

# Planning Issues & Opportunities in DUKE Heights BIA

Final Report



# 1. Background and Introduction

DUKE Heights BIA has over 2,500 businesses and 32,000 employees. It is the second-largest BIA in North America geographically and has over 34,000 visitors every weekday. In recent years, the BIA has undertaken a series of studies and initiatives focused on strengthening economic development and activity in the area, including:

- Developing sector workforce strategies
- Establishing partnerships with institutions such as Seneca College, York University, Osgoode Hall Law School, the Metcalf Foundation, and others
- Creating an Employment Hub
- Creating a free legal information service for small businesses in the area
- Undertaking a wide range of economic development and planning related studies

Building on these initiatives, the BIA is preparing to develop an urban planning vision to help guide change and investment in DUKE Heights in the future. As a precursor to this urban planning visioning work, the BIA has looked to develop an understanding of the planning issues and opportunities that should be explored through the visioning work.

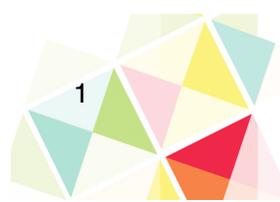
## Why a planning vision?

The City's BIA by-law states that BIA Boards have the responsibility to "stimulate business and improve economic vitality" in the area by:

- Overseeing the improvement, beautification, and maintenance of City-owned land
- Promoting the BIA as a business, employment, tourist or shopping area
- Undertaking safety and security initiatives
- Preparing strategic plans to address BIA issues

The BIA Board has already undertaken several such initiatives, and it sees a planning vision as an important additional tool in delivering on these responsibilities. Specifically, the Board sees the planning vision as helping address a number of factors at play in DUKE Heights, including:

- **A need to stimulate change.** The area has great but untapped potential. DUKE Heights is not meeting the City's employment targets or its own growth aspirations. Employment growth has decreased in DUKE Heights and there has been slow progress on realizing the Board's vision in encouraging more employment and economic growth.
- **Encouraging employment growth, not just protecting existing employment.** The City's current regulatory framework "protects employment; it does not create employment." The BIA sees that there is a strong need to go beyond protection and actively encourage employment growth, especially in the majority of the BIA's lands, which are employment lands.



- **Leveraging the significant public investments in major transit infrastructure** near DUKE Heights, including both recent (Line 1 subway extension) and future (Finch West LRT).

As a result of these and other factors (described in more detail below), the Board sees a collective planning vision that looks to the year 2050 and is supported by economic development policies and incentives as necessary to help unlock the area's untapped potential, stimulate economic growth, and intensify employment uses. The vision would strive to reflect the changing nature of employment and incorporate the same thinking that goes into planning a town.

The planning vision is intended to serve three audiences:

- The **BIA Board**, to inform decisions about allocating collective resources and to use as an advocacy tool in discussions with land owners, City staff, Councillors, and others.
- **Individual BIA members**, to inform decisions about allocating individual resources or proposing changes to their properties.
- **City regulators**, as a resource when reviewing any individual applications or if undertaking a broader planning exercise for the area.

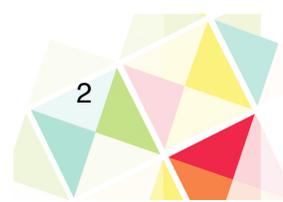
### About this report and the study process

