

Further Report on Removal of the Gardiner Expressway East from Jarvis

Date:	September 26, 2008
To:	Planning and Growth Management Committee
From:	Gary Wright, Chief Planner and Executive Director
Wards:	Ward 28 – Toronto Centre-Rosedale and Ward 30 – Toronto-Danforth
Reference Number:	pg25094681093

SUMMARY

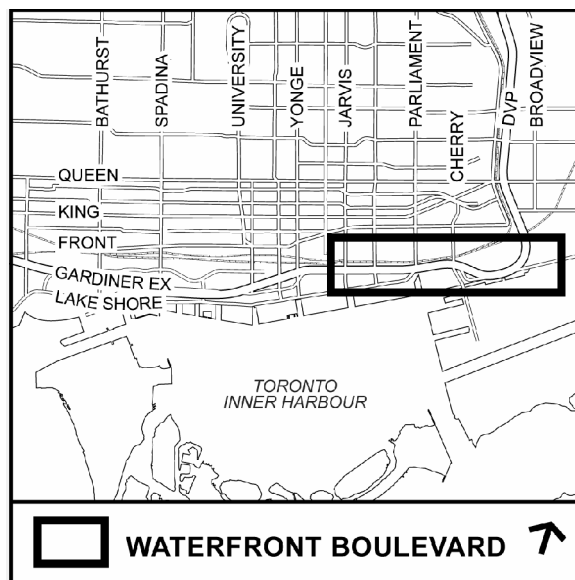
At its meeting of July 15, 16 and 17, 2008 City Council adopted motions to authorize the City to act as co-proponent with Waterfront Toronto to undertake an individual environmental assessment on the removal of the Gardiner Expressway, east of Jarvis Street and the creation of an at-grade boulevard. City Council also directed the Chief Planner to report back to Planning and Growth Management Committee on land use and development issues related to the removal of the Gardiner Expressway.

RECOMMENDATIONS

The City Planning Division recommends that:

It is recommended that City Council:

1. direct the Chief Planner to include the lands north of Lake Shore Boulevard and south of the rail corridor, between the Don River and Cherry Street in the waterfront planning area for the Lower Don Lands;



2. direct the Chief Planner to undertake a planning framework study, in consultation with the Waterfront Secretariat and Waterfront Toronto, for the area in the Port Lands east of the Don Roadway adjacent to Lake Shore Boulevard East: and
3. authorize the Chief Planner to review and make recommendations on the appropriate amendments/modifications to the Official Plan and the Central Waterfront Plan;

Financial Impact

There are no financial implications with the adoption of this report.

DECISION HISTORY

At its meeting of July 15, 16, and 17, 2008 City Council adopted the “Environmental Assessment for creation of a Waterfront Boulevard and Removal of the Gardiner Expressway East from Jarvis Report” and authorized the City to act as co-proponent with Waterfront Toronto to undertake an environmental assessment for the removal of the Gardiner Expressway east from Jarvis Street. A number of motions were also adopted, including the following:

“The Chief Planner be requested to submit a report to the October meeting of the Planning and Growth Committee, identifying City Building goals for the Lake Shore Boulevard vicinity associated with the takedown of the Gardiner east of Jarvis and outline a framework for comprehensive and managed land use planning for the area to meet these goals which addresses:

- i. current zoning for the aforementioned areas;
- ii. approximate number of hectares with a precinct plan, and other processes such as EA's and those without;
- iii. jurisdictional and other potential issues including land ownership which may impede City goals;
- iv. any issues which should be included in the review of the Official Plan which is required every 5 years and is anticipated for 2011; and
- v. any other issues that the Chief Planner identifies while developing the report.”

ISSUE BACKGROUND

The F.G. Gardiner Expressway extends approximately 18 km from the Queen Elizabeth Way at Highway 427 to past the Don Valley Parkway. It is owned and maintained by the City of Toronto.

The 7 km elevated section of the Gardiner Expressway was completed in 1965 and runs from Dufferin Street to east of the Don Valley Parkway. For the most part, it is a six-lane

controlled access highway with three lanes in each direction, that carry roughly 200,000 cars per day west of York street and 120,000 cars per day east of Lower Jarvis Street.

Lake Shore Boulevard, a six-lane arterial road, is located underneath the elevated Gardiner for about 2/3 of its length and has 13 ramp connections to the Gardiner. East of Lower Jarvis Street, the elevated Gardiner is approximately 10.4 m above grade and is over Lake Shore Boulevard. Between Lower Jarvis Street and Cherry Street it runs along the south side of the rail corridor. At Cherry Street it swings south to the north side of Keating Channel and then north on a flyover to connect with the Don Valley Parkway. Another leg of the elevated Gardiner continues eastward approximately 0.4 km east from the flyover past the Don River on a ramp that joins Lake Shore Boulevard at grade near Bouchette Street.

Numerous studies and task forces have proposed schemes for the removal or alteration of the elevated Gardiner structure over the years. Options reviewed were expensive and time consuming to construct.

