

RAILWAY LANDS EAST SECONDARY PLAN

17. RAILWAY LANDS EAST SECONDARY PLAN

1. INTERPRETATION

- 1.1 The lands affected by the Railway Lands East Secondary Plan are shown on Map 17-1.
- 1.2 The boundaries of the Railway Lands East and the lands designated *Mixed Use Areas*, *Utility Corridors* and *Parks and Open Space Areas* are as shown on Map 17-2 and are approximate. Where the general intent of this Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan.

2. MAJOR OBJECTIVES FOR THE RAILWAY LANDS EAST

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

- 2.1 The Railway Lands East are to 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 Waterfront. New development in the Railway Lands East 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 East 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 and open space needs, while ensuring effective and efficient transportation services, including inter-city rail and commuter rail services, and other transit services and satisfactory environmental conditions.
- 2.3 New development in the Railway Lands East will be structured by a grid-like public street system which divides the Railway Lands East into blocks comparable in area and dimension to blocks elsewhere in the City; which allows for street-oriented development throughout the Railway Lands; which establishes new and existing north-south streets as major connections between the central City and the Central Waterfront; and which establishes a new street, Bremner Boulevard, as a major and continuous east-west link for pedestrians, bicycles, private vehicles and public transit.
- 2.4 Private development in the Railway Lands East 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 East will be promoted in order to ensure that the development proceeds incrementally in phases, which function satisfactorily within the municipal services and transportation systems, which are environmentally sound and which 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 East development.

- 3.1 Development in the Railway Lands East will be structured by:
- a) a grid-like pattern of public streets, as shown on Map 17-4, which includes:
 - i. north-south streets extended from the grid of the city, providing views and access between the Downtown and the waterfront; and
 - 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;
 - 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 will also contribute to the creation of visual and physical connections between the City and the Central Waterfront;
 - c) secondary streets and midblock open spaces which, wherever possible, provide visual and physical connections between the 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 East, the City will ensure that buildings:
- a) clearly define and give form to the edges of streets, parks and open spaces;
 - 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 17-4 and the open space system shown on Map 17-3;
 - 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 public nature 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) are designed such that their massing and roof profile contribute harmoniously to the city skyline, including stepping down from Downtown to the lake.
- 3.3 In accordance with its policy of achieving an attractive, inviting, comfortable and safe public realm in the Railway Lands East, 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 17-4, 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 public uses which are directly accessible from grade level;
 - 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 co-ordinated improvements including paving, tree planting, pedestrian scale lighting and street furnishings in a manner which will enhance their special character;
 - e) a continuous, co-ordinated 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 and safety of particular sites and the Built Environment section of this Plan;
 - g) buildings, parks and publicly accessible open spaces are designed to permit convenient access for people with physical disabilities; and
 - h) buildings, streets, sidewalks, street lighting, parks and other publicly accessible open spaces in the Railway Lands East 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.
- 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 provided below grade.
- 3.7 Notwithstanding Section 3.6 of this Plan, above-grade parking will be permitted on lands municipally known in the year 2006 as 7 Station Street and on the privately owned lands known as Station Street.

4. HOUSING GOALS

- 4.1 Housing will be developed in the Railway Lands East both in order to assist in the City's housing goals and in order to ensure that this area has a mixed-use character. Housing in the Railway Lands East will be available to a wide range of households, ages and incomes with a variety of residential unit sizes.
- 4.2 Housing development will be encouraged by a variety of producer groups and agencies. The City will pursue an active role in promoting the planning and development of rental housing suitable for low-to-moderate income households.
- 4.3 Housing objectives will be secured through the provision in the Railway Lands East of the minimum amount of affordable housing required by this Plan.
- 4.4 In the event that the lands referred to in Section 4.3 are not developed for social housing purposes as contemplated by Section 4.3, Council's housing objectives will be secured through the provision in the Railway Lands East of the minimum amount of affordable housing required by the Provincial Housing Policy Statement from time to time, which currently is 25 per cent of the total dwelling units.

For the purposes of this Section, "affordable housing" will have the meaning attributed thereto in the *Provincial Housing Policy Statement*, as amended from time to time, and may take the form of low-end-of-market housing. Low-end-of-market housing means small private market

housing units, suitable for households of various sizes and composition, the price of which would not be monitored or controlled, but which, by virtue of their modest size relative to other market housing units, would be expected to be priced within the means of households whose incomes fall within the lowest 60 per cent of all household incomes in the Toronto Census Metropolitan Area.

5. SCHOOLS AND COMMUNITY SERVICES AND FACILITIES

- 5.1 The timely provision of a full range of appropriate community services and facilities necessary to serve the resident and working population within the Railway Lands East will be ensured and recognizing that certain facilities may be located outside the boundaries of the Railway Lands East area, such as but not limited to elementary and secondary schools, if required in the Railway Lands East; non-profit day care and work place daycare; health services; library; social welfare; fire and police services and facilities; places of religious worship; and community meeting facilities.

The submission for each precinct, pursuant to Sections 11.7 and 11.10 of this Secondary Plan, of a Community Services and Facilities Strategy which will identify service needs and determine service priorities for the precinct is required. This strategy will include:

- a) a profile of the anticipated residents and workers;
 - b) an outline of the required community services and facilities, including size and programming potential;
 - c) securing locations for the community services and facilities including as required any school or schools and any community centre; and
 - d) an implementation plan, including the securing of the resources that will be used to facilitate the provision of the required community services and facilities and outline of the anticipated timing and phasing of the new facilities in relation to the overall development of the precinct and surrounding area, in order to ensure that the necessary community services and facilities will be provided in a timely manner.
- 5.2 The provision of those community services and facilities identified through the process set out in Section 5.1 will be secured through appropriate agreements. Such community services and facilities will include, at a minimum, the following:
- a) appropriate contributions toward elementary school facilities in respect of which such agreements will be entered into with the Toronto District School Board and the Toronto Catholic District School Board;
 - b) community service space which may accommodate a library and satellite community facility; and
 - c) 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 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 City will consult with the Provincial Ministry of Education, the Toronto District School Board and the Toronto Catholic District School Board in order to ensure that schools for elementary and secondary school students within the Railway Lands East 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. In co-operation with the Toronto District School Board and the Toronto Catholic District School Board, the City will secure implementation arrangements pursuant to Section 11.9.1 of this Secondary Plan.

- 5.5 Safe and convenient pedestrian connections, suitable for use by school age children, will be established between the Railway Lands East and adjacent areas in the Railway Lands, 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 17-4.
- 5.6 In considering any application to amend the Railway Lands East Zoning By-law, respecting permitted land uses, the compatibility of the proposed land use with any existing school or schools will be taken into account.
- 5.7 The provision of appropriate opportunities for the establishment of places of religious worship within the Railway Lands East, and the offering of such opportunities to the religious community on the same basis as schools and community services and facilities is encouraged.

6. PARKS AND OPEN SPACES

- 6.1 Within the Railway Lands East there will be a linked system of parks and publicly accessible open space, including not less than 5.8 hectares of lands as City parks, exclusive of areas within the rights-of-way of public streets, as shown on Map 17-3. 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, Rail Deck Park, 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 Space Areas* on Map 17-2 and of the parks and publicly accessible open spaces on Map 17-3 are approximate. Where the general intent of this Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan.
- 6.3 The location, form and design of parks and publicly accessible open space will help to ensure:
 - a) visual and physical connections between the Central City 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 the public; and
 - d) the comfortable and flexible use of these spaces in all seasons of the year.
- 6.4 The design of *Parks and Open Space Areas* will be of the highest quality and will be appropriate to their proposed uses. Measures adopted will include, but not limited to:
 - 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.
- 6.5 A major central park will be provided in the area generally between Simcoe Street and John Street as shown on Map 17-3. This park will be easily accessible from the Downtown and the Central Waterfront, and may accommodate the renovation and reuse of the CP Roundhouse as

a railway heritage and/or transportation museum, although this need not be the predominant use of the building. Other civic facilities, together with a limited range of commercial and institutional uses will also be permitted. This park, however, should include components relating to the archaeological or historical quality of the park site, including landscaping, physical remains, displaying interpretative materials, and commemorative site planning, including the ghosting of objects, boundaries and paths formerly existing on the site.

