

5 Fairview Mall Dr – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval

Date: June 18, 2026

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 17 - Don Valley North

Planning Application Number: 22 203142 NNY 17 OZ

SUMMARY

This Report recommends approval of the application to amend the Official Plan and Zoning By-law with a Holding provision to permit a multi-phase redevelopment of the subject site with three mixed use and residential towers, including a total of 1,302 dwelling units, and a total gross floor area of 90,836 square metres at 5 Fairview Mall Drive. The proposal includes tower heights of 33-storeys, 43-storeys and 45-storeys with a shared below grade parking garage, the replacement of the existing medical office building, and a new enhanced landscape area with public access.

The Official Plan amendment is required in order to increase the density permissions for this site as identified in the Sheppard East Corridor Secondary Plan.

This report reviews and recommends approval of the application. The proposed Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) are consistent with the Provincial Planning Statement (2024) and conform to the City's Official Plan and have appropriate regard for the matters of provincial interest listed in Section 2 of the *Planning Act*. The draft OPA also conforms with the Sheppard East Subway Corridor Secondary Plan (SESCSP).

A Holding provision will be added to the site-specific By-law in order to ensure that there is adequate sewer, water and stormwater capacity available, and for the applicant to provide drawings, reports or other material that ensures each building can be appropriately serviced by waste collection facilities and services to the satisfaction of the City.

RECOMMENDATIONS

The Director, Community Planning, North York District recommends that:

1. City Council amend the Official Plan for the lands municipally known as 5 Fairview Mall Drive substantially in accordance with the draft Official Plan Amendment included as Attachment 6 to this Report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 5 Fairview Mall Drive substantially in accordance with the draft Zoning By-law Amendment included as Attachment 7 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.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

The application for Official Plan and Zoning By-law Amendments was deemed complete as of September 20, 2022. A Community Consultation meeting was held on January 17, 2023.

On August 15, 2025, the Ministry of Municipal Affairs and Housing approved, with modifications, 120 Major Transit Station Area (MTSA) and Protected Major Transit Station Area (PMTSA) boundaries and policies. The subject site is located within the Don Mills MTSA (SASP 731) as delineated within OPA 575. SASP 731 proposes a minimum target of 250 people and jobs per hectare for the Don Mills MTSA. The Ministry's decision on the MTSA and PMTSAs can be found on the City's Official Plan Review webpage here: [Official Plan Review – City of Toronto](#)

THE SITE AND SURROUNDING LANDS

Description

The subject site is generally rectangular in shape and currently occupied by a 4-storey medical office building, with a gross floor area of approximately 8,000 square metres, along with a surface parking area and internal driveways. See Attachment 2 for the Location Map.

Surrounding Uses

North: Immediately north is Fairview Mall Drive with an apartment neighbourhood on the north side. The apartment neighbourhood consists of several slab-tower style buildings with heights ranging between 14- and 15-storeys.

South: Immediately south is CF Fairview Mall, a large indoor shopping mall, with surface parking areas, internal drive aisles and driveways, and raised parking structures located along Don Mills Road which are adjacent to the Don Mills Subway Station entrance and bus bays. The site also includes access for TTC buses and passenger pick-up/drop-off. Further south is Sheppard Avenue East with a planned mid-rise and high-rise Parkway Forest apartment neighbourhood on the south side of the street, with heights up to 36-storeys.

CF Fairview Mall was recently subject to an approved Official Plan Amendment application to redevelop the site for a multi-phased multi-tower redevelopment which included redeveloping the lands surrounding the existing mall (File No. 22 135661 NNY 17 OZ). The redevelopment includes a total of 14 new buildings, with height ranges between 24 and 52-storeys, 9,500 square metres of parkland, a multi-use path along the east side of Fairview Mall Drive, new public streets, existing private driveways, and a total of approximately 6,200 residential dwelling units at 1800 Sheppard Avenue East. City Council adopted OPA 775 to approve the redevelopment proposal on November 13 and 14, 2024.

East: Immediately east is the Fairview Branch of the Toronto Public Library which also includes a driveway and surface parking area. Further east is surface parking associated with CF Fairview Mall and Highway 404 beyond.

West: Immediately west is Don Mills Road with older slab-style apartment buildings. This area has also been subject to redevelopment applications with approved heights of up to 33 storeys and proposed heights of up to 47-storeys.

THE APPLICATIONS

Description

The proposed redevelopment application includes three residential and mixed use towers with heights of 33-storeys (Building A), 45-storeys (Building B) and 43-storeys

(Building C). Building A has a proposed height of 123.75 metres to the top of the mechanical penthouse. Building B has a proposed height of 149.65 metres to the top of the mechanical penthouse and Building C has a proposed height of 142.95 metres to the top of the mechanical penthouse. The proposed development will also replace the existing 4-storey medical office building on the site with approximately 8,000 square metres of gross floor area (GFA) in Building A. The proposal would have a total of 9,182 square metres of non-residential GFA (inclusive of the 7,000 square metre existing medical office space replacement) and 81,659 square metres of residential GFA.

Density

The proposal has a density of 9.32 times the area of the lot.

Residential Component

The proposal includes 1,302 dwelling units comprised of 956 one-bedroom (73%), 208 two-bedroom (16%), and 138 three-bedroom units (11%).

Non-Residential Component

The proposal includes 9,182 square metres of non-residential GFA, of which 8,658 square metres will replace the existing medical office building on the subject site in the 8-storey podium of Building A. Building A will also include 312 square metres of retail GFA. Buildings B and C contain no non-residential GFA.

Enhanced Landscape Area with public access

The proposal includes 359 square metres of enhanced landscape area located at the southeast corner of Don Mills Road and Fairview Mall Drive. Ground level uses will face this space and will be connected to an internal pedestrian network providing access through the subject site.

