



2022 Development Approval

Toronto & East York
 Toronto City Hall
 100 Queen Street West
 Toronto, ON M5H 2N2
 416-397-5330

North York
 North York Civic Centre
 5100 Yonge Street
 Toronto, ON M2N 5B7
 416-397-5330

Scarborough
 Scarborough Civic Centre
 150 Borough Drive
 Toronto, ON M1P 4N7
 416-397-5330

Etobicoke York
 2 Civic Centre Court
 Toronto, ON M9C 5A3
 416-397-5330

Application(s) for: (please check all applicable boxes)

Official Plan Amendment
 Zoning By-law Amendment
 Site Plan Control
 Part Lot Control
 Draft Plan of Subdivision
 Draft Plan of Condominium

Public Record Notice: The information collected on this form is considered to be a public record as defined by section 27 of the Municipal Freedom of Information and Protection of Privacy Act.

Acknowledgement of Public Information: The applicant grants the City permission to reproduce, in whole or in part, any document submitted as part of a complete application for internal use, inclusion in staff reports or distribution to the public either online or through other means for the purpose of application review. The applicant agrees to provide a reasonable number of copies of any such document, or parts thereof, in paper and/or electronic form, to the City for internal use and distribution to the public either online or through other means for the purposes of application review.

If the applicant believes there may be a security risk by allowing the public access to any portion of these documents, you must indicate the portion of the documents to which you believe this concern applies, along with supporting documentation outlining the reasons for your concern along with the document submitted as part of the application. The Chief Planner, or delegate, will consider but will not be bound to agree with such submissions prior to reproduction, in whole or in part, any identified portions for internal use, inclusion in staff reports or public distribution to the application review.

Address of Subject Lands (Street Number/Name): 1800 Sheppard Avenue East		
Describe location (closest major intersection, what side of the street is the land located): Sheppard Avenue East at Don Mills Road, North-East corner		
Legal Description: See Attachment 1		
Registered Owner(s) of subject land (as it appears on Deed/Transfer): FVM Property Inc. and CF/Realty Holdings Inc.		Business E-mail: josh.thomson@cadillacfairview.com
Business Address: 20 Queen Street West, 5th Floor	City: Toronto	Postal Code: M5H 3R4
Business Telephone (area code + number): 416-598-8473	Business Fax (area code + number):	
Applicant name (in full): The Cadillac Fairview Corporation Limited	Business E-mail: aaron.cameron@cadillacfairview.com	
Applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Lawyer <input type="checkbox"/> Architect <input type="checkbox"/> Planner <input type="checkbox"/> Contractor <input checked="" type="checkbox"/> Other:		
Business Address: 20 Queen Street West, 5th Floor	City: Toronto	Postal Code: M5H 3R4
Business Telephone (area code + number): 416-566-9200	Business Fax (area code + number):	

This section for Office Use Only

File No(s): _____ Date Received: _____
 _____ Ward: _____
 Staff Contact: _____ Phone Number: _____

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Proposal Details

The following information is required to expedite the evaluation of a Complete Application by the City.

<p>1. Have the subject lands ever been the subject of an application under the Planning Act for approval of a Draft Plan of Subdivision, Draft Plan of Condominium, Consent, Zoning By-law Amendment, Official Plan Amendment, Minor Variance, or Site Plan Control application(s)?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p>
<p>2. Have the subject lands ever been within 120m or less of lands that were the subject of an application under the Planning Act for approval of a Draft Plan of Subdivision, Draft Plan of Condominium, Consent, Zoning By-law Amendment, Official Plan Amendment, Minor Variance, or Site Plan Control application(s)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>If Yes for 1.or 2. please provide the file numbers(s) and status of the application(s). For Official Plan Amendments, also provide the purpose and effect of the OPA and the address of affected lands.</p> <p>See Attachment 2</p>
<p>If known, are the subject lands within an area of archaeological potential? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p>
<p>Are the subject lands designated under the Ontario Heritage Act? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If known, are there any easements or restrictive covenants affecting the subject lands?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown</p> <p>If Yes, please provide the instrument number(s), and description of each easement and/or covenant and its effect.</p> <p>See Attachment 1</p>
<p>Does the proposal remove lands from Employment areas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p>
<p>Do the subject lands contain six (6) or more dwelling units? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, are any of the dwelling units residential rental units? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Number of rental units _____</p> <p>If the answer to both questions above is Yes, a <u>Rental Housing Demolition and Conversion Declaration of Use and Screening Form</u> is required to be submitted to the District Planning Consultant, Customer Service to determine if the proposal requires a <u>Rental Housing Demolition and Conversion Application</u>.</p> <p>Please note that the Rental Housing Demolition and Conversion Application, when required, must be submitted as a companion application with the City Planning Development Approval, Committee of Adjustment or Building Permit Application.</p>
<p>The application(s) for Official Plan Amendment / Zoning By-law Amendment / Draft Plan of Subdivision / Draft Plan of Condominium is/are consistent with the Provincial Policy Statement (2020). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>The application(s) for Official Plan Amendment / Zoning By-law Amendment / Draft Plan of Subdivision / Draft Plan of Condominium [Common Elements or Vacant Land] conform(s) with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and/or the Greenbelt Plan (2017). <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

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Declaration of Land Owner(s)

I/We FVM Property Inc. and CF/Realty Holdings Inc. do solemnly declare that:

Check or complete either one of the following options:

1. As of the date of this application, I am the registered owner of all of the lands described in the application

Name of land owner FVM Property Inc. and CF/Realty Holdings Inc. Signature [Signature] Date 4/6/2022

Address of land owner 20 Queen Street West, Toronto, Ontario

2. As of the date of this application, I am NOT the registered owner of all of the lands described in the application. I confirm that all owners of the lands described in the application (enumerated in the attached list) have been notified of the application being made on their properties. I include the permissions of those land owners whose signatures are affixed immediately below and, in respect of any lands that may be owned by the City of Toronto, I attach a letter of consent from the City of Toronto, in its capacity as land owner, to include its lands in this application:

Name of land owner _____ Signature _____

Address of land owner _____ Date _____

Name of land owner _____ Signature _____

Address of land owner _____ Date _____

Please Note: If more space is needed for additional land owners, please attach a separate sheet. A comprehensive list identifying each property included in the lands described in the application must also be attached, together with the name and address of the property owner notified and an indication as to whether or not the owner has furnished permission for the application. Those owners indicated on the list as having furnished permission, must also have their signatures affixed above.

If the application includes any land that may be owned by the City of Toronto, a letter of consent from the City of Toronto, in its capacity as land owner, must be requested from the City of Toronto's Director of Real Estate Services, Contact: Manager of Program & Policy Management. If the City of Toronto grants its consent, the letter of consent from the City of Toronto must be submitted with the application.

Authorization of Agent

I/We FVM Property Inc. and CF/Realty Holdings Inc. authorize The Cadillac Fairview Corporation Limited

to act as an agent and sign the application form to the City of Toronto on my/our behalf for the lands known as:

1800 Sheppard Avenue East

Name of land owner FVM Property Inc. Signature [Signature] Date 07/072022

Name of land owner CF/Realty Holdings Inc. Signature [Signature] Date 4/6/2022

Signature of signing Officer(s) of Corporation _____ Corporate Seals, if applicable

Signature of signing Officer(s) of Corporation _____

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Declaration of Applicant

I The Cadillac Fairview Corporation Limited, do solemnly declare that
(please print)

1. I have examined the contents of the application, certify that the information submitted with it is accurate and concur with the submission of the application.
2. Enclosed is the required fee, which I certify is accurate, and the prescribed information and supporting documentation required for each application. I agree to pay any further costs which may be determined as these applications are reviewed.

Name of applicant The Cadillac Fairview Corporation Limited

Applicant's Signature  Sal Iacono (please print) Date 4/6/2022 | 3:42 PM EDT

Signature of owner/agent  Sal Iacono (please print) Date 4/6/2022 | 3:42 PM EDT

2022 Development Approval**Fee Schedules****Fee Calculation - Effective January 1, 2022****Complete and attach all schedules that apply to your application submission.**

Schedule 1 - Official Plan Amendment	Enter amount from line 101 on Schedule 1	\$ _____	1
Schedule 2 - Zoning By-law Amendment	Enter amount from line 227 on Schedule 2	\$ _____	2
Schedule 3 - Combined Application-Official Plan & Zoning By-law Amendment	Enter amount from line 326 on Schedule 3	911,448.13	3
Schedule 4 - Site Plan Control	Enter amount from line 436 on Schedule 4	\$ _____	4
Schedule 5 - Draft plan of Condominium	Enter amount from line 509 on Schedule 5	\$ _____	5
Schedule 6 - Draft plan of Subdivision	Enter amount from line 605 on Schedule 6	\$ _____	6
Schedule 7 - Part Lot Control Exemption	Enter amount from line 705 on Schedule 7	\$ _____	7
Total		\$ 911,448.13	

SURCHARGES THAT MAY APPLY (LEVIED AT THE TIME OF THE NOTICE)

- Notification of Complete Application (OPA, ZBA, SUB, CDM [common elements and vacant land only])
- Notice of Public Meeting (OPA, ZBA, SUB, CDM [common elements and vacant land only])
- Notice of Adoption/Refusal (OPA, ZBA only)

A surcharge to cover facility rental, translation, sign language services, and direct costs associated with expanded notification to process planning applications may also apply (levied at the time of the meeting)

- There may also be additional financial requirements arising from the application to be paid by the proponent including, but not limited to, park dedication or cash-in-lieu, peer review of technical reports, agreements and associated fees and applicable securities.

As set out in Chapter 441-4 of the City of Toronto Municipal Code, fees are adjusted every January 1st to reflect the inflation rate of the previous October Consumer Price Index increase for the past year.

Planning Application fees may be paid by: Debit Card, Certified Cheque, Money Order, Cash, MasterCard, Amex or Visa as follows:

- Payment by credit card is limited to a maximum of \$20,000.00. Any balance of payment may be paid by cash, cheque, debit card
- Personal or company cheques less than \$2,000.00 must be certified
- All cheques are to be made payable to "The Treasurer – City of Toronto"

Credit Card payments are accepted at most locations.

ATTACHMENT 1

1800 Sheppard Avenue East

LEGAL DESCRIPTION AND ENCUMBRANCE LIST

Address: 1800 Sheppard Avenue East, North York, Ontario, M2J 5A7

Legal Owner:

FVM PROPERTY INC.
CF/REALTY HOLDINGS INC.

