

RAILWAY LANDS CENTRAL SECONDARY PLAN

18. RAILWAY LANDS CENTRAL SECONDARY PLAN

1. INTERPRETATION

- 1.1 The lands affected by the Railway Lands Central Secondary Plan are shown on Map 18-1.
- 1.2 The boundaries of the Railway Lands Central and the areas designated *Mixed Use Areas* 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'I', *Utility Corridors* and *Parks and Open Space Areas* are as shown on Map 18-3 and are approximate. Where the general intent of this Secondary Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan.
- 1.3 This Secondary Plan is comprised of Sections 1 through 12 and Maps 18-1 through 18-6.

2. MAJOR OBJECTIVES FOR THE RAILWAY LANDS CENTRAL

The development of the Railway Lands Central will proceed in accordance with the following major objectives for the Railway Lands Central:

- 2.1 The Railway Lands Central will be developed as an integral part of the Downtown so that the barrier effects of the road and rail corridors will be minimized and the central City reunited with the Central Waterfront. New development in the Railway Lands Central should have a mix of uses, and a form, character and environmental quality which will ensure that the area is used by people for a wide variety of purposes throughout each day.
- 2.2 Redevelopment of the Railway Lands Central will take full advantage of the opportunities presented by their size and central location to satisfy a broad range of commercial, residential, institutional, cultural, recreational, parks and open space needs, while:
 - a) ensuring compatibility of new development with present and future utilization of the Rail Corridor for rail use within the Railway Lands Central;
 - b) ensuring compatibility of new development with the existing rail operations in the Bathurst North Yard;
 - c) encouraging effective and efficient transportation services, including inter-city rail and commuter rail services, and other transit services; and
 - d) ensuring environmentally sound conditions.
- 2.3 New development in the Railway Lands Central will be structured by a public street system which: divides the Railway Lands Central into blocks comparable in area and dimension to blocks elsewhere in the City; allows for street-oriented development throughout the Railway Lands Central; reinforces the existing north-south streets as major connections between the Downtown and the Central Waterfront; and, establishes Bremner Boulevard as a major and continuous east-west link for pedestrians, bicycles, private vehicles and public transit. The design of all streets in the Railway Lands Central will respond to the use and character of the lands adjacent to the streets and innovative transportation management approaches will be adopted as appropriate.
- 2.4 Development in the Railway Lands Central will contribute to the achievement of an attractive, inviting, comfortable and safe public realm, including generously proportioned public streets, parks and publicly accessible open spaces which meet high standards of urban design and provide good access to sunlight and protection from winds.

- 2.5 Co-operative arrangements among the parties involved in the development of the Railway Lands Central will be promoted in order to ensure that the development proceeds incrementally in phases, which function satisfactorily within the municipal services and transportation systems, are environmentally sound and provide satisfactory living and working conditions.

3. STRUCTURE, FORM AND PHYSICAL AMENITY

The following are the principles regarding the structure, form and physical amenity of new Railway Lands Central development.

- 3.1 Development in the Railway Lands Central will be structured by:
- a) a pattern of public streets, as shown on Map 18-2, which include:
 - i. north-south streets extended from the grid of the City, providing views and access between the central City and the Central Waterfront;
 - ii. a major east-west street, Bremner Boulevard, which intersects with north-south streets, links public open spaces and is the address for public institutions in the area; provides frontage for new development; and accommodates pedestrians, cyclists, public transit and private vehicles; and
 - iii. Spadina Avenue as the major north-south street connecting the Railway Lands to the central City and the Central Waterfront;
 - b) a system of high quality, useable, linked parks and open spaces which provides spatial relief to, and appropriate settings for, adjacent development. These public open spaces should also contribute to the creation of visual and physical connections, wherever possible, between the central City and the Central Waterfront;
 - c) secondary streets and midblock open spaces which, wherever possible, provide visual and physical connections between the central City and Central Waterfront; and
 - d) significant public buildings.
- 3.2 In accordance with the policy of achieving an attractive, inviting, comfortable and safe public realm in the Railway Lands Central, buildings will:
- a) clearly define and give form to the edges of streets, parks and open space;
 - b) take into account the potential for creating and enhancing pedestrian views and sight lines consistent with the pattern of streets and blocks shown on Map 18-2 and the open space system shown on Map 18-4;
 - c) reinforce the visual continuity and spatial definition of streets and other publicly accessible open spaces;
 - d) contribute to the creation of public streets, parks and open spaces with pleasing proportions and appropriate scale, adequate sunlight and sky views, and comfortable wind conditions;
 - e) ensure that primary building entrances are located on public streets, and that the organization of building functions, and the architectural expression of building entrances and facades, promote the publicness of the street;
 - f) achieve a harmonious relationship with adjacent buildings with respect to building massing and setbacks, scale, texture, architectural detail and rhythm of horizontal and vertical elements; and
 - g) be designed such that their massing and roof profile contribute harmoniously to the city skyline, including stepping down from the central city to the lake.

- 3.3 In accordance with the policy of achieving an attractive, inviting, comfortable and safe public realm in the Railway Lands Central, the City will ensure that:
- a) the continuity, dimension and quality of public sidewalks reflect their importance in the overall pattern of public open spaces;
 - b) where the street pattern is interrupted by the Rail Corridor, the sidewalks are directly linked to pedestrian bridges and tunnels across or under the corridor, as shown on Map 18-4 and that these pedestrian bridges and tunnels are designed as extensions of the public sidewalks;
 - c) special attention is paid to the relationship between the lower level of buildings and the pedestrian realm by encouraging:
 - i. the provision of residential and public uses which are directly accessible from grade level and the provision of street related retail and service uses which open out onto the sidewalk, attract pedestrians, and make the sidewalk and street a more interesting and safe place,
 - ii. the use of materials, fenestration and architectural features which are of a human scale and promote visual interest and diversity; and
 - iii. the location of vehicular service entrances to buildings so as to minimize pedestrian/vehicular conflicts and ensure safety.
 - d) sidewalks and other public open spaces incorporate high quality coordinated improvements including paving, tree planting, pedestrian scale lighting and street furnishings in a manner which will enhance their special character;
 - e) a continuous, coordinated system of weather protection for pedestrians is provided along building edges of major streets and open spaces;
 - f) works of art are provided in a coordinated manner to enhance and humanize the public realm, taking into consideration the public use, scale, coherence, visibility, safety of particular sites and the urban design objectives of this Secondary Plan;
 - g) buildings, parks and publicly accessible open spaces are designed to permit convenient access for people with physical disabilities;
 - h) buildings, streets, sidewalks, street lighting, parks and other publicly accessible open spaces in the Railway Lands Central are designed and developed to promote public safety, including the creation of clear visual and physical access to public open spaces from the street and from other public areas; and
 - i) Spadina Avenue and Bremner Boulevard have the characteristics of great urban boulevards such as well-defined edges, lively uses and attractive sidewalks and act as unifying elements in the Railway Lands Central.
- 3.4 The siting of, and settings for, significant public buildings will enhance their public significance and identity and promote a sense of place within the City.
- 3.5 Noise and noise control features will be taken into account in the location and form of buildings, architectural and landscape elements and the design of open spaces.
- 3.6 Any parking provided in association with development will be encouraged to be located below grade or be located in a manner which minimizes the visual impact on streets, parks, open spaces, pedestrian walkways and other land uses. With the exception of bus parking facilities referenced in Section 10.7.3 of this Secondary Plan, surface commercial parking lots will not be permitted and other surface parking will be minimized.

- 3.7 The Urban Structure Plan identifies on Map 18-6:
- a) where buildings, architectural elements and landscape will define the edge of significant streets and intersections; and
 - b) significant city and waterfront views and vistas.

4. HOUSING GOALS

- 4.1 Housing will be developed in the Railway Lands Central both in order to assist in meeting the City's housing goals and in order to ensure that new development has a mixed-use character. Housing in the Railway Lands will be available to a wide range of households, ages and incomes in a variety of residential unit sizes.
- 4.2 Housing in the Railway Lands Central will be part of a mixed use, high density, residential and commercial area, focused in *Mixed Use Areas* 'A', 'B', 'D', 'E', 'F', 'G', 'H' and 'I'.
- 4.3 In order to assist in the realization of Council's housing objectives, in compliance with Provincial Housing Policy Statements, Council will secure the provision to the City or the Toronto Community Housing Corporation of approximately 2.45 hectares of land for housing purposes in the Railway Lands West. By so doing, this conveyance and the other land use policies in this Secondary Plan will satisfy all affordable housing obligations for the Railway Lands Central.

5. SCHOOLS AND COMMUNITY SERVICES AND FACILITIES

- 5.1 A full range of appropriate community services and facilities necessary to serve the resident and working population generated from within the Railway Lands will be provided in a timely manner.

Accordingly, with respect to the lands subject to this Secondary Plan, the City will:

- a) secure the required community services and facilities, considering size and programming potential;
 - b) secure locations for the community services and facilities including, as required, any school or schools and any community centre; and
 - c) secure the resources that will be used to facilitate the provision of the required community services and facilities, and, in respect of schools, in cooperation with the Toronto Catholic District School Board and the Toronto District School Board, will secure implementation arrangements which will outline the anticipated timing and phasing of the new facilities in relation to the overall development and surrounding area in order to ensure that the necessary community services and facilities will be provided in a timely manner.
- 5.2 In particular, the provision of the following minimum community services and facilities will be secured through appropriate legal agreements:
- a) integrated public/separate elementary school(s);
 - b) community centre facility;
 - c) one library; and
 - d) daycare facilities.
- 5.3 The City will seek, as appropriate, the financial and other assistance of the relevant agencies and levels of government in the planning, implementation, construction and operation of such community services and facilities, and will seek from landowners or development proponents

related contributions through such means as the provision of space, financial contributions or other similar or consistent mechanisms.

- 5.4 The provision of the community services and facilities identified in Sections 5.1 and 5.2 of this Secondary Plan will be secured, as outlined in Section 5.3, through legal agreements with landowners or development proponents as provided for in Section 11.1 of this Secondary Plan, and will include provisions which secure:
- a) the funding of the community centre, schools and a library by the payment of a fixed amount on a per residential unit and non-residential square metre basis; and
 - b) the day care provisions required by Section 10.7.1 of this Secondary Plan.

