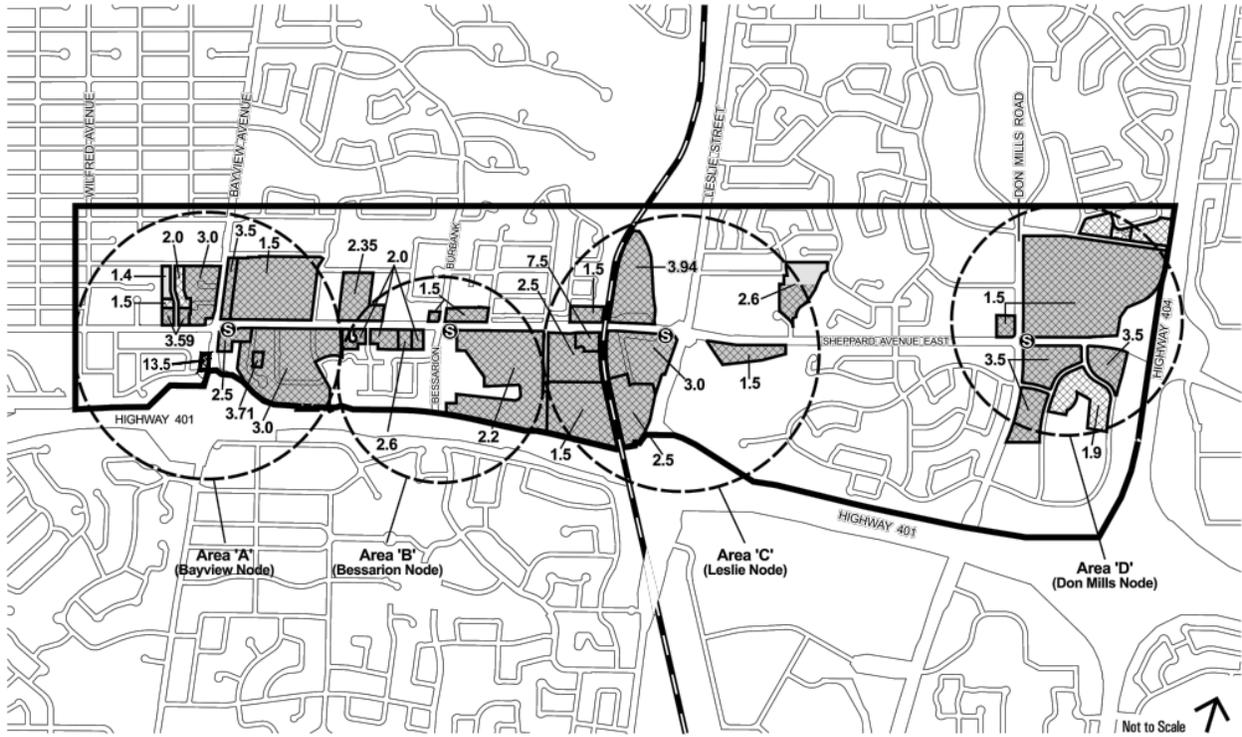
1. Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), Map 9-2, Key Development Areas, is amended to show the lands known municipally in 2024 as 2816 Bayview Avenue as Mixed Use Areas, as shown on the attached Appendix 1.
2. Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), Map 9-2, Key Development Areas, is amended to assign a density notation of 13.5 for the lands known municipally in 2024 as 2810, 2812, 2814, and 2816 Bayview Avenue, as shown on the attached Appendix 1.
3. Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), Map 9-3, Specific Development Policies, is amended to show the lands known municipally in 2024 as 2810, 2812, 2814, and 2816 Bayview Avenue as Site and Area Specific Policy Area Number 4.2.A.5, as shown on the attached Appendix 2.
4. Chapter 6, Section 9 (Sheppard East Subway Corridor Secondary Plan), Section 4.2.A.5, Site and Area Specific Policies, is amended as follows:

#### **4.2.A.5                      2810, 2812, 2814 and 2816 Bayview Avenue**

For the lands shown as 4.2.A.5 on Map 9-3, Specific Development Policies:

- a. A maximum density of 13.5 times the lot area is permitted.
  - b. A maximum building height of 42 storeys (145.0 metres including mechanical penthouse above the Canadian Geodetic Datum of 178.00) is permitted.
5. Chapter 7, Site and Area Specific Policies, is amended by deleting the provisions of Site and Area Specific Policy Number 80.d) (Southwest of Sheppard Avenue East and Bayview Avenue) with respect to the property known municipally in 2024 as 2816 Bayview Avenue.