- 6.6 In addition to the areas designated as lands to be conveyed or leased to the City for parks purposes on Map 17-3, the City will secure the provision of additional publicly accessible open spaces in conjunction with the development of buildings within the Railway Lands East, including the Union Plaza Publicly Accessible Open Space, a significant public open space to be located south of Union Station.

The Union Plaza Publicly Accessible Open Space will, among other things, provide a setting for the Union Station South Public Building and a central focus for the pedestrian environment in the area and provide visual connections linking the Downtown, the Railway Lands and the Central Waterfront. Union Plaza should be designed and developed to provide a pleasant, restful and interesting destination for workers, visitors and residents, with a landscaping, public furnishings and lighting which enhance its character as a significant public place in the life of the City.

- 6.6.1 The objectives set out in Section 6.6 of this Secondary Plan respecting open space will be satisfied in part through the provision of the Union Plaza Publicly Accessible Open Space and Union Station Public Building, in accordance with Map 17-3 and described below.

The provision of the Union Station Public Building is to be located to the north of the Union Plaza Publicly Accessible Open Space, as identified on Map 17-3. The purpose of the Union Station Public Building will be to define the north edge of the Union Plaza Publicly Accessible Open Space, to provide orientation for the entrance to the at-grade pedestrian route between Bremner Boulevard and Bay Street, and to provide a setting for connections to Union Station.

- 6.7 The City will also use its available powers to 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.

- 6.8 The provision of landscaped terraces on roofs of buildings for the use of residents and workers of those buildings is encouraged.

- 6.9 No additional land for park or other recreational purposes, or money in lieu thereof, beyond the land for park or other recreational purposes required by Section 6.1 and shown on Map 17-3, will be required to be conveyed or contributed in connection with any development in the Railway Lands East.

- 6.10 The development of random and irregular plazas, forecourts and gardens between the public sidewalk and the building frontage is discouraged.

- 6.11 Notwithstanding any other provision hereof, those lands shown as the Hydro Site on Map 17-3 are designated for use as an electrical facility, provided that prior to construction of the electrical facility the said lands may be used for public park purposes and further provided that after the construction of the electrical facility, the said lands may also contain an ancillary park use which is compatible with the electrical facility.

- 6.12 Notwithstanding any other provisions of the Plan, an expansion of the Metro Toronto Convention Centre and accessory uses may be permitted primarily beneath the Major Parkland Area shown on Map 17-2 in accordance with Section 10.2.

7. HERITAGE

- 7.1 Aspects of the history of the railways will be incorporated into parks and public open space in the Railway Lands East by restoring and integrating significant railway heritage structures and artifacts, including, subject to Section 10.2, the CP Roundhouse, the adjacent coal/sand loader and water tower, the John Street signal tower and Cabin D.
- 7.1.1 The concept of an operating heritage railway museum in Central Park is supported.
- 7.1.2 Other levels of government are encouraged to take steps to create an operating heritage railway museum in Central Park.
- 7.1.3 The City will, within its own powers, take steps to ensure that no actions are taken to negatively affect:
- a) the creation of an operating heritage railway museum in Central Park; and
 - b) the long-term viable re-use and preservation of the Roundhouse and associated heritage elements.
- 7.2 Those portions of the City Delivery Building at 40 Bay Street which are of historic or architectural merit, will be retained and appropriately incorporated into new development and be secured by agreement.
- 7.3 The architectural, contextual and historical significance of Union Station at 71 Front Street West is recognized. This building will be retained and continue to be used as a major transportation terminal, and changes which are made to the terminal to improve and expand the transportation functions including the creation of new entrances from the south, will respect the unique form and character of the building.
- 7.4 Archaeological resources will be investigated, documented and if feasible conserved in accordance with the strategy document developed by the City 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 East. More detailed strategies may also be required for individual precincts.

8. TRANSPORTATION AND CIRCULATION

8.1 Context

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

8.2 Streets

- 8.2.1 The rights-of-way of streets in the Railway Lands East will satisfactorily accommodate traffic, transit, cyclists and pedestrians.
- 8.2.2 The primary street system within the Railway Lands East will be generally in accordance with Map 17-4. The specific location of secondary streets, for which possible locations are shown

on Map 17-4, 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 Plan is maintained, minor adjustments to the alignment and definition of the primary streets shown on Map 17-4 will not require amendment to this Plan.

8.2.3 Bremner Boulevard

8.2.3.1 Bremner Boulevard and the pedestrian link to Bay Street as shown on Map 17-4 have been constructed in the Railway Lands East 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 without detracting from the public enjoyment or use of the parkland through which it passes.

8.2.3.2 The traffic management strategy for Bremner Boulevard will 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 rather function as part of the access road system in the Railway Lands East, providing a continuous east-west link for pedestrians, cyclists, public transit and vehicles.

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

- a) create a grid-like pattern of streets and blocks which establishes a strong continuity with the street and block pattern of the rest of the central City;
- 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 major objectives for the Railway Lands East respecting the provision of Bremner Boulevard as a major east-west route will be satisfied through the provision of Bremner Boulevard connecting with York Street and Lake Shore Boulevard West, with a pedestrian connection continuing through to Bay Street, in accordance with Map 17-4 as described below.

The provision of the pedestrian connection in the form of a major east-west weather protected, at-grade pedestrian route connecting the Union Plaza Publicly Accessible Open Space to Bay Street, in accordance with Map 17-4, has been secured to satisfy the objectives for the streets and blocks pattern as set out in Section 2.3 of this Secondary Plan. This pedestrian route complements the role of Bremner Boulevard by providing a continuous east-west pedestrian route through to Bay Street. Such a connection will:

- a) be fully accessible to the public;
- b) provide comfortable dimensions to allow for ease of pedestrian movement;
- c) be of sufficient height to be inviting to the public and provide continuity of scale in the public realm between the Union Plaza Publicly Accessible Open Space and Bay Street;
- d) provide public amenities such as seating, telephones, maps and natural light;
- e) provide for direct connections to the south entrance of Union Station;
- f) provide sightlines to adjacent streets, sidewalks, open spaces and the Union Station Public Building;

- g) relate to the grade elevation of adjacent sidewalks and open spaces;
 - h) create visual interest through design and use of materials, colours and finishes; and
 - i) provide opportunities for public art, displays or exhibits.
- 8.2.6 Simcoe Street will be extended for vehicular and pedestrian use through the Railway Lands East, as shown on Map 17-4, and this extension will intersect fully with Front Street, Bremner Boulevard and Lake Shore Boulevard West.
- 8.2.7 York Street may be widened south of the Rail Corridor, where feasible, provided that pedestrians and cyclists can be satisfactorily accommodated.
- 8.3 Pedestrian and Bicycle Circulation**
- 8.3.1 In addition to the primary pedestrian circulation system, which is provided by sidewalks at grade within the rights-of-way of public streets, the City will seek to secure improved pedestrian routes, generally as shown on Map 17-4. Opportunities for other pedestrian connections will be explored as the development of the Railway Lands East 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 any pedestrian connections.
- 8.3.2 The use of bicycles in and through the Railway Lands East will be encouraged in line with policies 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 in parks and open spaces and on public sidewalks;
 - c) the provision of a central bicycle facility which would include bicycle parking and change facilities where appropriate; and
 - d) the provision, if feasible, of a bicycle and pedestrian route parallel to and south of the Rail Corridor between Bay Street and Yonge Street.
- 8.4 Public Transit**
- 8.4.1 The critical importance of public transit in providing adequate access to new Railway Lands East development is recognized. The City will ensure that new development in the Railway Lands East 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) commercial development in the Railway Lands East will be served primarily by public transit, and that linkages will be established through Union Station and elsewhere where feasible to provide connections to the Bloor-Danforth and Yonge-University subway lines, GO Transit commuter services and any other major transit route as may be developed;
 - c) surface transit routes to serve the Railway Lands East will be provided at frequencies and routings which ensure a high transit use by residents and workers;
 - d) transit facilities serving the Railway Lands East will be successfully integrated into the local and regional transit systems; and
 - e) future options for transit on Bremner Boulevard will be protected, including a possible

underground route east of Simcoe Street and an underground loop south of Union Station between York Street and Bay Street.

8.5 **Railway Uses**

- 8.5.1 The Rail Corridor will remain in its present location, Union Station will continue to function as a major regional transportation terminal and all rail facilities will continue to be contained within the width of the *Utility Corridor* shown on Map 17-2.
- 8.5.2 Satisfactory, efficient and safe inter-city passenger and freight services, as described in Section 8.5.1, will be ensured.

