

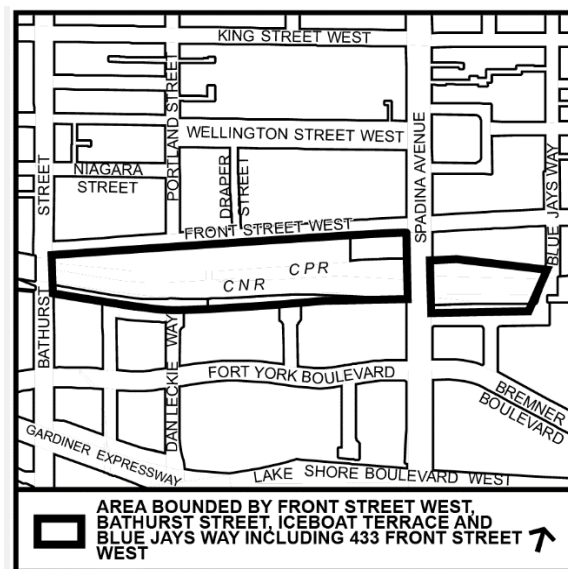
The area generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West – Official Plan Amendment Application – Refusal Report

Date:	December 20, 2017
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	17 164359 STE 20 OZ

SUMMARY

The Official Plan amendment application made by P.I.T.S. proposes to amend the Railway Lands West and Central Secondary Plans to permit a mixed-use development over the rail corridor in the area generally bounded by Bathurst Street to the west, Blue Jays Way to the east, Front Street West to the north, and the Northern Linear Park to the south. A decking structure is proposed to be constructed over the rail corridor to support the development. The application includes the existing Northern Linear Park that extends along the south side of the rail corridor.

The proposed mix of uses includes residential, commercial, retail, institutional and open space uses as well as a potential Metrolinx RER Station at Spadina Avenue and a co-generation plant. Overall the development proposes, seven primarily residential buildings ranging in height from 27 to 59 storeys, one 36-storey office building and one 4-storey retail building. The proposed overall gross floor area is



368,100 square metres including 159,800 square metres non-residential and 208,300 square metres of residential floor area. There are 2,750 dwelling units, 1,225 parking spaces and 3,000 bicycle parking spaces proposed. The application proposed to maintain the rail activities below the decking structure.

The Northern Linear Park is proposed to be regraded with portions paved with driveways to provide access to a two level garage for parking and loading to service the development. The city-owned Puente du Luz pedestrian bridge is proposed to be removed and the area incorporated into the development.

The application proposes to construct a deck over the rail corridor between Bathurst Street and Blue Jays Way to support a large scale residential and commercial development over a highly active and critical transportation corridor for the movement people and goods for the city, the Province and the country as a whole. The site is also situated in an area of the city that has experienced rapid growth over a relatively short period of time with over 20,000 people now living in the Railway Lands neighbourhoods. Areas surrounding the Railway Lands have also undergone significant transformation, and have evolved into densely populated mixed-use communities, and high levels of growth in these areas are expected to continue. In addition to residents, attractions such as the Rogers Centre and Metro Convention Centre and other tourist facilities such as the CN Tower and Ripley's Aquarium bring many visitors to the area year round, making this a major destination in the City.

The development proposal raises significant planning concerns in respect to the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe, the Official Plan and Railway Lands Secondary Plans. The policy framework recognizes the downtown as an area that will absorb significant growth while at the same time recognizing the need to provide a full range of hard and soft infrastructure in step with growth to create complete communities. The PPS recognizes the Official Plan as the most important document to implement the PPS. The proposal is not consistent with the PPS and does not conform to the Growth Plan as it does not address the objectives of the plans to balance growth and infrastructure and poses potential challenges to sustain major transportation infrastructure with the addition of major buildings above the rail corridor.

It does not conform with City of Toronto Official Plan policies to dispose of existing parkland and deliver a high quality built form and enhanced public realm.

The proposal does not meet major objectives of the Railway Lands Secondary Plans including those to:

- reduce the barrier effect of the rail corridor by creating new connections across the rail corridor and protecting views across the corridor north and south to adjacent communities and the waterfront;
- ensure compatibility with the existing and future rail uses and activities in the rail corridor;

- create connections to and within the Railway Lands both east/west and north/south; and
- contribute to an attractive, accessible and safe public realm and parks and publicly accessible open spaces which meet a high standards of urban design.

City staff recommend refusal of the application as it does not meet Provincial and Municipal policies and does not represent good planning.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council refuse application 17 164359 STE 20 OZ for an Official Plan Amendment in the area of the rail corridor generally bounded by Bathurst Street to the West, Blue Jays Way to the east, Front Street West to the north and the Northern Linear Park to the south including 433 Front Street West for all of the reasons set out in the report (December 20, 2017) from the Acting Director, Community Planning, Toronto and East York District including:
 - a. the application does not conform with the Growth Plan for the Greater Golden Horseshoe;
 - b. the application is not consistent with the Provincial Policy Statement;
 - c. the application does not conform to the Official Plan including but not limited to policies related to structuring growth, the downtown, the greenspace system, transportation, built form and public realm, parks and open spaces, *Utility Corridors*, *Mixed Use Areas*, and *Parks and Open Space Areas*;
 - d. the application does not conform to the Railway Lands Central and Railway Lands West Secondary Plans including but not limited to policies related to major objectives, structure form and physical amenity, parks open space and pedestrian systems, transportation and circulation, environment, future development areas and *Utility Corridors*;
 - e. the application does not address the emerging directions from the TOCore Planning Study; and
 - f. the proposal is inconsistent with the Railway Lands Central and West Urban Design Guidelines and the Tall Building Design Guidelines.
2. City Council authorize the City Solicitor together with City Planning and other appropriate staff to appear before the Ontario Municipal Board in support of City

Council's decision to refuse the application, in the event that the application is appealed to the Ontario Municipal Board.

3. City Council authorize the Acting Director, Community Planning, Toronto and East York District in consultation with the Ward Councillor, to ensure services, facilities and/or matters pursuant to Section 37 of the Planning Act, as may be required by the Acting Chief Planner, in consultation with the Ward Councillor are secured, should the proposal be approved in some form by the Ontario Municipal Board.
4. In the event this decision is appealed to the Ontario Municipal Board and the Board approves some form of development, City Council authorize the City Solicitor, to request the Ontario Municipal Board to withhold its order to ensure that the amendment contains policies requiring the use of the holding symbols in association with zoning by-law amendments, precinct plans and agreements, subdivision plans and agreements, environmental reports and agreements and public art plans, prior to the removal of the holding symbol to ensure that adequate servicing and infrastructure to support the proposal will be provided and secured.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

In December 2015, City Council adopted TE12.43 (TOcore: Planning Toronto's Downtown - Phase 1 - Summary Report and Phase 2 Directions), which provided an update on the progress of TOcore – a multi-year and inter-divisional study of the Downtown led by City Planning. Council adopted a series of recommendations set out in the summary report dated October 23, 2015 (the "Summary Report"), including the following:

- "5. City Council request City Planning, Parks, Forestry and Recreation, Transportation Services and Economic Development and Culture staff to develop a Parks and Public Realm Plan for Downtown to improve the quality and connectivity of public spaces and identify parkland improvements and acquisition priorities within the intensifying core and report back to Toronto and East York Community Council with a proposed plan by the first quarter of 2017."

The Summary Report included recommendations for developing a Parks and Public Realm Plan for the Downtown to improve the quality and connectivity of public spaces and identify parkland improvement and acquisition priorities within the intensifying core. The Summary Report identified opportunities to provide parkland in unlikely spaces such as under the Gardiner and in the rail corridor. The decision document and Summary

Report are available on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE12.43>

On October 5, 2016, City Council adopted item EX17.1, which directed staff to prepare an implementation strategy and updated planning framework to support a park over the rail corridor between Bathurst Street and Blue Jays Way (Rail Deck Park). The decision document and work plan report is available on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX17.1>

On December 05, 2017, City Council adopted the staff recommendations regarding the Rail Deck Park City-initiated Official Plan Amendment – Final Report (TE 28.7). This report recommends the creation of a new Rail Deck Park Secondary Plan and re-designation of the site to *Parks and Open Space Areas*, while protecting current and future railway operations through OPA 395. The implementing bills have not been enacted as of the date of this report. The P.I.T.S. application was considered separately from the City-initiated OPA.

The decision document and reports are available on the City's website:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX29.2>

ISSUE BACKGROUND

Proposal

The Official Plan amendment application proposes to amend the Railway Lands West and Central Secondary Plans to permit a mixed-use development over the rail corridor in the area generally bounded by Bathurst Street to the west, Blue Jays Way to the east, Front Street West to the north and the Northern Linear Park to the south. A deck is proposed to be constructed over the corridor to support the development. The application proposes to maintain the rail activities below (Attachments 2 – 13).

The proposed mix of uses includes residential, commercial, retail, institutional and open space uses, and co-generation facility, as well as a potential Metrolinx RER Station at Spadina Avenue. Overall the development proposes nine buildings and 368,100 m² of residential floor area including 159,800 of non-residential and 208,300 m² of residential floor area. There are 2,750 dwelling units proposed consisting of 825 one bedroom, 1,100 two bedroom and 825 three bedroom units. The application proposes that 550 of the dwelling units will be affordable rental housing.

Between Bathurst Street and Spadina Avenue, the application proposes eight towers with heights ranging from 27 to 59 storeys (104.5 to 200.8 metres), with base building ranging from 4 to 9 storeys facing Front Street West. Retail uses are proposed in the podium of the buildings forming an internal galleria mall, essentially stretching from Spadina Avenue to Bathurst Street. Retail uses are also proposed within the deck structure facing Bathurst Street and Spadina Avenue extending generally the full depth of the site from

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Front Street West to the Northern Linear Park. Loading and parking is also accommodated within the decking structure between Bathurst Street and Spadina Avenue extending between the retail space at either end. Open space is proposed above the commercial and garage uses extending along the south side of the site and along portions of the north side of the site facing Front Street West. Seven of the eight towers are proposed primarily for residential uses with retail and institutional uses in the lower levels. A 36-storey office building with retail uses in the lower levels is proposed at the southwest corner of Front Street West and Spadina Avenue and a potential Metrolinx station.

Between Spadina Avenue and Blue Jays Way a 4-storey retail building is proposed, situated near Spadina Avenue. Retail, parking and loading uses are proposed within the decking structure in this area. The building encroaches onto the property adjacent to the north at 381-397 Front Street West that is currently developed with high-rise mixed-use residential and commercial buildings. Open space is proposed above the deck over the remaining easterly portion of the site.

There are 1,225 parking spaces and 3,000 bicycle parking spaces proposed in 2-level garages to be constructed over the corridor in the areas east and west of Spadina Avenue. There are five new vehicular accesses proposed to these garages, four along the south side of the site and one along the north side of the site. There is an existing 6.0 metre wide railway service access situated east of Bathurst Street that is proposed to remain.

Access to the site would be required across properties owned or controlled by the City including the Northern Linear Park, which extends along the south side of the rail corridor and a linear strip of City-owned land to the north of the rail corridor abutting the south side of Front Street West.

To access the site from the south, the application proposes to re-grade the Northern Linear Park creating a steeply sloped topography. Driveways and ramps are proposed to extend from public and private streets located to the south, through the Northern Linear Park, into garages within the deck above the rail corridor. West of Spadina Avenue, accesses through the Northern Linear Park include a 23.0 metre wide driveway extending from Dan Leckie Way, and an 8.4 metre wide driveway extending from Capreol Court. An 8.0 metre wide driveway for loading is also proposed through the Northern Linear Park from Ice-boat Terrace opposite Telegrams Mews. Ice-boat Terrace and Telegrams Mews are narrow private streets that provide emergency access and accesses to loading and parking for the adjacent buildings in the CityPlace neighbourhood. East of Spadina Avenue, a 9.0 metre wide driveway is proposed through the Northern Linear Park midway between Spadina Avenue and Navy Wharf Court.

To access the site from the north, a 14.0 metre wide driveway is proposed to extend over the City lands adjacent to the south side of Front Street West to a 2-level garage proposed over the corridor in this area. The driveway is proposed to be located midblock between Bathurst Street and Portland Street.

Additional site and development statistics are included in the Application Data Sheet in Attachment 13.

Site and Surrounding Area

The site is within the Railway Lands, an area of Downtown Toronto that has experienced rapid growth and intensification over the past 30 years. The area was historically used for railway and industrial operations, but the site now sits between several established mixed-use neighbourhoods.

The site is primarily located within the rail corridor between Bathurst Street and Blue Jays Way. The Metrolinx property at 433 Front Street West and Northern Linear Park are also included in the application. The site area is 8.59 hectares (21 acres), and is linear in shape. It is approximately 840 metres in length, and ranges in width from approximately 60 to 135 metres. The elevation on the northern edge of the site (from Front Street West) is approximately 3-4 metres (10-13ft) lower than the southern edge (from Northern Linear Park).

There are four primary property owners in the project area: Metrolinx, the City of Toronto, Canadian National Railway Company ("CN") and The Toronto Terminals Railway Company Limited ("TTR").

Metrolinx is the primary landowner in the rail corridor with complete ownership of the lower stratum properties, as well as the approximately 0.5-hectare property at the corner of Spadina and Front Street noted above, which includes both the upper and lower strata. The City of Toronto owns or controls multiple properties that are integral to Rail Deck Park including the approximately 0.8-hectare Northern Linear Park and other properties in the area.

CN and TTR are the primary land owners registered on title for the upper stratum properties within the rail corridor. Additional minor property interests are held by adjacent condominium corporations.

Existing uses within the site largely relate to rail operations. The rail corridor area accommodates the Union Station Rail Corridor (URSC) and Bathurst North Yard. The USRC is the largest rail passenger facility in Canada. It contains 14 active rail tracks, including a fly-under tunnel, and other rail infrastructure servicing GO, VIA, Amtrak, and freight rail. The rail tracks generally sit below the grade of the surrounding properties. Bathurst North Yard is located south of Front Street West and west of Spadina Avenue. The yard is owned and operated by Metrolinx and is used for mid-day train storage, light servicing and some storage of maintenance equipment. The yard also includes a GO Transit Building near Spadina Avenue that houses crew facilities, maintenance equipment, and several surface parking spaces.

There are two north-south connections over the site, the City-owned "Puente de Luz" pedestrian bridge connecting Portland Street and Dan Leckie Way, and Spadina Avenue, a six-lane, major north-south road with dedicated LRT.

Running along the southern edge of the rail corridor is Northern Linear Park, an approximately 0.8 ha park. The City owns the portion of the Northern Linear Park extending between Bathurst Street and Spadina Avenue and leases the area between Spadina Avenue and Blue Jays Way. This park features landscaped area, a paved pathway, and public art including the Memorial to Commemorate the Chinese Railroad Workers in Canada, and "Flower Power" by Mark di Suvero. A retaining wall separates Northern Linear Park and the rail corridor. This wall is owned by private condominium corporations and in some areas accommodates below-grade uses such as a parking garage and amenity space

North: Immediately north of the site is a 4 metre strip of City-owned land, which runs between the rail corridor and Front Street West. Several low and mid-rise buildings face onto Front Street West, including a 14-storey residential building, an 8-storey residential building with retail uses at grade, and several 2 and 3-storey commercial buildings. Several properties have been designated under the *Ontario Heritage Act* and are part of the Draper Street Heritage Conservation District. A 20-storey mixed-used development is currently under construction at the northeast corner of Bathurst Street and Front Street West. Another major mixed-used development "The Well", has been approved at the northwest corner of Spadina Avenue and Bathurst Street. These sites are part of the larger King-Spadina neighbourhood, which has transformed from a former manufacturing district into a densely-populated, mixed use area.

East: Blue Jays Way establishes the eastern boundary of the site. Along the eastern edge of Blue Jays Way is a small plaza and green space built over the rail corridor. This area is privately-owned, publicly accessible open space (POPS). A five-storey office building is directly north of the POPS. The rail corridor continues east of the site, where it is flanked by several major entertainment and cultural destinations. These include the Rogers Centre, the Metro Toronto Convention Centre, CN Tower and Ripley's Aquarium. This area is part of the Railway Lands Central Secondary Plan Area, which contains high-density residential uses in addition to the concentration of major destinations.

South: The area south of Northern Linear Park has primarily been developed with high density residential uses with retail at grade. These buildings range in height from 16 to 50 storeys. This neighbourhood, referred to as CityPlace, is served by Canoe Landing Park, Fort York Library, and two future elementary schools, a community centre, and daycare currently under construction at 20 Brunel Court. The CityPlace neighbourhood is part of the Railway Land West and Central Secondary Plan areas.

West: The Bathurst Street bridge is located to the immediate west of the site. The rail corridor continues west of Bathurst Street, where it is flanked by the Fort York National Historic Site to the south and a vacant lot to the north. This lot at 28 Bathurst Street was recently rezoned to support a future 0.8 ha public park. These areas are part of the Niagara neighbourhood, a diverse area that includes a range of residential housing forms, office and commercial uses. Major destinations such as Ontario Place, BMO field and Exhibition Place are also found further west.

Policy Framework

The following provides an overview of applicable and in-force planning policies. A comprehensive summary of relevant policies is provided in Attachment 1 – Current and Emerging Policy Framework.

Planning Act

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them. The Act is intended to promote sustainable economic development in a healthy natural environment; provide a land use planning system led by provincial policy; integrate matters of provincial interest into provincial and municipal planning decisions; ensure open, accessible, timely, and efficient planning processes; encourage co-operation among various interests, and recognize the decision-making authority and accountability of municipal councils in planning.

Section 2 establishes provincial interest, and states that the Minister, the council of a municipality, a local board, a planning board and the Municipal Board shall have regard to matters of provincial interest.

Section 42 sets out the requirements for conveyance of land for park purposes. It establishes that a local council may, as a condition of development or redevelopment, require that land be conveyed for parkland purposes.

The Ontario Planning Act (Planning Act, R.S.O. 1990, c. P.13) can be found at: www.e-laws.gov.on.ca

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;

- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work; and
- Identifying strategic growth areas, which are not to be interpreted as land use designations. Any development in these areas are still subject to the relevant provincial and municipal land use policies and approval processes.

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public service facilities that will support intensification within delineated built-up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities...". The Growth Plan directs municipalities to develop Official Plan policies and other supporting documents to guide intensification.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to

the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the Planning Act, to conform, or not conflict, as the case may be, with the Growth Plan.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe

The Provincial Policy Statement (2014) can be found at:
<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

The Growth Plan is available at:
<http://placestogrow.ca/images/pdfs/ggh2017/en/growth%20plan%20%282017%29.pdf>

Big Move Regional Transportation Plan

The Big Move Regional Transportation Plan (The Big Move), establishes a 25-year vision for the Greater Toronto and Hamilton Area (GTHA) for an integrated transportation system that enhances quality of life, environment and economic prosperity. The plan contains a series of goals and objectives to advance the vision, including advancing transportation choice, comfort and convenience, active and healthy lifestyles, and multi-modal integration.

To achieve these goals, the plan identifies 9 "Big Moves", including an expanded regional rapid transit network and complete walking and cycling networks. As part of its Regional Express Rail (RER) strategy, Metrolinx has identified 12 new GO RER Stations, including one at Spadina Avenue and Front Street West.

In September 2017, Metrolinx released the Draft 2041 Regional Transportation Plan (RTP), outlining a strategy for building an integrated and multi-modal transportation system. To support GO RER beyond 2025, the RTP recognizes the need to strengthen Union Station's capacity as the centre of GO RER to accommodate planned and future expansion. All decisions regarding improvements to Union Station and adjacent areas are to be consistent with and protect for long-term goals.

The Big Move Regional Transportation Plan can be found on the Metrolinx website here:
<http://www.metrolinx.com/thebigmove/en/default.aspx>

The Draft 2041 Regional Transportation Plan on the Metrolinx website here:
<http://www.metrolinx.com/en/regionalplanning/rtp/review.aspx>

Official Plan

The City of Toronto Official Plan is the long-term vision for how the City should grow and change, and is the most important vehicle for implementing the PPS and Growth Plan. The site is identified within the *Downtown and Central Waterfront* area on Map 2 – Urban Structure of the Official Plan. The *Downtown* is a growth area and will continue to

evolve as a healthy and attractive place to live and work. However, growth is not envisioned to spread uniformly throughout the *Downtown*. The Official Plan recognizes that many of the activities that make the *Downtown* successful and vibrant, are interdependent, and linked through *Downtown* spaces.

The majority of the site is designated *Utility Corridors* on Map 18 – Land Use Plan of the Official Plan. **Section 4.4** indicates *Utility Corridors* are used primarily for the movement of energy, information, people and goods, but can serve other important functions, including, parkland, sports fields, and pedestrian and cycling routes. Policy 4 stipulates that where *Utility Corridors* are declared surplus, they may be acquired or leased by the City or other public agencies for public services and amenities.

The Metrolinx property at 433 Front Street West is designated as *Mixed Use Areas* on Map 18. **Section 4.5** indicates *Mixed Use Areas* are made up of a broad range of commercial, residential, institutional, parks and open space uses and utilities. Policy 2 provides development criteria for *Mixed Use Areas* which directs that development shall: create a balance of high quality uses including open spaces that reduce automobile dependency and meet the needs of the local community; locate and mass new buildings to provide a transition between areas of different intensity and to frame the edges of streets with good proportion; maintain sunlight and comfortable wind conditions; provide good access and circulation for vehicular activity and provide recreation space for residents.

Northern Linear Park is designated as *Parks* on Map 18. **Section 4.3** indicates that *Parks and Open Space Areas* accommodate a range of uses from community parks, to naturalized areas, to storm water management facilities, to golf courses and cemeteries. Policy 2 notes that development is generally prohibited within *Parks and Open Spaces Areas*, except for recreational and cultural facilities, conservation projects, cemeteries, public transit, and other essential public works. Policy 4 establishes that *Parks* will be primarily used for public parks and recreation opportunities.

Direction on matters that improve quality of life are contained in Chapter 3 of the Official Plan. These policies are intended to integrate social, economic and environmental perspectives into decision-making, recognizing that the needs of today need to be met without compromising the ability of future generations to meet their needs. **Section 3.1** – "Built Environment" provides direction on the public realm, built form, tall buildings, public art, and heritage conservation. **Section 3.2** – "the Human Environment" provides direction on housing, community services and facilities, parks and open spaces, building new neighbourhoods, the natural environment and Toronto's economic health.

Chapter 5 of the Official Plan discusses implementation. **Section 5.3.3** – "Strategic Reinvestment", emphasizes the constant need for investment in infrastructure and services to maintain and improve quality of life. **Section 5.3.5** introduces the concept of "Great City Campaigns", which demand shared leadership between the City, community groups, non-government organizations, and private industry. **Section 5.6** – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates 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. Policy 1.1 indicates the goal of the Official Plan is to balance and reconcile a range of diverse objectives affecting land use planning in the City.

The City of Toronto Official Plan is available on the City's website at:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Railway Lands West and Central Secondary Plans

The site is located within the Railway Lands West and Railway Lands Central Secondary Plan areas. With the addition of the Railway Lands East Secondary Plan, these three plans are a comprehensive planning framework for the wider Railway Lands.

The Railway Lands Secondary Plans set out major objectives for all development within the Railway Lands that together establish the vision for the Railway Lands. They provide that the Railway Lands will:

- be developed as an integral part of the Downtown so that the barrier effect of the roads and rail corridor are minimized and the central City reunited with the Central Waterfront and that there be a mix of uses to ensure that the area is used by people for a wide variety of purposes throughout the day;
- redevelopment will take full advantage of the opportunities presented by their size and central location to satisfy a broad range of commercial, residential, institutional, cultural, recreation, parks and open space needs while ensuring compatibility with rail uses and activities within the rail corridor and Bathurst North Yard and environmentally sound conditions, and encouraging effective and efficient transportation services including inter-city rail and commuter rail services and other transit services;
- new development will be structured by a public street system that divides the area in blocks comparable to those elsewhere in the City, allows for street-oriented development and reinforces existing north-south streets as major connections between the Downtown and the Central waterfront and establishing Bremner Boulevard as a major and continuous east-west connection and ensuring the design of all streets will response to the use and character of the lands adjacent to the street;
- development will contribute to the achievement of an attractive, inviting , comfortable and safe public realm including generously proportioned public streets, park and publicly accessible open space that meet high standards of design; and
- co-operative arrangement among the parties involved in the development are promoted to ensure that adequate services are provided as development proceeds.

The Railway Lands Secondary Plans contain specific direction on planning matters including built form, land use, housing, community services and facilities, parks and public realm, heritage and public art, transportation and circulation, environment, and implementation.

The majority of the site within the Railway Lands West Secondary Plan Area is designated *Utility Corridor*, which functions as a rail corridor and is considered a "Future Development Area", which is not a land use designation. Future considerations for developing over the "Future Development Area" require comprehensive study subject to a number of conditions including a comprehensive evaluation of land uses and technical considerations to address environment, safety, and rail coordination, among other matters. East of Spadina Avenue, the site is designated as *Utility Corridor 'A'* under the Railway Lands Central Secondary Plan. This designation is also identified as a "Future Development Area" with similar requirements as contained the Railway Lands West Secondary Plan.

The Metrolinx property is designated as a *Mixed-Use Area A* under the Railway Lands Central Secondary Plan. This property is identified as an appropriate location for a mix of commercial, institutional, and compatible industrial uses, including street-related retail in order to enliven the pedestrian environment along Front Street West. A *Mixed-Use Area* designation also applies to Northern Linear Park in both the Railway Lands West and Central Secondary Plans. This designation permits a range of residential and non-residential uses as well as parks and open spaces. Despite this designation, the intent for a park in this area is articulated in the Parks and Open Space Plans in the Railway Lands West and Central Secondary Plans.

The Railway Lands West, Central and East Secondary Plans are available on the City's website at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/chapter-6-secondary-plans/>

Zoning

Two zoning by-laws are applicable to the site. Zoning By-law 1994-0805 applies to the site between Spadina Avenue and Bathurst Street, excluding the Metrolinx property at 433 Front Street West. Zoning By-law 1994-0806 applies to the site between Spadina Avenue and Blue Jays Way, and includes the Metrolinx property

The portion of the site within the rail corridor is zoned Transportation District (T) in By-laws 1994-0805 and 1994-0806. In both Zoning By-laws, the T zone permits a range of transportation related uses including public transit uses, railway uses, service and repair yards, pedestrian walkways, surface parking and parking structures, with a maximum height of 15 metres. There is no density permission in the T zone.

The Metrolinx property is zoned a Mixed-Use District with holding provision, (h)CR, The CR zone permits a broad range of uses including apartment buildings, public parks, playgrounds, a variety of retail and service shops, offices, pedestrian walk ways and public transit. The maximum overall gross floor area for this site is 36,458 square metres and the maximum building height is 95 metres. Residential uses area not permitted on the

site while the holding symbol is in place. With the removal of the holding symbol, 35,000 square metres of the overall gross floor area is permitted for residential uses. Further regulations including building setbacks, parking, amenity space, and window separation are contained in the by-law.

Northern Linear Park is zoned as Mixed Use District (CR) under Zoning By-law 1994-0805 and 1994-0806, which permits a wide range of residential and non-residential uses including parks and open spaces. Both By-laws restrict uses in the areas immediately south of the rail corridor to parks, pedestrian and bicycle ways, and above or below-grade parking in certain areas.

A small area south of the rail corridor and west of Northern Linear Park is zoned as (G) – Parks District in Zoning By-law 1994-0805. Permitted uses include public parks, golf courses, public playgrounds, community centres, schools, parking areas, and pedestrian walkways. Heights are limited to 15 metres within the (G) designation.

Zoning By-law amendments would be required to permit the proposed development. No zoning by-law amendment applications have been submitted.

Site Plan Control

The site is subject to site plan control. A site plan application has not been submitted.

Railway Lands West and Central Urban Design Guidelines

The site is subject to the Railway Lands West and Central Urban Design Guidelines. These provide guidance on how new development within the Railway Lands can support the broader objectives of uniting the central city with the waterfront by extending the urban pattern southwards towards the waterfront and by decreasing the impacts of the rail corridor and Gardiner Expressway barriers. The Guidelines are framed around three main objectives: Parks and Open Space Systems; Connections to the City; and Creating the Pedestrian Realm-Built Form.

In addition to these general guidelines, there are block-specific guidelines including guidelines in relation to the Metrolinx property. Development guidelines on this property reflect the role of Front Street West as the northern gateway, an important link between the downtown and the Railway Lands, and as an important contributing site for public realm enhancements.

Further public realm guidelines are included in an Open Space Master Plan structured around a full network of parks, linkages through publicly accessible open space and public streets.

Long-term planning objectives, including building over the rail corridor, are also identified. The guidelines note that the initial grading south of the rail corridor will not preclude the decking of the corridor.

The Railway Lands West and Central Urban Design Guidelines are available at:
http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/29railwaylands_wescen.pdf

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

The City-Wide Tall Building Guidelines are available at
<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Parkland Considerations

Parks and Recreation Facilities Master Plan (2017)

City Council recently adopted the Parks and Recreation Facilities Master Plan (FMP) in November 2017. The FMP is intended to guide investment in parks and recreation facilities such as community centres, swimming pools, sports fields, and arenas over the next 20 years. The FMP recognizes the growing demand for programs and facilities and commits to building new facilities and renewing current assets to meet these demands. Priority investments are driven by three strategic goals: renew and upgrade existing facilities; address gaps and growth-related needs; and work with others, and explore new opportunities to improve access.