Legal Description:

PIN 10048-0083 (LT)

FIRSTLY: PART OF LOTS 16 AND 17 CON 3 EYS, DESIGNATED AS PART 4 ON PLAN R3563, SAVE AND EXCEPT PART OF LOTS 16 AND 17 CON 3 EYS, DESIGNATED AS PARTS 5, 6 AND 7 ON PLAN 66R13970; SECONDLY: PART OF LOT 1 EXPROPRIATION PLAN MX-41 DESIGNATED AS PARTS 2 AND 3 ON PLAN 66R13970; BA 2408 REGISTERED AS D948 CONFIRMS PART OF THE BOUNDARIES OD THIS LAND SEE C522526. S/T EASEMENTS IN FAVOUR OF THE CITY OF TORONTO AS IN E177688. S/T EASEMENTS IN FAVOUR OF THE CITY OF TORONTO AS IN E177735. BA658 REGISTERED AS D293 CONFIRMS PART OF THE BOUNDARIES OF THIS LAND SEE A501297. S/T EASEMENTS IN FAVOUR OF THE CITY OF TORONTO AS IN E177751. SAVE AND EXCEPT PART OF LOT 16 CON 3 EYS DESIGNATED AS PARTS 1, 2, 3, 4, 6, 8, 14, 16, 17, 20, 23, 24, 27, 28, 34, 35, 50 AND 66 ON PLAN 66R17954; SUBJECT TO AN EASEMENT OVER PART 1 ON PLAN 66R6460 IN FAVOUR OF HYDRO ELECTRIC COMMISSION OF THE CITY OF NORTH YORK AS IN A462352; SUBJECT TO AN EASEMENT OVER PART 4 ON PLAN 66R13970 IN FAVOUR OF HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS IN C267776; SUBJECT TO AN EASEMENT OVER PART 3 ON PLAN 66R13970 IN FAVOUR OF HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS IN C328708; TOGETHER WITH AN EASEMENT AS IN E177688; SUBJECT TO AN EASEMENT IN GROSS OVER PART LOT 16 CONCESSION 3 EYS PART 1 PLAN 66R30026 AS IN AT5018223; CITY OF TORONTO

Encumbrance List:

1. Instrument No. B191523 registered November 29, 1966 is Notice of Interim Payment Agreement dated September 14, 1966, made between Cemp North Shopping Plaza Limited ("Cemp"), and The Municipality of Metropolitan Toronto ("Metro Toronto"), relating to Part Lot 1 on Plan MX- 41.
2. Instrument No. A215164 registered May 5, 1967 is a Notice of Release dated January 16, 1967, made between Cemp and Metro Toronto, being relating to Part Lot 1 on Plan MX-41.
3. Instrument No. A247514 registered August 12, 1968 is a notice of development agreement dated July 24, 1968 (the "Development Agreement"), made between Fairview Centres Limited ("Fairview") and The Corporation of the Borough of North York (the "Borough"), to develop Part 4 of the said lands as a Shopping Centre.

The shopping centre was to be developed in accordance with a site plan #7630 D-1 prepared by Bregman and Hamann as approved by the Planning Board for the Borough on May 29, 1968. The shopping centre had an area of 580,000 square feet of gross rentable floor area, and was required to provide one car parking space for each 176 square feet of the gross rentable floor area, being approximately 3,300 car parking spaces.

Fairview was obligated to convey certain lands for the purpose of a public road allowance to be known as Fairview Mall Drive, and to construct a road thereon.

Fairview was also obligated to provide an adequate enclosed trash room, arrange landscaping, and construct and install all services identified therein, including sidewalks across the full frontage of Don Mills Road, Sheppard Avenue East, and Fairview Mall Drive. Fairview was also required to provide financial guarantees, paid amounts related to development charges and sewage impost charges, and reimburse the Borough for the installation of streetlights.

This Agreement was amended under Instrument No. C242178, as described below. This agreement is out of date, however, will remain on title indefinitely as the City of Toronto no longer responds to inquiries regarding agreements registered on title. If Fairview conveyed or disposed of Parts 1, 2, 3, or 4 on Plan R-3563 or any part thereof, it was obligated to obtain an agreement which will bind the successor in title to the terms of this Agreement.

4. Instrument No. A294796 registered June 24, 1970 is a Notice of Lease dated May 13, 1970, made between Woodbine-Sheppard Shopping Centre Limited and The Toronto-Dominion Bank.
5. Instrument No. A304350 registered November 2, 1970 is a Notice of Lease dated September 1, 1970, made between Woodbine-Sheppard Shopping Centre Limited and Rapanos Brothers Limited.
6. Instrument No. B274690 registered November 26, 1970 is a Notice of Charge of Lease dated August 21, 1970, made between Rapanos Brothers Limited and Industrial Development Bank in the amount of \$124,000.
7. Instrument No. A310936 registered February 24, 1971 is a Notice of Lease dated August 5, 1970 (the "Bay Lease"), made between Woodbine-Sheppard Shopping Centre Limited and The Governor and Company of Adventure of England trading into Hudson's Bay (the "Bay"), attaching the consent of the Committee of Adjustment to the long-term lease and automotive service centre.
8. Instrument No. A311002 registered February 24, 1971 is a Notice of Subordination Agreement dated August 5, 1970 (the "Subordination Agreement"), made between The Fairview Corporation Limited ("Fairview Corporation"), Woodbine-Sheppard Shopping Centre Limited ("Woodbine"), Simpsons, Limited ("Simpsons") and the Bay whereby the interest of Fairview Corporation, as Ground Lessor under the Ground Lease between Fairview Corporation and Woodbine (which Ground Lease was registered as Instrument No. A24677, which is no longer registered on title) is subordinated to the interest of Simpsons and Bay under their respective leases. Fairview agreed that Parts 1 and 2 on Plan R-4843 are restricted as to certain uses which Fairview Corporation might otherwise make of the said parcels.

