

40 and 50 Service Road, 446 Lakeshore Avenue, 425 Lakeshore Avenue, 1 Mugg's Island Park, 339 Queens Quay West, 318 and 330X Queens Quay, and 350 Lake Shore Boulevard West – Official Plan Amendment – Final Report

Date: October 14, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 10 - Spadina-Fort York

Planning Application Number: 20 188194 STE 10 OZ

SUMMARY

This Official Plan Amendment application proposes to add portions of City owned land at 40 and 50 Service Road, 446 Lakeshore Avenue, 425 Lakeshore Avenue, 1 Mugg's Island Park, 339 Queens Quay West, 318 and 330 Queens Quay, and 350 Lake Shore Boulevard West to Official Plan Site and Area Specific Policy 265 so they are exempt from Official Plan Policy 4.3.8, which prohibits the disposal of City-owned land in areas designated as Parks and Open Spaces.

The Enwave Energy Corporation is proposing an expansion of the existing Deep Lake Water Cooling supply, which provides an environmentally friendly air conditioning alternative to buildings in the downtown core. To facilitate the expansion, Enwave Energy Corporation is proposing to construct a new intake in Lake Ontario and a new raw water bypass pipe from the Island Water Treatment Plant to the John Street Pumping Station. All but a small portion of the raw water bypass pipe would be below grade. Enwave must enter into a permanent easement agreement with the City to permit its expansion through City-owned lands.

This report reviews and recommends approval of the application to amend the Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan to add portions of 40 and 50 Service Road, 446 Lakeshore Avenue, 425 Lakeshore Avenue, 1 Mugg's Island Park, 339 Queens Quay West, 318 and 330 Queens Quay, and 350 Lake Shore Boulevard West, to the list of properties in Site and Area Specific Policy No. 265, as shown in Attachment 1 to the report dated October 14, 2020 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

PROPOSAL

The Enwave Energy Corporation is proposing an expansion of the existing Deep Lake Water Cooling supply. Deep Lake Water Cooling provides an environmentally friendly alternative to cooling various buildings in the downtown core through its District Energy System by harnessing the cold temperatures at the bottom of Lake Ontario. To facilitate the expansion, Enwave Energy Corporation is proposing to construct a new intake in Lake Ontario and a new raw water bypass pipe from the Island Water Treatment Plant to the John Street Pumping Station. All but a small portion of the raw water bypass pipe would be below grade.

The pipeline would pass through a number of City-owned parks, including: HTO Park, Southern Linear Park, the future Rees Street Park, and certain properties on the Toronto Islands (including Mugg's Island and Gibraltar Beach). The majority of the pipe would be below-grade and not visible at ground level. There would be 3 areas in which shafts of the pipe would be visible from the ground level. Two of the shafts would be located at the John Street Pumping Station and the Toronto Island Water Treatment Plant. While the third shaft would be located on an area of Gibraltar Beach that is less frequented, and which already has existing infrastructure. A permanent easement, which is a disposal, is required for the project.

This City-initiated Official Plan Amendment application proposes to add portions of HTO Park, Southern Linear Park, the future Rees Street Park, and certain properties on the Toronto Islands to Site and Area Specific Policy 265 to exempt them from Official Plan Policy 4.3.8, which prohibits the disposal of City-owned land in areas designated as Parks and Open Spaces.

POLICY CONSIDERATIONS

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. The following policies are related to the proposed expansion of the Deep Water Lake Cooling system:

Policy 1.8.1 directs planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which: promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment and other areas; and improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

Policy 2.1.1 states that natural features and areas shall be protected for the long-term. Policy 2.1.5 clarifies the development and site alteration shall not be permitted in significant woodlands; significant wildlife habitat; significant areas of natural and scientific interest; and coastal wetlands, and lands adjacent to these lands unless it has been demonstrated that there will be no negative impacts on the natural features on their ecological functions. Policies 2.1.7 and 2.1.8 prohibit development and site alteration in fish habitat, habitat of endangered species and threatened species in accordance with provincial and federal requirements

Policy 2.2.1 requires that planning authorities shall protect, improve or restore the quantity and quality of water by, among other matters, using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; and planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan (2020) provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The following policies are related to the proposed expansion of the Deep Water Lake Cooling system:

Policy 3.2.6(2) states that municipal water and wastewater systems and private communal water and wastewater systems will be planned, designed, constructed, or expanded in accordance with the following: opportunities for optimization and improved efficiency within existing systems will be prioritized and supported by strategies for energy and water conservation and water demand management; and

the system will serve growth in a manner that supports achievement of the minimum intensification and density targets in the Plan.