To achieve these goals, the FMP recommends investment in specific recreation centres and facilities to address gaps in provision and respond to growth in demand for services. Specifically, the plan identifies a need for additional community centres, gymnasias, indoor pools, splash pads, outdoor rinks, sports fields and sports bubbles, basketball courts, skateparks and bike parks in the next 20 years. The FMP also contains broader policy objectives including an emphasis on accessible and age-friendly facilities, flexible and efficient spaces, and new facility provision models that respond to the realities of high-density residential communities

The Parks and Recreation Facilities Master Plan is available on the City's website, at:
<http://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-107775.pdf>

City of Toronto Parkland Strategy (2017)

The City is undertaking a Parkland Strategy, a 20-year plan that will guide the long-term provision of parks city-wide, including new parks, expansions and improved access to existing parks. The Parkland Strategy will provide a defensible rationale and evidence on the requirements for parkland to meet the needs of Toronto's growing and changing population. The Parkland Strategy is based on the principles of expand, share and connect, and will be informed by an understanding of park provision and use trends, and demographic and growth projections.

The first phase of work has developed a measurement methodology to assess parkland supply and distribution across the city. A Preliminary Report on the Parkland Strategy prepared in November 2017 identified Downtown as an area with a very low supply of parkland per person, which is likely to decline as population growth continues.

The next phase of work will provide a comprehensive analysis of the availability and function of parkland and provide new approaches and tools to support decision-making and the prioritization of parkland investment across Toronto for the next 20 years. The Final Parkland Strategy will act as Toronto's parks plan, satisfying the new requirement in the Planning Act that municipal organizations study the need for parkland through preparation of a parks plan prior to adopting any changes to the Alternative Parkland Dedication Rate.

The Preliminary Report on the Parkland Strategy was presented to Executive Committee in November 2017. Executive Committee adopted the report, and directed staff to report back on the Final Parkland Strategy in Q2 of 2018.

More information about the parkland Strategy is available on the City's website at: www.toronto.ca/parklandstrategy

Parkland Provision and Growth within the Railway Lands

The parks and open spaces planned in the Railway Land were located and formed in a manner to create connections both within the Railway Lands, and to integrate this area with surrounding areas, the downtown and central waterfront, and provide a variety of active and passive recreational opportunities that would be needed for anticipated residents, workers and visitors. When this planning framework was established, it was anticipated that development would provide for approximately 10,700 residents within the Railway Lands.

As development has occurred within the Railway Lands over the past 30 years, a high quality, useable, linked system of parks and open spaces have been established as envisioned by the planning framework. These existing parks and open spaces offer a variety of experiences in larger community parks such as Canoe Landing Park that include active sports fields to smaller public parks and open spaces integrated with the

open spaces associated with large entertainment venues such as the Roger's Centre and Ripley's Aquarium. The Northern and Southern Linear Parks are key connecting elements of the parks and open space system within the Railway Lands linking the large and small parks and open spaces, and function as important pedestrian and cycling connections within the Railway Lands and to the larger city-wide parks and open space network. The City-owned Puente de Luz pedestrian bridge is an important link in this system providing a key pedestrian connection over the rail corridor connecting the downtown and the waterfront. A new park, Mouth of the Creek Park, is also planned at Bathurst Street adjacent to the Northern Linear Park and this will add to the system, connecting neighbourhoods east and west of Bathurst Street including Fort York. The Railway Lands has experienced significantly more growth than was anticipated when the area was initially planned. There are over 20,000 residents living in the Railway Lands today with most in high-rise apartment buildings including the CityPlace neighbourhood. There are also lands approved for development but not yet constructed, which will result in many new residents and workers moving to this area. Areas surrounding the Railway Lands have also undergone significant transformation, such as the neighbourhoods to the north in King-Spadina, also a former industrial area, now one of the fastest-growing areas of the City. Significant levels of growth within the Downtown are expected to continue, with the Downtown projected to reach over half a million residents by 2041, an increase of 225,400 residents from 2016.

The parkland network originally envisioned in the Railway Lands has generally been achieved but the increase in population both in the Railway Lands and surrounding areas has increased the need for public parkland. This is a key consideration in any proposed changes to the planning permissions in the area.

Emerging Policy Directions

In addition to in-force policies, there are a number of emerging policy directions that contain important considerations for the future use of the site. These are summarized below, and described in greater detail in Attachment 1 – Current and Emerging Policy Framework.

TOcore: Proposed Downtown Plan (2017)

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of infrastructure strategies to support implementation. TOcore is a response to the rapid intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city.

TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured.

The study area is bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north, and the Don River to the east. Building on Downtown's existing planning framework and drawing on best practices within the City Planning Division, the Downtown Plan is being developed to serve as a blueprint for future growth and infrastructure in the heart of Toronto over the next 25 years. It will provide detailed direction on the appropriate scale and location of future growth. It will also link this growth with infrastructure provision to ensure the creation of 'Complete Communities', addressing the requirements under the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017). A series of infrastructure strategies for transportation, parks and public realm, community services and facilities, water and energy are in development as part of this review.

The proposed plan recognizes that Downtown is expected to absorb significant growth but not all areas of the Downtown will experience the same levels or intensity of growth. The majority of new development is directed to *Mixed Use Areas*. The Metrolinx property is identified as *Mixed Use Area 1*, and is therefore recognized as an appropriate site for growth. The remainder of the site is not identified as a *Mixed Use Area*. Where growth does occur, the proposed plan promotes built form that is contextually appropriate, and is shaped, scaled and designed to maintain and enhance liveability.

One of the five infrastructure strategies is a Downtown Parks and Public Realm Plan, which sets out a bold vision for enhancing and growing the public realm, recognizing that Downtown residents have among the lowest rates of parkland per person in the city. Priorities for investment and acquisition are outlined in the plan. The site is identified as a key park element in many of these priority areas including the "Core Circle", "Great Streets", "Park Districts" and "the Stitch".

Another infrastructure strategy being advanced as part of TOcore, is a Community Services and Facilities (CSF) Strategy. The purpose of the CSF Strategy is to assess the existing community infrastructure and to determine what infrastructure requirements are needed to support future growth in developing complete and liveable communities for both residents and workers. A Phase One CS&F Report and Technical Appendix was completed in March 2016, which evaluated five key sectors in CS&F: child care, recreation, libraries, schools, and human services. The report identifies overall emerging CS&F priorities for the Downtown including providing for new facilities and space opportunities, and building new partnerships for complete communities downtown.

Other infrastructure strategies identified in the proposed Downtown Plan include a Downtown Mobility Strategy, Downtown Water Strategy, and the Downtown Energy Strategy. The proposed plan also stipulates that all City-owned land will be retained to address the Plan's priorities, and that the funding of these priorities will be pursued through a combination of municipal capital programs, growth related tools or as part of works associated with development applications or other recommended funding strategies.

At its meeting on October 2-4, 2017, City Council considered the Proposed Downtown Plan and directed Staff to undertake stakeholder and public consultation on that document and its proposed policies, leading to a recommendations report and an amendment to Toronto's Official Plan in the second quarter of 2018. Additionally, Council directed Staff to consider the policies contained within the Proposed Downtown Plan in the review of all development applications within the Downtown going forward:

6. City Council request City Planning staff to consider the Proposed Downtown Plan policies, in Attachment 1 to the report (August 18, 2017) from the Chief Planner and Executive Director, City Planning, during the evaluation of current and future development applications in the Downtown Plan area and continue to refine the policies in consultation with stakeholders and the community

The Council decision and Proposed Downtown Plan are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG22.1>

Rail Deck Park Secondary Plan

The City recently initiated an Official Plan Amendment (OPA) for the rail corridor area between Bathurst Street and Blue Jays Way and adjacent City-owned properties including Northern Linear Park and Mouth of the Creek Park. The OPA would amend the existing Railway Lands West, Central, and East Secondary Plans and introduce a new Rail Deck Park Secondary Plan. On December 5, 2017, City Council adopted the recommendations of staff regarding the Rail Deck Park City-initiated Official Plan Amendment – Final Report.

Under the Rail Deck Park Secondary Plan, the majority of the site would be designated as *Parks and Open Spaces Areas*. This designation would protect for current and future rail operations, as well as park-related accessory uses such as small scale retail. Residential, office and large-scale commercial uses would not be permitted. The Rail Deck Park Secondary Plan does not apply to the Metrolinx property at 433 Front Street West.

The Council decision and report are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE28.7>

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing-Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing-Up Draft Urban Design Guidelines were considered in the review of this proposal.

The Council Decision and draft guidelines are available on the City's website at:

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Reasons for Application

Official Plan amendments to the Railway Lands Central and Railway Lands West Secondary Plans are required as each Secondary Plan requires amendments to permit consideration of overbuilding of the Future Development Area and *Utility Corridor* for development.

City Planning is of the opinion that an Official Plan Amendment would be needed to Section 4 of the Official Plan as the *Utility Corridors* designation that applies to the site does not permit the mixed-use development. As well, the Northern Linear Park is designated *Parks and Open Space Areas* and the proposed use of the Northern Linear Park to provide access to the development is not permitted in the Official Plan. The application does not propose to amend the Official Plan with respect to the lands designated *Utility Corridors* and *Parks and Open Space Areas* on the site.

Pre-Application Consultation

Meetings were held with the applicant August 26, 2015, and January 26, July 20 and September 16, 2016, to discuss development concepts presented by the applicant for a development over the rail corridor. A pre-application meeting was held with the applicant on November 10, 2016, to discuss pre-application requirements. Staff advised that this proposal also included the area where Council had directed staff to prepare an implementation strategy and updated planning framework to support a park over the rail corridor between Bathurst Street and Blue Jays Way (Rail Deck Park). Staff also advised that the application submission would need to include the information required in the Railway Lands Secondary Plans in association with any application to amend the Secondary Plans to permit overbuilding over the rail corridor.

Community Consultation

The City held a Community Consultation meeting for this application on September 12, 2017. The meeting included an open house with display panels on the proposed application, followed by presentations from City Staff and the applicant, and a question and answer session. Approximately 250 people were in attendance. Comment sheets were provided to gather written feedback on the proposed development. Following the meeting, staff also received a number of written responses on the application. Comments and questions on the proposal included:

- Who currently owns the land and air-rights in the rail corridor?
- Does the local area have sufficient infrastructure capacity to support this development?
- What sort of technical studies were submitted and is the development technically feasible?

- How will exhaust and other environmental matters be addressed?
- How will the development be integrated with the rail operations below?
- Will this application be brought to the OMB?
- The density of the proposed development is too high.
- The proposed open space should be dog-friendly.
- The proposal would have negative impacts on local traffic and street parking.
- The proposal does not have adequate access.
- The proposal would jeopardize liveability in the area.
- The proposal would cast shadows on adjacent properties and block existing views.
- Local schools do not have capacity to support the proposal.
- More green spaces is needed in the area, local parks are few and heavily used.
- The site would be better used as a public park.

In addition to these comments, a petition in opposition to the proposed development was delivered to City staff. The online petition currently has 4,051 signatories.

The applicant also hosted a public workshop on October 14, 2017.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

COMMENTS

The application proposes to construct a deck over the rail corridor between Bathurst Street and Blue Jays Way to support a large scale residential and commercial development over a highly active and critical transportation corridor for the movement of people and goods for the City, the Province and the country as a whole. The site is also situated in an area of the City that has experienced rapid growth over a relatively short period of time with over 20,000 people now living in the Railway Lands neighbourhoods. Areas surrounding the Railway Lands have also undergone significant transformation, and have evolved into densely populated mixed-use communities, and high levels of growth in these areas is expected to continue. In addition to residents, the entertainment facilities such as the Rogers Centre and Metro Convention Centre and other tourist attractions such as the CN Tower and Ripley's Aquarium attract many visitors to the area year round, making this a major destination.

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Development of this scale and over such critical City infrastructure in this rapidly growing setting warrants careful consideration. Consideration includes not only of local impacts but also of the role of the site and its significance in the context of the Downtown and City as a whole.

P.I.T.S. has not sought the permission of the City to use or alter the City-owned assets impacted by this proposal including Puente de Luz bridge or Northern Linear Park. It is unclear whether private owners of properties directly impacted by the proposed development have agreed to the use or alteration of their lands.

The following sections evaluate the proposal within the provincial and municipal planning framework. More importantly they address the underlying reasons for these policies, to create complete cities and communities that deliver long term health and prosperity and liveability for future generations.

Provincial Policy Statement

Staff have reviewed the application in relation to the Provincial Policy Statement (PPS) and are of the opinion that the application is not consistent with the PPS. The PPS 2014 provides direction on matters of provincial interest related to land use planning and development. Key policy objectives include; building strong healthy communities, wise use and management of resources and protecting public health and safety. Section 1.1.1 provides that healthy, liveable and safe communities are sustained by among other actions; promoting an appropriate range and mix of residential, employment, institutional, recreation, parks and open space and other uses to meet long-term needs; improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers that restrict their full participation in society; and ensuring that necessary infrastructure, electricity generation facilities and public services are, or will be, available to meet current and projected needs. Section 1.1.3.1 provides that planning authorities shall identify locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The application proposes significant adverse impacts on existing parkland making it no longer universally accessible. The application does not propose replacement parkland for the existing Northern Linear Park which would be reconfigured to accommodate that grade change needed to access the garage proposed above the deck structure.

Section 1.2.6.1 of the PPS addresses land use compatibility and Policy 1.2.6 provides that major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odours, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities. Policy 1.6.8.2 addresses transportation and infrastructure corridors and provides that major goods movement

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facilities and corridors shall be protected for the long term. Policy 1.6.8.3 provides that new development proposed on adjacent lands to existing corridor and transportation facilities should be compatible with and supportive, of the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impact on and from the corridor and transportation facilities. Section 1.6.9 provides that planning for land uses in the vicinity of rail facilities shall be undertaken to ensure that their long-term operation and economic role is protected, and sensitive land uses are appropriately designed, buffered and/or separated from rail facilities.

Studies submitted with the application in relation to the land use compatibility and the protection of rail corridor uses are preliminary in nature and recommend that detailed noise, vibration, air quality, and structural design studies be undertaken as plans are finalized.

Based on the above-noted reasons, the proposal is not consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2017

The Growth Plan sets a framework for growth and intensification in the Greater Golden Horseshoe. Like the PPS, its policies support the need to balance growth with the provision of infrastructure and the need to create healthy, complete communities. The application does not conform to and conflicts with the Growth Plan for the Greater Golden Horseshoe as it does not meet this balancing of objectives.

Currently, the City has more than sufficient development to achieve the forecasted growth per the Growth Plan as amended in 2017. The forecasts supporting the Provincial Growth Plan anticipate that the City needs to accommodate 399,270 households between 2001 and 2041. From 2002 and 2016, CMHC recorded 211,824 housing completions within the City of Toronto, or 53% of the required 2041 total. As of the end of 2016, an additional 123,710 units have been approved but were not yet built, and development proposals for 148,294 units had been submitted and were under review.

The units already built and those approved but not yet built total about 335,500 units or 84% of the units required to accommodate the forecasted population by 2041 with 25 years remaining in that forecast period. In total, 483,828 units have been completed, approved, or are under review, with a potential surplus of 84,558 units over the 2041 requirement. Although not all proposals under review are approved, and not all approved projects are built, the magnitude of this development pipeline indicates the City is well on track to meet the 2041 Growth Plan forecasts based on completions and active applications alone.

In 2011, the recorded density of people and jobs per hectare in the Downtown and Central Waterfront was 306. Since that time, significant residential and employment density has been added to this area. Using pipeline data from 2016, the City has estimated that the Downtown and Central Waterfront had achieved 384 people and jobs per hectare in 2016.

While some areas within the Downtown are largely built-out, there remains a large volume of proposed growth in the development pipeline. Based on these figures and other factors, the City has prepared population and employment projections to the year 2041. By 2041, the Downtown is expected to achieve a density of 616 people and jobs per hectare.

As described in the Policy Framework section of this report, the Growth Plan for the Greater Golden Horseshoe (2017), prescribes minimum density targets for identified urban growth centres and major transit station areas. For the Downtown Toronto Urban Growth Centre (UGC) the target is 400 people and jobs per hectare. This target is the average for the entire Downtown Toronto UGC, and it is not for any one particular area within Downtown.

For major transit station areas served by GO transit (such as the planned Spadina-Front GO Station) the target is 150 people and jobs per hectare. The existing population and employment density within 500 metres of the major transit station area already significantly exceeds the Growth Plan targets for major transit stations.

Considering existing and projected population and employment growth, all applicable density targets are on track to achieving or exceeding a density of 400 people and jobs per hectare by 2031. Therefore, the proposed development is not required to meet minimum growth figures set out in the Growth Plan. However, the Growth Plan also recognizes in Section 5.2.4 that development is permitted beyond the minimum density targets provided that the type and scale of development is contextually appropriate and that the development does not conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

The Growth Plan supports the achievement of complete communities that provide "an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities" and "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards. Although the City continues to track positively towards achieving the Provincial growth targets, there is an increasing gap in the level of hard and soft infrastructure to serve the population especially in the Downtown. The application supports growth but detracts from the opportunity to achieve complete communities and for this reason does not conform to the Growth Plan.

In this instance, the proposed development fails to address the objectives in the Growth Plan and PPS on supporting complete communities. Furthermore, the proposed development fails to conform to the City's Official Plan including but not limited to policies related to structuring growth, the downtown, the greenspace system, transportation, built form and public realm, parks and open spaces, *Utility Corridors*, *Mixed Use Areas*, and *Parks and Open Space Areas*.

Policy 3.3.5 1b) of the Growth Plan in relation to Infrastructure Corridors, require that in planning for the development, optimization, or expansion of existing and planned corridors municipalities will ensure that existing and planned corridors are protected to meet current and projected needed in accordance with the transportation and infrastructure corridor protection policies in the PPS. As noted previously, the application does not adequately address these requirements.

Land Use

Official Plan

The majority of the site is designated *Utility Corridors* in the City's Official Plan. The Northern Linear Park that extends along the south side of the rail corridor has been included as a part of the application and is designated as *Parks and Open Spaces Areas (Parks)* in the Official Plan. The site at 433 Front Street West is designated as *Mixed Use Areas*.

Public Uses and Amenities in *Utility Corridors*

The application has not adequately considered the intent and direction provided by the Official Plan in relation to land use policies and priorities in *Utility Corridors*. The application proposes that the area above the rail corridor is not required for existing or future railway activities or uses, but has not considered the direction and priority established by the Official Plan that this area of the *Utility Corridor* should first be considered for public uses and amenities such as linear parks and open spaces.

The Official Plan recognizes the vital role of *Utility Corridors* in the City as corridors for the transmission of energy, communication and the movement of people and goods. *Utility Corridors* consist mainly of rail and hydro rights-of-ways. The Plan recognizes that these linear corridors are defining elements of the landscape fabric of the City and many of these corridors also serve important local functions as parkland, sports fields, pedestrian and cycling trails and transit facilities. The Plan places a high priority on the protection of corridors for future public use as transit routes and linear parks and trails. The Plan states that when corridors are declared surplus every effort should be made to secure *Utility Corridors* for a variety of public uses.

Parkland deficiency is a significant issue in the Downtown including within the Railway Lands. The Downtown has been identified as one of the areas with the lowest level of parkland provision in the City. The TOcore Downtown Plan study found that in order to achieve the median level of parkland provision in the City, the Downtown would need an additional 256 hectares of new parkland. Downtown is also experiencing unprecedented growth, and parkland provision has not kept pace with this growth. High levels of growth are expected to continue presenting further challenges in relation to addressing the parkland deficiency in this area.

The Railway Lands has also experienced significantly more growth than was initially planned, and this has placed added pressure on the existing parks and open spaces that have been established in this area. There are also sites within the Railway Lands where mixed-use development is permitted, including the Metrolinx property at 433 Front Street West that is within the site.

The site is situated within the *Downtown*, an area where growth is anticipated and encouraged. The City is on target to achieve Growth Plan forecasts for population and employment and those for the *Downtown*. As a result new development over the rail corridor is not needed to meet growth related objectives. The Official Plan recognizes that growth will not be uniform across the whole of the *Downtown* and a key principle of the Official Plan is its emphasis on the strategic need to enhance the amenity and livability of the City's growth areas including the *Downtown*. *Utility Corridors* are an important element of this strategy.

The application has not adequately considered the changes that have occurred in the existing and planned context of the Railway Lands and the larger *Downtown* over the past 30 years, in relation to the mix of uses proposed on the site and the direction of the Official Plan that *Utility Corridors* should be protected for public uses and amenities.

City Planning staff do not support the proposal for additional development on the *Utility Corridor* as this area should be protected for future public uses and amenities as intended and directed by the Official Plan.

Preserving Parks and Open Spaces

Section 4.3 of the Official Plan provides that *Parks and Open Space Areas* are intended primarily for parks and open spaces uses. Development is generally prohibited within the *Parks and Open space Areas* except for recreation and culture facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities. The policies provide that the sale or disposal of publicly-owned land in *Parks and Open Space Areas* is discouraged and no city-owned land in *Parks and Open Space Areas* will be disposed of. The Plan provides that city-owned lands in *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger area and comparable or superior green space utility.

The application proposes that the existing Northern Linear Park is to be used for parking and loading access and be steeply re-graded to rise to the level above the new rail deck. Private uses are not permitted within the Northern Linear Park, and the park is not proposed to be replaced contrary to the Official Plan.

Railway Lands Central and West Secondary Plans

The Railway Lands Secondary Plans contain a set of common objectives and principles that have guided development of the Railway Lands over the last three decades. This

includes: integrating the Railway Lands with the Downtown to minimize the barrier effects of road and rail corridors and reunite the central city with the Waterfront; supporting a range of uses; ensuring effective and efficient transportation services including rail; ensuring environmentally sound conditions; while contributing to an attractive, inviting and safe public realm.

Private developments and public initiatives within the Railway Lands have been undertaken within this overarching framework, each contributing to and supporting the vision for the Railway Lands. In keeping with this vision, the Railway Lands has transformed from its industrial past into vibrant mixed-use neighbourhoods, and a major entertainment and cultural destination. Any development to be considered within the Future Development Area and *Utility Corridors* on the site must be reviewed within this context and demonstrate that these objectives are achieved.

The application has not met the major objectives of the Railway Lands Secondary Plans in a number of respects and these are discussed below.

Comprehensive Considerations for Land Use and Decking over the Rail Corridor

Each of the Secondary Plans include provisions that address considerations for development within the Future Development Area and *Utility Corridors*. Foremost is the requirement that land use and decking considerations must be considered in a comprehensive fashion for the *Utility Corridor* and the Future Development Area that includes both the rail corridor and Bathurst North Yard. Comprehensive study or studies are required to evaluate various land use and decking considerations with any application to amend the Secondary Plans in recognition of the critical importance of this highly active and essential rail corridor to the City, the Province and regions beyond.

The application proposes that most of the residential and commercial uses be located along the northern edge of the site generally above the Bathurst North Yard, with open space generally extending along the south side of the site over the active rail corridor. The application proposes that if the area of the open space is not secured by the City for public use then the open space could then be considered through a further Official Plan amendment for residential, commercial or institutional uses.

The application fails to take a comprehensive approach to considerations in relation to land use and decking over the rail corridor, contrary to the Secondary Plans as it relates to potential future development in the proposed open space areas on the site. It does not evaluate how this development could be accommodated in addition to the proposed land uses or meet the objectives of the Secondary Plans.

Moreover, the application has not evaluated the impacts of additional development beyond that currently proposed on the existing and future use of the rail corridor below the proposed open space areas. Insufficient information has been provided confirming that the primary objective for the rail corridor for effective, safe and efficient provision of

rail transportation uses will not in any way be compromised by development, as required by the Secondary Plans.

The application does not meet the major objectives of the Secondary Plans in terms of breaking down barriers, improving connectivity or demonstrating how they will protect long term rail operations. This application does not address the intent of the Secondary Plans.

Current and Future Use of the Rail Corridor

Due to the critical importance of the rail corridor, the Secondary Plans require that technical studies be undertaken in association with any amendment to permit development over the corridor in relation to the existing and future use of the rail corridor, and confirming that the objectives of Sections 2.2, 8.4 and 8.5 of the Secondary Plan are ensured. The studies are required to ensure that the future capacity, safety and expansion of the Rail Corridor is not impaired and that it and Union Station's primary rail function are protected. The Secondary Plans also require that the application re-assess the minimum 30 metre railway setback requirement in order to determine its continued appropriateness or incorporation into the development.

Technical studies were submitted with the application and these are summarized below.

1. **Technical Rail and Decking Study**
The Technical Rail and Decking Study set out approaches taken in the design of the mixed use development and is intended to respond to principles and objectives of the Secondary Plans. The study notes that a preliminary track layout has been prepared but this was not submitted. The study recommends that future studies be undertaken to finalize design as the proposals are further developed and that the applicant could potentially provide for Metrolinx signaling and overhead contacts systems to be mounted on the underside of the proposed rail deck.
2. **Preliminary Structural Design and Engineering Analysis of the Decking Structure**
The report advises that information has been obtained from Metrolinx on requirements in relation to minimum clearances for the decking structure, minimum clearances for active and storage tracks, station dimensions and other technical requirements, but this is not included in the study.
3. **Environmental Noise Feasibility Study**
The Noise Feasibility Study concludes that with appropriate acoustical design in the development, a suitable acoustical environment can be achieved.
4. **Railway Vibration Study**
The study concludes that the on-site measured vibration due to train pass-bys indicates that there will be excesses above the reference thresholds. The study recommends that vibration mitigation be implemented as part of the building design and that details of the vibration isolation will be developed as the building designs are developed.

5. **Preliminary EMF Calculations**
The study includes preliminary EMF calculations in relation to a potential electrified rail system as planned by Metrolinx. The study found that the calculated levels do not exceed the human exposure limits. The study makes recommendations in relation to mitigation approaches and more detailed review and analysis as plans are finalized.
6. **Air Quality Assessment**
The assessment provides comments on air quality based on information from previous studies undertaken in relation to development applications on sites south of the rail corridor. Data is not included in relation to air quality on the subject site. The consultant recommends that mechanical venting be used to address air quality on the site and provides a concept plan indicating the potential location of the ventilation portals.
7. **Life Safety and Fire Code Concepts**
The report addresses the major life safety and fire protection concepts for development in relation to the Ontario Building Code and other recognized fire protections standards. The report is not intended as a review of compliance with the Building Code and other fire protection standards.
8. **Drawings**
Architectural, landscape and grading drawings submitted with the application illustrate the relationship between the development and the rail corridor, but do not provide adequate information with respect to the proposed infrastructure that would be needed within the corridor for the development and how this would be organized.

The application was circulated to the Province, TTR CN, CP, Metrolinx and City divisions and agencies for review. Comments were received from the Province, Metrolinx and the City's Public Health Division in relation to the rail corridor.

Provincial Comments

The application was reviewed by the Ministry of Municipal Affairs and Housing, the Ministry of Transportation and the Ministry of the Environment and Climate Change and the Province has advised that policies in the PPS and Growth Plan in relation to land use compatibility and transportation and infrastructure corridors apply to the proposal.

The Province comments that the proposed mixed-use development seeks to establish residential and potentially other sensitive land uses immediately above the active rail corridor. Such uses may be subject to adverse effects from the intensive rail traffic below. Moreover, the establishment of the proposed development in such close proximity could potentially impact the ongoing viability of the existing railway corridor. The Province advised that the City in its review of the application should be satisfied that

the matters of land use compatibility are addressed and ensure the viability of the existing railway corridor is protected for the long term.

Metrolinx Comments

Metrolinx supports Transit-Oriented Development (TOD) along the GO Transit network with key planning considerations set out in documents such as the Adjacent Development Guidelines and the Mobility Hub Guidelines. However, the proposed OPA presents a unique circumstance, in that it would permit significant development directly above the busiest part of the network, development which would require major supporting infrastructure to be located on Metrolinx properties.

Any proposed infrastructure to be located on or through Metrolinx property cannot negatively impact their current and/or future rail operations. Planning and design work for the RER program, Spadina-Front GO Station and related infrastructure is currently underway. Any confidential information provided by Metrolinx to the applicant in 2016 was provisional in nature and subject to change.

Metrolinx is therefore not in a position, for the reasons stated above, to comment on the impact, if any, of the concept proposed by the applicant on present and future rail operations, including delivery of the RER program.

Metrolinx has advised that they have not entered into a development agreement, purchase and sale agreement, or any other real estate contract with the applicant to permit the use of the Metrolinx lands for the proposed development.

Public Health Comments

Public Health division staff have reviewed the application and advised that while they are supportive of the proposed open space on the site, care should be taken in site planning to ensure that the potential benefits are maximized and potential adverse impacts are mitigated. Considerations include:

- How emissions from rail activity will be both filtered and vented away from spaces where people spend time.
- Promoting active transportation and minimizing potential for injury by separating vehicles, cyclists, and pedestrians from each other.
- Noise mitigation, especially in spaces where individuals are spending significant amount of time, including the proposed parkland areas.

City Planning Comments on Rail Corridor Technical Studies

City Planning staff have significant concerns with this proposal. Many of the studies submitted with the application are preliminary or conceptual in nature and do not include technical evaluation of the proposal in relation to the impacts of the development on the railway uses, the impact of the rail uses on development or that the proposal provides the equivalent level of safety and risk mitigation to the Federation of Canadian Municipalities recommended best practices in relation to the 30 metre rail setback, as required by the Secondary Plans.

The application also provides for residential uses to be permitted through a further OPA within the area of the rail corridor between Spadina Avenue and Blue Jays Way, where residential uses cannot currently be considered in association with any application for decking over the rail corridor for development. The studies submitted with the application have not addressed the implications of residential development within this area.

