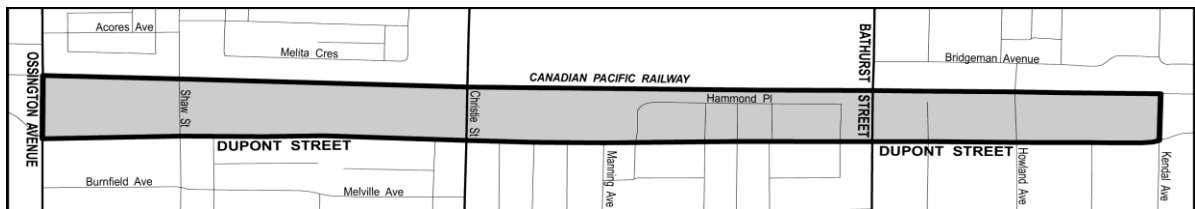


Dupont Street Regeneration Area Study – Official Plan Amendment and Zoning Amendment – Final Report

Date:	July 8, 2014
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 19 – Trinity-Spadina Ward 20 – Trinity-Spadina
Reference Number:	P:\2014\Cluster B\PLN\PGMC\PG14127 (14 108871 STE 20 OZ)

SUMMARY

These City-initiated amendments propose a new Site and Area Specific Policy in the Official Plan and an area-specific Zoning By-law for the lands on the north side of Dupont Street between Kendal and Ossington Avenues. Staff were directed to complete a *Regeneration Areas* study of these lands through OPA 231 to determine if additional uses were appropriate, to define appropriate built form and streetscape details, and to review appropriate setbacks and mitigation measures from the rail corridor that abuts the Study Area. The study is now completed and this report recommends the adoption of a new Official Plan Site and Area Specific Policy, an area-specific Zoning By-law Amendment, and Urban Design Guidelines to guide development within the study area.



Since February 2014 staff have held 4 community consultation and 3 working group meetings, obtained direction from a rail consultant on rail safety and mitigation questions, and consulted with all relevant City agencies and divisions including landowners. The outcome of this process is an area specific amendment to the Official Plan and Zoning By-law that includes the following:

- new residential permissions within a building envelope of 8-storeys (25 metres) outside the 30 metre setback from the rail corridor;
- a requirement for a net-gain of non-residential gross floor area in the redevelopment of any site in the Study Area;
- new rail separation and mitigation requirements;
- policies to ensure an improved pedestrian environment along Dupont Street;
- priorities for open space and parks improvements; and
- an emphasis on the true mixed-use character of the Study Area including the importance of the city-serving uses found on Dupont Street.

This report also includes recommendations about further work that needs to be completed. The 'Guidelines for New Development in Proximity to Railway Operations' prepared for the Federation of Canadian Municipalities and the Railway Association of Canada, recommended that municipalities should establish a minimum setback requirement for new development from rail corridors through a zoning by-law amendment. The City's rail consultant also recommended this. Further consideration of the freight and passenger lines throughout the entire City is required before such a by-law is brought forward. Lastly, additional study on the feasibility of extending the park network on the north side of the rail corridor, including using the Hydro corridor for this purpose, is work that the community has started and staff would like to further develop.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands located on the north side of Dupont Street as shown in Attachment 1 substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 2 to the report dated July 8, 2014 from the Chief Planner and Executive Director, City Planning Division.
2. City Council amend former City of Toronto Zoning By-law 438-86 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to the report dated July 8, 2014 from the Chief Planner and Executive Director, City Planning Division.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. City Council authorize the City Solicitor and any required staff to attend the Ontario Municipal Board to support the draft Site and Area Specific Official Plan Policy and the area specific Zoning By-law attached as Attachments 2 and 3 to the report dated July 8, 2014 from the Chief Planner and Executive Director, City Planning Division.

5. City Council adopt the Urban Design Guidelines attached as Attachment 4 to the report dated July 8, 2014 from the Chief Planner and Executive Director, City Planning Division.
6. City Council direct staff to update the City of Toronto Streetscape Manual as described in this report dated July 8, 2014, and as shown in Attachment 6 to this report.
7. City Council direct City Planning staff to report to the Toronto and East York Community Council on the heritage attributes, and options for inclusion on the City's heritage inventory, of the following properties:
 - a. 888 Dupont Street;
 - b. 420 Dupont Street; and
 - c. 275 Albany Avenue.
8. City Council direct the Chief Planner and Executive Director, City Planning, to report back to the Planning and Growth Management Committee by the third quarter of 2015 on the following:
 - a. The inclusion in Zoning By-law 569-2013 of a required 30 metre setback from any rail corridor for any sensitive or high density uses citywide.
 - b. The appropriate separation and mitigation requirements for the rest of the CP North Toronto Subdivision rail corridor.
 - c. A framework for studying the appropriate separation and mitigation requirements for developments along the passenger rail corridors in the City.
9. City Council direct City Planning staff to arrange for a peer review of all development applications and associated rail safety and mitigation studies for proposed development adjacent to a rail corridor in the City, at the sole cost of the applicant.
10. City Council direct City Planning staff to establish a roster of consultants qualified to conduct the peer reviews required in Recommendation 9 above.
11. City Council direct the General Manager, Parks, Forestry and Recreation to investigate the feasibility of transforming the remaining Hydro Corridor lands from Christie Street to Spadina Road into parkland and to identify recreational amenities that are compatible with the land conditions in consultation with the community. When opportunities are identified, and subject to funding as part of the Budget Process, City Council direct the Director, Real Estate Services to negotiate a license lease agreement with Hydro One.

12. City Council direct City staff, in consultation with the Ward Councillors, to allow the Section 42 cash in lieu funds in excess of 5%, generated from the 2014 Dupont Street study area (located in Wards 19 and 20), to be spent on either parkland improvement/acquisition projects in Wards 19 and 20 or parkland improvement/acquisition projects on the Greenline (located in Wards 17, 21 and 22).

Financial Impact

The recommendations in this report have no financial impact.

BACKGROUND

Background and Terms of Reference

Study Website

The study website contains detailed background information about the Dupont Street Regeneration Area Study including: background documents, copies of the presentations made at the Community Consultation meetings, Working Group meeting notes, presentation boards and the final report and presentation from the rail consultant. The study website is: www.toronto.ca/planning/dupontstudy.

Official Plan/Municipal Comprehensive Reviews

The lands on the north side of Dupont Street between Dufferin Street and Spadina Avenue south of the Canadian Pacific North Toronto rail corridor were developed as an industrial belt and have always been designated in the Official Plan and Zoning By-law for employment purposes. Two exceptions are area and site specific policies that permit residential uses on the north side of Dupont Street between Bathurst Street and Christie Street, provided they are not located within 30 metres of the rail right-of-way, and residential permissions at 918 Palmerston Avenue.

The Official Plan was brought into force in June 2006 by the Ontario Municipal Board (OMB). Under Section 26 of the Planning Act, a municipality is required to review its Official Plan within 5 years of it coming into force. The City commenced an Official Plan Review in May, 2011 which included a review of the employment policies and lands designated as *Employment Areas*.

All municipal planning decisions are to implement the Provincial policy framework. The Provincial Growth Plan for the Greater Golden Horseshoe which came into force in 2007 requires municipalities to plan for, protect and preserve employment areas for current and future employment uses. Municipalities may only permit conversion of lands within employment areas for non-employment purposes, such as residential development, during a municipal comprehensive review, provided a series of criteria in the Growth Plan are met. The Provincial Policy Statement similarly requires planning authorities to protect and preserve employment areas for current and future uses and restricts the conversion of lands within employment areas to during a municipal comprehensive review where it is determined that the land is not needed for employment purposes and there is a need for the conversion.

The City has recently completed a Municipal Comprehensive Review as part of its Official Plan Review in which it received 146 requests to convert employment lands for non-employment purposes. Eight requests affect lands on the north side of Dupont Street between Kendal and Ossington Avenues (the Study Area). Two site specific Official Plan Amendment applications requesting residential uses have also been submitted to the City in the Study Area, one of which has been appealed to the OMB.

Council Direction to Review Dupont Street

In November 2012, City Planning was directed to study the north side of Dupont Street from Davenport Road to Dovercourt Road to consider whether the lands should be redesignated in the Official Plan to a *Regeneration Area*, and what measures, such as urban design guidelines, could be undertaken to improve the streetscape and public realm. A *Regeneration Area* designation in the Official Plan denotes an area where major physical change can be anticipated and a planning study is to be undertaken to provide a policy framework to guide that transformation.

City Planning staff's review of this portion of Dupont Street found that there were over 1700 employees in 2012, and that 97 per cent of the jobs were in retail and service firms, offices and institutions. Wings Food Products was relocating its operation to its Etobicoke facility which removed the last major manufacturer within the Study Area. Planning staff's review also cited the increasing use of the Canadian Pacific North Toronto freight rail corridor which includes the transport of hazardous and dangerous goods. At the time, staff concluded that it was important for both rail safety, and noise and vibration, to set back sensitive uses from the rail corridor and not permit them on sites that could not be adequately buffered and protected from the rail corridor.

Staff concluded that due to the many one-storey retail and service buildings and large areas of surface parking, there was an opportunity to intensify land use on the north side of Dupont Street while maintaining or growing current levels of employment. Redevelopment could contribute to improving the attractiveness of the public realm in the area currently characterized by narrow sidewalks and few pedestrian amenities. City staff also recognized the need for redevelopment on the north side of Dupont Street to provide a good transition of scale to the low-rise neighbourhood on the south side of Dupont Street.

Council Actions

In December 2013, City Council adopted Official Plan Amendment 231 (OPA 231) which introduced new economic policies into the Official Plan, including new policies for Toronto's employment lands. OPA 231 and its background reports, contained the proposed redevelopment framework for the north side of Dupont Street. The report and the OPA can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

On July 9, 2014, the Minister of Municipal Affairs and Housing issued a decision on OPA 231. The Minister's Decision confirms Council's action with respect to the Dupont Street Study.

The lands on the north side of Dupont Street west of Ossington Avenue and east of a northward extension of Kendal Avenue did not have sufficient lot depth to accommodate both standard rail safety separation (30 metres) and the floorplate for a multi-unit residential building. They were designated as *General Employment Area* which provides for a mix of office, retail, service and industrial uses.

The north side of Dupont Street between Ossington Avenue and the northerly extension of Kendal Avenue had lot depths between 60 and 80 metres, deep enough to accommodate a 30 metre setback from the rail corridor and the floorplate for multi-unit residential buildings fronting on to Dupont Street. The lands within 30 metres of the rail corridor were designated as *General Employment Areas* to provide for employment uses that are compatible with residential uses as well as provide rail safety features and parking and roads that serve adjacent residential uses. OPA 231 redesignated the lands from Dupont Street to a point 30 metres south of the rail corridor as a *Regeneration Area* as a transition from the low-rise residential neighbourhood on the south side of Dupont Street and the employment area and rail corridor to the north.

A new Site and Area Specific Policy (SASP) 212 called for a study leading to a new Secondary Plan or replacement SASP that would apply to this *Regeneration Area* and provide a framework for future development. The SASP set out matters to be considered in the area study, which were the basis for the Terms of Reference for the study.