- 5.5 The Provincial Ministry of Education, the Toronto District School Board and the Toronto Catholic District School Board will be consulted in order to ensure that schools for elementary and secondary school students within the Railway Lands Central will be provided as necessary.

In carrying out this consultation, it is recognized that there are linkages between certain special schools and courses and certain commercial and institutional land uses which may make it appropriate for such special schools and courses to be located in areas where commercial and institutional uses are permitted.

- 5.6 Safe and convenient pedestrian connections, suitable for use by school age children, will be established between the Railway Lands Central and adjacent areas in the Railway Lands West, the Railway Lands East, the Downtown and the Central Waterfront. The preferred location for safe and convenient pedestrian connections is at grade, generally along public sidewalks. Certain significant locations for pedestrian improvements are shown on Map 18-4.
- 5.7 The provision of appropriate opportunities for the establishment of places of religious worship within the Railway Lands Central is encouraged.

6. PARKS, OPEN SPACE, AND PEDESTRIAN SYSTEMS

- 6.1 Within the Railway Lands there will be a linked system of parks and publicly accessible open space. Accordingly, it will be a policy of the City to secure and retain a linked system of parks and publicly accessible open space within the Railway Lands Central, generally as shown on Map 18-4.

These parks and publicly accessible open spaces will be located and formed in a manner which will help to integrate the Railway Lands Central with the Railway Lands West, Railway Lands East, the Downtown and the Central Waterfront, and provide a variety of outdoor active and passive recreational opportunities for workers, residents and visitors.

- 6.2 The delineation of Parks and Open Spaces on Map 18-3 and of the parks and publicly accessible open spaces on Map 18-4 is approximate. Minor adjustments to such boundaries will not require amendment to this Secondary Plan.

The location, form and design of parks and publicly accessible open space will help to ensure:

- a) visual and physical connections between the Downtown and Central Waterfront;
 - b) the safety of users;
 - c) the perception of these open spaces as public places, easily viewed and entered from the public street, and accessible to all members of the public; and
 - d) the comfortable and flexible use of these spaces in all seasons of the year.
- 6.3 The design of parks and open spaces will be of a high quality and will be appropriate to their

proposed uses, by use of measures such as:

- a) encouraging the participation of anticipated users in the design process; and
 - b) implementing standards for the design of open spaces, which include among other things size, location, edge characteristics, landscape character, sun and wind comfort, and facility programming.
- 6.4 In addition to the City parks on Map 18-4, the City will secure the provision of other publicly accessible open spaces in conjunction with the development of buildings within the Railway Lands Central Secondary Plan Area.
- 6.5 The City will also secure:
- a) consistent landscaped setbacks on streets which widen the public sidewalk and its landscaping; and
 - b) courtyard open spaces in the interior of residential blocks which are designed for the shared use of residents of adjacent development, and to minimize the impact of servicing on the recreational use of these spaces.
- 6.6 The provision of landscaped terraces on roofs of buildings for the use of residents and workers of those buildings is encouraged.
- 6.7 The development of random and irregular plazas, forecourts and gardens between the public sidewalk and the building frontage is discouraged.

7. HERITAGE AND PUBLIC ART

- 7.1 Aspects of the history of the railways will be incorporated into parks and public open space in the Railway Lands Central.
- 7.2 Archaeological resources will be investigated, documented and if feasible conserved in accordance with the strategy document developed by the City of Toronto and Heritage Toronto utilizing archival research on historical activities, in order to provide a systematic framework for assessment of the archaeological remains in the Railway Lands Central.
- 7.3 The achievement of public art in the Railway Lands Central is supported and encouraged. The City will prepare, adopt and administer a District Public Art Plan for the Railway Lands Central to ensure that public art is provided in a coordinated manner to enhance and humanize the public realm, taking into consideration issues of public use, scale, coherence, visibility and safety in the urban design objectives of this Secondary Plan.
- 7.4 The commitment to public art is supported and encouraged through the utilization of the bonusing provisions of Section 37 of the *Planning Act*. Therefore, by-laws may be passed to permit buildings with a gross floor area in excess of the residential or non-residential density that would otherwise be permitted on a lot in exchange for the provision of public art, provided that:
- a) such additional gross floor area does not exceed 10 per cent of the total gross floor area otherwise permitted on the lot;
 - b) the provisions of the urban design guidelines referenced in Section 11.3 of this Secondary Plan are considered;
 - c) in granting any increases in density, to promote the provision of public art, the City will be satisfied that the value of the density increase is appropriate and should generally not exceed 2 times the estimated cost of providing the public art; and

d) the provision of the public art is secured by agreement pursuant to Section 37 of the *Planning Act*.

7.5 Notwithstanding Sections 7.3 and 7.4 of this Secondary Plan, certain portions of the Railway Lands Central being the Stadium Precinct are subject to the public art provisions of Section 10.02 of the Precinct A Precinct Agreement.

7.6 The provisions set out in Section 7.4 do not apply to the lands identified on Map 18-6 as 'Special Policy Lands'.

8. TRANSPORTATION AND CIRCULATION

8.1 Context

The streets and transit services providing access to and circulation within the Railway Lands Central will be developed as an integral extension of the Downtown street network and transit system.

8.2 Streets

8.2.1 The rights-of-way of streets in the Railway Lands Central should satisfactorily accommodate traffic, transit, cyclists and pedestrians.

8.2.2 The primary street system within the Railway Lands Central will be generally in accordance with Map 18-2. The specific location of secondary streets, for which possible locations are shown on Map 18-2, will be established as development proceeds and in a manner, which reinforces a grid-like pattern of streets and blocks. Where the general intent of this Secondary Plan is maintained, minor adjustments to the alignment and definition of the primary streets and/or the addition or deletion of secondary streets shown on Map 18-2 will not require amendment to this Secondary Plan.

8.2.3 Bremner Boulevard

8.2.3.1 Bremner Boulevard will be extended to Bathurst Street through the Railway Lands without detracting from the public enjoyment or use of the parkland along which it passes, in order to:

- a) provide a continuous east-west link for pedestrians, cyclists, public transit and vehicles;
- b) provide street frontage, building address and vehicular and pedestrian access for development; and
- c) help define building parcels.

8.2.3.2 The traffic management strategy for Bremner Boulevard should respond to the use and character of the lands adjacent to it.

8.2.3.3. Bremner Boulevard will not be regarded as a major component of the regional road system but should rather function as part of the area road system in the Railway Lands Central, providing a continuous east-west link for pedestrians, cyclists, public transit and vehicles.

8.2.4 New and existing streets in the Railway Lands Central will:

- a) create a pattern of streets and blocks which establishes a strong continuity with the street and block pattern of the rest of the Downtown, as shown on Map 18-2;
- b) be landscaped in a manner which enhances their unique character and amenity;
- c) facilitate pedestrian and cyclist movement; and
- d) be successfully integrated into the local and regional road systems.

- 8.2.5 The Spadina Avenue Bridge between Front Street West and Lakeshore Boulevard West has been rebuilt at the same width as the Spadina Avenue right-of-way north of Front Street in order to:
- a) accommodate a public transit service operating on its own right-of-way, when required;
 - b) accommodate vehicular traffic;
 - c) encourage the redevelopment of Spadina Avenue between Front Street West and Lake Shore Boulevard West as a prominent urban street with generous sidewalks and a lively and interesting pedestrian environment;
 - d) strengthen the links between the central City and the Central Waterfront; and
 - e) provide vehicular, pedestrian and transit access to the urban stadium and multi-purpose facility to be located in the *Mixed Use Area 'F'*.
- 8.2.6 It is acknowledged that north-south streets have been established over the Rail Corridor, as shown on Map 18-2.

8.3 **Pedestrian and Bicycle Circulation**

- 8.3.1 In addition to the pedestrian circulation system provided by sidewalks at grade within the rights-of-way of public streets, the City will seek to secure appropriate through-block connections and pedestrian links over and under the Rail Corridor, generally as shown on Map 18-4. Opportunities for other pedestrian connections will be explored as the development of the Railway Lands proceeds. The City will ensure that:
- a) the pedestrian connections be conceived of as an extension to the public sidewalk; and
 - b) the street level pedestrian realm is comfortable and diverse, and pedestrian traffic along the route of the connection is sufficient to maintain an active environment along both the public sidewalk and pedestrian connections.
- 8.3.2 The use of bicycles in and through the Railway Lands Central is to be encouraged to facilitate modes of travel other than the private automobile. Bicycle use will be encouraged by:
- a) the provision of either separate bicycle lanes or wider curb lanes over north-south streets and on Bremner Boulevard;
 - b) the provision of bicycle parking as an integral part of developments;
 - c) the provision of bicycle parking in parks and on public sidewalks; and
 - d) the provision of a central bicycle facility which would include bicycle parking and change facilities, where appropriate.

8.4 **Public Transit**

- 8.4.1 Public transit is of critical importance in providing adequate access to new Railway Lands Central development. The City will ensure that new development in the Railway Lands Central is serviced by existing and new transit facilities in a manner which makes public transit an attractive and efficient alternative to the private automobile. Specifically:
- a) regional GO Transit commuter services will continue to be incorporated in the Rail Corridor;
 - b) a Spadina Avenue streetcar system will be maintained which is linked to the Bloor-Danforth and Yonge-University subway system;
 - c) surface transit routes to serve the Railway Lands Central will be provided at frequencies and routings which ensure a high transit use by residents and workers;
 - d) transit facilities serving the Railway Lands Central will be successfully integrated into the local and regional transit systems;

- e) future options for transit on Bremner Boulevard will be protected; and
- f) the parking serving the urban stadium and multi-purpose facility and the pedestrian linkages between the facility and the local and regional transit systems will be provided in a manner which is consistent with the objective that, to the extent possible, access to the stadium continue to be provided by public transit rather than by the private automobile.