City Planning staff are of the opinion that the application has not demonstrated that the range or mix of uses as proposed is appropriate, and would not be impacted by the rail uses and activities within the corridor below, or that the proposal could be accommodated over the rail corridor without adverse impact on the viability of the rail uses below contrary to the objectives of the Secondary Plans.

Current Land Use Permissions on the Metrolinx Site – 433 Front Street West

There are development permissions on the Metrolinx property. The Official Plan and Zoning by-law permit a substantial mixed-use development. It also permits a transit station. Overall development permissions on the property allow for a tall building 95 metres high (30 storeys) and up to 36,458 square metres of floor area. The property is subject to a holding symbol, which provides that only non-residential uses are permitted until such time as the holding symbol is removed.

This property is an important site within the Railway Lands. In addition to its essential role in relation to the commuter rail and transit network, the site's location at the intersection of Front Street West and Spadina Avenue makes it a gateway into the neighbourhood and a critical connecting link between the Railway Lands and the downtown. Careful consideration in determining the appropriate mix of uses, the built form and public realm relationship for future development planned for this property, was undertaken during the comprehensive master planning for the larger Railway Lands.

Additional Secondary Plan Requirements

In addition to land use considerations in relation to the rail corridor, the Secondary Plan includes additional matters to be addressed in considering development within this area. Guidance is provided in relation to the potential distribution of uses. The areas between Staff report for action – Refusal Report – The areas generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West

Spadina Avenue and Blue Jays Way and the west side of Spadina Avenue extending to the first north-to-south street is identified as an area for considering primarily non-residential uses. The remaining area extending to Bathurst Street is identified as an extension of the Bathurst Spadina Neighbourhood for primarily residential purposes including street related retail and service uses and parks.

As well, there are number of other matters to be addressed including; ensuring that the scale and form of the development is compatible with adjacent developments, providing pedestrian and vehicular, and visual connections between Front Street West and the areas neighbourhoods to the south, providing for local street-related uses, ensuring that community services and facilities are provided, providing for an environmental quality which meets the objectives of the Secondary Plan, and requires that a minimum of 1.58 hectares of replacement parkland be provided if the Northern Linear Park is required to permit decking.

City Planning staff have assessed the proposal in relation to the matters outlined in the Secondary Plans which together establish a framework under which development could be considered in accordance with the major objectives and vision for the Railway Lands and the principles governing the structure, form and physical amenity of Railway Lands development. Planning staff are of the opinion that the proposed development has not addressed the parameters as set out in the Secondary Plans that must be achieved in considering any new development within this area.

The scale and form of the development is not compatible with adjacent developments. The site is proposed to be elevated well above adjacent properties to the south and physically separated from the existing CityPlace neighbourhood with steep slopes and walls forming the interface between the two. The site is not universally accessible and the walls and slopes form a barrier to access between the two. In contrast the existing developments in the CityPlace neighbourhood were carefully located and organized to frame adjacent streets and parks and open space, with generous pedestrian zones along the streets and gradual transitions to the parks and open spaces. The developments are connected to each other through public and private streets and a linked system of parks open spaces.

Along the north side of the site, the proposed development's street wall condition creates a barrier effect along Front Street West and is not compatible with the existing and planned developments to the north. No transitions are proposed to the lower scale buildings within the Draper Street Heritage Conservation District opposite the site on the north side of Front Street West.

The development does not provide adequate pedestrian and vehicular, and visual connections between Front Street West and neighbourhoods south of the corridor. Access to the site for pedestrian and cyclists is challenging as the site is not universally accessible along its south edge, and steep ramps and staircases are proposed as main accesses to the development along both the north and south sides of the development.

The street wall condition proposed along Front Street West and the walls and slopes along the south side of the site creates a barrier with no visual connections available across the corridor.

The application does not provide for street related retail uses along Front Street West where retail uses are proposed to be situated above the street level. A large staircase from Front Street West is proposed as the main access route to the galleria with entrances situated far from the street edge and most entrances located in the interior of the site from the elevated open space behind the buildings.

The application proposes to provide opportunity for space within the development for non-profit community organizations, a community hub, a community health care centre and two child care centres. The child care facilities are proposed to be situated on the 5th level of the development. The proposed location of the child care facilities do not meet the requirements contained in the *Child Care and Early Years Act, 2014*, which restrict these uses to the first or second storey of a building to ensure safety and ease of access.

The application will have significant negative impacts on the Northern Linear Park and the replacement requirements of the Secondary Plans have not been addressed.

Adequacy of the Proposed Open Space and Parkland

The policies of the Official Plan and Railway Lands Secondary Plans seek to ensure that communities are complete communities. Public parks and open spaces are essential elements of complete communities needed to support healthy and vibrant neighbourhoods. One of the main principles of the Railway Lands Secondary Plans is the establishment of a system of high quality, useable, linked parks and open spaces as a structuring element for Railway Lands development. The application is not consistent with these objectives and principles discussed in more detail below.

Parkland Dedication Requirements

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced, and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 3.7 ha or 75% of the site area. However, for sites that are greater than 5 hectares, a cap of 20% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 10,467 m². The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. Currently, the applicant is proposing a 1.47 ha strata park on-site that will be encumbered by a 2-storey parking garage. The proposed strata parkland conveyance would not conform with Chapter 415, Article III, Section 26(B) of the Toronto Municipal

Code as the land would be encumbered. The acceptance of encumbered parkland would require Council approval.

The potential parkland provision on this site in the context of facilities below the park but above the rail corridor presents significant challenges in terms of meeting the City objectives. In particular, Parks staff have raised concerns on the following matters, among others:

- Any on-site parkland dedication must have road frontage, meeting the road at grade without any elevation change. It also must have good visibility from the road, easy pedestrian access that meets all AODA requirements, and have vehicular access for maintenance by PFR staff. There appears to be limited visual access to the open space area from adjacent streets and it is not clear how parks maintenance can access the site.
- PFR requires all parkland dedication to be unencumbered, unless approved by City Council. The applicant is proposing encumbered parkland, which, if found acceptable by City staff and City Council, is assessed at a lesser value and more land will be required to make up the differential. No cash-in-lieu of land will be accepted.
- The proposal would regrade, fragment, and reduce utility of Northern Linear Park. Northern Linear Park would not be accepted as parkland dedication, nor would the park be disposed of for the sole purpose of accommodating access to structured parking. It is not clear whether the applicant is seeking to acquire the Northern Linear Park. If so, parkland of equal or greater area and utility must be supplied to the satisfaction of the General Manager, PFR.
- The proposal shadows the approved and secured park at 456 Wellington Street West, Clarence Square and Victoria Memorial Square. No new net shadows will be accepted on any of these parks.

Proposed Open Space and Parkland

The application advises that the development could result in 5.01 hectares of new public parkland including the existing Northern Linear Park (0.97 hectares) and open space proposed on the site (4.04 hectares). The application proposes to use the Northern Linear Park lands to achieve access for parking and loading with a series of north south driveways and the remainder of the Northern Linear Park taken up by stairs, ramps and slopes to reach the new elevated open space.

A parkland dedication of 1.47 hectares (under section 42 of the *Planning Act*) could be provided to the City if requested. Parkland to replace the Northern Linear Park or to achieve the 5.01 hectares total parkland would not be included in the parkland dedication but the application notes that the City could acquire an expanded park at the City's cost.

Limited Utility and Opportunity for Public Parkland or Open Space

A fundamental principle of the City's growth management strategy is to ensure that as the City grows, public amenities and infrastructure are provided to keep pace with this growth. Parks are essential public infrastructure needed to support healthy and vibrant communities. This strategy is supported by the Parks and Open Space policies of the Official Plan that recognize that as the City grows the system of parks and open spaces will need to be expanded and enhanced through actions such as adding new parks and amenities particularly in growth areas. The Railway Lands West Secondary Plans require that all development contribute to the parks and open space system, and this system is one of the main structuring elements of Railway Lands development.

The Parks and Open Space policies of the Official Plan also seek to achieve high quality parks that offer a wide range of active and passive recreational opportunities and year-round use. Parkland characteristics and quality are important considerations in acquiring new parkland and new parkland should be free of encumbrances wherever possible to maximize their utility for public park purposes. The Railway Lands Secondary Plans support these principles requiring that the design of parks and publicly accessible open spaces be high quality and appropriate to their proposed use, and that these spaces be perceived as public places.

The utility of the proposed parkland is affected by the fragmented elements proposed - ramps, slopes, smaller plazas and a bridge over Spadina Avenue - and many park accesses are not universally accessible. In addition, the drawings show limited soil volumes to support planting and trees. These factors combined with the linear east to west configuration of the open space make it unsuitable for many larger scale and flexible uses such as sports fields and major event and gathering space. Parking and commercial uses for private development encumbering the open space, further compromise park utility, is not supported.

The application's proposed open space would be raised significantly above the grade of the surrounding lands (6 – 10 metres) and on the north is framed by a wall of buildings. There are few visual and physical connections further limiting the utility and visibility of the open space.

The draft Official Plan policies submitted as part of this application do not formally secure additional parkland. Within the in-force Secondary Plan, a total of 4.61 ha of parkland is required to be secured within the Railway Lands West. This parkland has already been secured within the existing Railway Lands West along with additional privately owned publicly accessible open space. The draft policies in this application do not add the requirement for additional parks and open space despite the proposal to add significant new development and resulting demand for parkland from future residents and workers.

Although, the application materials suggest that almost 50% of the site is to be available as parks and open space this is not articulated in the submitted draft policies. Areas that are shown as open space in the application have a combination of Open Spaces Areas and Mixed Use designations and limitations as follows:

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- The existing Northern Linear Park is transversed by proposed parking and loading access and steeply re-graded to rise to the level above the new rail deck. This park is not proposed to be replaced.
- The area of the Puente de Luz bridge, owned by the City and part of the public realm over the rail corridor, is designated as partly open space and partly mixed use.
- The applicant would normally be required to provide on-site parkland under Section 42 of the *Planning Act* and this, the applicant estimates, would be 1.42 hectares, however, given the fact that no change is proposed to the existing requirement for 4.61 hectares to serve the Railway Lands, this provision is not clearly set out.
- Any further parkland would be secured only if purchased and built by the City.
- Potential open space areas not purchased and built as parkland by the City, would be available for a future application for additional development over the rail corridor.

The application has not demonstrated that there is any area on the site that is suitable or available for public parkland or public open space, consistent with City requirements for parkland or open space, contrary to the Official Plan and Railway Lands Secondary Plans.

Adverse Impacts on the Northern Linear Park

The Parks and Open Space policies of the Official Plan require that the effects of development on existing parks and open spaces be minimized to preserve their utility. The Built Form and Public Realm policies of the Plan support this objective and require that new development be located and organized to fit within its existing and/or planned context and frame and support adjacent parks and open spaces to improve the safety, pedestrian experience and casual views to these spaces.

That application proposes to include the Northern Linear Park within the site, but has not included the park in the proposed amendment to the Railway Lands Secondary Plans.

The application proposes to convert the Northern Linear Park into a steep sloped area with up to 50% grade, and large portions are paved for the driveways, along the southern edge of the development site, that lead to the garage above the corridor.

The majority of the slope is occupied with steep ramps, stairs and walls between 6 and 10 metres high. The ramps and staircases are proposed to extend to the edge of the private street adjacent to the south that is the main access to parking and loading for existing high-rise buildings in the CityPlace neighbourhood. The application proposes that the

reconfigured park area including the steep slopes, driveways, ramps, stairs and walls continue to be considered public parkland.

The Northern Linear Park would no longer be universally accessible, would be encumbered with walls, steep ramps and staircases, and interrupted with large paved driveways and access ramps making it unsuitable as parkland. The effect of the application is to remove parkland within an existing high density residential neighbourhood, and a rapidly growing area of the downtown that is parkland deficient contrary to the Official Plan and Railway Lands Secondary Plans.

The Northern Linear Park is a key element of the City's parks and open space system and highly valued by residents and visitors. It is currently universally accessible and visible from adjacent streets. It provides active and passive recreation opportunities and serves as a main cycling and pedestrian connection within the Railway Lands and to the larger City-wide parks and open space network. The application removes this connection from the existing parks and open space network within the Railway Lands and to the larger City, contrary to the Official Plan and Railway Lands Secondary Plans.

Front Street West

Front Street is identified as one of the Great Streets as defined in ToCore's proposed Downtown Plan. These streets hold cultural and historical significance, connect Toronto's landmarks and play an important role in promoting street activity and encouraging public life. The Railway Lands West and Central Urban Design Guidelines provide direction to include street related retail and provide continuous and consistent views and pedestrian walkways on both sides of Front Street.

The proposal does not meet the Guidelines as no grade related retail is proposed along Front Street and the street fabric to the north is not taken into consideration. A continuous solid wall does not only create a greater physical separation, but blocks any views from the street level. Visual connections to the proposed open space, CityPlace neighbourhood and the waterfront are eliminated. Limited programming at grade and buildings rising up to 200 metres without appropriate step backs will limit street activity and animation of the street. With no direct link from Front Street West to the open space, park visitors will be funneling through the staircases and lobbies, rather than populating the public realm, contrary to the Official Plan and Secondary Plans.

Built Form

Built form policies of the Official Plan provide that new development should fit harmoniously within its existing and/or planned context, and seek to ensure a compatible physical relationship with new development. New development should be massed to define the edges of streets at good proportion with appropriate transitions between the public and private realm. Vehicle parking, access and services areas should also be located and organized to minimize their impact on surrounding properties and improve the safety and attractiveness of adjacent streets, parks and open spaces. The Plan

provides that above-ground parking structures where permitted or appropriate will be integrated with the building design to have usable building spaces at grade facing parks and open spaces. New development especially at this scale, should improve pedestrian amenity with generously proportioned sidewalk zones with sufficient spaces for pedestrians, street furniture, trees, utilities and commercial uses. New development should provide uses at grade to activate and animate the street and these uses should be accessible from the street. The Public Realm policies of the Plan provide that interior shopping malls are to be designed to complement and extend but not replace the role of the street as the main place for pedestrian activity. They should be accessible, comfortable, safe and integrated into the local pattern of pedestrian movement with direct, universal physical and visual access from the public sidewalk.

The proposed development does not meet these policies and Guidelines. The site is elevated high above the lands to the south, and the transition along the park edge between the public and private realm is not gradual or appropriate. The vehicle parking, access and services have been located and organized in such a manner that they will have significant negative impacts on the park. Specifically, the development proposes large portals framed by high walls constructed in the Northern Linear Park off of Capreol Court and Dan Leckie Way to provide access through the park to the garage above the corridor. These entrances are proposed as access for parking and loading vehicles and would create unpleasant conditions for pedestrians and cyclists.

The proposed development is organized with the majority of the residential and commercial uses situated along the northern portion of the site with the service garages, some commercial uses and most of the open space situated along the southern portion of the site. In the area of the site between Bathurst Street and Spadina Avenue, the mixed-use portions of the development extend to the north property line facing Front Street West. Base buildings ranging in height from 2 to 9 storeys form a generally continuous street wall along Front Street West with two main breaks in the façade, one opposite Portland Street the other midway between Portland Street and Spadina Avenue with stair access to the retail uses and open space above.

There are eight tall buildings between Spadina Avenue to Bathurst Street and all but two of the towers extend to the north property line above the base building. The first level of the development is proposed to be located above grade. In order to transport pedestrians and cyclists from grade to the first level of development, elevators are envisioned to be located within each entrance and lobby, in addition to staircases.

The street wall condition formed by the base building, towers above, and the staircases extending to street edge along Front Street West create a barrier effect along this important street. Exterior staircases some as many as 50 risers and lobbies with elevators and stairs are proposed as main accesses from Front Street West to the retail uses above. A large staircase from Front Street West is proposed as a main access to the galleria leading to mall entrances situated far from the street edge, with most of the entrances to the galleria located in the interior of the site from the elevated open space behind the

buildings. A combination of ramp and stair access is also proposed from Spadina Avenue to the development and open space east of Spadina Avenue.

The open space areas along the south side of the development are elevated 6 to 10 metres above the surrounding properties and as discussed previously significant grade changes are proposed to the Northern Linear Park adjacent to the south of the site.

The application with its elevated development, a combination of escalators and elevators to access open spaces fails to address the Official Plan's built form and public objectives. The application proposes a development that is not appropriately integrated with the surrounding streets, properties, and neighbourhoods contrary to the Official Plan and Secondary Plans.

The rail corridor is situated between established and rapidly growing neighbourhoods within the Downtown. The proposed large scale development includes 2,750 new dwelling units. Any proposed change in land use over the rail corridor, particularly, should add to and strengthen the connections over the corridor between existing neighbourhoods, and between the Downtown and the waterfront. New development should be fully integrated into the larger City fabric, reduce the barrier effect of the rail corridor and help to reconnect the downtown to the waterfront as required by the Official Plan and Railway Lands Secondary Plans.

Tall Building Design Guidelines Railway Lands Central and West Urban Design Guidelines

The City's Tall Building Design Guidelines are used to implement the built form policies of the City's Official Plan, and assist in the review of tall building proposals. The Guidelines are related to four main areas; site context, site organization, building massing and the pedestrian realm.

In considering site context, tall building proposals must address concerns related to transitions between taller buildings and lower scale features including measures to achieve appropriate transitions in scale and the protection of sunlight and sky views. Design criteria related to site organization address issues of building placement and orientation, location of building entrances, servicing and parking requirements, enhancement of adjacent streets and open spaces, and respect for heritage buildings. Building massing is a critical consideration in assessing tall buildings. New tall buildings are expected to enhance the public realm by providing active frontages, and high quality streetscape and landscape design elements, and limiting shadowing impacts and uncomfortable wind condition on nearby streets, properties and open spaces, as well as minimizing additional shadowing on neighbouring parks to preserve their utility.

The application's continuous wall of buildings along Front Street West does not respond to the animated streetwall of other proposed developments on the north side of Front Street West. The proposal does not provide a gradual transition between the townhouse

lined historic Draper Street and the new development. High podium walls along Front Street West will block views to the proposed open space, over the rail corridor, the CityPlace neighbourhood, and the Waterfront beyond. The proposed development does not provide 5 hours of sunlight on Front Street West and casts an additional shadow on Victoria Memorial Square and Clarence Square.

Only two of the towers are proposed to be set back from the base buildings along Front Street West, creating an inappropriate street wall condition both vertically and horizontally, stretching over 140 metres along Front Street West between Bathurst Street and Spadina Avenue. The row of towers along the street will further accentuate the height of the streetwall, and provide limited pockets of skyview. This condition does not provide a pedestrian friendly edge and environment. Residential lobbies can be accessed at street level, however retail and open space uses are situated above the street, and proposed to be accessed via staircases, ramps, and elevators rather than directly from adjacent streets.

The Railway Lands Central and West Urban Design Guidelines recommend placing the tower on the Metrolinx property, right at the corner on Front Street West and Spadina Avenue to create a gateway into the neighbourhood. The proposed tower is set back from the corner with a grand staircases being the prominent gateway feature. The Guidelines also state that the ground floor level of buildings will follow the level of abutting sidewalks. No access to retail at grade is proposed from the abutting sidewalks.

The Guidelines encourage mid-block pedestrian connections within the development parcels. These pedestrian landscaped mews should connect to the public sidewalk to the north and south. In many cases up to 50 stairs are proposed to access the development from the public sidewalks. Connecting to a system of parks and open spaces that extends existing city patterns is not being considered in the proposal as per the Railway Lands Central and West Urban Design Guidelines. The Guidelines emphasize a significant view towards Draper Street, which is currently being blocked by the development.

A large staircase on Front Street West forms the terminus of Portland Street to the south. Connections to Draper Street and to the network of walkways, parkettes and opens spaces proposed in association with the 'Well' development opposite the site on the south side of Front Street West have not been addressed.

The proposal does not provide adequate setbacks to create a generous edge zone to support valuable street activities and amenities. No retail at grade is provided along Front Street or Spadina Avenue. There are no openings or views along Front Street West that indicate the presence of open space or connections to the rest of the neighbourhood.

View Corridors

During the early planning phases for the Railway Lands, a co-ordinated and comprehensive approach to the siting of buildings including the placement of towers, and the location of new streets, parks and open spaces was undertaken to ensure, among other

matters, that there were continuous east to west and north to south linkages throughout the Railway Lands aimed to strengthen the connection between the new neighbourhoods anticipated here, and to establish connections between the downtown and the central waterfront. As development has proceeded, view corridors have been established and maintained along streets, through the parks and between buildings helping to link the Railway Lands neighbourhoods. The height and mass of the proposed overbuild structure and buildings above, blocks views across the corridor and between the downtown and waterfront.

Public Art

Public art is one of the defining features of the Railway Lands with many seminal artworks from acclaimed artists found within the parks and on private properties throughout the neighbourhoods. These artworks tell the stories of the Railway Lands and are highly valued by residents who have told us that they help to foster a sense of place that defines this community. This proposal which contemplates major grading changes to the Northern Linear Park both east and west of Spadina Avenue will create challenges to the siting, prominence and visibility of the existing art including the Chinese Railway Workers Monument and Flower Power.

Heritage

The rail corridor site is adjacent to a collection of structures and areas of local and national heritage and cultural significance.

Front Street, immediately to the north is recognized as a cultural corridor in the 2001 Waterfront Culture and Heritage Infrastructure Plan acknowledging its significance as the original "front" of the City following the historic shoreline of Lake Ontario and the historic Walks and Gardens Plan linking to Union Station.

Three Heritage Conservation Districts (HCDs) are adjacent to the proposal. The King Spadina HCD is located north and east of the proposed development. The HCD Plan focuses on conserving the area's historic fabric, maintaining and enhancing the area's built form character, through protection of heritage buildings, reinforcement of building scale and sensitive architectural design. Victoria Memorial Square and Clarence Square and the grand boulevard of Wellington Street connecting the two squares, are identified as an area of special identity in the King Spadina Secondary Plan and are of particular historic significance.

Also to the north is the Draper Street HCD, an historic house form residential street. To the south west of the site is the Fort York National Historic Site and HCD. A walled fort characterized by small buildings set in open space. At the east end of the Fort York HCD is the heritage designated Bathurst Street Bridge.

The proposed development has not sufficiently considered the fabric of the immediate surrounding area especially the transition to the historically significant areas, such as Draper Street and Wellington Street. The proposal casts morning shadows on Victoria

Memorial Square, afternoon shadows on Clarence Square and throughout the day on Draper Street. It does not adequately respond to the cultural significance of Front Street. A continuous street wall, placed at the property line, does not support the important public realm function of the street, its role in interpreting the historic waterfront or enhance views and linkages to the waterfront.

Sun/Shadow

The Public Realm and Built Form policies of the Official Plan provide that new development limit its impacts on neighbouring streets, parks, open spaces and properties by among other things, massing new building at appropriate proportion with adjacent streets, adequately limiting any resulting shadow, on neighbouring streets, properties and open spaces, and minimizing any additional shadowing on neighbourhood parks as necessary to preserve their utility. The *Mixed-Use Areas* of the Official Plan also provide that new buildings should be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

A sun and shadow study was submitted with the application and has been reviewed by City staff. The diagrams illustrate the shadows that would be cast under existing development permissions and those of the proposed development. They also illustrate shadows cast from existing and approved buildings in the adjacent areas. The development proposed at 400 Front Street West which has been appealed to the Ontario Municipal Board is also included in the analysis and is not supported by City staff.

The study illustrates that shadows exclusive to the development will extend to the north of Stewart Street and west of Bathurst Street in the morning hours at the spring and fall equinoxes shadowing Victoria Memorial Square and the Draper Street neighbourhoods. Much of the Victoria Memorial Square would be in shadow until 10:18 a.m. and its southern and eastern edges in shadow until 12:18. Shadows also extend to Clarence Square at 2:18 p.m. moving off the Square by 3:18 p.m.

The Draper Street neighbourhood would experience shadow impacts year round. At the spring and fall equinoxes there is extensive shadowing within the neighbourhood throughout the day beginning at 10:18 a.m. and moving off the neighbourhood by 5:18 p.m.. Draper Street is situated within the *Neighbourhoods* designation in the Official Plan.

The proposal will have unacceptable shadow impacts on the Draper Street neighbourhood, Victoria Memorial Square, and Clarence Square, which are not supported within the current policy framework.

Wind

A Pedestrian Wind Study Report, was submitted with the application and this has been reviewed by City staff. The report included the results of the study for both pedestrian level wind and snow impact. Higher-than-desired wind speeds were noted at some of the main entrances as well as at three specific locations in the surrounding neighbourhoods in

the winter. Mitigation solutions recommended in the Study include setbacks, recessed entrances and wind screens.

The proposal does not provide additional setbacks along Front Street West. Installing wind screens and canopies around the entrances will add more elements to an already narrow public realm, therefore limiting usable space on this identified Great Street. The suggested mitigation elements will not be permitted on the public right-of way and must be accommodated on private property.

The report notes that westerly winds may produce snow drifting over Blue Jays Way into the east rail corridor, similar to the existing conditions. The proposed mitigation elements, such as guardrails, will not be permitted on the public street and must be accommodated on private property. The suggested guardrails together with the existing guardrails will block access to the open space and provide limited points of access.

Transportation Considerations

A Transportation Assessment was submitted with the application and this has been reviewed by Transportation Services and Transportation Planning staff. A summary of comments and issues identified include:

- The Transportation Assessment Study indicates pedestrian and transit trips attributed to the proposed Spadina RER station. The planning and development of the Spadina Station is being undertaken by Metrolinx. This development proposal alters the underlying assumptions and framework included in the approval of the Regional Express Rail, and Smarttrack.
- The Transportation Assessment Study identifies an extensive transportation demand management (TDM) plan and many transit attributes to justify reduced parking and trip generation. The TDM measures and transit components indicated and suggested implementation within the study is aggressive, with a high non-auto modal split that shifts trips away from the passenger car and subsequent parking but a sensitivity analysis was not undertaken assessing the sites operations, if these modal splits are not achieved.
- The three access points on the south side of the development that feed traffic onto Iceboat Terrace is a significant concern as Iceboat Terrace was not designed to accommodate this level of traffic including loading and deliveries.
- The increase of trips along Fort York Boulevard, between Spadina Avenue and Bathurst Street generated by the development will have significant impacts on the Fort York Boulevard/Bremner Boulevard and Spadina Avenue and Front Street West and Spadina Avenue intersections. There is currently congestion problems at these locations, with Spadina Avenue operating beyond capacity during peak hours, due to access to and from the Gardiner Expressway, high pedestrian volumes and the '510 Spadina' TTC streetcar.

- There are several missing pedestrian links in the immediate area of the site, including the south side of Front Street West between Spadina and Bathurst Streets and the south-west corner of the Spadina Avenue and Front Street West intersection. These movements were not assessed from a transit, pedestrian, traffic operations, and signal timing perspective.
- The traffic impact study does not detail the means of internal site circulation and indicates that it will be contained within the sites parking structure.

The Trans analysis and assumptions as submitted are not supportable.

Servicing

A Functional Servicing Report and a Storm Water Management Report were submitted with the application and these have been reviewed by Development Engineering staff including. A summary of main comments and issues identified include:

- There is inadequate information and analysis to determine the full impact of the development from a servicing perspective.
- Portions of the development are proposed to direct sanitary sewer flows to the Skydome Pumping Station that is identified as currently at full capacity.
- A single sanitary sewer input is proposed at Spadina Avenue, but separate connections are required to each tower
- Downstream analysis in relation to sanitary sewer capacity was not undertaken.
- Incorrect modelling in relation to the proposed storm water drainage was used and proposal does not indicate how the storm systems are to be delivered to municipal storm system.
- Private areas of the site are not permitted to drain to City-owned parkland
- Information was not been submitted in relation to the interface of the development with the City-owned bridges
- An Emergency Access Program is required to ensure access to the deck in all seasons.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. The applicant is proposing to achieve Tier 2.

Additional Matters for Consideration

In the event that the application is appealed to the Ontario Municipal Board, and approved in whole or in part by the OMB, there are a number of implementation matters detailed in Attachment 14 to this report, that would need to be addressed in relation to Official Plan amendment policies including: determining appropriate Section 37 community benefits; the use of the holding symbol in association with any zoning by-law amendment; precinct plans and agreements, subdivision plans and agreement, environmental reports and agreements and public art plans to ensure that servicing and infrastructure needed to support the proposal are provided and secured.

CONCLUSIONS

The application proposes to construct a deck over the rail corridor between Bathurst Street and Blue Jays Way to support a large scale residential and commercial development over a highly active and critical transportation corridor for the movement people and goods for the city, the Province and the country as a whole. The site is also situated in an area of the city that has experienced rapid growth over a relatively short period of time with over 20,000 people now living in the Railway Lands neighbourhoods. Areas surrounding the Railway Lands have also undergone significant transformation, and have evolved into densely populated mixed-use communities, and high levels of growth in these areas are expected to continue.

The development proposal raises significant planning concerns in respect to the Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe, the Official Plan and Railway Lands Secondary Plans.

The proposal does not meet major objectives of the Railway Lands Secondary Plans including those to:

- reduce the barrier effect of the rail corridor by creating new connections across the rail corridor and protecting views across the corridor north and south to adjacent communities and the waterfront;
- ensure compatibility with the existing and future rail uses and activities in the rail corridor;
- create connections to and within the Railway Lands both east/west and north/south; and
- contribute to an attractive, accessible and safe public realm and parks and publicly accessible open spaces which meet a high standards of urban design.

The application proposes that the existing Northern Linear Park is to be used for parking and loading access and be steeply re-graded to rise to the level above the proposed rail deck. The park is not proposed to be replaced. The effect of the application is to remove parkland within an existing high density residential neighbourhood, and a rapidly

growing area of the Downtown that is parkland deficient contrary to the planning policy framework for this area.