In 2007, Waterfront Toronto (WT) and City staff collaborated to find a more affordable solution to the redesign of the Gardiner that improved the quality of the public realm, the pedestrian environment and access to the waterfront. The result of this review is WT's current "Waterfront Boulevard" proposal for removal of the eastern section of the Expressway. The "Waterfront Boulevard" would dismantle only the section of the Gardiner from Jarvis east of the downtown core.

COMMENTS

City Building Goals

The vision contained in the Official Plan is for a more liveable city based on integrating future growth with a viable transportation network that emphasizes reducing reliance on the private automobile and enhancing a green space network. The plan policies guide actions to create improvements to the public realm, the pedestrian environment and access to the waterfront. Policies in the Official Plan support a reduction in auto dependency and greater reliance on walking, cycling and transit to fulfill transportation needs.

The existing Gardiner Expressway has been widely criticized for being incompatible with an urban context that has evolved since its construction. This area is evolving from an industrial port area to new waterfront communities and public spaces. The area under the Expressway, and in particular the north south streets under it are subject to issues such as bird guano, litter blown off the expressway, ice, snow and water cascading down, and noise, dust and grime. A lack of sunlight results in challenging conditions for landscaping. These conditions create an uninviting environment that negatively impacts on the goals of removing barriers and making connections between the City and its waterfront.

It is anticipated that the greatest benefit of removing the elevated section of the Gardiner east from Jarvis is to improve the quality of the urban spaces in East Bayfront and Lower

Don Lands, and spaces along the Lower Don River and eastward on Lake Shore Boulevard. It will create the opportunity to achieve design excellence and outstanding new communities and public spaces in the East Bayfront and Lower Don Lands. It will also enhance the physical environment for the employment uses further east along Lakeshore Boulevard East.

This new urban boulevard will allow the creation of pedestrian friendly, green and attractive streetscapes. It will improve the quality of adjacent public spaces and the frontages of abutting development parcels. A more optimal layout and design of the public spaces, streets and infrastructure will be the result.

Framework

The City's Official Plan and the Central Waterfront Plan create the framework for development. This is further refined through precinct planning and then implemented through zoning. For some areas of the waterfront the more detailed work is complete, in other areas it is underway or has not yet been started.

Official Plan

The vision contained in the Official Plan is for a more liveable city based on integrating future growth with a viable transportation network and a green space network. The plan policies guide actions to create improvements to the public realm, the pedestrian environment and access to the waterfront. Policies in the Official Plan support a reduction in auto dependency and greater reliance on walking, cycling and transit to fulfill transportation needs.

The Official Plan, while approved by City Council is not in full force and effect in the central waterfront because of outstanding appeals including appeals to the Central Waterfront Plan. The Gardiner Expressway is shown on the Urban Structure and Street Right-of-Way Maps (Maps 2 and 3). The removal of the expressway and reconfiguration of other streets shown on these maps would require future revisions to the maps.

Central Waterfront Plan

Council approved the Central Waterfront Plan in 2003. The plan is built on four core principles:

- (i) removing barriers/making connections;
- (ii) building a network of spectacular waterfront parks and public spaces;
- (iii) promoting a clean and green environment; and
- (iv) creating dynamic and diverse new communities.

One of the "big moves" identified in the plan as part of the core principle of removing barriers and making connections is the redesign of the Gardiner corridor.

The Central Waterfront Plan describes the elevated Gardiner as “a major physical barrier that cuts off the city from the waterfront”. It calls for improvements to the road system and GO and TTC services to ensure the success of a redesigned Gardiner corridor. The Plan also promotes a “Transit First” approach to redevelopment in the waterfront. Transit improvements along the Gardiner corridor such as new GO lines, improvements to Union Station, Waterfront East LRT service to the West Don Lands, East Bayfront, Port Lands, and extension of the Waterfront West LRT are anticipated in the Secondary Plan.

The Central Waterfront Plan is not yet in force and effect for many areas of the central waterfront due to outstanding appeals before the Ontario Municipal Board. The OMB hearing is on going and is structured on a geographic basis, dealing with areas from west to east. Appeals have been dealt with for the majority of the western areas while West Don Lands and East Bayfront lands south of Queens Quay are fully approved and zoning in place.

Precinct Plans

Precinct planning is the next level of detailed work that implements the city building goals and objectives of the Central Waterfront Plan and the Official Plan. The West Don Lands and East Bayfront Precinct Plans have been completed and endorsed by City Council. As part of the Lower Don Lands Framework Plan, Waterfront Toronto is now preparing a Precinct Plan for North Keating. All precincts are shown on Attachment 1. The final step, once precinct plans are in place is to bring forward zoning by-law amendments to implement the plans.

(a) East Bayfront

Precinct Plan and Zoning

East Bayfront has an area of 25 ha and is located immediately south of the Gardiner/Lakeshore corridor between Jarvis and Parliament Streets. The East Bayfront Precinct Plan, endorsed by Council in 2005, provides for approximately 6,300 residential units and 92,900 m² of commercial space. The vision for East Bayfront is for “...a new waterfront community, a place of design excellence, high levels of sustainability and strong relationships to the waterfront with a mix of uses and a range of built form ...”

