

Authority: Toronto and East York Community Council Item 36.19,  
as adopted by City of Toronto Council on August 25, 26 and 27, 2010  
Enacted by Council: August 27, 2010

**CITY OF TORONTO**

**BY-LAW No. 1173-2010**

**To adopt Amendment No. 388 to the Official Plan for the former City of Toronto  
respecting the Lower Don Lands.**

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

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The text and map annexed hereto as Schedule "A" are hereby adopted as an amendment  
to the Official Plan for the former City of Toronto.
2. This is Official Plan Amendment No. 388.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

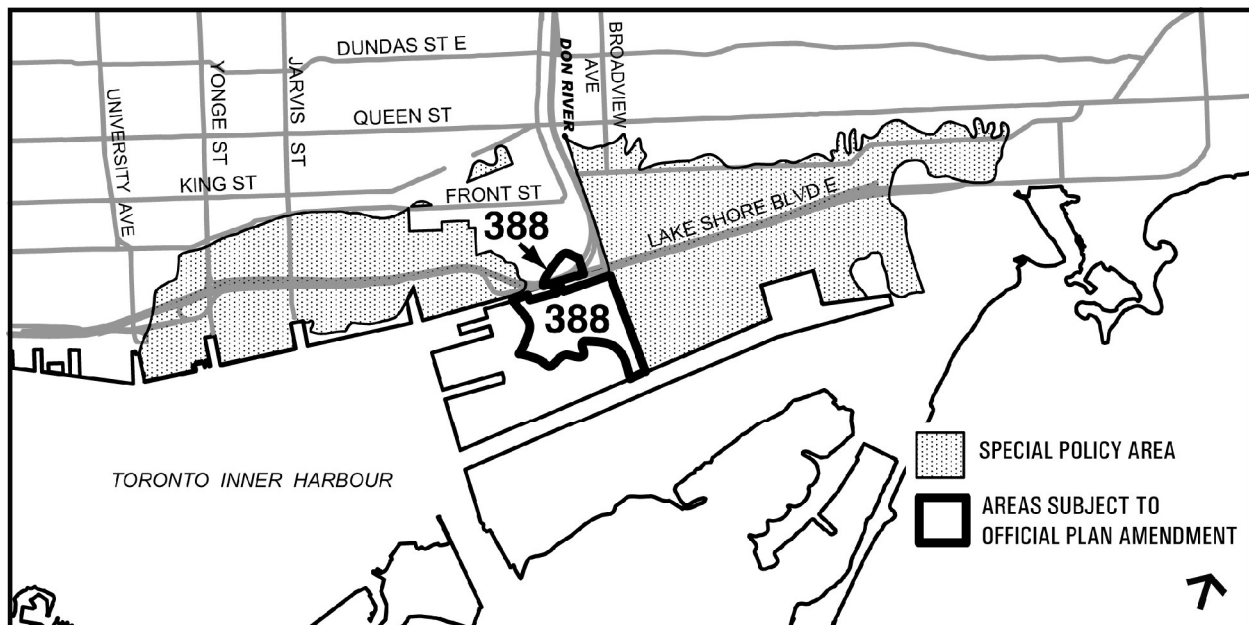
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**AMENDMENT NO. 388 TO THE FORMER CITY OF TORONTO OFFICIAL PLAN  
RESPECTING THE LOWER DON LANDS**