Appendix 1



Official Plan Amendment #XXX - Schedule 1

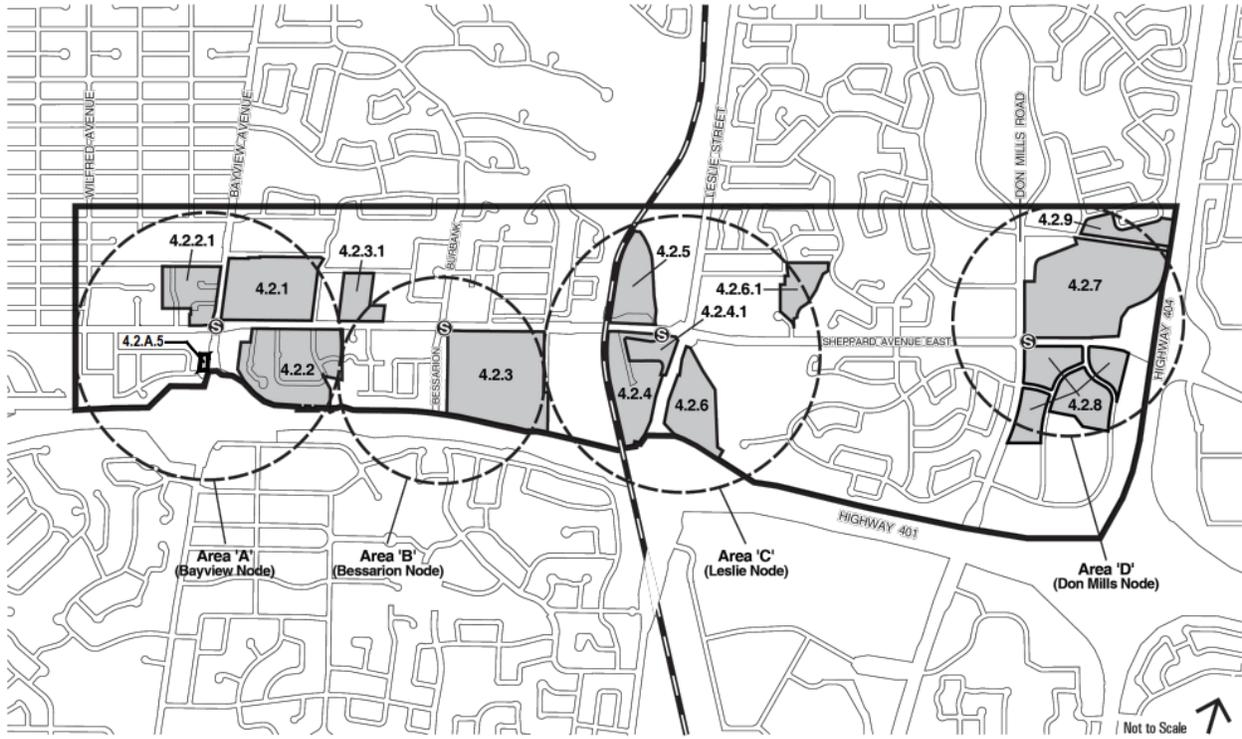
2810 - 2816 Bayview Avenue

24

- |                          |                          |
|--------------------------|--------------------------|
| Secondary Plan Boundary  | Parks & Open Space Areas |
| Neighbourhoods           | Parks                    |
| Apartment Neighbourhoods | 1.5 Density              |
| Mixed Use Areas          | Subway Station           |