Terms of Reference

The Terms of Reference of the Dupont Street Regeneration Study was presented at the first Community Consultation meeting and reviewed by the Working Group. It included:

- Applying the mid-rise guidelines for development and providing appropriate scale transition to the low-scale residential neighbourhood on the south side of Dupont Street;
- Explore the use of the new development permit tool in this area;
- Assessing and where appropriate establishing maximum limits on the size of retail developments and floor plates within the Study Area;
- Identifying transportation options;
- Assessing the feasibility of locations for mixed use development and only locating sensitive non-employment uses on sites that can accommodate appropriate rail buffering and setbacks;
- Ensuring there is a net gain in employment floor space for any developments that contain residential units;
- Ensuring access from Dupont Street to lands designated *General Employment Areas*;
- Identifying appropriate rail corridor buffering measures;

- Identifying potential pathways and pedestrian links, the location of new parks, open space and green corridors;
- Including strategies to enhance the public realm and streetscaping on both sides of Dupont Street;
- Identifying measures to improve the overall business environment of the area;
- Bringing forward an implementing zoning or development permit by-law for the area; and
- Not permitting development that includes residential and/or other sensitive uses until the Secondary Plan or replacement Site and Area Specific Policy is in force.

These items were all considered as part of the study and are addressed in the recommendations of this report, as well as in the Site and Area Specific Policy and the site specific Zoning By-law.

Applications in the Study Area

The owners of two sites in the study area have submitted development applications to the City, and a third owner has shared draft plans of what they will propose on their site. The property owners have participated in this study and have provided feedback on the proposed policies. None of the applications comply with the proposed Site and Area Specific Policy or the area specific Zoning By-law for the study area. The site specific proposals are detailed below.

	328-374 Dupont St.	840-860 Dupont St.	740 Dupont St.
Official Plan application submitted?	Yes – appealed to the OMB	Yes	No
Zoning Amendment application submitted?	No	Yes	No
# of towers	3	2	1
Height of base building	9 (32 metres)	2 storeys (14 metres)	2 (14 metres)
Total height of towers	15/15/19 storeys (55 metres)	13 storeys (46 metres)	12 storeys (45 metres)
Building within the 30 m rail setback?	Yes	Yes	Yes
Retail at grade?	Yes	Yes	Yes

The Study Area

The Study Area is located on the north side of Dupont Street, between Kendal and Ossington Avenues. It contains a wide range of uses and building types with an irregular lot pattern. Large industrial buildings, single family houses, townhouses, heritage buildings, large format retail stores, offices and smaller retail establishments face onto Dupont Street, as well as other streets that cross the Study Area. Many of the lots are wide, up to 235 metres (Loblaws), although houses with lot widths of 4-5 metres also front onto Dupont Street. The depths of the lots range from 60 to 80 metres.

The Study Area is traversed by 5 streets which run north/south and cross under the rail corridor (Ossington, Shaw, Christie, Bathurst and Howland) and one which ends at the rail corridor (Palmerston). The rail corridor generally sits 1-2 metres above the grade of the properties adjacent to the south. Please see Attachment 1 for a map of the Study Area.

North: To the north of the Study Area is the North Toronto Subdivision Rail Corridor which is owned and operated by CP Rail. North of the rail corridor is a Hydro One utility corridor which runs parallel to the rail corridor. Portions of the hydro corridor are designated as *Utility Corridors* and a portion is designated as *Parks*. North of the hydro corridor are low scale *Neighbourhoods*, the campus of George Brown College, and a large TTC maintenance yard.

East: Further east on Dupont Street, on the north side are lands designated as *Employment Areas*, and on the south side are low-scale *Neighbourhoods*.

South: On the south side of Dupont Street are low-scale, stable residential *Neighbourhoods*. At the corner of Bathurst and Dupont Streets, and at the corner of Christie Street and Dupont Street are small pockets of properties designated as *Mixed Use Areas* which recognize the low scale retail uses that provide services and goods to the community.

West: West of Ossington Avenue, low scale residential *Neighbourhoods* continue on the south side of Dupont Street and *Employment Areas* with a mix of building types and land uses are on the north side.

Zoning

Former City of Toronto Zoning By-law 438-86, as amended, is the in-force zoning by-law for the entire Study Area. The properties are zoned Industrial (IC) with a permitted density of two times the area of the lot (D2). Between Ossington Avenue and Bathurst Street the height limit is 18 metres, and between Bathurst Street and Kendal Avenue the height limit is 14 metres.

Community Consultation

The Dupont Street Regeneration Study included an extensive community consultation process. Community meetings were held on February 10, April 28, May 14 and June 3, 2014, and approximately 140 people attended each meeting. The first meeting was a workshop; attendees were asked for input on four topic areas including: transportation, land use and built form, retail and employment and public realm/streetscape. Feedback received included: the desire for an improved public realm and more green space, preservation of existing retail and commercial uses, concerns with traffic and safety, and opposition to tall buildings and big box retail.

During the second meeting City Planning staff presented information gathered from the first meeting as well as options on built form, open space, streetscape and transportation.

Attendees were asked for feedback on the options in both an open question and comment session, and in an open house where people could talk one-on-one with staff.

The May 14 meeting consisted of the City's rail consultant presenting background information on the CP rail corridor, as well as its recommendations about required building setback and mitigation options. The consultant and Planning staff also answered questions about the current and future use of the rail corridor. At the final meeting on June 3, City Planning staff presented the final recommendations of the study to the community and answered any final questions.

In addition to the community meetings, City Planning staff set up a working group consisting of property owners, their representatives, business owners, representatives from the various residents associations in and around the Study Area, representatives from Councillors' offices, and members of the public. The working group met three times, and provided the opportunity for City Planning staff to gather valuable feedback on options and recommendations before presenting them to the larger community.

Throughout the study, staff received dozens of e-mails from residents in the area with their comments and concerns, which also helped inform staff's final recommendations. Other forms of public engagement included a study website (www.toronto.ca/planning/dupontstudy) and a crowdmap. Materials from all community and working group meetings were posted on the website, as well as the Terms of Reference and associated staff reports. Since its launch in February, 2014, there have been over 1,500 views of the of the project website. The crowdmap tool enabled members of the community to provide comments on the study within an interactive, map-based website, although it was not used extensively by area residents during the study.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposed Official Plan amendments are consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

The 2014 PPS introduces a new policy 1.6.8.3 which states that:

'New development proposed on adjacent lands to existing or planned corridors 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 impacts on and from the corridor and transportation facilities.'

Under this policy the City should ensure its land use planning decisions for the Dupont Street Regeneration Area are compatible with the presence of the North Toronto Subdivision Rail Corridor, and do not impact the long term purpose of the rail corridor.

In addition, the 2014 PPS defines a rail corridor as a *major facility* which is defined as, "facilities which may require separation from *sensitive land uses*, including but not limited to...*rail facilities*." Sensitive land uses are defined as, "buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*." In the instance of rail corridors, it is not simply contaminants or emissions which could negatively affect the gathering of persons in residential or institutional facilities, but also the potential negative effect that the presence of the rail corridor may have on the safety of these persons.

The proposed SASP and Zoning By-law conform with these policies.

On May 22, 2014 City Planning staff received comments from the Ministry of Municipal Affairs and Housing with respect to the City's draft Official Plan transportation policies. The Province noted that while the City continues to plan and accommodate for urban growth there is a need and requirements under the above noted policy 1.6.8.3 of the 2014 PPS to ensure that development is compatible and does not preclude or negatively affect the use of transportation facilities and corridors.

The Province recommended that the City add a new policy in Section 2.2 of the Official Plan requiring new development on lands adjacent to existing or planned corridors and transportation facilities to be compatible with, and supportive of, long-term purposes of the corridor and designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities in accordance with the 2014 PPS. These Official Plan amendments are before this August 7, 2014 meeting of the Planning and Growth Management Committee.

Character and Vision of Dupont Street

During the Community Consultation process, much of the discussion focussed on the existing character of Dupont Street, and what elements of the existing character should be retained and strengthened. The planned vision for Dupont Street should build on these strengths. From the consultation, these characteristics can be summarized as follows:

What is the existing character?

- Diverse street
- Very useful services and retail
- Strong built form heritage

Which characteristics should be maintained and enhanced?

- Walkability
- Family friendly focus
- More green space
- Diversity of uses, including small retail
- More places to sit, including restaurants and patios

- Industrial character of the built form on the street

The vision and character of the street have been influential in shaping the built form permissions, the streetscape requirements and the open space policies included in the new SASP and Zoning By-law.

Land Use

The draft SASP will redesignate the portion of the properties on the north side of Dupont Street that is outside of the required 30 metre setback from the rail corridor from *Employment Areas* to *Mixed Use Areas*. This change will permit a greater variety of uses and will allow for streetscape improvements that widen the sidewalks, make space for street trees, animate the ground floors of new buildings and make Dupont Street a walkable, green and lively place to be.

The rear 30 metres of the properties on the north side of Dupont Street will remain designated as *Employment Areas (General Employment Area through OPA 231)* as was determined through the Municipal Comprehensive Review.

Built Form

Existing and As-of-Right Heights

There is a wide variety of built form currently in the Study Area, including industrial warehouse buildings, large retail stores, low-rise residential and other mixed-use buildings. The tallest building within the Study Area is located at the northwest corner of Dupont Street and Christie Street, often referred to as the "Faema" building, which is approximately 21 metres high. There are several other buildings that are taller than the average single or semi-detached residence throughout the Study Area.

The in-force as-of-right heights within the Study Area are as follows:

- 18 metres between Ossington Avenue and the west side of Bathurst Street; and
- 14 metres from the east side of Bathurst Street to the east boundary of the Study Area (approximately at Kendal Avenue).

Mid-Rise Guidelines

In 2010, City Council adopted the Avenues and Mid-Rise Buildings Study. The Study includes guidelines for mid-rise developments along the City's Avenues that are identified on Map 2 of the Official Plan. Dupont Street is not identified as an Avenue in the Official Plan however, the staff report that brought forward the Guidelines to City Council was clear that the Performance Standards contained within the Guidelines could be used to evaluate built form options for sites designated as *Mixed Use Areas*.

Maximum and Minimum Heights

As described earlier in this report, Council directed City Planning to explore the applicability of a mid-rise built form within the Study Area. The scale of existing buildings and the existing permissions for height are consistent with the heights identified

in the Mid-Rise Guidelines, therefore a mid-rise built form is appropriate for the Study Area.

Performance Standard #1 of the Avenues and Mid-Rise Buildings Study identifies that the maximum allowable height for buildings as no taller than the width of the right-of-way (R.O.W.). Within the Study Area, Dupont Street has a R.O.W. width of 20 metres, which would allow a building height of 20 metres or approximately 6 storeys. In addition, Performance Standard #13 – Roofs and Roofscapes, identifies that mechanical penthouses may exceed the maximum height limit by up to 5 metres, but may not penetrate the 45° angular plane taken from 80% of the R.O.W. height.

Through the course of the Dupont Street Study, several options for overall building massing and height were considered. It was determined that a maximum overall building height of up to 25 metres (or approximately 8 storeys) would be acceptable based on an overall height (including mechanical penthouse) that would be allowed under the Mid-Rise Guidelines regime. There were several considerations in determining the maximum allowable height:

- the overall depth of sites within the Study Area;
- the distance to *Neighbourhoods* to the north;
- existing conditions north of Dupont Street fronting properties including the CP rail corridor and the utility corridor; and
- the requirement for a 30 metre setback and earthen berm next to the rail corridor as described in the Site and Area Specific Policy.