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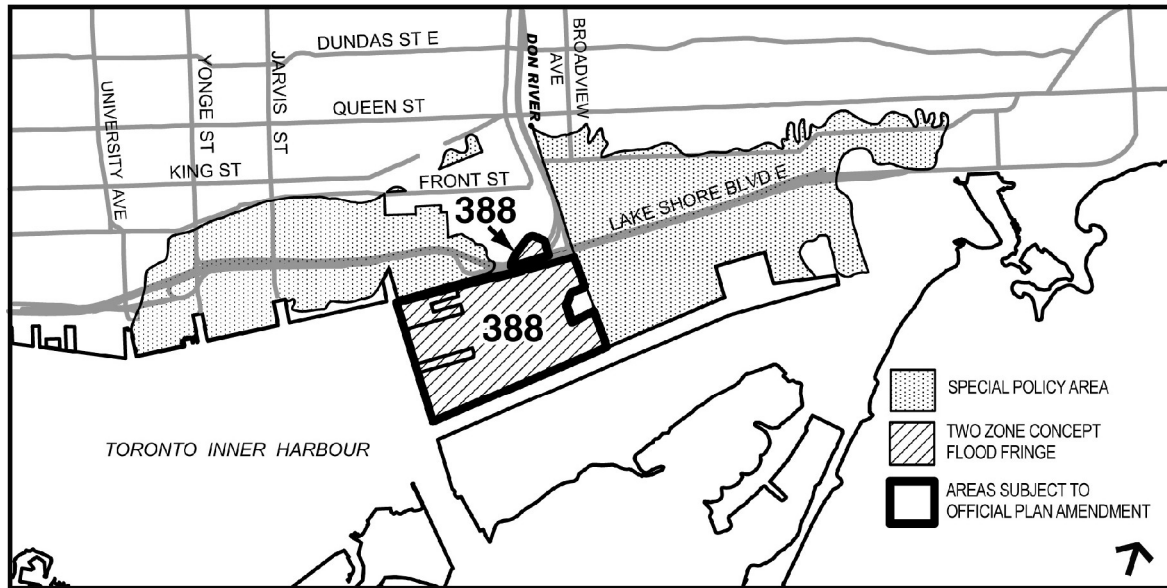
1. The former City of Toronto Official Plan is amended as follows:

Upon approval of Central Waterfront Plan (OPA 257), Map 3, Floodplain Lands and Appendix B Lower Don Lands *Special Policy Area* Maps 10 and portion of Map 11 are amended to remove the *Special Policy Area* designation for the areas generally north and south of the Keating Channel, west of the Don Roadway and north of the Ship Channel identified as "Areas Subject to the Official Plan Amendment" on the map below.



2. The former City of Toronto Official Plan is amended as follows:

Upon approval of Central Waterfront Plan (OPA 257), Map 3, Floodplain Lands, is amended to add a Two Zone Concept designation on the areas generally north and south of and including the Keating Channel, west of the Don Roadway and north of the Ship Channel identified as "Areas Subject to the Official Plan Amendment" on the map below.



3. The former City of Toronto Official Plan and the Central Waterfront Plan (OPA 257) are amended as follows:

Maps listed below for the Central Waterfront Plan are deleted and replaced with the following maps, as attached;

Map A - Roads Plan

Map B - Transit Plan

Map C – Parks and Open Space Areas Plan

Map D - Pedestrian, Cycling and Water Routes Plan

Map E - Land Use Plan

Policy P9 to the Central Waterfront Secondary Plan, is deleted and replaced with the following text:

(P9) Streets that extend to the water's edge will create opportunities to see the lake from the city and the city from the lake. The design of buildings and public and private spaces that frame these streets will be of high architectural quality and take advantage of these views. New streets will be laid out to reinforce visual connections between the city and the water. Among these, Villiers Street/Commissioners Street would be realigned as the main street of the new Port Lands communities from Cherry Street to Leslie Street.

Big Move B11 to the Central Waterfront Plan, is deleted and replaced with the following text:

**B11\_THE DON RIVER AND DON GREENWAY, A NATURAL HERITAGE CORRIDOR**

Completing the Don Mouth Naturalization and Port Lands Flood Protection Project will be a priority for connecting people, places, and the natural heritage system from the north and west to the Port Lands, and to flood protect lands to facilitate revitalization. A new Natural Heritage corridor will be created as a component of the Don River renaturalization in the centre of the Port Lands, functioning as an important open space connection linking the Don Valley, renaturalized Don River, Tommy Thompson Park and Lake Ontario. In addition to providing local open space and subject to its Natural Heritage designation in the Official Plan, the corridor will be able to fulfill a variety of functions, including recreation, flood protection, compatible community uses, multi-use pathways, a wildlife corridor and habitat, and a receptor for stormwater from adjacent communities.