Map 9-2, Key Development Areas, of Chapter 6, Section 9, Sheppard East Subway Corridor Secondary Plan is amended by permitting a maximum density of 13.5 times the lot area for the lands municipally known as 2810 - 2816 Bayview Avenue

Appendix 2



Official Plan Amendment #XXX - Schedule 2

2810 - 2816 Bayview Avenue

24

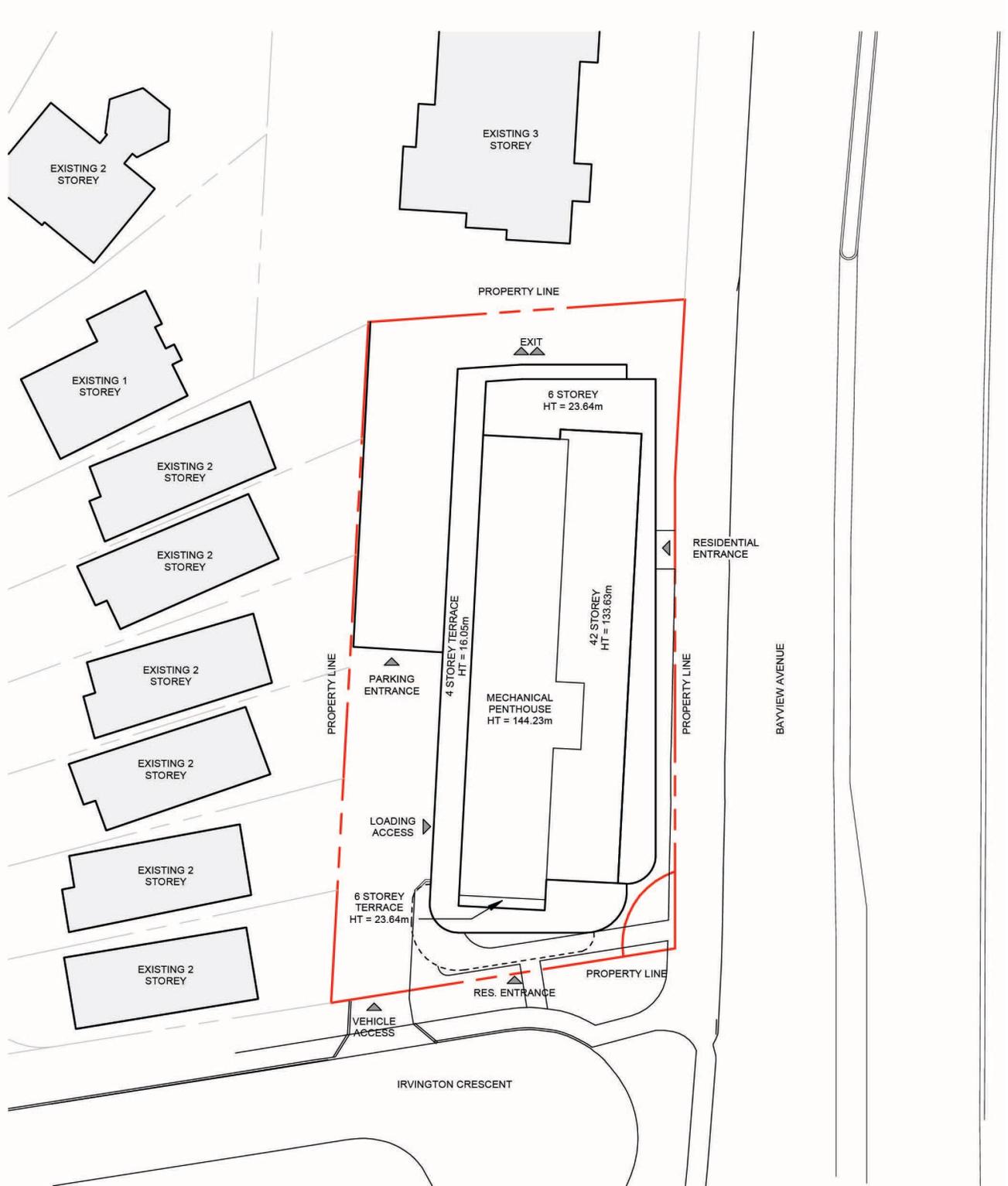
-  Secondary Plan Boundary
-  Specific Development Policy Areas
-  Subway Station