City Planning staff recommend refusal of the application as it does not meet provincial and municipal policies and does not represent good planning.

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SIGNATURE

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Toronto and East York District

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ATTACHMENTS

- Attachment 1: Current and Emerging Policy Framework
- Attachment 2: Site Plan
- Attachment 3: Level 1 Plan
- Attachment 4: Level 1 Mezzanine
- Attachment 5: South Elevation – Spadina Avenue to Bathurst Street
- Attachment 6: North Elevation – Spadina Avenue to Bathurst Street
- Attachment 7: West Elevation at Bathurst Street
- Attachment 8: East Elevation at Spadina Avenue
- Attachment 9: South Elevation – Spadina Avenue to Blue Jays Way
- Attachment 10: North Elevation – Blue Jays Way to Spadina Avenue
- Attachment 11: West Elevation at Spadina Avenue
- Attachment 12: East Elevation at Blue Jays Way
- Attachment 13: Application Data Sheet
- Attachment 14: Considerations for Implementation

Attachment 1: Current and Emerging Policy Framework

Planning Act

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them. The Act is intended to promote sustainable economic development in a healthy natural environment; provide a land use planning system led by provincial policy; integrate matters of provincial interest into provincial and municipal planning decisions; ensure open, accessible, timely, and efficient planning processes; encourage co-operation among various interests, and recognize the decision-making authority and accountability of municipal councils in planning.

Section 2 establishes provincial interest, and states that the Minister, the council of a municipality, a local board, a planning board and the Municipal Board shall have regard to matters of provincial interest. Notable matters relating to the site include the following subsections:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems (f);
- the orderly development of safe and healthy communities (h);
- the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies (h.1);
- the adequate provision and distribution of educational, health, social, cultural and recreational facilities (i)
- the adequate provision of a full range of housing, including affordable housing (j);
- the adequate provision of employment opportunities (k)
- the protection of the financial and economic well-being of the Province and its municipalities (l);
- the co-ordination of planning activities of public bodies (m);
- the resolution of planning conflicts involving public and private interests (n);
- the protection of public health and safety (o);
- the appropriate location of growth and development (p);
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians (q);
- the promotion of built form that,
- is well-designed
- encourages a sense of place, and

- provides for public spaces that are of high quality, safe, accessible, attractive and vibrant (r); and
- the mitigation of greenhouse gas emissions and adaptation to a changing climate.

Section 42 sets out the requirements for conveyance of land for park purposes. It establishes that a local council may, as a condition of development or redevelopment, require that land be conveyed for parkland purposes. It sets out a rate of 2% of parkland dedication for commercial or industrial purposes, and 5% for other purposes, including residential uses. Subsection 42(3) sets out an alternative rate for residential development. It establishes a rate of one hectare for each 300 dwelling units proposed be conveyed for parkland purposes, or at such lesser rate, as specified in the municipality's by-law. The City of Toronto's Official Plan and Alternative Parkland Dedication By-law 1420-207 establishes alternative parkland provisions.

The Ontario Planning Act (Planning Act, R.S.O. 1990, c. P.13) can be found at: www.e-laws.gov.on.ca

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS. The PPS identifies official plans as the most important vehicle for implementing the PPS, and states that comprehensive, integrated and long-term planning is best achieved through official plans.

The PPS provides direction for managing and directing land use to achieve efficient and resilient development and land patterns in Section 1.1. Policies within this section promote an appropriate range and mix of residential, employment, institutional, recreation, park and open space and other uses to meet long term needs. Section 1.1.3 of the PPS provides provincial policy direction regarding settlement areas. The PPS recognizes that Ontario's settlement areas vary significantly in terms of size, and that development pressures and land use change will vary across Ontario. It recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of communities. To facilitate this, the PPS states that planning authorities shall identify appropriate locations and promote opportunities for intensification where this can be accommodated, considering existing building stock, availability of existing and planned infrastructure, and public service facilities required to accommodate projected needs (s.1.1.3.3).

The PPS promotes a coordinated, integrated and comprehensive approach to planning when dealing with matters within municipalities and with other orders of government, agencies, and boards (such as Metrolinx). These matters include managing growth and development, infrastructure, public service facilities, transportation systems, and housing.

Section 1.3 contains policies relating to employment. The PPS promotes economic development and competitiveness by providing for a range of employment and institutional uses; maintaining a range of suitable sites for these uses, encouraging compact, mixed-use development to support liveable and resilient communities, and ensuring necessary infrastructure to support current and projected needs.

Housing policies are contained in Section 1.4 of the PPS, with the objective of providing an appropriate range and mix of housing types to meet the projected requirements of current and future residents. In particular, planning authorities are to direct the development of new housing towards locations where appropriate infrastructure and public service facilities are or will be available (s.1.4.3.b).

Section 1.5 of the PPS provides specific direction with regard to parks and draws the connection between public space, recreation, parks, trails and open space and healthy and active communities. These policies support healthy and active communities by ensuring public streets and public spaces are safe, foster social interaction, facilitate active transportation, and community connectivity.

The PPS also provides direction regarding infrastructure and public services facilities to ensure they are provided in a coordinated, efficient, and cost-effective manner that considers impacts from climate change while accommodating projected needs (Section 1.6). Adaptive re-use of existing infrastructure and public service facilities is encouraged (s.1.6.3.b). Specifically, the PPS directs planning authorities to plan for and protect transportation and infrastructure corridors to meet current and projected needs (s.1.6.8.1).

Policies to support long-term economic prosperity are included in Section 1.7 of the PPS. These include: enhancing vitality and viability of downtown and main streets;
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encouraging a sense of place through well-designed built form; promoting redevelopment of brownfield sites; supporting sustainable tourism, supporting opportunities for local food production; and minimizing negative impacts of climate changes. Many of these objectives are echoed in Section 1.8 on energy conservation, air quality, and climate changes. Here, the PPS encourages mixed-use and compact built form, the use of active transportation, transit-supportive development patterns, and the maximizing of vegetation within settlement areas, where feasible (s.1.8.1).

The Provincial Policy Statement (2014) can be found at:
<http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

Growth Plan for the Greater Golden Horseshoe, 2017

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. The new Growth Plan for the GGH came into force and effect on July 1, 2017.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the Planning Act, to conform, or not conflict, as the case may be, with the Growth Plan.

The vision and objectives of the Growth Plan are contained in Section 1.2 support the development of the GGH as a place with exceptional quality of life, offering a variety of choices for living, and supported by modern and resilient infrastructure and an integrated transportation network. To realize this vision, the Growth Plan's guiding principles focus on achieving complete communities, the efficient use of land and infrastructure, and the integration of land use planning with planning for investments in public infrastructure and services. While the Growth Plan prioritizes intensification to optimize land, infrastructure, and public transit, it also provides for different approaches to managing growth that recognize the diversity of communities within the Greater Golden Horseshoe. The Growth Plan states that policies represent minimum standards, and decision-makers are encouraged to go beyond minimum standards, unless doing so would conflict with other policies within the PPS or any other provincial plan.

Chapter 2 of the Growth Plan articulates policies on where and how growth should occur. This growth is directed to key areas, including Major Transit Station Areas (MTSA) and urban growth centres (UGC) which are prescribed minimum density targets of people and jobs per hectare. The Growth Plan also emphasizes the importance of planning for complete communities, which support quality of life and human health by encouraging

the use of active transportation, providing high-quality public spaces, adequate parkland, opportunities for recreation, and access to local and health. Furthermore, they provide a balance of jobs and housing, reduce the need for long-distance commuting, and support transit ridership and active transportation, and minimize land consumption through compact built form. Thus, the Growth Plan underscores its purpose as not simply to accommodate growth, but to achieve greater societal, economic and environmental benefits for communities in the GGH.

The Site is located within the Downtown Toronto UGC, as shown in Schedule 4 of the Growth Plan, which is required to achieve a minimum density target of 400 residents and jobs combined per hectare by 2031. The Plan also identifies minimum density targets for MTSA served by GO Transit. A minimum density target of 150 residents and jobs per hectare is prescribed for the Spadina-Front GO RER Station, MTSA.

The connection between infrastructure and growth is discussed in Chapter 3 of the Growth Plan. The Growth Plan requires municipalities to undertake an integrated approach to infrastructure planning, land use planning, infrastructure investment, transit planning, and public service facilities planning and investment. Section 3.2.5 of the Growth Plan articulates policies relating to infrastructure corridors, and maintains that existing and planned corridors are protected to meet current and projected needs in accordance with the transportation and infrastructure corridor protection policies in the PPS.

Policies on implementation and interpretation are contained in Chapter 5 of the Growth Plan. Section 5.2.5 of the Growth Plan declares that *strategic growth areas* are not to be interpreted as land use designations, and that these delineation does not confer any new land use designation. Rather, any development on lands within these boundaries is still subject to relevant provincial and municipal land use planning policies and approval processes.

The Growth Plan is available at:

<http://placestogrow.ca/images/pdfs/ggh2017/en/growth%20plan%20%282017%29.pdf>

Big Move, Regional Transportation Plan (2008)

The Big Move Regional Transportation Plan (The Big Move), establishes a 25-year vision for the Greater Toronto and Hamilton Area (GTHA) for an integrated transportation system that enhances quality of life, environment and economic prosperity. The plan contains a series of goals and objectives to advance the vision, including advancing transportation choice, comfort and convenience, active and healthy lifestyles, and multi-modal integration.

The Plan is based upon nine 'Big Moves' to transform the GTHA transportation system. The nine 'Big Moves' are considered Priority Actions that will have the largest and most transformational impacts on the GTHA's transportation system.

Big Move #1 aims to create a “fast, frequent and expanded regional rapid transit network”. As part of its Regional Express Rail (RER) strategy, Metrolinx has identified 12 new GO RER Stations, including one at Spadina Avenue and Front Street.

The Regional Transportation Plan also aims to enhance and expand active transportation. Big Move #4 aims to “create complete walking and cycling networks with bike-sharing programs”. This Big Move #4 draws a direct connection between integrated walking and cycling networks and addressing barriers including rail corridors.

In September 2017, Metrolinx released a Draft 2041 Regional Transportation Plan. The Draft Plan was approved for consultation by the Metrolinx Board of Directors on September 14, 2017. It will inform public engagement and consultations through the fall of 2017. The Draft Plan vision states that the Greater Toronto Hamilton Area urban region will have a transportation system that supports complete communities, by firmly aligning the transportation network with land use. It details three goals and give strategies to advance the regional transportation system.

The Big Move Regional Transportation Plan can be found at:
<http://www.metrolinx.com/thebigmove/en/default.aspx>

Information on the draft GGH Transportation Plan can be found at:
<https://www.gghtransport2051.ca/>

Official Plan

The City of Toronto Official Plan (the "Official Plan") is a long-term vision for how the City should grow and the most important vehicle for implementing the PPS and Growth Plan. A key principle of the Official Plan is its emphasis on the strategic need to enhance the amenity and liveability of the City's growth areas.

The site is located in the *Downtown and Central Waterfront* and is designated, *Utility Corridors, Mixed Use Areas* and *Parks and Open Areas*.

Chapter 2 – Shaping the City

Downtown Policies

The site is identified within the *Downtown and Central Waterfront* area in Map 2 – Urban Structure of the Official Plan. **Section 2.2.1** provides direction on *Downtown* as a growth area that will continue to evolve as a healthy and attractive place to live and work. However, growth is not envisioned to spread uniformly throughout the *Downtown*. The Official Plan recognizes that many of the activities that make the *Downtown* successful and vibrant, are interdependent, and linked through *Downtown* spaces. The connections between these spaces, and more broadly between the *Downtown* and *Central Waterfront*, play a vital role in the City's growth management strategy.

As an area where growth is anticipated and encouraged, the Official Plan provides for new development in the *Downtown* that: achieves a minimum combined growth target of 400 jobs and residents per hectare builds on the strength of the area as an employment centre, provides for a range of housing opportunities and focuses on the Financial District as the prime location for the development of prestige commercial office building and landmark buildings that shape the skyline.

The Official Plan directs growth to the *Downtown* in order to achieve multiple City objectives. Among other things, it promotes the efficient use of municipal services and infrastructure, concentrates jobs and people in areas well served by transit, promotes mixed use development to increase opportunities for living close to work and to encourage walking and cycling, improves air quality and reduces greenhouse gas emissions by reducing reliance on the private automobile all in keeping with the vision for a more liveable Greater Toronto Area.

Policy 3 provides direction on support the quality of the Downtown as the areas continues to grow. Specifically, it indicates the need to develop program and activities to maintain and upgrade public amenities and infrastructure; to recognize the high maintenance needs of streets, open spaces and City services in this heavy demand area; to enhancing existing parks and add new parks where feasible; and to preserve and strengthen the range and quality of the social, health, community services and local institutions are essential to improve the quality of life for *Downtown* residents

Chapter 3 – Building a Successful City

Public Realm and Built Form Policies

Direction on matters that improve quality of life are contained in Chapter 3 of the Official Plan. These policies are intended to integrate social, economic, and environmental perspective into decision-making, recognizing that the needs of today need to be met without compromising the ability of future generations to meet their needs.

Section 3.1 – "Built Environment" provides direction on the public realm, built form, tall buildings, public art, and heritage conservation. In particular, the Official Plan recognizes the importance of the City's public realm and green spaces in supporting quality and life and social well-being, and provides direction on enhancing and expanding the public realm, parks and open space network.

The public realm policies of **Section 3.1.1** of the Official Plan recognize the essential role of our streets, open spaces, parks and other key shared public assets in creating a great City. These policies aim to ensure that a high level of quality is achieved in architecture, landscape architecture, and urban design in public works and private developments to ensure that the public realm is functional, beautiful, comfortable, safe and accessible. Direction on views to and from the public realm is contain in Policy 9, which requires public works and private development to maintain, fame,

and where possible, create new views from the public realm to important natural and human-made features on Maps 7a and 7b of the Official Plan. The site is adjacent to an identified view taken from Fort York through to the Downtown and Financial District Skyline. Policy 13 promotes universal accessibility to publicly accessible spaces and buildings through a network of streets, parks and open spaces, and requires all new buildings to meet the City's accessibility guidelines. Direction on interior malls, underground concourses and private mid-block connections is provided in Policy 15, which states these spaces should complement but not replace the role of the street as the main place of pedestrian activity, and notes that these spaces should be accessible, comfortable, safe, and integrated into the local urban fabric. Furthermore, any new infrastructure needed to support new communities will be laid out and organized to reinforce the importance of the public streets and open space as the structural framework that supports high quality city living.

Policies 18 and 19 provide direction on new parks and open spaces, requiring these spaces to among other things, connect and extend existing parks and natural areas, provide a comfortable setting for community events as well as individual use, provide appropriate space and layout for recreational needs and emphasize and improve unique aspects of the communities natural and human-made heritage. New parks and other public open space should front onto a street for good visibility, access and safety.

The Official Plan recognizes that most of the city's future development will be infill and as such will need to fit in, respect and improve the character of the surrounding areas. As a result, the built form policies of **Section 3.1.2** seek to ensure that new development is located, organized and massed to fit harmoniously with the existing and/or planned context, and frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual views to these spaces. Among other matters this harmony is achieved by: massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion; creating appropriate transitions in scale to neighbouring or existing planned buildings, providing for adequate light and privacy, adequately limiting shadowing of and uncomfortable wind conditions on neighbouring streets, properties and open spaces and minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks.

Due to the larger civic responsibility and obligations associated with tall buildings, the built form policies of **Section 3.1.3** provide additional direction on how they fit into the existing and planned context and how they are designed. Policy 2 requires tall building proposals to address key urban design considerations that includes: demonstrating how the proposal will contribute to and reinforce the overall City structure; taking into account the relationship of the site to topography and other tall buildings; and providing high quality, comfortable and usable publicly accessible open space areas.

Heritage

Section 3.1.5 – "Heritage Conservation" provides policy direction on the conservation of heritage properties in the City's Heritage Register and on development adjacent to Staff report for action – Refusal Report – The areas generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West 55
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heritage properties. Policy 5 requires proposed alterations or development on or adjacent to a property on the Heritage Register to ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained. Policy 26 requires new construction on, or adjacent to a property on the Heritage Register be designed to conserve the cultural heritage values, attributes and character of the property and to mitigate the visual and physical impact on it, including consideration such as scale, massing, materials, height, building orientation and location relative. Policy 27 encourages the conservation of buildings and structures on the Heritage Register. There are a number of heritage resources and assets in immediate proximity to the site including three Heritage Conservation Districts: Draper Street, King-Spadina and Fort York Heritage Conservation District.

Section 3.2 recognizes the role of the human environment as the foundation of a healthy city. This includes housing, community services and facilities, parks and open spaces, new neighbourhoods, the natural environment, and the city's economic health.

Housing

Section 3.2.1 provides direction on Housing. Strong communities are the foundation of a health city and the Plan recognizes that opportunities for adequate and affordable housing are essential to the supporting quality of life, economic competitiveness and social cohesion. Policy 1 encourages the provision of a full range of housing in terms of form, tenure, and affordability to meet the current and future needs of residents.

Community Services and Facilities

Community services and facilities (CSF) are an important aspect to address quality of life in Toronto, and are addressed in **Section 3.2.2**. Policy 1 indicates that adequate and equitable access to community services will be encouraged by preserving and expanding local CSF, and ensuring an appropriate range of CSF and local institutions are provided in areas of major or incremental growth. The Official Plan and promotes the shared use of schools, parks and public open space (Policy 3 and 4). Policy 5 requires that strategies for improving existing community service facilities and providing new social infrastructure will be developed for areas that are inadequately serviced or experiencing major growth.

Parks and Open Space

Parks and open spaces are addresses in **Section 3.2.3**. The parks and open spaces and other natural and recreation areas that comprise the Green Space System in Toronto are essential elements of complete communities. The Official Plan recognizes that the city's Green Space system is vital to our quality of life, social wellbeing, and to the health of the natural ecosystem. These areas provide opportunities for recreation, relaxation and experiencing nature and offer unique experiences for residents and visitors from across the region and elsewhere.

The Official Plan recognizes that as Toronto grows and changes the parks and open space system will need to expand. The policies of Section 3.2.3 of the Official Plan, seek to
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ensure that as the city grows our Green Space System is strengthened by actions such as: adding new parks and amenities, particularly in growth areas, maintaining, improving and expanding existing parks; designing high quality parks and their amenities to promote user comfort, safety, accessibility and year round use, and to enhance the experience of place. The Plan seeks to ensure that the effects of development including additional shadows, noise, traffic and wind on existing parks and open space are minimized to preserve their utility.

Policy 8 sets out the criteria for the location and configuration of lands to be conveyed, which should be:

- be free of encumbrances unless approved by Council;
- be sufficiently visible and accessible from adjacent public street to promote the safe use of the park;
- be of usable shape, topography and size that reflects its intended use;
- be consolidated or linked with an existing or proposed park of green space or natural heritage system where possible; and
- meet application Provincial soil regulations and/or guidelines for residential/parkland use.

Building New Neighbourhoods

The Official Plan contains policies for building new neighbourhoods in **Section 3.3**. The Plan requires the provision of a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context to ensure that new infrastructure, streets, parks and local services to support new development and connect it with the surrounding fabric of the City is provided. Policies provide direction to ensure that new neighbourhoods develop as new communities, not just new housing. Specifically, they should have a community focal point within easy walking distance, a fine grain of connected streets and pedestrian routes, a mix of uses, a system of high quality parks, community recreation centres, open spaces and public buildings, and services and facilities that meet the needs of residents, workers, and visitors (Policy 2). Policy 3 indicates that these new neighbourhoods should be carefully integrated into the supporting fabric with good access to transit, and good connections to surrounding streets and open spaces.

Chapter 4 – Land Use Designations

The Official Plan identifies four land use designations where most of the anticipated increase in jobs and population should occur, including *Mixed Use Area*, *Employment Areas*, *Regeneration Area*, and *Institutional Areas*. In contrast, four other land use designations are recognized as areas that help to protect and reinforce existing physical character, including *Neighbourhoods*, *Apartment Neighbourhoods*, *Parks and Open Space Areas*, and *Utility Corridors*.

Utility Corridors Policies

The majority of the site is designated *Utility Corridors* in Map 18 – Land Use Plan of the Official Plan (Figure 1). **Section 4.4** indicates *Utility Corridors* are used primarily for the movement of energy, information, people and goods, but can serve other important functions, including, parkland, sports fields, pedestrian and cycling routes. The Official Plan recognizes that these linear corridors are defining elements of the City's fabric and that many service important functions as parkland, sports fields, and pedestrian and cycling routes. Policy 4 stipulates that where *Utility Corridors* are declared surplus, they may be acquired or leased by the City or other public agencies for public services and amenities, such as linear parks and open spaces, bicycle and pedestrian trails, and community gardens.

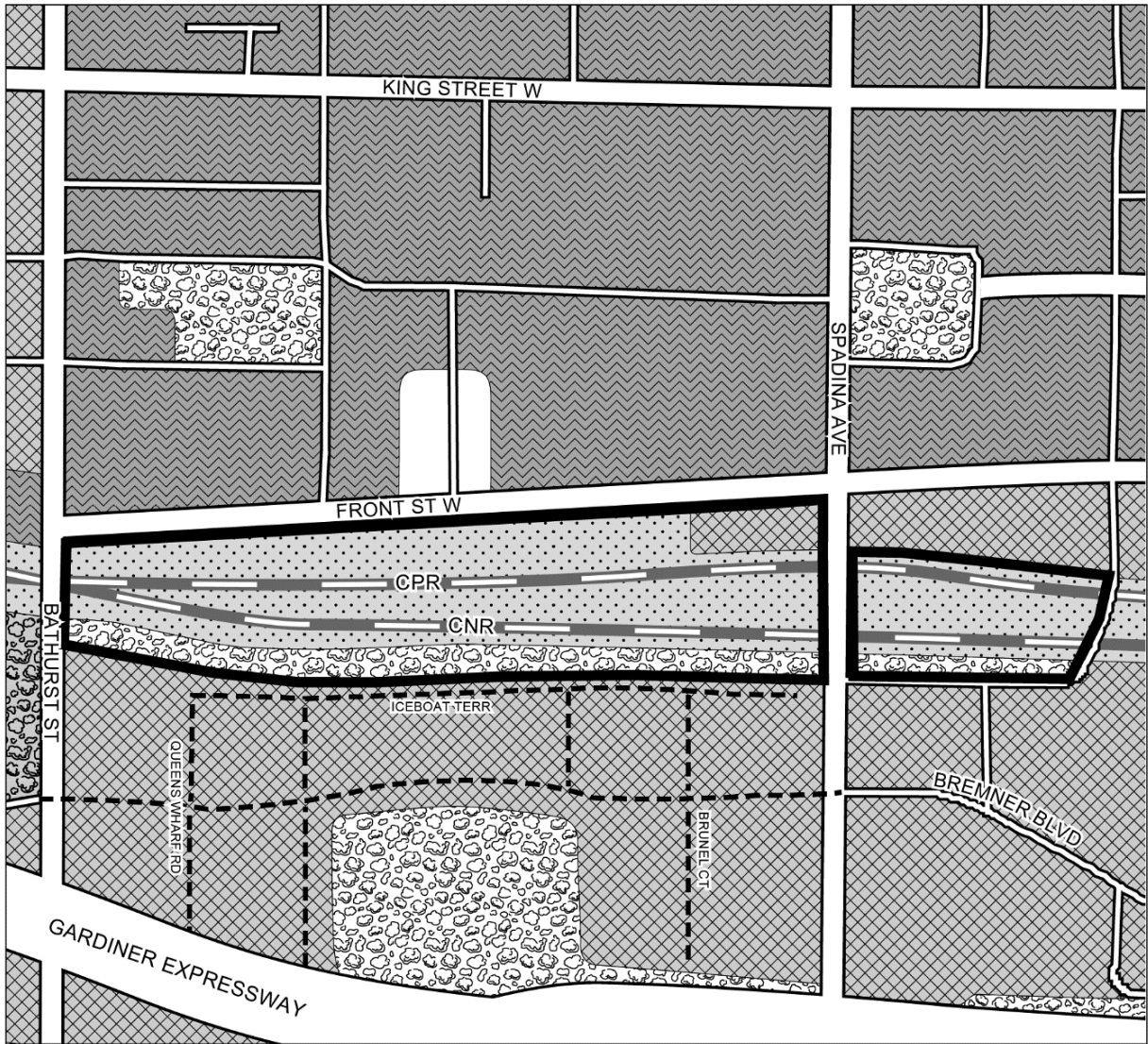
Mixed Use Areas Policies

The Metrolinx property is designated as a *Mixed Use Areas* in Map 18 (See Figure 1).. **Section 4.5** indicates *Mixed Use Areas* are made up of a broad range of commercial, residential, institutional, parks and open space uses and utilities. Policy 2 provides development criteria for *Mixed Use Areas* to ensure, among other matters, that the location and massing for new buildings achieves transitions between areas of different development intensity and scale, frames the edges of streets and parks with good proportion and maintains sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments and have access to schools, parks, community centres, libraries and childcare. It should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets. Policy 3 prohibits large scale "power centres" in *Mixed Use Areas*.

Parks and Open Space Areas Policies

Northern Linear Park is designated as *Parks* in Map 18 (See Figure 1).. **Section 4.3** indicates that *Parks and Open Space Areas* accommodate a range of uses from community parks, to naturalized areas, to storm water management facilities, to golf courses and cemeteries. These areas comprise the Green Space system in Toronto and are essential elements of complete communities.

The Official Plan seeks to ensure that all parks are high quality providing a range of opportunities for passive and active recreation and cultural experiences, and provide comfortable and safe pedestrian conditions. Policy 2 notes that development is generally prohibited within *Parks and Open Spaces Areas*, except for recreational and cultural facilities, conservation projects, cemeteries, public transit, and other essential public works. Policy 4 establishes that *Parks* will be primarily used to public parks and recreation opportunities.



TORONTO
Extract from Official Plan

Area bounded by Front Street West, Bathurst Street
 Iceboat Terrace and Blue Jays Way including 433 Front Street West

File # 17 164359 STE 20 0Z



↑
 Not to Scale
 08/02/2017

Figure 1- Extract from Map 18 of the Official Plan

Chapter 5 – Implementation

Section 5.3.3 – "Strategic Reinvestment", emphasizes the constant need for investment in infrastructure and services to maintain and improve quality of life. **Section 5.3.5** of the Official Plan describes the Campaign for a Great City, as an implementation tool.

Campaign projects are intended to complement other implementation tools to attract new resources with non-municipal actors including residents, businesses, institutions and other orders of government to achieve progress in priority areas, including creating beautiful places that improve public spaces and streetscapes and supporting a dynamic downtown (Policy 5). **Section 5.6** – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates 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. Policy 1.1 indicates the goal of the Official Plan is to balance and reconcile a range of diverse objectives affecting land use planning in the City.

Railway Lands West and Central Secondary Plans

The subject site is located within the Railway Lands West and Railway Land Central Secondary Plans. With the addition of the Railway Lands East Secondary Plan, these three plans establish a comprehensive planning framework for the wider Railway Lands (Figure 2). This framework has guided the development of the Railway Lands, setting out the major objectives, and the structure, form and physical amenity intended for the larger area. They also include overall policy directions in relation to matters such as housing, community services and facilities, parks and open spaces, transportation and circulation and the environment.

Section 2 of each of the Secondary Plans sets out the major objectives for the Railway Lands. The Secondary Plans provide that the Railway Lands will be developed as an integral part of the Downtown so that the barrier effects of the road and rail corridor will be minimized and the central city reunited with the Central Waterfront. New development in the Railway Lands should have a mix of uses, and a form, character and environmental quality which will ensure that the area is used by people for a wide variety of purposes throughout each day. The policies of Section 2.2 recognize the fundamental importance of the rail corridor for rail uses, and seek to ensure that development of the Railway Lands takes full advantage of the opportunities presented by its size and location to satisfy a broad range of needs, while

- (a) Ensuring compatibility of new development with present and future utilization of the Rail Corridor for rail use within the Railway Lands;
- (b) Ensuring compatibility of new development with the existing rail operations in the North Bathurst Yard;
- (c) Encouraging effective and efficient transportation services, including inter-city rail and commuter rail services, and other transit services; and

(d) Ensuring environmentally sound conditions.”

To achieve a number of city building objectives, the pattern of development intended for the Railway Lands is structured on a public street system intended to divide the area into new blocks comparable in size to blocks elsewhere in the city, allow for street-oriented development, reinforce the existing north to south streets as major connections between the Downtown and the Central Waterfront and establish a continuous east to west link for pedestrians, cyclists, vehicles and transit. The policies provide that development in the Railway Lands will contribute to the achievement of an attractive, inviting, comfortable and safe public realm, including generously proportioned public streets, parks and publicly accessible open spaces which meet high standards of urban design and provide good access to sunlight and protection from winds.

Section 3 of each Secondary Plan establishes the principles regarding the structure, form and physical amenity of the Railway Lands. Development in the railway lands is to be structured by a pattern of public streets that integrate with the existing city fabric, and provide views and access between the central city and the Waterfront, link public open spaces and provide frontage for new development, as illustrated in Urban Structure Plans (Figures 3 and 4). A linked system of parks and open spaces is an essential structuring element of the Railway Lands. The policies of Section 3.1 provide that parks and open spaces should contribute to the creation of visual and physical connections between the central city and the Central Waterfront. An attractive, inviting, comfortable and safe public realm is promoted through high quality building and landscape design including ensuring that buildings will, among other matters, clearly define and give form to the edges of streets, parks and open spaces, contribute to the creation of public streets, parks and open spaces with pleasing proportions and appropriate scale, adequate sunlight and sky views, and comfortable wind conditions.