Big Move B18 to the Central Waterfront Plan, is deleted and replaced with the following text:

**B18\_NEW MOUTH OF THE DON RIVER AND THE KEATING CHANNEL, MAJOR NEW OPEN SPACES**

A major new open space will be located adjacent to the renaturalized Don River. It will showcase urban open space design and the integration of flood protection measures. This new river alignment will provide a comprehensive system of open spaces by integrating them with new neighbourhoods and the larger network of the Don River, proposed Don Greenway and Lake Ontario Park. This newly naturalized Mouth of the Don and river system will provide a variety of active and passive recreational uses complementing the newly created naturalized and expanded ravine system. Smaller local parks will also be provided throughout the Port Lands. The precise configuration and function of the various parks will be determined after study of local and regional recreational needs and the preparation of a comprehensive open space framework for the Port Lands in the context of the larger Toronto Waterfront open space network. The Keating Channel will be retained as the centerpiece of a channel-based open space.

Big Move C21 to the Central Waterfront Plan, is deleted and replaced with the following text:

**C21\_RENATURALIZING THE MOUTH OF THE DON RIVER**

The mouth of the Don River will be renaturalized and rerouted through the Lower Don Lands, south of the Keating Channel. Completing the Don Mouth Naturalization and Port Lands Flood Protection Project will be a top priority to restore and improve the ecological function of the river, provide flood protection, attract new wildlife to the area, and provide for appropriate sediment management. The renaturalized river will also become a key open space and recreational link to the Don Valley, West Don Lands, Port Lands and waterfront park system. This enhanced river setting will provide a gateway to the new urban communities in the Port Lands, including the Lower Don Lands. Vehicular and pedestrian and cyclist's bridges over the river will be designed as signature

entrances of beauty and inspiration, including new bridges associated with the river crossing of the realigned Cherry Street and Villiers Street/Commissioners Street. The Keating Channel will be retained as a cultural heritage centrepiece of a new community.

Policy P28 to the Central Waterfront Plan is deleted and replaced with the following text:

(P28) Lakefilling will be considered only for stabilizing shorelines, flood protection, improving open spaces, creating trail connections, preventing siltation and improving natural habitats and is subject to Provincial and Federal Environmental processes. Consideration will be given to the impact of such lakefilling on recreational uses and fish habitat.

Big Move D22 to the Central Waterfront Plan, is amended by deleting the twelfth sentence and replacing it with the following text:

Cherry Street and Villiers/Commissioners Street will be important components of this new centre.

A new Big Move D26 is added to the Central Waterfront Plan:

#### D26\_LOWER DON LANDS

The revitalization of the Lower Don Lands will transform the City's waterfront into a significant waterfront destination which combines sustainable city building with the restoration and naturalization of the Don River. The Lower Don Lands and renaturalized Don River will provide a gateway to Port Lands and reconnect the City to the waterfront. The Lower Don Lands comprise a new urban district within the Port Lands and will be developed into a number of diverse mixed-use communities focused around the renaturalized Don River and the historic Keating Channel. Vibrant waterfront communities will be developed with a balance of live, work and recreational opportunities which reduce automobile dependency and encourage sustainable transportation choices, such as walking, cycling and public transit. An expansive and interconnected system of public parks and open spaces, pedestrian and multi-use trails, and accessible public transit network, will weave together the waterfront communities with a healthy natural heritage system.

Due to the risk of flooding and important site planning and environmental considerations in the Lower Don Lands, a Two Zone Concept, as described in the Provincial Policy Statement, of floodplain management applies to the portion of the Lower Don Lands generally located north and south of the Keating Channel, west of the Don Roadway and north of the Ship Channel, shown as Two Zone Concept on Map 3, Floodplain Lands of the Official Plan. Under the Two Zone Concept, development, excluding the construction of servicing and infrastructure forming part of the flood protection works and the proposed Promontory, shall not be permitted until all of the following has been satisfied:

1. The remedial flood protection works approved in the approved Don Mouth Naturalization and Port Lands Flood Protection EA are complete and in effect;
2. Updated flood line mapping has been prepared and approved by the TRCA;
3. Phases 1- 4 inclusive of the Lower Don Lands Class Environmental Assessment Master Plan are complete and in effect;
4. The development meets the program, regulatory, and policy requirements of the TRCA;
5. Notwithstanding 1. above, development is permitted in association with phased implementation of the remedial flood protection works outlined in the approved DMNP EA, subject to:
  - i. The development phase meeting all flood plain management policies with respect to ecological management, naturalization, flood remediation (including but not limited to safe ingress/egress and flood proofing to the level of the Regulatory Flood, and no significant off-site impacts to flooding) to the satisfaction of the TRCA and the City; and that development is appropriately phased without compromising the implementation of future phases of the DMNP;
  - ii. Assessment of the phasing plan against the implementation of the approved precinct plan(s) and transit, transportation, water, waste water and storm water and other servicing infrastructure plans of the Lower Don Lands Class Environmental Assessment Master Plan;
  - iii. The undertaking of adequate public consultation to obtain broad stakeholder and agency input respecting the proposed phased implementation of the remedial flood protection works; and
  - iv. Updated flood line mapping prepared and approved by the TRCA for the phase in recognition that the proposed development phase is flood protected to the level of the Regulatory Flood.
6. Notwithstanding the above, Council may, in a by-law passed under S. 39 of the *Planning Act*, authorize the temporary use of land, or existing buildings or structures for any purpose set out therein that is otherwise prohibited by the Zoning by-law if all of the following have been satisfied:
  - a. The temporary use is not located on lands identified as part of the new valley corridor, including the 10 metre buffer, in the DMNP EA.
  - b. The temporary use will not compromise the implementation of the DMNP EA.

- c. The period of time for which the authorization shall be in effect shall not exceed one year from the day of the passing of the by-law.
  - d. Any new structures must be temporary in nature and easily removable.
  - e. Any new temporary structures must be floodproofed to the satisfaction of the TRCA.
  - f. A flood emergency response plan must be implemented to the satisfaction of the TRCA and the City.
  - g. The following temporary uses are prohibited:
    - i. Residential uses;
    - ii. Institutional uses associated with or in the nature of hospitals, nursing homes, pre-school, school nurseries, day care and schools;
    - iii. Essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding or the failure of floodproofing measures;
    - iv. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
  - h. The temporary use meets the program and policy requirements of the TRCA.
7. Nothing in this section will limit the ability of legal conforming uses existing on the day of adoption of this bylaw to continue to exist.

Subsection 2.6 Holding By-laws of Section Five Making It Happen: is amended by adding the following text:

2.6.2 Holding Provisions related to the Lower Don Lands

- 2.6.2.1 In addition to the matters specified in Section 2.6, for the lands north of the Keating Channel between Cherry Street and the Don Roadway, Council may enact zoning by-laws pursuant to Sections 34 and 36 of the *Planning Act* with an "h" holding symbol to prevent development until:

The completion of the Environmental Assessment for the Reconfiguration of the Gardiner Lake Shore Corridor. After the necessary Environmental Assessment and related urban design studies specified in the zoning bylaw have been completed, the holding symbol may be removed after Council is satisfied that the resulting built form arrangement is compatible with any plans for any reconfiguration of the transportation corridor.

2.6.2.2 In addition to the matters specified in Section 2.6 and 2.6.2.1, for the lands north and south of the Keating Channel and west of the Don Roadway and north of the Ship Channel, Council may enact zoning by-laws pursuant to Sections 34 and 36 of the *Planning Act* with an "h" holding symbol to prevent development until: Confirmation from TRCA that the flood protection works contained in the DMNP EA or phases thereof, are complete.

Section 5, Making It Happen, is amended by adding the following as subsection 6.3:

6.3 The passage of any by-law or development occurring within the Lower Don Lands in reliance on the following Big Moves (B11, B18, C21, D22, D26) Policies (P9, P28), Schedule A, Maps A, B, C, D and E shall occur pursuant to:

- 1) The Minister of the Environment having approved the Environmental Assessment for the Don Mouth Naturalization and Flood Protection Project; and
- 2) Official Plan Amendment 257 being in full force and effect for the Lower Don Lands.