The precinct plan identifies the Gardiner as a major constraint to revitalization of the precinct and supports its removal. It states “...as long as the Gardiner remains as an elevated expressway at the northern edge of the precinct, it will form a barrier along the north-south passages and impact the built form of new development along that edge. The true potential of the East Bayfront, and indeed Toronto’s relationship with its waterfront, is best realized if the Gardiner was removed and the corridor reconfigured as a proper boulevard ...”.

In September, 2006 Council adopted a zoning amendment for East Bayfront to implement the precinct Plan. The zoning is shown on Attachment 2.

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/te7rpt/cl017.pdf>

The lands on the south side of the Gardiner (and Lake Shore Boulevard) between Lower Jarvis and Small Streets were rezoned to CR(h) and G which provides for a variety of commercial, residential and park uses. The (h) can be lifted after entering into agreements to ensure certain matters are fulfilled such as noise studies, public art and LEED Silver certification. The zoning by-law has been appealed to the OMB. At present, only the new zoning of lands south of Queens Quay has been approved by the OMB.

In adopting the zoning by-law, Council also resolved to allow, upon a final decision on the design and function of the Gardiner and at the request of abutting landowners, a review of the Precinct Plan and zoning for adjacent development focusing on changes to built form and use provided the review is “density neutral”.

Environmental Assessments

Two environmental assessments are currently underway in the area: the TTC-WT East Bayfront Transit Study and the Queens Quay Revitalization Study. The East Bayfront Municipal Class Master Plan EA was completed at the time of precinct planning.

Ownership and Anticipated Development

There is a mix of public and private ownership in East Bayfront as shown on Attachment 3. The area south of Queens Quay to the lake is owned by the City. The lands north of Queens Quay Blvd to Lake Shore Boulevard from Lower Jarvis to Small Street are mostly in private ownership. The parcel between Lower Sherbourne and Bonnycastle Street is owned by TEDCO and Waterfront Toronto.

It is anticipated that development proposals for the area south of Queens Quay will be submitted in conformance with the Precinct Plan and Zoning By-law. The first plan of subdivision has been submitted for City owned lands for the area between Lower Jarvis and Lower Sherbourne. This area includes First Waterfront Place, Sugar Beach Park, Sherbourne Park and future George Brown College campus. Waterfront Toronto has issued the first Request for Qualifications for private developers for East Bayfront. At this time there are no development applications in this precinct north of Queens Quay adjacent to the Gardiner Corridor.

(b) West Don Lands

Precinct Plan and Zoning

The Precinct Plan for West Don Lands, endorsed by Council in 2005, covers an area of 32 ha and provides for a new mixed use community with approximately 6,000 residential units and approximately 74,000 m² of commercial uses.

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050517/pof5rpt/cl001.pdf>

The West Don Lands is zoned RA(h) (Attachment 2) permitting a wide variety of uses from residential to light industrial. Prior to lifting the (h) a number of criteria must be

satisfied including a new lot and block plan and plans for soil and groundwater contamination.

Environmental Assessments

Four environmental assessments have been completed in the West Don Lands: the TTC-WT West Don Lands Transit EA, the Lower Don West Remediation and Flood Protection EA, the West Don Lands Municipal Class Master Plan EA, and the River Street Extension Addendum to the West Don Lands Municipal Class Master Plan EA.

Ownership and Anticipated Development

The Province of Ontario owns most of the land in West Don Lands, (Attachment 3). The first subdivision phase has been submitted and includes the development area adjacent to King and Queen Streets as well as the new Don River Park and new streets. Through an RFP process Waterfront Toronto has chosen the first private developer for the area. In addition, Toronto Community Housing Corporation will develop a site in the first phase. It is anticipated that development proposals will be submitted in conformance with the Precinct Plan and Zoning By-law.

(c) Lower Don Lands and North Keating Precinct

Framework and Precinct Planning and Zoning

The Lower Don Lands is a large area, approximately 110 ha in area, which will encompass several new neighbourhoods including the North Keating Precinct and the re-located mouth of the Don River. It is bounded by Parliament Street, the rail corridor, the Don Valley Parkway/Don Roadway and the Ship Channel in the Port Lands.

As a first step in planning for the area, Waterfront Toronto is currently undertaking a Framework Plan for the Lower Don Lands area. Preliminary analysis by Waterfront Toronto indicates that the area might accommodate up to 10-12,000 residential units and 10,000 jobs. Community facilities being considered in the Lower Don Lands include an elementary school, day care, library and recreation centre.

As part of the Lower Don Lands, the area north of the Keating Channel is the first area for the preparation of a precinct plan. The North Keating Precinct is defined as the lands north of the Keating Channel, east and west of Cherry Street and has an area of approximately 30 ha. It is anticipated that approvals for the area will be before Council in fall 2009.