9. Instrument No. A368844 registered October 3, 1972 is a Notice of Lease dated August 5, 1970, made between Woodbine-Sheppard Shopping Centre Limited and NGC Cinemas Ltd. (Cineplex Odeon Corporation) (the "Cineplex Lease") attaching the consent of the Committee of Adjustment to the long-term lease.
10. Instrument No. A419488 registered February 15, 1974 is a Notice of Lease dated January 4, 1974, made between Woodbine-Sheppard Shopping Centre Limited and Coles Book Stores Limited.
11. Instrument No. A462352 registered November 13, 1974, is a transfer of easement to the Hydro-Electric Commission of The Borough of North York for electrical plant, cable(s) and other equipment for the distribution of energy, over Part 1 on Plan 66R-6460 and for the distribution and supply of electrical power and energy over an area of 8.281 acres (the "Hydro Easement"). A copy of highlighted Plan 66R-6460 is enclosed depicting the location of the Hydro Easement.
12. Instrument No. C57372 registered May 13, 1983 is a Notice of Lease dated February 10, 1982, made between Woodbine-Sheppard Shopping Centre Limited and Suzy Shier (Canada) Limited.
13. Instrument No. C162104 registered September 6, 1984 is an Application (General) dated July 16, 1984, being an application to amend the Cineplex Lease to substitute the name of the tenant with its present name, Canadian Odeon Theatres Ltd., which application also attaches an amalgamation agreement regarding the formation of corporation named Canadian Theaters Group Limited.
14. Instrument No. C242178 registered October 30, 1985 is a Notice of Agreement dated September 13, 1985, made between The Cadillac Fairview Corporation Limited and The Corporation of the City of North York, relating to a partial release of the Development Agreement as it relates to lands conveyed to the Ministry of Transportation, being Parts 5, 6, and 7 on Reference Plan 66R-13970 (the "MTO Lands").
15. Instrument No. C261486 registered January 27, 1986 is an Application (General) dated January 23, 1964, being an application to amend the Cineplex Lease, to substitute the name of the tenant with its present name, Cineplex Odeon Limited which application also attaches an amalgamation agreement regarding the formation of corporation named Canadian Theaters Group Limited.
16. Instrument No. C267776 registered February 26, 1986, is a transfer of easement to Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation and Communications for the Province of Ontario, for the purpose of constructing and maintaining a fill slope over Part 4 on Plan 66R-13970 (the "Slope Easement"). A copy of highlighted Plan 66R-13970 is enclosed depicting the location of the Slope Easement.
17. Instrument No. C312650 registered August 28, 1986 is a partial surrender agreement dated February 12, 1986, in respect of the Bay Lease over the MTO Lands (the "Bay Lease Amendment").
18. Instrument No. C312652 registered August 28, 1986 is a partial surrender agreement dated February 12, 1986, in respect of the Cineplex Lease over the MTO Lands.
19. Instrument No. C328708 registered October 24, 1986 is a Transfer reserving an easement in perpetuity in favour of Her Majesty the Queen, in right of the Province of Ontario represented by the Minister of Transportation and Communications for the Province of Ontario, as Transferor, to enter at any time, with all necessary vehicles,

machinery and equipment for the purpose of accommodating a fill slope over Part 3 on Plan 66R-13970 (the "Fill Slope Easement"). The Transferor is required to keep the easement lands fully fenced and maintained in a neat, clean and orderly fashion and is required to comply with the requirements of the Transferee's insurers. A copy of highlighted Plan 66R-13970 is enclosed depicting the location of the Fill Slope Easement.

20. Instrument No. C567195 registered May 19, 1989 is a Notice of Security Agreement dated May 18, 1989, between Rizzo & Rizzo Shoes Limited, as assignee of The Shoe Shoppe Limited, as debtor, and Dylex Limited, as secured party.
21. Instrument No. C598822 registered September 26, 1989 is a Notice of Security Agreement dated in September, 1989, made between 844287 Ontario Limited (o/a London Style Fish & Chips), as debtor, and Canadian Imperial Bank of Commerce, as secured party.
22. Instrument No. C628361 registered February 8, 1990 is a Notice of Lease dated September 14, 1988, made between Fairmall Leaseholds Inc. and McDonald's Restaurants of Canada Limited.
23. Instrument No. C649205 registered May 24, 1990 is a Notice of Lease dated January 10, 1985, made between Fairmall Leasehold Inc. and Sports Experts Inc. (formerly Collegiate/Arlington Sports Inc.).
24. Instrument No. C692674 registered January 29, 1991 is a Notice of Lease dated January 27, 1989, made between Fairmall Leaseholds Inc. and The Bell Telephone Company of Canada.
25. Instrument No. C760618 registered February 19, 1992 is a Notice of Lease dated September 21, 1987, made between Fairmall Leaseholds Inc. and Peoples Jewellers Limited.
26. Instrument No. C958106 registered July 27, 1995 is a Transfer dated July 20, 1995, from The Cadillac Fairview Corporation Limited and CF/Realty Holdings Inc. for no consideration as the transfer was from beneficial owner to trustee for the same beneficial owner.
27. Instrument No. E177683 registered June 26, 1998 is an Application (General) regarding a release dated June 24, 1998 (the "Simpson Release"), by Snospmis Limited (formerly Simpson Limited) of a Subordination Agreement, which is an agreement no longer registered on title (the "Simpson Agreement").
28. Instrument No. E177688 registered on June 26, 1998, is a transfer of easement to the City, as follows:
 - a. The Passenger Pick-Up and Drop-Off Facility Easement over Parts 40 and 47 on Plan 66R-17954 (the "PPUDO Easement");
 - b. The Transit Easement over Parts 32, 41, 43, 44, 45, 69 and 70 on Plan 66R-17954 for purposes of ingress and egress to and from the Bus Station o and from public highways, for public transit purposes and construction and maintenance of the Transitway (the "Transit Easement");
 - c. The Access Easement over Parts 18, 22, 33, 42, 43, 44, 46, 63, 64, 67 and 70 on Plan 66R-17954 for pedestrian and vehicular access(the "Access Easement");