**Schedule A to the Central Waterfront Plan, is amended as follows:**

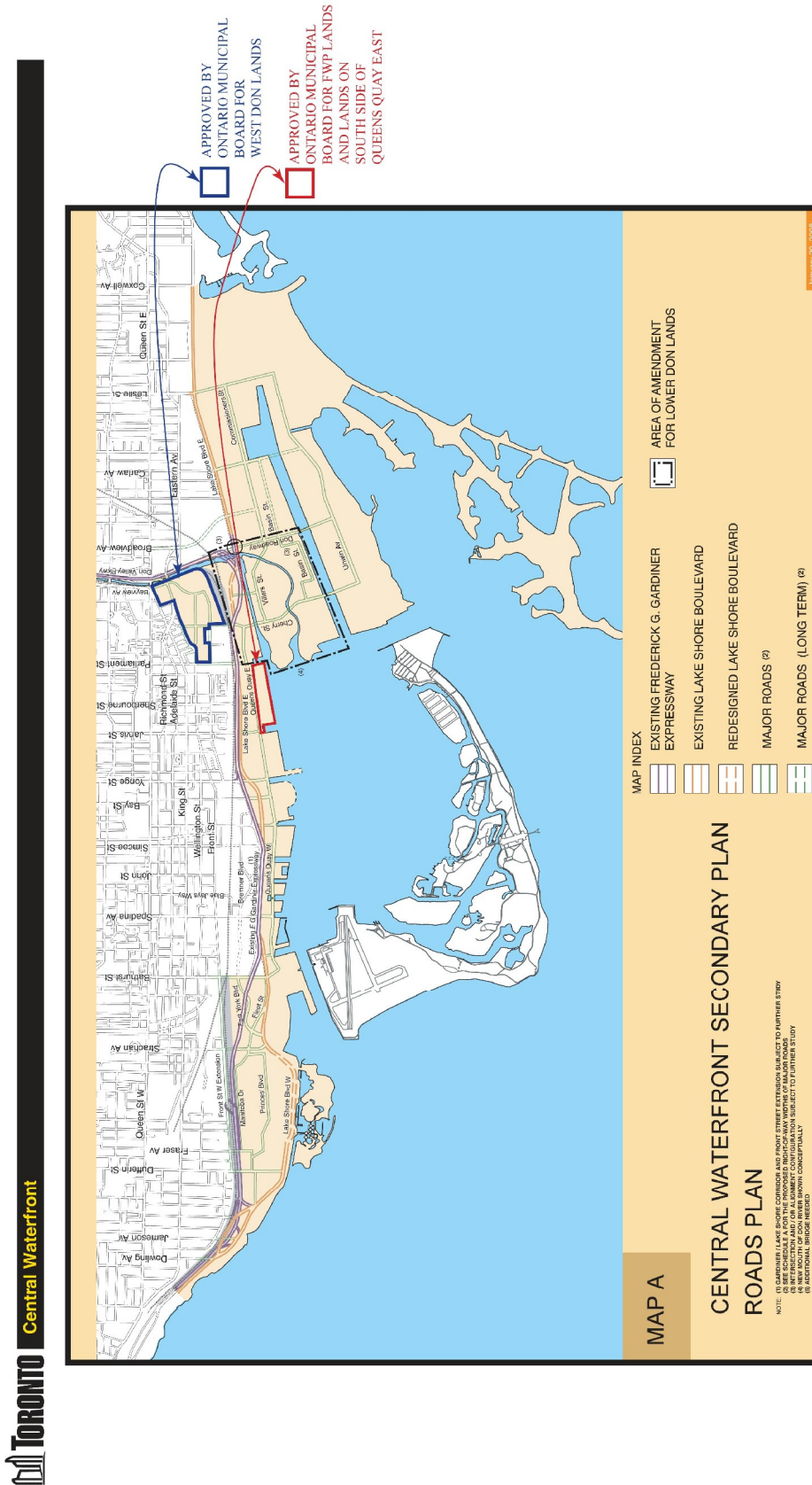
Schedule A to the Central Waterfront Plan is amended by modifying Commissioners Street, as well as adding Villiers Street and Munition Street as follows:

**Proposed Rights-of-Way (ROW) For Major Roads**

<b>Roadway (1)</b>	<b>From</b>	<b>To</b>	<b>ROW</b>	<b>Streetcar in own ROW</b>
Commissioners St.	Don Roadway	Leslie St.	40 m	Yes
Commissioners St./Villiers St.	Cherry St.	Don Roadway	43 m	Yes
Munition St.	GO Transit Railway Yard	Villiers St.	25 m	No

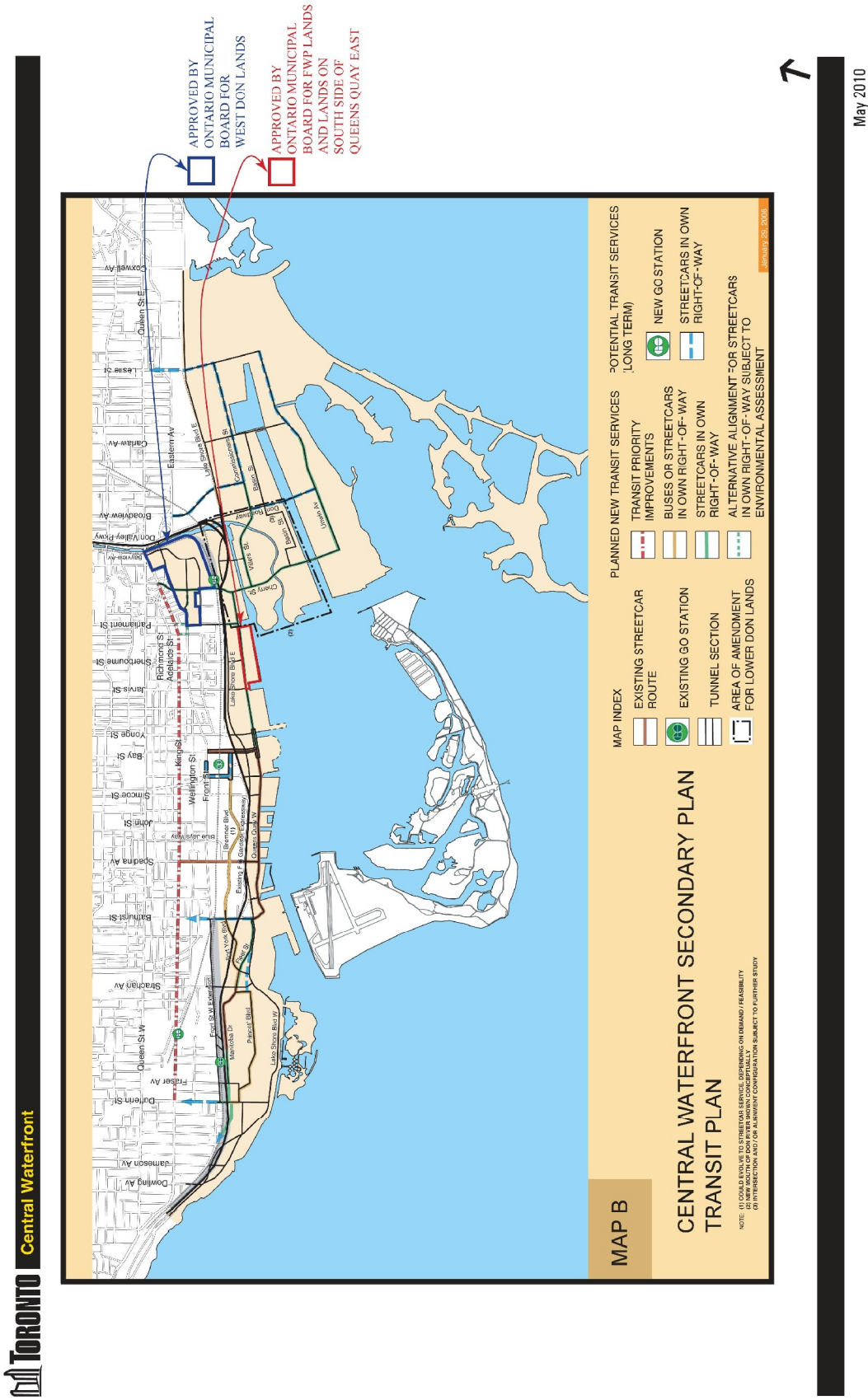


## Map A – Roads Plan



July 2010

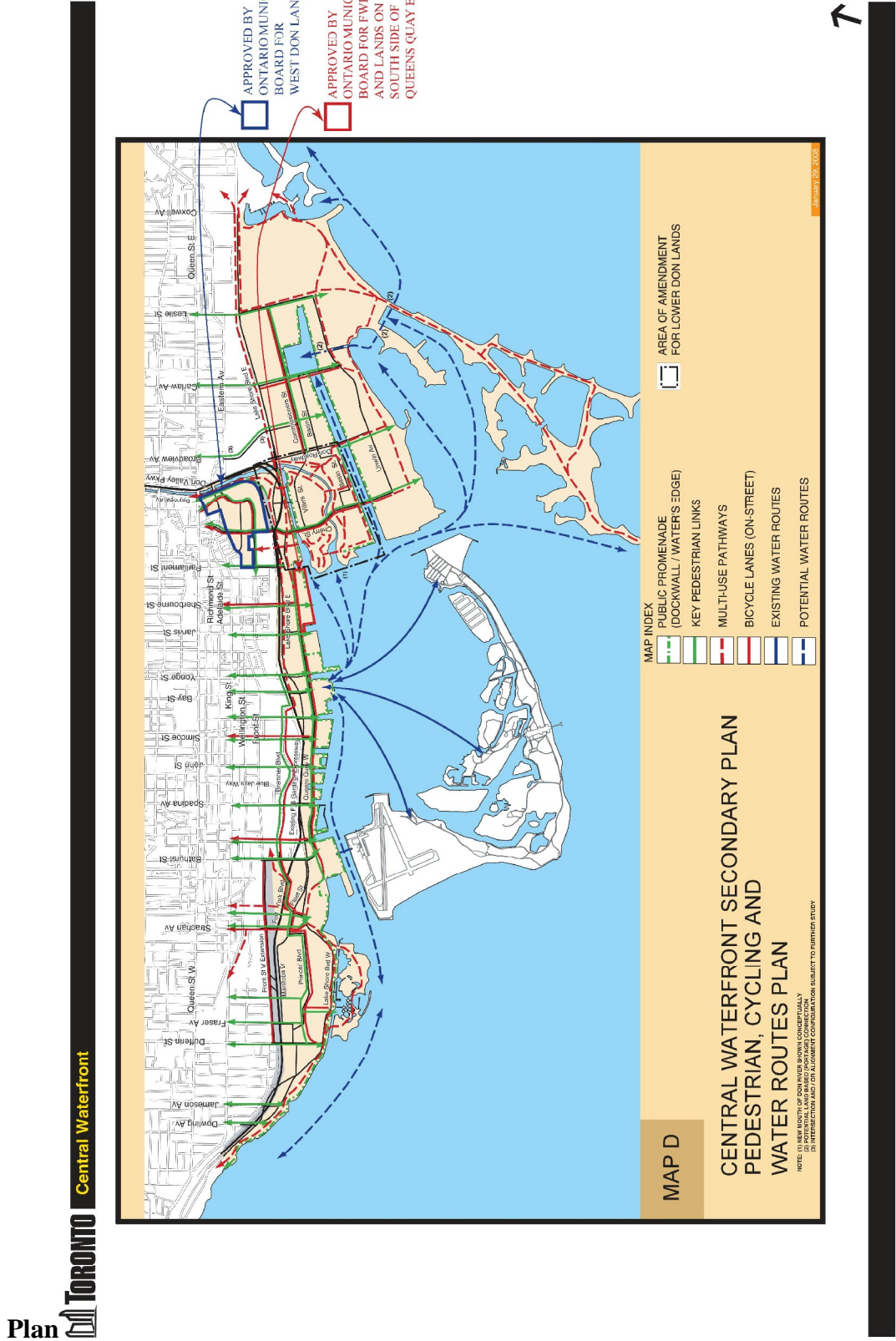
Map B – Transit Plan



Map C – Parks and Open Space Areas Plan



Map D – Pedestrian, Cycling and Water Routes





Map E – Land Use Plan

