



Department of the City Clerk

City Hall, Toronto, Ontario, Canada M5H 2N2

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Telephone: 392-7033-4

Date: March 21, 1989

NOTICE OF HEARING

LAND USE COMMITTEE

The Land Use Committee which meets in Committee Room No. 4, Second Floor, City Hall, will consider the under-mentioned subject on:

DATE: Wednesday, March 29, 1989

TIME: 3:45 p.m. , or as soon thereafter as possible

ITEM: L

SUBJECT: Toronto Harbour Commissioners Outer Harbour Marina
and Marina Centre: Issues Report

If you wish to address the Committee with respect to this matter, please notify the Land Use Committee by telephoning 392-7033 by 12:00 noon on the day before the meeting.

For your information, the Committee's Rule Of Procedure for hearing deputations is as follows:

"To more effectively deal with the numerous items of business coming before the Committee, each delegate will limit his/her remarks to a maximum of 5 minutes except with the concurrence of the Committee."

Administrator
Land Use Committee.

NOTE:

Please note that if you are interested in being present for this item, you should attend at the time indicated. However, the Committee may be delayed in its consideration of other items preceding this item, and the delay could extend to an hour or more.

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

520/04190
CC&W
March 16, 1989
Peter Langdon
392-7611

To: Land Use Committee

Subject: Toronto Harbour Commissioners Outer Harbour Marina
and Marina Centre: Issues Report

Origin: Commissioner of Planning and Development
(c711uc89166:114)

1. Introduction: Purpose of Report and Summary - of
Recommendations

The purpose of this report is to bring to the attention of your Committee and Council the issues raised by the proposals put forward by the Toronto Harbour Commissioners (THC) for an Outer Harbour Marina and related marina centre, and, more specifically, to deal with a recent THC request to the Commissioner of Public Works for water and sanitary sewer connections.

The proposed marina complex is located on the west side of Leslie Street at the base of the Leslie Street Spit. This base is sometimes referred to as the "triangle lands". The marina "arm" extends about 1.1 km into the Outer Harbour from the base. The location of the arm is illustrated on the attached Maps 1 and 2.

The proposed complex abuts the south end of THC's proposed Port Industrial Park plan of subdivision, which is shown on attached Map 3. The marina, marina centre and the site of the proposed plan of subdivision, or Port Area "Business Park", as it is referred to by the THC, are outlined on attached Map 4, to illustrate the overall approach to this area proposed by the THC. More detailed illustrations of the proposed marina and marina centre are attached as Maps 5 and 6, respectively.

As the result of lakefilling by the THC, the current shoreline configuration is very close to that shown on Maps 4, 5 and 6. However, the hardpoints and armouring on the western edge of the marina arm opposite the boat slips will not be completed until the end of 1990 in order to enable natural slope stabilization to occur. The dockwall on the marina basin side of the arm and the spines and slips proposed in Phase 1 of the marina construction are almost completed. Phase 1 is illustrated on attached Map 7.

Land Use Committee

(c711uc89166:114)
March 16, 1989

The land area encompassed by the proposed subdivision is approximately 25.7 ha (63.4 acres); the proposed marina centre is approximately 11.3 ha (28 acres); the marina arm (or breakwall) is approximately 16 ha (39.6 acres). The marina arm extends approximately 1.1 km from the shoreline of the "triangle lands" into the Outer Harbour.

This report describes the marina proposal and identifies the following issues which it raises:

- a) Certain aspects of the proposal do not comply with the recently adopted Central Waterfront Plan Amendment.
- b) The Gr zoning approved by Council in June, 1988 does not permit the proposal, although the THC maintains that the marina itself, the boat service facility and the administration building are shipping and navigation uses, and thus not subject to the Planning Act.
- c) THC plans for the marina centre are only "conceptual".
- d) There has not been adequate public participation in the consideration of the proposal to date.
- e) There is a need for a comprehensive review by the City of the overall land use and design of the entire complex and its relationship to surrounding uses, including the proposed Industrial Park and Tommy Thompson Park.
- f) The proposal may generate conflicts and congestion in the Outer Harbour.
- g) Public accessibility to the water's edge is inadequate.
- h) Traffic impact; parking requirements and public versus private streets, their layout and the process of approving them have not been adequately dealt with to date.
- i) Accommodation of community sailing clubs on the marina arm is considered desirable.
- j) There are design alterations to be discussed with the THC.

In considering the request for an interim servicing connection, in light of these issues, I have concluded that the marina complex should be reviewed to assess the need for, and appropriateness of Official Plan and Zoning By-law amendments. In my view, until the appropriate Official Plan designations and Zoning are in place, no servicing connections

Land Use Committee

(C711uc89166:114)

March 16, 1989

should be permitted. I have included recommendations to this effect below.

2. Description of the Proposal

The proposed facilities and design principles are described by THC staff in the section of their February 1989 "Outer Harbour Marina: Planning Overview" report entitled "2.0 The Marina Land Use Concept". This section is reproduced as Appendix B to this report. The complete document has been reproduced under separate cover and distributed to Committee members.

In summary, the proposed marina arm or "breakwater" is intended to provide 1200 mooring slips, complete with hydro, telephone, cable T.C. and water service; an area for dry sailing with its own separate launch ramp; two travel lift slips and three haul out areas. There will be three areas or "courts", each providing washrooms, laundry facilities, showers, vending machines, sail lockers, parking and boat storage. Fuel and pumpout services would be provided, and additional services are possible including day care facilities, snack bars, swimming pool, and tennis courts.

The marina centre is described in conceptual form only, with extensive illustrations from Granville Island, and is to include four components. A service facility will provide boat repair and maintenance services, fuel and pumpout facilities, and could be the centre for boat charters and tours, sailing instruction, boat rental and inside boat storage. Outdoor storage of boats awaiting service or pickup is envisioned, and the facility will be in operation 12 months a year.

A restaurant and administration facility is proposed to contain offices for staff, reception, booking, first-aid, maintenance and security; a restaurant and possibly a lounge, coffee shop, and/or snack bar, and marina-related commercial uses, such as a ship chandler/marine hardware store and a rigging shop.

A marina-related commercial area might contain a health and fitness facility and such uses as a dive shop, windsurfing equipment sales, or a marine architect's office. It might include non-marina related uses provided they are compatible with, and complementary to, the development.

A marina-related commercial industrial area could encompass a wide range of commercial and light industrial activities, most of which would be marina-related, such as boat sales,

Land Use Committee

(c711uc89166:114)
March 16, 1989

brokerages, sail manufacturers, marine supply, recreational equipment sales and distribution, and boat assembly. -

3. Background

A THC "Outer Harbour Marina Proposal" was first made public in May, 1984. Earlier, however, in 1978, the City of Toronto Planning Board had commissioned a study by the consulting firm Gregg and Edens Ltd. on the Central Waterfront marina project. This study recommended that a public marina be constructed in the eastern end of the Outer Harbour to provide a total of 1,350 mooring berths, plus drysail facilities for 150 to 250 small craft. Although the design concept was very different, the number of berths is very close to that currently proposed by the THC. -

In 1985, the THC hired a consultant consortium headed by Marshall Macklin Monaghan Ltd. to examine the feasibility of constructing the marina. As part of this process, the THC held a public meeting in November, 1985, and invited a "number of special interest groups" by individual mailed invitations. The consultants' report was completed in March 1986, and was entitled "Feasibility and Planning Study for the Outer Harbour Public Marina: Phase I Report". The report considered four design concepts and recommended the currently proposed concept, which differs from the May 1984 proposal, as the preferred alternative. Also in March 1986, the THC staff and consultants met with my staff to discuss my concerns with the proposal and a procedure for reviewing it. They were advised by my staff that, at a minimum, a rezoning was required, and that the only way to receive official comments was to submit an application.

The THC commenced Phase II of the study to prepare a detailed development concept. It is important to note that even at the completion of this stage in 1986, the plans produced were still "conceptual" only.

The THC submitted the appropriate studies to the Federal government for the Environmental Assessment Review Procedure.

In late Fall of 1988, THC staff submitted to my department the attached Map 5 showing the overall plan for the marina arm, referred to as the Marina Breakwater, and a report entitled "Outer Harbour Marina Centre: Development Concept", prepared by THC staff with consultants Hotson Bakker, Architects, and Fleisher Ridout Partnership, Landscape Architects, which forms Appendix B to the February 1989 "Outer Harbour Marina Planning

Land Use Committee

(c711uc89166:114)

March 16, 1989

Overview" document forwarded to Committee members under separate cover.

In early 1989, the THC was advised by the Commissioner of Public Works that approval for connections to the City sanitary sewer and watermain systems would not be granted until the zoning requirements, through my Department, had been met. (See Appendix A for a copy of the letter from the Commissioner of Public Works.)

The THC had advertised through the newspapers as early as June, 1988, and through brochures distributed at a boat show, that the marina would be opening in the spring of 1989, despite the fact that appropriate zoning was not in place -and no detailed plans had been submitted to the City. It appears that only since encountering the difficulties with obtaining service connections has the THC staff been willing to respond to my repeated requests for detailed plans and information.

In February 1989, THC staff submitted the "Outer Harbour Marina Planning Overview" report. This report has been reproduced under separate cover for the information of Committee members.