Section 6 of each Secondary Plan sets out the policies in relation to the parks, open space and pedestrian systems within the Railway lands. The policies of Section 6.1 provide that parks and other open spaces will be located and formed in a manner which will help to integrate the Railway Lands West, Central and East, the Downtown and the Central Waterfront and provide a variety of outdoor active and passive recreational opportunities for workers, residents and visitors.

Within the Railway Lands West, the policies of the Secondary Plan provide for approximately 4.61 hectares of parkland including a community park in the Bathurst Spadina Neighbourhood a minimum of 3.1 hectares in size. Map 19-4, the Parks and Open Space Plan illustrates the parks and open spaces including the larger community park (Canoe Landing Park), the Southern Linear Park adjacent to the Gardiner Expressway, Lake Shore Boulevard Corridor, the Northern Linear Park that extends along the south side of the rail corridor and the Mouth of the Creek Park at Bathurst Street existing and proposed in the Railway Lands West (Figure 5).

Within the Railway Lands Central, Map 18-4, the Parks and Open Space Plan illustrates the parks and publicly accessible open spaces within this area including the Northern and Staff report for action – Refusal Report – The areas generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West

Southern Linear Parks, the John Street corridor and the parks and publicly accessible open spaces associated with the Rogers Centre and the CN Tower (Figure 6).

Section 8 of each Secondary Plan sets out the policies in relation to transportation and circulation including streets, pedestrian and bicycle circulation and transit. Building on the major objective for the Railway Lands to connect the Downtown with the Central Waterfront, the streets and transit services are intended to be developed as an integral extension of the Downtown street network and transit system, and pedestrian links over the rail corridor are promoted. In the Railway Lands West the Urban Structure Plan Map 19-2 (See Figure 3) provides for a pedestrian bridge over the corridor between Spadina Avenue and Dan Leckie Way and this has been constructed (Puente de Luz Bridge). Both Secondary Plans recognize the continued function of the rail corridor for rail facilities and the expectation that the Bathurst North Yard remain as a rail storage area.

Section 10 of the Railway lands West and Central Secondary Plans set out the policies in relation to the general development pattern for the area and each Secondary Plan provides high-level direction regarding land use and density. The Railway Lands West and Central Secondary Plans detail specific policies regarding decking and development over the rail corridor and Bathurst North Yard.

Railway Lands West Secondary Plan – Land Use Designations

Within the Railway Lands West Secondary Plan the rail corridor and the adjacent North Bathurst Yard, are designated *Utility Corridors*, and the Northern Linear Park adjacent to the south is designated *Mixed-Use Areas* as shown on Land Use Map 19-3 (Figure 7). Section 10.3 of the Plan provides that the areas designated *Utility Corridors* may be used as a Rail Corridor and is considered in its entirety as a Future Development Area, as shown on Precincts Plan Map 19-5 (Figure 8). In order to ensure that the major objectives and policies of the Plan that recognize the primacy of the rail corridor for railway uses, Section 10.3.1 of the Plan requires that By-laws allowing only transportation and related ancillary uses be permitted in the Future Development Area portion of the rail corridor.

Due to the critical importance of the rail corridor, the Secondary Plans require that technical studies be undertaken in association with any amendment to permit development over the corridor in relation to the existing and future use of the rail corridor, and confirming that the objectives of Sections 2.2, 8.4 and 8.5 of the Secondary Plan are ensured. The studies are required to ensure that:

- a) existing and future capacity and safety of train operation in the Rail Corridor will not be impaired;
- b) flexibility for future expansion to rail operations and modifications and improvements to the track and signal system will not be reduced;

- c) all environmental, safety and mitigation concerns associated with such development, including among other things, noise, vibration, air quality, parking, snow and ice accumulation, servicing, pedestrian access and vehicle access, and the capacity of the transportation system servicing such development have been satisfactorily addressed by the applicant and any related requirements have been secured, where appropriate in legal agreement; and
- d) that the primary objective for the Rail Corridor and Union Station, which is the effective, safe and efficient provision of rail transportation services will not, in any way, be compromised.

The Railway Lands West Secondary Plan contemplates overbuilding of the Future Development Area between Spadina Avenue and Bathurst Street, including the rail corridor portion, however, such consideration is permitted only after further study and by way of an amendment to the Secondary Plan. In order to ensure that any decking proposal is considered comprehensively, Section 10.3.2 of the Plan requires a comprehensive study or studies to evaluate various land use and decking considerations for all of the Future Development Area in association with an application to amend the Secondary Plan. Should development in the Future Development Area be considered, Section 10.3.2.2 seeks to ensure that decking over a portion of the rail corridor does not compromise comprehensive development of the Future Development Area overall.

Section 10.3.2.1 addresses the nature of the uses to be considered in the Future Development Area and provides for consideration of primarily non-residential uses in the area extending from Spadina Avenue west to the first north to south street west of Spadina Avenue. The remaining area extending to Bathurst Street is identified as an extension of the Bathurst Spadina Neighbourhood with primarily residential uses including street related retail and service uses and parks.

Section 10.3.2.3 sets out matters to be addressed in relation to any application to amend the Secondary Plan to permit development within the Future Development Area. Among other matters, the application is to consider a range of uses including residential, non-residential and parks and open space uses, provide for pedestrian, vehicular and visual connections between Front Street and the Bathurst Spadina Neighbourhood, address environmental matters as outlined in the Secondary Plan, and ensure that community services and facilities are provided in accordance with the Plan.

The Plan also requires a minimum replacement of 1.28 hectares of public park in the Future Development Area, if the Northern Linear Park is required to permit overbuilding. In addition, the application must address major objectives of the Railway Lands West Secondary Plan in relation to the rail corridor, and ensure that technical requirements in relation to the existing and future capacity, expansion and safety of rail operations, and the primary objective for the rail corridor which is the effective, safe and efficient provision of rail transportation services will not in any way be compromised.

The *Mixed Uses Areas* designations that apply to the Northern Linear Park permit a range of residential and non-residential uses as well as parks and open spaces. The parks and Open Space Plan within the Railway Lands West Secondary plan identifies the Northern Linear Park and the adjacent Mouth of the Creek Park as lands to be conveyed or leased to the city for public park purposes.

Section 11 of the Railway Lands West Secondary Plan sets out the implementation strategy for development and requires the use of holding symbols in the zoning by-law. Conditions for the removal of holding symbols include the requirements for a precinct plan and agreement or a subdivision plan and agreement as well as an environmental agreement, that sets out development requirements in relation to matter such as servicing, streets, parks and open space, impacts in relation to railway uses and other environmental matters.

Railway Lands Central Secondary Plan – Land Use Designations

Within the Railway land Central Secondary Plan, the majority of the site is designated *Utility Corridor A* on Land-Use Map 18- 3 (Figure 9). The Northern Linear Park is designated *Mixed-Use Areas D* and *E*. The Metrolinx site at the southwest corner is designated *Mixed Use Area A* and is within a Special Policy Area in the Secondary Plan.

In order to ensure that the major objectives and policies of the Plan that recognize the primacy of the rail corridor for railway uses, Section 10.5 of the Plan requires that By-laws allowing only transportation and related ancillary uses be permitted in *Utility Corridor A*. Similar to the policies of the Railway Lands West overbuilding of the rail corridor in this area is contemplated but is only permitted after further study and by way of an amendment to the Secondary Plan.

Section 10.6 identifies *Utility Corridor A* as a Future Development Area, and states that the purpose of the designation is to provide for a comprehensive study or studies to evaluate various land use and decking considerations to be included with an application to amend the Secondary Plan. Should development in the Future Development Area be considered, the policies seeks to ensure that decking over a portion of the rail corridor does not compromise comprehensive decking of the rail corridor. Similar to the Railway Lands West the policies provide direction on the types of used to be considered through a comprehensive study. For *Utility Corridor*, Section 10.6.1 identifies this area for future development for primarily non-residential uses.

Section 10.6.2 sets out matters to be addressed in relation to any application to amend the Secondary Plan to permit development within *Utility Corridor A*. Among other matters, the application is to consider a range of uses including commercial, institutional, compatible industrial uses, and parks and open spaces uses, provide for pedestrian, and visual connections between Front Street and the *Mixed Use Areas* south of the corridor, address environmental matters as outlined in the Secondary Plan, and ensure that community services and facilities are provided in accordance with the Plan. The Plan also requires a minimum replacement of 0.74 acres of public park in *Utility Corridor A* Staff report for action – Refusal Report – The areas generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West

Development Area, if the Northern Linear Park is required to permit decking. In addition, the application must address major objectives of the Railway Lands West Secondary Plan in relation to the rail corridor, and ensure that technical requirements in relation to the existing and future capacity, expansion and safety of rail operations, and the primary objective for the rail corridor which is the effective, safe and efficient provision of rail transportation services will not in any way be compromised.

The *Mixed Uses Areas* designations that apply to the Northern Linear Park permit a range of residential and non-residential uses as well as parks and open spaces. The parks and Open Space Plan within the Railway Lands Central Secondary Plan identifies the Northern Linear Park as lands to be conveyed or leased to the City for public park purposes.

The *Mixed Use Areas D* designation that applies to the Metrolinx site at the southwest corner of the Spadina Avenue and Front Street West permits a range of residential, commercial, institutional and industrial uses, including street related retail and services uses to enliven the pedestrian environment along Front Street West and contribute to a high level of pedestrian amenity. Section 10.4.2 of the Plan provides that the density and form of development within *Mixed-use Area A* will help to define Front Street West as a significant urban street and an important entrance to the central city. The Plan also provides that development should accommodate if feasible publicly accessible open space across the rail corridor to promote connections to the open space areas in the Railway Lands Central and ensure that new development will be visually and physically accessible from the north.

Section 11 of the Railway Lands Central Secondary Plan sets out the implementation strategy including the use of the holding symbols in the zoning by-law. On lands within Special Policy Areas, additional development requirements include, Context Plans that address matters such as the relationship to adjacent streets, open space and development site, Urban Design Guidelines that address matters such as the location and character of parks and publicly accessible open space, and built form and that provide a context for development in keeping with the objectives and policies of the Secondary Plan. A Public Art plan is also required that identifies public art priorities and potential site opportunities.

The Railway Lands West, Central and East Secondary Plans are available on the City's website at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/chapter-6-secondary-plans/>

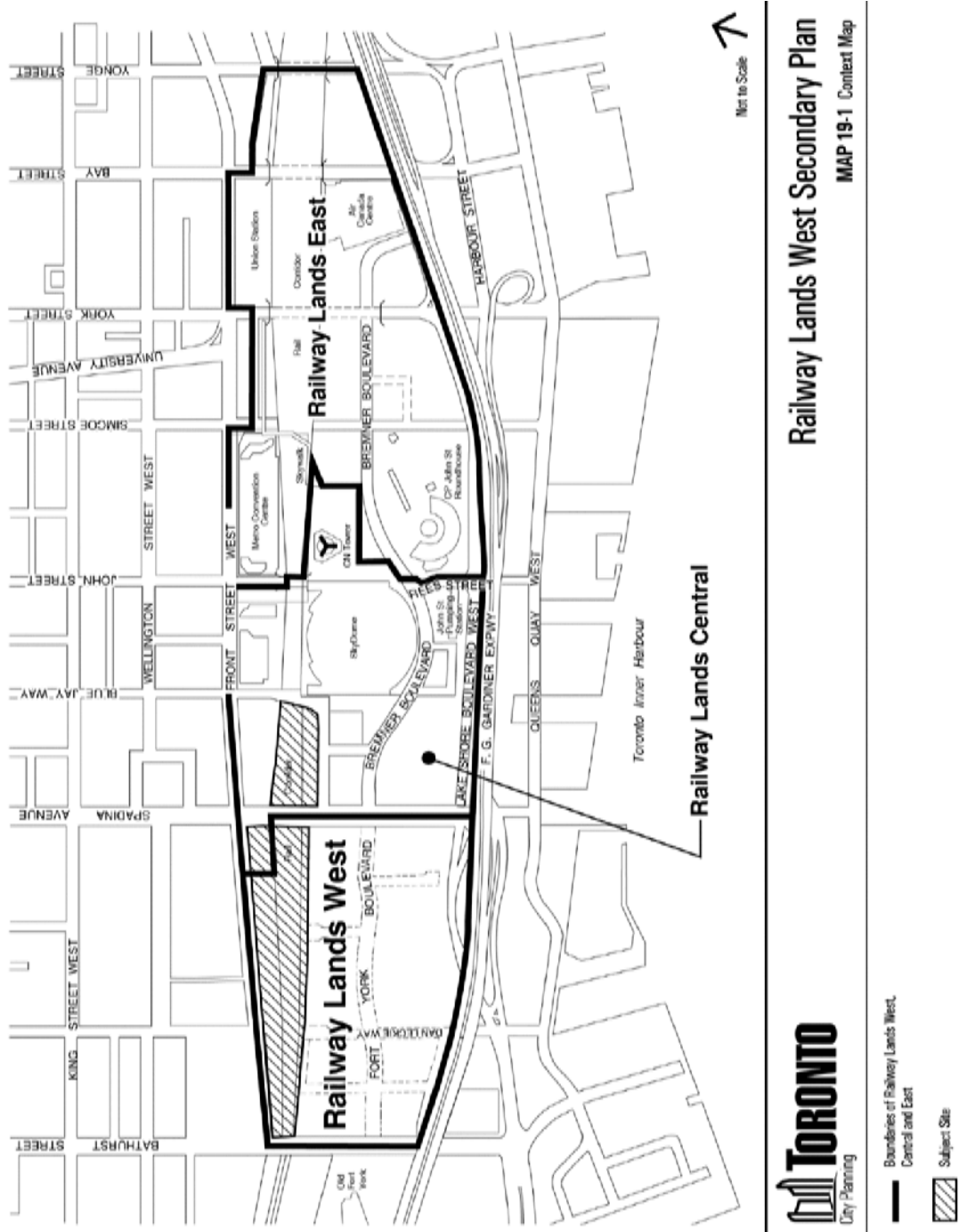


Figure 2 Railway Lands West Secondary Plan - Context Map

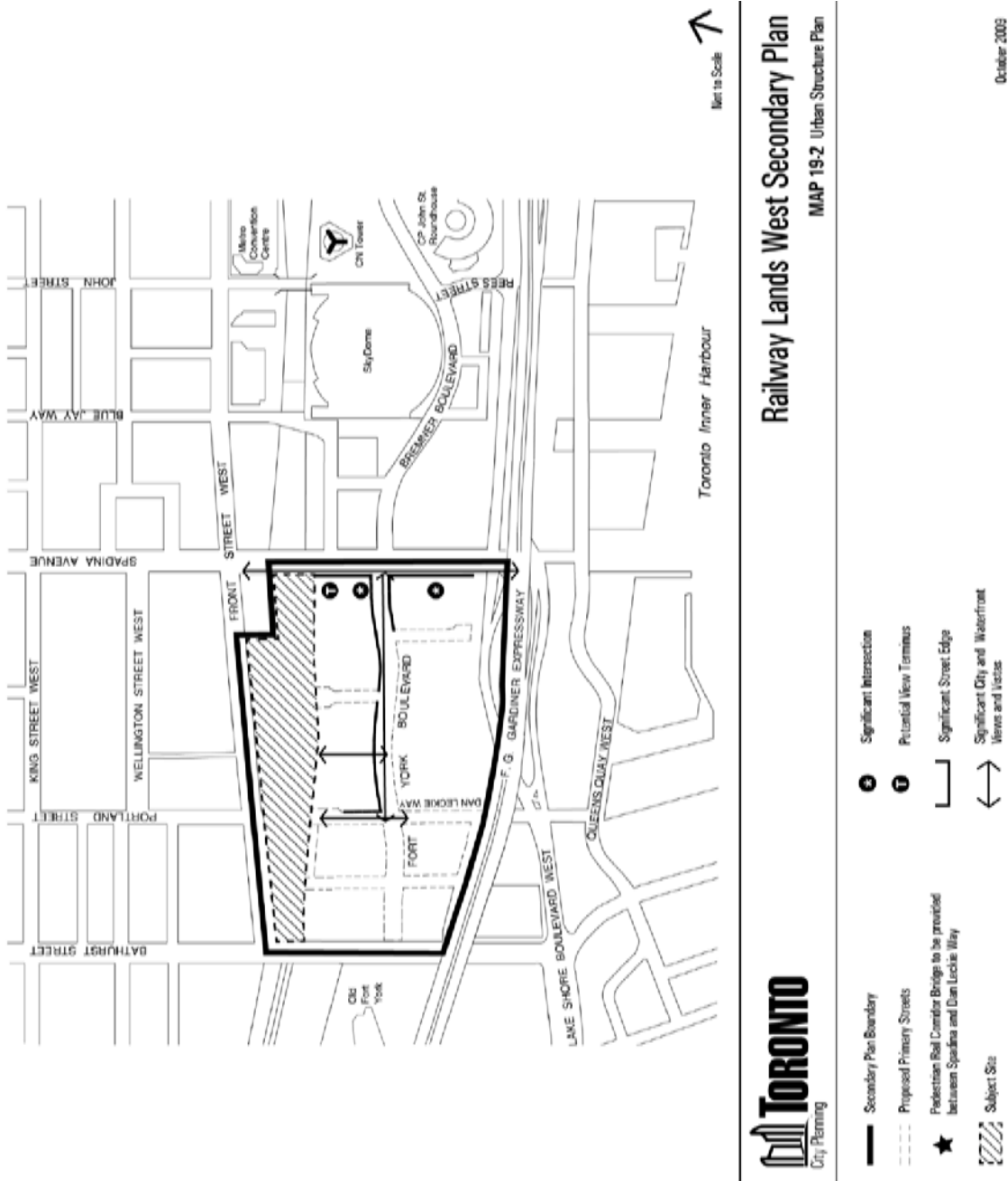
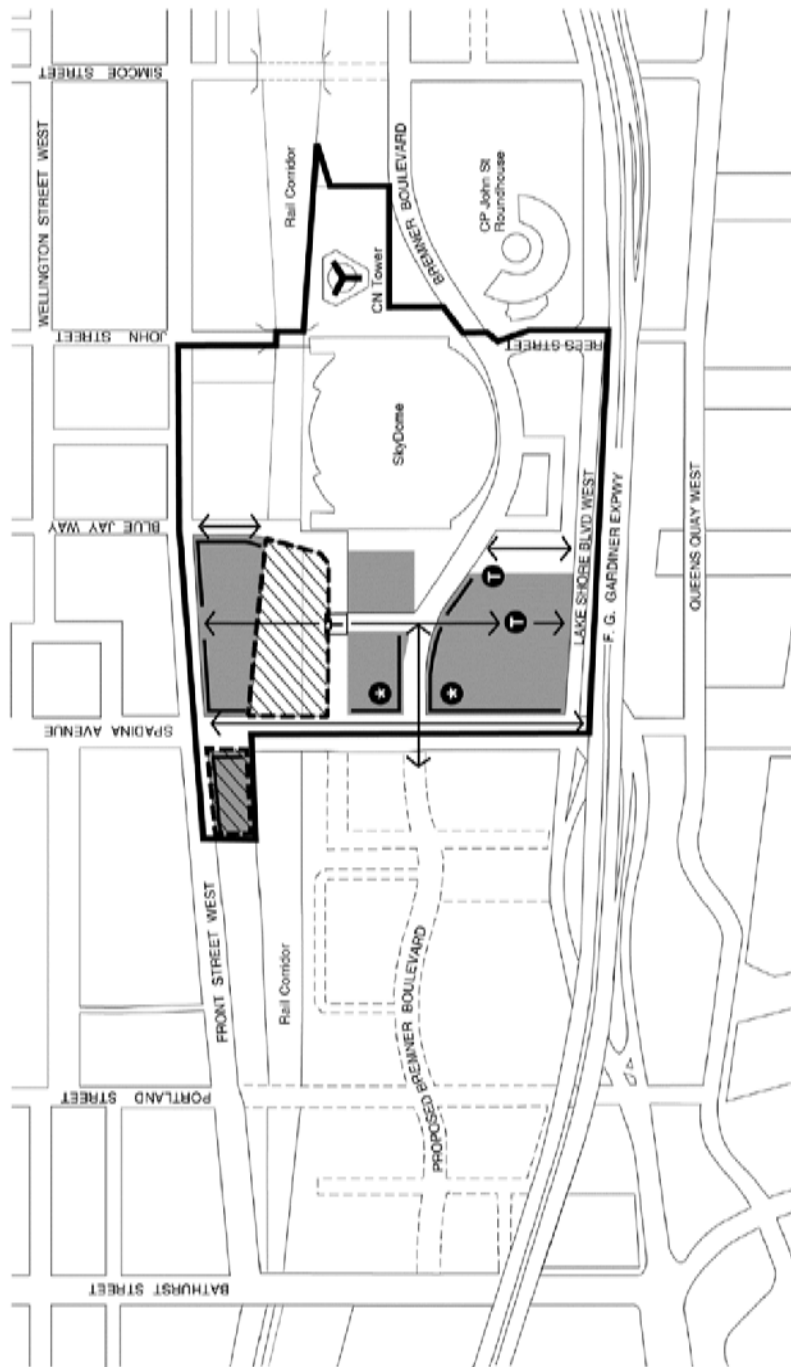


Figure 3 - Railway Lands West Secondary Plan - Urban Structure Plan

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Railway Lands Central Secondary Plan

MAP 18-6 Urban Structure Plan

- Secondary Plan Boundary
- Significant Intersection
- Existing View Terminus
- Potential View Terminus
- Significant Street Edge
- Significant City Waterfront Views and Vistas
- Special Policy Lands
- Subject Site

Figure 4 - Railway Lands Central Secondary Plan - Urban Structure Plan

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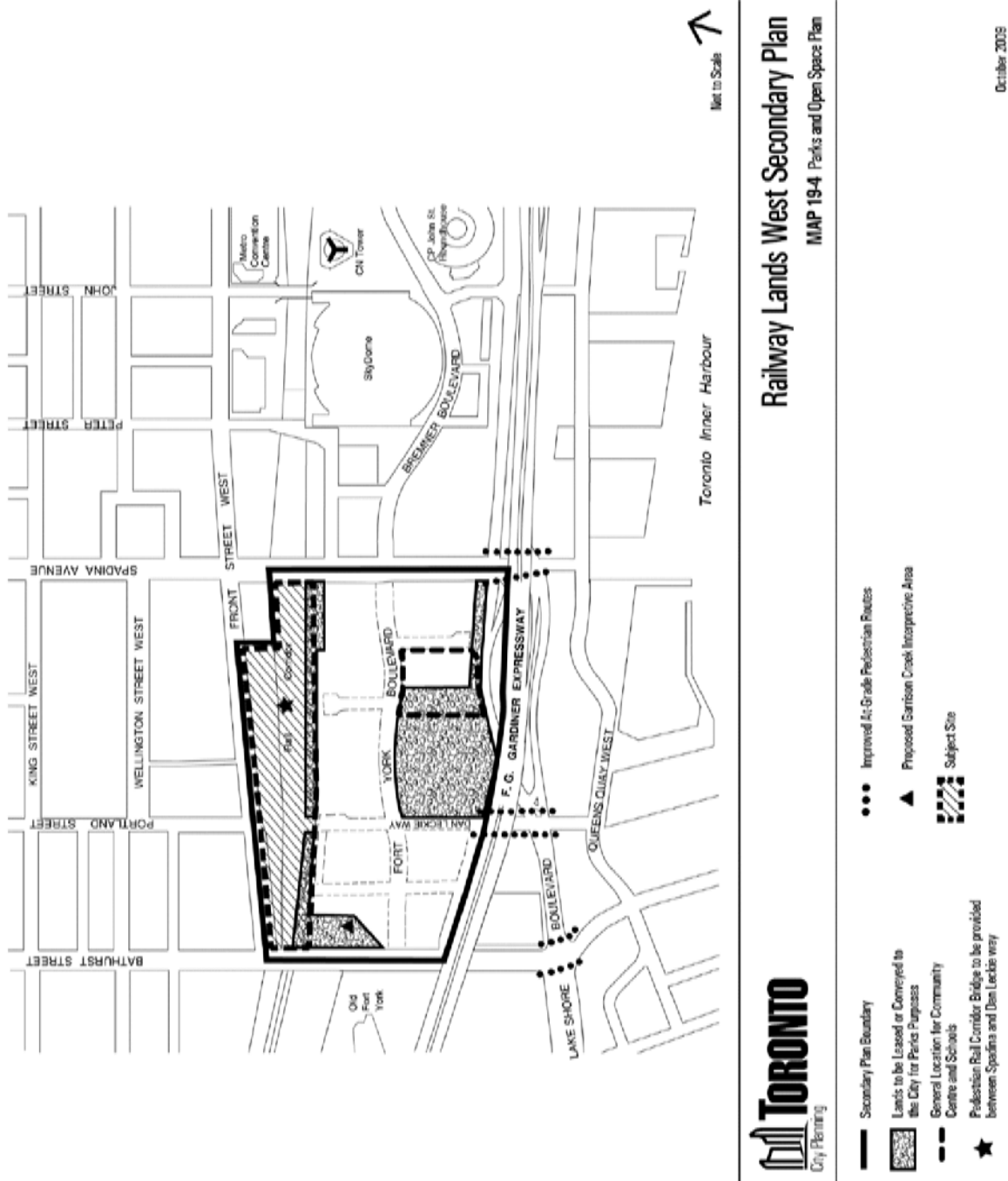
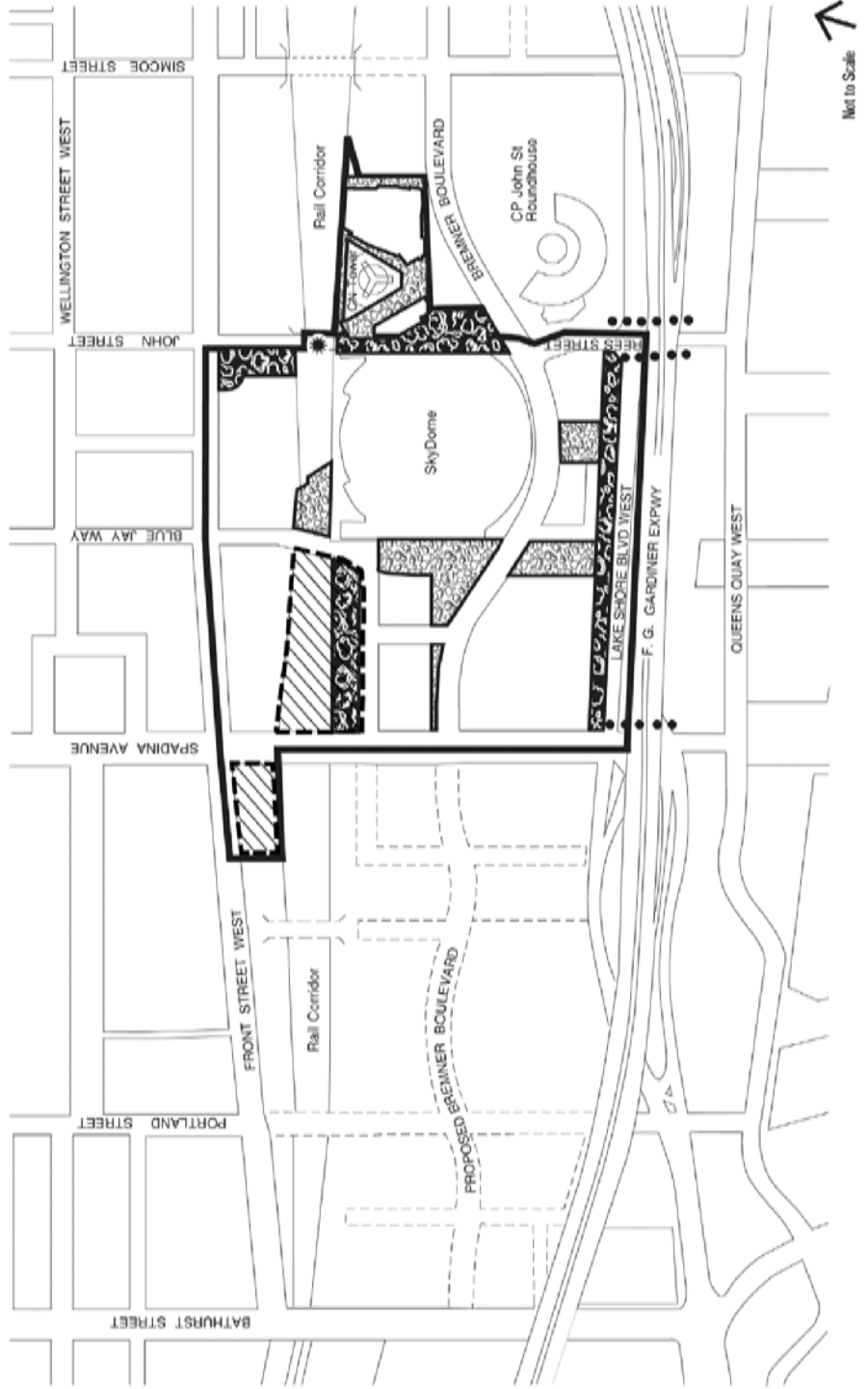


Figure 5 - Railway Lands West Secondary Plan - Parks and Open Space Plan



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Railway Lands Central Secondary Plan
MAP 18-4 Parks and Open Space Plan

- Secondary Plan Boundary
- Publicly Accessible Open Space
- City Park
- Major Pedestrian Bridge
- Improved at-grade Pedestrian Routes
- Subject Site

