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October 9, 2019

Etobicoke York Community Council  
City of Toronto  
399 The West Mall  
Etobicoke, ON M9C 2Y2

Dear Members of Community Council:

### **SMARTCENTRES COMMENTS ON THE FINAL SHERWAY AREA SECONDARY PLAN**

IBI Group are the planning consultants representing the two SmartCentres' properties within the Sherway Area Secondary Plan Area. We provided City staff with comments on the first draft of the Sherway Secondary Plan and background studies by way of a comment letter on June 25, 2019. IBI Group also prepared a redlined version of the Secondary Plan to illustrate our requested revisions to the plan, which we submitted to the City on August 29, 2019. In addition to our written submissions, our team has met with City staff on two (2) occasions as well as with the Councillor's staff once to discuss SmartCentres' comments on the Secondary Plan and the proposed vision for their lands.

IBI Group has reviewed the draft Official Plan Amendment, staff report and final version of the Sherway Area Secondary Plan and are pleased to submit the following comment letter which summarizes our remaining concerns on the final draft of the Secondary Plan. We appreciate the time that staff has taken to consult with us to date, and we acknowledge the effort that staff has made to consider stakeholder comments in the final draft. We would like staff to note our outstanding comments in this letter in advance of Etobicoke York Community Council consideration on October 10, 2019. It is also our intention to make a delegation in support of our comment letter at the Community Council Meeting.

#### **Policy Language**

As evident in the redlined plan submitted by IBI Group, it is our opinion that less definitive language should be used in the Secondary Plan to allow for more flexibility at the development application stage. We note that our suggestions for language changes have generally not been incorporated into the final draft of the plan. As such, our previous comments (attached to this letter as Appendix A) and requested red-line revisions stand and we request that they be considered as part of the submission for this public meeting.

#### **Parkland Policy**

We note the new park and open space policies within in the final Secondary Plan, however we continue to have outstanding concerns related to how parkland will be distributed, shared and, ultimately owned, within the Sherway Area. We reiterate our request for the Secondary Plan to recognize the eventuality of Bill 108 applying.

We do not support "a minimum of 10 percent of the gross site area will be open space" as being appropriate within the context of the City Official Plan, the Planning Act and the pending Bill 108 regulations. The Park and Open Space policies should be deferred until further study is undertaken in consultation with the landowners within the study area.

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### **Land Use Mix and Built Form**

The Sherway Area is intended to be a mixed use community; however, the policies as proposed fail to achieve this fundamental goal. It is our opinion that to achieve a true mixed use form, the land use categories need to be more broad and inclusive than the current Secondary Plan proposes. The Secondary Plan currently segregates the uses which ultimately undermines the concept of mixed use development.

We acknowledge that the revised Secondary Plan has included policy that recognizes that large format retail will remain as the precincts gradually redevelop and transition. In addition to these policies, we believe the large retail format will continue to play a key role within the Secondary Plan Area, both as stand-alone but also within podium mixed use development. We submit the policies should reflect this broader approach.

As noted in our previous submission, a portion of the subject lands are located within a Provincially Significant Employment Zone (PSEZ). As such, we submit that these lands are the most appropriate for office and retail development. The dilution of the office market by restricting large tracts of mixed use lands to only office both undermines the mixed use character but also undermines the PSEZ. The PSEZ lands within the Sherway Secondary Plan Area have sufficient capacity to accommodate the necessary amount of employment uses to meet Growth Plan targets, without restricting other lands currently designated for mixed use to essentially only office uses. We submit that office uses should be permitted throughout the mixed use categories and the use segregation that is being proposed in the Secondary Plan policies is inappropriate.

We note the addition of low rise housing permissions including townhouses into the Secondary Plan policies as an appropriate measure to broaden the housing types within the area.

### **Intensification and Density**

We continue to have significant concerns with the Secondary Plan policies regarding the limiting and distribution of height and density across the Plan and the use of overall use-specific development limits. As previously submitted the use of population and employment targets is more consistent with the Growth Plan policies. The Growth Plan regulates minimum intensification by people and jobs per hectare. This would allow the City to measure the intensification of the Sherway Area in relation to provincial targets, development should be monitored in a consistent approach, rather than by gross floor area (GFA) caps that are not associated with provincial or citywide growth targets.

We support the removal of the preferred tall building locations on the final Secondary Plan schedules. However, the Secondary Plan characterizes the Sherway Area as a low to mid-rise community, which we believe undermines the potential of the Sherway Area, particularly given that the Sherway community does not have transitional issues with low-scale stable communities and is surrounded by major transportation infrastructure.

### **Existing Retail**

We recognize that the final Secondary Plan has included a policies that permits additional GFA as an interim condition due to phasing. However, we submit that an increase of 15 percent above existing GFA should be permitted without amendment to allow for functional additions or modifications of existing uses.

### **Roads and Parking**

In order to ensure that sufficient parking is provided to service the Sherway Area, we believe that the provision of below grade, above grade and surface parking facilities should be permitted. There are alternatives to below grade parking that will not affect the overall urban vision for the

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lands, and flexibility in the policy should allow for this to be explored. Further, we believe that the continuation or modification of existing surface parking should be permitted.

As noted in our previous submissions, we submit that given the complexities associated with redevelopment with the Secondary Plan Area, that the internal quadrant street networks should include both a public and private streets. This flexibility is necessary to facilitate the proper phasing of redevelopment of sites that are complicated by long term lease agreements, access easements and other constraints. We continue to have concerns with the street networks shown in the schedules and submit that the street network submitted as part of our red-line package represents both a functional reality but also a superior community network.

### **Secondary Plan Approvals Timeline**

As noted in our meetings, our client has significant concerns with the timeline of the recommendation being brought before Community Council and City Council on a Secondary Plan. We submit to Community Council that the Secondary Plan should be deferred at this time and returned to Staff in order that further consultation may occur with the landowners and the public.

### **Summary**

Please accept this letter and our previous submissions as a summary of some of the more significant concerns with the final draft of the Secondary Plan. We submit that the policy language in the Secondary Plan must be flexible enough to allow for appropriate Block Master planning to occur. At this time, we believe the assignment of land uses, density, height and overall structure of the plan fails to provide that flexibility.

Further, as noted, our clients have concerns with the timeline for consideration by Community Council for this report. Based on our discussions with the other major landowners in the Sherway Area, we feel that the Sherway Secondary Plan can be further refined through additional consultation with key stakeholders. As such, we request that the Secondary Plan be received by Community Council for information purposes only and returned to staff with the direction to continue with stakeholder consultations in an effort to bring forward a Plan that can be substantially supported by the public, stakeholders and landowners.

On behalf of SmartCentres, we thank you for your consideration of the comments identified in this letter look forward to continuing these discussions with the City as the Secondary Plan continues to move forward. If you have any questions or comments please do not hesitate to contact us.

**IBI GROUP**



Jay Claggett  
Director | Senior Practice Lead

c. SmartCentres

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### Air Photo and Lot Areas