In the North Keating Precinct, particularly the area east of Cherry Street, the impact of the removal of the Gardiner will be significant as both the Gardiner Expressway and the ramp connections to the Don Valley Parkway run through the area. Removal of the Gardiner will enable the consideration of a greater range of road alignment and urban design options for the North Keating precinct. For the area east of Cherry Street the preferred alignment and connections to the Don Valley will ultimately determine much of the layout of the Precinct Plan. Precinct planning for this area should therefore be at a framework level, to allow for the flexibility required to develop a preferred alignment.

The area north of the Gardiner and east of Cherry Street is currently not included in any Waterfront planning area as this area was expected to be utilized for the mouth of the Don. The area is designated *Natural Area* in the Official Plan and shown as part of the Green Space System, as shown on Attachment 4. As the preferred alignment for the mouth of the Don has moved further south, this area could be released for alternate uses. Council should direct staff to include this area in development plans and further direct staff to undertake the necessary Official Plan amendments at the appropriate time.

Zoning for the majority of the area is industrial, I3 D2, allowing for a mix of industrial uses including warehousing and storage, transportation and manufacturing uses (Attachment 2). Zoning for the area west of Cherry Street is IC allowing for a mix of industrial and commercial uses.

Environmental Assessments

A number of environmental assessments are currently underway in the area, including a Municipal Class EA Master Plan for the roads, transit and municipal services (water, stormwater, sanitary) for the precinct and the rest of the Lower Don Lands, and the Don Mouth Naturalization and Flood Protection EA. The TTC-WT East Bayfront Transit Study also extends into the Lower Don Lands, to Cherry Street.

The Don Mouth Naturalization and Flood Protection EA, led by the TRCA for WT, has identified a preliminary preferred EA alternative which would extend the Don River south and west within the Lower Don Lands so its mouth will be near Polson Quay rather than at its current location at Keating Channel. This preferred alignment is different than the Central Waterfront Plan and opens up more lands for development consideration along the Gardiner corridor.

Both the TRCA and WT are preparing plans based on this preferred alignment. The preferred alignment will require an evaluation of land use designations as shown on maps in the Official Plan and Central Waterfront Plan. As an example, the location of park space and active sports facilities that were anticipated in Commissioners' Park have to be accommodated within the new plan.

The framework plan being developed by WT will coordinate precinct plans, Don Mouth EA and infrastructure EAs in the Lower Don Lands. This work will tie the natural areas required for river management with urban growth for the area. All agencies are working co-operatively to develop the plans and EA work. As work proceeds on the EAs the Framework Plan and Precinct Plans, there must be an awareness of the work being undertaken for the Gardiner EA.

Ownership

There is a mix of public and private ownership in the Lower Don Lands area (Attachment 3). North of the Keating Channel, west of Cherry Street is a mix of public and private ownership. East of Cherry Street is in public ownership. Most of the land south of the Keating Channel to the Ship Channel is under the control of TEDCO, with some private

ownership on Polson Street and the blocks between Villiers and Commissioners' Street east of Cherry Street.

(d) South of Eastern

Secondary Plan and Zoning

The South of Eastern Employment District begins east of the Don River, north of Lake Shore Boulevard East. The South of Eastern Secondary Plan is currently before the Ontario Municipal Board. There are comprehensive policies in the Secondary Plan including policies to maintain and strengthen the economic function of the Employment District, limit retail and service uses, connect existing and planned green spaces, enhance the District's relationship to the Waterfront and limit and consolidate new street intersections and driveway access points to and from the north side of Lake Shore Boulevard.

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/te12.7b.pdf>

Lands are zoned primarily a mix of industrial uses, I2, I3 and IC, allowing amongst other uses, warehousing and storage, transportation and manufacturing uses. A zoning by-law amendment that implements the Secondary Plan is currently before the OMB.

Council Directions

Staff have been directed to bring forward Urban Design Guidelines for this District. City Council has also directed that staff report back on the option of rezoning the north side of Lake Shore Boulevard "G" (it is designated *Parks and Open Space Areas*) and on options of greening this section of Lake Shore Blvd to create a "Grand Boulevard". This is consistent with City objectives for the removal of the Gardiner.

Ownership

Lands in the western portion of the South of Eastern Employment area are primarily privately owned. There is a publicly owned rail yard at the southwest corner of the District.

(e) Additional Port Lands (east of the Lower Don Lands)

Official Plan and Zoning

The lands that abut the Gardiner (and Lake Shore Boulevard East) in this area of the Port Lands are designated *Regeneration Area* and *Parks*. The Central Waterfront Plan policies for *Regeneration Areas* provide for mixed-use development subject to the preparation of precinct implementation strategies. A precinct planning process has not been initiated for this area.

Existing zoning for the area is I3 D2, allows amongst other uses, warehousing and storage, transportation and manufacturing uses. Development proposals conforming to this zoning would be permitted.