The THC had begun lakefilling for the Outer Harbour Marina in October, 1986. Since then, the Marina has been the main focus of THC's lakefilling operations in terms of truckloads of earth fill arriving at the foot of Leslie Street. For example, in 1988, of the estimated total of 215,000 truckloads of earth fill arriving at the foot of Leslie Street, 85% were directed to the Outer Harbour Marina. This figure could have been as high as 98% had 30,000 truckloads not been placed on the proposed Port Industrial Park plan of subdivision site at the request of the Toronto Economic Development Corporation. Lakefilling involving earth on the marina arm is now almost complete in terms of their proposed design, with armouring and hardpoint construction expected to continue until late 1990.

The THC is also pursuing Development Review approval and a building permit for the permanent washroom facility in Phase 1 of the proposed marina arm. (See attached Map 7.) Approval of these applications is, of course, dependent on the resolution of zoning and servicing for the site.

Given the lack of appropriate zoning and the fact that there has been little public involvement and no City review of the development plans, I indicated to the THC that I would prepare this report to Land Use Committee outlining the issues surrounding the proposal, to allow Council to consider the

Land Use Committee

(c711uc89166:114)

March 16, 1989

service connection request. I have recently requested that the THC Board endorse the submitted proposal because it was unclear to what extent the THC staff submissions were supported by their Board. At the February 28, 1989 Board meeting, consideration by the Board of such an endorsement was deferred.

4. Planning Considerations

The site of the marina proposal is covered by the Central Waterfront Official Plan and Zoning By-law Amendments adopted by City Council on June 10, 1988, as By-laws No. 527-88 and No. 528-88. The THC has objected to the Central Waterfront Zoning Amendments, in part because of the Gr zoning designation applied to their lands, including the proposed lakefilled marina arm. They have also objected to the Official Plan and Zoning By-law amendments for other reasons. No Ontario Municipal Board hearing has been held or scheduled respecting the THC's or any other objections.

4.1 Official Plan

The marina arm and most of the mainland portion of the proposed marina centre are designated Open Space by the Central Waterfront Official Plan Amendment (Bylaw 527-88, adopted by City Council in June, 1988.) A marina is permitted in this designation, but more detailed information respecting the commercial and industrial uses proposed in the marina centre is necessary to determine whether an Official Plan Amendment is required. If such uses are not deemed to be park or recreational uses or uses ancillary thereto, as permitted in the Open Space designation, then an amendment to By-law No. 527-88 would be required. Because the marina centre plans are still at the conceptual stage, further discussion with THC staff on this issue will be required and more detailed information should be provided by THC on specific uses, locations and floor areas of proposed facilities.

A small area in the north-east corner of the marina centre is designated Restricted Industrial. Section 5A.36 of the Central Waterfront Plan amendment would permit a limited amount of ancillary commercial uses in connection with industrial use. However, commercial uses are not permitted as primary uses.

4.2 Zoning

Most of the marina arm and the marina centre sites are zoned Gr by Bylaw No. 528-88. The Gr designation permits only

Land Use Committee

(c711uc89166:114)

March 16, 1989

conservation lands and bathing stations. A Gm zoning would permit the following uses:

- a) business for the repair or maintenance of recreational boats or boat equipment;
- b) marina;
- c) park;
- d) recreational boating uses including, but not limited to, a boating club, a boating school, boat rentals, boat launchings and boat storage;
- e) uses accessory to the above.

Therefore, in order for the marina arm, the service centre, the administration building, and any other accessory uses which appear to be contemplated in the marina centre to comply with the zoning, an amendment to replace the Gr with a Gm zoning would be required. Other commercial or industrial uses not accessory to the permitted uses in the Gm zone would require other appropriate zoning.

The THC has maintained that due to their federal jurisdiction and their view of the recreational marina as a shipping and navigation use, the marina itself, the marina service facility, and the administration building are not subject to the Provincial legislation establishing municipal planning and zoning authority. They have previously indicated that they will not voluntarily make an application for Official Plan or Zoning Bylaw amendments in such cases because they feel that making an application would establish an undesirable precedent which could compromise their federal mandate on future shipping and navigation matters. Through discussions with the City Solicitor, I have been advised that the case law pertaining to the issue of a recreational marina as a shipping and navigation use does not facilitate a conclusive legal determination. However, I have consistently maintained the position that a Gm zoning designation is necessary to permit the marina.

In this regard, I would note that marinas are not a service provided exclusively by the THC, and that private marina developers must comply with the relevant Official Plans and Zoning By-laws. There does not appear to be a compelling argument for permitting the THC to ignore these documents.

Land Use Committee

(c711uc89166:114)

March 16, 1989

It is important to note that the application of the Gr zoning designation to the Outer Harbour was expressly intended to implement the lakefilling policies set out in Sections 4A.46(a) and 5.38 of the Central Waterfront Plan, which read as follows:

- "5A.46 (a) The Outer Harbour is the protected body of water located generally south of the Port Industrial District and west and north of the Outer Harbour Headland, and includes any land that has been or may be created by lakefilling in this body of water. In recognition of the importance of retaining this water body for water-related activities and in order to ensure consistency with the lakefilling and other environmental policies set out in Sections 5.38 and 5.39 of this Plan, it is the policy of Council to pass amendments to the zoning by-law to restrict the use of the water lots and/or any land created by lakefilling in the Outer Harbour to a bathing station and conservation lands and, before passing by-laws to permit any other uses, Council shall be satisfied that such by-laws conform to the policies of this plan.
- 5.38 (a) It is the policy of Council that within the City of Toronto the creation of new land in Lake Ontario or any bay, channel, slip or lagoon connected therewith shall take place only where Council has indicated in the Zoning By-law, prior to the commencement of lakefilling, the use to which the land created by lakefilling may be put. Minor lakefilling for the purpose of stabilizing an existing shoreline is exempt from this provision.
- (b) Before approving an amendment to the Zoning By-law to permit the proposed use of any area for lakefill, for any purpose other than conservation lands or a bathing station, and prior to any lakefilling, Council shall be satisfied that:

Land Use Committee

(c711uc89166:114)
March 16, 1989

- (i) there is a clear public benefit in creating the land;
- (ii) in the circumstances of the proposal, this is the best location for the land for its proposed use;
- (iii) there will be a minimal negative impact on water quality and circulation, and, in particular, the Hearn Generating station plume, the dispersal of effluent from the Main Sewage Treatment Plant, or the exchange of water between Toronto Bay, the Outer Harbour, and Lake Ontario will not be impeded;
- (iv) the lakefilling has been the subject of a formal environmental assessment where required by law or by directive, decision or order by the Government of Canada, the Government of Ontario, or a Minister thereof, and if this is not applicable an appropriate written analysis of the environmental impact shows that the environmental (social, natural and economic) effects are desirable;
- (v) except where water's edge lands will be used for shipping or industries requiring direct access to the water:
 - (1) advantage has been taken of the new shoreline for public recreation and there will be no decrease in overall recreational opportunities;
 - (2) existing recreational boating opportunities will not be reduced and new recreational boating facilities will be provided where appropriate;
 - (3) the lakefilling will be carried out in a manner which maximizes public access to existing lands

Land Use Committee

(c711uc89166:114)
March 16, 1989

that are normally publicly accessible.

- (c) Council will seek the co-operation and comments of appropriate government bodies and public agencies, including the Toronto Harbour Commissioners, in order to implement this policy."

4.3 Conceptual Nature of THC's Proposals

THC staff have recently advised that the plan for the marina arm reproduced as the attached Map 5 is their final plan. This plan was submitted to me in late 1988. Up until then, any plans submitted or shown to me were contained in consultants reports and were labelled as "conceptual". Similarly, the plans currently submitted for the marina centre remain "conceptual". In addition, as far as I can determine, the THC Board has not endorsed any of these plans except as a "concept" in 1984, or as implied in the approval of the "concepts" contained in the 1986 consultants reports. It is very difficult to carry out an adequate review of the design when the THC has never explicitly stated what plans, if any, they are actually pursuing. The THC Board has, however, explicitly approved the purchase of materials and awarded contracts necessary to construct facilities on the marina arm.

The situation has arisen where plans for the marina arm have recently been deemed as final plans and, through applications for a building permit for the Phase 1 washroom and the seeking of service connections, it has become evident that actual construction of structures and services is being pursued. THC staff advised in the summer of 1988 that consultants were being retained to finalize detailed plans for the marina, and despite my subsequent written offers of consultation, no contact was subsequently sought by THC staff or consultants.

As noted previously, the conceptual nature of plans submitted contributes to the difficulties of resolving the Official Plan and Zoning issues. It could be viewed as premature either to circulate conceptual plans to other Departments or hold public meetings since it would be unclear exactly what was being proposed, although the nature of the underlying land use issue would be obvious.

THC staff have advised that the "market" will determine the specific type, design and size of various facilities in the marina centre, through a process of calling for proposals from the private sector. I do not consider it prudent, however, to undertake what could be considered a site-specific rezoning

Land Use Committee

(c711uc89166:114)
March 16, 1989

process involving public meetings and circulation to other City Departments, on the basis of "conceptual" uses.

4.4 Public Participation

I consider it important that the THC's plans for the entire marina complex undergo the public scrutiny afforded by the City's rezoning process. I do not consider that the public meeting held by the THC in 1985, or their "open house" held in 1986, have satisfactorily fulfilled the need for public participation in light of the recent submissions.