Mechanical penthouses, elevator overruns, stair towers or other equipment or servicing must be included within the permitted 25 metre height and within the 45° angular plane. Additionally, in keeping with the recommendations for minimum heights as determined by the Mid-Rise Guidelines, new development within the Study Area should be a minimum height of 3 storeys or 10.5 metres.

Streetwall & Front Step-backs

New buildings on Dupont Street should respond to existing conditions and respect the existing built form, in particular, the low-rise context on the south side of Dupont Street. The prevailing built form on the south side of Dupont Street is low-rise residential and is designated in the Official Plan as *Neighbourhoods*. For these reasons, there are limited redevelopment opportunities along the south side of Dupont, and it is therefore imperative that redevelopment along the north side of the street relates to the established low-rise fabric on the south side of the street.

With the increase in the maximum allowable height from 14 and 18 metres to 25 metres, the creation of a strong "base building" or streetwall will help to establish a more pedestrian-friendly scale and will ensure that new mid-rise development will be in keeping with the scale of the low-rise built form on the opposite side of Dupont Street.

To create a strong streetwall along the north side of the street, a deep step-back of 5 metres is recommended above the third storey (or at a height of approximately 10.5 metres). This step-back should be applied on the front of buildings along Dupont Street as well as the sides of buildings that are located on corner sites.

Rear of Buildings

The rear conditions of buildings within the Study Area are unique as they will be located a significant distance from *Neighbourhoods* to the north. In addition, the portion of each property within 30 metres of the rail corridor is designated *General Employment Areas* (through OPA 231). Whereas the Mid-Rise Guidelines identify various rear conditions, including setbacks, angular planes and articulation for different adjacencies, the rear adjacency within the Dupont Street Study Area is an employment area, the CP rail corridor and hydro corridor.

Throughout the Study Area, the distance between the rear of the properties and *Neighbourhoods* north of the rail corridor, ranges from 65 - 75 metres. For buildings set back 30 metres from the CP rail corridor, this distance is even greater (95 to 105 metres). Therefore, step-backs along the rear facades of buildings are not required. However, the design of the rear facades should still be carefully considered and include articulation such as windows and high quality materials.

Front Facade Setbacks

Sidewalk width and poor pedestrian conditions along Dupont Street were identified as some of the key shortcomings of the Study Area. Given the constrained sidewalk conditions along the length of Dupont Street, improvements to the pedestrian realm in the Study Area will be possible primarily through new development and any eventual road reconstruction.

Currently, the distance between the curb and property line/front façades of buildings in the Study Area ranges from 2.3 metres to 3.8 metres. New development will promote pedestrian comfort by providing a minimum setback of 4.8 metres between the curb edge and the front building façade. This distance will allow for a pedestrian clearway and tree planting zone. The specific dimension that buildings will be required to set back to achieve the minimum 4.8 metres varies throughout the Study Area and will be determined on a site specific basis, as required in the SASP.

For large properties, additional setbacks are encouraged for the creation of privately owned publicly-accessible open spaces, such as forecourts, plazas or landscaped setbacks.

Side Step-Backs

Where buildings are built to the side property lines, side step-backs will be important to allow for sky-views and to allow for windows. A side step-back of 5.5 metres should be applied above the third storey. Side walls that are at or close to the side property line

should still be designed with architectural interest and high quality materials that complement the main building façade. Large areas of unfinished concrete or stucco are discouraged. Facades that are located along side streets, should be treated similar to front facades and provide articulation accordingly.

Ground Floor Height

Generally, the ground floor of buildings within the Study Area should be occupied with active uses, including commercial and retail establishments. To facilitate these uses and to provide a flexible ground floor space, a minimum ground floor height of 4.5 metres is recommended.

Maximum Building Length

Many of the properties within the Study Area have long frontages along Dupont Street. New buildings should be built parallel to the front property line and help to define the public realm. However, it is important to ensure that new buildings do not overwhelm the street with overly long facades. Long facades provide less interest and variation for pedestrians and, at upper storeys, can limit sky views. To provide articulation, multiple buildings on very long sites will be encouraged. Cues for an appropriate maximum building length were taken from the block dimensions on the south side of Dupont Street, which range from approximately 80 to 100 metres.

Streetscape

Streetscape Improvements along Dupont Street

Redevelopment of sites on the north side of Dupont Street offer the opportunity to provide a minimum setback of 4.8 metres between the curb and building façade. This width will include an edge zone along the curb, a tree planting zone and a pedestrian clearway of a minimum of 2.1 metres. Deeper sites may provide a setback wider than 4.8 metres which will be requested on a site by site basis. The City's Urban Design Streetscape Manual will be updated to reflect the preferred design of the sidewalk.

The current condition along Dupont Street, much of which is large areas of surface parking, is not conducive to a pedestrian friendly environment. Through redevelopment, parking and loading will be relocated to the rear of properties and vehicular curb cuts will be minimized.

Additional space within the private R.O.W. may be used for seating areas, patios or retail display. These amenity spaces may be parallel to the building façade or may be designed as forecourts or open spaces where the size of the development allows it. This is encouraged for longer buildings by providing some relief from a continuous street wall.

North-South Street Improvements

The Study Area is transversed by 5 streets which run north/south and cross under the rail corridor (Ossington, Shaw, Christie, Bathurst and Howland) and one which ends at the rail corridor (Palmerston). Special attention should be paid to the streetscapes that run

perpendicular to Dupont Street as these are the main connections for people walking, cycling and driving between the neighbourhoods north and south of Dupont Street. In the interest of improving the pedestrian realm, new development should be well set back along side streets to allow for a minimum pedestrian clearway and tree planting.

Underpass Improvements & Public Art

There is an opportunity to improve the pedestrian connections along the existing underpasses north of Dupont Street within the Study Area. For developments located at corner sites on streets with pedestrian underpasses, new developments should contribute to the enhancement of these underpasses by integrating pedestrian scale lighting and public art.

Beautifying the Streetscape

Opportunities for public realm improvement are limited on the south side of Dupont Street between Dovercourt Road and Davenport Road. The prevailing built form on the south side of Dupont Street is narrow house form buildings that either front onto or have their side yard along Dupont Street. As well, much of the south side of Dupont Street is primarily designated as *Neighbourhoods*, which limits development opportunities. While it may not be feasible in the short term to widen the sidewalks by moving the curb, there are other opportunities to green the street. One recommendation includes the promotion and eventual implementation of the City's Urban Forestry program for planting trees in the front yard of private properties, but within the public R.O.W. This has been done in other communities, notably as part of "Roncesvalles Renew" and would be based on voluntary participation.

Another recommendation is that the raised planters that are found in a small segment of Dupont Street (between Albany and Howland Avenues and just east of Shaw Street) be removed and replaced with at-grade tree planting beds. Over the long term, other improvements to the streetscape may be feasible. When the road is scheduled for major upgrades (e.g. watermain replacement, road resurfacing), further study should be undertaken to determine if additional sidewalk width can be gained on the south side of Dupont Street by moving the curb and reducing the pavement width by narrowing the traffic lanes.

Retail Size

The SASP that currently applies to the north side of Dupont Street between Bathurst and Christie Streets limits the size of any one retail store to 5,000 square metres. This is approximately the size of the existing Loblaws store on the northeast corner of Dupont and Christie Streets. Given that there are many large lots in the Study Area, and there is a history of larger format retail along the street, staff are recommending a maximum retail size of 5,000 square metres, a larger maximum retail size than proposed by other recent studies in this area of the city.

Staff is not recommending a maximum retail frontage on the ground floor. Dupont Street does not have a consistent pattern of property widths to be replicated on the larger sites, and there continue to be many smaller properties that can be populated with smaller businesses.

Heritage

Through the consultation process, the industrial heritage character of this part of Dupont Street was identified as one of the defining features of the corridor. There are three properties within the Study Area currently on the City's Heritage inventory:

- 659 Dupont Street (Listed)
- 672 Dupont Street (Listed)
- 700 Dupont Street (Listed)

There were several other buildings identified through the consultation process as having heritage potential. Further study by Heritage Preservation staff is recommended on the following properties:

- 888 Dupont Street (on the northeast corner of Ossington and Dupont)
- 420 Dupont Street (Mono Lino Typesetting)
- 275 Albany Avenue (Wings)

In addition to the retention of listed Heritage buildings, potential applicants will be encouraged to retain other heritage character buildings in order to maintain this quality of Dupont Street.

Transportation

Existing Traffic Conditions Along Dupont Street

During the public consultation process, area residents and stakeholders expressed concerns regarding congestion, excessive vehicular volumes and delays along this stretch of Dupont Street. The general theme expressed was that traffic along the roadway has increased over the years and will worsen with development activity in area.

Transportation Services staff undertook a preliminary analysis of existing traffic conditions along Dupont Street. This analysis was undertaken for the AM and PM Peak Hours, a one hour period between 7:00–9:00 AM and 4:00–6:00 PM. These time periods were selected as the worst case scenario for traffic activity as they tend to coincide with the primary journey to and from work. Key intersections that were evaluated in the analysis included:

- Dupont Street/Ossington Street;
- Dupont Street/Shaw Street;
- Dupont Street/Christie Street;
- Dupont Street/Hammond Place;
- Dupont Street/Bathurst Street;

- Dupont Street/Howland Street; and
- Dupont Street/Spadina Road.

The results of the traffic assessment indicated that during the respective peak hours, most intersections operate with acceptable average delays and well below their available capacity. However, the intersections of Dupont Street/Christie Street and Dupont Street/Bathurst Street are currently operating at, or very close to, the available capacity during the peak hours. Opportunities to mitigate these conditions are available through the review of development applications by City Transportation staff.

Transportation Impact Studies

Proponents of developments along Dupont Street will be required to submit an acceptable Transportation Impact Study (TIS) by a qualified transportation consultant. The main objectives of a TIS are to assess the impacts of developments on the adjacent road system, identify appropriate mitigating measures and maintain consistency with the policies and objectives of the area, the City's Official Plan and other relevant City documents.

This document will help guide City staff in making more informed land use decisions, and at the same time, assess the merits of individual development proposals. Key elements of a TIS include, but are not limited to:

- A description of the development proposal and study area.
- The selection of an appropriate horizon year that coincides with the expected build-out of the development.
- A traffic assessment of existing conditions.
- Allowances for future traffic growth, which takes into account traffic increases generated beyond the study area, traffic increases associated with other developments in or near the study area that are planned approved or under construction and approved transportation improvements near the study area.
- A traffic assessment of future conditions without development site traffic.
- An estimation of development site traffic.
- A traffic assessment of future conditions which includes development site traffic.
- Identification of required road improvements.
- A Travel Demand Management (TDM) Plan, depending upon the nature of the proposal and its respective development scale.

Parking

In order to help minimize impacts on adjacent public streets, developments along Dupont Street will be required to provide sufficient on-site parking to accommodate the projected demand. In this regard it is recommended that parking for these developments be provided in accordance with the applicable standards contained in Zoning By-law No. 569-2013 (the City's new harmonized Zoning By-law).

To reduce automobile reliance, reductions in the parking supply resulting from the provision of car-share parking spaces will be considered in accordance with prevailing City practices and guidelines. Deviation from the above-noted parking requirements will be considered on a site by site basis, provided that acceptable supporting documentation is submitted.

Existing TTC Service Along Dupont Street

Area residents expressed concern during the public consultation process that the existing public transit along Dupont Street and Ossington Avenue is poor and should be increased.