Map 9-3, Specific Development Policies, of Chapter 6, Section 9, Sheppard East Subway Corridor Secondary Plan is amended by adding Specific Development Policy Area 4.2.A.5 for the lands municipally known as 2810 - 2816 Bayview Avenue

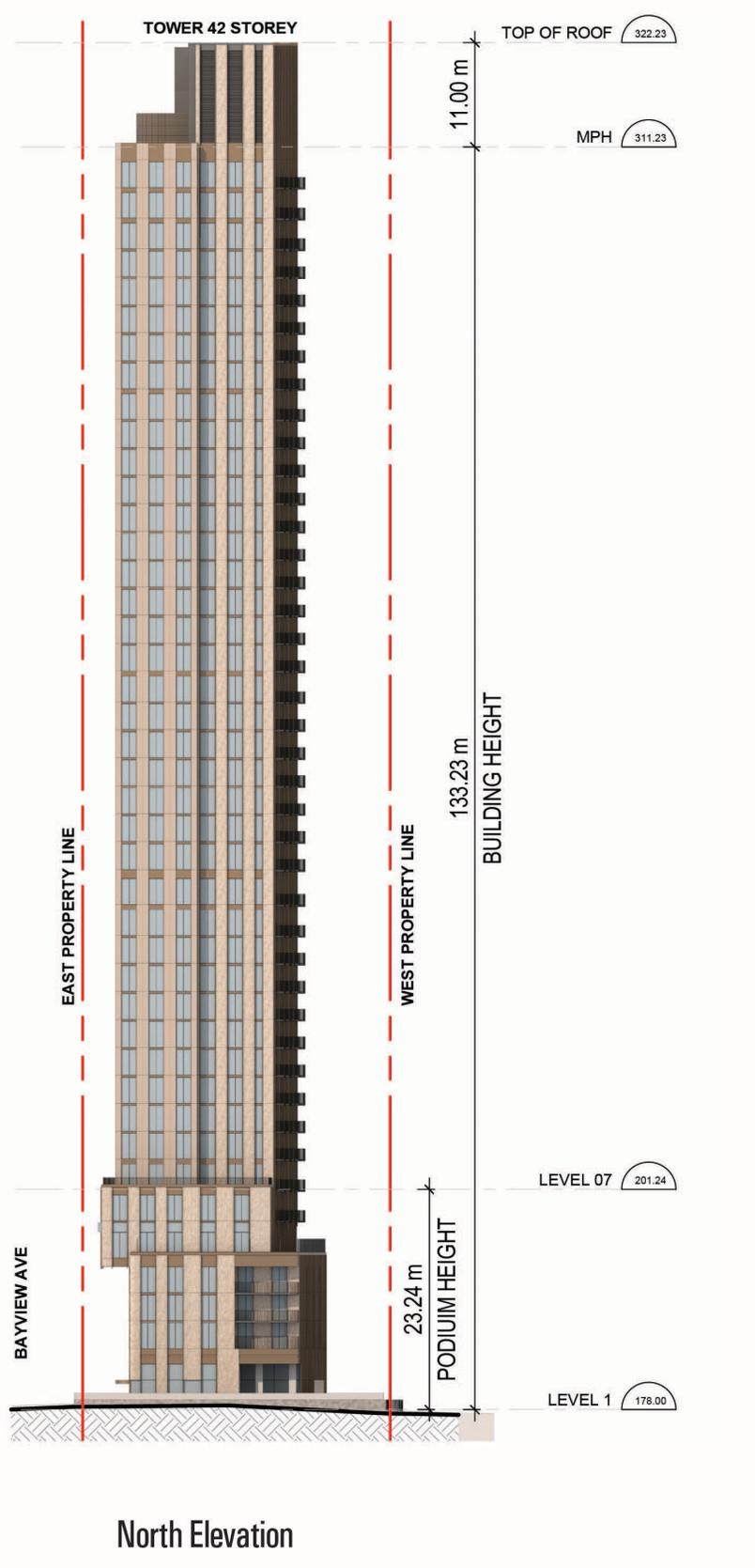
Attachment 6: Draft Zoning By-law Amendment