4.5 Need for a Comprehensive Review

I consider it most appropriate to review the marina proposal in the context of a review of the entire complex, including the design integration with the abutting industrial plan of subdivision proposed to the north, with the parks and open space system including the Martin Goodman Trail, and with the Tommy Thompson Park Master Plan. Consequently, even if the appropriate zoning were in place, I would want to review any related Development Review application within the larger land use and urban design context. In this report I have highlighted some of the planning issues, but resolution of these and other possible issues requires a broader City and public review of the whole complex and its relationship to surrounding uses.

4.6 Conflicts and Congestion in the Outer Harbour

The issue of the impact of increased boating traffic on boating congestion and/or conflicts in the Outer Harbour has not been satisfactorily addressed by the THC, despite my requests for further information in this regard.

The THC's 1986 consultant study identifies the possibility of a negative impact of the marina on the "quality of boating experience for existing users". The study acknowledged that the preferred design concept, now constructed, was not the most desirable in terms of "conservation of small craft sailing waters". The report estimated that 400-600 sail-powered boats were actively involved throughout each week in pleasure sailing, scheduled races, regattas and instructional sailing in the Outer Harbour, and that an unknown number of additional users with sailboats and sailboards enter and use the Outer Harbour, especially on weekends. The consultants concluded that the additional traffic created by the marina "could negatively influence the quality of the sailing experience." They recommended that the situation "be monitored on a regular basis and mitigative action taken if warranted."

Land Use Committee

(c711uc89166:114)

March 16, 1989

The consultant did not specifically address the issue of the impact of increased transient boating traffic attracted by the marina facilities, or the proposed charter and tour boats, or the traffic generated by the proposed public launching ramps at the eastern end of the Outer Harbour.

Through comments to the consultants and to myself, representatives of the community sailing clubs currently located on the North Shore of the Outer Harbour have expressed concern with safety of small sail craft given their proposed relocation to Tommy Thompson Park near the mouth of the marina basin. They expressed particular concern about novice sailors being in the area where marina-generated boating traffic would be most heavily concentrated.

These concerns regarding congestion and conflicts have been previously conveyed in writing to the THC. Their response is contained in the paragraph entitled "6.0 Harbour Congestion" in their "Outer Harbour Marina Planning Overview" document, dated February 1989. They indicate that consultation with area marina operators has revealed that on a peak use day, a maximum of about 30% of the boats actually leave the marina basin. For example, during the peak activity hour at Port Credit Marina only 59 out of a total of 902 boats were out of the marina basin. THC staff thus conclude that conflicts between boaters will not increase.

I am not comfortable with the THC staff conclusion, given the extensive existing use of the Outer Harbour by sail boats, boardsailors and swimmers and its confined configuration. The marina arm has itself contributed further to this confined boating environment. The motorized and sail-powered boat traffic generated on the north side of the marina arm by the transient slips, the tour and charter boats, the fueling and pump-out facilities, the service yard, and the public boat launch ramps appear to have the potential to conflict with other existing and potential water users such as swimmers and boardsailors. Later in this report I suggest possible design changes which, among other objectives, may reduce these potential problems.

A possibility also exists for the City and THC to monitor the congestion/conflict problems as new slips and facilities are added, perhaps in a deliberately phased process to facilitate such monitoring. The release of subsequent phases could be contingent upon the relative success of the previous phases.

4.7 Public Accessibility to the Water's Edge

The THC report indicates that pedestrian access to the marina arm will be "considered" during summer daylight hours, but in the

Land Use Committee

(c711uc89166:114)

March 16, 1989

event of safety and security problems, they reserve the right to control access at the entry point to the arm.

I do not consider this to be a sufficient commitment to public accessibility to the marina arm. Control gates at the end of each "spine", operated by key, card, or combination lock, could control access to the spines, while allowing public access on the arm itself.

The marina service facility privatizes the water's edge at a point which could form an important link in a continuous public edge extending along the North Shore, around the end of the Outer Harbour and onto the marina arm. A possible relocation of the service facilities to the base of the arm or to the end of the marina basin, with either location involving boat access from inside the marina basin, could permit such a continuous public edge. Such a design change might also help reduce conflicts between boaters and other water users in the Outer Harbour north of the marina arm, while respecting the policies and objectives of the Central Waterfront Official Plan.

Sections 5A.5 and 5A.6 of the Central Waterfront Plan deal specifically with water's edge lands, which are defined as lands within seven metres of the shoreline of Lake Ontario, including the Outer Harbour. These sections read as follows:

"5A.5 It is the objective of Council that water's edge lands in the Central Waterfront be in public ownership and freely accessible to the public at all times. Accordingly, it is the policy of Council to:

- (a) discourage the sale or lease of water's edge lands now owned by any government, Crown corporation, public board, agency or commission, including the Toronto Harbour Commissioners to private interests. Where Council is satisfied that water's edge lands are required for shipping purposes, Council will encourage the leasing and not the sale of such water's edge lands;
- (b) notwithstanding section 5.2 of this Plan, seek the conveyance or long term lease to the City of water's edge lands for parks purposes, except where Council is satisfied they should be reserved for shipping purposes, and in any event to

Land Use Committee

(c711uc89166:114)
March 16, 1989

seek public accessibility to water's edge lands except where existing site layout or use make public access impractical;

- (c) seek to ensure that new boating facilities are designed to permit public access to water's edge lands; and
- (d) permit public access to water's edge lands in Environmental Resource Areas, except where this cannot be done within the context of an appropriate management plan for the area.

5A.6 In order to provide variety and promote increased public enjoyment and use of water's edge lands within the Central Waterfront, it is the policy of Council that, where feasible:

- (a) the width of the water's edge lands be expanded by the provision of parks, parkettes, and wider public rights-of-way;
- (b) the ground floor of buildings adjacent to water's edge land should generally be pedestrian-oriented and used for purposes to which the public has access; and
- (c) opportunities be provided to observe shipping and industrial operations."

4.8 Traffic Impact and Parking Study

The THC has recently (March 8, 1989) submitted a consultant study entitled "Port of Toronto Business Park and Marina Traffic Study". I have not had adequate time to review this study to ascertain any implications for the marina complex. The report addresses future traffic volumes, necessary road improvements, and parking requirements.

4.9 Public Versus Private Streets and Related Approval Process

THC staff have advised that the access road on the marina arm, and possibly some of the streets in the marina centre, are proposed as private roads. This issue will have to be reviewed in greater detail, particularly by the Commissioner of Public Works. Whether public or private, the road layout in the marina centre is

Land Use Committee

(c711uc89166:114)

March 16, 1989

presently "conceptual" and should be finalized to the City's satisfaction.

In particular, the road alignments will have to be integrated with those of the Port Industrial Park plan of subdivision and with the proposed parking and vehicular access control proposed by Metro Toronto and Region Conservation Authority in their Tommy Thompson Park Master Plan.

THC staff have advised that a paved interim access road, separate from the haul route used by dump trucks, will be constructed from Unwin Avenue by the Circulating Channel to the marina arm, following exactly the alignment proposed for Outer Harbour Drive in the Port Industrial Park plan of subdivision. Because the existence and alignment of Outer Harbour Drive are issues in both the proposed plan of subdivision and the marina centre, there is no guarantee that this access road will become permanent. It may later have to be removed.

I am of the opinion that while the marina arm, if approved as proposed or modified, should be accessible to the pedestrian public at all times, the restriction of vehicular traffic to marina members and guests should be considered. Undesirable traffic and/or parking congestion may thus be avoided, maintaining the integrity and quality of this water's edge open space.

4.10 Accommodation of Community Sailing Clubs on Marina Arm

The THC proposal envisions two areas for drysailing on the marina arm. If some or all of the community sailing clubs presently located on the North Shore could eventually be accommodated on the marina arm, several concerns could be addressed. For example, only four of the North Shore clubs are proposed to be accommodated on Tommy Thompson Park, near the mouth of the marina basin.

If a community sailing area were established on the marina arm, all of the North Shore clubs, rather than only four, might be relocated. This would reduce or, if all the clubs were relocated, eliminate the privatization of the portion of the North Shore now controlled by the community clubs. Reducing the number of clubs on Tommy Thompson Park near the mouth of the marina basin might also reduce the potential for boating congestion at the mouth.

4.11 Elimination of all boat service facilities, docks, mooring facilities, and public launch ramps outside the marina basin.

Charter and tour boat slips, transient mooring slips, boat service slips, and refuelling/pump-out facilities could all be

Land Use Committee

(c711uc89166:114)
March 16, 1989

accommodated within the marina basin, and the service facility could be located at the base of the marina arm or at the end of the marina basin as previously discussed. These changes would reduce the absolute number of boats accommodated at the marina, while directing marina-related boat traffic into the marina basin, rather than to the north side of the marina arm. The design changes would also facilitate a continuous public water's edge. Swimming and boardsailing could then be better accommodated in the Outer Harbour between the Circulating Channel and the marina arm.

The proposed public boat launch ramps could also be eliminated. The need for public boat launch ramps has not been demonstrated and such ramps already exist at Ashbridges Bay Park. The need for vehicular and trailer parking at the boat launch ramps would also be eliminated, making the water's edge more continuous, open and public.