The TTC currently operates bus service along Dupont Street via Route No. 26 and along Ossington Avenue, Route No. 63. Based on scheduling information obtained from the TTC, during the peak hours buses operate approximately every 15 minutes on Dupont Street and, approximately, every 9 minutes on Ossington Avenue. TTC Service Planning staff were consulted regarding potential improvements to transit service levels along Dupont Street and Ossington Avenue. Comments received indicate that TTC route service levels are regularly monitored and adjustments are made on a case by case basis where warranted by observed ridership levels.

Traffic Infiltration

A common concern expressed during the public consultation process was the impact of traffic from new development on the adjacent stable residential communities along Dupont Street. It is recommended that Transportation Impact Studies required for new developments include estimates of the potential levels of development traffic that could infiltrate into adjacent residential areas and recommend measures that reduce this activity, where appropriate.

Bike Lanes

At the first Community Consultation meeting staff asked the community to put notes and comments on a series of maps, each related to a specific topic. One of the maps was for Transportation. The public was very clear and direct, but had divergent views, about providing bike lanes on Dupont Street – half wanted bike lanes, the other half did not. Staff have reviewed both scenarios and are recommending that the City not initiate a new Environmental Assessment (EA) for bike lanes throughout the Study Area at this time.

There is an ongoing EA for adding bike lanes on Bloor, and on Dupont from Dundas Street at Annette to Shaw (covering the western part of the Study Area). If bike lanes on Dupont are recommended through the ongoing EA, they would tie in with the existing Shaw Street contra-flow lanes which would take cyclists south on Shaw Street. There are also bike lanes on Davenport Road, from Old Weston Road to the north end of Bay Street which provide an east/west route close to the Study Area. Staff believe that these cycling facilities, in addition to the many residential side streets that are heavily used by cyclists, serve the community adequately.

Rail Safety and Mitigation

The operation of rail corridors is under Federal jurisdiction. The City, however, has the authority under the *Planning Act* to regulate land use on the properties adjacent to the rail corridor. Hatch Mott MacDonald (HMM) was retained in February of 2014 by City Planning to provide recommendations on appropriate separation distances (from the rail corridor) and mitigation measures (between the rail corridor and any new development) for the Dupont Street Regeneration Study.

Summary of Consultant Report

The final report from HMM provides an overview of the regulations, roles and responsibilities of Transport Canada, the Transportation Safety Board, rail companies and the City, outlines trends in rail transportation and rail safety, provides specific information about the North Toronto Subdivision rail line, and evaluates alternative mitigation measures before outlining specific risk management measures. An electronic copy of the consultant's final report and public presentation can be found on the study website (www.toronto.ca/planning/dupontstudy).

HMM's final report notes that CP Rail's North Toronto Subdivision is the last remaining major rail freight route through the City. Portions of this rail corridor, particularly the section parallel to Dupont Street along its northern side, are close to residential areas. This rail corridor is a critical piece in CP Rail's network, linking lines from Western Canada and the United States to destinations in Eastern Canada and the United States. Given this prominent role, it is anticipated that freight traffic may increase.

Approximately 35-40 trains per day currently use this section of the line, with an average length of 125 train cars and HMM estimates that the line is not operating at capacity. Trains on the line are permitted to carry hazardous and dangerous goods which poses a greater risk than passenger rail to life safety and property due to the possibility of spills, fumes and fires.

Recommended Mitigation Measure – Standard Earthen Berm and 30m Setback

The consultants concluded that the City should only consider permitting sensitive and uses with a large number of occupants, including residential, within the lands designated *Regeneration Areas* if they were set back a minimum of 30 metres from the rail corridor and protected by an earthen berm. The consultants determined that this standard form of mitigation has been recommended by railway companies since the early 1980s and has been formally recognized in the Federation of Canadian Municipalities (FCM) and the Railway Association of Canada's (RAC) Proximity Guidelines as detailed below.

Building Setback

In addition to providing space to dissipate noise and vibration, a 30m setback allows for consideration of two different types of buildings as follows:

- "Principal buildings", which include any building where people live, work, shop, sleep, play, or are gathered for other reasons – in other words, a high occupancy building.

- "Ancillary buildings", which include parking structures, waste storage, or other storage facilities related to the principal use – in other words, a low occupancy building.

Within the context of the Dupont Street Regeneration Study it was recommended that "principal buildings" be located along the Dupont Street frontage, outside the 30m setback limit to the rail corridor. The consultants concluded that "Ancillary buildings" could be located within the 30m setback zone, minus space required for the recommended earthen berm, provided such ancillary buildings were engineered as independent structures, with foundations and structural elements that are separate from principal buildings.

Standard Earthen Berm

It was determined by HMM that the standard earthen berm is the most effective mitigation measure for absorbing the energy of a derailed train. During a derailment, a train will dig into the earth, and through friction and gravity the train will slow down thereby limiting the distance it can travel. Additional protection during impact is provided through a building setback as described above as the berm will be pushed back into the additional space. Absorbing as much energy as possible from a derailed train reduces the risk of train car damage and resulting leaks or spills, in turn reducing the risk for fire or fumes. These characteristics make the standard earthen berm the greatest risk reduction measure for both impact to adjacent buildings, and subsequent release of materials.

Other Mitigation Measures

Deflection berms (crash berms) and deflection walls (crash walls) are two alternative mitigation measures evaluated by HMM. These measures are designed to deflect, or move, when impacted by a derailed train. Unlike the recommended mitigation option (30m setback combined with a standard earthen berm), these measures have the potential to increase both the time and distance of a derailment compared to a standard earthen berm. This increases the likelihood of damage to property, equipment failure, exposure of dangerous material to people, and potential for a leak or spill.

Staff Recommendation

The proposed SASP in the Official Plan and area specific Zoning By-law include a requirement for a 30 metre setback, which must include a 2.5 metre high berm, for any sensitive or high density use. This implements the recommendations from the City's rail consultant and is the standard mitigation practice recommended by the Federation of Canadian Municipalities and the Railway Association of Canada. Staff believe that this mitigation strategy provides the highest level of safety and is appropriate given the specific nature of the CP North Toronto Subdivision rail line.

Alternative Mitigation Strategies

As part of the Site and Area Specific Policy for the Study Area, staff recommend a framework to assess alternate mitigation strategies that may be proposed by an applicant.

If an applicant proposes a mitigation strategy other than a 30 metre setback and an earthen berm, they will be required to submit a Development Viability Report, stamped by a qualified, professional, structural engineer, that certifies that the alternate measures will provide an equal or greater amount of safety to both the development site and the railway. This report will be peer reviewed by the City as well as the rail company. Both the landowner and the qualified professional engineer providing the Development Viability Report would also have to enter into an agreement to indemnify the City. This type of flexibility would only be considered through a Zoning Amendment application.

Official Plan

Policy 21 of Section 3.4 of the Official Plan states:

"Major facilities such as airports, transportation/rail infrastructure, corridors and yards, waste management facilities and industries and sensitive land uses such as residences and educational and health facilities will be appropriately designed, buffered and/or separated from each other to prevent adverse effects from noise, vibration, odour and other contaminants, and to promote safety. To assist in identifying impacts and mitigative measures, the proponent may be required to prepare studies in accordance with guidelines established for this purpose. The proponent will be responsible for implementing any required mitigative measures."

This policy in the Plan requires buffering and separation between sensitive uses and the rail corridor, and outlines that the obligation for implementing any required mitigative measures will be the responsibility of the proponent. The proposed SASP and Zoning By-law are consistent with this policy.

Federation of Canadian Municipalities (FCM) / Railway Association of Canada (RAC) Railway Proximity Guidelines

In 2013, the FCM and RAC retained consultants to prepare guidelines for new development in proximity to railway operations. The guidelines build on and replace the previous best practices report and are intended for use by municipalities, public agencies and private landowners when developing lands that are close to rail line operations. The report notes that the standard mitigation practice suggested by railway companies includes a package of measures that are intended to ameliorate the potential for the occurrence of safety, security, noise, vibration, and trespass issues. As shown in Figure 2 on page 19 of the report this standard mitigation includes a 30 metre setback combined with a 2.5 metre earthen berm topped by a 3.0 metre high acoustical fence.

The FCM/RAC Guidelines state on page 26 that in terms of principles for mitigation design, the standard mitigation is desired as the "minimum requirement". However the guidelines also state that in instances where standard mitigation measures are not viable, alternative development solutions may be introduced. The recommendations within the FCM/RAC Proximity Guidelines generally mirror the report prepared by HMM and the staff recommendations.

City-wide Implications

Although HMM's study was limited to the section of the North Toronto Subdivision rail corridor between Kendal and Ossington Avenues, there are significant potential city-wide land use implications of the consultant's recommendations for properties that abut rail corridors. The greatest impact would be on lands designated *Mixed Use Areas* or *Regeneration Areas* and are planned to accommodate intensification of both sensitive and non-sensitive uses.

There are significant amounts of land designated either *Regeneration Areas* or *Mixed Use Areas* abutting rail corridors throughout the City and city-wide zoning requirements are currently not in force setting out setbacks, types of uses or any mitigation measures along rail corridors. Staff are recommending that further study be undertaken to consider how the recommendations of this report regarding rail safety could apply for the rest of the North Toronto Subdivision rail line, and along the passenger rail lines across the City. It is also recommended that City Planning begin work to incorporate rail safety requirements into the City's zoning by-law, particularly for properties along the North Toronto rail corridor.

Development Permit System

The Planning and Growth Management Committee recently recommended a report from City Planning which brought forward an Official Plan amendment containing policies required to implement the Development Permit System (DPS) in the City. These policies will be debated at City Council in July and, if approved, are subject to appeal to the OMB.

As part of the direction from City Council for the Dupont Street Regeneration Study, staff were directed to "explore the use" of the DPS within the Study Area. In addition, the possibility of implementing the DPS in the Study Area was mentioned by the public. At the conclusion of this study a new SASP and a new area specific Zoning By-law will have been created as part of an extensive public consultation process. These circumstances may make the Study Area a prime candidate for a DPS by-law in the future.

Community Services and Facilities Report

Community services and facilities (CS&F) are building blocks in a livable city. They help meet the needs of local residents and improve their quality of life in the area. City staff undertook a CS&F study for the Study Area and its surroundings. The review focused on schools, childcare centres, libraries, parks, community recreation centres, pools, and arenas. The purpose of the review was to generate a comprehensive inventory of the current community services and facilities available in the Study Area, to identify growth-related pressures which may affect these services, and to prioritize improvements to these facilities. The CS&F review covered a larger geographic area than the Dupont Street Study Area as service areas for community services and facilities vary. Please see Attachment 5 for the Community Services and Facilities Report.

Key Findings

Based on data provided by the school boards, the Study Area is well-served by schools and existing capacity will be sufficient to accommodate additional students. However, there is a shortage of childcare centres in the area, as many facilities indicated that they have waiting lists for existing childcare spaces. Both capital and operating funding should be sought for additional childcare spaces, especially subsidized spaces. Similarly, community recreation centres in the Study Area all reported that demand for children's programming is very high. Many programs reach capacity within hours of registration opening and many programs have wait lists. Funding for the expansion of children's programming should be prioritized.

Toronto Public Library staff indicated that libraries within the Study Area are struggling to meet demand for library services because they are significantly undersized for their target population. Neighbourhood libraries should be expanded and technology should be upgraded to serve a growing population.

In terms of parks and public space, the focus for this area should be improving the public realm along Dupont Street, acquiring new public parks where possible, and improving existing public parks. Additional public spaces should be encouraged through the provision of privately owned publicly-accessible spaces (POPS).