Access, Parking and Loading

The proposal includes a total of 476 vehicular parking spaces in the shared underground parking garage (including 240 spaces for residents and 15 spaces for visitors), a total of 978 bicycle parking spaces for residents, 25 bicycle parking spaces for non-residential uses, and seven (7) loading spaces. Access to the subject site will be via private driveway along the eastern lot line from Fairview Mall Drive and will provide access to an internal courtyard.

Phasing

The proposed development will be constructed in three separate phases. Phase 1 includes the construction of Building A while the existing medical office building remains in operation. Following the completion of Building A, the medical office GFA will be relocated into the 8-storey podium of Building A and then the existing building will be demolished. A private driveway will be provided from Fairview Mall Drive for access to the underground parking garage.

Phase 2 includes the construction of Building B which will be located where the current medical office building is located on the subject site. The proposed enhanced landscape area with public access at the southeast corner of Don Mills Road and Fairview Mall Drive will also be constructed at this time. Building B is a residential building which will share an internal courtyard with Building A and Building C. The underground parking garage for Building B will be constructed and connected to the underground parking garage for Building A.

The final phase includes the construction of Building C, a residential building, and the expansion of the underground parking garage which will connect with Buildings A and B.

Additional Information

See the attachments of this Report for the Application Data Sheet, Location Map, site plan, elevations, and 3D massing views 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: [Detailed Project Information](#)

Reasons for Application

The purpose of the OPA is to facilitate the redevelopment of the site by increasing the maximum permitted density in the SESCSP from 1.5 to 9.32 times the area of the lot. The ZBA application is required to permit the three towers by proposing a series of new performance standards, including allowing residential uses on the lands.

APPLICATION BACKGROUND

A pre-application consultation (PAC) meeting was held on August 3, 2022. The Planning Application Checklist Package resulting from the PAC meeting is available on the Application Information Centre.

The current application was submitted and deemed complete on September 20, 2022, satisfying the City's minimum application requirements. The following reports/studies were submitted in support of both the OPA and ZBA:

- Architectural Plans
- Landscape Plans
- Sun Shadow Study
- Planning Rationale
- Community Services and Facilities Study
- Public Consultation Strategy
- Housing Issues Report
- Simplified Report Graphics
- 3D Modelling
- Block Context Master Plan
- Pedestrian Level Wind Study

- Tree Preservation Plan and Arborist Report
- Transportation Impact Study
- Servicing Report
- Stormwater Management Report
- Geotechnical Study
- Hydrogeological Study
- Energy Efficiency Report
- Toronto Green Standards
- Topographical Survey
- Survey Plans

These documents may be found in the City of Toronto Application Information Centre at the following links: [Application Background Documents](#)

Agency Circulation Outcomes

The application has been 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 and Zoning By-law amendments, including associated Holding conditions for approval.

POLICY AND REGULATION CONSIDERATIONS

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), shall have appropriate regard for the matters of provincial interest listed in Section 2 of the *Planning Act*, and shall conform to provincial plans.

Official Plan

The land use designation for the site is *Mixed Use Areas* as shown on Map 19 of the Official Plan. *Mixed Use Areas* are anticipated to absorb most of the increase in retail, office, and employment uses, along with new housing. 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.

See Attachment 3 of this report for the Official Plan Land Use Map. The Toronto Official Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Protected/Major Transit Station Area

The site is within a delineated Major Transit Station Area (MTSA), specifically within 200-500 metres of the Don Mills subway station associated with OPA 575 (SASP 731)

in Chapter 8 of the Official Plan. In Chapter 8 of the Official Plan, Policy 6 indicates that within delineated MTSA's for lands designated *Mixed Use Areas*, City-initiated zoning will permit a floor space index (FSI) of 6.0 or more where lands are located within 200-500 metres of an existing or planned transit station. The permitted FSI is not a minimum requirement.

The area is planned for a minimum population and employment target of 250 residents and jobs combined per hectare. The planned targets for population and jobs per hectare were established using a Council-approved development framework, taking into account in-effect Official Plan land use designations, as-of-right zoning by-law permissions, density permissions included in Secondary Plans, and approved developments that have not yet been built. Minimum population and employment targets are intended to apply across the entire delineated area for each P/MTSA. Population and employment targets are intended to be achieved through the build out of the area over time.

Chapter 8 states that sites designated *Mixed Use Areas* located between 200 to 500 metres of an existing or planned transit station and which can accommodate three or more towers will have zoning that permits building heights up to 20 storeys. Additional height is permitted if applicants submit a block context plan which demonstrates elements such as new public streets, new parks, publicly accessible open spaces, mid-block connections, public art, and a mix of building types and heights.

SASP 731 is available here: [Chapter Eight: Major Transit Station Areas And Protected Major Transit Station Areas](#)

City Planning is undertaking required zoning updates for PMTSA's and MTSA's and a report with recommendations will be brought to the Planning and Housing Committee when the work is finalized.

Secondary Plan

The site is also located within the Sheppard East Subway Corridor Secondary Plan (SESCSP), specifically the Don Mills Node, an area where existing *Mixed Use Area* blocks can accommodate existing and future employment and residential development opportunities. The subject site has a maximum permitted density of 1.5 times the area of the lot.

The Official Plan, including SESCSP, should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

The SESCSP is available here: [9 - Sheppard East Subway Corridor Secondary Plan](#)

Zoning

The subject site is zoned District Shopping Centre – C3(7) under the former City of North York Zoning By-law 7625. The C3 zone permits various commercial uses, including a regional shopping centre. Residential uses are not permitted. See Attachment 5 of this report for the existing Zoning By-law Map.

The site is not subject to city-wide Zoning By-law 569-2013 and under the proposed Zoning By-law Amendment, the subject site will be brought into Zoning By-law 569-2013.