Figure 6 - Railway Lands Central Secondary Plan - Parks and Open Space Plan

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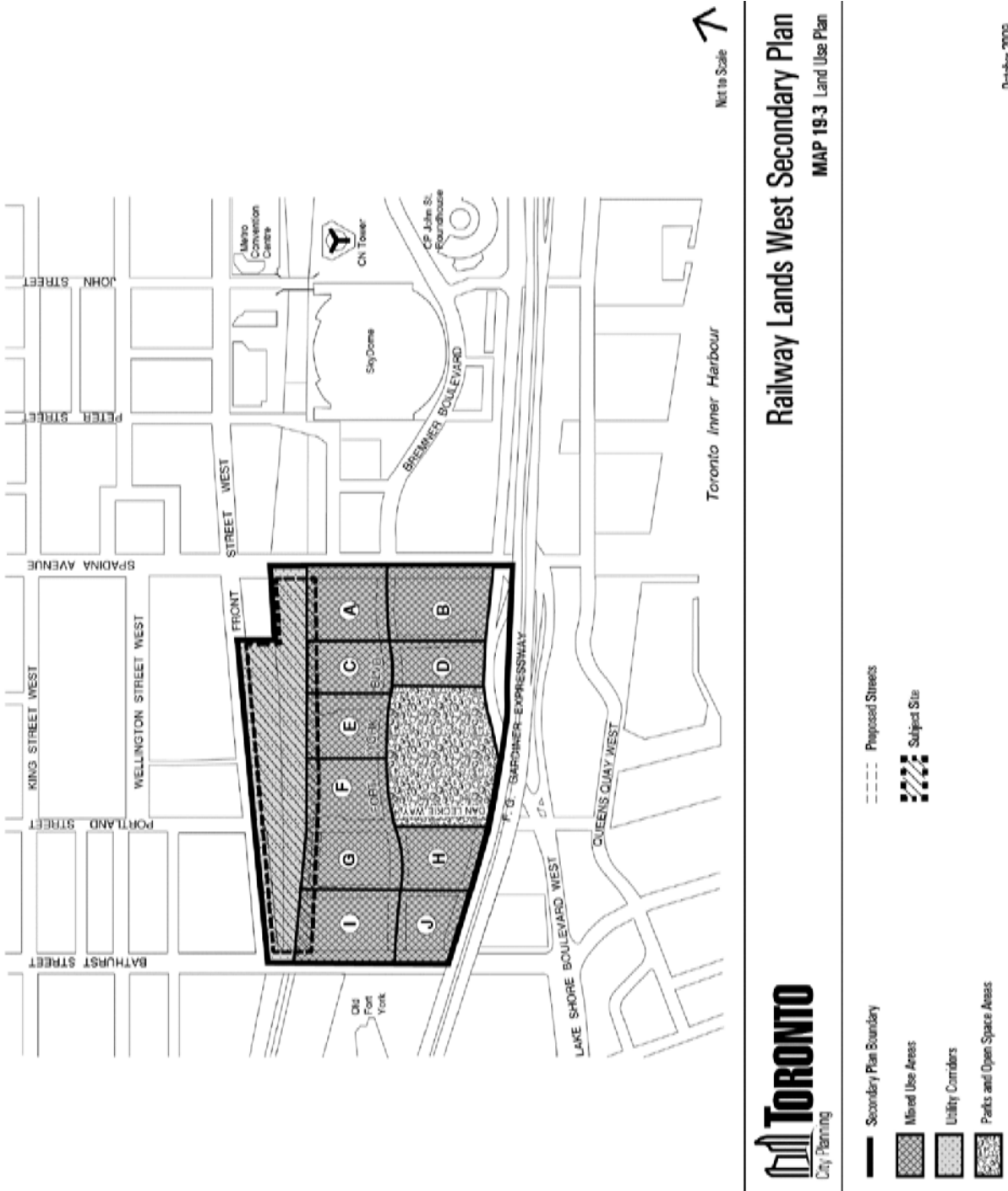


Figure 7 - Railway Lands West Secondary Plan Land Use Plan

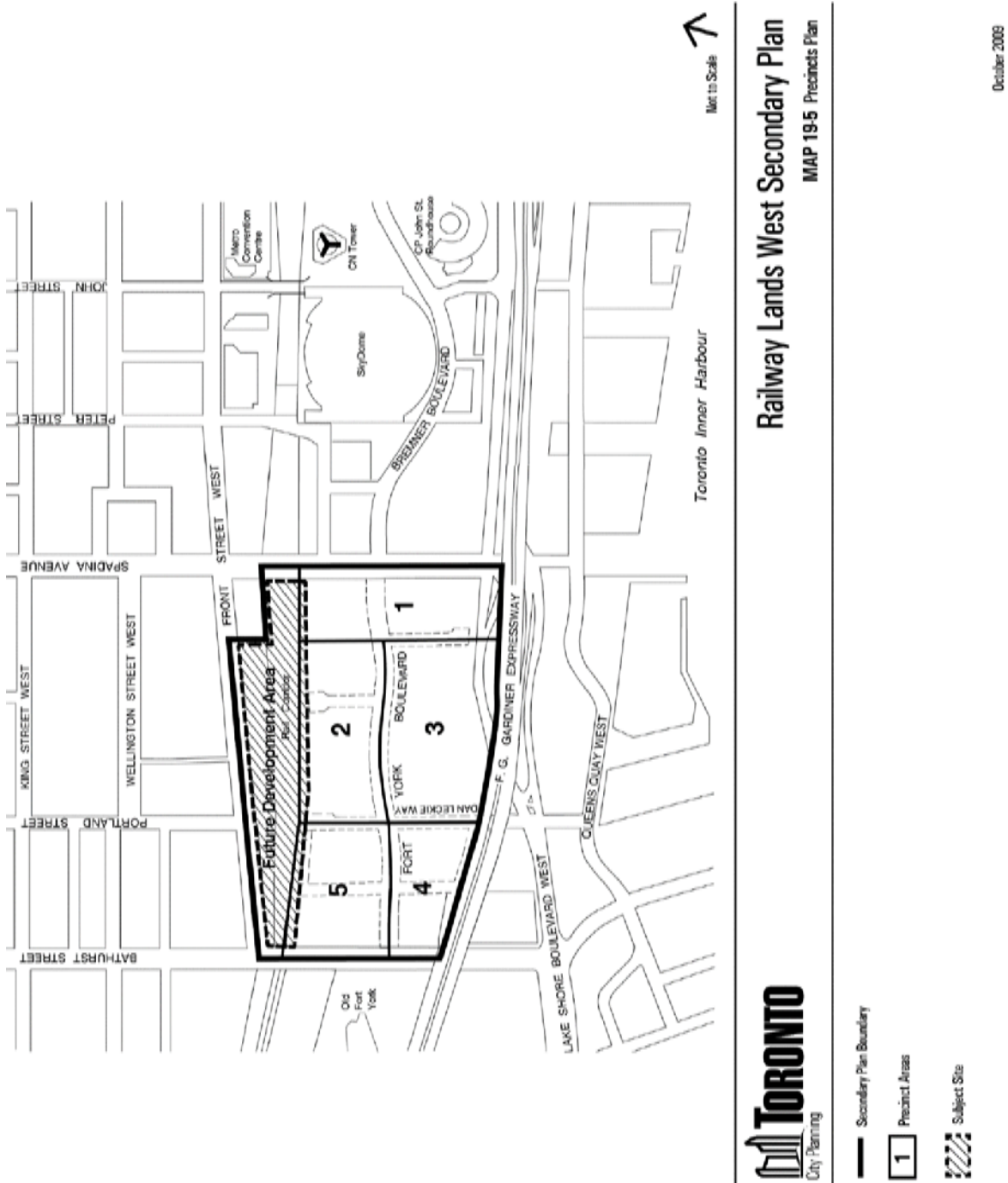
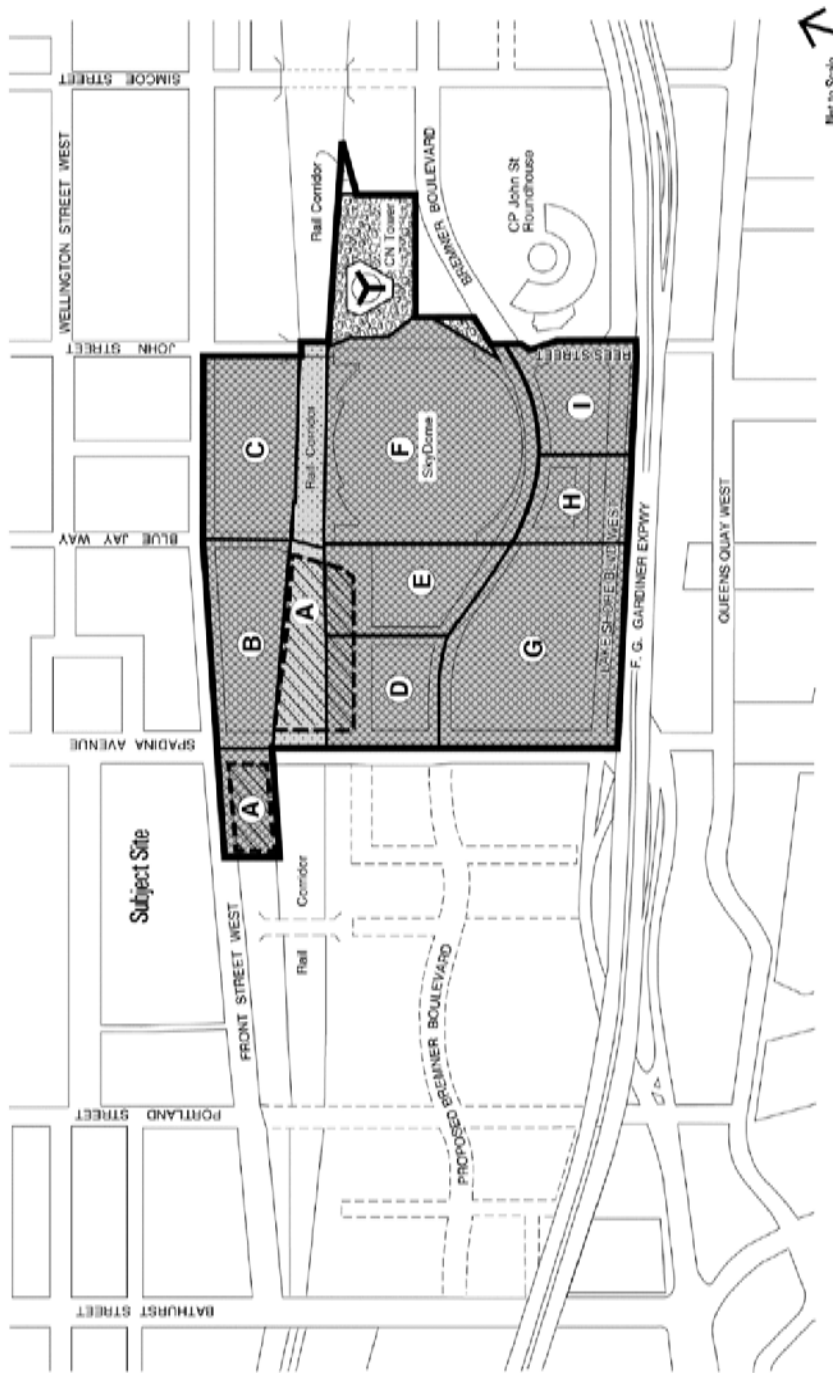


Figure 8- Railway Lands West Secondary Plan Precinct Plan

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Railway Lands Central Secondary Plan
MAP 18-3 Land Use Plan

- Secondary Plan Boundary
- Mixed Use Areas
- Utility Corridors
- Parks and Open Space Areas
- Subject Site

Figure 9 - Railway Lands Central Secondary Plan Land Use Plan

Zoning

Two zoning by-laws are applicable to the site. Zoning By-law 1994-0805 applies to the site between Spadina Avenue and Bathurst Street, excluding the Metrolinx property at 433 Front Street West. Zoning By-law 1994-0806 applies to the site between Spadina Avenue and Blue Jays Way, and includes the Metrolinx property. Existing zoning for the site is illustrated in Figure 10, and permitted heights in Figure 11.

The portion of the site within the rail corridor is zoned Transportation District (T) in By-laws 1994-0805 and 1994-0806. In both Zoning By-laws, the T zone permits a range of transportation related uses including public transit uses, railway uses, service and repair yards, pedestrian walkways, surface parking and parking structures, with a maximum height of 15 metres.

Zoning By-law 1994-0806 zones the Metrolinx property at 433 Front Street West as a Mixed-Use District with holding provision, (h)CR. The CR zone permits a broad range of uses including apartment buildings, clubs, public parks, playgrounds, day nurseries, a variety of retail and service shops, offices, pedestrian walk ways, and public transit (including service and repair yards). Maximum building height is 95 metres. Minimum requirements for amenity space, and vehicular and bicycle parking in CR zones is also articulated. The holding provision restricts any residential uses prior to the removal of the Holding (H) symbol.

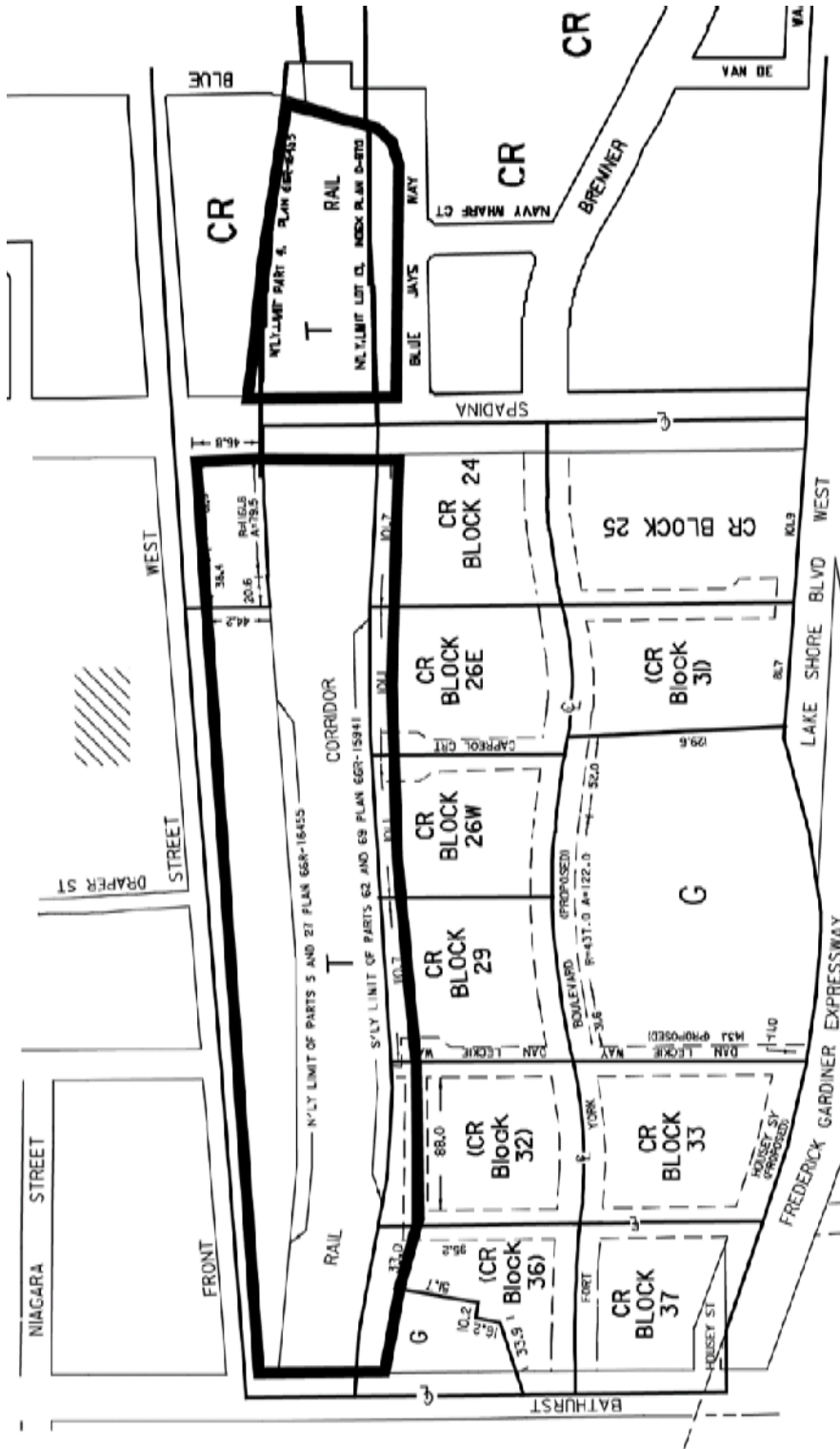
The Metrolinx Property is identified as Block 28 in Map 2 of Zoning By-law 1994-0806. The maximum non-residential density of Block 28 is 36,458 square metres. An additional 3,998 square metres of non-residential density is permitted on Block 28 for the purpose of pedestrian walkways, washrooms, or sitting areas. Block 28 is subject to further development standards including a Build to Zone and minimum setbacks along Front Street West and Spadina Avenue, minimum window separation, location and size of the building faces, location of amenity spaces, and permitted projections.

Northern Linear Park is zoned as Mixed Use District (CR) under Zoning By-law 1994-0805 and 1994-0806. West of Spadina Avenue, which permits a range of residential and non-residential uses including parks and open spaces. Both by-laws contain policies restricting uses in the areas immediately south of the rail corridor. West of Spadina Avenue, uses are restricted to parking facilities, retaining walls, linear parks, pedestrian and bicycle ways, or below grade parking. East of Spadina Avenue, uses are restricted to parks, and pedestrian and bicycle ways.

A small area south of rail corridor and west of Northern Linear Park is zoned as (G) – Parks District in Zoning By-law 1994-0805. Permitted uses include public parks, golf courses, public play grounds, community centres, fire halls, schools, parking areas and parking stations, and pedestrian walkways. Heights are limited to 15 metres within the (G) designation.

Each Zoning By-law also includes an exemption to permit the use of any land or the erection or use of any building or structure in any District for the purpose of public service by the City.

Zoning By-law amendments would be required to permit the development. No zoning by-law amendment applications have been submitted.



Extract from City of Toronto, Railway Lands West and Central District Maps, Zoning By-Laws 1994-0805 and 1994-0806 as amended

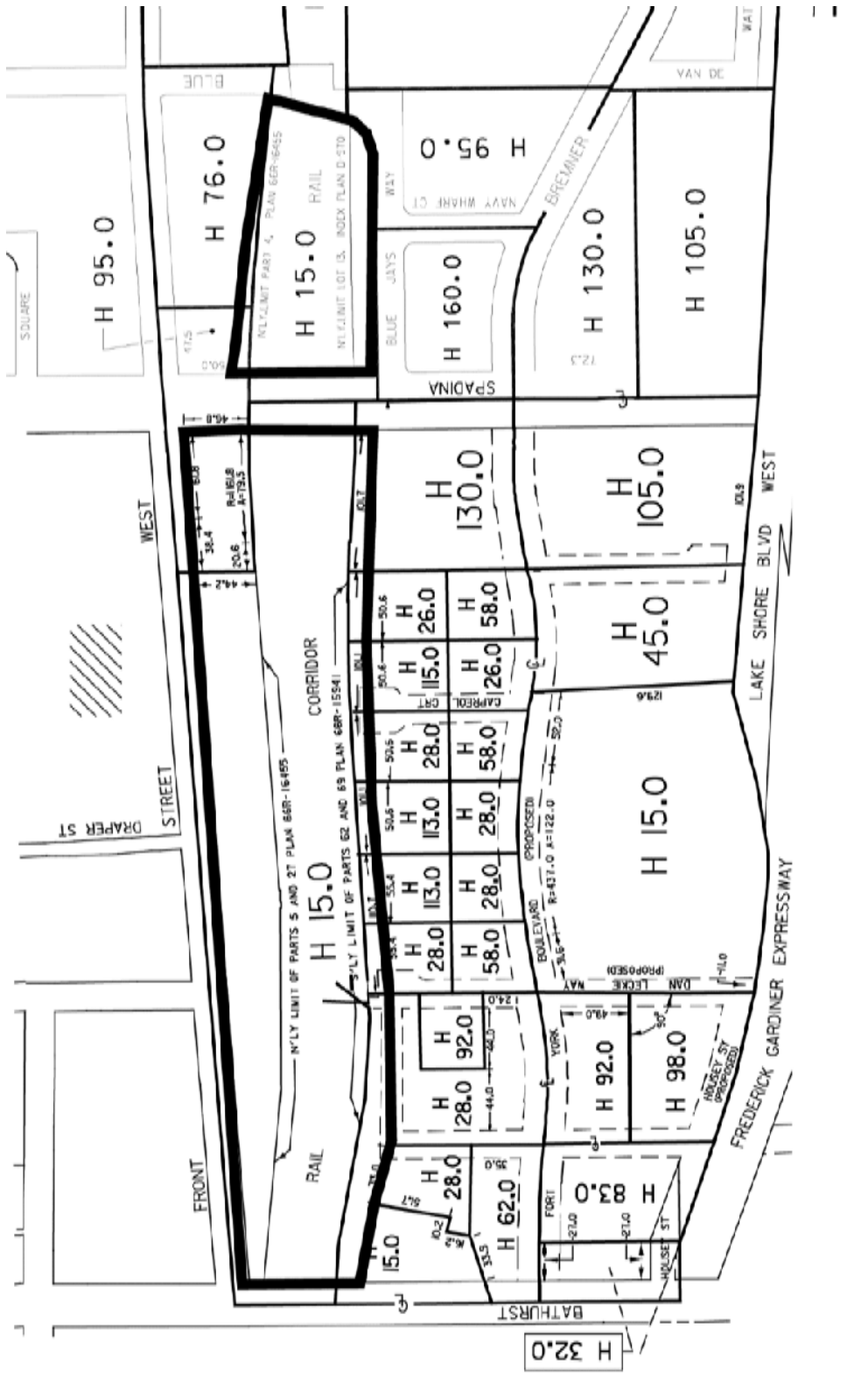
Area bounded by Front Street West, Bathurst Street
Iceboat Terrace and Blue Jays Way including 433 Front Street West

Not to Scale
05/26/2017

Subject Site

File # 17 164359 STE 20 0Z

Figure 10 - Extract from Zoning By-laws 1994-0805 and 1994-0806 as amended



Extract from City of Toronto, Railway Lands West and Central Height Maps, Zoning By-Laws 1994-0805 and 1994-0806 as amended
 Not to Scale
 05/26/2017

Area bounded by Front Street West, Bathurst Street
 Iceboat Terrace and Blue Jays Way including 433 Front Street West

Subject Site

File # 17 164359 STE 20 0Z

Figure 11 - Extract from Height Maps, Zoning By-laws 1994-0805 and 1994-0806 as amended.
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Railway Lands West and Central Urban Design Guidelines

The site is subject to the Railway Lands West and Central Urban Design Guidelines. These provide guidance on how new development within the Railway Lands can support the broader objectives of uniting the central city with the waterfront by extending the urban pattern southwards towards the waterfront and by decreasing the impacts of the rail corridor and Gardiner Expressway barriers. The Guidelines are framed around three main objectives on Parks and Open Space Systems, Connections to the City, and Creating the Pedestrian Realm- Built Form.

The first objective seeks to establish a system of high-quality, useable, linked parks, and open spaces which not only provide spatial relief to and appropriate settings for adjacent buildings, but contribute to and establish linkages to the open space networks in the surrounding neighbourhoods and districts within the central city and along the waterfront.

Connectivity is emphasized in the second objective, which calls for the Railway Lands to be united with central city and the waterfront by extending the urban pattern, and decreasing the impact of the rail corridor and Gardiner Expressway.

The third objective promotes a well-proportioned, connected, legible, comfortable, safe and attractive public realm, which contributes to quality of life for all citizens. Built-form direction is provided on build-to-zones, street-wall heights, massing, towers design and location, pedestrian entrances, and parking and servicing. A street-wall height of 30 metres is encouraged along Front Street. Where heights exceed the maximum street wall height, a 2 metres setback is encouraged. The Guidelines suggest a maximum building height of 95 metres. Direction on building massing including recommendations on setbacks, cornices, tower placement and orientation, and grade-related uses. With respect to parking and services, the Guidelines suggest that access to underground services not take place within the mass of buildings or in open space. Additionally, above-grade parking structures are recommended to have animated facing-uses that resemble adjacent residential or commercial buildings.

In addition to these general guidelines, block-specific guidelines are included. The guidelines do not incorporate the rail corridor into the built form, and therefore the only applicable block-specific guidelines are for Block 28, the Metrolinx Property at 433 Front Street West. According to the guidelines, development on Block 28 should reflect the role of Front Street as the northern gateway between neighbourhoods. The pairing of towers on either side of Spadina with Block 21 is contemplated. Moreover, any development must undertake careful shadow studies to examine impact to the public realm along Front Street and Clarence Square, and should support continuous and consistent views and pedestrian walkways on either side of Front Street.

The public realm guidelines include an Open Space Master Plan structured around a full network of parks, linkages through publicly accessible open space, and public streets. The plan calls for a Central Community Park (Canoe Landing) and two Linear Parks (Northern and Southern). Publicly-accessible, privately-owned open spaces (POPs) are

recognized as an important element of this network. These spaces should complement the public open space system. Mid-block connections are also encouraged, and should address grade changes in a manner that minimizes stairs and is accessible.

Long-term planning objectives, including building over the rail corridor, are also identified. The guidelines note that the initial grading south of the rail corridor will not preclude the decking of the corridor.

The Railway Lands West and Central Urban Design Guidelines are available at: http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/29railwaylands_wescen.pdf

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter 3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

Parks and Recreation Facilities Master Plan (2017)

The City's Parks, Forestry and Recreation department recently developed the Parks and Recreation Facilities Master Plan (FMP) to guide investment in parks and recreation facilities such as community centres, swimming pools, sports fields, and arenas over the next 20 years. The FMP was adopted by City Council in November 2017.

The FMP recognizes the growing demand for programs and facilities and commits to building new facilities and renewing current assets to meet these demands. Priority investments are driven by three strategic goals: renew and upgrade existing facilities; address gaps and growth-related needs; and work with other and explore new opportunities to improve access.

To achieve these goals, the FMP recommends investment in specific recreation centre and facilities to address gaps in provision and respond to growth in demand for services. Specifically, the plan identifies a new for additional community centres, gymnasium,

indoor pools, splash pads, outdoor rinks, sports fields and sports bubbles, basketball courts, skateparks and bike parks in the next 20 years.

In addition to the facility provision strategy, the FMP contains broader policy recommendations to guide planning and investment. These include an emphasis on accessible and age-friendly facilities, flexible and efficient spaces, and new facility provision models that respond to the realities of high-density residential communities. Finally, the FMP includes a suggested implementation strategy focused on investing in the right facilities, at the right time and in the right places. Implementation considers a systematic, city-wide approach to provide access to services and opportunities for all residents.

The Parks and Recreation Facilities Master Plan is available on the City's website, at: <http://www.toronto.ca/legdocs/mmis/2017/ex/bgrd/backgroundfile-107775.pdf>

Emerging Policy Directions

In addition to enforce policies, there are a number of emerging policy directions that contain important considerations for the future use of the site. These are summarized below, and described in greater detail in Attachment 1 – Policy Framework.

TOcore: Proposed Downtown Plan (2017)

TOcore: Planning Downtown is an inter-divisional study, led by City Planning, which is updating the planning framework for Downtown and developing a series of five infrastructure strategies to support implementation. TOcore is a response to the rapid growth and intensification of Downtown that is placing pressure on physical and social infrastructure assets and occurring in a pattern and at an intensity that threatens to jeopardize the quality of life in the city centre and the economic role that the Downtown plays for the entire city. Although the Proposed Downtown Plan is not yet in force and is still under development, it articulates the emerging policy direction for the site within the context of Downtown.

As a blueprint for future growth, the proposed Downtown Plan contains detailed policies on where and how the Downtown should grow over the next 25 years. It is centered on four goals: Complete Communities, Connectivity, Prosperity, Resiliency and Responsibility.

Directing Growth and Linking Growth and Infrastructure to Ensure Complete Communities

While the plan identifies the Downtown as an area that is expected to absorb growth, it maintains that not all areas of the Downtown are intended to experience the same levels or intensity of growth. In particular, *Neighbourhoods*, *Apartment Neighbourhoods*, *Mixed Use Areas 4*, and *Utility Corridors* are not targeted for intensification. Map 2 of the Proposed Downtown Plan identifies "Areas of Focus for Growth". The majority of the site is not included in this area, except for the Metrolinx property at 433 Front Street West.

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When considering new development, the plan emphasises the need to link growth and infrastructure in order to support complete communities, and requires development to be evaluated on the availability and provision relative to the number of new people it will generate. Specifically, the plan requires that development in *Mixed Use Areas 1*, *Mixed Use Areas 2* and *Mixed Use Areas 3*, and *Regeneration Areas* will be required to submit a Complete Community Assessment that addresses how the development will achieve the goals of complete communities within the existing and planned context of the area. The Metrolinx property at 433 Front Street West falls within Mixed Use Area 1, as shown on Map 11 of the Proposed Downtown Plan.