8.5 **Railway Uses**

- 8.5.1 The Rail Corridor should remain in its present location. Union Station will continue to function as a major regional transportation terminal, and all rail facilities, including the High Line freight bypass, and excepting those rail facilities in the Bathurst North Yard generally located north of the Rail Corridor between Bathurst Street and Spadina Avenue, should continue to be contained within the width of the Rail Corridor shown on Map 18-3. For the purposes of this Secondary Plan, the Bathurst North Yard is expected to continue as a rail storage yard.
- 8.5.2 Satisfactory, efficient and safe inter-city passenger and freight services, as described in Section 8.5.1, will be ensured.
- 8.5.3 Development adjacent to the Rail Corridor as identified on Map 18-3 will respect the physical configuration of the Rail Corridor and its current and future operation, including approaches, access, easements and emergency access both during and subsequent to development construction.

9. **ENVIRONMENT**

- 9.1 The City will seek the cooperation of other levels of government, land owners and developers involved in the development of the Railway Lands Central to ensure that environmental conditions satisfactory to the City of Toronto and the Ministry of Environment and Energy are established for people working and living within and adjacent to the Railway Lands Central. In considering development in the Railway Lands Central, an Environmental Report will be required which will contain an assessment of the appropriate means of the proponent or landowner to:
 - a) reduce the noise and vibrational impact of the railway uses, the Gardiner Expressway, Lake Shore Boulevard West, other arterial roads and public transit facilities within and adjacent to the Railway Lands Central, by, among other things, use of building structure, building envelope, and building mechanical systems, the provision of buffers, including acoustical walls and buildings and structures, and landscaping features adjacent to noise and vibration sources as appropriate for residential, non-residential and open space uses;
 - b) ensure satisfactory indoor and outdoor air quality and climatic conditions, including satisfactory wind conditions at grade and in other outdoor amenity areas, including day care outdoor play space and including a consideration of the potential impact of snow and ice on rail service;
 - c) ensure satisfactory soil and groundwater conditions, including soil remediation or disposal plans for contaminated soil excavate and remediation measures for methane gas;
 - d) provide for effective comprehensive storm water management so that new development in the Railway Lands Central does not detrimentally affect ground water and water quality in Toronto Bay;
 - e) minimize, to the extent possible, risks of injury or damage from accidents on the rail and road corridors;

- f) ensure that the practices and procedures followed during construction of development and the operation and maintenance of developments in the Railway Lands Central are environmentally sound;
- g) achieve energy efficiency and conservation as development proceeds in the Railway Lands Central;
- h) achieve waste reduction and recycling as development proceeds in the Railway Lands Central;
- i) achieve buildings which are environmentally sound in their use of water as development proceeds in the Railway Lands Central; and
- j) achieve auto minimization principles as part of a transportation demand management plan as development proceeds in the Railway Lands Central.

9.2 The Environmental Report referred to in Section 9.1 will be prepared by the proponents in consultation with the City, the Local Board of Health, and the Ministry of the Environment and Energy. In the case of *Mixed Use Areas 'A' and 'B'*, the proponent will also consult with GO Transit and CN Railway Company or their successors and assigns. The safeguards and measures set out in the Environmental Report will be secured through an Environmental Agreement submitted pursuant to Section 11.1(c) or 11.2. of this Secondary Plan.

For the purposes of this Secondary Plan, an Environmental Agreement means an agreement containing provisions sufficient to ensure that the safeguards and measures set out in the Environmental Report are adequately secured and in addition, will specify that the landowner will provide appropriate warning clauses to prospective purchasers and lessees of each dwelling unit in *Mixed Use Areas 'A' and 'B'* regarding possible noise, vibration and/or air quality impacts associated with existing and future freight and passenger rail and regional rail and public transit uses in the Rail Corridor, *Utility Corridor 'A'* and Bathurst North Yard.

9.3 The City and the Ministry of the Environment and Energy will identify the various guidelines, standards, and requirements which at the time generally affect the development of lands south of Queen Street in the City of Toronto in relation to the environmental matters set out in Section 9.1 of this Secondary Plan.

9.4 The Ministry of the Environment and Energy and the Local Board of Health will be consulted respecting relevant environmental matters referred to in Sections 9.1 and 9.2. In the case of *Mixed Use Areas A and B*, the City will also consult with and have regard for the comments of GO Transit and CN Railway Company or their successors and assigns during the process established under Section 11.8. The City will ensure that all Environmental Reports and Environmental Agreements are satisfactory to the Ministry of the Environment and Energy.

9.5 To assist in achieving environmental objectives, the development of district heating and cooling systems within the Railway Lands Central is encouraged. To this end, landowners will, if economically feasible, give consideration to the use of District Heating and Cooling at the time of development.

9.6 To assist in achieving the environmental objectives of this Secondary Plan and to advise Council generally on environmentally advanced building techniques, technologies and types, including their financial implications, it is Council's intent to establish and consult an Advisory Task Force to assist Council in promoting these environmental objectives.

9.7 Notwithstanding any other provision of this Secondary Plan, prior to site plan approval being granted for *Mixed Use Areas B, D and G*, the Environmental Agreement for the Railway Lands Central as it relates to *Mixed Use Areas B, D and G*, will include provisions which require the following:

- a) in conjunction with an application under Section 41 of the *Planning Act* which proposes the use of mirrored glass above a height of 35 metres above grade, the applicant will submit a study which demonstrates that there will be no glare from the proposed building onto the playing surface of the urban stadium and multi-purpose facility. A development which causes direct glare onto the playing field will not be approved;
- b) in conjunction with an application under Section 41 of the *Planning Act*, the applicant will submit a sun/shade study prepared by a qualified professional, which establishes that between 12:00 noon and 4:00 p.m. locally prevailing time, May 1st to October 1st inclusive, shadows from the proposal will not extend onto the playing field beyond any shadows cast by the stadium structure itself. A development which shadows the playing field beyond any shadows cast by the stadium structure itself during the above period will not be approved;
- c) in conjunction with an application under Section 41 of the *Planning Act*, the applicant will submit a quantitative pedestrian level wind study of the development proposal prepared by a qualified and experienced wind consultant assessing the potential impact on the urban stadium and multi-purpose facility. Each such study will utilize a wind tunnel test of an architectural scale model of the proposal, taking into account the conclusions and recommendations of the pedestrian level wind study forming part of any existing Environmental Report. The study will indicate the measures which, in the professional opinion of the consultant, should be incorporated into the development proposal in order to achieve satisfactory pedestrian level wind conditions on and in the vicinity of the urban stadium and multi-purpose facility. Further, the applicant will prepare a wind study to assess wind conditions above the pedestrian level, as it relates to the urban stadium and multi-purpose facility in order to evaluate the impact of such building on terraces, banners, flags, suspended signage, rigging on the exterior of the urban stadium and multipurpose facility, and inside the stadium bowl with the roof open;
- d) in determining whether future wind conditions will be satisfactory, the consultant and Council may consider among all relevant planning and engineering standards, the impacts of buildings which could have been constructed pursuant to zoning by-laws for the Railway Lands Central passed by the City of Toronto in 1986 and 1994. A development which results in unsatisfactory wind conditions having regard for the factors described above, will not be approved; and
- e) that the landowner will register on title an appropriate warning clause to potential purchasers and lessees of each dwelling unit which indicates that the location of the dwelling unit is in the vicinity of the urban stadium and multi-purpose facility and that the use of the stadium and the lands surrounding it for entertainment and retail purposes may result in noise, light and traffic congestion.

10. LAND USE DISTRICTS AND DENSITY

10.1 General Development Pattern of Railway Lands Central

The Railway Lands Central will be developed with a wide range of uses including commercial, residential, institutional, cultural, recreational, parks, open space, retail and an urban stadium and multi-purpose facility. The area south of and fronting onto Front Street West from John Street to the west side of Spadina is an extension of the commercial, institutional and industrial area to the north of Front Street West. The area around the Stadium is a mixed-use area with primarily commercial, retail, hotel, and stadium related uses. Spadina Avenue is a predominantly commercial/residential street to be developed at relatively high densities.

Notwithstanding the foregoing, *Mixed Use Areas* 'A' and 'B' will be regarded as an extension of the *Mixed Use Areas* 'D' and 'G', and residential will be regarded as an appropriate use therein.

It is the objective that the intersection of Spadina Avenue and Bremner Boulevard become a focus for the Railway Lands Central, and that its development provide for the integration of proposed transit lines with high standards of urban design and pedestrian amenity.

10.2 **Mixed-Use Areas 'E', 'F', 'H' and 'I'.**

The areas identified as the *Mixed Use Areas* 'E', 'F', 'H', and 'I' on Map 18-3 of this Secondary Plan will be regarded as an appropriate location for a significant concentration of commercial, institutional, cultural, recreational, open space and retail uses, including office space, hotel and an urban stadium and multi-purpose facility. Other land uses will be located around the stadium component of the multi-purpose facility so that, to the extent possible, this facility functions as, and has the appearance of, an urban building. The public edges of the stadium building and other buildings in these areas should be compatible in form and scale and should reinforce Bremner Boulevard as an important public street.

Notwithstanding the foregoing, residential use will be regarded as an appropriate use in *Mixed Use Area* 'E'.

10.2.1 **Mixed Use Area 'F'**

- a) Mixed-Use Area 'F' will be regarded as an appropriate location for buildings containing a mix of non-residential uses with a strong street-related retail component, and for an urban stadium and multi-purpose facility and accessory uses.
- b) the portion of the non-residential density permitted in Mixed-Use Area 'F' which is constructed around the stadium component as part of the multi-purpose facility is sufficient to ensure that this facility functions as, and has the appearance of, an urban building contains a strong street-related retail component.
- c) The City will ensure that parking spaces and loading and servicing facilities which serve the stadium and multi-purpose facility:
 - i. are located so as to minimize, to the extent possible, traffic congestion;
 - ii. are provided in a form and in locations which are consistent with the stadium's urban character and context; and
 - iii. are located so as to be consistent with the objective that, to the extent possible, access to the stadium is provided by public transit rather than by private automobile;
- d) In particular, by-laws will be passed respecting the provision of parking spaces to serve the stadium and multi-purpose facility which:
 - i. are consistent with Section 10.2.1(c);
 - ii. ensure that parking spaces which serve the stadium are, to the extent possible, located in other developments within the Railway Lands Central and in the portion of the surrounding area which is within ready walking distance of the stadium, so that these parking spaces will serve both the stadium and the land uses contained in the other developments; and
 - iii. restrict the number of parking spaces which are not provided in accordance with Section 10.2.1(d)(ii) to a minimum of essential spaces;
- e) The City will ensure that the pedestrian and vehicular traffic generated by the stadium is accommodated in a manner which is compatible with surrounding non-residential and residential development, in particular the residential uses in the *Mixed Use Areas* 'D', 'E' and 'G' and in the Railway Lands West.
- f) The components of the street system shown on Map 18-2 and described in Sections 8.2.1 through 8.2.6 of this Secondary Plan which are required to provide satisfactory pedestrian, transit and vehicular access to the stadium have been completed by the time the stadium is operational or as soon as possible thereafter.