Design Guidelines

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

- Tall Building Design Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings
- Toronto Accessibility Design Guidelines

Toronto Green Standard

The Toronto Green Standard (TGS) is a set of performance measures for green development. In place since 2010, the TGS has contributed to building resilient communities and advanced matters related to public health, safety, sustainability and energy efficiency. Development proposals address the updated Toronto Green Standard Tier 1 as part of the application materials. Development achieving higher levels of performance (Tier 2 and above) are eligible for a partial development charges refund. Information of the Toronto Green Standard may be found at <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

PUBLIC ENGAGEMENT

Community Consultation

On January 17, 2023, a community consultation meeting (CCM) took place. Approximately 84 members of the public registered and 51 attended the CCM. The local Councillor, Community Planning staff, and representatives from the applicant's team were also in attendance. Planning staff provided a presentation to the community on the site and area context, applicable policies and zoning, and the planning approval process. The applicant provided a presentation regarding the proposed OPA and ZBA.

Concerns the residents raised at the CCM were primarily related to:

- The future of the medical office buildings and its continued operation on the site;
- Questions over how the proposal will interface with the existing library buildings to the east;
- Questions on the difference between a public park and the enhanced landscape area;
- Questions on opportunities to improve existing bicycle infrastructure;
- Questions on shadow impacts on the surrounding area include public parks;
- Concerns over access to vehicle parking when visiting the medical office buildings;

- Concerns over the lack of upgrades to existing infrastructure with added density and buildings;
- Questions regarding the timeline for the application;
- Concern over increased density in the area leading to an increase in local traffic congestion and a lack of proposed parking spaces;
- Questions on affordability of proposed dwelling units and commercial space; and
- Concern over construction timelines.

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

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

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 Provincial Planning Statement (2024). The site is within the Don Mills Station MTSA, which has a minimum planned density of 250 people and jobs combined per hectare. The proposed development is transit-supportive and adds to the range of housing options in proximity to transit. It also retains important non-residential uses on-site. Staff find the proposal consistent with the PPS (2024).

Official Plan Policies and Design Guidelines

This application has been reviewed against the Official Plan policies, SASPs, Secondary Plan policies, planning studies, and design guidelines described in the Policy and Regulation Considerations Section of this Report.

Land Use

The subject site is designated *Mixed Use Areas* in the Official Plan, which supports a broad range of commercial, residential, and institutional uses in single-use or mixed-use buildings, as well as parks, open spaces, and essential utilities. These policies encourage a mix of uses, especially on sites near transit stations.

The proposed development includes the replacement of existing medical office space and new residential uses. Given the site's designation as *Mixed Use Areas*, and its

adjacency to the existing Don Mills Subway Station, the proposed uses are appropriate and align with the City's Official Plan.

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 Guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that 10% of the total residential units should be three-bedroom units and 15% should be two-bedroom units. This proposal would result in a unit mix that meets the intent of the Growing Up Guidelines. The proposal consists of approximately 73% one-bedroom units, 16% two-bedroom units, and 11% three-bedroom units.

Density, Height, Massing

Staff are satisfied that the built form of the proposed building conforms with the policies of the Official Plan and meets the intent of the applicable guidelines. The proposed buildings incorporate setbacks, stepbacks, and tower floorplates that respond appropriately to the public realm and the surrounding area.

The proposed towers have a height range between 33 and 45-storeys. Building A has an overall height of 33-storeys (123.75 metres to the top of the mechanical penthouse) and a base building height of 38.0 metres which includes the complete replacement of the existing medical office building. The tower portion of the building provides for a minimum 3.0 metre stepback on all sides. Building B has an overall height of 45-storeys (149.65 metres to the top of mechanical penthouse) and a base building height of 28.2 metres. Building B will be entirely residential and includes a 3.0 metre tower stepback along all sides. Building C has an overall height of 43-storeys (142.95 metres to the top of the mechanical penthouse) and a base building of 21.7 metres. Building C is also a residential building and includes a minimum 3.0 metre tower stepback along all sides except for the southeast corner which includes an angled pinch point with a stepback of 2.8 metres. Each proposed tower has a floor plate size consistent with the Tall Building Design Guidelines of 750 square metres and provides a minimum tower separation distance of 25 metres.

The proposed heights are consistent with the planned context including the recently approved masterplan concept for CF Fairview Mall which includes 14 new buildings with height ranges between 24 and 52-storeys. The west side of Don Mills Road has also been subject to redevelopment applications with approved heights of up to 33 storeys and proposed heights of up to 47-storeys. The proposed buildings also provide for a transition down in height northwards which is consistent with the policy direction in OPA 775 for the CF Fairview Mall masterplan concept.

The proposed base building heights establish a consistent and well-proportioned streetwall condition along both Don Mills Road and Fairview Mall Drive. The streetwall heights generally range from approximately 21.7 metres to 38.0 metres (approximately between 6 to 12 storeys), which is appropriate for an *Avenue* and *Mixed-Use* context.

These heights create a strong, continuous street edge that frames the public realm and is proportionate to the right-of-way widths, while maintaining a comfortable pedestrian scale. The setbacks above the base buildings clearly define the streetwall and ensure that the taller tower elements are recessed further from the street, thereby reducing perceived massing and shadow impacts at grade. Overall, the relationship between streetwall height, right-of-way width, and tower setbacks achieves an appropriate proportion and contributes to a coherent public realm.

The base building mass for all three towers also conform with Official Plan Policy 3.1.3.6 which requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. In consideration of the planned context, the base buildings respond to the existing context for new tall and mid-rise buildings within the area.

With respect to massing, the proposed towers are appropriate on the subject site and fit in the existing and planned context. The proposed towers all have maximum floor plate sizes of 750 square metres and tower setbacks from the base building of approximately 3.0 metres. The tower setbacks define the base building and tower and reduce the building mass on the street, to ensure a proper response to pedestrian scale.

The tops of the towers (mechanical penthouse level) include a wrapped mechanical penthouse. The building heights, towers and mechanical penthouse design are appropriate and conform with the Official Plan policies.

Public Realm

The Official Plan includes policies related to the public realm, which is comprised of all public and private spaces to which the public has access. The Official Plan policies direct development to be located and organized to fit with its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by generally locating buildings parallel to the street or along the edge of a park or open space with consistent front yard setbacks.