5. Interim Service Connection Request

Reproduced as Appendix A is a February 16, 1989 letter from the Commissioner of Public Works to the THC's consultants, dealing with the request for water and sanitary sewer connections. The Commissioner of Public Works states that approval for connections will not be granted until the zoning requirements for the proposed marina are satisfied. I agree with this position. However, since this position might delay the spring 1989 opening of the marina proposed by THC staff, I am placing this matter before your Committee.

The service connections are termed "interim" because it is foreseen that, ultimately, services will be extended to the marina complex through the Port Industrial Park plan subdivision to the north. Because that subdivision is not yet approved, the THC has constructed temporary services to connect the marina arm to existing services on Leslie Street, until permanent services are in place. Temporary washrooms and a temporary administration building are also proposed be placed in Phase 1, as shown on attached as Map 7, and connected to both the water and sewer services. A permanent washroom is proposed for Phase 1, to be constructed by the fall of 1989 if possible. Given the zoning issue described above, obtaining a building permit for the permanent washroom by next fall is problematic. The proposed watermain connection will also provide water outlets for boaters at the base of each spine and at the temporary fuel/pumpout facilities, and provide fire protection.

THC staff maintain that the proposed interim services have the capacity to service only the marina arm and not the facilities proposed in the marina centre.

Land Use Committee

(c711uc89166:114)

March 16, 1989

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In particular, the road alignments will have to be integrated with those of the Port Industrial Park plan of subdivision and with the proposed parking and vehicular access control proposed by Metro Toronto and Region Conservation Authority in their Tommy Thompson Park Master Plan.

THC staff have advised that a paved interim access road, separate from the haul route used by dump trucks, will be constructed from Unwin Avenue by the Circulating Channel to the marina arm, following exactly the alignment proposed for Outer Harbour Drive in the Port Industrial Park plan of subdivision. Because the existence and alignment of Outer Harbour Drive are issues in both the proposed plan of subdivision and the marina centre, there is no guarantee that this access road will become permanent. It may later have to be removed.

I am of the opinion that while the marina arm, if approved as proposed or modified, should be accessible to the pedestrian public at all times, the restriction of vehicular traffic to marina members and guests should be considered. Undesirable traffic and/or parking congestion may thus be avoided, maintaining the integrity and quality of this water's edge open space.

4.10 Accommodation of Community Sailing Clubs on Marina Arm

The THC proposal envisions two areas for drysailing on the marina arm. If some or all of the community sailing clubs presently located on the North Shore could eventually be accommodated on the marina arm, several concerns could be addressed. For example, only four of the North Shore clubs are proposed to be accommodated on Tommy Thompson Park, near the mouth of the marina basin.

If a community sailing area were established on the marina arm, all of the North Shore clubs, rather than only four, might be relocated. This would reduce or, if all the clubs were relocated, eliminate the privatization of the portion of the North Shore now controlled by the community clubs. Reducing the number of clubs on Tommy Thompson Park near the mouth of the marina basin might also reduce the potential for boating congestion at the mouth.

4.11 Elimination of all boat service facilities, docks, mooring facilities, and public launch ramps outside the marina basin.

Charter and tour boat slips, transient mooring slips, boat service slips, and refuelling/pump-out facilities could all be

Land Use Committee

(c711uc89166:114)

March 16, 1989

accommodated within the marina basin, and the service facility could be located at the base of the marina arm or at the end of the marina basin as previously discussed. These changes would reduce the absolute number of boats accommodated at the marina, while directing marina-related boat traffic into the marina basin, rather than to the north side of the marina arm. The design changes would also facilitate a continuous public water's edge. Swimming and boardsailing could then be better accommodated in the Outer Harbour between the Circulating Channel and the marina arm.

The proposed public boat launch ramps could also be eliminated. The need for public boat launch ramps has not been demonstrated and such ramps already exist at Ashbridges Bay Park. The need for vehicular and trailer parking at the boat launch ramps would also be eliminated, making the water's edge more continuous, open and public.

5. Interim Service Connection Request

Reproduced as Appendix A is a February 16, 1989 letter from the Commissioner of Public Works to the THC's consultants, dealing with the request for water and sanitary sewer connections. The Commissioner of Public Works states that approval for connections will not be granted until the zoning requirements for the proposed marina are satisfied. I agree with this position. However, since this position might delay the spring 1989 opening of the marina proposed by THC staff, I am placing this matter before your Committee.

The service connections are termed "interim" because it is foreseen that, ultimately, services will be extended to the marina complex through the Port Industrial Park plan subdivision to the north. Because that subdivision is not yet approved, the THC has constructed temporary services to connect the marina arm to existing services on Leslie Street, until permanent services are in place. Temporary washrooms and a temporary administration building are also proposed be placed in Phase 1, as shown on attached as Map 7, and connected to both the water and sewer services. A permanent washroom is proposed for Phase 1, to be constructed by the fall of 1989 if possible. Given the zoning issue described above, obtaining a building permit for the permanent washroom by next fall is problematic. The proposed watermain connection will also provide water outlets for boaters at the base of each spine and at the temporary fuel/pumpout facilities, and provide fire protection.

THC staff maintain that the proposed interim services have the capacity to service only the marina arm and not the facilities proposed in the marina centre.

Land Use Committee

(c711uc89166:114)
March 16, 1989

As indicated above, the THC has advertised and accepted deposits on 400 slips for a spring 1989 opening of Phase 1. The THC might pursue temporary private sanitary sewage disposal facilities if the municipal service connections are not approved in time for a spring opening, but the Medical Officer of Health would need to approve any such facilities. Drinking water would not be available without service connections. If the interim servicing connections are not approved, Council may be faced with a number of annoyed boaters. THC staff have not indicated what course of action they might take if the interim servicing connections are not permitted. However, to sanction the construction and operation of even Phase 1 of the marina without first rezoning the area from Gr to Gm would be contrary to the lakefilling policies set out in the Central Waterfront Plan and the related zoning strategy.

6. Conclusions

I am of the opinion that to grant permission for either permanent or interim servicing connections before the necessary changes to the Official Plan and Zoning By-law are in place, should Council decide that such changes are appropriate, would conflict with the recently adopted Central Waterfront Official Plan policies respecting lakefilling and the Outer Harbour. Such changes first require the appropriate public participation and a review by other City Departments. I am also of the opinion that the City cannot adequately consider the zoning and the design issues related to the marina arm in isolation from consideration of the Official Plan, Zoning By-law and design issues related to the overall marina complex. Before the necessary amendments can be fully considered, more detailed information on specific uses, locations and densities of proposed facilities is required.

As discussed in this report, a Gr zoning was applied to the Outer Harbour in order to afford Council and the public the appropriate review of waterfront development proposals involving lakefilling.

I therefore am recommending that the interim servicing connections requested by THC for the marina arm be refused until such time as the Official Plan and Zoning By-law amendments necessary to permit the marina development intended to be served by these connections have been reviewed in the context of the entire marina proposal and, if considered appropriate, have been approved.

Given the THC's position that the marina is a shipping and navigation use and not subject to the Planning Act or any other Provincial legislation, Council's control over the servicing connection is the only clear leverage available to the City to

Land Use Committee

(c711uc89166:114)
March 16, 1989

strongly encourage the THC to follow appropriate planning approval procedures for the marina.

Recommendations

1. That the Toronto Harbour Commissioners be requested to submit the additional information respecting land use, density and building required to permit an adequate assessment of the entire marina proposal in the context of the Central Waterfront Official Plan and Zoning Bylaw amendments, including an appropriate circulation to other civic officials and the holding of a public meeting, and that such additional submissions have regard for the issues discussed in this report.
2. That until such time as the appropriate Official Plan designations and Zoning are in place, no servicing connections to the proposed marina, either interim or permanent, be permitted.


Robert E. Millward
Commissioner

Land Use Committee

(c711uc89166:114)
March 16, 1989

Appendix A

Communication from Commissioner of Public Works to Johnson Sustronk, Weinstein and Associates, dated February 16, 1989

This is in response to your submission dated January 25, 1989. As noted in my letter dated January 9, 1989, the City will not give approval for any connections to the City sewer and watermain systems until the City zoning requirements for the proposed marina, through the Planning and Development Department, have been met. The following are my comments on your design:

1. The submitted design for the watermain and sanitary forcemain within the proposed Marina Centre is acceptable, except that I require a report from a geotechnical consultant confirming that soil conditions are adequate to support the proposed water and sewer pipes. I note that the geotechnical engineer for the proposed Business Park development recommended that because of the poor soil conditions in the area, sewers and watermain will require structural support, e.g. pile foundation.
2. The submitted design for the polyethylene sanitary forcemain on Leslie Street Extension, including the temporary section on the east shoulder, is also acceptable, provided that the adequacy of ground support is confirmed by a geotechnical consultant.
3. As further development is proposed to the north of the marina site (Business Park) and as the Leslie Street Extension will eventually be taken over by the City, the size and location of the watermain should be revised to City standards and accommodate the other proposed developments. The watermain should be located 4.3 metres east of the east street line. The size is to be 300 mm from the Marina Centre to the proposed Unwin Avenue, and 400 mm from the proposed Unwin Avenue to the connection with the City's watermain. The proposed grading and details as shown in the preliminary design for the Business Park will be acceptable. As with the other pipe works, the adequacy of the ground support must be confirmed by a geotechnical consultant.

When you have completed these revisions, I will give further consideration to your application.

