

# 1800 Sheppard Avenue East – Official Plan and Zoning By-law Amendment Applications – Report for Information

**Date:** June 21, 2024  
**To:** North York Community Council  
**From:** Director, Community Planning, North York District  
**Ward:** 17 - Don Valley North

**Planning Application Number:** 22 135661 NNY 17 OZ

## SUMMARY

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This report responds to a motion passed at North York Community Council meeting on February 22, 2024, regarding a Decision Report - Refusal for the proposed Official Plan and Zoning By-law Amendment applications at 1800 Sheppard Avenue East. The motion referred the item back to the Director, Community Planning, North York District to enable the applicant to work with City staff to address comprehensive planning issues for the overall site and report back to the July 9, 2024 North York Community Council meeting.

The Official Plan Amendment (OPA) proposes a multi-phased redevelopment of the existing 18.8 hectare site which conceptually envisions the site to redevelop with a total of 12 new buildings, with heights ranging from 18 to 52 storeys, 7,830 square metres of parkland dedication, a multi-use trail, new public and private streets, and a total of approximately 4,500 residential dwelling units at 1800 Sheppard Avenue East. A total of 309,000 square metres of residential gross floor area and 34,000 square metres of non-residential gross floor area are proposed for an overall total site density of approximately 2.44 times the area of the lot. The existing Fairview Mall will be retained. The proposed development is intended to occur in a phased manner (Phases 1-4) over a long planning horizon.

A Zoning By-law Amendment (ZBA) application was also submitted as part of the OPA but only includes the lands identified for Phase 1. This application includes three mixed-use towers with heights of 38 storeys, 45 storeys and 52 storeys. The proposed 45- and 38-storey towers are proposed to be exclusively residential and would be located along the Sheppard Avenue East frontage. Phases 2 and 3 include the lands along the north side of the mall, south of Fairview Mall Drive. Phase 4 includes those lands that front onto Sheppard Avenue East, east of Parkway Forest Drive. These remaining phases are not subject to ZBA applications at this time.

Discussions with the applicant are advancing and staff continue to work with the applicant to resolve outstanding staff comments following which staff propose to report back to Community Council with updated recommendations.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council receive this report for information.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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The applications for Official Plan and Zoning By-law Amendment were deemed complete as of April 19, 2021. The applicant resubmitted revised Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications on September 8, 2023.

A Preliminary Report was considered by North York Community Council on June 28, 2022, which recommended that staff schedule a Community Consultation Meeting, together with the Ward Councillor.

As part of the consideration of the Preliminary Report a motion was moved by the Ward Councillor, directing that the Director, Community Planning, North York District, engage the applicant and Ward Councillor on a more robust public engagement strategy for the proposed master plan concept for the subject site and report back in the first quarter of 2023 for implementation. A Report for Information was considered by North York Community Council on April 4, 2023, and by City Council on May 10, 2023, with respect to additional information on the public engagement strategy to date.

The Preliminary Report and North York Community Council's direction can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2022.NY33.23>

The Report for Information and City Council's direction can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2023.NY4.8>

A Decision Report – Refusal was considered by North York Community Council on February 22, 2024. The report recommended that City Council refuse the OPA and ZBA applications and should the applicant appeal the decision to the Ontario Land Tribunal,

authorize that the City Solicitor enter into mediation, conciliation or other dispute resolution techniques in an attempt to resolve the OPA and ZBA applications.

In its consideration of the Decision Report – Refusal, Community Council referred the item back to the Director, Community Planning so that the applicant and City staff could work together to address comprehensive planning issues for the overall site and report back to the July 9, 2024 North York Community Council meeting on matters, including but not limited to:

- a) the phasing of the proposed development that addresses land use including the mix of residential and non-residential uses, including affordable housing;
- b) provision of the public street network and the public realm;
- c) site organization;
- d) integration of development with Toronto Transit Commission facilities;
- e) provision of public parkland sizes, configurations and locations to be conveyed to the City in fee simple;
- f) timing and provision of municipal servicing infrastructure; and
- g) planning for community services and facilities.

The Decision Report – Refusal and North York Community Council's direction can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY11.7>

## **COMMENTS**

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### **Workshop Meetings**

A formal in-person workshop process was established between the City and applicant to respond to the directions of Community Council and produce a clear and comprehensive long-term vision for the redevelopment of the whole site through an OPA.