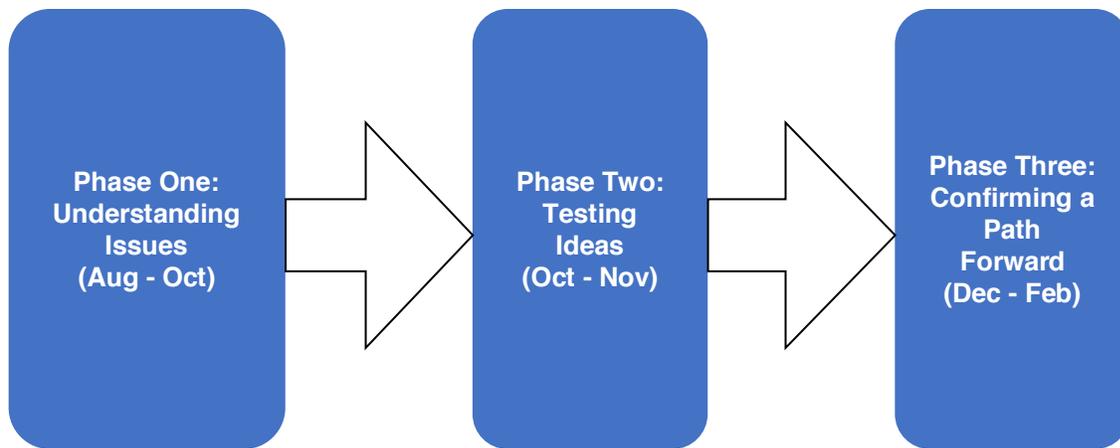
This report is intended to serve as an input into the BIA's planning visioning work by providing a synthesis of key issues and potential strategies that could be explored through the visioning process; it is not intended to serve as a planning rationale or planning analysis. This report was prepared by Swerhun Inc., a third party facilitation team that designs, delivers, and documents engagement processes for public sector and non / not-for-profit clients.

This report includes four sections:

1. Background and introduction
2. Key findings
3. Detailed summary of feedback
  - a. Feedback from BIA Board Members
  - b. Feedback from City of Toronto Economic Development
  - c. Feedback from City of Toronto City Planning
4. Next steps

The issues and opportunities summarized in this report were identified through a series of interviews and focus groups between August 2018 and February 2019. The following page illustrates the overall approach to developing this report and summarizes the deliverables produced.





**Research and develop preliminary list of issues**

- Develop consultation approach
- Inventory and synthesis of background documents
- Board member interviews

**Seeking feedback on draft list of issues**

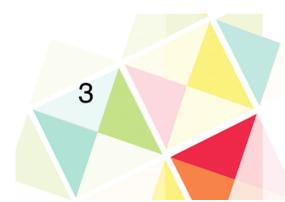
- First BIA Board Focus Group
- Meeting with Economic Development
- Second BIA Board Focus Group
- Meeting with City Planning

**Share revised list of issues**

- Third BIA Board Focus Group

The study process included engagement with a range of audiences, including BIA Board members and staff from the City of Toronto Economic Development and City Planning Divisions. It also included a review of background documents and reports related to planning issues in DUKE Heights. Deliverables produced as part of this process (and included in the Appendix) include:

- Synthesis of key documents
- Summaries of interviews with several BIA Board members
- Summaries of focus groups with the BIA Board
- Summaries of interviews with City staff, including:
  - City Planning
  - Economic Development



## 2. Key Findings

The summary below is a list of key findings that emerged through the study process.

- **BIA Board members agree on many of the planning issues and potential strategies to address those issues.** Throughout the consultation process that informed this report, BIA Board members shared a common desire to see increased economic development and employment growth in DUKE Heights. Many of the issues — including by-law and policy challenges, poor public realm, and transportation challenges — came up consistently in discussions, as did suggested strategies to address these issues. Board Members that participated in the process generally agreed that protecting Core Employment areas in the BIA was important.
- **There are several in-process or upcoming initiatives that could connect to, inform, and support the BIA’s planning visioning work,** including:
  - City of Toronto Economic Development’s review of the IMIT program and its strategy to promote North York as an employment area.
  - On-going work by the City, CreateTO, and Canada Lands Corporation to create an intensified Mixed Use community adjacent to DUKE Heights BIA.
- **City Planning, Economic Development, and DUKE Heights BIA agree on many of the issues impeding the BIA’s ability to achieve its vision.** Generally, the two City Divisions consulted through this process agreed with many of the issues identified by Board Members, including the lack of a cohesive planning vision, the impacts of parking regulations and zoning, and challenges associated with public realm and transportation. To address the challenge of developing a cohesive planning vision for DUKE Heights, City Planning advised the BIA to identify character areas (smaller districts or “mini-towns”) that have distinct identities and different sets of objectives to make the planning study more manageable and help identify priorities (such as cycling and pedestrian improvements).
- **City Planning is willing to consider and/or support several of the strategies suggested by BIA Board Members** through its planning visioning work, including updating zoning, reviewing parking provisions, and developing a parks and public realm plan.
- **City Planning and the BIA Board have different perspectives on considering Regeneration Areas in DUKE Heights BIA.** The BIA Board sees the addition of Regeneration Areas as one way that more economic development and employment growth could be encouraged in the area, saying that, if Regeneration Areas lead to Mixed Use and/or Residential development in key nodes and corridors, employers might be more willing to develop in DUKE Heights (helping achieve the BIA’s vision of employment growth). City Planning sees Regeneration Areas as a conversion of Employment uses, something that the City is not willing to consider outside of an Official Plan review process.