Land Use Committee

(c711uc89166:114)
March 16, 1989

Appendix B

Description of the Marina Complex Proposal Excerpted from "Outer Harbour Marina: Planning Overview" by Toronto Harbour Commissioners, February 1989

2.0 THE MARINA LAND USE CONCEPT

The early planning work completed by the Marshall Macklin Monaghan study group, was furthered with more detailed designs by the consulting firms of Johnson Sustrunk and Weinstein Hotson Bakker, Architects and Fleisher Ridout Partnership, Landscape Architects. These firms participated with THC staff to produce urban design solutions that would maximize the land use potential of the site while at the same time having consideration for its physical and functional characteristics and the surrounding development pattern.

The Marina Land Use Concept was developed on the basis of the research and analysis conducted by the consultant groups and is illustrated on figure 4. The Concept is composed of two functional areas; the Marina Breakwater and the Marina Centre. Basic land use guidelines for each of these areas were established to provide guidance in the detailed planning stages and are described in the following sections. The Concept also serves to identify the timing of development through three stages. The Marina Breakwater represents Phase 1 of the project. The Marina Centre will be constructed in Phases 2 and 3.

2.1 The Marina Breakwater

The land use concept for the Marina Breakwater was designed by Johnson Sustrunk Weinstein and Associates, acknowledged leaders in coastal engineering and small craft harbour design.

The Breakwater of the Outer Harbour Marina was constructed to provide maximum protection to the Marina Basin and to allow sufficient land area for Marina uses. The Marina Basin will provide moorings for 1200 boats complete with hydro, telephone, cable T.V. and water service. The initial phase will provide 400 wet moorings; 50% for boats under 30 feet and 50% for boats over 30 feet in length. In addition to the wet slips, an area for dry sailing has been reserved at the southern end of the Breakwater. The dry sailing area will have its own separate launch ramp. The Marina Basin will be serviced by 2 travel lift slips and 3 haul out areas.

The Marina Breakwater will accommodate three equally spaced "Courts" along its length. Each Court will provide basic services

Land Use Committee

(c711uc89166:114)

March 16, 1989

to Marina users including washrooms, laundry facilities, showers, vending machines, sail lockers, parking and boat storage. These facilities will also be available in the Marina Restaurant and Administration area. Gas and sewage pumpout facilities will be available in the Marina Basin and in the Service Basin. As the Marina becomes established it is anticipated that additional services could be added to the Courts such as day care facilities, snack bars, a swimming pool or tennis courts.

Parking for approximately 970 cars will be provided for Marina users in lots directly adjacent the Marina Basin to minimize walking distances. The parking lots are separated from the Basin by a wooden boardwalk and a landscaped planting strip. Behind the parking lots, three areas are reserved for boat and cradle storage. It is anticipated that a small number of boats and cradles will be left in the storage area during the summer months. Sufficient space has been reserved for all marina users to store their boats on site during the winter months. To reduce any visual distraction this might create, landscaped berms will surround the boat storage areas. Additionally, it is anticipated that this landscape feature will assist in ameliorating the effects of wind on the Marina Basin.

Pedestrian access to the Marina Breakwater will be considered during summer daylight hours. At all other times, entry will be restricted to marina users. In the event that safety and security problems become unacceptable, the THC reserves the right to control access at the Breakwater entry point.

The Marina Breakwater will be owned by the THC and operated by the Commissioners' staff and agents under THC contract.

2.2 The Marina Centre

The land use concept for the Marina Centre was designed by the Hotson Bakker, Architects and the Fleisher Ridout Partnership, Landscape Architects. Hotson Bakker are internationally recognized for the creative mixed use waterfront development on Granville Island in Vancouver, British Columbia.

The concept detailed in the Hotson Bakker report (see Appendix "B") proposes a framework for the development of a range of marina related uses. These uses are housed in a village of buildings of one to three storeys, set in a public, pedestrian oriented, street system.

The Hotson Bakker report ultimately views the site as a dynamic mix of commercial and light industrial uses and recreational activity related to the Marina. To maintain vitality in the area,

Land Use Committee

(c711uc89166:114)

March 16, 1989

uses which are active on a four season basis will be encouraged in the Marina Centre. The Centre will serve as a point of transition connecting the passive recreation of Tommy Thompson Park to the active uses of the Marina and Cherry Beach. The transition is also from marina recreational, service and commercial to business and light industrial uses.

While strong interest has been expressed by operators in a regional marina of this kind, the actual demand for floor space and facilities is presently difficult to gauge. The concept provides for phasing and plan flexibility so that market-driven development will evolve within the conceptual framework as proposed.

The following is a description of the 4 main use areas of the Marina Centre and their relationship to the overall project.

2.2.1 Marina Service Centre

This facility will be a regional centre for boat service and maintenance. Drawing from the southwest Lake Ontario area, as well as the 1200 slip Marina, it will provide comprehensive repair and maintenance services as well as gas, oil, and sewage pumpout services for power and sail boats. This area could as well be the centre for boat charters and tours, sailing instruction, boat rental and dry-stack or inside boat storage. The built area would have a marine/industrial architectural idiom with outdoor space for storage of boats waiting for service or pickup. It will operate 12 months a year and be able to take advantage of the extensive boat storage of the Marina Breakwater in winter and the destination aspects of the entire development in the summer.

Toronto area boaters must currently travel to Port Credit to find service of this nature.

The Service Centre component is tied directly to the Marina itself and would, like the Marina, be developed as a marina-related use project in Phase 2 of the development schedule.

2.2.2 Marina Restaurant and Administration Facility

These facilities provide services to two market groups: boat owners based at the Marina and boaters from the surrounding region. It will be a multi-use group of buildings with offices for the administrative staff, reception, booking, first-aid, maintenance and security. There will be showers, lockers and laundry facilities for boaters. Food service will be provided preferably through a first class restaurant and supported by additional facilities such as a lounge, coffee shop and/or snack

Land Use Committee

(c711uc89166:114)
March 16, 1989

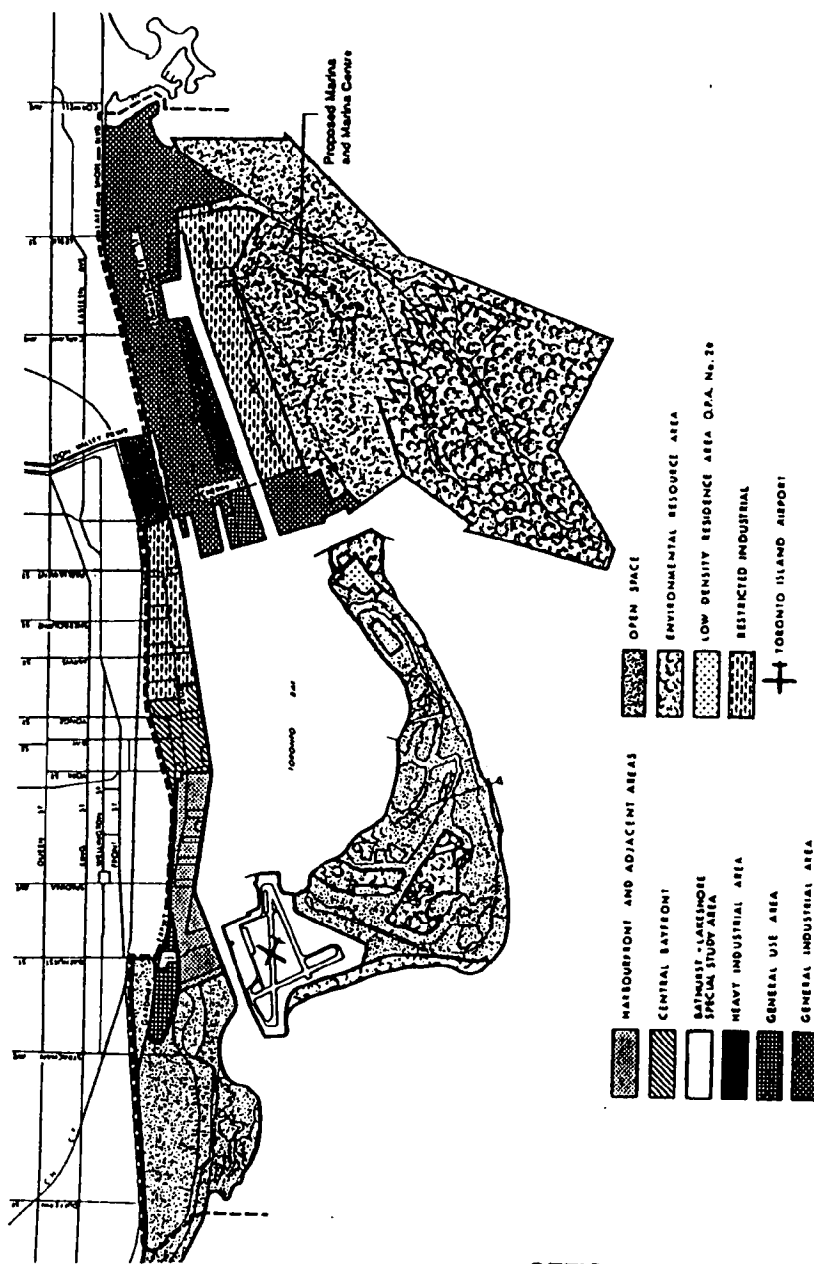
bar. These facilities will make use of decks and verandas to take advantage of the excellent views of the Marina Basin and Toronto's Skyline. This facility is tied directly to the Marina itself in that it provides a limited range of commercial uses for the marina user that are considered to be essential to a properly operated marina. Such uses would include a ship chandler/marine hardware store and a rigging shop. This facility will be constructed as part of Phase 2.

