

October 28, 2024

North York Community Council
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Matthew Green, Administrator

Dear Mr. Green:

Re: Item No. NY18.13 – 1800 Sheppard Avenue East – Official Plan Amendment – Decision Report
– Approval

On behalf of the Cadillac Fairview Corporation, and FVM Property Inc. and CF/Realty Holdings Inc., the registered owners of the lands known municipally as 1800 Sheppard Avenue East, and the site of CF Fairview Mall (the “Lands”), we appreciate the opportunity to provide comments on the official plan amendment which staff are recommending for approval.

Background

By way of background, official plan and zoning amendment applications were submitted for the Lands in April of 2022. The applications would facilitate the intensification of underutilized lands surrounding CF Fairview Mall (the “Mall”) to allow for a complete community with new homes, and a network of new streets and open spaces, making efficient use of the Site’s excellent access to higher-order transit, while reinforcing the importance of the Mall as an economic driver and community amenity.

A key principle underpinning the applications is that the Mall is to remain, with new development complementing and enhancing its important local and regional functions. Accordingly, development is planned to proceed on a phased basis over time, as lands surrounding the Mall become available for development. Phase 1 is planned for the southwestern portion of the Lands, closest to Don Mills station.

The Workshop Process and the Draft OPA

In response to a staff report presented in February of this year, Community Council directed City staff to work with our team on a focused basis toward a resolution of issues City staff had identified, and report back to Community Council in July. We were pleased that Community Council provided such direction and since that time, we have engaged in a series of workshops with City staff.

These workshops have been productive. The process has resulted in alignment on many of the principles that will guide redevelopment of the Lands, as reflected in the draft OPA included with the above-noted staff report, and resolution of many of the issues identified in the February 2024 report to Community Council. The process has also resulted in policies providing for additional parkland and affordable housing as part of the development of the Lands. We appreciate staff’s efforts over the last number of months.

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Although City staff are reporting on our official plan amendment application, they are recommending approval of a draft OPA that differs from the OPA we proposed. We have raised concerns with certain aspects of the staff-recommended draft OPA that are problematic. These include the following:

- **Parkland phasing.** Given the phased development planned for the Lands and existing lease constraints relating to the Mall and the extensive TTC infrastructure currently on the Lands, policies relating to implementation are critical to provide for the orderly and logical development of the Lands over time. As it relates to public open space, a large POPS is planned for Phase 1 and two large parks are contemplated to serve the development as it unfolds over time. Park A is located north of the Mall within the lands identified as Phase 2, and Park B is located south of the Mall within the lands identified as Phase 5. There is alignment on the amount and general location of parkland to be provided, but staff have recommended an approach to the phasing of delivery of that parkland as an implementation matter that cannot be implemented based on existing lease obligations. Further, the approach would involve each park being delivered when there is no corresponding development collocated on the Lands. More specifically:
 - The draft policies would require the entirety of Park A (the northern park) to be delivered in conjunction with the development of the Phase 1 lands. Park A is located on lands subject to an existing lease with the LCBO which are not currently available for re-development. Further, Park A is proposed to be required in conjunction with the Phase 1 development, which is located south of the Mall and approximately 200 metres away from Park A. At such time, Park A would be surrounded by surface parking and no corresponding development, and fail to fulfill the objective of supporting and complementing new development as it proceeds. Similarly, the draft policies would also require the entirety of Park B (the southern park) to be delivered in conjunction with the development of the Phase 3 lands, which are north of the Mall and approximately 250 metres from Park B. Accordingly, the approach reflected in the draft OPA simply cannot be implemented based on current Mall lease obligations and does not represent an orderly or logical phasing of parkland as it results in isolated parks, without corresponding adjacent development.
 - In our view, each of the planned parks should be delivered when development in the adjacent areas proceeds. This approach recognizes existing constraints pertaining to the Mall and allows for the orderly and logical delivery of open spaces that will serve the needs of new residents.
- **Land use map.** The draft OPA proposes to designate the lands intended for Park A and Park B as *Parks* in the official plan's land use map. We don't believe this degree of specificity is necessary or appropriate, as the park locations are identified in other maps in the draft OPA in a manner that provides the necessary flexibility with respect to the configuration, boundaries, and other details of the parks.
- **Minimum non-residential space.** Policy B(5) of the draft OPA would require a minimum of 5% non-residential uses on each of the southern portion of the Lands (known as Block A) and the northern portion (known as Block B). While we are comfortable with the minimum 5% non-residential requirement, in our view, it should apply to the whole of the Lands (rather than each Block individually).



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- *Building frontages.* Policy D(7) should be revised to remove reference to Map 9-6, as the "Potential Building Edges" shown on that map are not intended to be referenced in policy text.
- *Private driveways.* Policy E(7) should be revised to recognize that private driveways may provide access for both mall servicing and flanking mixed-use development blocks.

We have also advised City staff of certain other technical modifications that are required.

We appreciate Community Council's direction which led to the productive workshop and public consultation process undertaken this year, and the efforts of staff and the local community in working collaboratively with us through that process. While substantial progress has been made, we would ask that the draft OPA be modified to address the concerns identified. Making the requested modifications would represent an appropriate conclusion to a collaborative process with staff and the community. We appreciate your consideration of these matters.

Sincerely,

Josh Thomson
Senior Vice President, Development
The Cadillac Fairview Corporation Ltd

cc. Councillor Carroll