### 3. Detailed Summary of Feedback

This section provides a detailed summary of feedback on issues and opportunities related to DUKE Heights Planning Vision as shared by three audiences: the BIA Board, City of Toronto Economic Development, and City of Toronto City Planning. There is a separate section summarizing the feedback from each of these audiences.

#### Feedback from the BIA Board

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The following is a detailed summary of feedback shared by the Board in both interviews and Focus Groups. Detailed summaries of individual meetings are included in the Appendix.

##### 1. Continued support for the BIA's current vision

As part of a separate Economic Development Study prepared by IBI Group on behalf of DUKE Heights BIA, the BIA Board adopted the following vision for the area:

*To leverage the BIA's strategic location at the gateway to the City of Toronto and the centre of the regional economy, along with proximity to world class academic and government institutions, higher order transit, and a supportive business network, to foster development in advanced manufacturing, health care, research and development and professional services.*

As part of the Request for Proposals to conduct stakeholder consultation around planning issues and opportunities, the BIA further elaborated on this vision:

*To intensify as a major transit hub with high-density employment uses and a mixed-use centre at Keele and Finch.*

Throughout the issues and opportunities consultation process, the BIA Board did not express a desire to deviate from this vision; rather, the Board shared a range of opinions on the best way to advance this vision (described in more detail below).

##### 2. There have been some successes and challenges in achieving this vision

The BIA Board identified some successes in achieving its vision, including:

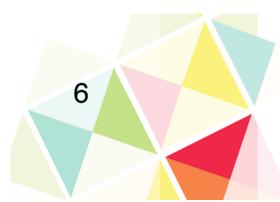
- **Redevelopment and investment.** There has been some redevelopment activity in the BIA area that is consistent with this vision, including 1 Apollo Place, 35 Tangiers, and 2 Champagne (which has been identified as an innovative model for private-sector-led revitalization in an industrial area).
- **Transit and transportation improvements,** including the recently opened extension to the TTC's Line 1, which added subway stations near and in the BIA.
- **Placemaking and branding.** The BIA has developed new wayfinding pillars to contribute to the area's identity and sense of place.



- **Investment in planning**, both by the City (the “Keele Finch Plus” Planning Study and the Finch West Corridor Study) and by Metrolinx (the Encouraging Transit Supportive Places study).
- **Ongoing partnerships and sector strategies.** The BIA has undertaken several studies and initiatives looking at how to stimulate economic development, forge partnerships, and address challenges with public realm and transportation.

The Board described some challenges and/or impediments to achieving its vision:

- **Unfavourable market trends**, including: aging building stock, little vacant land for redevelopment, high redevelopment costs, “e-tailing” impacting commercial activity, and lack of population on nights and weekends.
- **City economic development policies and incentives not suited to DHBIA.** The City of Toronto’s BIA policies and procedures are designed to service tourism-oriented retail BIAs, not large employment BIAs like DUKE Heights. It is also difficult for small businesses to receive some Economic Development Grants (such as the City’s Imagination, Manufacturing, Innovation, and Technology incentive, or IMIT), since these grants tend to be more tailored towards large businesses.
- **Lack of a cohesive City vision for the BIA area.** City-led planning efforts have focused mainly on arterial roads, particularly Keele and Finch.
- **Policies and procedures around development create obstacles to affecting change.** Board members identified several policies and procedures that impede change, including:
  - *North York Zoning By-Law Parking Requirements.* The North York Zoning By-Law has high parking requirements for the DHBIA area, which limits opportunities for redevelopment and intensification. Examples include: large surface parking lots are required for recreational uses; corridors in buildings are included in the calculation of parking requirements, and; the by-law does not permit sharing parking between different uses (such as sharing parking spaces between a hockey rink and an office building).
  - *Height restrictions* associated with Downsview Airport, which have limited opportunities for intensification in some parts of the BIA.
  - *Costly, complex, and time-consuming planning approvals processes.* Because the new Harmonized Zoning By-Law is not yet in force, developers looking to receive planning approvals have to consider two zoning by-laws, which adds time, cost, and complexity to the approvals process. Even small changes, such as changes to tenancy, require complex planning approvals.
  - *Policies around sensitive uses* limit redevelopment of some areas, such as near heavy industrial lands and the Hydro corridor.
  - *Employment Lands designation* prevents commercial retail and residential development in the BIA, seen by some as needed to achieve the BIA’s vision.
- **Transportation challenges, including:**
  - *Automobiles & goods movement.* There is limited connectivity within the BIA (due to a disconnected internal road network) and to surrounding