- g) The pedestrian linkages shown on Map 18-4 of this Secondary Plan which are required to provide satisfactory pedestrian and transit access to the stadium have been completed by the time the stadium is operational or as soon as possible thereafter.
- 10.2.2 In *Mixed Use Area 'I'*, by-laws will be passed to permit:
- a) a Toronto Pumping Station; and
 - b) buildings containing a mix of non-residential uses with a strong street-related retail component.
- 10.2.3 In the *Mixed-Use Area 'H'*, by-laws will be passed to permit buildings containing a mix of non-residential uses with a strong street related, retail component.
- 10.2.4 In the *Mixed Use Area 'E'*, by-laws will be passed to permit buildings that combine non-residential and residential gross floor area and a strong street related retail component.
- 10.3 ***Mixed Use Areas 'D' and 'G'***
- 10.3.1 *Mixed Use Areas 'D' and 'G'* will be regarded as appropriate locations for non-residential and residential development with a strong street related and service use component.
- 10.4 ***Mixed Use Areas 'A', 'B' and 'C'***
- 10.4.1 *Mixed Use Areas 'A', 'B' and 'C'* will be regarded as an appropriate location for a mixture of commercial, institutional and compatible industrial uses, including street-related retail and service uses in order to enliven the pedestrian environment along Front Street West and contribute to a high level of pedestrian amenity. Residential uses in this area may only be permitted by way of amendment to this Secondary Plan, except that in *Mixed Use Areas 'A' and 'B'* residential will also be regarded as an appropriate use and may be permitted without further amendment to this Secondary Plan.
- 10.4.2 Development in *Mixed Use Areas 'A', 'B' and 'C'* will have a density and form which:
- a) helps to define Front Street West as a significant urban street, and an important entrance to the central City;
 - b) accommodates if feasible, in accordance with the provisions of Section 10.6, the development of publicly accessible open space across the Rail Corridor so that the development to the north will be linked to the open space areas in the Railway Lands Central and that new development in the Railway Lands Central will be visually and physically accessible from the north; and
 - c) accommodates if feasible, in accordance with the provision of Section 10.6, development to bridge the Rail Corridor between Spadina Avenue Bridge and Blue Jays Way Bridge at a scale and form that ensures that Spadina Avenue and Blue Jays Way have continuous and consistent street frontages.
- 10.4.3 No consent to convey or part lot control exemption will be granted for the *Mixed Use Area 'A'*, until any of the following has been satisfied:
- a) Bremner Boulevard is constructed from Spadina Avenue to Bathurst Street and improvements to the Spadina Avenue and Front Street West intersection are completed; or
 - b) agreements, satisfactory to the City of Toronto, have been finalized to secure both the construction of Bremner Boulevard between Spadina Avenue and Bathurst Street, and improvements to the Spadina Avenue and Front Street West intersection once building permits totalling 234 000 square metres of non-residential gross floor area for the Railway Lands Central and *Mixed Use Areas 'A' and 'B'* in the Railway Lands West have been issued; or

- c) a review, satisfactory to the City of Toronto, concludes that development can proceed without these improvements.

10.5 Rail Corridor

In accordance with Section 2.2, 8.4 and 8.5 of this Secondary Plan, the Rail Corridor and Union Station continue to be an appropriate and important location for inter-city passenger rail services, regional commuter rail services and freight rail services. It is recognized that these services are compatible with development so long as development proceeds in accordance with the policies and provisions of this Secondary Plan. By-laws may be passed permitting only transportation and related ancillary uses in *Utility Corridor 'A'* portion of the Rail Corridor.

- 10.5.1 By-laws may be passed to permit development, as determined in Section 10.6, involving decking over the Rail Corridor provided that appropriate technical studies have been undertaken confirming that the objectives of Section 2.2, 8.4 and 8.5 of this Secondary Plan are ensured and that:

- a) existing and future capacity and safety of train operations in the Rail Corridor will not be impaired;
- b) flexibility for future expansion to rail operations and modifications and improvements to the track and signal system will not be reduced;
- c) all environmental, safety and mitigation concerns associated with such development, including, among other things, noise, vibration, air quality, parking, snow and ice accumulation, servicing, pedestrian access and vehicle access, and the capacity of the transportation system serving such development have been satisfactorily addressed by the applicant and any related requirements have been secured, where appropriate, in legal agreements; and
- d) the primary objective for the Rail Corridor and Union Station, which is the effective, safe and efficient provisions of rail transportation services, will not, in any way, be compromised.

- 10.5.2 Any residential development or any day care facility south of the Rail Corridor and north of Bremner Boulevard, within the *Mixed Use Area 'D'* or any day care facility within *Mixed Use Area 'E'*, which may be developed prior to any by-laws being passed pursuant to Section 10.5.1, will provide an adequate setback and mitigation measures to address the effect of rail operations upon adjacent residential development or any day care facility. The implementing zoning by-law for residential development or any day care facility in these areas will require a minimum 30 metre buffer setback area to be measured from the south limit of the Rail Corridor to include the vertical difference between the top of the southernmost rail in the Rail Corridor and the final elevation of any adjacent embankment, parking structure wall or retaining wall, but exclude the height of any free-standing wall. Permitted uses within the 30 metre buffer setback prior to any amendment pursuant to Section 10.6 of this Secondary Plan are intended to be limited to linear park use, roadways, pedestrian and bicycle ways or below grade parking structures. Proposals to reduce the setback when development occurs may be considered after the submission of appropriate studies by the applicant to CN Rail, Toronto Terminal Railways, GO Transit, VIA Rail and the City, which studies must demonstrate the proposed reduction may be made without lessening the effectiveness of proposed mitigation.

- 10.5.3 To assist in reviewing and determining the matters identified in Section 9.1 of this Secondary Plan related to any residential development or any day care facility south of the Rail Corridor and north of Bremner Boulevard, within *Mixed Use Area 'D'* or any day care facility within the *Mixed Use Area 'E'*, which may be developed prior to any by-laws being passed pursuant to Section 10.5.1, in considering any zoning amendment application or any site plan application

review, the City and applicant will undertake consultation with and will give consideration to the comments of the Rail Corridor land owners (Toronto Terminals Railway Company and CN Rail or their successors) and Rail Corridor transportation operators, including GO Transit and VIA Rail.

- 10.5.4 To assist in reviewing and determining the matters identified in Section 9.1 of this Secondary Plan related to any development north of the Rail Corridor within *Mixed Use Area 'A'* and 'B' which may be developed prior to any by-laws being passed pursuant to Section 10.5.1, in considering any consent application, any application to remove the Holding (H) provision described in Section 11.8, or any application under Section 41 of the *Planning Act*, the City and the applicant will undertake consultation with, and will have regard for, the comments of the Rail Corridor land owners (Toronto Terminals Railway Company and CN Railway Company or their successors) and the Rail Corridor transportation operators, including GO Transit and VIA Rail or their successors and assigns.
- 10.5.5 Any day care facilities north of the Rail Corridor, within the *Mixed Use Area 'A'* or 'B', which may be developed prior to any by-laws being passed pursuant to Section 10.5.1, will provide an adequate setback and mitigation measures to address the effect of rail operations upon any residential development or day care facility. The implementing zoning by-law for any residential development or day care facility in these areas will require a minimum 30 metre buffer setback area to be measured from the north limit of the Rail Corridor to include the vertical difference between the top of the northernmost rail in the Rail Corridor and the final elevation of any adjacent embankment, parking structure wall or retaining wall, but exclude the height of any free-standing wall. Proposals to reduce the setback for any residential development or day care facility may be considered after the submission of appropriate studies by the applicant to CN Rail, Toronto Terminal Railway, GO Transit, VIA Rail and the City which studies must demonstrate that the proposed reduction may be made without lessening the effectiveness of proposed mitigation.

10.6 **Future Development Area/Utility Corridor 'A'**

Comprehensive decking of the Rail Corridor between Spadina Avenue and Blue Jays Way in the Railway Lands Central is encouraged. It is recognized that the decking of the Rail Corridor may be phased and applications may be considered to deck over a portion of the Rail Corridor provided that the comprehensive decking of the Rail Corridor is not compromised.

To assist in achieving Council's objectives with respect to the comprehensive decking of the Rail Corridor, the area comprised of the Rail Corridor between Spadina Avenue and Blue Jays Way is identified on Map 18-3 as *Utility Corridor A*. The purpose of this designation is to provide for a comprehensive study or studies to evaluate various land use and decking considerations to be included with further applications to amend this Plan.

- 10.6.1 *Utility Corridor 'A'* is identified as an area for future development for primarily non-residential purposes.
- 10.6.2 Any application to amend this Secondary Plan to permit development in *Utility Corridor 'A'* will, in addition to the matters set out in Section 10.5.1:
- a) subject to Section 10.6.1, consider a range of uses, including commercial, institutional, compatible industrial uses, parks and open spaces;
 - b) ensure that the scale and form of development is compatible with adjacent developments;
 - c) provide pedestrian and visual connections between Front Street and the *Mixed Use Areas* south of the Rail Corridor;
 - d) provide for an environmental quality which meets the objectives of this Secondary Plan by addressing the environmental provisions of Section 9 of this Secondary Plan;

- e) have regard for maintaining the existing and future capacity and safety of rail operations;
- f) provide for a minimum of 0.74 acres of public park in *Utility Corridor 'A'*, if the Northern Linear Park is required to permit decking;
- g) provide for local street-related uses;
- h) ensure that community services and facilities are provided as development occurs in accordance with Section 5 of this Secondary Plan;
- i) be implemented according to the implementation policies set out in Section 11; and
- j) reassess the 30 metre setback, identified in Section 10.5(2) of this Secondary Plan, in order to determine its continued appropriateness or incorporation into any development.