- d. The Ventilation Easement over Parts 9, 19 and 21 on Plan 66R-17954 for purposes of construction and maintenance of the ventilation and exhaust system appurtenant to the Bus Station (the "Vent Easement");
- e. The Support Easement over Parts 1, 2, 3, 4, 6, 8, 14, 16, 17, 20, 23, 24, 27, 28, 34, 35, 50 and 66 on Plan 66R-17954 for purposes of support of the parking facility and for purpose of maintenance of the same (the "Support Easement");
- f. The Sewer Easement over Part 7 on Plan 66R-17954 (the "Sewer Easement"); and
- g. The Ancillary Easements over Parts 5, 7, 9, 10, 11, 12, 13, 15, 18, 19, 21, 2, 25, 26, 29, 30, 31, 32, 33, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 51, 62, 63, 64, 65, 67, 68, 69 and 70 on Plan 66R-17954 for purposes of the installation of fixtures and equipment on Past 17 and 50, and for the exercise of the within easements (the "Ancillary Easements").

(collectively, the "City Easement")

This instrument also reserves easements in favour of the Owner, as follows:

- a. The Owner's Sewer Easement over Part 8 on Plan 66R-17954 (the "Owner's Sewer Easement");
- b. The Owner's Ancillary Easement over Parts 1, 2, 3, 4, 6, 8, 14, 16, 17, 20, 23, 24, 27, 28, 34, 35, 50 and 66 on Plan 66R-17954 for purpose of access and maintenance of the Planters and the buildings, structures and fixtures forming part of the Parking Facility or any other buildings, structures and fixtures located on the Property from time to time, the Access Easements and the Owner's Equipment and for the exercise of the within easements (the "Owner's Ancillary Easement")

This instrument relates to the MEMO Agreement, as defined below. We have previously provided memorandums in respect of the same, and enclose copies for your ease of reference.

- 29. Instrument No. E177699 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest under the Simpson Agreement and the Simpson Release in favour of the City Easement.
- 30. Instrument No. E177707 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest under the Bay Lease and the Bay Lease Amendment in favour of the City Easement.
- 31. Instrument No. E177711 registered June 26, 1998 is a Notice Mutual Easement and Maintenance Obligation Agreement dated June 25, 1998, made among CF/Realty Holdings Inc. and Cambridge Shopping Centres Limited, as Owners, City of Toronto, as municipality, and Toronto Transit Commission (the "MEMO Agreement"). A detailed summary of the MEMO Agreement is enclosed.
- 32. Instrument No. E177714 registered June 26, 1998 is a Postponement of Agreement dated June 25, 1998, by the Bay, postponing its interest under Subordination Agreement, and the Simpson Amendment in favour of the MEMO Agreement.
- 33. Instrument No. E177722 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest in the Bay Lease, the Bay Lease

Amendment, Instrument No. E177709, which is no longer registered on title, to the MEMO Agreement.

34. Instrument No. E177724 registered June 26, 1998 is a Notice of Application to Register a Notice of Sublease, being a Commuter Parking Lease dated June 25, 1998 (the "Commuter Parking Lease"), made between CF/Realty Holdings Inc., Cambridge Shopping Centres Limited, Fairmall Leaseholds Inc., and City of Toronto and Toronto Transit Commission Instrument.
35. Instrument No. E177726 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest in the Subordination Agreement, and the Simpson Release, in favour of the Commuter Parking Agreement.
36. Instrument No. E177734 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest in the Bay Lease, the Bay Lease Amendment, and Instrument No. E177709, which is no longer registered on title, to the Commuter Parking Lease.
37. Instrument No. E177735 registered June 26, 1998 is a Transfer of Easement dated June 17, 1998, for easements related to the Commuter Parking Lease in favour of City of Toronto. We have previously provided a memorandum in respect of the same, and we enclose a copy for your ease of reference.
38. Instrument No. E177738 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest in the Subordination Agreement and the Simpson Release, to the Commuter Parking Easement.
39. Instrument No. E177746 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest in the Bay Lease, the Bay Lease Amendment, Instrument No. E177709, which is no longer registered on title, to the Commuter Parking Easement.
40. Instrument No. E177747 registered June 26, 1998 is a Notice of Non-Disturbance Agreement dated June 25, 1998 (the "Commuter NDA"), made between CF/Realty Holdings Inc. and City of Toronto and Toronto Transit Commission relating to the Commuter Parking Lease.
41. Instrument No. E177750 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest in the Subordination Agreement and the Simpson Release, to the Commuter NDA.
42. Instrument No. E177751 registered June 26, 1998 is a Transfer of Temporary Easement from CF/Realty Holdings Inc. and Cambridge Shopping Centres Limited, as transferor, and City of Toronto, as transferee, dated June 26, 1998 relating to work in connection with *inter alia*, the Bus Station, Planters, Vents, MEB, PPUDO, AFE, PSS and Parking Facility, all as defined therein, which expired on October 31, 2001.
43. Instrument No. E177754 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest in the Subordination Agreement, and the Simpson Release, to the Temporary Easement.
44. Instrument No. E177762 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest in the Bay Lease, the Bay Lease Amendment, and Instrument E177709, which is no longer registered on title, to the Temporary Easement.