Policy 4.2.9.1 of the Growth Plan requires municipalities to develop and implement official plan policies and other strategies in support of conservation objectives, including: water conservation, including through water demand management for the efficient use of water; and water recycling to maximize the reuse and recycling of water; and energy conservation for existing buildings and planned developments, including municipally owned facilities, including through: identification of opportunities for conservation, energy efficiency and demand management, as well as district energy generation, renewable energy systems and alternative energy systems and distribution.

Policy 4.2.10.2 encourages municipalities, in planning to reduce greenhouse gas emissions and address the impact of climate change, to develop strategies to reduce greenhouse gas emissions and improve resilience through the identification of vulnerabilities to climate change, land use planning, planning for infrastructure and green infrastructure, and low impact development and the conservation objections in Policy 4.2.9.1.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and as follows:

Chapter 3 - Building a Successful City

Section 3.4 includes policies that seek to protect, restore and enhance the health and integrity of the natural environment and biodiversity. The project is partially located within the boundaries of the Natural Heritage System.

Policies in this section state that new or expanding infrastructure should be avoided unless there is no reasonable alternative, adverse impacts are minimized and natural features and ecological functions are restored or enhanced where feasible. An impact study is also required for projects which are not already subject to an Environmental Assessment.

Chapter 4 - Land Use Designations

The subject sites are located within the Parks and Open Space Areas designation. These spaces, which include parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries, comprise a "Green Space System" in Toronto.

Policy 4.3(2) states that development is generally prohibited within Parks and Open Space Areas except for recreational and cultural facilities, conservation projects, cemetery facilities, public transit and essential public works and utilities where supported by appropriate assessment.

Policy 4.3(8) provides that the sale or disposal of publicly owned lands in Parks and Open Space Areas is discouraged and no City owned lands in Parks and Open Space Areas will be sold or disposed of.

Chapter 7 - Site and Area Specific Policies

Chapter 7 contains site and area specific policies that vary from one or more of the provisions of the Official Plan and require a further layer of local policy direction for an area.

Site and Area Specific Policy 265 provides a list of City owned land in the Green Space System or Parks and Open Space Areas for which the Official Plan's provisions prohibiting the disposal of City land do not apply.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

The subject sites are zoned "G" and "Gr" in the former City of Toronto Zoning By-law 438-86. The "G" and "Gr" zoning permits development on the lots that is compatible with parks and open space uses, such as golf courses and cemeteries, and essential public works and utilities.

Site Plan Control

This application is not subject to Site Plan Control.

Reasons for Application

Once the city enters into a long term lease with the Enwave Energy Corporation it will have disposed of lands which are designated Parks and Open Space Areas in the Official Plan. Section 4.3.8 of the Official Plan states, "No City owned lands in Parks and Open Space Areas will be sold or disposed of." This application proposes to exempt the subject lands from this policy.

Community Consultation

City Planning held a virtual community consultation meeting on October 13th, 2020. Staff from Toronto Water, Parks, Forestry & Recreation, the Toronto and Regional Conservation Authority and the local Councillor's Office were present at the meeting along with the applicants' representatives. Approximately ten members of the public attended the meeting. The comments and questions that were raised at the meeting were related to the impact of the underground pipes on the waterfront condominium buildings on the mainland, and the Toronto Islands shoreline and their restoration.

COMMENTS

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020). Staff are of the opinion that the proposal is consistent with the PPS and conforms with Growth Plan.

An Environmental Impact Study was prepared by Hutchinson Environmental Services Ltd. (July 21, 2020) in association with the Municipal Class Environmental Assessment study to evaluate the natural heritage features and functions in areas that could be impacted by the proposed construction of components of the Deep Lake Water Cooling supply expansion. The study was reviewed by City staff and the TRCA in accordance with Chapter 3 policies in the Official Plan. City staff and the TRCA have no objections to the study.

This application proposes to add portions of City owned land at 40 and 50 Service Road, 446 Lakeshore Avenue, 425 Lakeshore Avenue, 1 Mugg's Island Park, 339 Queens Quay West, 318 and 330X Queens Quay, and 350 Lake Shore Boulevard West to Official Plan Site and Area Specific Policy 265 so they are exempt from Official Plan Policy 4.3.8, which prohibits the disposal of City-owned land in areas designated as Parks and Open Spaces.