9. **ENVIRONMENT**

- 9.1 The City will use its available powers and will seek the co-operation of other levels of government, landowners and developers involved in the development of the Railway Lands East to ensure that environmental conditions satisfactory to the City and the Ministry of Environment are established for people working and living within and adjacent to the Railway Lands East. In considering the development in the Railway Lands East, an Environmental Report will be required respecting each precinct for submission pursuant to Sections 11.7 and 11.10 of this Secondary Plan. An Environmental Report will contain an assessment of the appropriate means of:
- a) reducing the noise and vibrational impact of the railway uses, the Gardiner Expressway, Lake Shore Boulevard, other arterial roads and public transit facilities within and adjacent to the Railway Lands East, by, among other things, 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) ensuring satisfactory air quality and climatic conditions, including satisfactory wind conditions at grade;
 - c) ensuring satisfactory soil and groundwater conditions, including soil remediation or disposal plans for contaminated soil, and excavation and remediation measures for methane gas;
 - d) providing for effective comprehensive stormwater management so that new development in the Railway Lands East does not detrimentally affect groundwater and water quality in Toronto Bay;
 - e) minimizing, to the extent possible, risks of injury or damage from accidents on the rail and road corridors;
 - f) ensuring that the practices and procedures followed during construction of development and the operation and maintenance of developments in the Railway Lands East are environmentally sound;
 - g) establishing a comprehensive strategy to achieve energy efficiency and conservation as development proceeds in the Railway Lands East, having particular regard for Section 9.5 of this Secondary Plan;
 - h) establishing a comprehensive strategy for waste reduction as development proceeds in the Railway Lands East;
 - i) establishing a comprehensive strategy for reduction of water consumption as development proceeds in the Railway Lands East; and
 - j) establishing a comprehensive strategy for auto minimization as part of a transportation demand management plan as development proceeds in the Railway Lands East.

- 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. The safeguards and measures set out in the Environmental Report will address the Precinct Plan for the precinct and will be secured through an Environmental Agreement, submitted pursuant to Section 11.7 or 11.10 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.

- 9.3 The City and the Ministry of the Environment 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 the Local Board of Health will be consulted respecting relevant environmental matters referred to in Sections 9.1 and 9.2, and to ensure that all Environmental Reports and Environmental Agreements are satisfactory to the City and the Ministry of the Environment.
- 9.5 To assist in achieving the environmental objectives, the use of district heating and cooling systems within the Railway Lands East is encouraged. To this end, all new infrastructure in the Railway Lands East will include a distribution system for district heating and cooling systems. The City will work with Enwave and other appropriate agencies to encourage the development of district heating and cooling systems within the Railway Lands East.
- 9.6 To assist in achieving the environmental objectives of this Plan and to advise Council generally on environmentally advanced building techniques, technologies and types, including their financial implications, an Advisory Task Force to assist in promoting these environmental objectives will be established.

10. LAND USE DISTRICTS

10.1 *Mixed Use Areas*

Together with the commercial development permitted in *Mixed Use Areas* 'G' and 'I', the areas designated *Mixed Use Areas* 'A', 'B', 'C', 'D' and 'E' on Map 17-2 will be regarded as a commercial extension of the existing Financial District north of Front Street and as an appropriate location for the primary concentration of office uses within the Railway Lands East.

Development to the east and west of this commercial extension of the existing Financial District, south of the rail corridor, is to be residential, at relatively high densities, with street-related retail and service uses.

10.2 *Metro Convention Centre*

- 10.2.1 To the north of the rail corridor, *Mixed Use Area* 'L' accommodates the Metro Toronto Convention Centre, North Building. By-laws have been passed to permit the southern expansion of the Convention Centre, with accessory uses, and the expansion is located primarily beneath the Major Parkland Area shown on Map 17-2. The by-law and agreements respecting the Convention Centre South:
- a) require connections between the Convention Centre North and South by an access tunnel or tunnels underneath the Rail Corridor and a pedestrian bridge above the Rail Corridor;
 - b) do not preclude future opportunities to build over and/or construct pedestrian connections across the Rail Corridor;

- c) include the development of the major central park referred to in Section 6.5 of this Secondary Plan;
 - d) include an above-grade public arcade providing satisfactory weather protection adjacent to the Rail Corridor in order to create an appropriate northern edge to the Central Park, permit views over the park to the lake, and provide appropriate connections between the existing Skywalk and the park, including satisfactory weather-protected pedestrian connections from the public arcade to a Convention Centre entry pavilion and the park;
 - e) do not preclude the restoration and integration of any of those heritage elements referred to in Section 7.1 of this Secondary Plan;
 - f) include satisfactory servicing and access arrangements which are compatible with the objectives of this Plan;
 - g) are the subject of an Environmental Report and an appropriate legal agreement to secure the safeguards and measures recommended in the Environmental Report;
 - h) achieve the policy of an attractive, inviting, comfortable and safe public realm in the Railway Lands East as provided in Section 3.2, taking into account that the expansion of the Convention Centre would extend primarily beneath the Major Parkland Area; and
 - i) do not preclude the use of Tower Park East below grade for a hydro transformer station unless and until an alternative location for such station has been identified to the satisfaction of the City and Hydro One.
- 10.2.2 The by-laws enacted pursuant to Section 10.2.1 include provisions respecting, among other things, the location, height and size of any portions of the Convention Centre which may be located above grade.
- 10.3 Specific Use Provisions**
- 10.3.1 On land designated *Mixed Use Areas* "A", "C", "E", "F" and "H" zoning by-laws may be passed to permit buildings containing only non-residential uses.
- 10.3.2 Notwithstanding Section 10.3.1, in order to encourage comprehensive redevelopment provided for in Section 10.5.1 of this Secondary Plan, the City upon receipt of a comprehensive application which consolidates this area with lands to the north known as 149 Front Street West, may pass a by-law to include residential gross floor area in *Mixed Use Area* 'A'.
- 10.3.3 On lands designated *Mixed Use Area* 'E', zoning by-laws may be passed to permit an urban stadium and multi-purpose facility which may include a range of non-residential uses, all subject to such built form requirements as may be set out in the implementing Zoning By-law.
- 10.3.4 The City will use its available powers of the *Planning Act*, and agreements as are authorized by legislation to ensure that any development in *Mixed Use Areas* 'C' and 'E' includes the Union Station South Public Building and that the construction and continued operation of the Union Station South Public Building is secured.
- 10.3.5 On lands designated *Mixed Use Area* 'G', zoning by-laws may be passed to permit a high density mixed use building which is predominately residential.
- 10.3.6 On lands designated *Mixed Use Area* 'I', zoning by-laws may be passed to permit a high density mixed use development containing both non-residential and residential uses with the residential uses located within the western portion of the area.
- 10.3.7 On lands designated *Mixed Use Areas* 'J' and 'K', zoning by-laws may be passed to permit high density residential development containing street related retail and other non-residential uses.

10.3.8 On lands designated *Mixed Use Area 'D'*, zoning by-laws may be passed to permit a high density mixed use development containing both non-residential and residential uses.

10.3.9 On lands designated *Mixed Use Area "B"* zoning by-laws may be passed to permit buildings containing non-residential and residential uses.

10.4 **Rail Corridor and Union Station**

The areas designated *Utility Corridors* and *Mixed Use Area 'M'* are regarded as an appropriate location for inter-city passenger rail services, regional commuter rail services and freight rail services which are compatible with the development of the Railway Lands in accordance with the policies and provisions of the Plan.

10.4.1 Union Station, as identified on Map 17-2 as *Mixed Use Area 'A'* and *Utility Corridor 'A'*, is regarded as the primary focus for passenger rail and commuter rail facilities serving the Toronto region. In addition, Union Station is a primary focus for the Toronto subway service.

10.4.2 The retention of Union Station as a transportation terminal will be ensured and will include the satisfactory functioning of the station complex.

To this end, a Master Plan for Union Station will be adopted, that will:

- a) respect the historic significance of Union Station;
- b) ensure transportation use is the primary function of Union Station;
- c) provide for each of the necessary transportation functions in a safe, efficient and coherent manner;
- d) ensure flexibility for expansion and future changes of use;
- e) ensure that Union Station is fully integrated with its environs; and
- f) establish civic design quality.