The proposed base buildings will be parallel to either Don Mills Road or Fairview Mall Drive. Building C will be setback further into the subject site but still maintains frontage on Fairview Mall Drive. All three towers will frame existing public streets in accordance with Policy 3.1.3.1 of the Official Plan. Building A will provide a minimum 5.0 metre setback from Fairview Mall Drive while Building B will be setback 7.0 metres from Don Mills Road. Building C will be setback behind Building A from Fairview Mall Drive but will still maintain visibility from the public street. These setbacks provide space for new tree plantings and landscaping on the site which would align with the context and the enhanced public realm moves in the Official Plan. As such, the setbacks and base building are appropriate and conform with the Official Plan policies.

Residential lobby access is proposed directly from the public sidewalk along both Fairview Mall Drive and Don Mills Road, providing opportunity for more active uses facing the street, as per Official Plan Policies 3.1.3.1c) and d). Residential lobby access for Building C will be provided internal to the site with visibility from Fairview Mall Drive. The applicant is proposing new tree plantings and landscaping that will be secured as part of the Site Plan Control application.

A enhanced landscape area of approximately 359 square metres is being proposed.

The area will contribute to enhancing the public realm by providing an additional space for the public to use and will also function as a pedestrian connection from the intersection of Don Mills Road and Fairview Mall Drive to CF Fairview Mall to the south and the Don Mills Subway Station entrance further south. Staff consider the proposed enhanced landscape area to be a positive element of the proposal. Staff will address and secure the area, including its final design, through the Site Plan Control approval process.

Shadow Impact

The Official Plan identifies that new development should adequately limit shadow impacts on properties in adjacent lower-scale neighbourhoods, particularly during the spring and fall equinoxes and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. The Official Plan also identifies that where development includes, or is adjacent to a park or open space, the building(s) should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight and daylight.

The proposed towers produce incremental shadows on Muirhead Park for one hour in the late afternoon in March. The proposed towers produce incremental shadows on Oriole Park for three hours in the morning in December. No net-new shadows are cast on adjacent low-rise neighbourhood areas. During March, September and June, the shadow produced from the towers fall mainly on the *Apartment Neighbourhoods* designated areas to the north but are fast moving and transitional. Overall, the proposed development's massing adequately limits shadow impact on the public realm and adjacent properties. The resulting shadows are appropriate in accordance with Official Plan policies.

Wind Impact

The Official Plan identifies that new development should limit and mitigate pedestrian level wind impacts. Wind conditions should be suitable for walking and standing, with higher standards applied to spaces designed for sitting, play structures and sports activities.

A Pedestrian Level Wind Study was submitted in support of the application, dated November 7, 2024 with an addendum dated September 29, 2025. The Wind Study found uncomfortable conditions around building entrances and along the site's internal courtyard predominately during Spring and Winter months. Uncomfortable wind conditions were also found at the amenity levels of the proposed towers during Spring,

Autumn and Winter months. The Wind Study addendum states that current proposed tower configuration is expected to be suitable for standing or better on a seasonal basis, which is acceptable. It goes on further to note that mitigation in the form of recessed entrances, flanking wind barriers, or overhead canopies, all remain applicable to reducing wind speeds around building entrances throughout the year. These conditions can be addressed through mitigation measures secured at the Site Plan Control application stage.

Servicing

The applicant has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. Development Review staff have reviewed the submitted materials and have identified outstanding items for review to determine if there is sufficient site servicing capacity. 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 Director, Engineering Review, Development Review. Staff are also recommending a Holding provision for outstanding comments from Solid Waste Management Services.

Traffic Impact

The applicant's transportation consultant, WSP, prepared a Transportation Impact Study report dated August 31, 2022, updated October 24, 2025, and April 17, 2026, to assess the impacts of site traffic on the adjacent road system given projected future traffic conditions. The consultant estimates that the proposed development will generate approximately 208 total new two-way vehicle trips (64 inbound and 144 outbound) during the weekday morning peak hour period and 324 total new vehicle two-way trips (198 inbound and 126 outbound) during the afternoon peak hour period.

Given the above-noted site traffic estimates, the consultant concludes that the traffic generated by the proposed development will have minimal to small impacts on the overall operation of the network signalized and unsignalized intersections.

Transportation Services accepts the conclusion of the reports; however, the applicant is still required to satisfy outstanding comments at the Site Plan Control stage.

Access, Vehicular and Bicycle Parking and Loading

Access to the subject site will be via private driveway from Fairview Mall Drive. An internal driveway system is proposed which will provide vehicular access to each proposed building, including the shared underground parking garage and separate loading spaces for each building.

The development proposal includes a total of 476 parking spaces, including 240 resident spaces, 210 office spaces, 11 retail spaces, and 15 visitor spaces, all of which are provided within a shared three-level parking garage. A total of 2 Type 'G', 2 Type 'B' and 3 Type 'C' loading spaces are provided. A total of 978 bicycle parking spaces are provided which includes 886 long-term spaces and 92 short-term spaces.

Parkland

In accordance with Section 42 of the *Planning Act*, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

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 proposal currently shows the removal of 20 trees and preservation of 12 existing trees. The applicant will be required to submit a tree planting security to ensure the planting and survival of new City-owned street trees. Private tree planting is detailed in the current Landscape Plans and will be secured through the Site Plan Control application.

Holding Provision

This Report recommends the adoption of a Zoning By-law 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 Holding symbol may be removed once:

- (1) confirmation is provided to Solid Waste Management Services that each proposed building can be appropriately served by waste collection facilities and services to the satisfaction of the Director, Engineering Review, Development Review;
- (2) 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, storm sewer system, and watermain system and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and
- (3) if the Functional Servicing and Stormwater Management Report accepted and satisfactory from (1) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - i) the owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or
 - ii) 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 Director, Engineering Review, Development Review; or
- iii) 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 Director, Engineering Review, Development Review.