10.6.3 By-laws may be passed in the *Utility Corridor 'A'*, prior to the completion of the comprehensive study referred to in Section 10.6 of this Secondary Plan to permit only transportation and related ancillary uses.

10.7 **General**

10.7.1 Notwithstanding Sections 10.2, 10.3 and 10.4, in *Mixed Use Areas 'B', 'D' or 'G'*, by-laws may be passed to permit buildings containing a greater non-residential gross floor area than would otherwise be permitted on the lot, in exchange for the provision, on the lot, of a daycare facility, provided that the space to be occupied by the non-profit daycare centre:

- a) can accommodate at least 72 children in accordance with Ministry of Community, Family and Children's Services standards;
- b) meets all Ministry of Community, Family and Children's Services, licensing or other applicable standards and is acceptable to the City;
- c) provides adequate, safe outdoor play space with satisfactory microclimatic and environmental conditions;
- d) is fully finished, furnished and equipped; and
- e) is offered for rent to a non-profit provider approved by the City at a nominal rent, and free of all occupancy costs; and
- f) the matters set out in Section 10.7.1(a) – (e) are secured by appropriate legal agreements; and

10.7.2 The amount of additional gross floor area to be permitted in exchange for the daycare facility may be equal to but not exceed a maximum 4 times the indoor area provided for the daycare facility inclusive of the area of that facility, provided that the total area of the daycare together with the bonus space will not exceed 2,944 square metres.

10.7.3 *Mixed Use Area 'G'* presently accommodates the interim charter bus parking facility to serve the urban stadium and multi purpose facility. A consolidated permanent bus parking facility will be provided near the SkyDome, either in its present location in *Mixed Use Area 'G'* or in, with appropriate measures to permit safe pedestrian crossing of Bremner Boulevard between the bus parking facility and Skydome, *Mixed Use Area 'H'* or in a consolidated, suitable location elsewhere in the Railway Lands.

10.8 **CN Tower Ancillary Commercial Development and Aquarium**

10.8.1 Notwithstanding the designation shown on Map 18-3, By-laws may be passed to permit the CN Tower Ancillary Commercial Development and Aquarium on the CN Tower Site provided that:

- a) not less than 1.09 hectares of publicly accessible open space is provided and maintained on the CN Tower Site, which will:

- i. provide pedestrian connections between Front Street, the John Street Pedestrian Bridge, the John Street Corridor, the Skywalk, the Convention Centre Expansion, and
 - ii. Bremner Boulevard, the John Street Roundhouse and the surrounding parkland area be fully accessible to the public;
 - iii. be landscaped;
 - iv. be attractive, inviting, comfortable and safe;
 - v. provide comfortable dimensions to allow ease of pedestrian movement;
 - vi. provide public amenities such as seating, maps, waste receptacles, and lighting;
 - vii. provide sightlines to adjacent streets, sidewalks, buildings and open spaces;
 - viii. create visual interest through design and use of materials, colours and finishes;
 - ix. provide opportunities for public art; and
 - x. be generally bordered by the CN Tower Ancillary Commercial Development's street-related retail and service uses and Aquarium uses which are directly accessible from the publicly accessible open space;
- b) public art is provided for the CN Tower Ancillary Commercial Development and Aquarium in accordance with Sections 3.3(f) and 7.5 of this Secondary Plan, including the integration of the existing public art piece entitled "Salmon Run and Upstream" into the CN Tower Ancillary Commercial Development;
 - c) regard is had for the relationship of the CN Tower Ancillary Commercial Development and Aquarium to the Convention Centre Expansion and to the SkyDome by providing appropriate connections between and to these facilities and by providing appropriate setbacks, building mass, design and scale;
 - d) the massing, height and design of the CN Tower Ancillary Commercial Development and Aquarium are acceptable, having regard for, amongst other things, the microclimatic impacts of wind, sun and shade;
 - e) the CN Tower Ancillary Commercial Development and Aquarium provide weather protected pedestrian connections;
 - f) the location and design of servicing areas and heating and ventilation equipment do not detract from the streetscape and amenities of the area;
 - g) there is adequate separation of cars and trucks from areas of pedestrian activity;
 - h) the design of the CN Tower Ancillary Commercial Development and Aquarium and their relationship to the pedestrian environment along and south of Bremner Boulevard enhances and supports the character of the pedestrian environment and the perception of the area as part of an open space system which is visually and physically accessible from the Bremner Boulevard right-of-way;
 - i) an effective charter bus strategy is secured that will ensure the proper functioning of Bremner Boulevard in keeping with the objectives of Section 8.2.3 of this Secondary Plan;
 - j) the CN Tower Ancillary Commercial Development and Aquarium parking facilities and the pedestrian linkages with local and regional transit systems are provided in a manner which is consistent with Council's auto minimization strategies;
 - k) appropriate legal agreements between the City and the owner of the CN Tower Ancillary Commercial Development and Aquarium are secured to ensure provision of:
 - i. pedestrian connections between the Skywalk and Bremner Boulevard, and the John Street Corridor and Bremner Boulevard, to serve the CN Tower Ancillary Commercial Development and Aquarium and adjacent developments in the Railway Lands Central and Railway Lands East;

- ii. improvements to the publicly accessible open space;
- iii. transportation management measures;
- iv. a financial contribution toward the provision of Community Services and Facilities as provided for in Section 11.1(b) of this Secondary Plan;
- v. satisfactory environmental conditions on and around the CN Tower Site as provided for in Section 11.1(c) of this Secondary Plan;
- vi. archaeological preservation measures as provided for in Section 11.1(d) of this Secondary Plan;
- vii. adequate public utilities and services to support the CN Tower Ancillary Commercial Development and Aquarium;
- viii. consideration of district heating and cooling systems to serve the CN Tower Ancillary Commercial Development and Aquarium;
- ix. site planning matters associated with CN Tower Ancillary Commercial Development and Aquarium;
- x. opportunities to achieve additional enclosed or weather-protected pedestrian connections on the northern edge of the site;
- xi. a bus parking strategy;
- xii. public art as provided for in Sections 3.3(f) and 7.5 of this Secondary Plan; and
- xiii. the City's objectives with respect to an operating heritage railway museum.

10.8.2 For the purposes of this Section 10.8:

"Aquarium" means a commercial facility in which aquatic or semi-aquatic animals and plants are kept for public display, including accessory uses thereto including, without limiting the generality of the foregoing, the keeping and public display of non-aquatic animals and plants, food and beverage facilities, conference and meeting rooms, administrative offices and service functions, changeable display areas, educational uses, research, retail areas, complementary entertainment attractions, kiosks, interpretive areas and displays;

"CN Tower Ancillary Commercial Development" means an additional building or structure on the CN Tower Site used for the purposes of any of the following uses not accessory to the communications tower on the CN Tower Site: recreational uses, entertainment uses, administrative offices, retail and service uses, place of amusement, place of assembly, and parking garage;

"CN Tower Site" means the lands shown on Map 18-5 and identified as the CN Tower Site;

"Convention Centre Expansion" means the southern expansion to the Convention Centre referenced in Section 10.2 of the Railway Lands East Secondary Plan;

"publicly accessible open space" means open space which is open and accessible to the public at all times, secured through appropriate legal agreements and may include pedestrian walkways, landscaped plazas, forecourts, terraces, limited patio space and cafe seating associated with street-related retail and service uses, stairs, driveways and other uses required to service the site and adjacent properties.

11. IMPLEMENTATION

- 11.1 This Secondary Plan is to be implemented by the separate or combined actions of both public and private interests in the Railway Lands Central area. This Secondary Plan is to be variously implemented through:
- a) part lot control, the granting of consents, detailed zoning by-laws, Section 36 Holding (H) provision by-laws pursuant to Section 11.8 of this Secondary Plan, Section 37 bonusing by-laws pursuant to Section 7.3 of this Secondary Plan, and site plan control with part lot control exemptions to be enacted at the time of enacting implementing zoning by-laws;
 - b) legal agreement(s) to secure the Community Services and Facilities in accordance with the arrangements identified in Section 5 of this Secondary Plan;
 - c) securing the Environmental policies identified in Section 9 of this Secondary Plan through an Environmental Agreement which is sufficient to secure the safeguards and measures set out in the Environmental Report;
 - d) legal agreement(s) to secure policies respecting archaeological resources, including the phasing of investigations in accordance with the adopted archaeological strategy;
 - e) legal agreement(s) to secure conveyance of the housing lands identified in Section 4.3 of this Secondary Plan; and
 - f) legal agreement(s) to secure conveyance of the parks identified in Section 6.1 of this Secondary Plan.
- 11.2 Prior to any landowner applying for approval under Section 41 of the *Planning Act*, those matters referred to in Section 11.1(b)-(f) of this Secondary Plan will have been secured.
- 11.3 Urban Design Guidelines will have been adopted for the Railway Lands Central. The purpose of the Urban Design Guidelines is to:
- a) illustrate and describe urban design concepts and to provide a context for coordinated incremental development; and
 - b) to assist in evaluating development applications for review under Section 41 of the *Planning Act*.
- 11.3.1 The Urban Design Guidelines include such matters as:
- a) a description of the build-to lines, setbacks, weather protection and massing provisions of the detailed zoning by-law;
 - b) the location, role and character of exterior publicly accessible private open spaces;
 - c) the general location of access to parking facilities and service access areas;
 - d) the general locations of principal pedestrian entrances to buildings;
 - e) the general location of pedestrian routes; and
 - f) the manner in which streetscapes are to be generally treated.
- 11.4 Nothing in this Secondary Plan can be interpreted to conflict with or limit the application of The *Environmental Assessment Act*.
- 11.5 Nothing in this Secondary Plan can be interpreted to conflict with or limit the provisions of The *Education Act*.
- 11.6 With the provision of those matters identified in Section 11.1(b), (f) and (g), it is acknowledged that the lands or other arrangements identified and secured by the City thereunder, and through

the provisions of the Precinct "A" Precinct Agreement, as amended, constitute all required conveyances and/or contributions for the community services and facilities, housing and parks required in fulfilment of Sections 4.3, 5.2, 5.4, and 6.1 of this Secondary Plan.