10.4.3 Subject to Sections 10.4.4 and 10.4.5 of this Secondary Plan, in the areas designated *Utility Corridors* and *Mixed Use Area 'M'* by-laws may be passed to permit only transportation and related uses and, within Union Station, ancillary commercial uses. By-laws may also be passed to permit pedestrian and service connections between the existing Convention Centre and an expansion to the Convention Centre and retail and service uses accessory to such Convention Centre.

10.4.4 Notwithstanding the provisions of Section 10.4.3, by-laws may be passed to permit retail and service uses along streets and pedestrian linkages where they pass under the rail corridor, including the portion of the rail corridor which passes over Union Station.

10.4.5 Notwithstanding the provisions of 10.4.3, proposals for decking and/or building over the rail tracks in the area designated *Utility Corridors* not including *Utility Corridor 'A'* will be considered, and by-laws may be passed to permit development over the rail tracks in this area, with a scale and form which is compatible with adjacent development, provided that:

- a) the capacity and safety of train operations will not be impaired;
- b) future flexibility for improvements to the track system will not be reduced;
- c) all environmental and development concerns associated with such development, including, among other things, noise, vibration, air quality, parking, servicing, pedestrian access and the capacity of the transportation system serving such development have been satisfactorily addressed, 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 provision of rail transportation services, will not in any way be compromised.

10.5 **General**

- 10.5.1 Station Street will be included in a comprehensive redevelopment of the land designated *Mixed Use Area 'A'* which is located north of the Rail Corridor and west of Union Station within the Railway Lands East and/or building at 151 Front Street West. In the context of such a comprehensive redevelopment, the open and closed portions of Station Street within this area will be conveyed to the developer, provided that the redevelopment provides a high quality, weather-protected east-west pedestrian connection linking Union Station and Simcoe Street approximately equivalent in area and dimensions to the traveled portion of the Station Street right-of-way.
- 10.5.2 In order to facilitate the creation of secondary public streets and the provision of public parkland, the non-residential or residential density permitted to be developed on a lot in the Railway Lands East will be determined by including in the area of such lot, the area of the right-of-way of any street, except those primary streets shown on Map 17-4 and exclusive of a portion of Bremner Boulevard located east of Simcoe Street, which directly abuts the lot, provided that no such area is included in more than one lot.
- 10.5.3 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 safer place will be ensured.
- 10.6 Applications for amendments to this Secondary Plan or Zoning By-law may be considered to permit the conversion of non-residential gross floor area to residential gross floor area on the lands designated *Mixed Use Areas 'B', 'F' and 'I'*. Any such applications will be subject to the Development Strategy set out in Section 11 of this Secondary Plan.
- 10.7 Applications to amend the Zoning By-law to permit hotel and convention centre uses on *Mixed Use Area 'I'* will be considered, provided that:
 - a) the proposal includes satisfactory servicing arrangements, including an assessment of opportunities for comprehensive servicing arrangements in conjunction with adjacent blocks with a view to reducing and sharing facilities;
 - b) the Simcoe Street tunnel has been constructed or will be constructed in conjunction with the development;
 - c) the height and massing of buildings are acceptable, having appropriate regard for, among other things, the microclimatic impacts of wind, calm, sun and shade, in accordance with Sections 3 and 9 of this Secondary Plan;
 - d) any development retains sufficient non-residential gross floor area to accommodate street-related retail and service uses; and
 - e) the proposal includes satisfactory separation of areas of cars and truck activity from areas of pedestrian activity.
- 10.8 Section 10.8 of the Railway Lands Central Secondary Plan allows Council to pass by-laws to permit the CN Tower Ancillary Commercial Development and Aquarium on the CN Tower Site provided that certain conditions are met. A portion of the CN Tower Site is located, as shown on Map 18-5 to the Railway Lands Central Secondary Plan, within the Railway Lands East. Notwithstanding Sections 6.1 and 6.2 and the designations on Maps 17-2 and 17-3 of this Secondary Plan, Council may pass by-laws pertaining to that portion of the CN Tower

Site located within the Railway Lands East to permit the CN Tower Ancillary Commercial Development and Aquarium provided the conditions contained in Section 10.8 of the Railway Lands Central Secondary Plan are satisfied. Council acknowledges that notwithstanding Sections 7.1 and 7.1.1 of this Secondary Plan, Council's objectives with respect to securing rail access from the CP Roundhouse to the main line tracks, cannot be achieved in the event of development of the CN Tower Ancillary Commercial Development and Aquarium on the CN Tower Site. For the purposes of this Section "CN Tower Ancillary Commercial Development", "Aquarium" and "CN Tower Site" have the same meaning as defined in the Railway Lands Central Secondary Plan.

- 10.9 Notwithstanding any of the provisions of this Plan, Council may pass by-laws, pursuant to Section 37 of the *Planning Act*, respecting the lands municipally known in the year 2006 as 149 Front Street, 7 Station Street and the privately owned lands known as Station Street (the "site") to increase the height limits and the maximum non-residential gross floor area permitted on the site to a maximum combined non-residential gross floor area of all buildings or structures erected within the site, of 96,050 square metres, and an additional 15,325 square metres for above-grade parking provided that pursuant to Section 37 of the *Planning Act*, such by-law requires the owner of the site to provide the City of Toronto, in return for the densities and height permissions thereby granted, with the facilities, services and matters as set out in Appendix 1 hereto; and, the said facilities, services and matters may also be secured in an agreement pursuant to Section 16 of the *City of Toronto Act, 1971*, (Ontario) as amended by Section 11 of the *City of Toronto Act, 1973* (Ontario).

11. DEVELOPMENT STRATEGY

- 11.1 The following conditions affect the development of the Railway Lands East and render appropriate the use of the Holding (H) provisions contained in Section 36 of the *Planning Act*, and/or the enactment of a by-law or by-laws pursuant to Section 34 of the *Planning Act*, provided the conditions and requirements specified in this Section have been met:
- a) the Railway Lands East are, at the time of the adoption of this Plan, inadequately provided with municipal and local services for complete development in accordance with the provisions of this Plan;
 - b) the Railway Lands East are not, at the time of the enactment of this Plan, divided into developable blocks;
 - c) development of the Railway Lands East and the provision of the necessary services must be co-ordinated in an orderly sequence; and
- (d) development of the Railway Lands East must proceed in accordance with agreements among the landowners and public agencies respecting the requirements of this Plan and certain practical matters which cannot be satisfactorily dealt with in a Secondary Plan, including but not limited to the provision of and cost sharing for public infrastructure and services, land exchanges and land conveyances, and the phasing of development.
- 11.2 The importance to the City, the other levels of government and agencies involved in the servicing of the Railway Lands East and the landowners within the Railway Lands East of understanding and defining the extent and distribution of the development potential of the Railway Lands East in their entirety and of ensuring the requirements of this Plan have been adequately addressed before development proceeds is recognized.

Accordingly, it is Council's intention to enact a by-law consistent with the provisions of this Plan affecting the Railway Lands East which utilizes the Holding (H) provisions of Section 36 of the *Planning Act*. The zoning by-law enacted pursuant to Section 34 of the *Planning Act* will define

and incorporate a Holding (H) Symbol which will be the letter 'H' and which will precede the use and density designations contained in any such by-law. This zoning by-law will specify the use to which lands, buildings or structures may be put at such time in the future as the Holding (H) Symbol is removed by amendment to the by-law.

The Holding (H) Symbol will be removed from any such by-law on an incremental basis in accordance with the provisions of this Plan.