Ownership

There is a mix of public and private ownership in this area of the Port Lands, refer to Attachment 3. TEDCO controls most of the land but there is some private ownership adjacent to Lakeshore Boulevard between Saulter and Bouchette Streets, where the Gardiner is to be removed. There are also long term lease options on some lands. Filmport has lease options on lands on the east side of the Don Roadway, east to Saulter Street and south to the ship channel as well as a parcel at the northwest corner of Bouchette Street and Commissioners Street. A planning framework should be established for the Filmport lands.

With the removal of the Gardiner this area could experience development pressure. There has been no detailed planning work undertaken in the area to provide a framework for review of development applications. As such, City Planning is recommending a planning study be undertaken for the area that would address the city's vision and how to achieve it. The framework for the planning study needs to be developed but could include, vision, scope, boundaries, issues and implementation strategy. Undertaking the study while the take down of the Gardiner is being explored would ensure initiatives are co-ordinated.

Jurisdictional Issues

Environmental Assessments

As stated elsewhere in this report, there are a number of environmental assessments being carried out by different agencies. While all agencies are working co-operatively, it will be important to monitor progress of the various assessments and ensure consistency. A Gardiner EA process will need to be coordinated with these initiatives.

Ontario Municipal Board

There are a number of initiatives currently underway that have been appealed to the OMB.

Central Waterfront Plan is currently before the OMB. Issues have been identified and work on resolving issues is proceeding in a geographical manner from west to east. The OMB decision in December 2007 implemented the Central Waterfront Plan and zoning for the public lands south of Queens Quay in East Bayfront. Further pre-hearings will be scheduled to determine the status of resolution of issues with private landowners north of Queens Quay and possible future hearing dates. Consolidated in the Central Waterfront Plan appeals are a number of site specific appeals including Home Depot for lands at Lake Shore Boulevard East and Cherry Street.

There are a number of appeals now before the OMB in the South of Eastern employment District including appeals to the secondary plan and implementing zoning by-law, OPA 5 and site specific applications on 629, 633 and 675 Eastern Avenue.

Official Plan Review

To date, there have not been issues identified for the Official Plan review in 2011. There are a number of amendments that would be required upon the completion of precinct planning and environmental assessment work for the area. These would best be considered when the precinct plans are brought forward for Council consideration. As planning work continues in the area there may be issues that will be identified. These will be reported to Council as the studies progress.

Other Issues

Lands north of the Gardiner/Lakeshore between the Don River and Cherry Street, south of the Rail corridor must be included in the waterfront planning.

Conclusions

The removal of the elevated Gardiner Expressway east from Jarvis is consistent with City and WT objectives for waterfront revitalization. It provides a great opportunity to achieve the City's goals of removing barriers and making connections. City Planning and Waterfront Toronto are working together to develop plans for the area that could include the removal of the Gardiner.

A detailed planning framework has been established for some of the Waterfront, but the area surrounding the Gardiner/Don Valley ramps requires a Precinct Plan, and further east in the Port Lands - a Framework Plan should be developed. All of the exercises that are underway, including the Gardiner East EA, will require amendments/modifications to the Official Plan, the Central Waterfront Plan and zoning.

The completion of the Gardiner EA is anticipated to have a longer timeframe than precinct planning for the area. Through our planning tools the City will have to consider how to allow development to proceed while allowing the flexibility as the Gardiner EA moves to completion. Staff will continue to co-ordinate the planning and EA work that is underway in this area to ensure the City's vision for the area is achieved.