The formal workshop process took place between March 7<sup>th</sup> and May 16<sup>th</sup>, 2024, with meetings occurring between the applicant and their consultant team every two weeks. The workshop structure was based around specific themes that relate to the council motion and various meeting dates:

- March 7, 2024 – Strategy, Implementation, Visions & Goals
  - City Planning provided an overview to the applicant of the proposed workshop schedule.
  - A discussion also proceeded about incorporating a “Vision and Goals” section in the draft OPA for the overall redevelopment of the mall site. The applicant has provided a draft of this and the City has provided comments to ensure that the vision and goals reflect the NYCC motion items and

other complete community objectives for long-term development of the site.

- March 21, 2024 – Streets, Blocks & Land Use
  - The applicant provided an overview of the no build zones on the site along with presenting a long-term vision plan which included new block layouts and street network, along with cycling and pedestrian networks.
  - City staff and the applicant's team sketched out various options for block and street organization. General blocks for parkland were discussed along with four gateways (north, south, east and west) and an additional TTC gateway at the northwest corner of Don Mills and Sheppard Avenue East.
- April 4, 2024 – Public Realm, Parks & Environment
  - Discussion focused on location of proposed public parks and potential POPs (privately owned publicly accessible spaces) and their potential locations.
- April 18, 2024 – Housing, Community Services and Facilities, & Sustainability
  - Staff from other City Planning teams attended to discuss delivery of affordable housing by the proposed development.
  - Staff were also present to speak to securing additional community services and facilities on the site. It was determined that daycare facilities or a community agency space would be the priorities in addition to affordable housing.
- May 2, 2024 – Land Use, Built Form, & Density
  - The applicant presented a long-term conceptual plan with various heights and densities for the mall site following a discussion of the street network.
- May 16, 2024 – Servicing, Phasing, & Implementation
  - The applicant presented its servicing plan for all four phases of development.
  - Engineering & Construction Services staff attended the workshop meeting to discuss long-term servicing for the site and required external upgrades.
  - Staff requested that the applicant complete a Master Servicing Report for the OPA along with follow up Functional Servicing Reports for each phase of development.
  - With respect to phasing, Staff requested the draft OPA include policies requiring a Draft Plan of Subdivision for new public streets and parks, a ZBA for each phase, inclusion of a holding (H) to accommodate servicing, and block plans for future phases.
  - Given that the existing mall is to remain in operation, additional policies are being considered for the OPA to address these lands.

Additional workshop meetings have been scheduled every three weeks (on an as needed basis) throughout the summer to finalize the OPA for the entire development site following which staff will report to Community Council.

## **Community Consultation**

A focused community consultation with Build a Better Fairview was held May 6, 2024. City staff members from various divisions, along with the applicant and its consultants, attended the meeting to listen to concerns from local residents regarding the overall redevelopment proposal. In addition, the meeting assisted City staff and the applicant's team to understand and respond to questions from the community and document feedback to inform additional modifications to the draft OPA.

Discussions with the local residents at the meeting were predominantly focused on the following:

- Affordable housing, specifically seniors' affordable housing;
- Concerns over unsafe pedestrian crossings, specifically in relation to TTC bus operations on site and along the Don Mills frontage;
- Overall safety in the existing pedestrian network and connectivity through the mall to adjacent neighbourhoods;
- Provision of parkland (location, size); and
- Request for additional community services and facilities, including programming for children, daycares, and seniors.

## **Outcome of Workshop Discussions**

The workshops have resulted in more substantial draft Official Plan Amendment policies that address some of the concerns outlined in the City's refusal report and the NYCC motion. To date, the applicant has provided draft OPA policies with respect to the following topics: vision and goals, public realm, housing, mobility, and sustainability. Various draft OPA schedules have also been provided, including a structure plan, a mobility plan, and a public realm plan, intended to improve the vision and comprehensive long-term redevelopment of the overall mall site. Staff have provided comments to the applicant on all of these policies and schedules as well as an overall draft OPA structure layout.

## **NEXT STEPS**

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City staff will continue to work with the applicant in an attempt to resolve the issues related to both the OPA and ZBA application. It is expected that the workshop process will continue on an as-needed basis to work through the OPA for the entire development site to respond to the February 24, 2024 North York Community Council (NYCC) motion. The OPA is progressing and should all matters be resolved, staff are targeting a final report to be brought forward to Community Council at the October 29<sup>th</sup> meeting.

## Contact

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## **SIGNATURE**

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