- communities due to barriers such as the CN Rail, GO Transit Rail Line, and Hydro Corridor. There is also limited road capacity, traffic congestion, and truck traffic on arterial roads.
- *Walking and cycling.* The BIA is an unsafe environment for pedestrians and cyclists. There is a lack of pedestrian and cycling infrastructure (such as dedicated bike lanes) and poor connections of cycling infrastructure to major transit stations.
  - *Transit.* Despite recent subway stations opening, there are poor public transportation connections to the eastern part of the BIA (York U GO station can only be accessed on the west side, and there is no Finch LRT service to the east of the BIA). Transit trips normally require multiple transfers within the BIA, and the lack of fare integration between TTC and YRT makes transit trips across Steeles expensive.
  - **Poor public realm and built environment**, including a lack of parks, green spaces, trees, walkability, and a pleasant streetscape (all of which are seen as desirable to attracting office development). Several parks near to the BIA are inaccessible, including Downsview Park and the Keele Reservoir. The public realm is generally unpleasant, especially for pedestrians due to a lack of enforcement of parking restrictions (such as vehicles parking on grass), signage violations, large setbacks of many buildings, parking lots facing the street, curvilinear roads, and high truck traffic. Finally, the built environment is unpleasant in some places (such as the large oil tanks on Finch) that impact the attractiveness of the area for prospective developers. The high volume of spas and car dealerships also impact image of the area.
  - **Lack of a significant residential population in or near the BIA.** Many employers now want to locate their offices near where their workers lives (since workers prefer to live close to where they work). Since there is not a significant residential population in or near DUKE Heights, it is difficult for the BIA to attract some of the employment growth it wants.
  - **Lack of community facilities or other gathering spaces**, including event spaces, space for performing arts, and community centres.

### 3. Suggestions on strategies to explore through the planning visioning work

Over the course of the consultation process, the BIA Board shared several suggestions on how to address these challenges and help the BIA achieve its vision.

- **Develop a plan that sets a vision for the area as a “town” or “mini-towns.”** The BIA needs a planning vision that’s based on best practices and current trends in town planning for large-scale industrial / employment areas like DUKE Heights.
- **Explore whether “Regeneration Areas” could help maintain and enhance employment while introducing other kinds of uses.** The Board agreed that identifying Regeneration Areas at nodes and corridors could be one way to help achieve its vision. In other parts of the City, Regeneration Areas have been identified to encourage investment (by introducing commercial, retail, or mixed uses) while



protecting employment. Any such Regeneration Area should not interfere with or inhibit the ongoing industrial uses in the BIA “interior” as these uses are important.