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SIGNATURE

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ATTACHMENTS

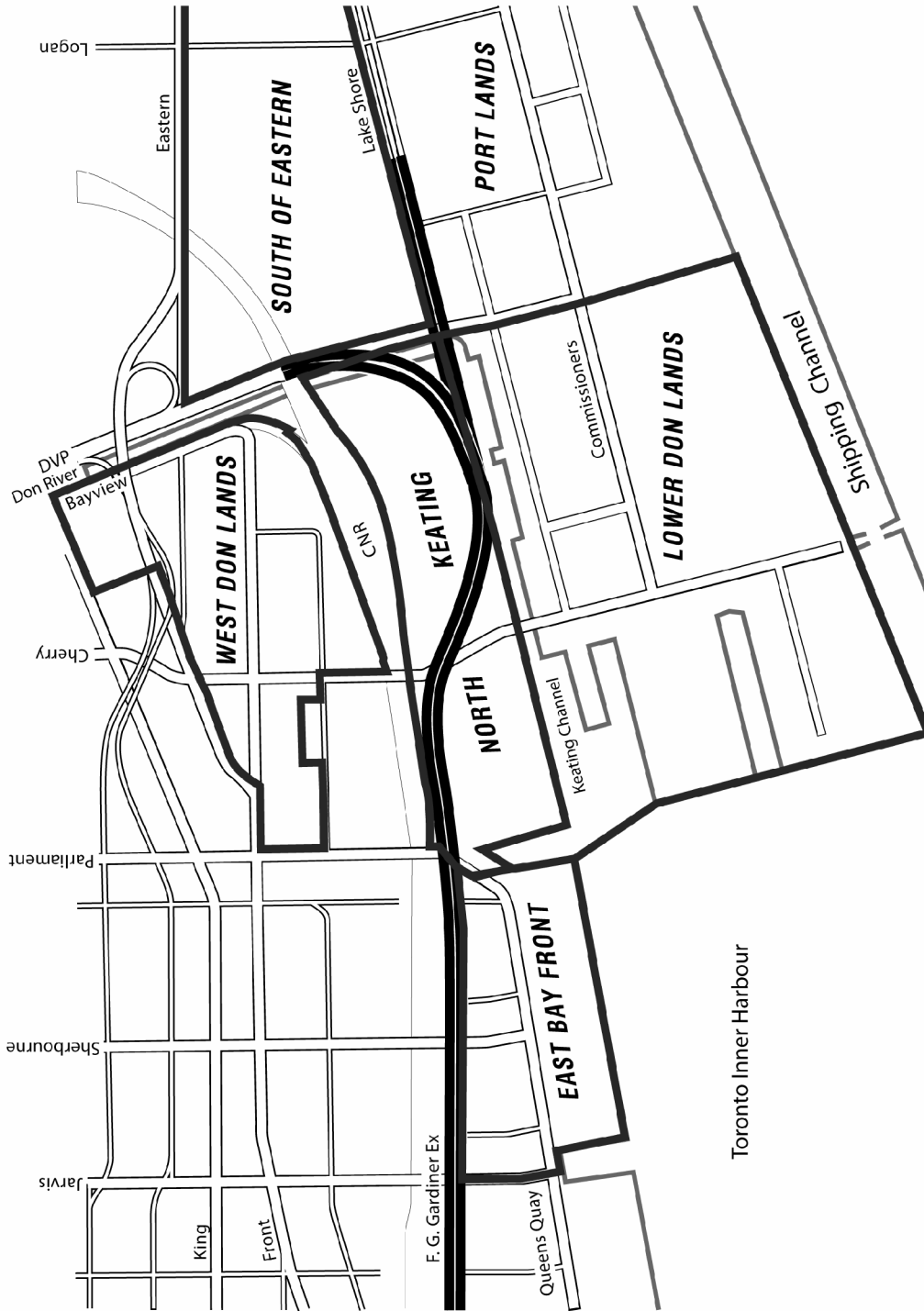
Attachment 1: Precinct Plan Areas

Attachment 2: Existing Zoning

Attachment 3: Land Ownership

Attachment 4: Official Plan

Attachment 1: Precinct Plan Areas



Precinct Plan Areas

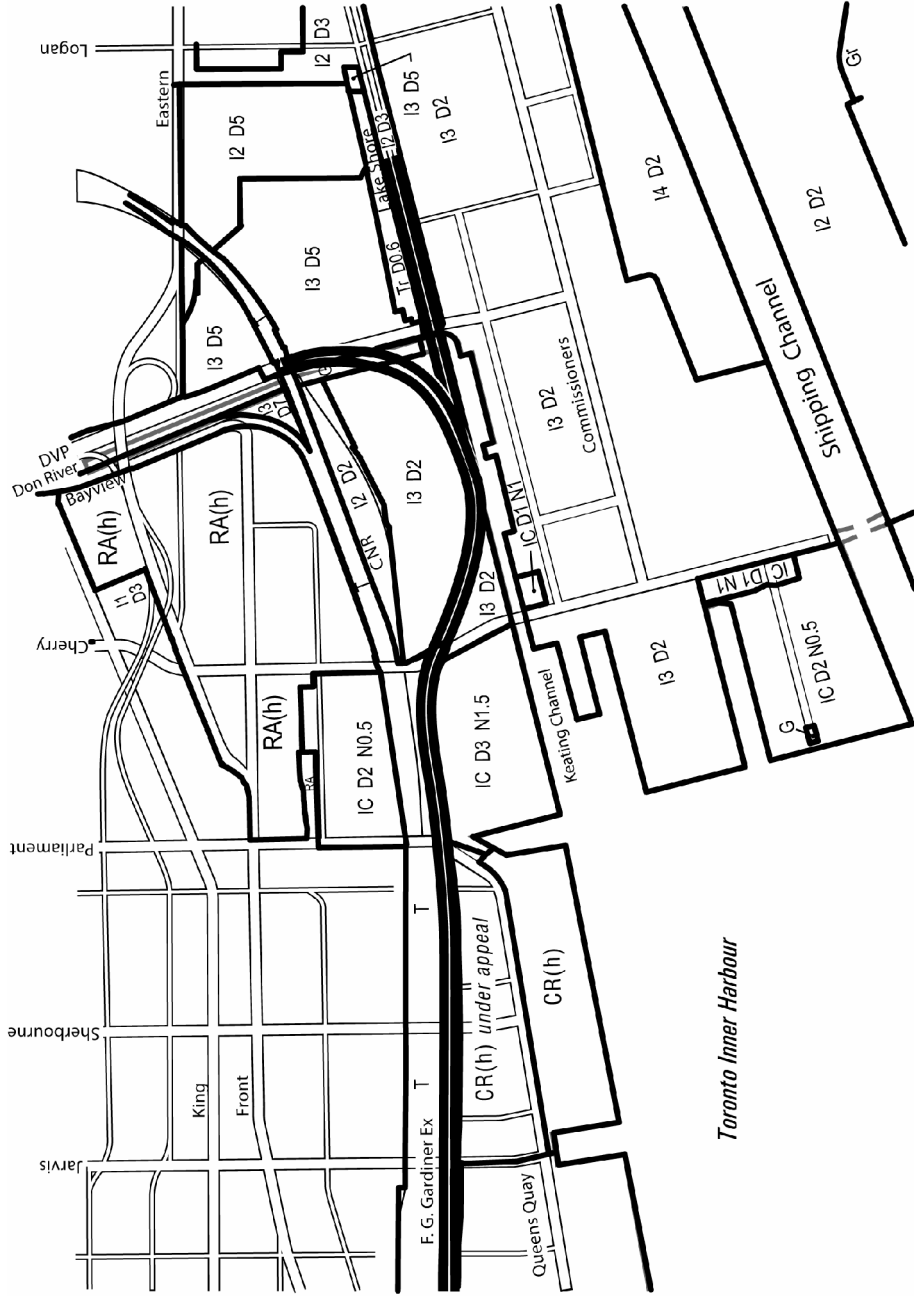
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Gardiner Corridor