- 11.7 Development of the lands identified as 'Special Policy Area' on Map 18-6 will be implemented by the separate or combined actions of both public and private interests and through various actions including:
- a) a detailed zoning by-law amendment which will include such matters as:
 - i. setback and/or build-to lines including minimum requirements for building walls which are sufficient to establish the continuity and scale of building frontages;
 - ii. the definition of the areas within each block where buildings are to be permitted;
 - iii. height limits; and
 - iv. the location of any colonnades, canopies and other weather-protected routes and their relationship to the pedestrian system;
 - b) a set of Urban Design Guidelines covering the lands identified on Map 18-6 as 'special policy' area, which will be adopted by Council but which will not form part of this Secondary Plan. The purpose of the Guidelines will be to illustrate and describe urban design concepts and to provide a context for coordinated incremental development in keeping with the objectives and policies of this Secondary Plan and to assist in evaluating site plan applications under Section 41 of the *Planning Act*. The Urban Design Guidelines will address such matters as:
 - i. street sections and streetscape plans for all streets;
 - ii. location, scale and general character of public parks, publicly accessible open space and private courtyards;
 - iii. built form for typical building conditions, important street edges and corners, and tower placement;
 - iv. location and general character of public street-related uses and weather protection;
 - v. the general location of pedestrian routes and principal pedestrian entrances to buildings; and
 - vi. location, access to and the screening of parking and loading facilities;
 - c) a Development Context Plan for the entire block on which the development is located including its relationship to adjacent streets, open space and development sites, as part of, or prior to, the first site plan application for the block. The purpose of the Development Context Plan will be:
 - i. to provide a context for coordinated incremental development by showing the proposed development in relation to relevant adjacent conditions in the area surrounding the site;
 - ii. to assist Council in evaluating the conformity of the proposed development with the relevant provisions of this Plan and the adopted Urban Design Guidelines; and
 - iii. to assist in evaluating site plan applications for review under Section 41 of the *Planning Act*;and the Development Context Plan will contain the following
 - iv. the proposed massing of buildings on each block, including heights, setbacks above the street wall or podium level, and distribution of density on the block, illustrating how the proposed development addresses the goals and framework set out in Sections 2 and 3 of this Secondary Plan,
 - v. the location, dimensions and character of any interior and exterior publicly accessible private open spaces showing their continuity and complementary relationship to adjacent public spaces and streets and their pedestrian amenity including weather protection,
 - vi. the location of any colonnades, canopies and other weather-protected routes and their relationship to the public pedestrian system;

- vii. the general location of parking facilities and vehicular access points which are of sufficient detail to assess the effect of these facilities on the public sidewalks and on adjacent signalized intersections;
 - viii. the general locations of principal pedestrian entrances and their relationship to street frontages to ensure that such entrances reinforce the role of the street;
 - ix. the general location of public pedestrian routes including the primary system of public streets and alternative secondary routes and their relationship; and
 - x. the location of public street-related uses;
- d) Each landowner will be required to prepare and submit for approval by the Toronto Public Art Commission and City Council a Public Art Plan, prior to or in conjunction with its first site plan application, for its landholding. The Public Art Plan will provide the following:
- i. a general description of the guidelines for the Public Art Plan;
 - ii. identification of public art priorities and potential site opportunities;
 - iii. a description of proposed competition methods for the selection of artists and art projects;
 - iv. a preliminary estimate of the projected overall budget, based on currently estimated construction costs, including how and when the funding will be dispersed; and
 - v. a description of the administration process required to implement the Public Art Plan.

11.8 In *Mixed Use Areas 'A' and 'B'*, a by-law may be enacted which utilizes the Holding (H) provisions of Section 36 of the *Planning Act* to restrict residential uses until the satisfactory completion of certain conditions set out below.

- a) An application to amend the Zoning By-law to remove the Holding (H) Symbol from *Mixed Use Areas 'A' and 'B'* or a part thereof will include a supplemental Environmental Report which assesses the potential environmental effects arising from proximity of development on these blocks to the Rail Corridor and the Bathurst North Yard, including the access tracks thereto, having particular regard for any proposed residential uses.

This assessment will be based on the details of the proposed built form on the blocks, or parts thereof, for which approval is sought and will include:

- i. a detailed prediction of noise, vibration, and air quality effects including odour within proposed buildings and in surrounding outdoor areas at current levels of Rail Corridor traffic and Bathurst North Yard and access track activities, and a similar prediction based on the potential future levels of Rail Corridor traffic and Bathurst North Yard and access track activities;
- ii. a detailed prediction of changes in snow drifting patterns and icing of rails and switches in adjacent sections of the Rail Corridor and Bathurst North Yard and access tracks that would be caused by the development proposal and their potential effects on rail service, operations or activities;
- iii. detailed proposed measures to reduce the environmental effects specifically relating to the matters identified in Section 11.8(a)(i), (ii) and (v), to meet appropriate and/or accepted standards and to minimize nuisance impacts;
- iv. consultation with VIA Rail and GO Transit in generating estimates of existing and future rail traffic in the Rail Corridor based on the capacity of the Rail Corridor and of operations in the Bathurst North Yard and such input will be considered in preparing the assessment described in subsection (a); and
- v. analyses of the following specific matters, in respect of any residential development in *Mixed Use Areas 'A' and 'B'*:
 - the suitability of exterior open balconies; and
 - the suitability of outdoor residential amenity space on any exterior podium.

In assessing “suitability”, the analyses will consider relevant standards and guidelines for noise, vibration and air quality and will examine the potential for nuisance impacts and recommend appropriate mitigative measures.

The assessment will also consider the sequence and phasing of construction in *Mixed Use Areas* ‘A’ and ‘B’ to ensure that interim development as well as final development will achieve acceptable environmental conditions;

- b) An application to remove the Holding (H) symbol will, upon its receipt, be circulated for review and comment in conjunction with the circulation of an application for site plan approval under Section 41 of the *Planning Act*. The City will consult with and have regard for the comments of GO Transit and CN Railway Company at the time of application under Section 41 of the *Planning Act*, respecting the studies described in this Section;
- c) A by-law will be enacted to remove the Holding (H) symbol from all or part of *Mixed Use Areas* ‘A’ and ‘B’ provided:
 - i. the supplemental Environmental Report required pursuant to Section 11.8 (a) confirms the feasibility of the proposed residential development on the lands, including methods of mitigation;
 - ii. appropriate methods of mitigation have been secured; and
 - iii. site plan approval has been granted for such lands.