45. Instrument No. E177763 registered June 26, 1998 is a Transfer of Easement dated June 17, 1998 (the "Temporary Easement"), being a temporary easement in favour City of Toronto which relates to the construction of the Parking Facility, which has expired in accordance with its terms.
46. Instrument No. E177766 registered June 26, 1998 is a Postponement of Agreement dated June 23, 1998, by the Bay, postponing its interest in the Subordination Agreement, and the Simpson Release, to the Second Temporary Easement.
47. Instrument No. E177774 registered June 26, 1998 is a Postponement of Lease dated June 23, 1998, by the Bay, postponing its interest in the Bay Lease, the Bay Lease Amendment, and Instrument No. E177709, which is no longer registered on title, to the Second Temporary Easement.
48. Instrument No. E177775 registered June 26, 1998 is a Notice of Right of First Refusal Agreement dated June 16, 1998, made between CF/Realty Holdings Inc. and City of Toronto, wherein C/F was granted a right of first refusal in respect of the acquisition of certain lands at such time as the City may determine the same to be surplus to municipal requirements.
49. Instrument No. E446393 registered August 20, 2001 is a Notice of Lease dated February 12, 2001, made between Fairmall Leaseholds Inc. and Reitmans (Canada) Limited.
50. Instrument No. E476239 registered November 14, 2001 is a Notice of Lease dated February 12, 2001, made between Fairmall Leaseholds Inc. and Reitmans (Canada) Limited.
51. Instrument No. AT303358 registered October 9, 2003 is a Notice of Section 37 Agreement dated September 16, 2003, made between CF/Realty Holdings Inc. and City of Toronto in connection with the provision of 5,000 sq. ft. of space within the Shopping Centre for community uses (the "Section 37 Agreement").
52. Instrument No. AT303359 registered October 9, 2003 is a Postponement dated September 12, 2003, by the Bay, postponing its interest in the Subordination Agreement, the Simpson Release, and the Postponements in Instrument No. E177699, E177714, E177738, E177750, E177754 and E177766 in favour of the Section 37 Agreement.
53. Instrument No. AT303362 registered October 9, 2003 is a Notice of Amending Site Plan Agreement dated September 16, 2003, made between CF/Realty Holdings Inc., and City of Toronto.
54. Instrument No. AT1614187 registered October 25, 2007 is a Notice of Lease of unknown date, made between Fairmall Leaseholds Inc. and McDonald's Restaurants of Canada Limited (the "McDonald's Lease").
55. Instrument No. AT2064431 registered May 7, 2009 is a Notice of Lease of unknown date, made between CF/Realty Holdings Inc., Ivanhoe Cambridge I Inc., and The TDL Group Corp.
56. Instrument No. AT2239112 registered November 26, 2009 is a Notice of Lease Recognition and Non-Disturbance Agreement dated December 1, 2008, made between McDonald's Restaurants of Canada Limited and CF/Realty Holdings Inc., and Ivanhoe Cambridge I Inc. This Notice relates to the McDonald's Lease and a head lease which is no longer registered on title to the Property.

57. Instrument No. AT2302713 registered February 11, 2010 is Notice of Lease of unknown date, made between CF/Realty Holdings Inc., Ivanhoe Cambridge I Inc., and St. Louis Franchise Limited.
58. Instrument No. AT2780696 registered August 11, 2011 is a Notice of Sublease dated January 1, 2011, made between Fairmall Leaseholds Inc., and Reitmans (Canada) Limited (RW & Co.) (the "RW & Co. Sublease") relating to Instrument No. C328707, which is no longer registered on title.
59. Instrument No. AT2780703 registered August 11, 2011 is a Notice of Lease dated January 1, 2011, made between CF/Realty Holdings Inc. and Reitmans (Canada) Limited (RW & Co.).
60. Instrument No. AT2788560 registered August 18, 2011 is a Notice of Lease of unknown date, made between Fairmall Leaseholds Inc., and Liquor Control Board of Ontario.
61. Instrument No. AT2867082 registered November 10, 2011 is a Notice of Sublease dated August 1, 2006, made between Fairmall Leaseholds Inc., and The Toronto-Dominion Bank (the "TD Bank Sublease") relating to Instrument No. C328707, which is no longer registered on title.
62. Instrument No. AT4798860 registered February 7, 2018, is a Transfer from Ivanhoe Cambridge I Inc. of its undivided 50% interest in the Property, to 2615985 Ontario Inc.
63. Instrument No. AT4811146 registered February 28, 2018, is an Application to Change Owner's Name from 2615985 Ontario Inc., to FVM Property Inc.
64. Instrument No. AT4812566 registered March 1, 2018, is an Application to Change Owner's Name from CF/ Realty Holdings Inc. to CF/Realty Holdings Inc. (due to extra spaces in the name pursuant to the Transfer registered July 27, 1995 as Instrument No. C958106.
65. Instrument No. AT4813870 registered March 1, 2018, is a Transfer from CF/Realty Holdings Inc. of its undivided 50% interest in the Property to FVM Property Inc. for consideration of \$1,795,095.00.
66. Instrument No. AT4813871 registered March 1, 2018, is a Charge/Mortgage from FVM Property Inc. in favour of The Cadillac Fairview Corporation Limited for the principal sum of \$250,000,000.00 (the "FVM Cross-Charge").
67. Instrument No. AT4813872 registered March 1, 2018, is a Charge/Mortgage from CF/Realty Holdings Inc. in favour of FVM Property Inc. for the principal sum of \$250,000,000.00 (the "CF Cross-Charge").
68. Instrument No. AT4813873 registered March 1, 2018, is a Charge/Mortgage from FVM Property Inc. in favour of The Great-West Life Assurance Company of Canada for the principal sum of \$240,550,000.00 (the "GWL Mortgage").
69. Instrument No. AT4813874 registered March 1, 2018, is a Notice of Assignment of Rents-General made between FVM Property Inc. and The Great-West Life Assurance Company (the "GWL GAR"). This document relates to the GWL Mortgage.
70. Instrument No. AT4813895 registered March 1, 2018, is an Application (General) made by CF/Realty Holdings Inc. and FVM Property Inc. regarding the merging of Freehold and Leasehold parcels.