Attachment 1

File # 08_191593_TM

Attachment 2: Existing Zoning



Existing Zoning

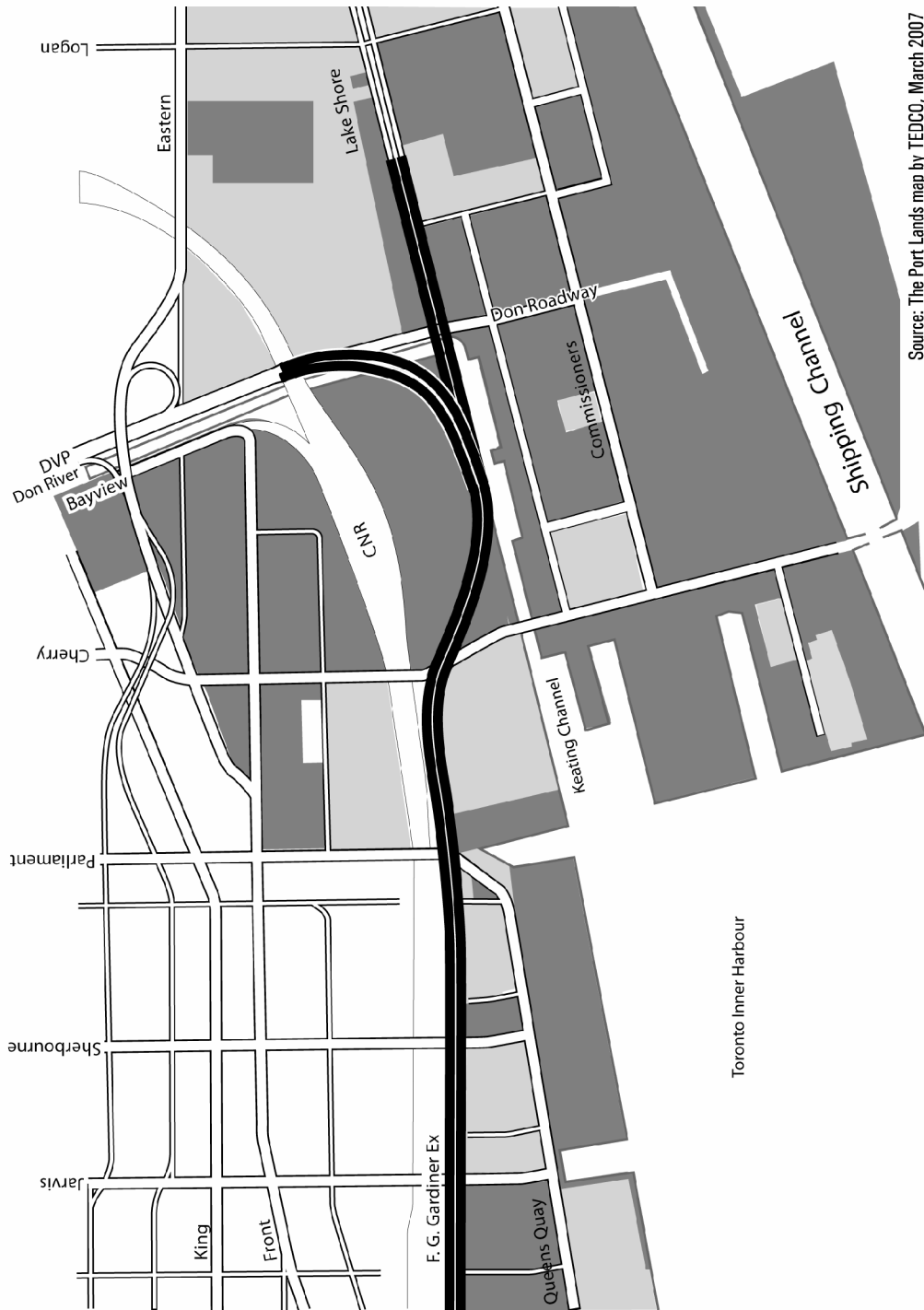
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Gardiner Corridor