Recommendations

The CS&F study identified a number of capacity constraints with existing facilities. It is recommended that funding be provided for the following priorities:

- non-profit childcare facilities;
- capital funding directed towards the Toronto Public Library for technology enhancements and building expansions;
- public realm improvements, particularly along Dupont Street; and
- funding for increased programming within community recreation centres.

Additionally, privately owned publicly-accessible spaces will be encouraged throughout the Study Area to increase available open space for both active and passive recreation. This information will be used to inform any future application of Section 37.

Economic Impact

The north side of Dupont Street has traditionally been an employment area, unique within the central city, and it is important that a certain level of employment use be maintained.

Research shows that roughly half of the businesses in the Study Area have existed for more than 10 years, and that employment in the Study Area is at its highest level since 2000. These statistics demonstrate that the businesses in the area have sustained viability over time and that employment in the area has increased in the last 15 years. Since 1993, the amount of total employment has increased only slightly, however the type of employment in the area has changed significantly. Manufacturing and warehousing jobs have decreased by roughly 90%, while retail and office jobs have both tripled over the same time period.

The retail and commercial uses along the north side of Dupont Street play a unique and important role in serving this part of the city. The types of businesses in the area, such as lumber stores and auto body shops, are difficult to find elsewhere in the downtown area because of land requirements and adjacency issues. The businesses thrive because of the type of services they provide and a wide ranging, strong customer base. Through the community consultation process, residents of the area expressed a strong desire to see the existing mix of commercial uses maintained as these uses serve the residents for both their daily and more periodic needs.

Staff therefore recommend that the non-residential character of the north side of Dupont Street should be preserved and reinforced and that any new residential development should serve as a secondary land use. For the reasons described above, a net gain in non-residential gross floor area will be required for any redevelopment within the Study Area.

There is no BIA (Business Improvement Area) within the Study Area; however the Dupont by the Castle BIA does represent businesses along Dupont Street from Walmer Road to Davenport Road. Any potential westward extension of the BIA into the Study Area would require letters from new owners and tenants expressing a desire to join, and incremental expansions would be considered by the BIA. Expansion could increase the existing budget of the BIA and allow for greater improvements in the area, although a large expansion could make administration cumbersome.

Open Space/Parkland

As redevelopment occurs within the Dupont Street Regeneration Study Area there is an opportunity to set aside public parks, and privately owned, publicly accessible open spaces and collect money through parks cash-in-lieu payments (to create new parks or improve existing parks). All of these strategies need to be implemented together, along with the creation of a beautiful and walkable pedestrian realm.

Public Parks

The Study Area offers the possibility for the City to acquire new public parkland. Many of the sites in the Study Area are quite large, and would provide a useable size of park through our parks dedication by-law. Parks staff have indicated a willingness to acquire parkland on any site which is a minimum of 1 hectare in size, and two sites in the Study Area currently meet this criteria – the Loblaw site and the Sobeys site. A park dedication on these sites would be approximately 1,200 square metres for the Sobeys site and 2,000 square metres for the Loblaw site.

Parks Cash-in-Lieu

For most of the redevelopment sites in the Study Area the City will take cash-in-lieu of parkland dedication. The money collected can be used to fund the acquisition of new parkland and the refurbishment of existing parkland. The priorities in this area for the money collected is new playgrounds and dog off leash areas, as well as the creation of new public parkland within the hydro corridor on the north side of the rail tracks. This

initiative is called "The Green Line." Any new parks and improvements to existing parks will include a public design process.

The Green Line

The Green Line is an overhead transmission line, or hydro corridor, that is more than 5 kilometres long. It passes through a wide range of neighbourhoods, from Davenport Village to the Annex. The Green Line is already well used by local residents. It has splash pads, sports fields, allotment gardens, parking lots and children's playgrounds, but the spaces are mostly in poor condition and the corridor does not currently provide a continuous physical connection due to grade changes and fencing.

The Green Line crosses interesting and varied territory: the western end starts at Earls court Park and moves diagonally through a residential area where it follows Geary Avenue. For the remainder of its length the Green Line runs parallel to Dupont Street immediately north of the Canada Pacific rail line. The east end of the line, where much of the space is used for paid parking, passes social housing, new apartment buildings, George Brown College, Casa Loma, the Toronto Archives and the Tarragon Theatre. Recently, an international design competition saw 77 entries that envisioned how the Green Line could be completed. For more information on this project please see the website at: www.greenlinetoronto.ca.

As part of the consultation for the Dupont Street Regeneration Study numerous comments were received about the importance of this linear park, and the need to extend the park system from Geary Avenue Parkette (west of Ossington Avenue), Garrison Creek Park (between Ossington Avenue and Shaw Street) and Frankel Lambert Park (between Shaw and Christie Streets) to Spadina Avenue, using the hydro corridor on the north side of the rail corridor.

Staff therefore recommend that PF&R staff investigate the feasibility of transforming the remaining Hydro Corridor lands from Christie Street to Spadina Road into parkland with recreational amenities that are compatible with the land conditions. When opportunities are identified, and subject to funding as part of the Budget Process, City Council request the Director, Real Estate Services to negotiate a license lease agreement with Hydro One.

Privately Owned Public Spaces (POPS)

In order to supplement much needed open space the City can secure Privately Owned Publicly-Accessible Spaces (POPS) through the Development Review Process. POPS, which may include plazas in front of buildings, green spaces surrounding buildings and pedestrian walkways, have been secured through a variety of planning tools including Section 37 and Site Plan Agreements.

City Planning has developed a set of draft urban design guidelines for POPS, which will help achieve optimal locations, high quality design and appropriate amenities for the communities that they serve, in order to ensure that these spaces are open and welcoming to the public. The draft urban design guidelines for POPS build upon the Official Plan's

direction that new development provide amenity in the form of open space with the intent to achieve safe, accessible and beautiful spaces. In addition to the layout and design of the spaces themselves, the guidelines provide direction on the design and placement of signage for POPS.

For more details on this initiative please see the City's POPS website:
www.toronto.ca/planning/POPS.

Environment

Compliance with the Toronto Green Standard will be required for any new development in the Study Area. In addition, the SASP encourages all new developments to utilize green building standards to achieve high levels of sustainability.

Section 37

The proposed area specific Zoning By-law increases the development permissions on the sites within the Study Area. The improved streetscape, requirement for a net increase in non-residential gross floor area, a predictable, high quality built form, the increase in publicly accessible open spaces, and the overall redevelopment of the area are all benefits that will be realized as new development applications are approved.

The SASP includes a policy that Section 5.1.1 of the Official Plan only applies if a proposed development includes more than 10,000 square metres of total gross floor area, and at least 1,500 square metres of residential gross floor area. This will permit the construction of non-residential buildings to the full extent of the built form envelope in the draft zoning by-law without the application of Section 37 of the *Planning Act*. However, if the proposal includes more than 1,500 square metres of residential gross floor area Section 37 will apply. This is also secured through the zoning by-law. The priority for monies secured should be non-profit childcare facilities, capital improvements to libraries and community centres serving the area, and construction of the 'Green Line' recreational corridor.

Site and Area Specific Policy - Key Items

One of the results of this study is the proposed Site and Area Specific Policy (SASP) which will apply between Ossington and Kendal Avenues, encompassing the properties on the north side of Dupont Street, and the entire Dupont Street right-of-way. The draft SASP can be found at Attachment 2. The key policies in the SASP are described below.

Land Use

The mixed use character of the Study Area should be maintained, even with the introduction of residential uses. The continuation of the Study Area as a place for city-serving uses that may be difficult to locate elsewhere (gas stations, lumber yard for example) should be encouraged. To ensure the non-residential uses remain in the area, any new development will need to include more non-residential gross floor area than existed on the site prior to redevelopment.

Built Form

The built form policies reflect the midrise character which is appropriate for Dupont Street. Dupont Street is not an Avenue in the Official Plan, nor does it include any form of higher order transit. The south side of Dupont Street is a low density, stable, residential neighbourhood and any redevelopment on the north side must have a direct relationship with the existing and planned context on the south side. This is not an area of the City where large scale intensification is expected.

The built form policies also reflect a desire for a family friendly neighbourhood, the re-use of existing buildings and setbacks that will improve the streetscape.

Transportation

Active transportation methods will be encouraged and therefore increased bike parking and bike infrastructure and the encouragement of car sharing are part of the SASP.

Streetscape

One of the most beneficial outcomes of redevelopment on Dupont Street will be the improved streetscape that will include wide sidewalks, street trees, places for people to linger, new open spaces and an animated street front. A minimum setback of any new building of 4.8 metres from the existing curb to the new front building face provides enough room for a wide sidewalk and street trees, and policies encouraging active uses on the ground level of new buildings (retail, restaurants, patios) will add vitality to the street.

Rail Safety and Mitigation

The City will be requiring a 30 metre setback from the rail corridor for any sensitive or high density use. Within this 30 metres, an earthen berm will also be required. Both these requirements will be in the area specific Zoning By-law. However, if the applicant proposes to implement an alternative mitigation strategy the SASP will provide a framework for the review of the alternative utilizing a strict set of criteria. All structures associated with rail safety including berms and noise walls must be landscaped and have a high quality of design.

Area Specific Zoning By-law - Key Items

The draft area specific Zoning By-law can be found at Attachment 3. The key requirements found in the Zoning By-law are described below.

Land Use

There are 2 different zones proposed in the area specific Zoning By-law. The first is an area zoned as Industrial which occupies the rear 30 metres of the properties that front on Dupont Street. This zoning matches the *Employment Areas* designation in the Official Plan.

The area within the Dupont Street Regeneration Study outside the 30 metre setback from the rail corridor is being zoned MCR – Mixed Commercial Residential. This will permit a variety of uses including retail and residential uses. This area matches the *Mixed Use Areas* designation in the Official Plan.

Permitted Uses

The permitted uses in the Industrial zone, the area that is within 30 metres of the rail corridor, include non-sensitive and low density uses such as parking, storage, warehousing and industrial uses.

The permitted uses in the MCR zone include all those permitted in Section 8 of Zoning By-law 438-86. These uses include a variety of residential uses, retail and service uses, employment uses, offices, and community uses.

Overall building height

The area specific zoning by-law places a 25 metre (8-storey) height limit along the north side of Dupont Street in the redesignated *Mixed Use Area*. This height limit results in a midrise built form which is appropriate for the neighbourhood, and responds to the low-rise, stable residential *Neighbourhood* on the south side of Dupont Street.

Stepbacks

A 5 metre stepback above the 3rd storey along the Dupont Street frontage of any new building provides a strong 3-storey streetwall which directly relates to the existing and planned built form on the south side of the street. A 5.5 metre stepback is also required along the east and west facades, above the 3rd storey, to allow for windows, and sky views, and allows for a built form that permits views from the north.

Parking

Given that the Dupont Street Regeneration Study did not include a full Transportation Impact Study, staff are recommending that the parking standards from Zoning By-law 536-2013 be used in the Study Area. However, the SASP does include policies which encourage car sharing and bike infrastructure which may lead to the reduction of on-site parking spaces on a site by site basis.

Unit Mix

Staff would like to encourage new developments to contain a range of housing types that are suitable for families, seniors and individuals. Therefore the Zoning By-law requires a certain percentage of 3-bedroom and 2-bedroom units.