- 11.3 The boundaries of the precincts shown on Map 17-5 are approximate. Where the general intent of this Plan is maintained, minor adjustments to such boundaries will not require amendment to this Plan. In particular, the boundaries of a precinct may be varied without amendment to this Plan in order to include, where appropriate, the continuation outside of the precinct of a public highway or public or private street and the related services and/or pedestrian routes.
- 11.4 For the purposes of this Plan, a Precinct Plan and a Precinct Agreement will mean, respectively, a document containing, in graphic and written form, the information described in Section 11.5 of this Plan, and an agreement sufficient to ensure that the matters set out in the Precinct Plan are adequately secured. In the case of all precincts except the precinct designated "B" on Map 17-5, a Precinct Plan and Precinct Agreement will be submitted to Council by way of an application to amend the zoning by-law for the Railway Lands to remove the Holding (H) Symbol with respect to the precinct.
- 11.5 A Precinct Plan submitted with an application to remove the Holding (H) Symbol from a precinct will show and contain:
- a) the location, elevation, dimensions and intersection details of all existing and proposed public highways, public streets and private roadways within the precinct as are sufficient to serve the existing and incremental vehicular and bicycle traffic created by the development permitted by this Plan;
 - b) the details of the connections with any existing public highways of any proposed public highways, public streets and private roadways, and of any existing public highways, public streets and private roadways whose alignment and/or dimensions are proposed to be altered within the precinct;
 - c) the location, elevation, dimensions and intersection details of all existing and such proposed sidewalks adjoining the existing and proposed streets in the precinct as are sufficient to meet the needs of pedestrians travelling in and through the precinct as the result of development permitted by this Plan;
 - d) the location of such existing and proposed municipal services within the precinct as are sufficient to serve the development permitted by this Plan and are consistent with the overall municipal services system for the City;
 - e) the location of such existing and proposed utility services within the precinct as are sufficient to serve the development permitted by this Secondary Plan;
 - f) a Community Services and Facilities Strategy, in accordance with Section 5 of this Secondary Plan;
 - g) a description of the locations of all existing transit facilities and of the proposed rights-of-way of any proposed transit facilities, and of the points of ingress to and egress from these existing and proposed facilities which are together sufficient to meet the needs of public transit users travelling to, from and within the precinct;
 - h) the location, dimensions and areas of any lands to be leased or conveyed to the City for housing and parks purposes in conjunction with the development of the precinct and pursuant to Section 4.3 and Section 6 of this Secondary Plan;

- i) the general treatment of all public sidewalks and public streets, referred to in (a) and (c) above, including:
 - i. paving materials;
 - ii. street trees;
 - iii. street lighting including pedestrian scale lighting; and
 - iv. the general locations of street furniture;
- j) the location and minimum dimensions of pedestrian and/or bicycle routes within or directly servicing development within the precinct which meet the requirements of this Plan;
- k) a description of the manner in which the safeguards and measures set out in the Environmental Report affecting the precinct are to be implemented in the precinct;
- l) the manner in which the precinct is to be linked to any adjacent precinct or precincts, with specific reference to the matters set out in (a) to (k) above;
- m) a description of the extent of archaeological resources or potential resources within the precinct, and the phasing of investigations in accordance with the archaeological strategy described in Section 7.4 of this Secondary Plan; and
- n) a description of the manner in which the policy respecting the provision of public art and cultural facilities described in Section 3 of this Plan is to be complied with in the development of the precinct.

11.6

- a) An applicant seeking the removal of the Holding (H) Symbol from the zoning by-law affecting a precinct will submit a Concept Plan. A Concept Plan should provide a context for the co-ordinated incremental development of the Railway Lands East. A Concept Plan will be capable of accommodating a range of built form solutions for a precinct, all of which are consistent with the policies and provisions of this Plan. In demonstrating this capability and establishing the consistency of the range of solutions with the policies and provisions of this Plan, a Concept Plan will show and contain:
 - i. setback and/or build-to lines including minimum and maximum vertical dimensions for building walls which are sufficient to establish the continuity and scale of building frontages;
 - ii. built form envelopes, demonstrating how the development potential permitted on each block is to be generally distributed on the block which are sufficient to indicate how potential building massings achieve the objectives set out in Section 3 of this Secondary Plan;
 - iii. the location, dimension and character of interior and exterior publicly accessible private open spaces showing their continuity and complimentary relationship to adjacent public spaces and their pedestrian amenity including seating, lighting and weather protection;
 - iv. the location and dimension of any arcades, canopies and other weather-protected routes and their relationship to the public pedestrian system;
 - v. the general location of parking facilities and service access areas and their relationship with other access areas which are of sufficient detail to assess the overall impact of such areas on the public sidewalks;
 - vi. the general locations of principal pedestrian entrances and their relationship to street frontages to ensure that such entrances reinforce the role of the street;
 - vii. the general location of public pedestrian routes including the primary system of public streets and alternative secondary routes and their relationship;
 - viii. the location of public street-related uses;
 - ix. the manner in which linkages to adjacent precincts could be accomplished and treated;

- x. a description of the means by which noise is to be controlled in the development of the precinct; and
 - xi. the general location for public art.
 - b) The purposes of a Concept Plan for a precinct will be:
 - i. to provide a context for co-ordinated incremental development;
 - ii. to assist Council in evaluating the conformity of the proposed development of the precinct with the relevant provisions of this Plan; and
 - iii. to assist Council in evaluating development applications for review under Section 4 of *The Planning Act*.
 - c) A Concept Plan may establish a range of heights for development in the Railway Lands East, including heights which may be lower than, but do not exceed, the maximum heights established by the Zoning By-law for the Railway Lands East.
- 11.7 An application to amend the Zoning By-law for the Railway Lands East to remove the Holding (H) Symbol will comprise:
- a) a Precinct Plan, as defined in Section 11.4;
 - b) a Precinct Agreement, as defined in Section 11.4;
 - c) an Environmental Report, as defined in Section 9.1;
 - d) an Environmental Agreement, as defined in Section 9.2; and
 - e) a Concept Plan, as defined in Section 11.6,
- each of which will cover at least the precinct to which the application applies.
- 11.8 An application to remove the Holding (H) Symbol will, upon its receipt, be circulated for review and comment to the City, Provincial and Federal officials, and the officials of any commissions, authorities, corporations or other bodies, involved in the development or servicing of the area affected by the application. Council will have regard for any comments received from the circulation of the application when considering a by-law to remove the Holding (H) Symbol.
- The application will also be the subject of a public meeting to be held by the City prior to Council's consideration of a by-law to remove the Holding (H) Symbol.
- 11.9.1 Subject to Section 11.5 of this Plan, a by-law removing the Holding (H) Symbol from a precinct may be enacted provided Council has received and given due consideration to an application therefore which comprises:
- a) a Precinct Plan which is reasonable and in accordance with the policies and provisions of this Plan;
 - b) a Precinct Agreement which is sufficient to secure the provision to or for the City of the matters set out in a Precinct Plan;
 - c) an Environmental Report which satisfies the requirements of Section 9 of this Plan respecting the area which is the subject of the application;
 - d) an Environmental Agreement which is sufficient to secure the implementation of the safeguards and measures recommended out in the Environmental Report and which satisfies the requirements of Section 9 of this Plan; and
 - e) a Concept Plan prepared in accordance with Sections 11.6 of this Plan which is consistent with this Plan; and provided that the agreements referred to in paragraphs (b) and (d) of this Section and Section 5.2 have been executed by the applicant.

- 11.9.2 For the avoidance of doubt, any question of whether the Holding (H) Symbol is to be removed from the Zoning By-law in accordance with the policies of this Plan may be referred by the applicant to the Ontario Municipal Board. In the event the applicant appeals to the Ontario Municipal Board, the Ontario Municipal Board may determine, among other things, any issue of the completeness or conformity of the application materials with the policies and provisions of this Plan.
- 11.10 With respect to the precinct designated “B” on Map 17-6, a by-law may be enacted implementing the provisions of this Plan as they affect that precinct, provided it has received and given due consideration to:
- a) a Precinct Plan, as defined in Section 11.4;
 - b) a Precinct Agreement, as defined in Section 11.4;
 - c) an Environmental Report, as defined in Section 9.1;
 - d) an Environmental Agreement, as defined in Section 9.2; and
 - e) a Concept Plan, as defined in Section 11.6;
- and provided that the agreements referred to in paragraphs (b) and (d) of this Section have been executed.
- 11.11 A by-law enacted pursuant to Section 11.10 will include, in addition to provisions respecting use and density and other matters dealt with in the Zoning By-law for the Railway Lands East, specific provisions respecting the location and form of development to be permitted in the precinct, including:
- a) the definition of the areas within each block where buildings are to be permitted;
 - b) setback and build-to lines;
 - c) height limits and/or angular planes; and
 - d) requirements for weather protection in the form of arcades and canopies.
- 11.12 The submissions made in accordance with Section 11.10 will be circulated for review and comment to the City, Provincial and Federal officials, and the officials of any commission, authorities, corporations or other bodies involved in the development or servicing of the precinct.
- 11.13 Notwithstanding the provisions of Section 11.10 and 11.11, in the event the agreements referred to therein have not been satisfactorily completed and executed, Council may enact a zoning by-law, which places a Holding (H) Symbol on the by-law governing development in the precinct designated “B” on Map 17-5 in order to permit the agreements referred to in Sections 11.10(b) and 11.10(d) of this Secondary Plan to be satisfactorily completed and executed.
- In the event that a Holding (H) Symbol is placed on precinct “B”, Council may enact a by-law to remove the Holding (H) Symbol once these agreements have been satisfactorily completed and executed without requiring the submission of an application pursuant to Sections 11.7, 11.8 and/or 11.9.1.
- 11.14 Prior to the removal of the Holding (H) symbol, or, in the case of the precinct designated “B” on Map 17-5, prior to the enactment of a zoning by-law implementing the provisions of this Plan as they affect that precinct, land within the Railway Lands East may be used for:
- a) railway and related purposes; and,
 - b) the provision of any public work which is consistent with the use of the land in accordance with the provisions of this Plan.