2.2.3 Marina Related Commercial Area

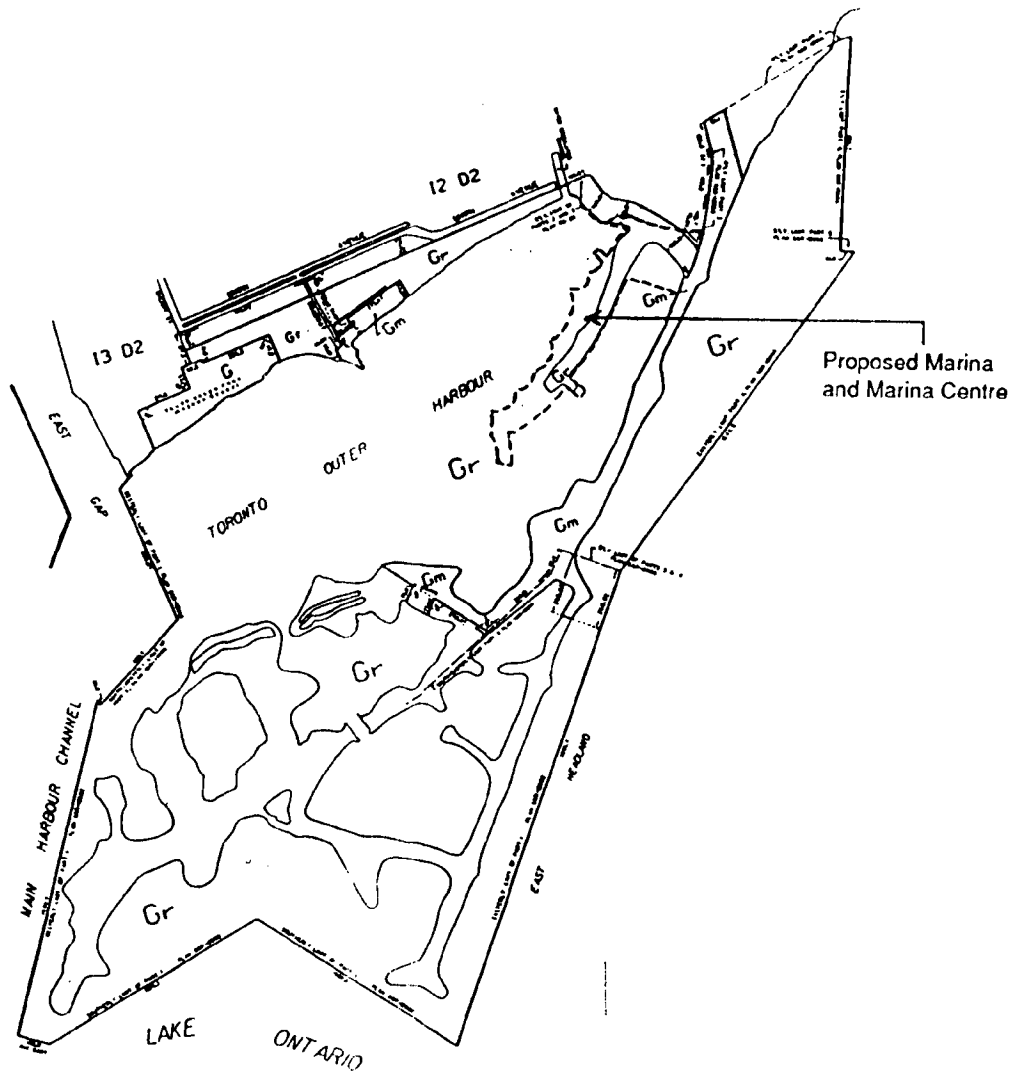
The Marina Related Commercial area represents an opportunity to provide services for the Marina user and general public at large in the third phase of the Marina Centre development. During the summer months this area will experience heavy exposure to pedestrian traffic. Commercial activity will capitalize on this feature but also be cognizant of the economic realities of the site's seasonal nature. Uses such as a health facility, providing nautilus, steam, jacuzzi, and racquet sports could attract users from both the Marina as well as the region to create a destination attraction. This type of use is primarily market-driven so that the extent of these facilities would depend on an operator's assessment of the market potential. Examples of other uses would include a dive shop, windsurfing equipment sales, and a marine architect's office. Uses not related to the Marina will be permitted in this area providing that they are sensitive to the Marina and pedestrian environment and will encourage year round activity.

2.2.4 Marina Related Commercial Industrial Area

The fourth component of the Marina Centre is related to both the Marina Breakwater and Marina Service Centre as well as the Business Park to the north and the City itself. It is the largest component and could encompass a wide range of commercial and light industrial activities. The bulk of these would be marina related such as boat sales, brokerages, sail manufacturing, marine supply, recreational equipment sales and distribution and boat assembly. This development area is substantially market-driven and its size and make-up would reflect the response from the development community. This area also represents development proposed to occur within the third phase.



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CENTRAL WATERFRONT ZONING

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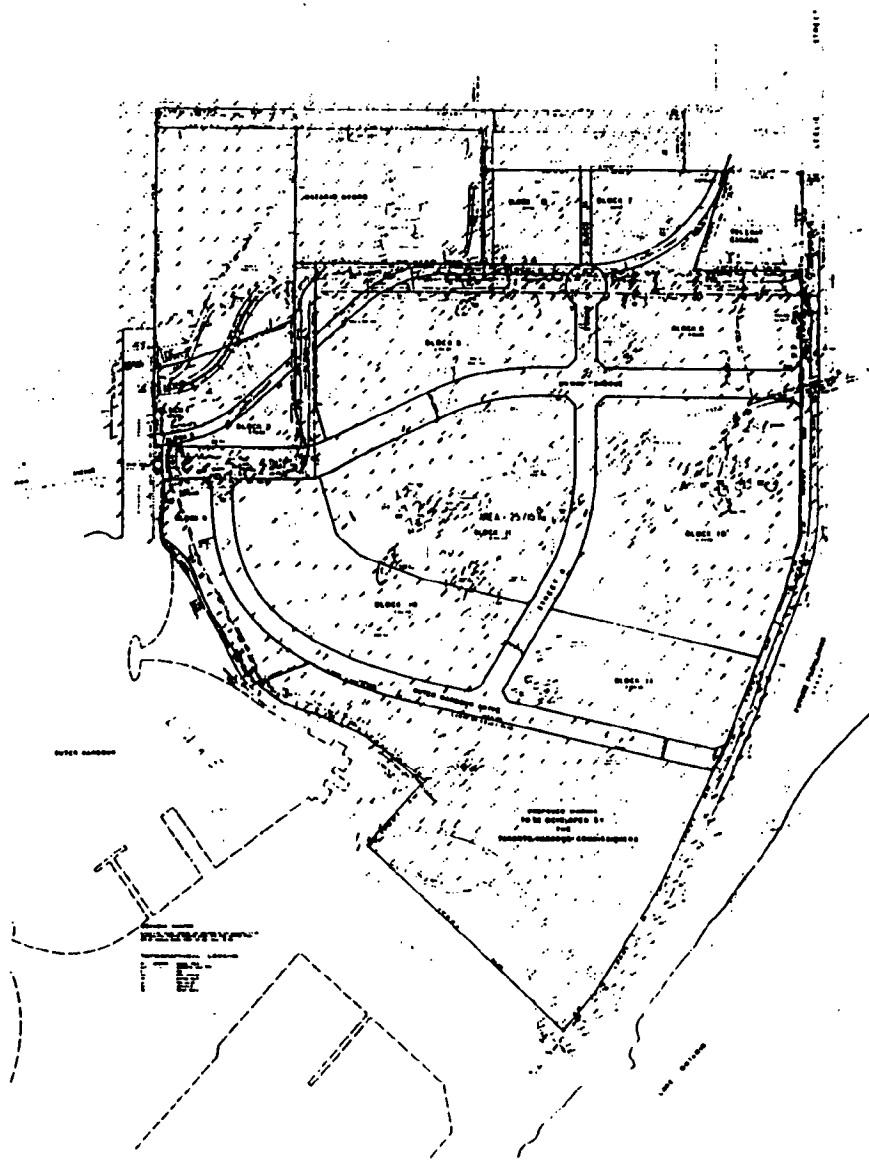
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Waterfront and Railway Lands Section

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**THC's PROPOSED INDUSTRIAL
PLAN OF SUBDIVISION**