Conclusion

The Dupont Street Regeneration Study has resulted in a new Site and Area Specific Policy in the Official Plan and a new area specific Zoning By-law that will guide development on the north side of Dupont Street between Kendal and Ossington Avenues. Mixed use buildings will now be permitted in buildings with a defined building envelope, and all sensitive and uses with many occupants must be located at least a minimum of 30 metres from the rail corridor. Flexibility on the rail setback may be considered through a

Zoning Amendment application that includes a rail safety and mitigation study which will be peer reviewed by the City.

The streetscape of Dupont Street will improve through redevelopment including the provision of wide sidewalks, street trees, street furniture and animated uses at grade. The City will have the opportunity to acquire new public parks and privately owned, but publicly accessible open spaces, and cash-in-lieu that is collected through the parks dedication by-law will be targeted to specific parks projects in the neighbourhood. The public has attended 7 community meetings on the study and the resulting SASP and Zoning By-law have benefitted greatly from its involvement.

CONTACT

Sarah Phipps, Senior Planner
Tel. No. 416-392-7622
Fax No. 416-392-1330
E-mail: sshipps1@toronto.ca

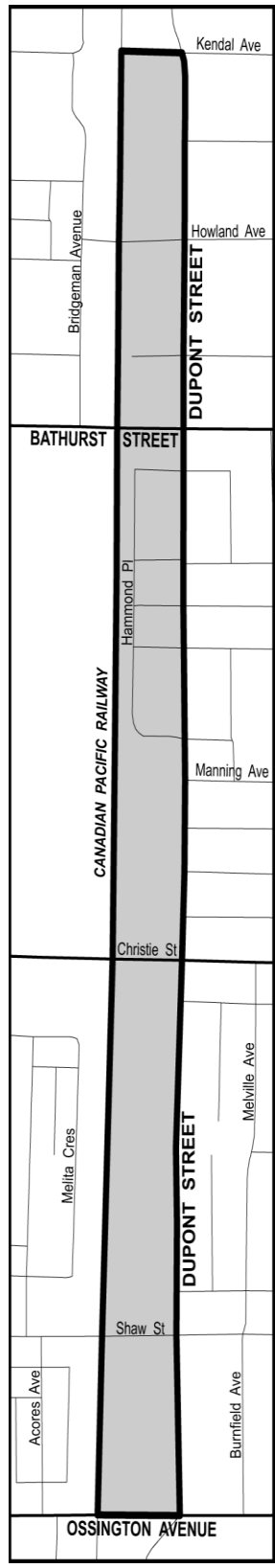
SIGNATURE

Jennifer Keesmaat, M.E.S., MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Study Area
Attachment 2: Draft Official Plan Amendment
Attachment 3: Draft Zoning By-law Amendment
Attachment 4: Urban Design Guidelines
Attachment 5: Community Services and Facilities Report
Attachment 6: Streetscape Manual detail for Dupont Street

Attachment 1: Study Area



Attachment 2: Draft Official Plan Amendment

Authority: Planning and Growth Management Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands located on the north side of Dupont Street
from Ossington Avenue to Kendal Avenue**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto adopts as follows:

1. The attached Amendment No. 271 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

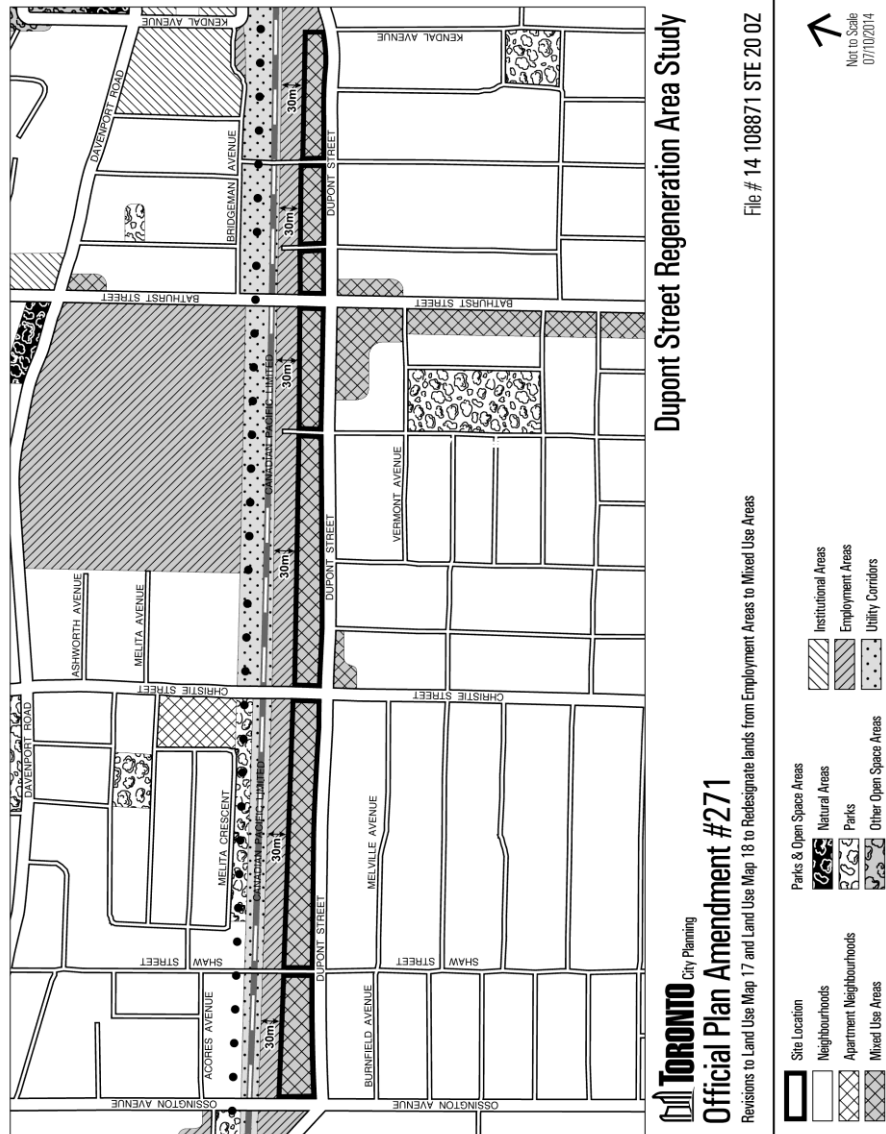
ULLI S. WATKISS,
City Clerk

(Corporate Seal)

**AMENDMENT NO. 271 TO THE OFFICIAL PLAN
LANDS LOCATED ON THE NORTH SIDE OF DUPONT STREET
BETWEEN OSSINGTON AVENUE AND KENDAL AVENUE**

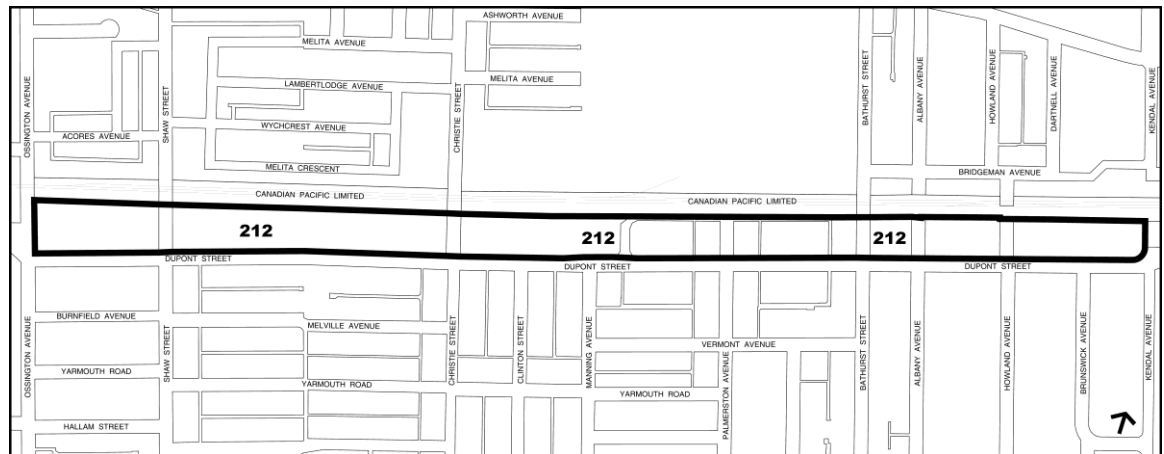
The Official Plan of the City of Toronto is amended as follows:

1. Map 18, Land Use Plan, is amended by re-designating a portion of the lands on the north side of Dupont Street from Ossington Avenue to Kendal Avenue located more than 30 metres south of the southerly property line of the CP North Toronto rail corridor from *Employment Areas* to *Mixed Use Areas*.



2. Chapter 7 Site and Area Specific Policies, including Map 29, is amended by deleting the existing Site and Area Specific Policy 212 and replacing it with a new Site and Area Specific Policy 212 as follows:

212. Dupont Street between Ossington Avenue and Kendal Avenue



1. General

- 1.1 Lands on the north side of Dupont Street, east of Bathurst Street, are shown as part of the Downtown on Map 2. The policies of Section 2.2.1 of the Plan apply except, where in the case of a conflict, the policies of this Site and Area Specific Policy will prevail.
- 1.2 This Policy area is not intended to experience significant intensification.
- 1.3 Any new development at the Bathurst-Dupont intersection will focus on the pedestrian realm, will contain entrances to retail, and will encourage public gathering through the provision of places to sit, weather protection and privately owned, publicly accessible spaces.

2. Land Use

- 2.1. New residential, retail, service, office and institutional uses on the north side of Dupont Street will be located and designed to mitigate impacts from, and be compatible with, the rail corridor and existing employment uses and not impede the continuation of the rail corridor and the existing employment uses within the study area.
- 2.2. New non-residential uses in the lands designated as *Employment Area* will be located and designed to mitigate impacts from and be

compatible with the rail corridor and be compatible with new mixed use development in the adjacent *Mixed Use Area* to the south.

- 2.3. Retail, service, office and institutional uses which serve the local community as well as a larger area, including those which may be inappropriate to locate on traditional main streets, will be encouraged in the lands designated *Mixed Use Areas*.

3. Built Form

- 3.1. Buildings will be set back from the Dupont Street property line to allow a minimum of 4.8 metres from the curb to the front face of the building in order to provide for a wide sidewalk and boulevard with enhanced pedestrian amenities and tree planting.
- 3.2. New buildings will provide a transition in height that respects the scale of low-rise residential *Neighbourhoods* on the south side of Dupont Street and is in proportion to the width of the Dupont Street right-of-way. New buildings within the *Mixed Use Area* designation will be a maximum of 8-storeys in height.
- 3.3. Notwithstanding the provisions of Section 4.5.3 as they apply to the north side of Dupont Street west of Bathurst Street, the maximum gross floor area of any one retail or service use shall be 5,000 square metres.
- 3.4. New buildings in the lands designated *Mixed Use Area* on the north side of Dupont Street must be located, massed and designed to be compatible with the *Neighbourhoods* on the south side of Dupont Street including appropriate scale, signage and lighting and location of ingress and egress.
- 3.5. The north facade of new buildings on the north side of Dupont Street, must be designed to mitigate noise reflection from the rail corridor and the view of this façade from the lands on the north side of the rail corridor.
- 3.6. New buildings will provide adequate privacy, sunlight and sky views for new and existing residents through the location and orientation of buildings and by ensuring adequate separation distance between building walls.
- 3.7. Developments or properties with long frontages on the north side of Dupont Street will be divided into multiple building envelopes in order to prevent a continuous street wall. The length of new buildings along the north side of Dupont Street should not exceed the width of the

blocks on the south side of the street between Christie and Manning Streets.