The Holding (H) Symbol must be removed in order to proceed with the development of the site. 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.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The applicant will be providing a Community Benefits Charge (CBC) cash contribution at time of building permit issuance.

Conclusion

The draft OPA attached to this report has been reviewed against the policies of the Provincial Planning Statement (2024) and the Official Plan. Staff are of the opinion that the draft OPA is consistent with the PPS (2024) and the Official Plan. Furthermore, the proposed Zoning By-law Amendment conforms to the Official Plan, particularly as it relates to housing, parks and open spaces, the public realm and built form. The proposed OPA and ZBA provide for a multi-phased comprehensive redevelopment of a large site to create a complete community.

Staff recommend that Council approve the Official Plan Amendment and Zoning By-law Amendment application.

CONTACT

Michelle Charkow, Senior Planner, MCIP, RPP
Tel. No. 416-338-7542
E-mail: Michelle.Charkow@toronto.ca

SIGNATURE

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

ATTACHMENTS

City of Toronto Information/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Secondary Plan Map
- Attachment 5: Existing Zoning By-law Map
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment

Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 5 FAIRVIEW MALL DR Date Received: September 13, 2022

Application Number: 22 203142 NNY 17 OZ

Application Type: OPA & Rezoning

Project Description: Proposed three towers with heights of 33, 43 and 45-storeys. The proposed development will replace the existing 4-storey medical office building on the site, with approximately 8,000 square metres of gross floor area. The proposal would have a total of 9,182 square metres of new non-residential gross floor area (inclusive of the 8,000 square metres of existing office space), 81,654 square metres of residential space with 1,302 residential units, and an overall density of floor space index (FSI) 9.32. A total of 476 parking spaces are proposed located within an underground garage.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC			HEALTHCARE PROPERTIES HOLDINGS

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	C3	Heritage Designation:	N
Height Limit (m):		Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	9,760	Frontage (m):	97	Depth (m):	103
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,052	0	3,217	3,217
Residential GFA (sq m):			81,659	81,659
Non-Residential GFA (sq m):	8,000	0	9,182	9,182
Total GFA (sq m):	8,000	0	90,841	90,841
Height - Storeys:	4	4	47	47
Height - Metres:	16	16	122	122

Lot Coverage Ratio (%): 32.96 Floor Space Index: 9.31

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	80,752	907
Retail GFA:	312	0
Office GFA:	8,658	212
Industrial GFA:	0	0
Institutional/Other GFA:	0	0

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,302	1,302
Other:				
Total Units:			1,302	1,302

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		0	956	208	138
Total Units:		0	956	208	138