Adding these sites to the list of properties in Site and Area Specific Policy 265 would not change the designation of the subject lands and would not impact the usability and function of the City's parks and open spaces since the majority of the pipe would be well below ground. Adding these sites to the list of properties in Site and Area Specific Policy 265 would simply allow the City to enter into lease agreements with Enwave Energy Corporation. Therefore, staff recommend approval of this Official Plan Amendment.

CONTACT

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SIGNATURE

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Director, Community Planning,
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Draft Official Plan Amendment

Attachment 1: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. XXX-
2020

To adopt an amendment to the Official Plan for the City of Toronto respecting certain lands on Lakeshore Avenue and Service Road on the Toronto Islands, as well as City-owned HTO Park, Southern Linear Park, and Rees Street Park.

Whereas authority is given to the Council of the City of Toronto 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 enacts:

1. The attached Amendment 513 to the Official Plan is hereby adopted pursuant to the Planning Act, as amended.

Enacted and passed on _____.

Frances Nunziata,
Speaker
Clerk

Ulli S. Watkiss,
City

(Seal of the City)

City of Toronto By-law No. XXX-2020

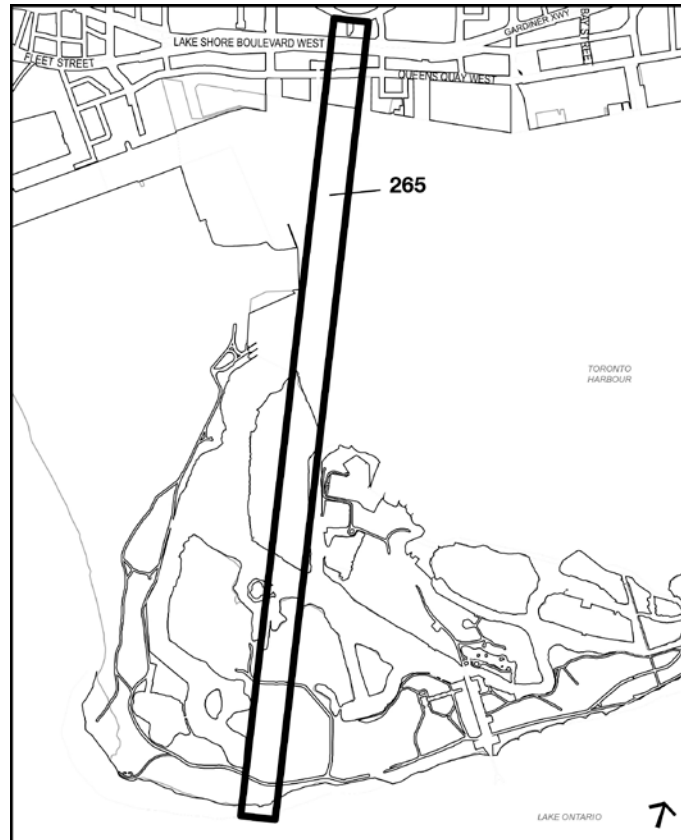
AMENDMENT NO. 513 TO THE OFFICIAL PLAN

CERTAIN LANDS ON LAKESHORE AVENUE AND SERVICE ROAD ON THE TORONTO ISLANDS, AS WELL AS CITY-OWNED HTO PARK, SOUTHERN LINEAR PARK, AND REES STREET PARK

The Official Plan of the City of Toronto is amended as follows:

1. Site and Area Specific Policy 265 of Chapter 7, Site and Area Specific Policies is amended by adding the following text and map respecting lands on Lakeshore Avenue and Service Road on the Toronto Islands, as well as City-owned HTO Park, Southern Linear Park, and Rees Street Park:

Certain lands on Lakeshore Avenue and Service Road on the Toronto Islands, as well as City-owned HTO Park, Southern Linear Park and Rees Street Park.



2. Map 29, Site and Area Specific Policies, is amended by labelling the lands on Lakeshore Avenue and Service Road on the Toronto Islands, as well as City-owned HTO Park, Southern Linear Park, and Rees Street Park as shown on Map 1 above, as being subject to Site and Area Specific Policy No. 265.