- 3.8. A full range of housing in terms of tenure and affordability will be provided in the 'Mixed Use Area' along the north side of Dupont Street. Every residential development should provide a mix of unit types including units that are suitable for families with children and units that are accessible for seniors.

4. Employment

- 4.1. In order to create a genuine mixed use area and maintain the employment base of the lands, a net increase of non-residential gross floor area will be provided in every redevelopment.
- 4.2. A variety of employment types, including a range of non-residential unit sizes will be encouraged in every redevelopment.

5. Transportation

- 5.1. Infrastructure for bicycles, including sheltered and easily accessible visitor bike parking spaces, will be required in all new developments.
- 5.2. Multiple bike rings will be located on any adjacent sidewalk at the front or side of new buildings.
- 5.3. Car sharing spaces will be required in every new development.
- 5.4. Any surface parking should be located at the rear or flank of the building and screened from views from the street. A majority of parking spaces should be located below-grade or in a parking structure with limited visibility from the street.
- 5.5. Access for new developments will be taken from streets other than Dupont Street, wherever possible, to enhance pedestrian safety and pedestrian and vehicular traffic flows on Dupont Street.
- 5.6. Any redevelopment of lands within the '*Mixed Use Area*' designation will ensure that adjacent lands designated '*Employment Area*' are accessed from either Dupont Street or a side street, to ensure no lots become landlocked.

6. Streetscape

- 6.1. Improvements to the sidewalks and boulevards should include wider sidewalks, the installation of street furniture and the planting of trees. On the north side of Dupont Street, the widening of the sidewalks will

be achieved through redevelopment. When Dupont Street is reconstructed, any undertaking will include consideration of narrowing the vehicular lanes, to allow the widening of the sidewalk on the south side of the street and the creation of the same pedestrian amenities.

- 6.2. Any façade of a new building which faces a public street will include design details which reinforce the pedestrian scale and rhythm of the street.
- 6.3. New buildings on Dupont Street will include uses on the ground floor which animate the public realm, create places for the public to linger, and add to the vitality of the streetscape. Pedestrian entrances to new developments should provide direct access from the sidewalk on Dupont Street.

7. Open Space/Parks

- 7.1. The priorities of the City for cash payments in lieu of parkland dedication include the extension of the park system on the north side of the rail corridor within the Hydro corridor, new playgrounds, and off-leash areas for dogs.
- 7.2. The provision of new publicly owned, and privately owned, publicly accessible open spaces, will be encouraged in all new developments.
- 7.3. Any part of a property which is used for the purpose of rail safety and noise/vibration mitigation berms or structures will not be accepted by the City as parkland.

8. Rail Safety, Noise, Vibration and Air Quality

- 8.1. All noise studies will specifically review the noise that will be reflected from the rail to the properties on the north side of the tracks as a result of the redevelopment of any new building on the south side of the tracks. The noise study will recommend mitigation measures to mitigate against noise reflection and be implemented through the development by the applicant.
- 8.2. Any new development containing residential, institutional, recreational/entertainment, hotel, or office or retail uses with a high number of employees and customers must be set back a minimum of 30 metres from the property line of the Canadian Pacific North Toronto rail corridor. A 2.5 metre high earthen berm will be constructed immediately south of the rail corridor with a noise wall on top for rail safety and noise/vibration mitigation purposes when these uses are developed in the *'Mixed Use Area'* designation to the south.

- 8.3. Within the 30 metre set back adjacent to the rail corridor the following uses are permitted:
- i) rail safety and vibration/noise mitigation structures; and
 - ii) auxiliary building used for activities with low numbers of employees and visitors such as parking, storage, warehousing and loading.
- 8.4. An applicant may propose, through a Zoning Amendment Application, an alternative to the rail safety mitigation measures set out in Policies 8.2 and 8.3 above where those standards cannot be met due to topographical, geographical, or other physical constraints subject to the following conditions:
- i) the alternative will provide at least the same level of rail safety for nearby residents, workers, visitors and shoppers as the required 30 metre set back and berm;
 - ii) a development viability report bearing the stamp of a fully insured, qualified, professional structural engineer, in addition to the noise, air quality and vibration reports, is to be submitted to the City showing how at least the same level of rail safety is to be achieved;
 - iii) this report will be peer reviewed and accepted by a rail safety expert retained by and reporting to the City, at the expense of the applicant;
 - iv) the report will also be reviewed and accepted by the Canadian Pacific Railway;
 - v) appropriate uses on the site will be determined as part of the Zoning Amendment application, and will implement the policies for the Official Plan land use designation; and
 - vi) if the development viability assessment is accepted by the City and the Canadian Pacific Railway, and the proposal is approved:
 - a) construction and on-going maintenance of the alternative mitigation measure will be secured through an agreement between the City and the landowner;

- b) warning clauses in all relevant documents should be registered on title to provide notice for future purchasers; and
 - c) the landowner will enter into an agreement with the City to be registered on title, whereby the landowner and the qualified professional engineer whose stamp appears on the drawings for the alternative rail safety mitigation measures assume responsibility for, and indemnify the City from, damages to the property resulting from a derailment on the Canadian Pacific North Toronto rail corridor.
- 8.5. Any required rail safety, air quality and noise/vibration mitigation structures or other measures such as berms and noise walls must be of a high design quality. Berms should be landscaped and maintained and opportunities for murals and community artwork should be pursued on the south face of noise walls and other structures.

9. Implementation

- 9.1 Where new developments generate community benefits under Section 37 of the Planning Act, the priorities should be: streetscape and pedestrian realm improvements on both sides of Dupont Street where development would not otherwise generate improvements; new day care centres and daycare spaces; and improvements to library branches serving the area.
- 9.2 The creation of a Site Specific By-law for the area covered by this Site and Area Specific Policy will work with this Policy to guide development in this Policy area.
- 9.3 Section 5.1.1 of the Official Plan will only apply to a proposed development that would permit a building or structure to be constructed with over 10,000 square metres of total gross floor area, including at least 1,500 square metres of residential gross floor area.
- 9.4 The creation of Urban Design Guidelines for the area covered by this Site and Area Specific Policy will work with this Policy to guide development in this Policy area.

Attachment 3: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of
Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend Zoning By-law No. 438-86, as amended, With respect to the lands on the north side of Dupont Street between Ossington and Kendal Avenues

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts as follows:

1. By-law 438-86, as amended, is further amended as follows:
2. Except as otherwise provided herein, the provisions of Zoning By-law 438-86 shall continue to apply to the lands shown in Map 1, collectively referred to herein as the "*the study area*".
3. None of the provisions of Sections 4(2), 4(3), 4(4), 4(5), 4(16), 8(3) PART I, 8(3) PART II 4(c), 9(3) PART I of former City of Toronto By-law No. 438-86 shall apply to prevent the erection or use of one or more buildings and structures, within *the study area*, provided that all of the provisions of this By-law are complied with.
4. Amending Maps 49J-312, 49J-313 and 50J-311 to rezone the lands shown on Map 2 of this By-law from IC D2 N1 and IC D2 N2 to MCR.
5. Amending Maps 49J-312, 49J-313 and 50J-311 to rezone the lands shown on Map 2 of the By-law from IC D2 N1 and IC D2 N2 to IC D2.
6. Notwithstanding the definition of *lot*, two or more buildings are permitted on each *lot* in *the study area*.

PERMITTED USES

7. Within the lands zoned IC, as shown on Map 3 only the following uses are permitted on the south side of the *berm* required in Section 9 of this By-law, in an *auxiliary building*:
 - a. *berm*;

- b. *storage warehouse;*
 - c. *parking garage;*
 - d. *loading space type A, type B, type C or type G;*
 - e. *open space; and*
 - f. any required rail safety, noise or vibration mitigation structure.
8. The total *non-residential gross floor area* of any one *retail store* on any *lot* in the *study area* may not exceed 5,000 square metres.
9. The total *residential gross floor area* on any *lot* may not exceed 1,500 square metres.

RAIL SETBACK

10. Any *principal building* may only be constructed on the portion of a *lot* zoned MCR if a *berm* is constructed on the portion of the *lot* zoned IC.

HEIGHT

11. The maximum *height* of any building or structure erected above *grade* within the *study area* has a maximum *height* in metres as shown following the symbol "H" on Map 3 of this By-law.
12. Notwithstanding Section 10 of this By-law, the maximum *height* shown on Map 4, in the area zoned MCR on Map 2 includes all mechanical equipment, elevator overruns, stair towers, guards and any other projections.
13. The minimum *height* of any new building or structure in the *study area* is 10.5 metres.

STEPBACKS

14. Above the 3rd *storey*, a minimum 5 metre setback, from the edge of the building below for the entire Dupont Street façade.
15. Above the 3rd *storey*, a minimum 5.5 metre setback for the entire of the side facades (east and west), from the edge of the building below.

NET GAIN IN NON-RESIDENTIAL USES

16. Any new building or structure within the *study area* must contain a greater amount of *non-residential gross floor area*, than what existed on the *lot* prior to the date of the passing of this By-law.

PARKING

17. Parking shall be provided as follows:

Residential Uses		
Unit Type	Minimum	Maximum
Bachelor units	0.7 spaces/unit	1.3 spaces/unit
1-bedroom units	0.8 spaces/unit	1.2 spaces/unit
2-bedroom units	0.9 spaces/unit	1.3 spaces/unit
3+ bedroom units	1.1 spaces/unit	1.6 spaces/unit
Residential visitor	0.15 spaces/unit	
Non-Residential Uses		
Less than 200 square metres	0 required	
201-10,000 square metres	1.5 spaces per 100 square metres	
10,001-20,000 square metres	3.0 spaces per 100 square metres	
20,001 + square metres	6.0 spaces per 100 square metres	

MAXIMUM BUILDING WIDTH

18. The maximum width of any part of a building or structure, above *grade*, facing Dupont Street cannot exceed 90 metres.

AMENITY SPACE

19. Indoor *residential amenity space* shall be provided in no more than 2 separate areas one of which must contain a kitchen and a washroom, and must be directly adjacent to the outdoor *residential amenity space*.
20. All *residential amenity space* shall be provided above *grade*.

UNIT MIX

21. Any new building or structure containing *dwelling units* shall include a minimum of 10% 3-bedroom *dwelling units*, and a minimum of 20% 2-bedroom *dwelling units*.

DEFINITIONS

22. *auxiliary building* – is a building which is a separate building from the *principle building* on a *lot*.
23. *berm* – an earthen mound compacted to 95% modified Proctor, constructed parallel to the rail corridor, with returns at the ends. Must be a minimum height of 2.5 metres, from *grade* at the rail corridor property line, with side slopes not steeper than 2.5 to 1 (horizontal to vertical) on both sides.
24. *open space* – is an area absent of structures through which people move. May include bike trails, pedestrian pathways and parkland.
25. *principal building* – the primary building on the *lot*, located in the area zoned MCR,

containing the uses permitted in that zone.

26. *storage warehouse* – is a building or structure for the storage of non-offensive goods, wares, merchandise, substance, articles or things.