71. Instrument No. AT4904980 registered July 9, 2018, is a Land Registrar's Order made by the Land Registrar, Toronto Land Registry Office to amend the Legal Description of the Property.
72. Instrument No. AT5018223 registered November 28, 2018, is a Transfer of Easement for purposes of the construction and maintenance of an electricity distribution utility line in to Toronto Hydro-Electric System Limited over Part 1 on Plan 66R-30026 (the "Tesla Hydro Easement"). Without the prior written consent of the Toronto Hydro-Electric System Limited, the owner of the Property shall not: plant trees or shrubs, Excavate, change the grade; pave the surface area, erect any building or other structure or installation, store or permit to be stored any material, park any vehicles, lease the surface area to a third party, or otherwise obstruct the Easement Lands. A copy of highlighted Plan 66R-30026 is enclosed depicting the location of the Tesla Hydro Easement.
73. Instrument No. AT5018224 registered November 28, 2018, is a Postponement of Interest made by The Cadillac Fairview Corporation Limited, postponing its interest in the FVM Cross-Charge to the Tesla Hydro Easement.
74. Instrument No. AT5018225 registered November 28, 2018, is a Postponement of Interest made by FVM Property Inc., postponing its interest in the CF Cross-Charge to the Tesla Hydro Easement.
75. Instrument No. AT5018246 registered November 28, 2018, is a Postponement of Interest made by The Great-West Life Assurance Company, postponing its interest in the GWL Mortgage and the GWL GAR to the Tesla Hydro Easement.
76. Instrument No. AT5048173 registered January 8, 2019, is a Land Registrar's Order registered by the Land Registrar, Toronto Land Registry Office the RW & Co. Sublease and the TD Bank Sublease to the parcel register as they were deleted in error.
77. Instrument No. AT5114983 registered April 16, 2019, is a Notice of Lease dated January 8, 2019, made between FVM Property Inc., CF/Realty Holdings Inc. and WMI-1 Holding Company and Winners Merchants International L.P. (the "Winners Lease"). The lease contains, as Schedule B, certain special rights in favour of the tenant, as follows:
 - i. No buildings or structures other than those shown on the Lease Plan, other than canopies attached to store buildings, lighting equipment and directional and other signs permitted by the provisions of this Lease and sidewalks and curbs, may be built in the Exterior Critical Area shown on the Lease Plan.
 - ii. The areas of the Shopping Centre shown on the Lease Plan as parking areas within the Exterior Critical Area shall at all times be maintained as Parking Areas. The expression "Parking Areas" means parking spaces and driveways and footways and includes the areas shown as parking areas on the Lease Plan plus such other areas as Landlord shall from time to time designate as Parking Areas. The areas shown on the Lease Plan as "Shared Service Areas" shall be maintained during the term hereof as a service area. The area labeled MALL upon the Lease Plan is herein referred to as "the Mall". The Parking Areas, the Shared Service Area, the Mall, the entrances and exits of the Shopping Centre and any landscaped areas within the Shopping Centre are called "the Common Areas".
 - iii. Landlord agrees that no portion of the Shopping Centre shall be used for any off-track betting club (except an off track betting service is permitted solely as an ancillary use to any restaurant within the Shopping Centre) or for any

establishment for the sale or display of pornographic materials, flea market or for any establishment over 5,000 square feet which sells second hand goods as a principal use. In addition, Landlord agrees that during the term of this Lease, no entrance of any of the following: bowling alley, bingo hall, skating rink, nightclub, discotheque, amusement gallery, massage parlor (excluding an establishment offering registered massage therapy), sporting event, sports or game facility, shall be located within fifty (50) feet on the same level of any entrance (exterior or interior) to the Demised Premises.