- **Review Employment land use policies** and determine opportunities to maximize employment growth (especially around new subway stations and primary corridors) and/or create more flexibility in industrial areas.
- **Explore opportunities for housing**, including affordable housing, student housing, or other ways for people to live, work, and play in and/or near the BIA.
- **Identify potential strategies to revise parking requirements** to better encourage employment growth.
- **Review the height restriction** associated with Downsview Airport and opportunities to remove it.
- **Identify potential location(s) to act a physical hub and heart of the business community** and develop a shovel-ready land and real estate inventory.
- **Explore opportunities to improve transportation, including:**
  - *Automobiles & goods movement.* Identify opportunities / strategies to improve access (road extensions, new connections, alternative route crossing over barriers) and to relocate truck traffic to YorkU Busway as another possible route for truck traffic (in addition to arterial roads).
  - *Walking and cycling.* Identify opportunities to: improve the bicycle path network (both on-and off-road); install bike parking facilities at major transit stations; and improve upkeep of existing facilities (such as addressing rocks and sand collecting on the road from truck traffic).
  - *Transit.* Explore intensifying bus transit service and/or creating dedicated bus lanes to alleviate traffic on arterial roads.
- **Identify opportunities to improve the public realm and built environment**, including opportunities to: acquire parkland; beautify existing properties (such as painting oil tank farms); improve the streetscape (by planting trees, adding sidewalks and pedestrian, adding wayfinding, increasing street lighting, and strategically placing public art); better leverage existing assets like G. Ross Lord Park, and; opportunities to place a new open space at Keele and Finch.

#### 4. Suggestions about the process of developing the planning vision

BIA Board members said the planning visioning approach should include “thinking big,” addressing transportation and beautification, creating a roadmap for change, finding common ground between the City policy and BIA objectives, and reviewing examples of how / where other, similar areas have been able to encourage more employment growth.

They suggested that the planning consultant retained to lead this work demonstrate its experience with: town planning, transforming / reimagining industrial landscapes without interrupting existing businesses, and working with different stakeholders (BIA, the City and BIA members to ensure buy-in).



Finally, BIA Board members said that the process for developing the planning vision should involve consultation, including with:

- City and other staff, especially City Planning, Economic Development, Parks, Forestry, and Recreation, Transportation Services, and the TTC;
- the broader BIA membership, and;
- neighbours, such as Canada Lands Company (around plans for Downsview), YorkU, and others.

### Feedback from the City of Toronto's Economic Development Division

Staff from the City of Toronto's Economic Development Division shared the following advice for DUKE Heights BIA to consider in preparing its planning vision:

#### **1. Connect with separate but related City-led processes or initiatives**

The City has in-progress (or is preparing to begin) initiatives that could inform the BIA's planning visioning work, including: the replacement of the North York Zoning By-Law with Harmonized Zoning By-law; a City-wide BIA policy update that will explore recognizing different tiers of BIAs; an initiative to revisit the IMIT program to incentivize employment outside of Downtown, and; an upcoming strategy to promote North York Civic Centre (and North York suburban areas) as employment and investment destinations. Economic Development suggested that the BIA follow and/or participate in these initiatives to identify potential synergies or connections between them and the planning visioning work.

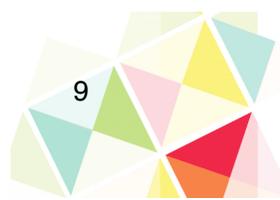
#### **2. Regenerations Areas may or may not work in DHBIA**

If the BIA continues to explore Regeneration Areas as part of its planning visioning work, Economic Development would want to see the following considered:

- **Where in the DHBIA** Regeneration Areas could be considered to have minimal / no impacts on existing Core Employment.
- **Prevention of erosion of employment** due to conversions of Mixed Use / Commercial to Residential mid-construction.

#### **3. Advice for planning visioning work**

Economic Development suggested the BIA connect with Transportation Services around pedestrian issues and consider sharing a draft of the RFP that will be used to retain a planning consultant with Economic Development for review.



## Feedback from the City of Toronto's City Planning Division

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City Planning expressed support for the BIA's current vision, saying it is a good starting point for the planning visioning work. City Planning agreed with many of the issues and impediments identified by the BIA, including: the lack of a cohesive planning vision for the BIA area; the lack of parking enforcement, and; poor connections to transit on the east side of the BIA.