Shaping Built Form

Where new development does occur, the plan calls for built form that is contextually appropriate, and is shaped, scaled and designed to maintain and enhance liveability. Specifically, built form policies promote comfort, vibrancy, diversity, safety, and beauty. The plan proposes that tall building not be permitted on sites that have a planned context that does not contemplate tall buildings or on sites adjacent to Parks and Open Space Areas. Strategies to expand and enhanced the public realm are also included. The plan supports base-buildings that fit harmoniously within the local context, respect the scale and proportion of adjacent streets and open spaces, allow for sunlight on adjacent streets, and animate adjacent streets. Where adjacent to heritage properties, base-buildings should respect and reinforce the historic context. Building set-backs are encouraged as a strategy to expand and enhance the public realm. The plan promotes Privately Owned Publicly-Accessible Spaces (POPS), but cautions that these spaces must be designed to be accessible, visible, and seamlessly integrated into the public realm, among others. Other important public realm elements identified by the plan include comfortable sun and wind conditions; transition in scale both within the site and with adjacent properties; positive contribution to the Downtown skyline; protection of flight path; and the provision of high-quality and comfortable amenity space.

Expanding, Enhancing and Connecting Parks and Public Realm

One of the five infrastructure strategies is a Downtown Parks and Public Realm Plan (the "PPR Plan"), which sets out a bold vision for enhancing and growing the public realm, recognizing that Downtown residents have among the lowest rates of parkland per person in the city. The PPR Plan acknowledges the need for improved and expanded parks and public spaces as the Downtown becomes denser and accommodates an increasing number of residents, workers, students and visitors. The policy framework addresses the challenges faced by the City in securing large- and medium-sized parks in the Downtown where most of the development sites are small parcel sizes that make on-site parkland dedication undesirable or difficult.

Priorities for investment and acquisition are outlined in the PPR Plan. The site is identified as a key park element in many of these priority areas including the "Core Circle" (Map 4), "Great Streets" (Map 5), "Park Districts"(Map 6), and "the Stitch"(Map 8). In particular, the site forms an essential piece of "the Stitch", a series of parks and public spaces that improves north-south connections between the Downtown and the

Waterfront and east-west connections between Fort York, the Don Valley, and the broad system of green spaces and trails that link to these spaces.

Land Use and Economy

The proposed Downtown Plan promotes a balanced approach to growth, and directs the majority of new development to *Mixed Use Areas*, and in particular to *Mixed Use Area 1*. The Metrolinx property at 433 Front Street West is designated as *Mixed Use Area 1*, and is therefore recognized as an appropriate site for growth including tall buildings. The remainder of the site is not designated as a *Mixed Use Area*.

Enhancing Community Services and Facilities

Community Services and Facilities (CS&F) are recognized as essential to fostering complete communities and contributing to quality of life in the Downtown. The proposed Downtown Plan identifies includes five key sectors in CS&F: child care, recreation, libraries, schools, and human services. To support these essential sectors, the proposed plan advances a Community Services and Facilities Strategy. The purpose of the CSF Strategy is to assess the existing community infrastructure and to determine what infrastructure requirements are needed to support future growth in developing complete and liveable communities for both residents and workers.

A Phase One CS&F Report and Technical Appendix was completed in March 2016. The Phase One Report provides an assessment of CS&F in the 16 neighbourhoods comprising Toronto's Downtown for the following six sectors: libraries; schools; recreation; child care; and, human services. This report includes demographic analysis, an inventory of services and facilities, gaps analysis, findings from stakeholder consultation together with emerging priorities and opportunities. In addition, an updated Neighbourhood Population Profile document was produced in July 2016 which highlights population profiles and growth projections based on development activity for the 16 neighbourhoods, including the Waterfront West. The report identifies overall emerging CS&F priorities for the Downtown including providing for new facilities and space opportunities and building new partnerships for complete communities downtown.

Mobility

The proposed Downtown Plan prioritizes pedestrians, cyclists, and public transit. Specifically, the Plan aims to enhance the walkability of Downtown by ensuring safe, comfortable, functional, and accessible street conditions; improving connectivity and circulation between important destinations; improving pedestrian wayfinding; and creating vibrant public spaces among others. Seamless connections to rapid transit, such as the planned Spadina-Front GO RER station is encouraged. The Plan also recognizes the important role of rail, and protects for the current and future operations within rail corridors, including the USRC.

Diversity of Housing

The provision of a range of housing types and tenures is identified as a goal of an inclusive Downtown and essential to supporting complete communities. To support this goal, the Plan articulates minimum targets for affordable and family-sized housing units for larger developments.

Celebrating Culture

The Plan defines the culture sector as creative artistic activity and the goods and services produced by it, along with the preservation of heritage. The Downtown is identified as the highest concentration of cultural spaces, facilities, and industries in the city. To support these spaces, the Plan encourages clustering of cultural spaces, enhancement of public spaces, and co-location of cultural and community spaces. Specific policies are provided for the King-Spadina and King Parliament areas, located directly north of the subject site. In these Cultural Precincts (shown on Map 16 of Proposed Downtown Plan), the clustering of cultural and creative sectors, and public realm improvements with participation from the creative community is encouraged. Map 16 also identifies Cultural Corridors - historically and culturally significant streets that anchor important arts, entertainment and new media cultural resources Downtown. The provision of cultural spaces and a coherent visual identity including public art and interpretive solutions is encouraged along these corridors, which include Front Street.

Towards A Resilient Downtown

Climate change and the implications this brings is a major area of focus in the proposed Downtown Plan. The Plan acknowledges that the Downtown is particularly vulnerable due to its built form and density, age of infrastructure, rapid growth and constrained electricity supply. To address this, the Plan establishes city-building objective relating to resiliency, reduction in emissions, and water management. Specifically, the Plan encourages habitat creation, pollinator friendly plantings, green roofs, provision of back-up power to mitigate power outages; energy production and recovery, improvements to water and sewer infrastructure, and the reduction of inflow and infiltration into the sewer system.

Making It Happen

Five infrastructure strategies are identified in the proposed Downtown Plan including the Downtown Community Services and Facilities Strategy, Downtown Mobility Strategy, Downtown Parks and Public Realm Plan, Downtown Water Strategy, and the Downtown Energy Strategy. The Plan stipulates that all City-owned Land will be retained to address the Plan's priorities, and that the funding of these priorities will be pursued through a combination of municipal capital programs, growth related tools (Section 37, Section 42, Development Charges), or as part of works associated with development applications or other funding strategies recommended in the infrastructure strategies.

Rail Deck Park Secondary Plan

The City recently initiated an Official Plan Amendment (OPA) for the rail corridor area between Bathurst Street and Blue Jays Way and including adjacent city-owned properties. OPA 395 amends the existing Railway Lands West, Central, and East Secondary Plans and introduces a new Rail Deck Park Secondary Plan. City Council adopted staff recommendations regarding proposed OPA 395 on December 05, 2017, however at the time of this report, the implementing bills have not yet been enacted and OPA 395 is not in force.

Under the Rail Deck Park Secondary Plan, the majority of the site would be designated as *Parks and Open Spaces Areas*. This designation would also protect for current and future rail operations, as well as park-related accessory uses such as small scale retail.

Residential, office, and large-scale commercial uses would not be permitted. The Rail Deck Park Secondary Plan does not apply to the Metrolinx property at 433 Front Street West.

City of Toronto Parkland Strategy (2017)

The City is undertaking a Parkland Strategy, a 20-year plan that will guide the long-term provision of parks city-wide, including new parks, expansions and improved access to existing parks. It will provide a parkland measurement methodology along with implementation, policy and funding recommendations to aid decision-making and the prioritization of parkland investment across Toronto. The Parkland Strategy will provide a defensible rationale and evidence on the requirements for parkland to meet the needs of Toronto's growing and changing population.

The Parkland Strategy is based on the principles of expand, share and connect. The Strategy will be informed by an understanding of park provision and use trends, and demographic and growth projections.

The first phase of work has developed a measurement methodology to assess parkland supply and distribution across the city that uses Statistics Canada Census Dissemination Blocks as reporting units. It has produced a supply per person (or "provision") based on three elements; a catchment area around parks related to park size, the population within that catchment area, and the total amount of park available per person. Parkland supply maps express park provision, relative to a city-wide average. In addition, the methodology will be supported by a revised set of Park Classifications. Using these revised classifications, together with a finer-grained reporting unit structure than has been used in the past – one that takes into account pedestrian routes and distance to parks based on size – the methodology has presented a refined evaluation of parkland need.

Through this first phase of work, A Preliminary Report on the Parkland Strategy was prepared in November 2017. This report identified Downtown as an area with a large concentration of people and a very low supply of parkland per person. The report notes that projected population growth in this area will place severe pressure on already strained existing parkland supply. Challenges in addressing parkland deficiency are also

identified, including high land values, availability of land, and small parcel sizes in the Downtown.

The next phase of work will provide a comprehensive analysis of the availability and function of parkland and provide new approaches and tools to support decision-making and the prioritization of parkland investment across Toronto for the next 20 years. The Final Parkland Strategy will act as Toronto's parks plan, satisfying the new requirement in the Planning Act that municipal organizations study the need for parkland through preparation of a parks plan prior to adopting any changes to the Alternative Parkland Dedication Rate.

The Preliminary Report on the Parkland Strategy was presented to Executive Committee in November 2017. Executive Committee adopted the report, and directed staff to report back on the Final Parkland Strategy in Q2 of 2018.

More information about the parkland Strategy is available on the City's website at: www.toronto.ca/parklandstrategy

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing-Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing-Up Draft Urban Design Guidelines were considered in the review of this proposal.

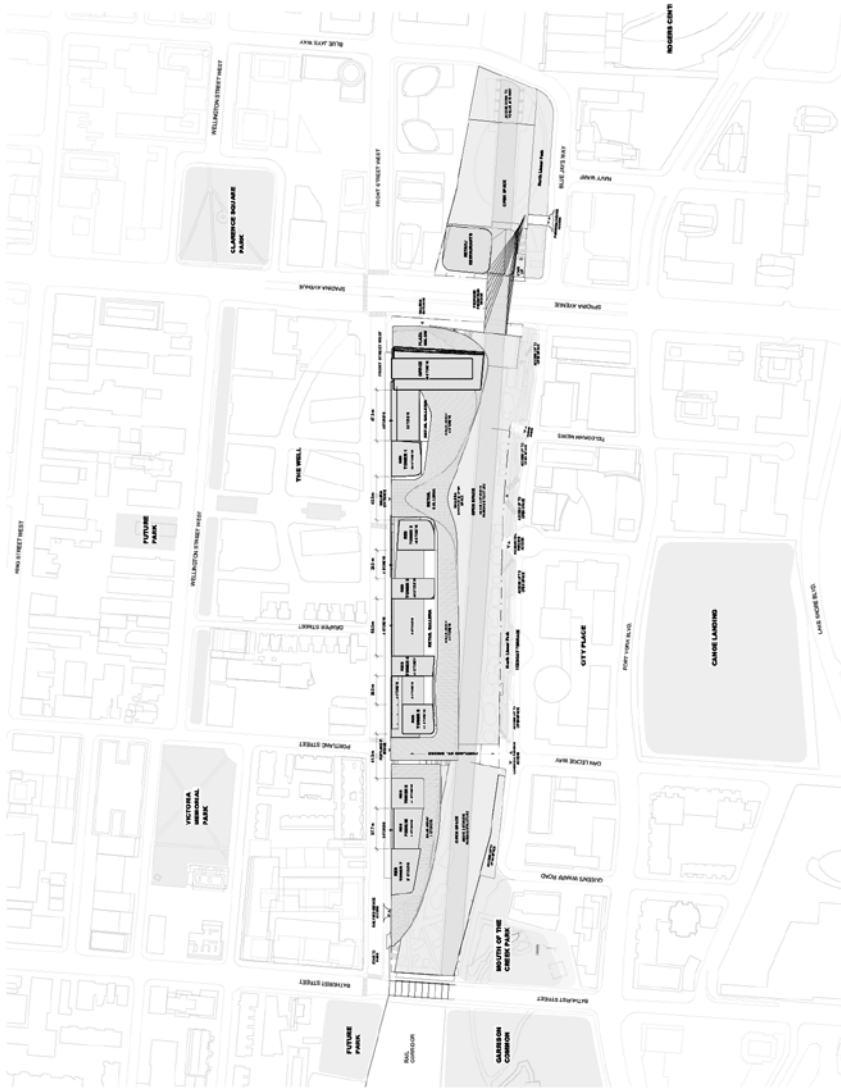
The Guidelines indicate that Toronto's contemporary population growth and housing boom is introducing challenges for liveability, with particular challenges for families and children. The Guidelines objectives aim to create a diversity of housing, enhance liveability and the quality of life in Toronto, and encourage planning approaches from the perspective of a child.

The Guidelines are structured at three scales: neighbourhood, building and unit. The objective is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at each scale. At the neighbourhood scale, the guidelines focus on children's experience in the city, promoting independent mobility, access to parks, schools and community infrastructure. At the building scale, the guidelines seek to improve community within new developments by increasing the number of larger units, encouraging the design of functional and flexible amenity space and common space that supports resident interaction. At the unit scale, the guidelines focus on size and functionality, recommending minimum areas for each element to ensure that a unit provides the space for the social functions of family life.

The Guidelines also emphasize the need for a variety of types of parks and open spaces that are easily accessible and meet daily, weekly and seasonal needs. The Guidelines state that new parks and open spaces should be convenient and centrally located to the meet daily needs, and located on sites with safe routes. Park design should consider a range of elements that are flexible and allow for a diversity of activities to suit all ages and abilities.

The Council Decision and draft guidelines are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

Attachment 2: Site Plan

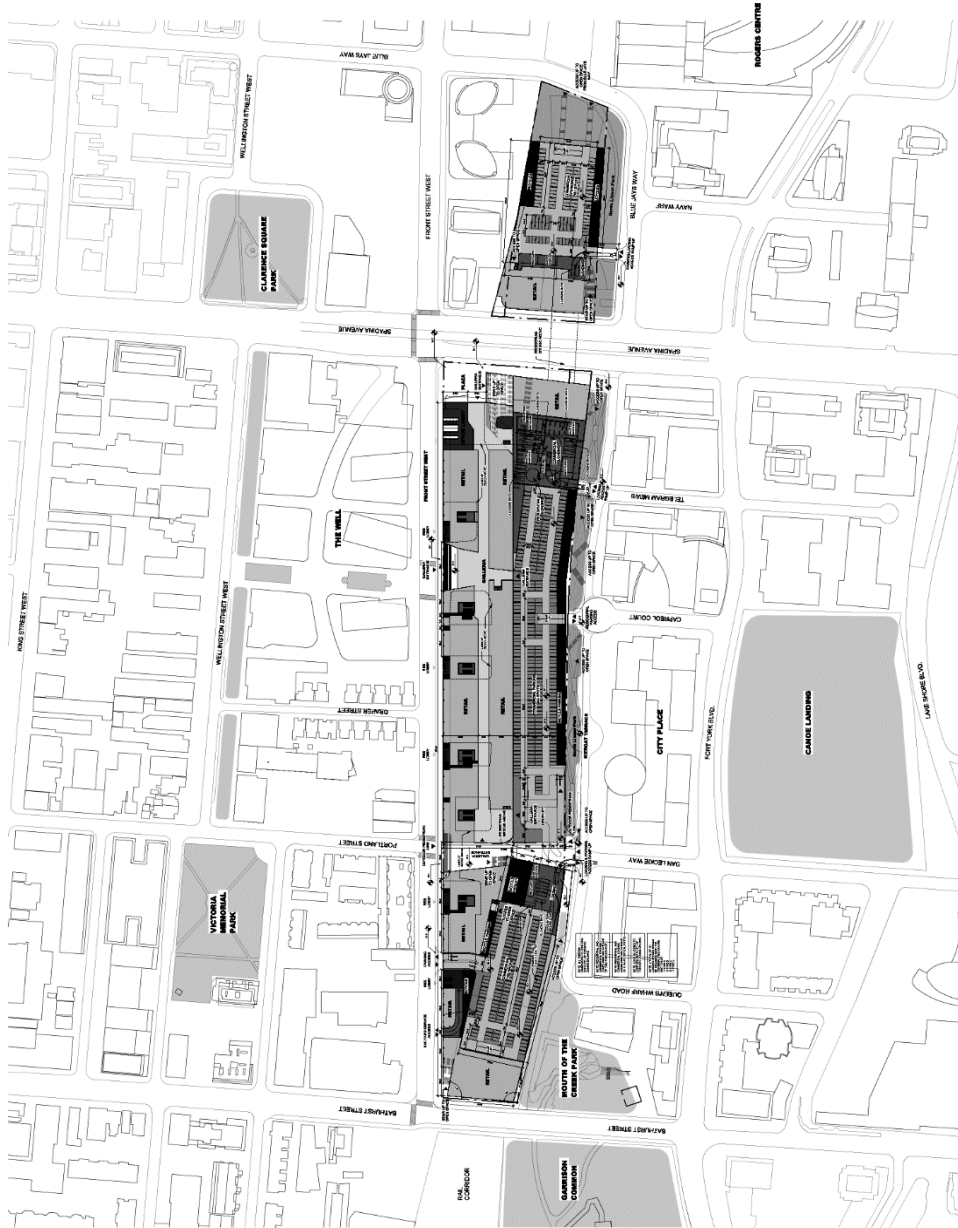


Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 27/07/2017

**Area Bounded By Front Street West, Bathurst Street, Iceboat Terrace,
 and Blue Jays Way Including 433 Front Street West**

File # 17_164359_STE 20.0Z

Attachment 3: Level 1 Plan

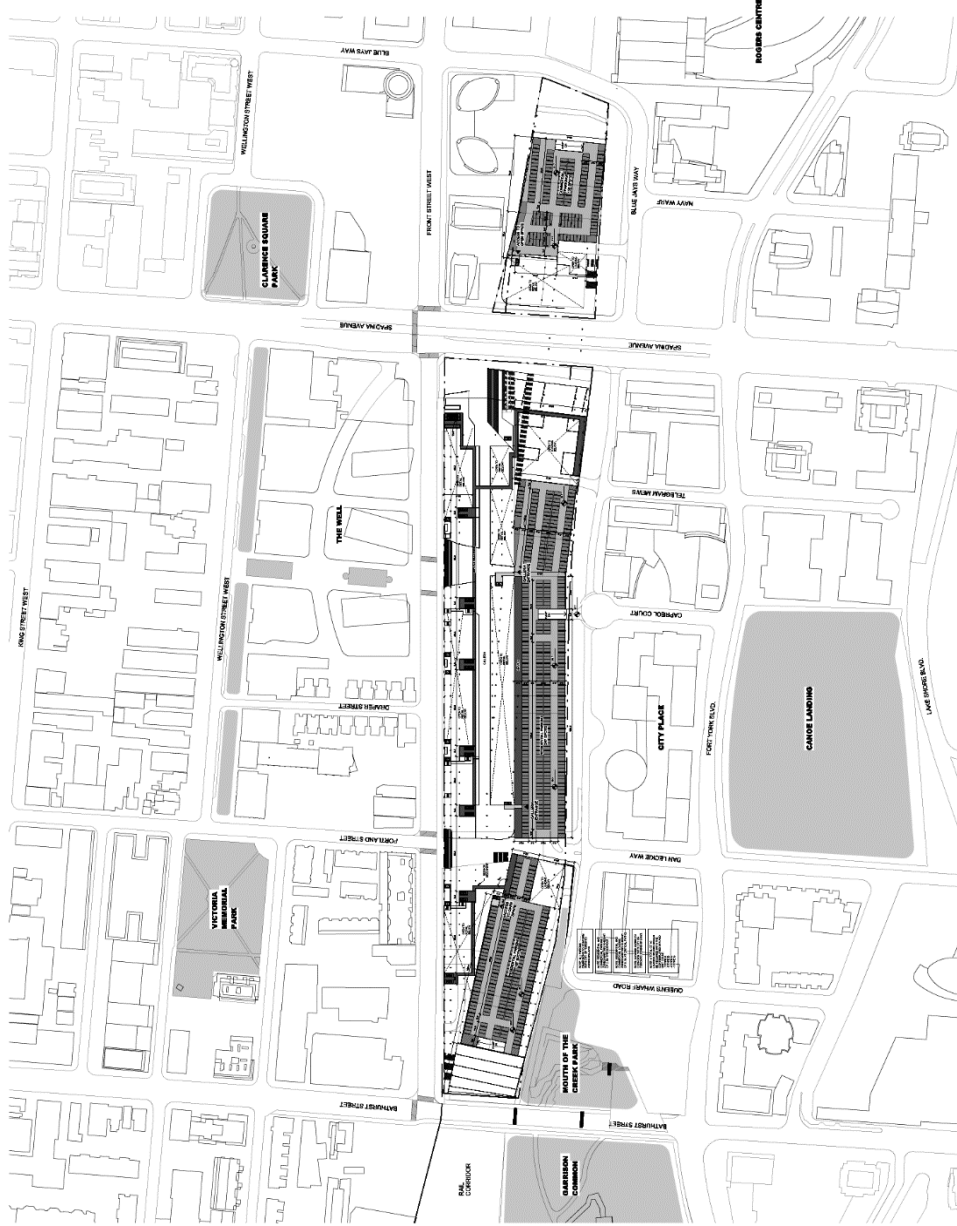


Level 1
Applicant's Submitted Drawing
Not to Scale
12/15/2017

**Area Bounded By Front Street West, Bathurst Street, Northern
Linear Park & Blue Jays Way Including 433 Front Street West**

File # 17 164359 STE 20 0Z

Attachment 4: Level 1 Mezzanine Plan



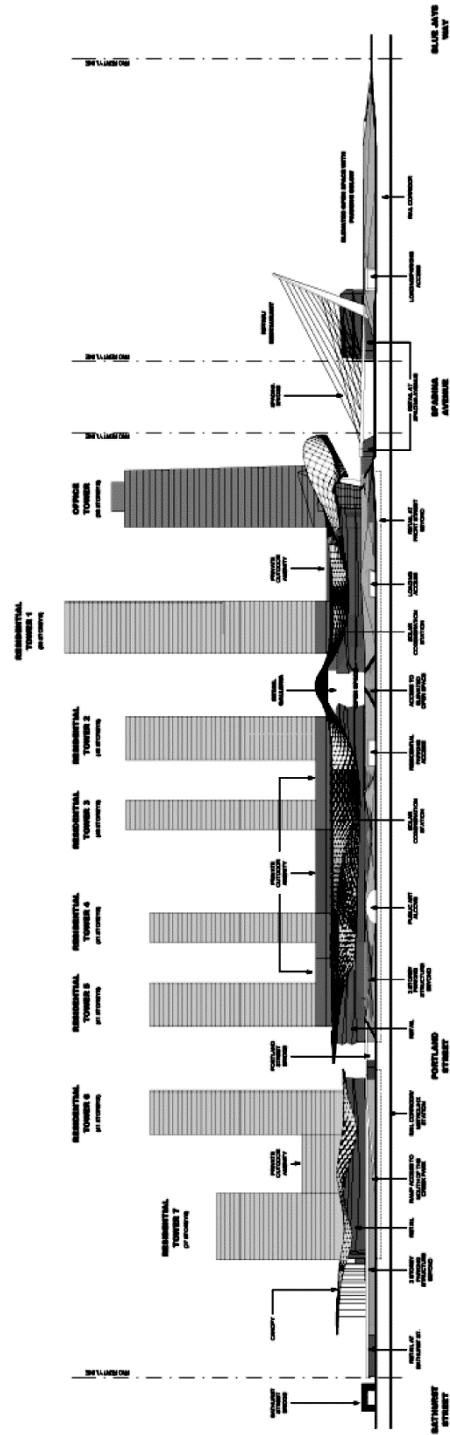
Level 1 - Mezzanine Plan - Garage Level and Level 2 and Service

Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West

Not to Scale
12/15/2017
Applicant's Submitted Drawing

File # 17 164359 STE 20 02

Attachment 5: South Elevation – Spadina Avenue to Bathurst Street



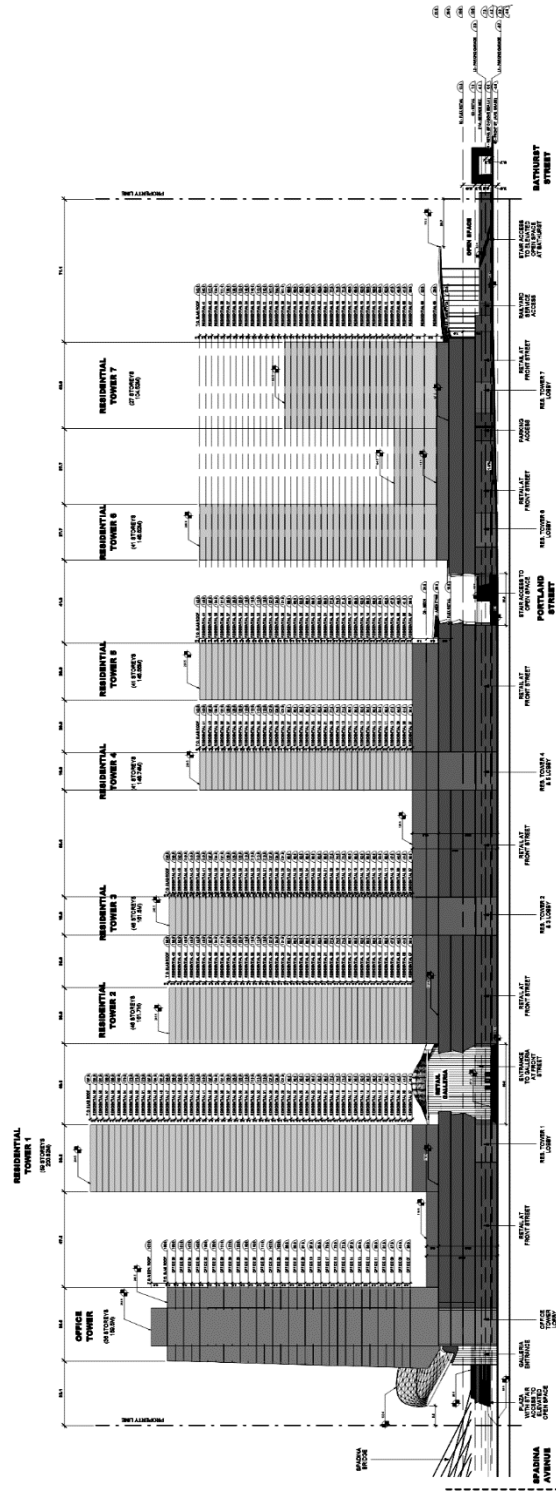
South Elevation - Bathurst St. to Spadina Av. Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West

Applicant's Submitted Drawing

Not to Scale
12/15/2017

File # 17 164359 STE 20 0Z

Attachment 6: North Elevation – Spadina Avenue to Bathurst Street



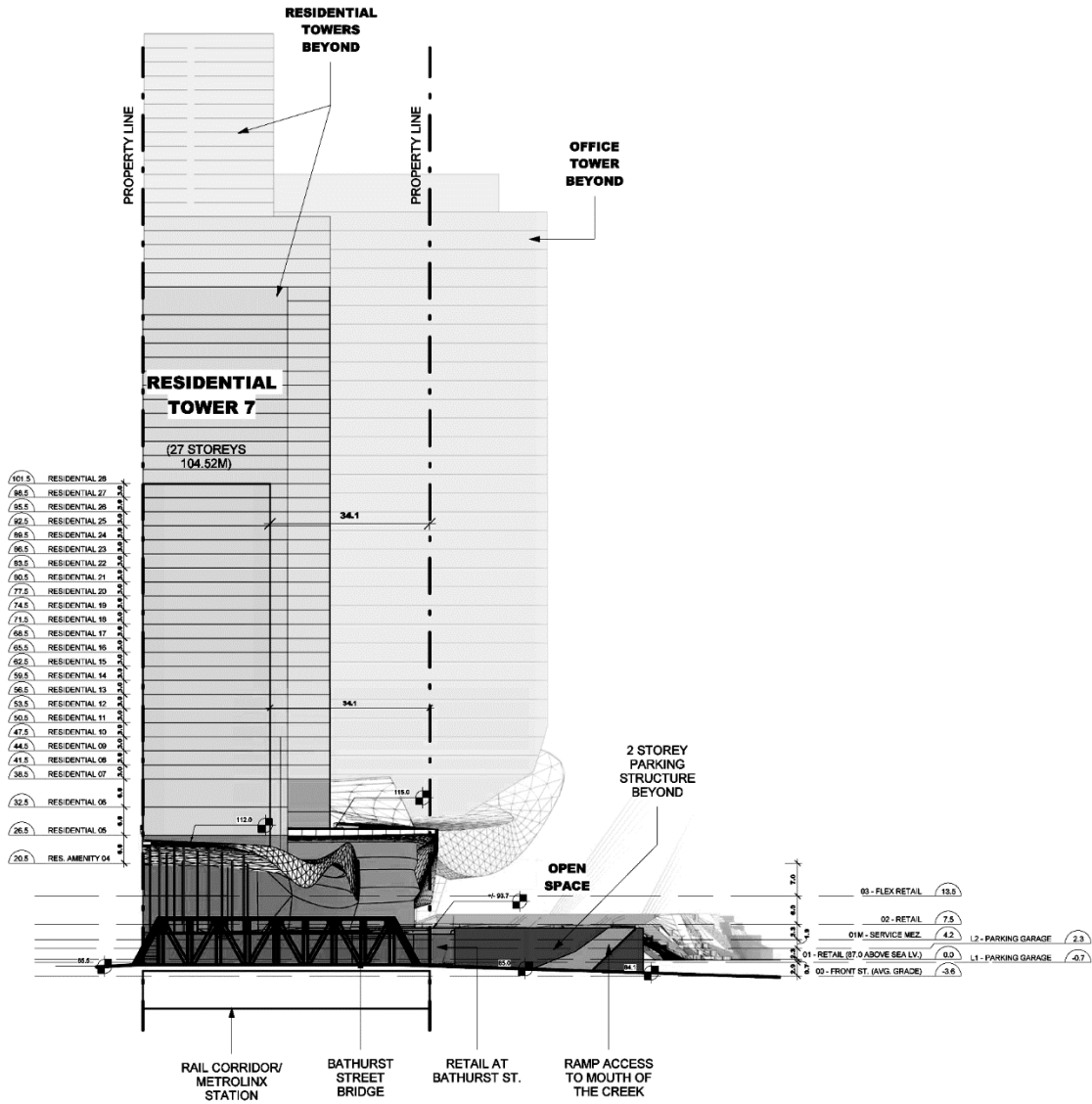
North Elevation - Spadina Av. to Bathurst St. **Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West**