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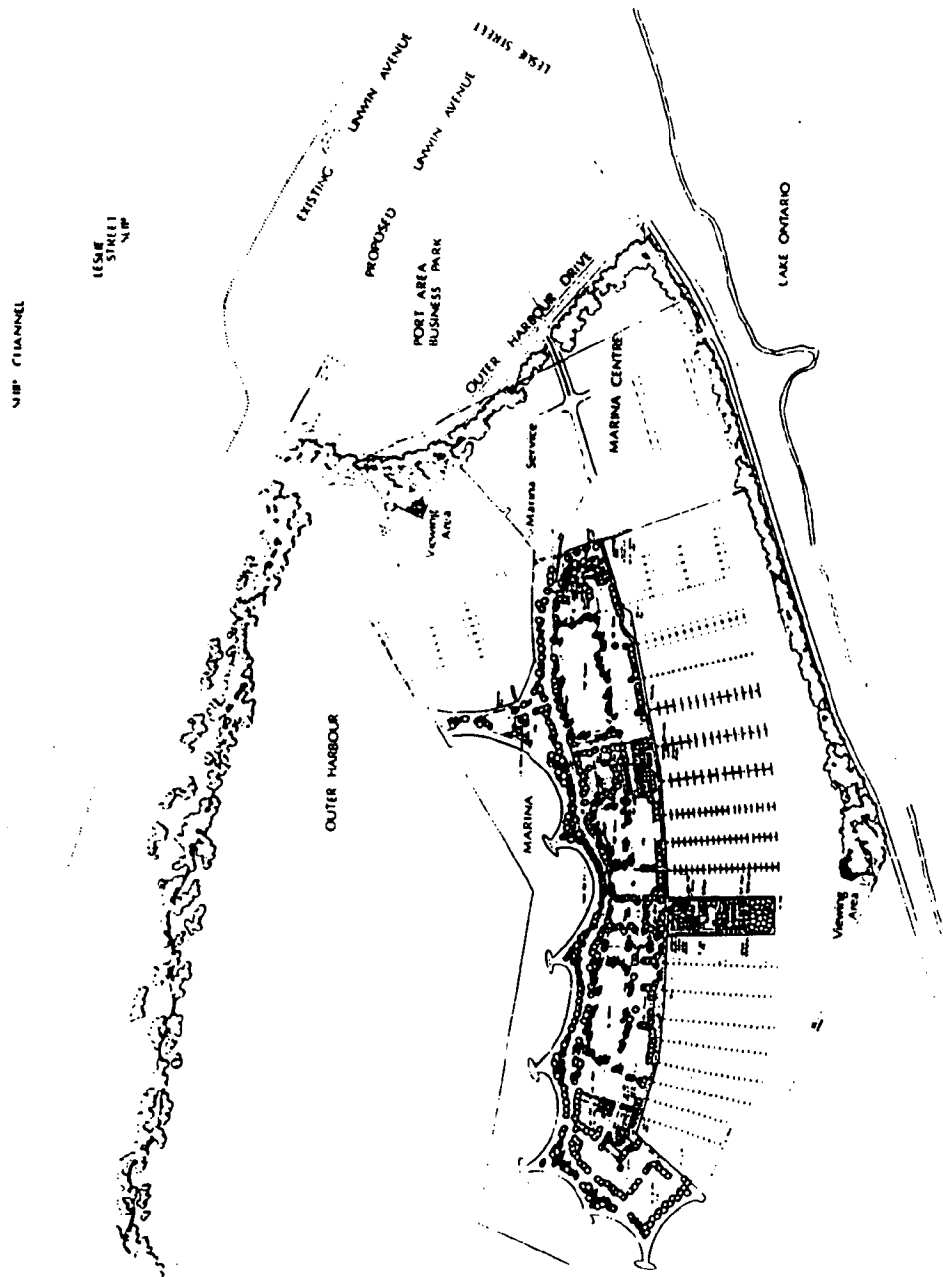


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OUTER HARBOUR MARINA DEVELOPMENT AREA

THE TORONTO HARBOUR COMMISSIONERS

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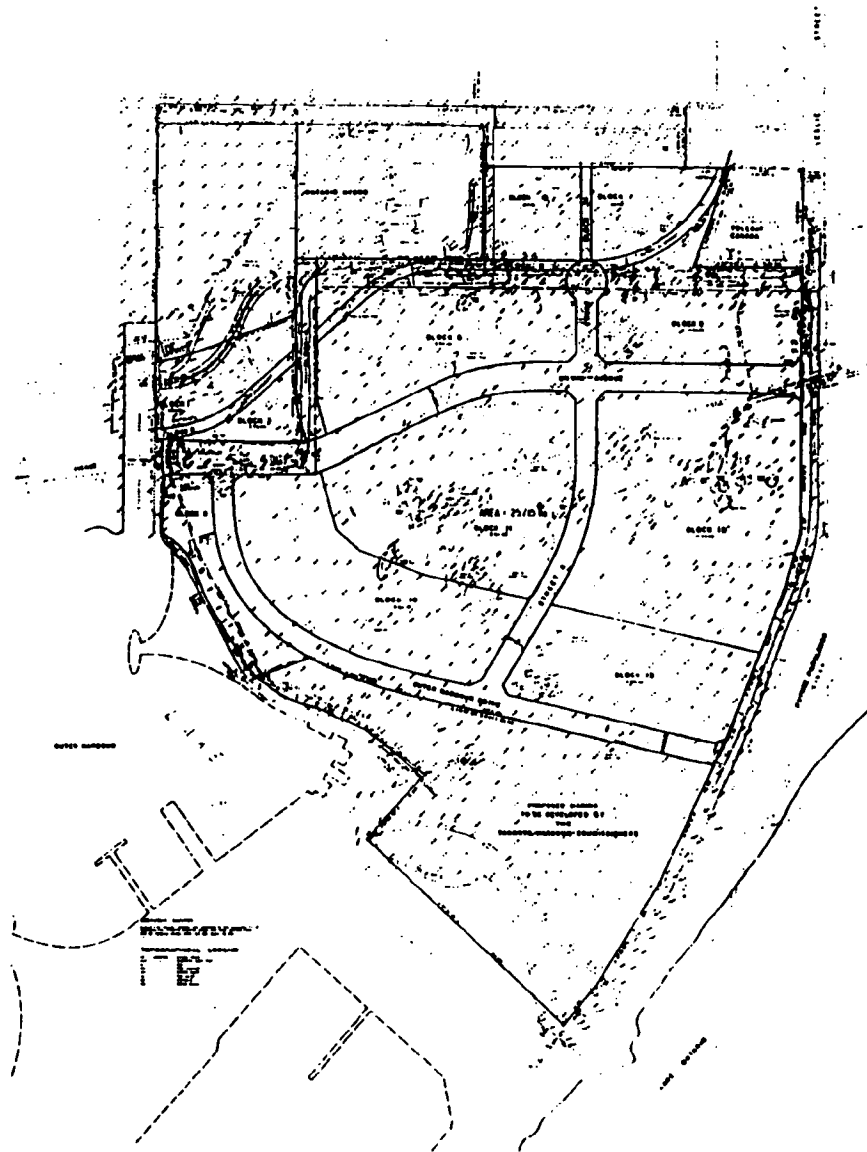
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4





THC's PROPOSED INDUSTRIAL PLAN OF SUBDIVISION

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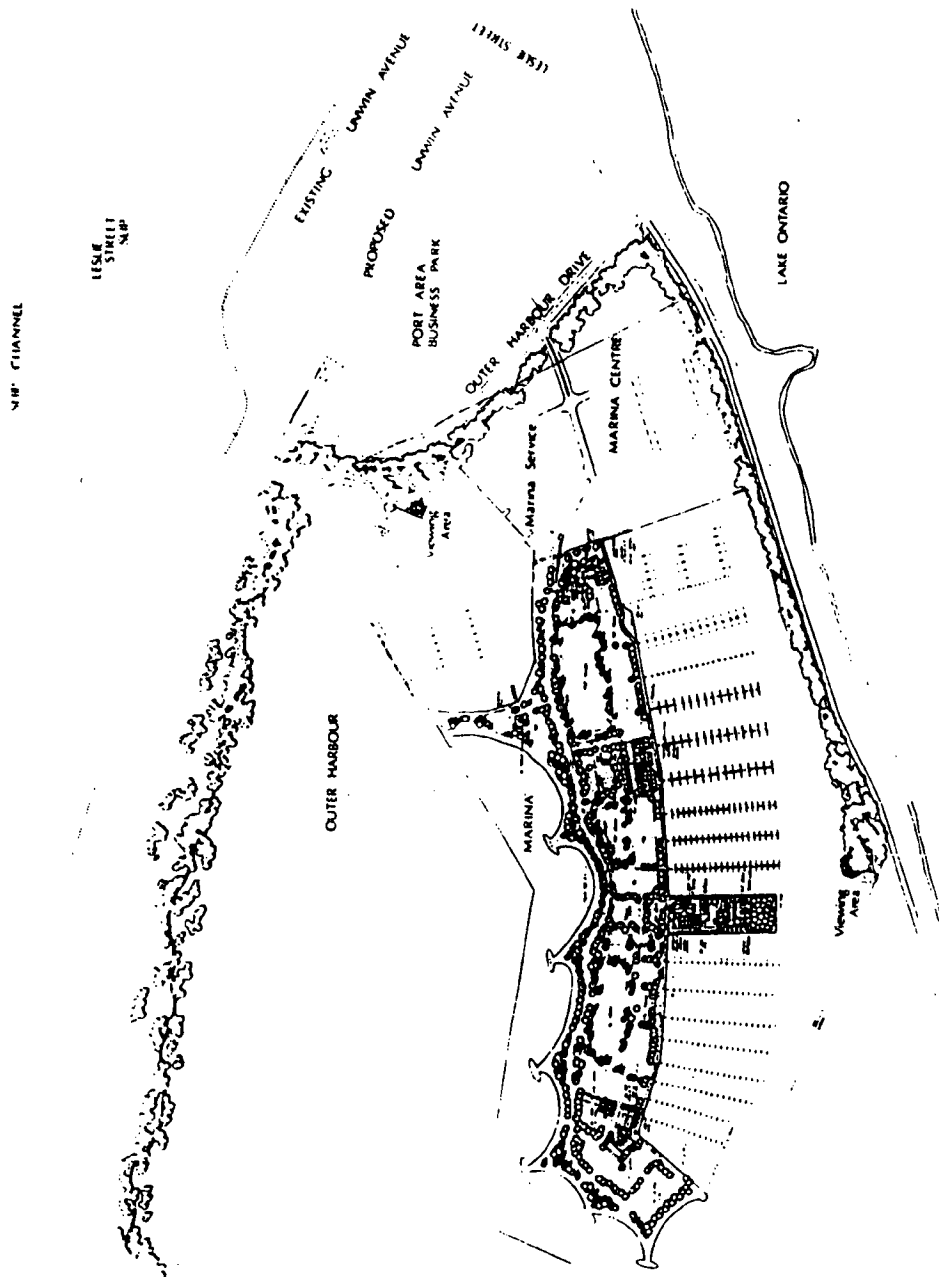
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OUTER HARBOUR MARINA DEVELOPMENT AREA