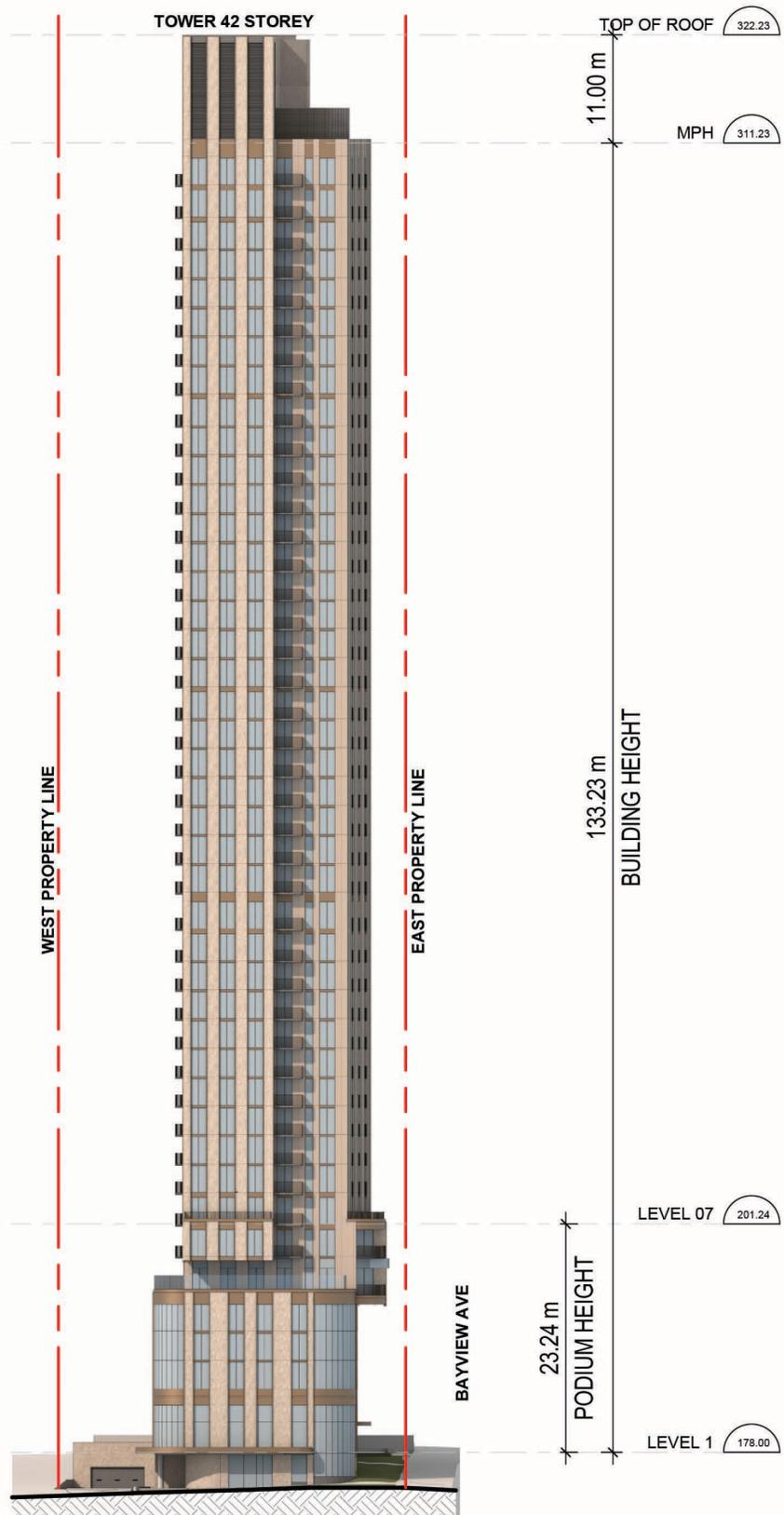
Attachment will be made available on or before the February 19, 2025, North York Community Council meeting.