Attachment 2

File # 08_191593_TM

Attachment 3: Land Ownership



Source: The Port Lands map by TEDCO, March 2007

Attachment 3

Land Ownership

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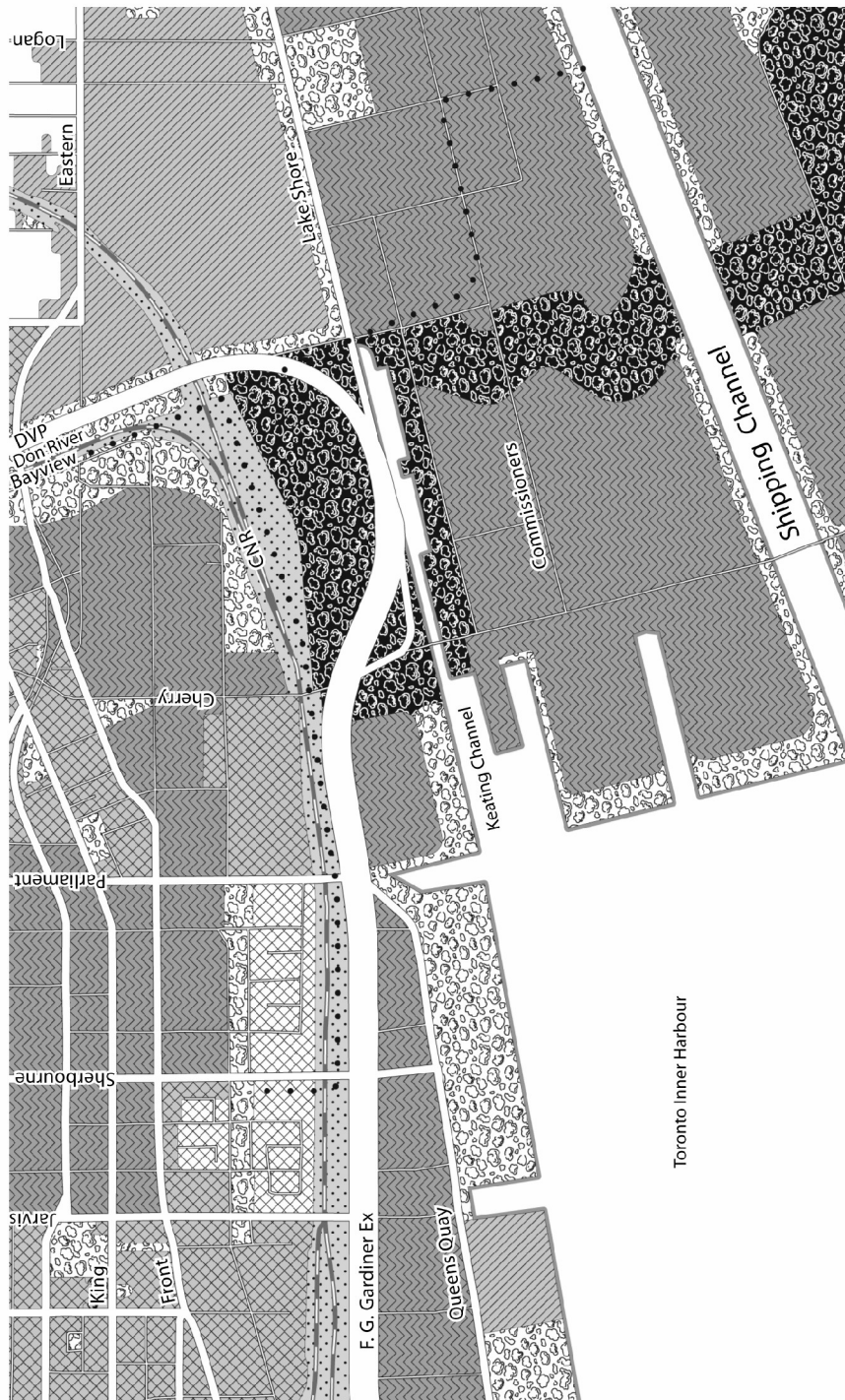
Public Ownership - (Federal, Provincial, City)

Private Ownership

Gardiner Corridor

File # 08_191593_TM

Attachment 4: Official Plan



Extract from City of Toronto Land Use Plan, August 2007

Official Plan **Attachment 4**

Not to Scale
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Neighbourhoods
Apartment Neighbourhoods
Mixed Use Areas

Natural Areas
Parks
Other Open Space Areas

Institutional Areas
Regeneration Areas
Employment Areas

Utility Corridors

File # 08_191593_TM