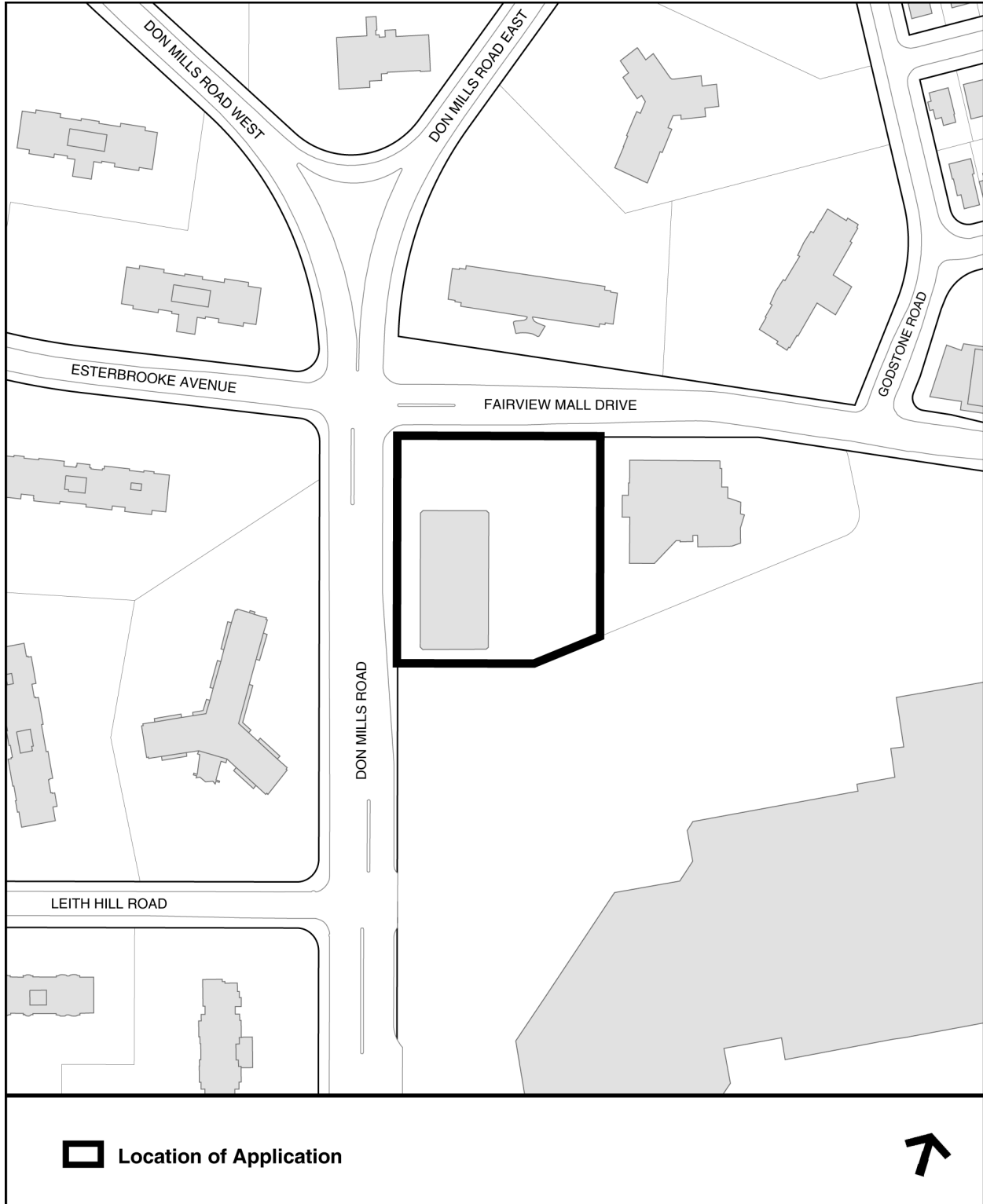
Parking and Loading

Parking Spaces: 476 Bicycle Parking Spaces: 1,003 Loading Docks: 7

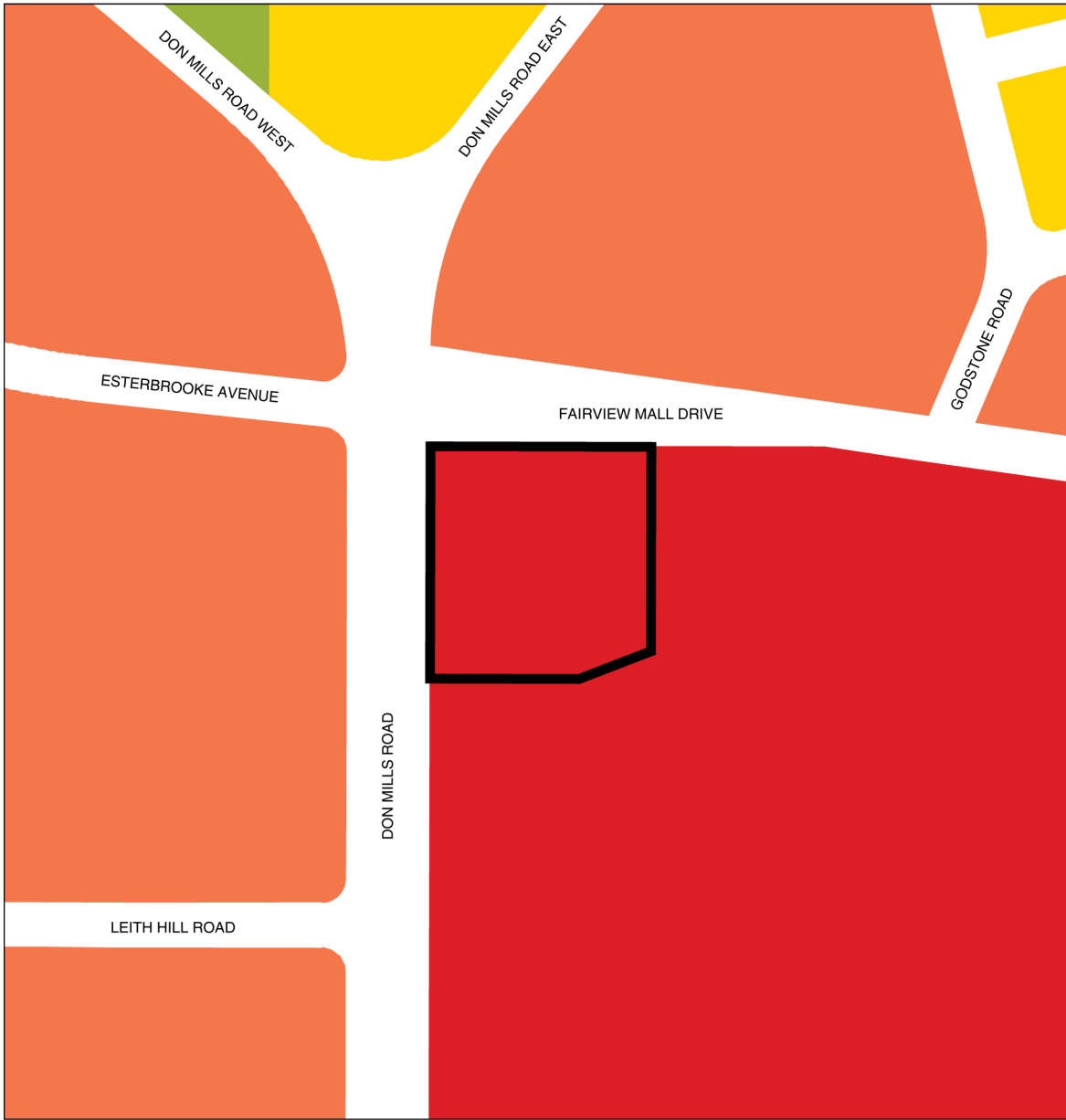
CONTACT:

Michelle Charkow, Senior Planner
 416-338-7542
 Michelle.Charkow@toronto.ca

Attachment 2: Location Map




Attachment 3: Official Plan Land Use Map



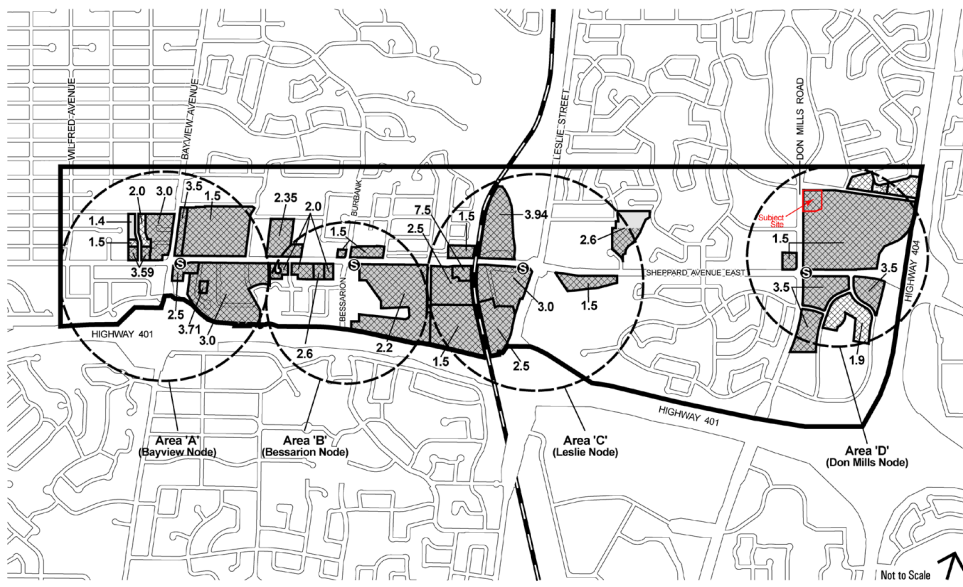
Official Plan Land Use Map #19

5 Fairview Mall Drive
File # 22 203142 NNY 17 0Z

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


 Not to Scale
 Extracted: 09/19/2022

Attachment 4: Secondary Plan Map - Key Development Areas



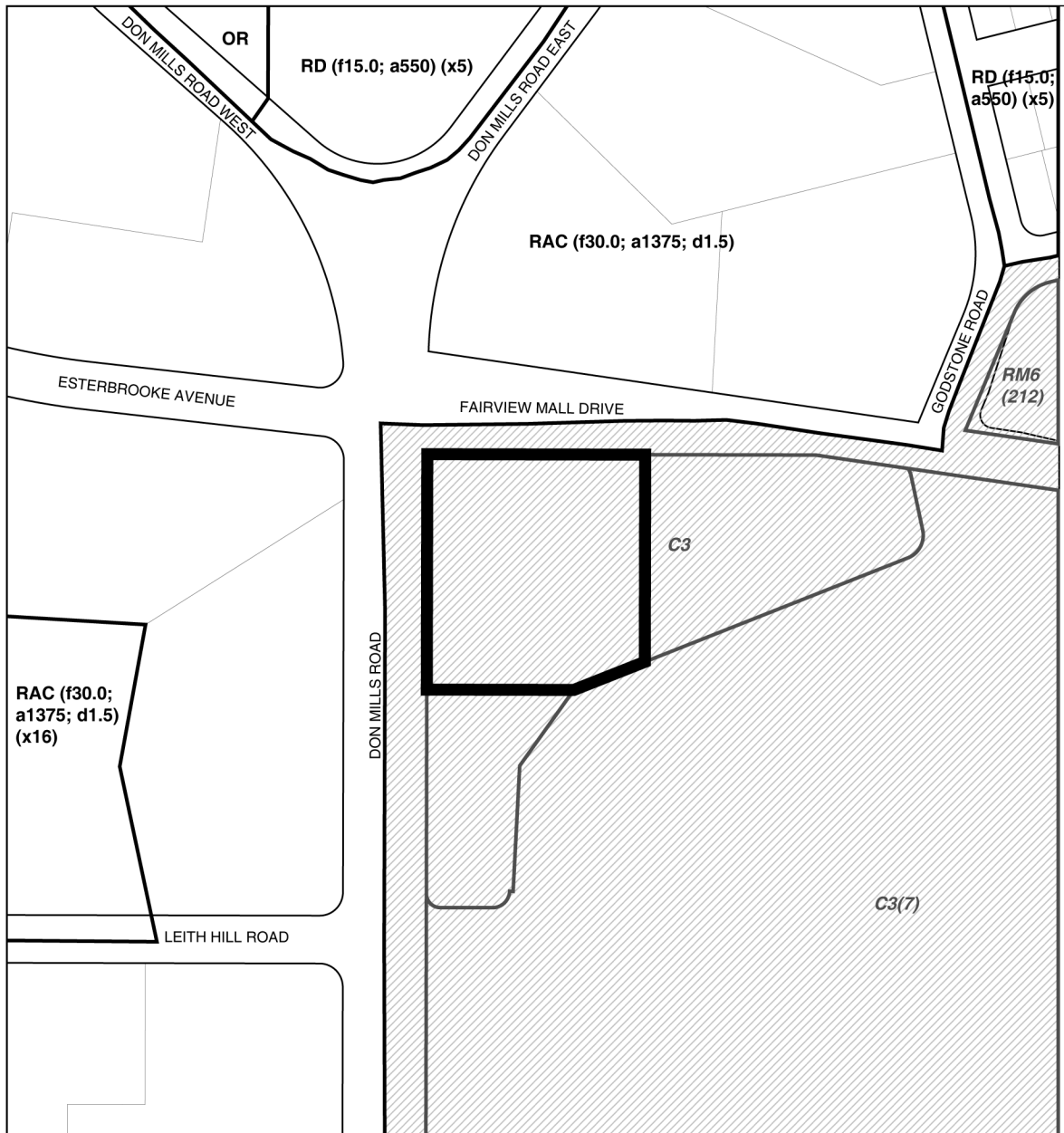
Sheppard East Subway Corridor Secondary Plan

MAP 9-2 Key Development Areas

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

November 2015

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

5 Fairview Mall Drive

File # 22 203142 NNY 17 0Z

- Location of Application
- RD** Residential Detached
- RAC** Residential Apartment Commercial
- OR** Open Space Recreation

- See Former City of North York By-law No. 7625
- R4** One-Family Detached Dwelling Fourth Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- C3** District Shopping Centre Zone