Attachment 7: Site Plan

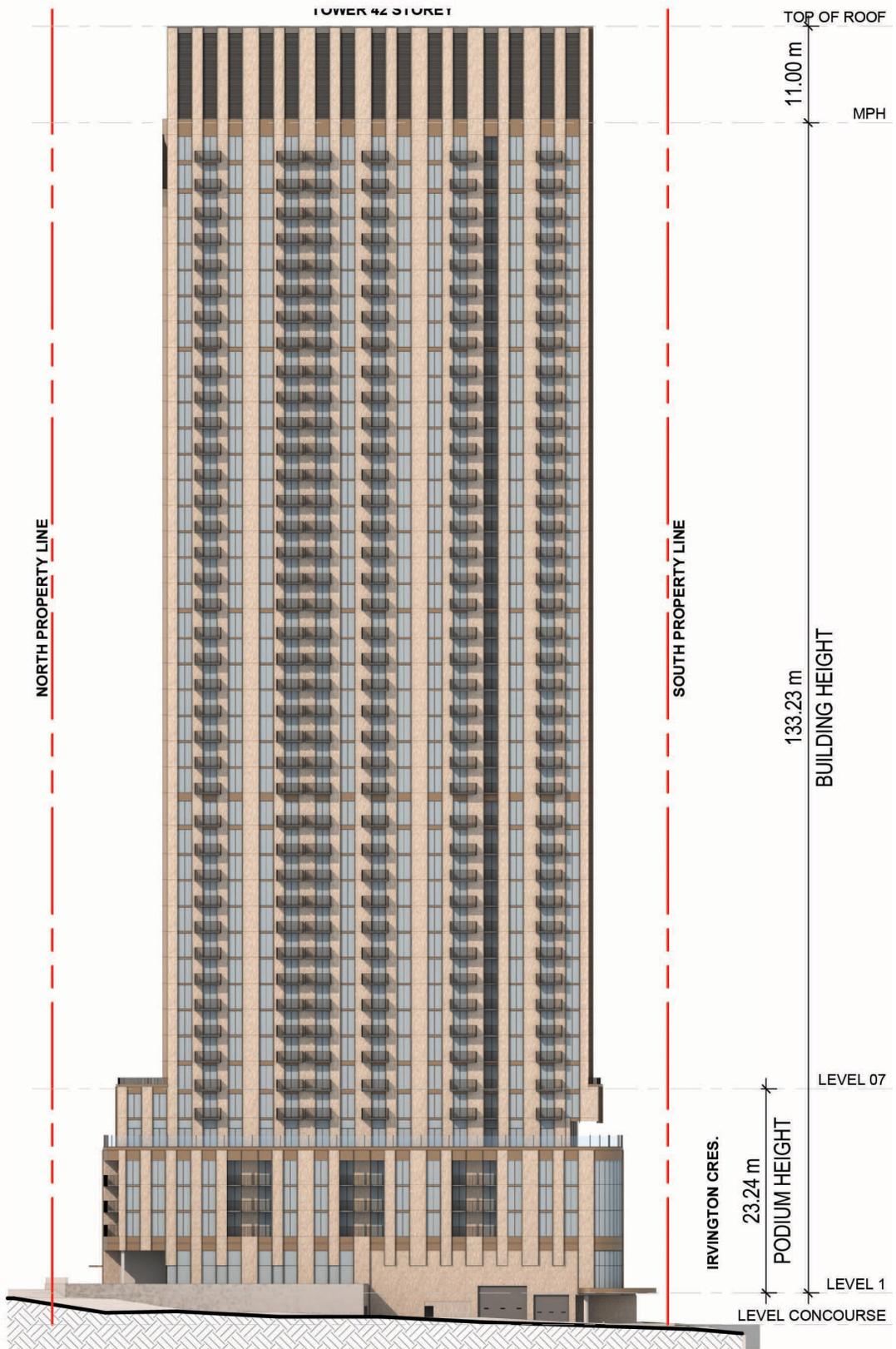


Attachment 8: Elevations