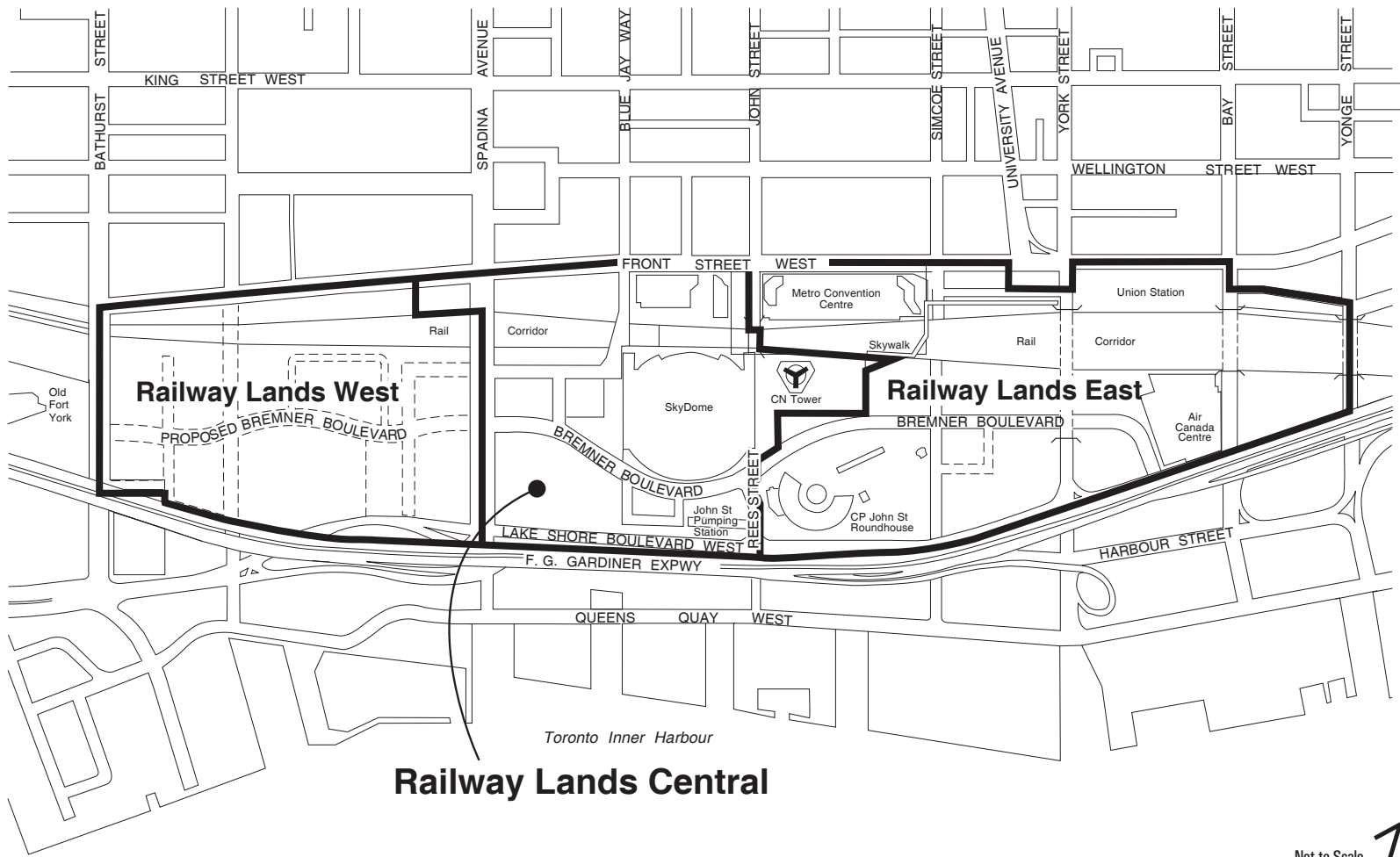
12. DEFINITIONS

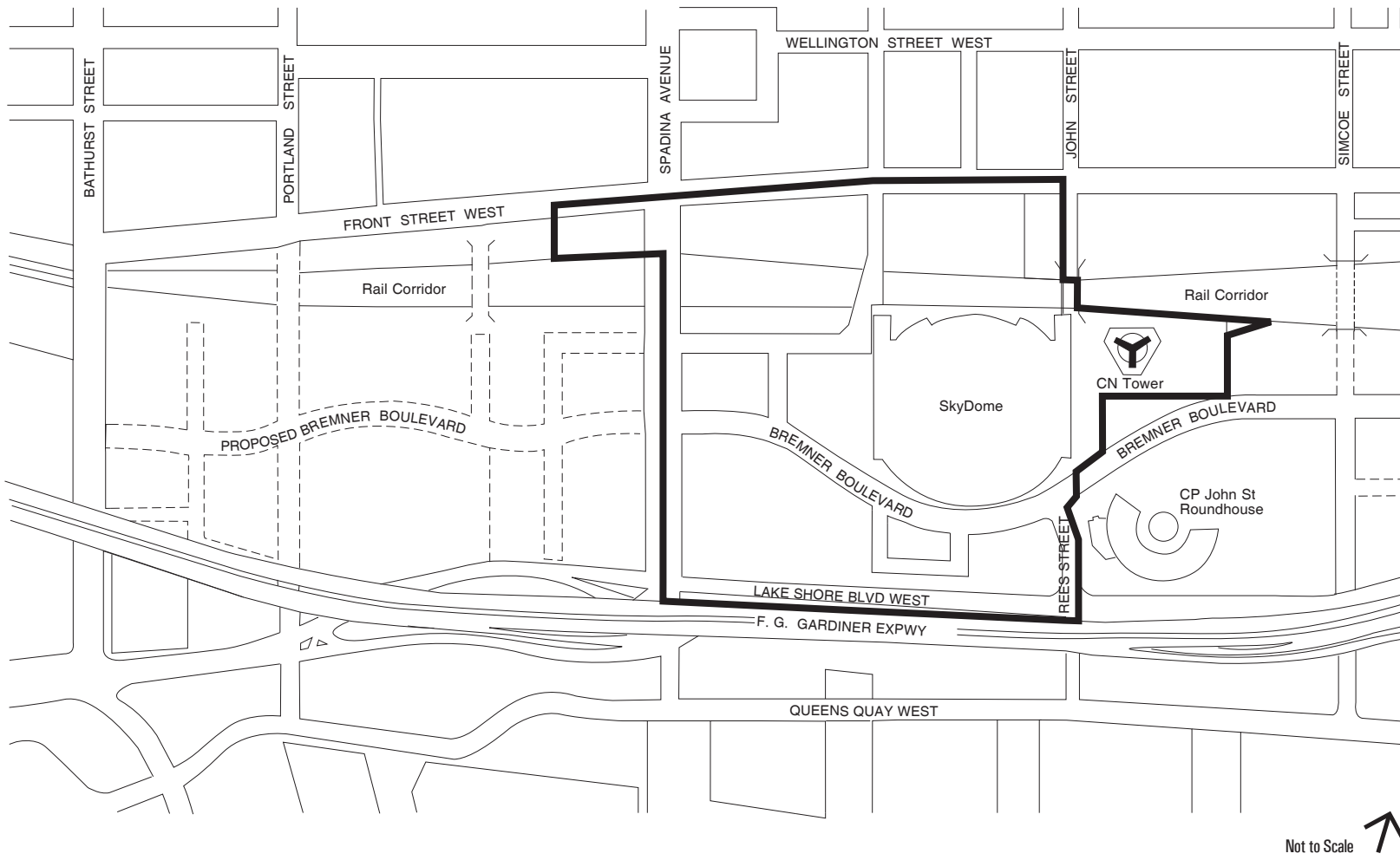
- 12.1 Environmental Report in Section 9.1.
- 12.2 Environmental Agreement in Section 9.2.
- 12.3 Public Art means artworks which enhance publicly accessible spaces (either private or City-owned) through artistic interpretations that range from independent sculpture to integrated architectural treatment and landscape design pursuant to Sections 3.3(f) and 7.3 of this Secondary Plan.

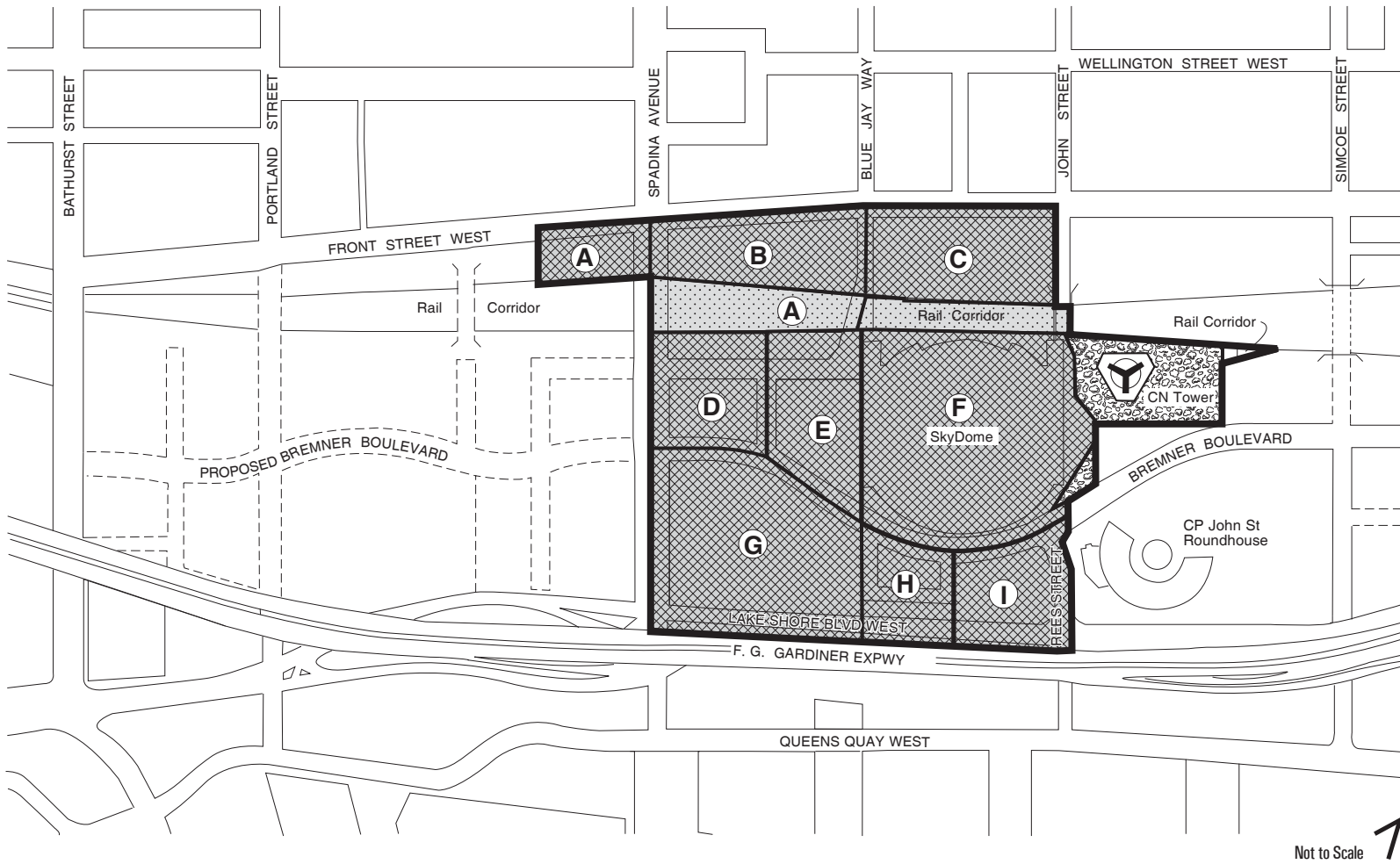
List of Maps





For the electronic version, please note some of these files may take some time to download.