Not to Scale
 Extracted: 09/19/2022

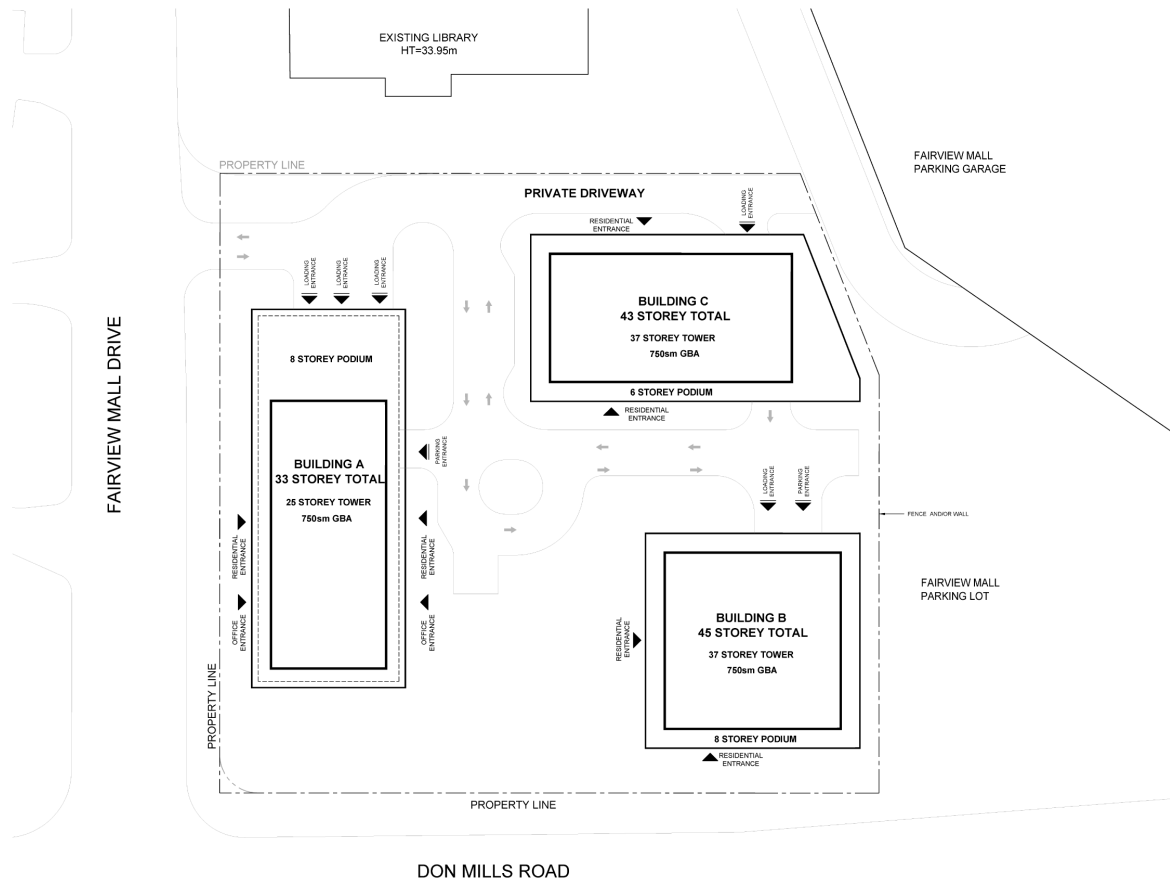
Attachment 6: Draft Official Plan Amendment

Under separate cover (PDF)

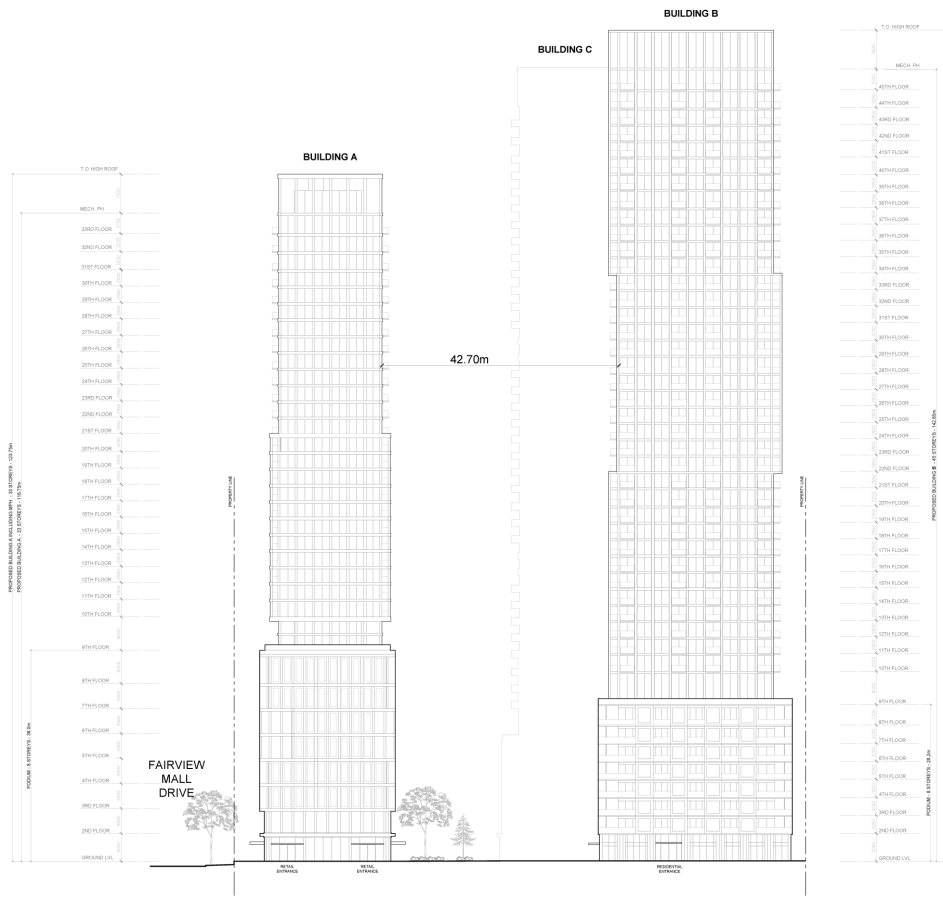
Attachment 7: Draft Zoning By-law Amendment

Under separate cover (PDF)

Attachment 8: Site Plan



Site Plan ↗



West Elevation



East Elevation