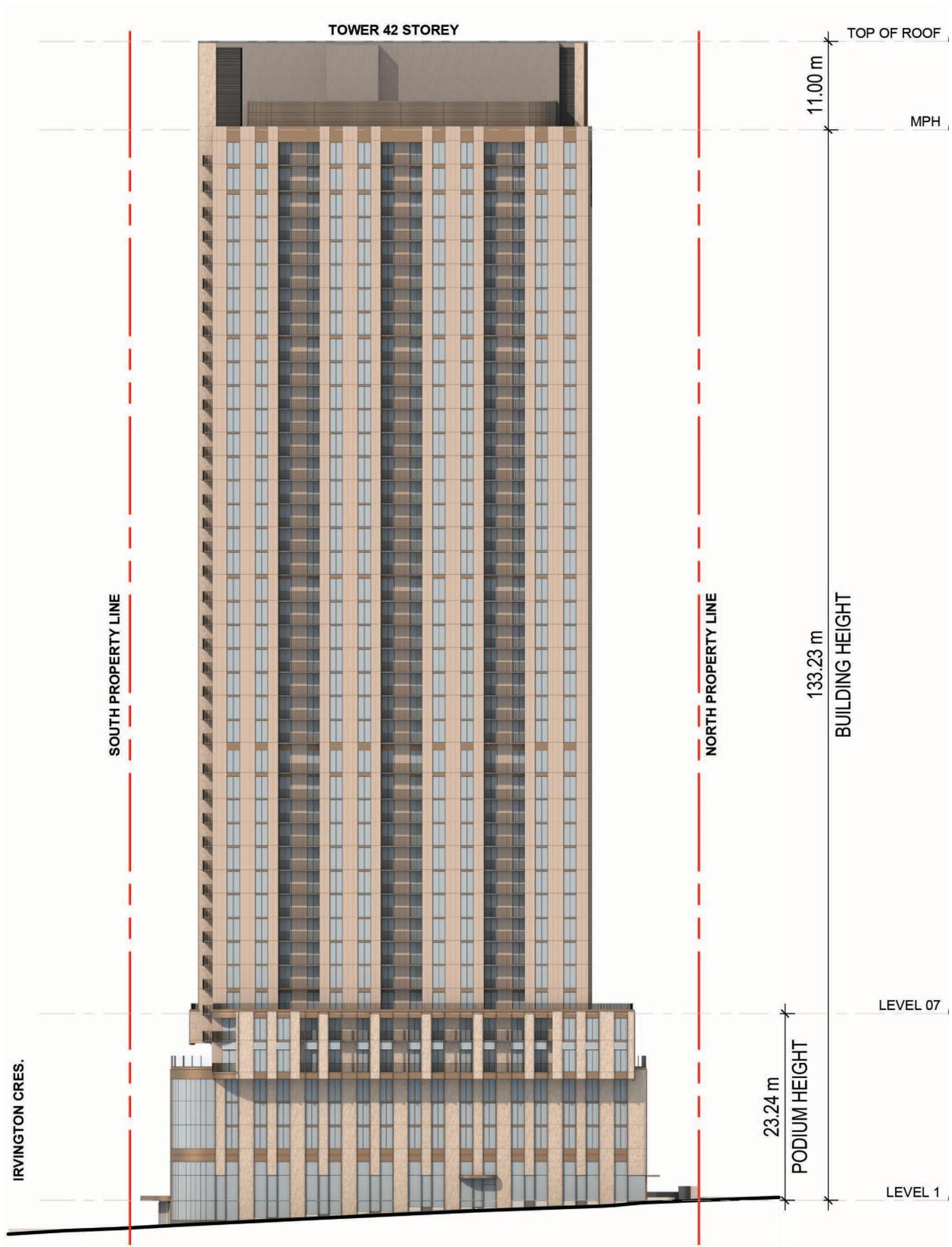




South Elevation



West Elevation



East Elevation