City Planning shared the following feedback and advice for DUKE Heights BIA to consider in preparing its planning vision:

### 1. Ideas City Planning is willing to support

City Planning said it would be willing to consider a range of ideas to support of the BIA's visioning work, including:

- **Reviewing and changing zoning**, include potentially modifying the zoning by-law to allow for intensification of already permitted uses.
- **Reviewing and changing parking standards/provisions** to enable more intensification and less auto-dependency (such as reviewing the parking provisions near rapid transit or moving to the provisions of Harmonized Zoning By-Law, which has a lower parking standard).
- **Removing the Holding provision.** There is currently a Holding provision on much of the DUKE Heights BIA area, which limits redevelopment. This Holding provision was likely placed due to infrastructure concerns, such as transportation capacity. If these concerns have been addressed, the City would be willing to look at removing the Holding provision.
- **Improving parks and public realm.** The City could be willing to consider developing a parks and public realm plan for the BIA to help address the lack of parks and greenspace in DUKE Heights.

### 2. Factors outside of City Planning or DHBIA influence

City Planning noted that, while it supports some of the strategies the BIA is interested in exploring (such as fare integration between TTC and YRT and relocating some truck traffic to the YorkU Busway) these kinds of strategies fall under the jurisdiction of transit agencies. City Planning also said that the closure of Downsview Airport and changes to associated height restriction policies is outside both City Planning's and the BIA's influence and that the BIA consider reflecting the uncertainty around the airport's future in its planning visioning work.

### 3. City Planning's advice for DHBIA's planning visioning work

- **Identify character areas.** It is difficult to have a cohesive planning vision for DUKE Heights since it covers a large geographic area. The BIA should identify character areas: smaller districts or "mini-towns" that have distinct identities and different sets



of objectives that will help identify priorities (such as cycling and pedestrian improvements).

- **Consider adding signage violation** to the list of issues that impact negatively on the public realm.
- **Focus on achievable strategies.** DHBIA should focus on strategies that City Planning can support, such as zoning, parking standards, parks and public realm and the removal of the Holding provision. City Planning will not support Regeneration Areas since these are considered a conversion of Employment Lands, something City Planning will not consider outside of its Official Plan review process.
- **Consider referencing the existence of residential areas within and near the BIA.** The BIA's vision currently speaks only to employment — it could also reference the presence of and connections to residential areas both within and adjacent to the BIA, which could help inform the boundaries of potential smaller districts or “mini-towns.” The Downsview Secondary Plan and associated District Plans both plan for residential uses near DHBIA in the future.

#### **4. Other advice from City planning**

City Planning suggested the BIA consider looking at: advocating for the addition of Bike Share to the area (especially at subways stations); adding the DUKE Heights wayfinding pillar at the GO Station; exploring strategies to create ambient lighting after 6pm (such as encouraging light from office buildings to spill out on to streets); and explore lighting up the antenna at 1026 Finch Ave West (to serve as historical public art). City Planning also said that permissions for developing hotels in employment lands are being removed as they are considered sensitive uses similar to residential.



## 4. Next Steps and Recommendations

The BIA has begun two initiatives that will inform its planning vision in the short term:

- To study where there is agreement between the BIA and City Planning on the update of the Zoning By-Law and to collaborate with City staff on the identification and resolution of contradictions between the North York Zoning By-Law and the Harmonized Zoning By-Law. This study will examine issues such as parking requirements, office use restrictions, and other zoning issues.
- To identify areas where there is disagreement between the BIA and City Planning about land uses. The BIA may undertake additional study — even if these areas are not completely defined — to inform a planning rationale for any desired BIA changes.

Later in the year, a parallel process will begin focused on developing a broader planning vision. The Board will examine options on how to consult more broadly with its membership as part of this broader process. Where there is a range of opinions between the BIA Board and the City Divisions — such as on the value of Regeneration Areas — the BIA Board could consider the following factors:

Opportunities / pros of exploring Regeneration Areas in the planning vision	Risks / cons of exploring Regeneration Areas in the planning vision
<ul style="list-style-type: none"> <li>- The DHBIA Board and City Planning may learn something that could lead to a new understanding of what would make sense in the BIA's vision.</li> <li>- Exploring Regeneration Areas may reveal whether Mixed Use supports or undermines the BIA's vision and the City's broader planning policies.</li> </ul>	<ul style="list-style-type: none"> <li>- Risk of expending time and resources on a policy direction City Planning is unwilling to support.</li> <li>- Risk of straining relationship with City Planning, a key partner that can help advance the BIA's vision.</li> </ul>