- 11.15 Notwithstanding the provisions of Section 11.6, 11.7(a), (b), (d), (e), and 11.9.1, but subject to the remaining sections, Council may reduce the requirements for the removal of the Holding (H) Symbol and may enact a by-law removing the Holding (H) Symbol to permit the development of an individual site in the Railway Lands East, provided that:
- a) the site has been or will be provided with access and municipal services adequate to service the proposed development of the site;
 - b) the development is consistent with the other provisions of this Plan;
 - c) subject to the removal of the Holding (H) Symbol, the proposed development of the site is permitted by the Zoning By-law for the Railway Lands East;
 - d) the site has been included in an Environmental Report and the safeguards and measures identified in the Environmental Report are satisfactory to the City and the Ministry of the Environment and have been adequately secured;
 - e) the development proposed for the site is of major public significance; and
 - f) appropriate agreements which are sufficient to secure the provision of the community services and facilities, consistent with the requirements of Section 5 of this Plan, have been secured.

12. IMPLEMENTATION

- 12.1 The Memorandum of Conditions is on file with the City. The Memorandum provides background information as to the manner in which, in practical terms, the policies of this Secondary Plan are intended to be implemented.
- 12.2 Nothing in this Secondary Plan can be interpreted to conflict with or limit the application of the *Environmental Assessment Act*.
- 12.3 Nothing in this Secondary Plan can be interpreted to conflict with or limit the provisions of the *Education Act*.

List of Maps

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

- Map 17-1 Context Map
- Map 17-2 Land Use Plan
- Map 17-3 Parks and Open Space
- Map 17-4 Streets, Blocks and Pedestrian Routes
- Map 17-5 Precincts Plan

APPENDIX 1

SECTION 37 PROVISIONS

The facilities, services and matters set out herein are the facilities, services and matters required to be provided by the owner of the site to the City in accordance with an agreement or agreements, pursuant to Section 37(1) of the *Planning Act*, in a form satisfactory to the City with conditions providing for indexed escalation of all financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement:

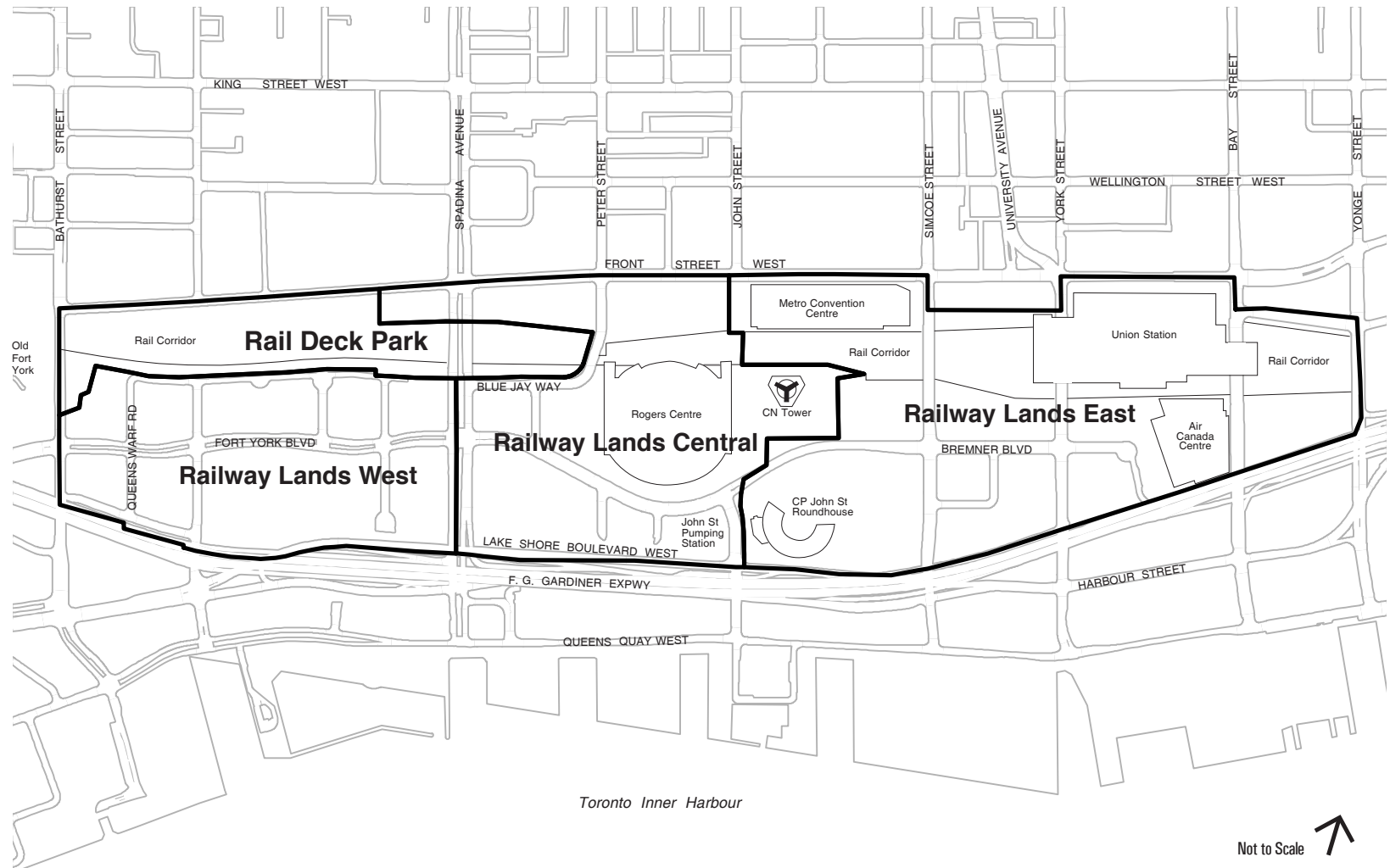
The owner of the site shall:

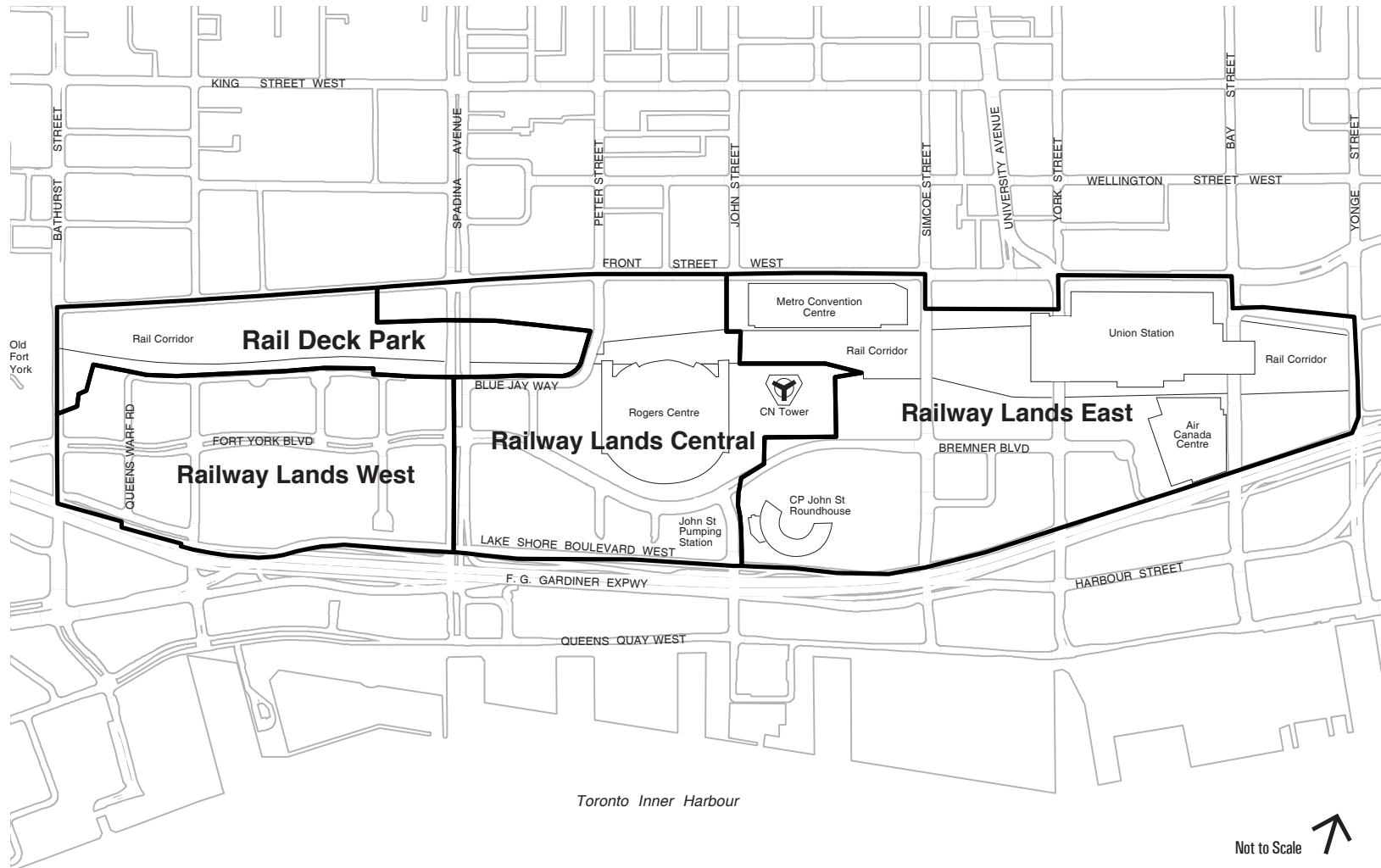
1. provide a contribution of \$1.5 million, prior to the issuance of an above grade building permit for any development, for the following local community improvement initiatives:
 - a) \$50,000.00 for capital improvements to 168 John Street, and \$100,000 for the capital improvements of the block containing 6-28 Henry Street, 40-42 Baldwin Street, 181-203 Beverly Street and 5-15 Cecil Street;
 - b) exclusive of the frontages of the subject lands, \$1,000,000 for streetscaping improvements on Front Street West between University Avenue and Spadina Avenue, Simcoe Street between the railway corridor and Queen Street West including bicycle lanes, and University Avenue between Front Street West and King Street West and Richmond Street West between University Avenue and Spadina Avenue; and
 - c) \$350,000 for weather protection and improvements to the four at-grade TCC stairways at St. Andrew subway station;
2. provide a public art contribution in accordance with the City of Toronto's Percent for Public Art Program;
3. provide the City of documentation as to LEED certification of the development and the marketing materials that will include information on LEED certification;
4. provide the City (including members of the public) with a pedestrian walkway through the building(s) within the site;
5. provide and maintain within the site a publicly accessible walkway (Galleria) connecting the structure known as the SkyWalk to Front Street West;
6. provide space within the development site for the construction of any transformer vaults, hydro vaults, Bell maintenance structures, sewer maintenance holes, exhaust and intake vents and stairwell and associated enclosure;
7. provide the incorporation, in the construction of the building, of exterior materials to be shown for the podium along Simcoe Street, Front Street West and Station Street, pedestrian weather protection and landscaping materials;
8. provide and maintain an irrigation system for any proposed trees within the public road allowance;
9. provide and maintain matters to permit the installation and mature growth of all proposed plant material;
10. provide, before site plan approval, an architectural plan and/or renderings of the roof of the podium, to include a green roof, or a combination of an appropriately landscaped roof and other architectural design treatment and exterior materials;
11. provide knock-out panels to accommodate a potential future connection to the PATH system and enter into the Wayfinding Agreement;

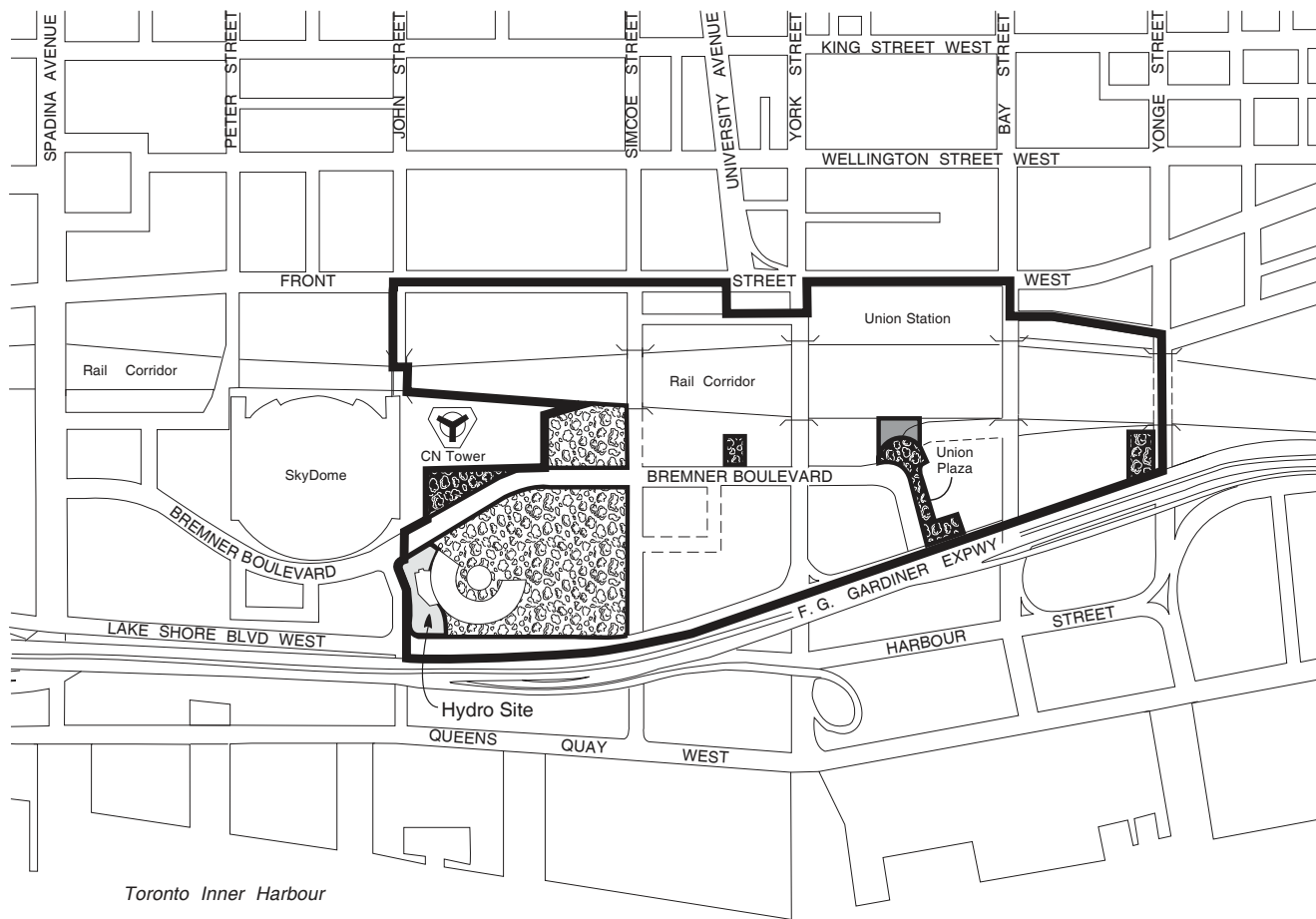
12. provide improvements to the PATH system;
13. provide revisions to the development, if any, to address the recommendations of a Pedestrian Level Wind Study;
14. provide revisions to the development, or a Letter of Credit, in accordance with the recommendations of a Street Lighting Assessment;
15. comply with any other condition to ensure the orderly development and phasing of the lands;
16. provide a continuous weather protection for pedestrians with a minimum depth of 3 metres along the frontage of Simcoe Street from the north limit of Station Street to the southern property boundary;
17. re-construct the intersection of Station Street and Simcoe Street with minimum curb radii of 12 metres at the southeast corner of the intersection;
18. enter into agreements satisfactory to City Legal, in consultation with Transportation Services, City Planning and GO Transit, to secure the proposed pedestrian access through the building, and the proposed pedestrian arcade on the Simcoe Street frontage of the site, as well as the pedestrian facilities on Station Street;
19. submit, for review and acceptance prior to site plan approval, a Transportation Demand Management Plan to the General Manager of Transportation Services, including measures to reduce automobile use;
20. have a qualified Transportation Engineer/Planner certify, in writing, to the General Manager of Transportation Services that the development has been designed and constructed in accordance with the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
21. provide, maintain and operate the Transportation Demand Management measures, facilities and strategies stipulated in the Transportation Demand Management Plan approved by the General Manager, Transportation Services;
22. provide, prior to Site plan approval, for any improvements to the municipal infrastructure should it be determined that upgrades to the infrastructure are required to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
23. submit a traffic monitoring report within six months of occupancy of the office building to identify vehicular trip distribution patterns associated with the project and identify mitigating measures to address any poor levels of service experienced at Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, for the review and approval of the General Manager of Transportation Services;
24. provide a Letter of Credit in the amount of \$50,000 to cover the costs associated with the following measures, as deemed appropriate by the General Manager of Transportation Services:
 - a) implementing mitigating measures such as changes to traffic regulations and installation of regulatory signage; and
 - b) implementing the approved signal timing modification and signal phasing adjustments identified at the Front Street West/Simcoe Street, Station Street/York Street, Station Street/Simcoe Street, York Street/University Street/Front Street West and York Street/Bremner Boulevard intersections, which are attributable, in part, to this development, if any;