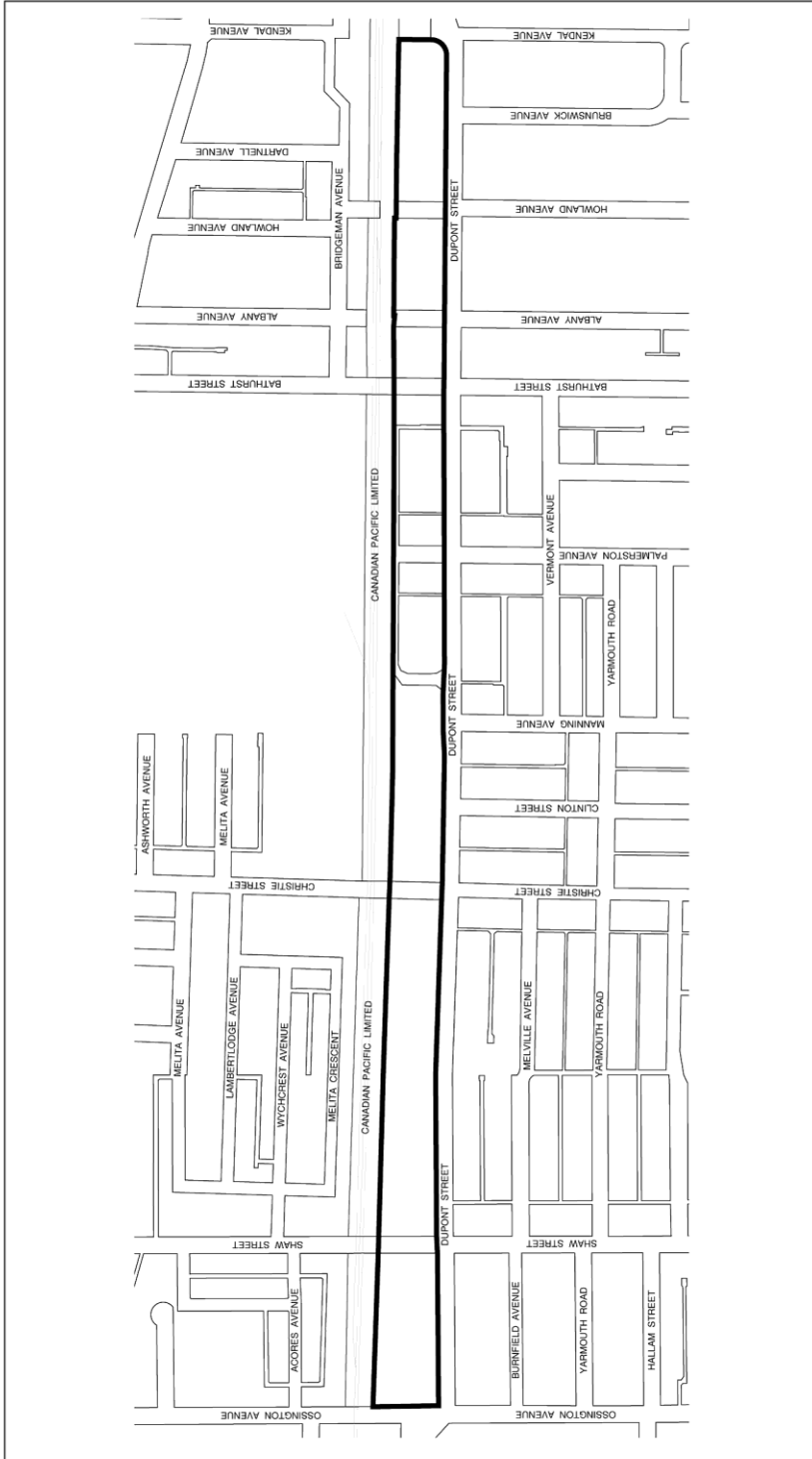
27. *the study area* – as defined by the heavy lines on Map 1.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



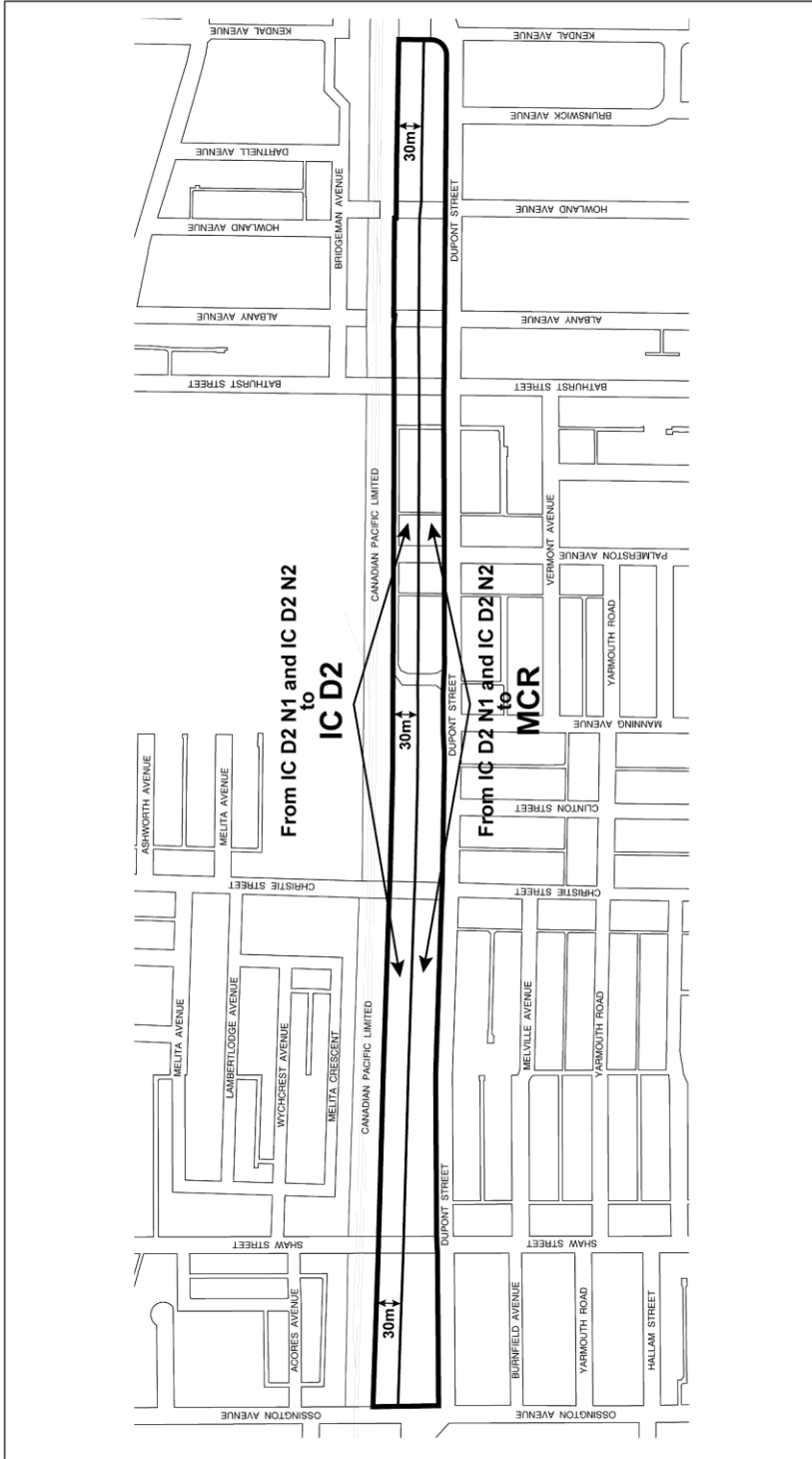
Dupont Street Regeneration Area Study

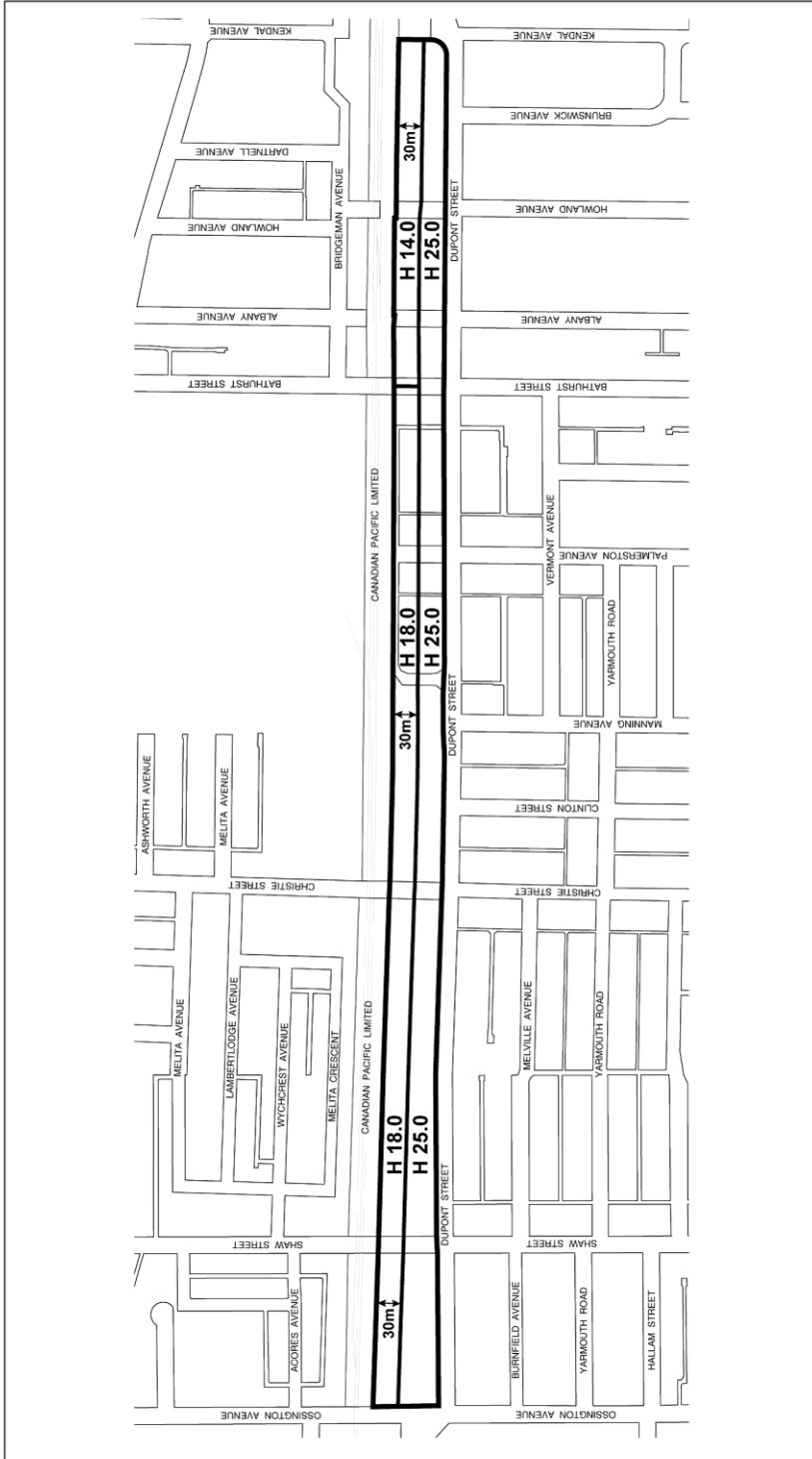
Map 1



File # 14 108871 STE 20 0Z







Not to Scale
07/10/2014