- iv. Tenant and all persons having business with Tenant shall have the right, without charge, to use, in common with all other occupants of the Shopping Centre and all persons having business with such other occupants, and no other persons, all Common Areas of the Shopping Centre, for parking and access in connection with business in the Shopping Centre, and for no other purpose.
 - v. Landlord, at all times, shall keep in good repair and condition the Pylon Sign for the Shopping Centre and all Common Areas of the Shopping Centre.
- 78. Instrument No. AT5114984 registered April 16, 2019, is a Postponement of Interest made by The Cadillac Fairview Corporation Limited, postponing its interest in the FVM Cross-Charge to the Winners Lease.
 - 79. Instrument No. AT5114985 registered April 16, 2019, is a Postponement of Interest made by FVM Property Inc., postponing its interest in the CF Cross-Charge to the Winners Lease.
 - 80. Instrument No. AT5142267 registered May 24, 2019, is a Notice of Lease dated December 21, 2018, made between FVM Property Inc., CF/Realty Holdings Inc. and Foot Locker Canada Co.
 - 81. Instrument No. AT5142272 registered May 24, 2019, is a Notice of Lease dated October 17, 2017, made between FVM Property Inc., CF/Realty Holdings Inc. and Foot Locker Canada Co.
 - 82. Instrument No. AT5382311 registered March 6, 2020, is an Application to Change Name-Instrument from The Great-West Life Assurance Company to The Canada Life Assurance Company relating to the GWL Charge, the GWL GAR, Instrument No. AT4531038, which is no longer registered on title, AT4531137 which is no longer registered on title, and AT4531138 which is no longer registered on title.
 - 83. Instrument No. AT5999633 registered February 25, 2022, is a Construction Lien registered in favour of 8682470 Canada Inc., in connection with services or materials supplied for the construction and renovation of a restaurant operating as Hana Don Japanese Restaurant. The amount claimed as owing in respective of services or materials that have been supplied is \$24,525.43 (inclusive of HST).

Attachment 2

Lands within 120m and subject of an application under the Planning Act

Address: 1800 Sheppard Avenue East (Subject Site)

Previous development applications relating to the construction of the existing building on the lands, all of which are closed.

By-law 818-2003, which altered the site-specific parking rates for the subject lands under former North York By-law 7625.

Address: 125 Parkway Forest Drive

Application Number and Status:

04 194214 NNY 33 OZ, Closed
20 230642 NNY 33 CD, Draft Plan Approved
20 230637 NNY 33 CD, Closed
20 230631 NNY 33 CD, Draft Plan Approved
18 226863 NNY 33 CD, Closed
18 151979 NNY 33 CD, Closed
17 267829 NNY 33 SA, Closed
17 238510 NNY 33 SA, Closed
16 270214 NNY 33 CD, Closed
16 255115 NNY 33 SA, Closed
16 245505 NNY 33 OZ, Closed
16 211866 NNY 33 OZ, Closed
15 230503 NNY 33 SA, Closed
15 209904 NNY 33 SA, Closed
15 179745 NNY 33 OZ, Closed
14 155987 NNY 33 CD, Closed
13 280686 NNY 33 SA, Closed
13 269119 NNY 33 SA, Closed
13 267996 NNY 33 OZ, OMB Appeal
13 263062 NNY 33 SA, Closed
13 245802 NNY 33 OZ, OMB Appeal
13 111476 NNY 33 CD, Closed
13 111486 NNY 33 CD, Closed
12 250712 NNY 33 OZ, Closed
11 323517 NNY 33 SA, Closed
10 232427 NNY 33 SA, Closed
08 210251 NNY 33 SA, Closed
08 210265 NNY 33 SA, Closed
08 210260 NNY 33 SA, Closed
08 111547 NNY 33 SA, Closed
06 191462 NNY 33 SB, Closed
06 185992 NNY 33 SA, Closed
06 185989 NNY 33 SA, Closed

06 186005 NNY 33 SA, Closed

Description: Application revised February 2006. Reduction from 2,500 to 2,200 new condominium units, subject to holding provisions. Included 332 new rental replacement units.

Address: 3-5 Allenbury Gardens

Application Number and Status:

11 293972 NNY 33 OZ, Closed
20 160201 NNY 17 CD, Closed
18 189838 NNY 33 SA, Closed
18 124199 NNY 33 CD, Closed
17 267810 NNY 33 OZ, Closed
17 189108 NNY 33 CD, Closed
17 145395 NNY 33 SA, Closed
15 201459 NNY 33 SA, Closed
13 281233 NNY 33 SA, Closed
13 188226 NNY 33 PL, Approved
12 263954 NNY 33 SA, Closed

Description: Demolition of 127 rental housing units. New 3-storey townhouses and 16 to 20 storey apartment buildings containing 1,034 residential units comprised of 900 condominium units and 134 rental replacement units. Also includes commercial space and 927 parking spaces in 2 levels of underground parking.

Address: 2600 Don Mills Road

Application Number and Status:

17 260070 NNY 33 OZ, Council Approved

Description: 39-storey residential tower containing 364 units, including the provision of 521 underground parking spaces for the existing and proposed buildings on site. The existing 19-storey rental apartment building would be retained.

Address: 1650 Sheppard Avenue East

Application Number and Status:

16 270525 NNY 33 OZ, Appeal Received
21 211396 NNY 17 SB, Under Review

Description: The applicant proposes a 31-storey residential building containing 319 units and three levels of underground parking as well as a three-storey block of 12 stacked back-to-back townhouses. The existing 15-storey apartment building containing 149 rental units will be retained.