25. submit, prior to site plan approval, revised drawings that further refine the design of the transition between the SkyWalk atrium and the new internal corridor to the satisfaction of the Manager of Heritage Preservation Services;
26. submit, prior to site plan approval, revised 1:50 scale drawings of the elevations of the front facades of 20 York Street and 149 Front Street West to the satisfaction of the Manager of Heritage Preservation Services;
27. submit, prior to site plan approval, a detailed landscape plan for the subject property, to the satisfaction of the Manager, Heritage Preservation Services;
28. provide, prior to site plan approval, plans for interpretive panels or other interpretive materials to communicate the development history of the property: the research, design, and location of the interpretive materials will be to the satisfaction of the Manager of Heritage Preservation Services;
29. provide, prior to site plan approval, a Letter of Credit in a form and in an amount satisfactory to the Manager, Heritage Preservation Services to secure all work for the research, production and installation of interpretive materials;
30. prior to the release of the Letter of Credit the owner shall obtain final approval for the interpretive materials erected on the property from the Manager, Heritage Preservation Services;
31. provide, prior to site plan approval, a revised Vibration Assessment, and if necessary, incorporate vibration mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved vibration mitigation measures;
32. provide, prior to site plan approval, a revised Noise Impact Study, and if necessary, incorporate noise mitigating measures and revised drawings, prior to approval of the site plan application and have a qualified consultant certify, in writing, that the development has been designed and constructed in accordance with the approved noise mitigation measures.

Notwithstanding the foregoing, the owner and the City may modify or amend the said agreement(s), from time to time and upon the consent of the City and the owner, without further amendment to those provisions of this schedule which identify the facilities, services and matters to be secured.



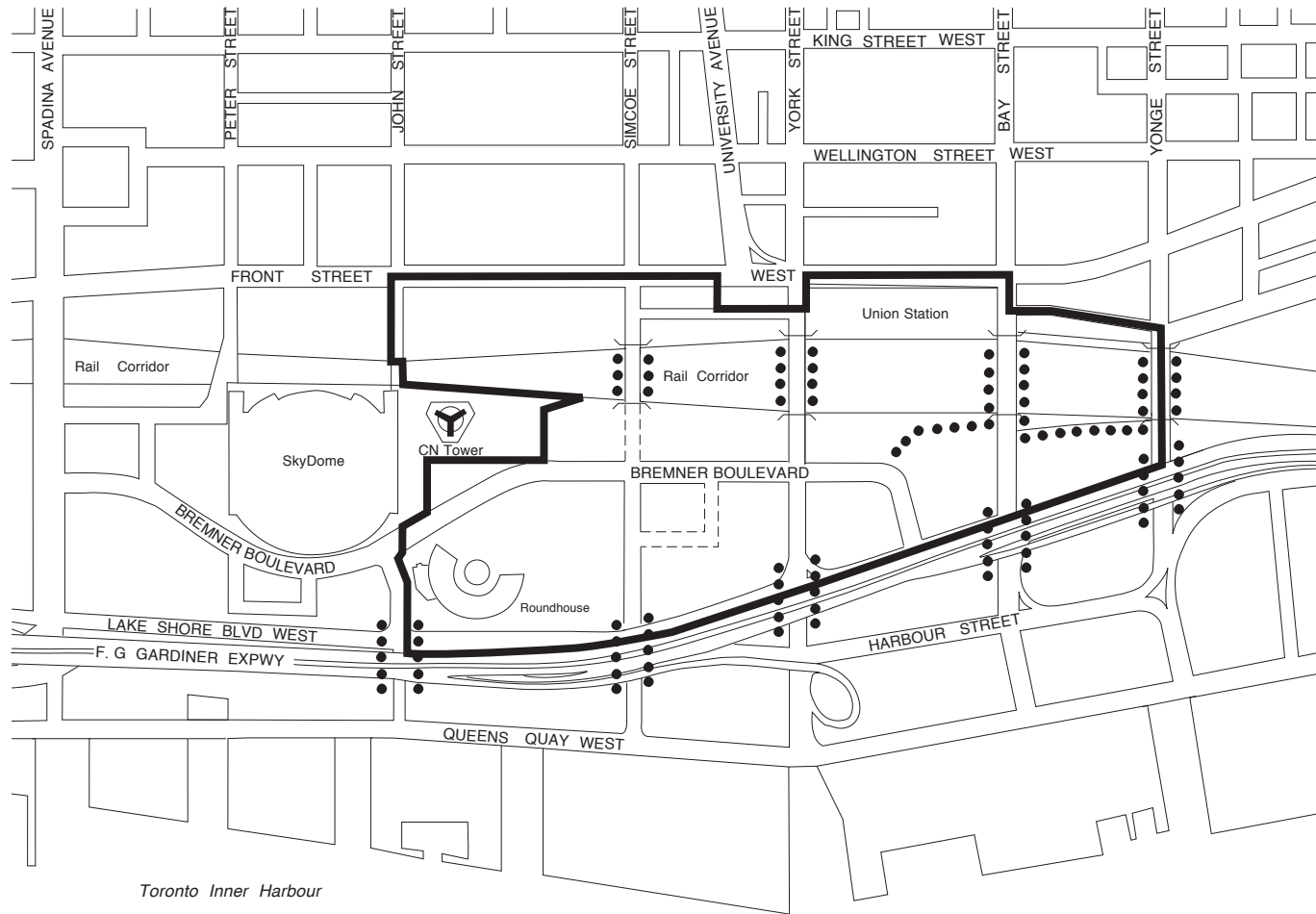




Toronto Inner Harbour

Not to Scale

- Secondary Plan Boundary
- Lands to be Leased or Conveyed to the City for Parks Purposes
- Public Accessible Open Space
- Public Building
- HYDRO SITE: Parts 2, 3, 4, 5, 6, 7, 8 and 9 on the Plan Registered in the Lands Registry Division of Toronto as No. 64R-13541



Not to Scale

- Secondary Plan Boundary
- Improved at-grade Pedestrian Routes and Rail Corridor Underpasses
- Proposed Roads