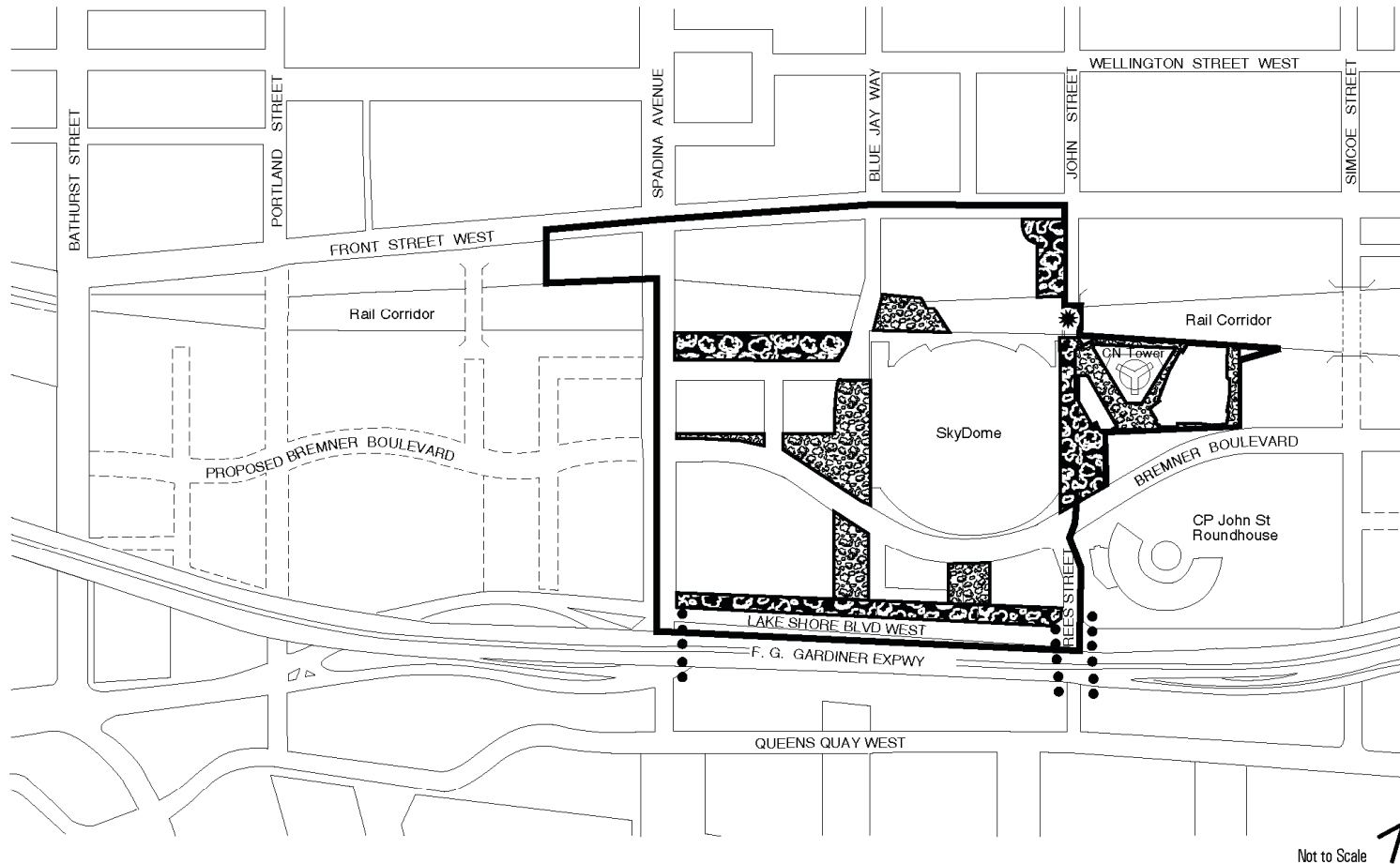
- Map 18-1 Context Map
- Map 18-2 Streets and Blocks Plan
- Map 18-3 Land Use Plan
- Map 18-4 Parks and Open Space Plan
- Map 18-5 CN Tower Site
- Map 18-6 Urban Structure Plan





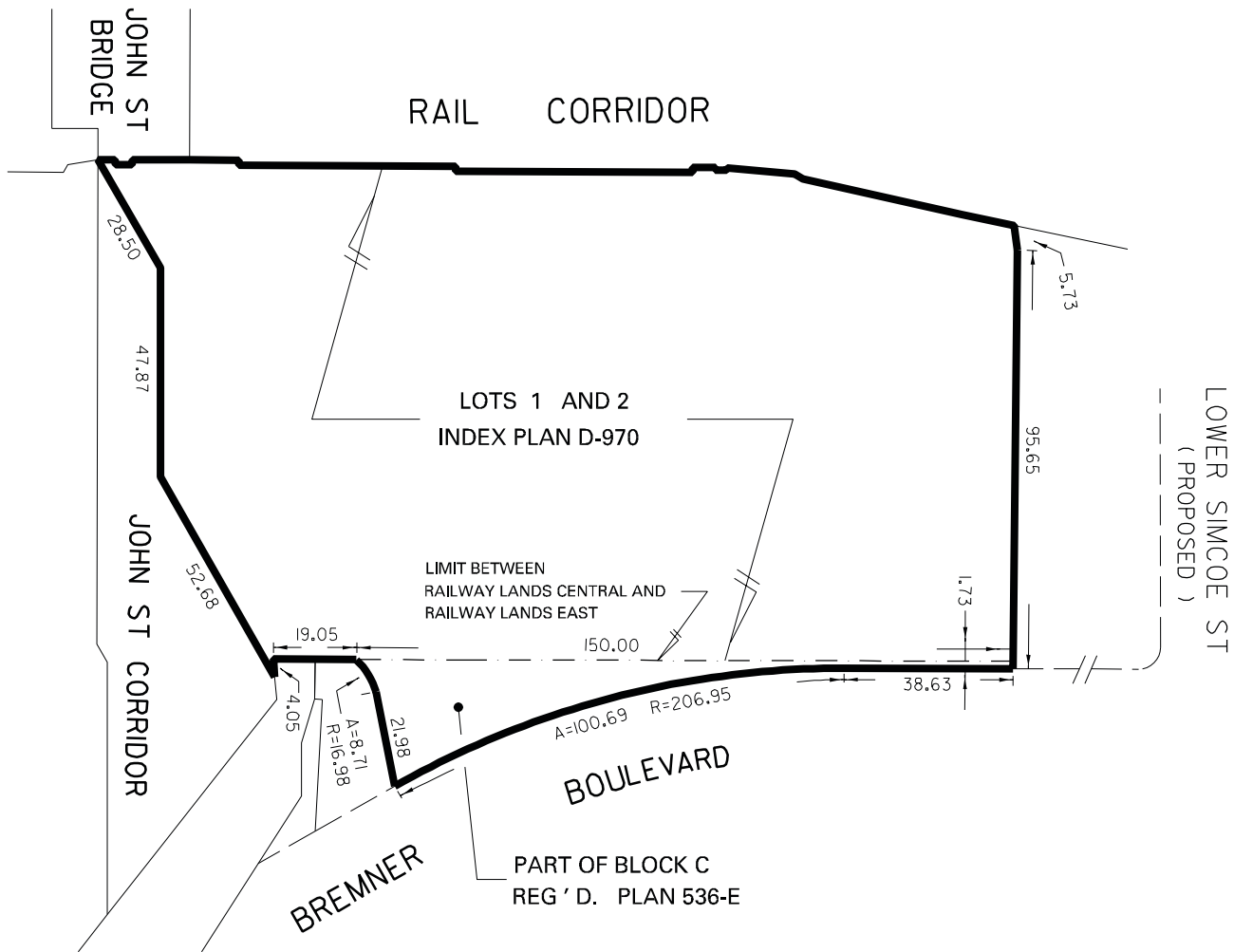


-  Secondary Plan Boundary
-  Mixed Use Areas
-  Utility Corridors
-  Parks and Open Space Areas



Not to Scale

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



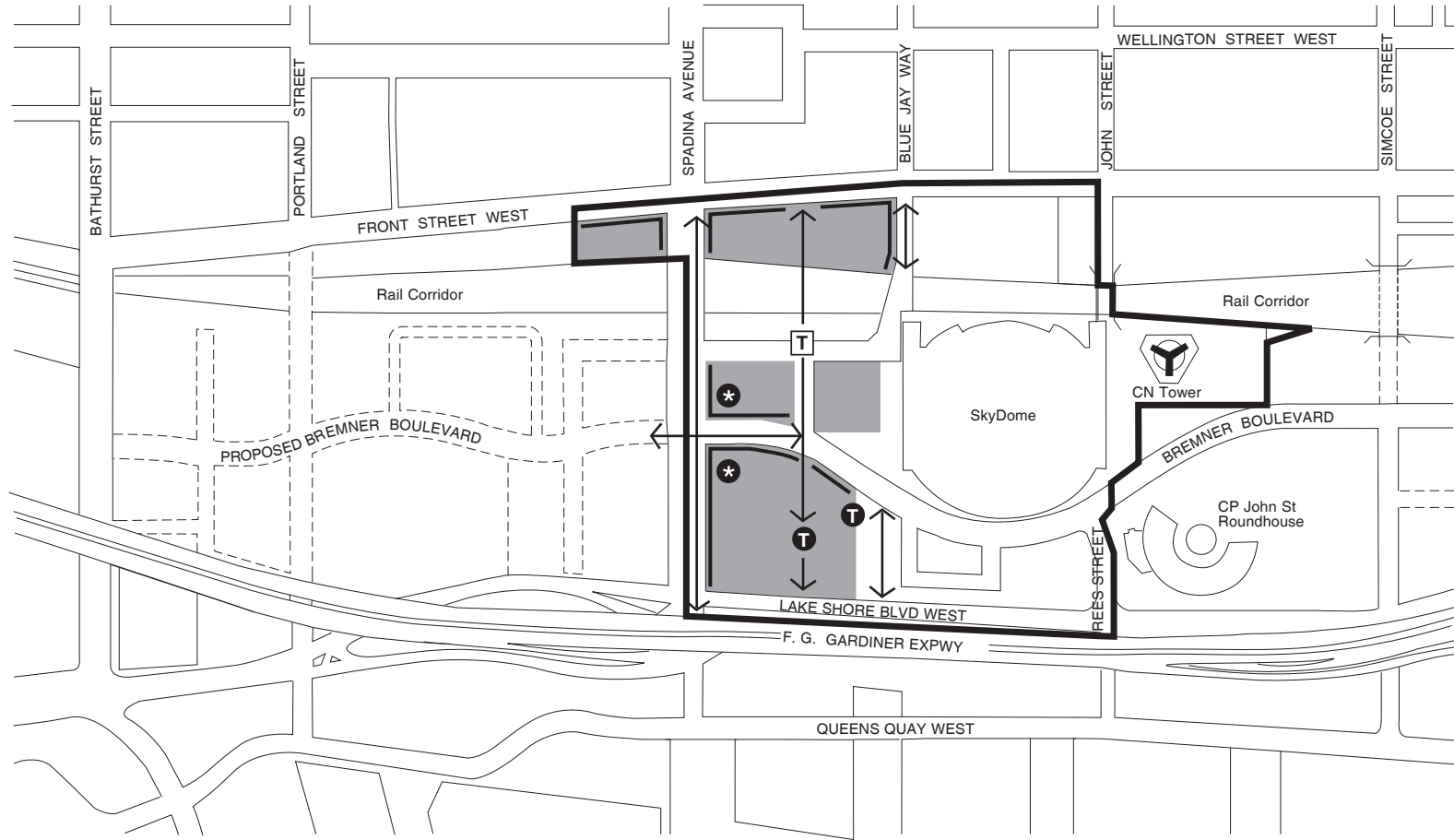
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

Railway Lands Central Secondary Plan

MAP 18-5 CN Tower Site

 CN Tower Site



Not to Scale 

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