Applicant's Submitted Drawing

Not to Scale
12/15/2017

File # 17 164359 STE 20 0Z

Attachment 7: West Elevation at Bathurst Street



West Elevation at Bathurst Street

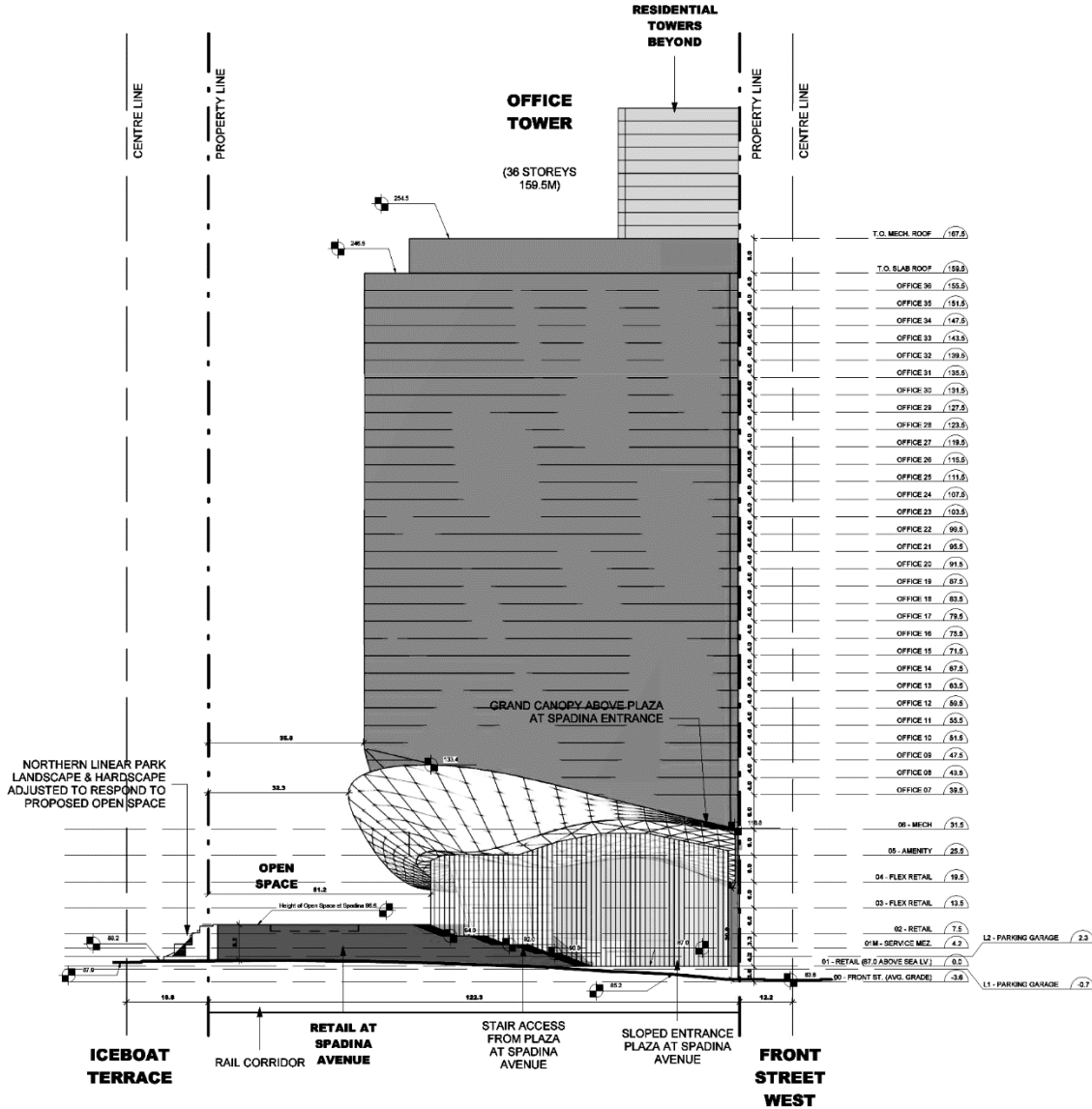
Applicant's Submitted Drawing

Not to Scale
12/15/2017

Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West

File # 17 164359 STE 20 0Z

Attachment 8: East Elevation at Spadina Avenue



East Elevation at Spadina Avenue

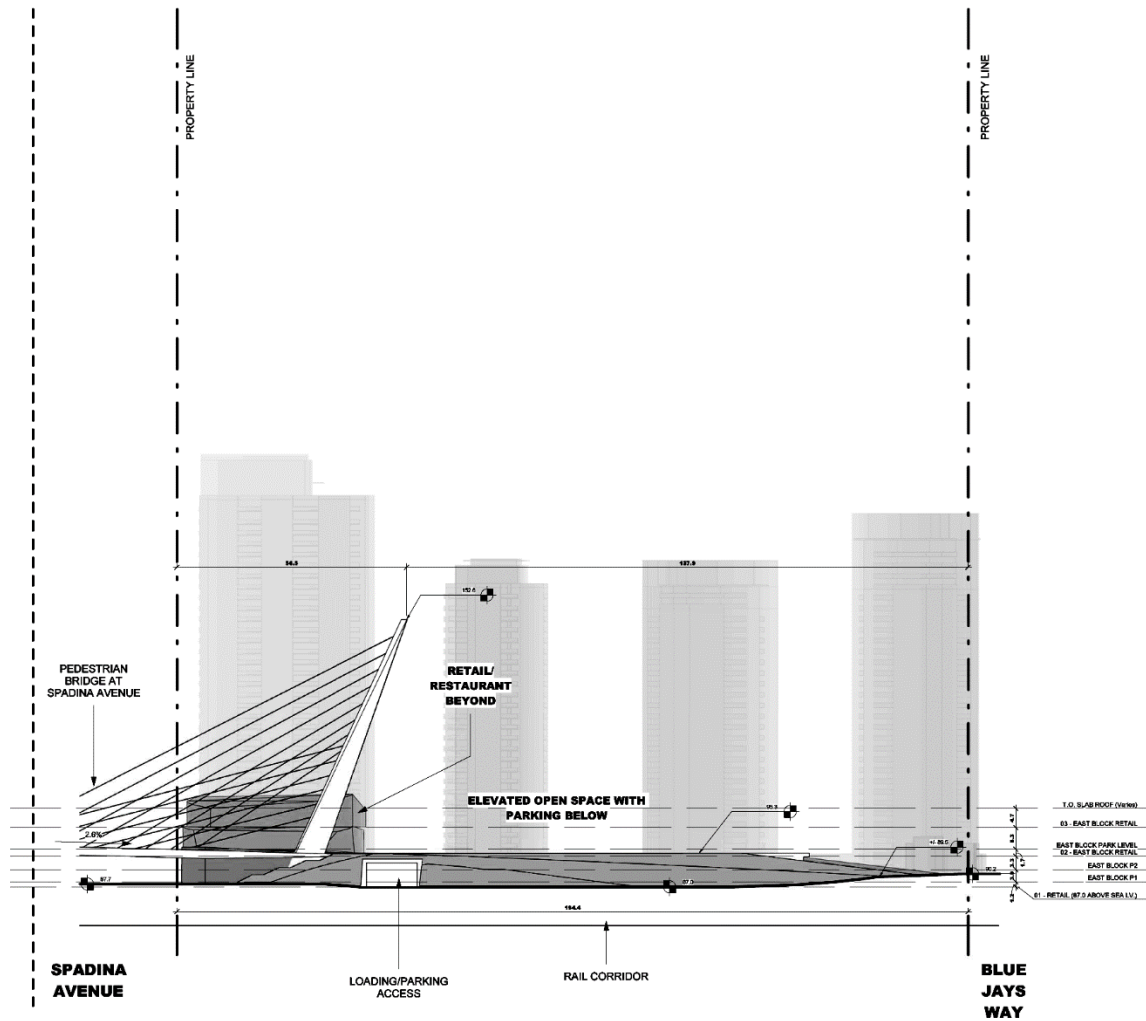
Applicant's Submitted Drawing

Not to Scale
12/15/2017

Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West

File # 17 164359 STE 20 0Z

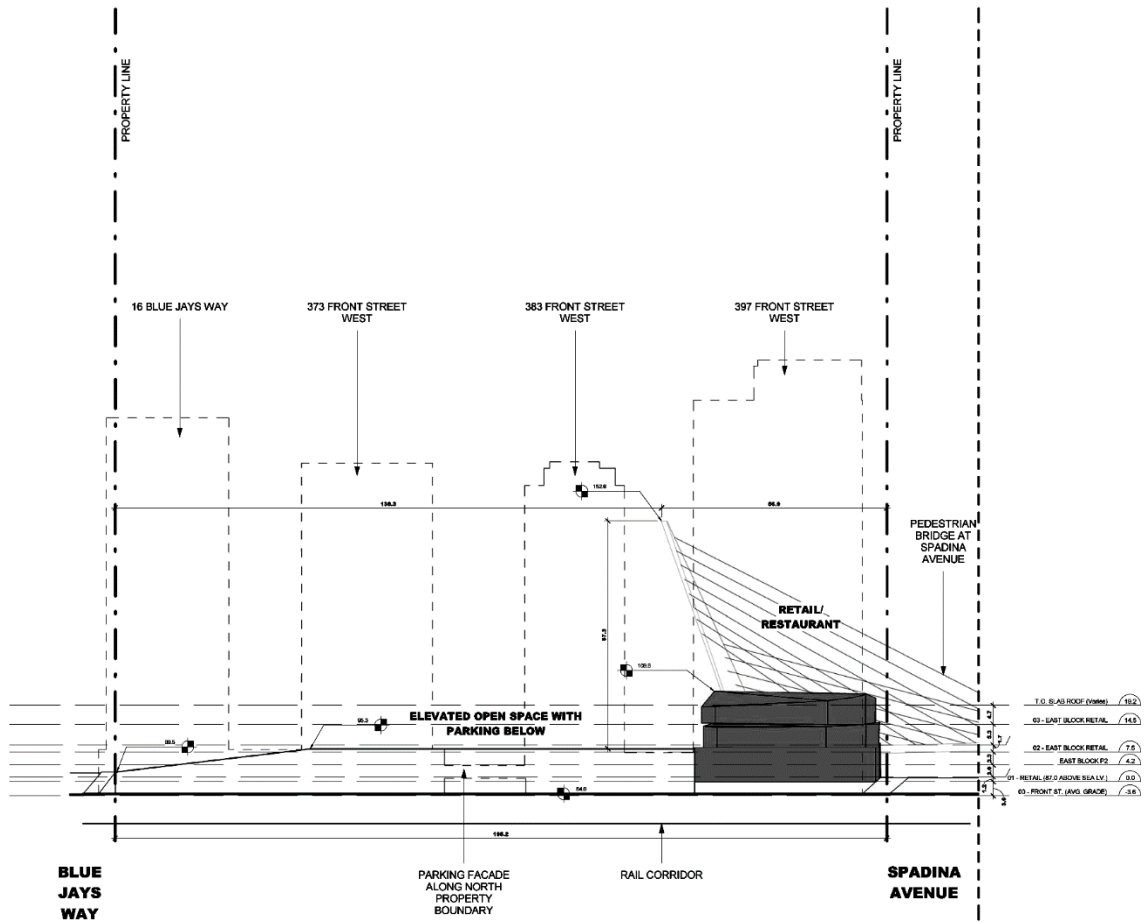
Attachment 9: South Elevation – Spadina Avenue to Blue Jays Way



South Elevation Spadina Avenue to
Blue Jays Way
Applicant's Submitted Drawing
Not to Scale
12/15/2017

Area Bounded By Front Street West, Bathurst
Street, Northern Linear Park & Blue Jays Way
Including 433 Front Street West
File # 17 164359 STE 20 02

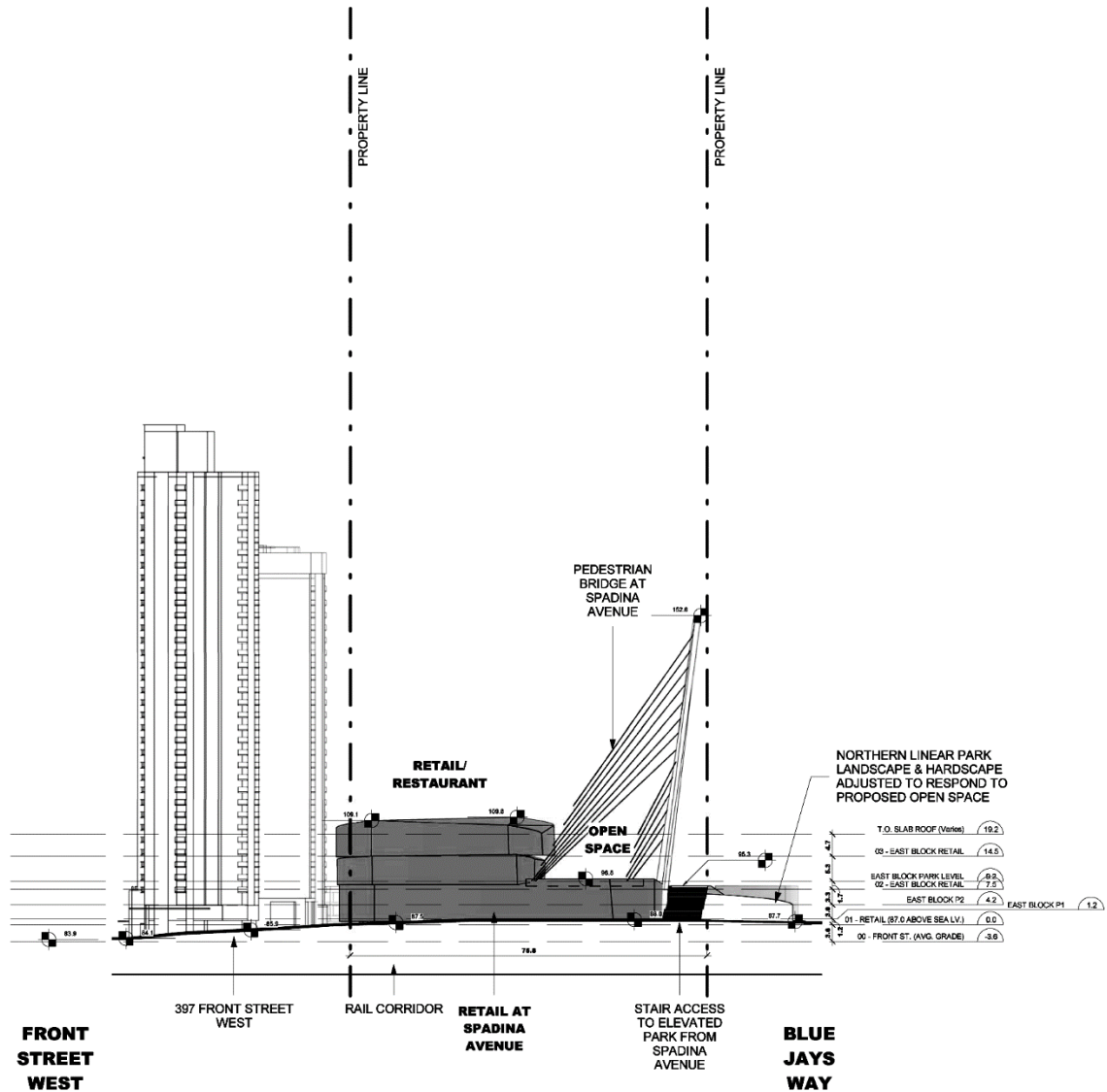
Attachment 10: North Elevation – Blue Jays Way to Spadina Avenue



North Elevation Blue Jays Way to
Spadina Avenue
Applicant's Submitted Drawing
Not to Scale
12/15/2017

Area Bounded By Front Street West, Bathurst
Street, Northern Linear Park & Blue Jays Way
Including 433 Front Street West
File # 17 164359 STE 20 0Z

Attachment 11: West Elevation at Spadina Avenue



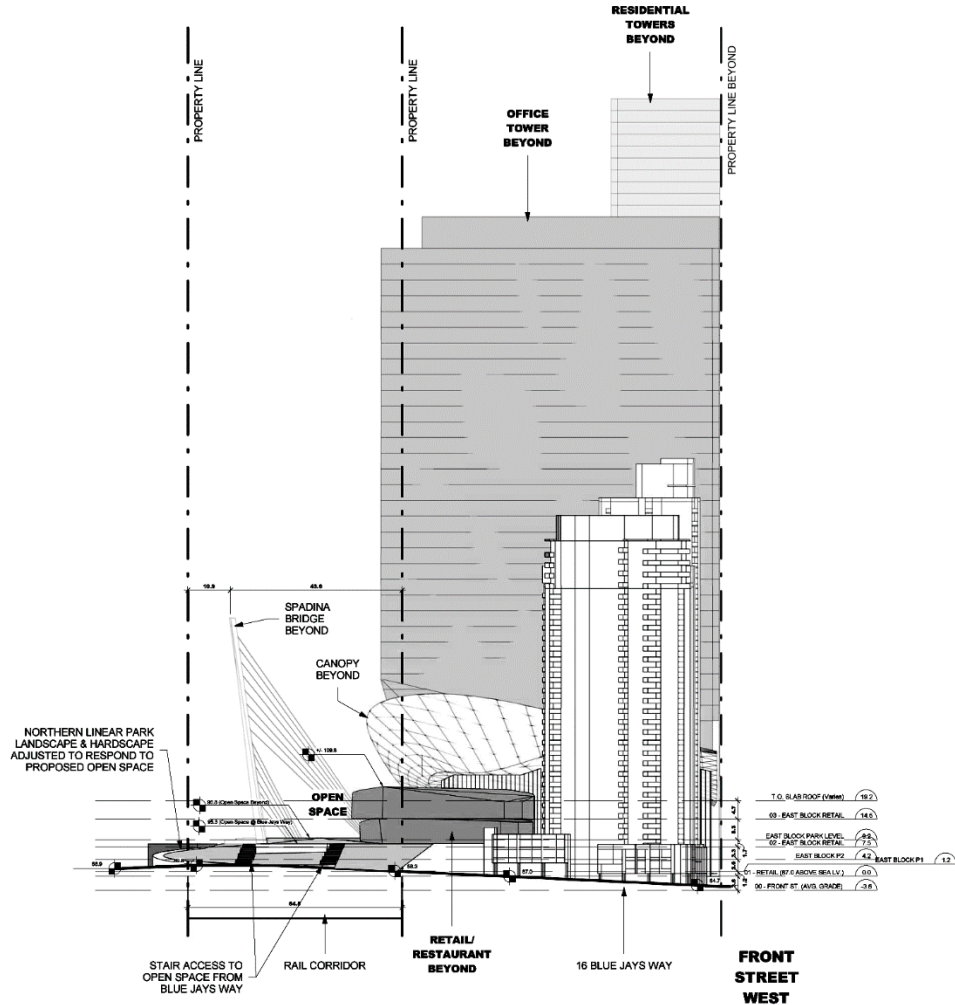
West Elevation at Spadina Avenue

Applicant's Submitted Drawing
Not to Scale
12/15/2017

Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way Including 433 Front Street West

File # 17 164359 STE 20 0Z

Attachment 12: East Elevation at Blue Jays Way



East Elevation at Blue Jays Way

Applicant's Submitted Drawing
 Not to Scale
 12/15/2017

Area Bounded By Front Street West, Bathurst Street, Northern Linear Park & Blue Jays Way
 Including 433 Front Street West

File # 17 164359 STE 20 02

Attachment 13: Application Data Sheet

Application Type: Official Plan Amendment Application Number: 17 164359 STE 20 OZ
 Details: Standard Application Date: August 24, 2017

Municipal Address: The area generally bounded by Bathurst Street, Blue Jays Way, Front Street West and the Northern Linear Park including 433 Front Street West.

Location Description: Lot 19 and part of Lots 9, 11, 12, 20 and 25.

Project Description: Official Plan amendment to permit a mixed-used development over the rail corridor including residential, commercial, retail, institutional, and open spaces uses in 9 buildings ranging from 4 to 59 storeys. The development includes a potential transit station (Spadina-Front GO RER Station).

Applicant:	Agent:	Architect:	Owners (partial)
R.E. Millward + Assc. Ltd 1200 Bay St, Suite 1101 Toronto, ON M5R2A5		Sweeny & Co Architects 134 Peter Street, Suite 1601 Toronto ON, M5V2H2	Canadian National Railway Company 1 Administration Rd, Concord, ON, L4K1B9 Toronto Terminal Railways 50 Bay Street, Suite 1400B, Toronto, ON, N5J3A5

PLANNING CONTROLS

Official Plan Designation: *Utility Corridors, Mixed Use Areas, Parks and Open Space* Site Specific Provision:

Zoning: T, (h)CR, G Historical Status: N

Height Limit (m): 15, 95, 15 Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	85,900	Height:	Storeys: 4 to 59
Frontage (m):	805 (north) 780 (south)		Metres: 26 to 200.82
Depth (m):	59 - 140		
Total Ground Floor Area (sq. m):	27,000		Total
Total Residential GFA (sq. m):	208,300		Parking Spaces: 1225
Total Non-Residential GFA (sq. m):	159,800		Loading Docks 10
Total GFA (sq. m):	368,100		
Lot Coverage Ratio (%):	31%		
Floor Space Index:	4.3		

DWELLING UNITS

Tenure Type:	Mixed
Rooms:	0
Studio:	0
1 Bedroom:	825(30%)
2 Bedroom:	1100 (40%)
3 + Bedroom:	825(30%)
Total Units:	2,750

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	208,300	0
Retail GFA (sq. m):	60,700	0
Office GFA (sq. m):	79,800	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	19,300	0

CONTACT: **PLANNER NAME:** Sue McAlpine, Senior Planner
TELEPHONE: (416) 392-7622 **Email:** smcalpin@toronto.ca

Attachment 14: Considerations for Implementation

In the event that the application is appealed to the Ontario Municipal Board, and approved in whole or in part by the OMB, there are a number of implementation matters, that would need to be addressed in relation to Official Plan amendment policies including: determining appropriate Section 37 community benefits; the use of the holding symbol in association with any zoning by-law amendment; precinct plans and agreements, subdivision plans and agreement, environmental reports and agreements and public art plans to ensure that servicing and infrastructure needed to support the proposal are provided and secured.

Section 37

Section 37 of the Planning Act enables the approval authority to authorize increases in height and/or density, over and above that permitted by the Zoning By-law, in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvement above and beyond the parkland dedication; public art; streetscape improvements, and other works detailed in Section 5.1.1.6 of the Official Plan. They must also bear a reasonable planning relationship to the proposed development including an appropriate geographic relationship and addressing any planning issues associated with the development.

Holding Provision in Zoning By-law

Under the *Planning Act*, Council can pass a “holding” zoning by-law that places an “H” symbol over the zoning and spells out the conditions that must be met before the “H” symbol is removed and the lands can be developed. The existing Railway Lands West Secondary Plan and Railway Lands Central Secondary Plan contain provisions that support the use of a Holding (H) symbol to ensure the orderly and efficient development of land. These polices require an zoning by-law enacted to define and incorporate a Holding (H) symbol which will precede the use and density designations contain in any such by-law. This zoning by-law will specify permitted uses prior to the removal of the Holding (H) symbol, and requirements for the removal of the Holding (H) symbol. These will include but are not limited to:

- (a) a Precinct Plan, as described in Section 11.5 of the Railway Lands Secondary Plans and described below;
- (b) a Precinct Agreement, as defined in Section 11.5 of the Railway Lands Secondary Plans and described below;
- (c) an Environmental Report, as defined in Section 9.1 of the Railway Lands Secondary Plans;

- (d) an Environmental Agreement, as defined in Section 9.2 of the Railway Lands Secondary Plans, each of which will cover at least the Precinct to which the application applies;
- (e) a subdivision plan as described below;
- (f) a subdivision agreement, as described below; and
- (g) public art plans as described below .

Furthermore, any application to remove the Holding (H) Symbol will, upon its receipt, be circulated for review and comment to the City, Provincial and Federal officials, and the officials of any commissions, authorities, corporations, or other bodies, involved in the development or servicing of the area affected by the application. Any comments received from the circulation of the application when considering a by-law to remove the Holding (H) symbol will be given due consideration.

Precinct Plan and Precinct Agreement

Any application to remove the Holding (H) symbol must contain a Precinct Plan and Precinct Agreement. This document will contain the following information in written or graphic form:

- (a) the location, elevation, dimensions and intersection details of all existing and proposed public highways, public streets, and private roadways within the Precinct as are sufficient to serve the existing and incremental vehicular and bicycle traffic created by the development permitted by the proposed application;
- (b) the details of the connections with any existing public highways of any proposed public highways, public streets and private roadways, and of any existing public highways, public streets and private roadways whose alignment and/or dimensions are proposed to be altered within the Precinct;
- (c) the location, elevation, dimensions and intersection details of all existing and such proposed sidewalks adjoining the existing and proposed streets in the Precinct as are sufficient to meet the needs of pedestrians travelling in and through the Precinct as the result of development permitted by the proposed application;
- (d) the location of such existing and proposed municipal services within the Precinct as are sufficient to serve the development permitted by the proposed application and are consistent with the overall municipal services system for the City;
- (e) the location of such existing and proposed utility services within the Precinct as are sufficient to serve the development permitted by the proposed application;
- (f) the provision of community services and facilities;
- (g) a description of the locations of all existing transit facilities and of the proposed rights-of-way of any proposed transit facilities, and of the points of ingress to and

- egress from these existing and proposed facilities which are together sufficient to meet the needs of public transit users travelling to, from and within the Precinct;
- (h) the location, dimensions and areas of any lands to be leased or conveyed to the City for public purposes in conjunction with the development of the Precinct pursuant to Section 4.4 and Section 6 of the Railway Land West Secondary Plan;
 - (i) the general treatment of all public sidewalks and public streets, referred to in (a) and (c) above, including:
 - (i) paving materials;
 - (ii) street trees;
 - (iii) street lighting including pedestrian scale lighting; and
 - (iv) the general locations of street furniture;
 - (j) the location and minimum dimensions of pedestrian and/or bicycle routes within or directly servicing development within the Precinct which meets the requirements of the Railway Lands Secondary Plans;
 - (k) the manner in which the Precinct is to be linked to any adjacent Precinct or Precincts, with specific reference to the matters set out in (a) to (j) above;
 - (l) a description of the extent of archaeological resources or potential resources within the Precinct, and the phasing of investigations in accordance with the archaeological strategy document developed by the City and Heritage Toronto; and
 - (m) a description of the manner in which the matters provided for in the Precinct Agreement, relevant to the Precinct, if any, are to be addressed.

A by-law will be enacted removing the Holding (H) symbol from a precinct provided it has received an application which comprises:

- (n) a Precinct Plan which is reasonable and in accordance with the policies and provisions in the Railway Lands Secondary Plans;
- (o) a Precinct Agreement which is sufficient to secure the provision to or for the City of the matters set out in a Precinct Plan;
- (p) an Environmental Report which satisfies the requirements of Section 9 of the Railway Lands Secondary Plans respecting the area which is the subject of the application; and
- (q) an Environmental Agreement which is sufficient to secure the implementation of the safeguards and measures recommended in the Environmental Report and which satisfies the requirements of Section 9 of the Railway Lands Secondary Plans;

Plans of Subdivision Process

A by-law may be passed removing the Holding (H) symbol from a Precinct provided it has received an application which comprises:

- (a) a Plan of Subdivision which is in accordance with the policies and provisions of the Railway Lands Secondary Plans;
- (b) an Environmental Report which satisfies the requirements of Section 9 of the Railway Lands Secondary Plans respecting the area which is the subject of the application;
- (c) an Environmental Agreement which is sufficient to secure the implementation of the safeguards and measures recommended in the Environmental Report and which satisfies the requirements of Section 9 of the Railway Lands Secondary Plans;
- (d) a Heritage Agreement which is sufficient to secure the provision of heritage in a manner consistent with the requirements of Section 7.1 and 7.2 of the Railway Lands Secondary Plans;
- (e) a Schools and Community Services and Facilities Agreement which is sufficient to secure the provision of community services and facilities consistent with the requirements of Section 5 of the Railway Lands Secondary Plans; and
- (f) a description of the manner in which the matters provided for in the Precinct Agreement, relevant to the Precinct, if any, are addressed, each of which will cover at least the Precinct to which the application applies, and provided that the agreements referred to in paragraphs (c), (d), and (e) of this Section, and a Subdivision Agreement have been executed by the applicant.

Public Art Plans

Each landowner will be required to prepare and submit for approval of the Toronto Public Art Commission and City Council a public art plan for its landholding. The Public Art Plan will provide the following:

- (a) a general description of the guidelines for the Public Art Plan;
- (b) identification of public art priorities and potential site opportunities;
- (c) a description of proposed competition methods for the selection of artists and art projects;
- (d) a preliminary estimate of the projected overall budget, based on currently estimated construction cost, including how and when the funding will be dispersed; and
- (e) a description of the administration process required to implement the Public Art Plan.