THE TORONTO HARBOUR COMMISSIONERS

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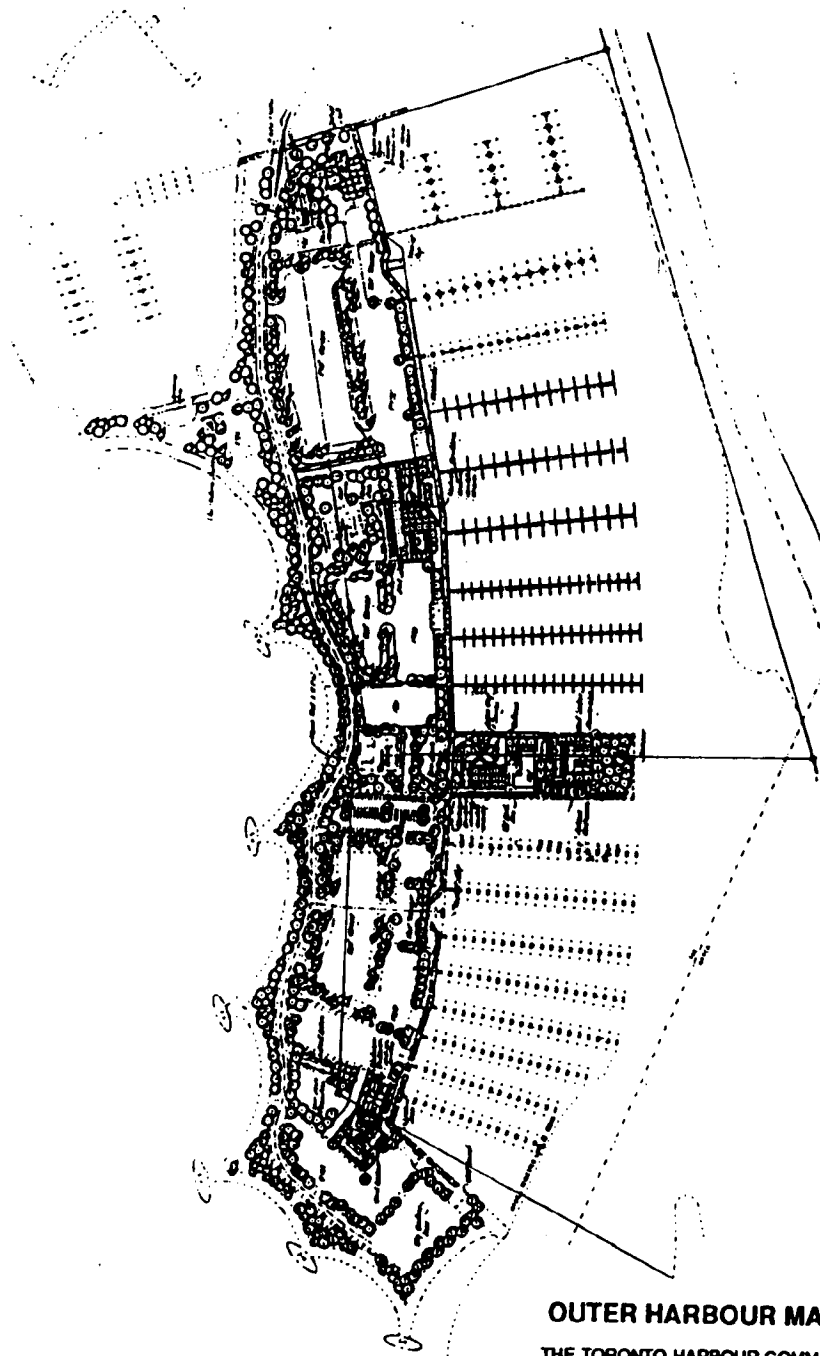
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4
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OUTER HARBOUR MARINA

THE TORONTO HARBOUR COMMISSIONERS
MARINA BREAKWATER

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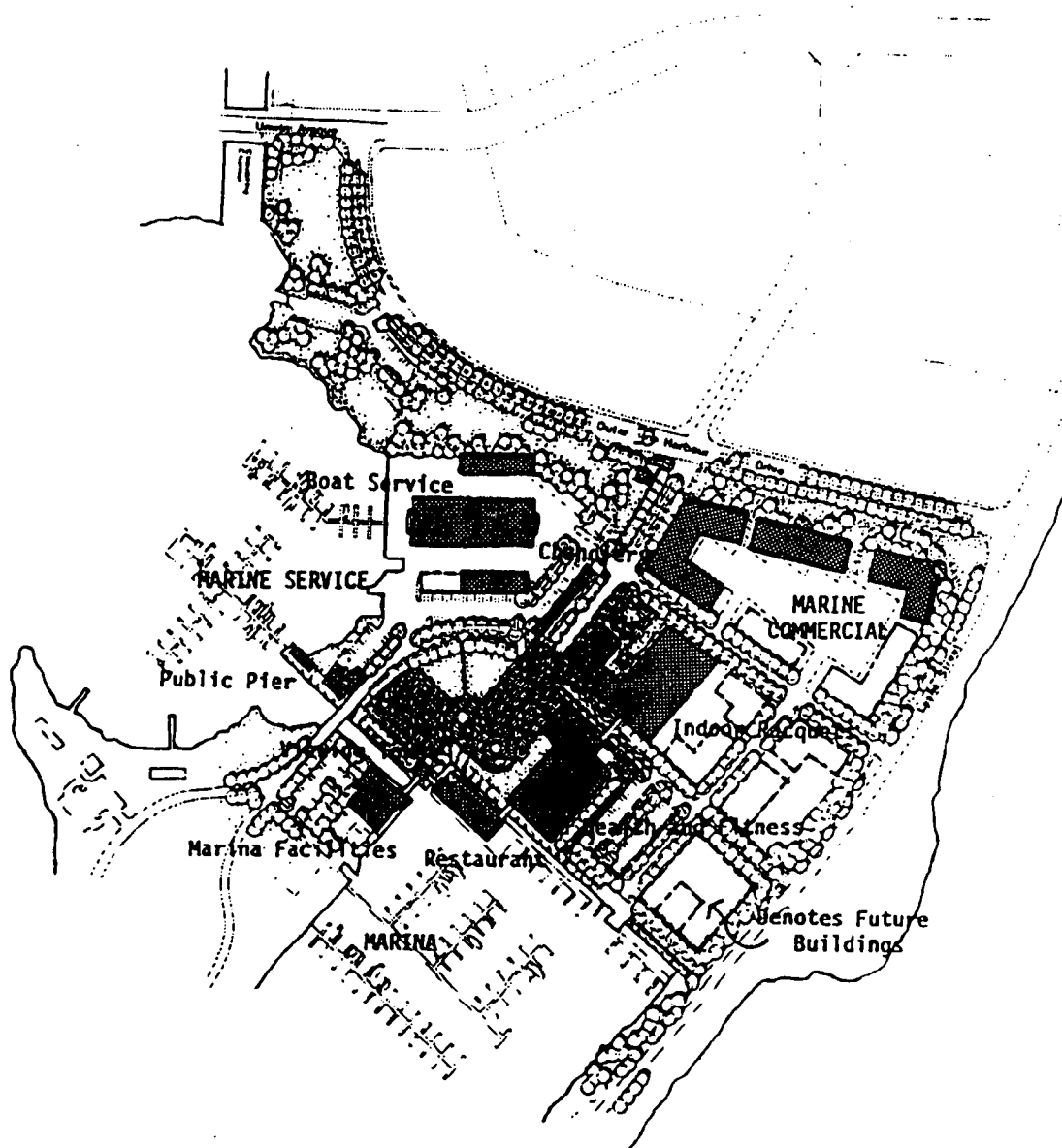
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5
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Shaded buildings , streets and plazas and street trees and landscaping constitute possible first phase of site development.

MARINE CENTRE CONCEPT

THE TORONTO HARBOUR COMMISSIONERS

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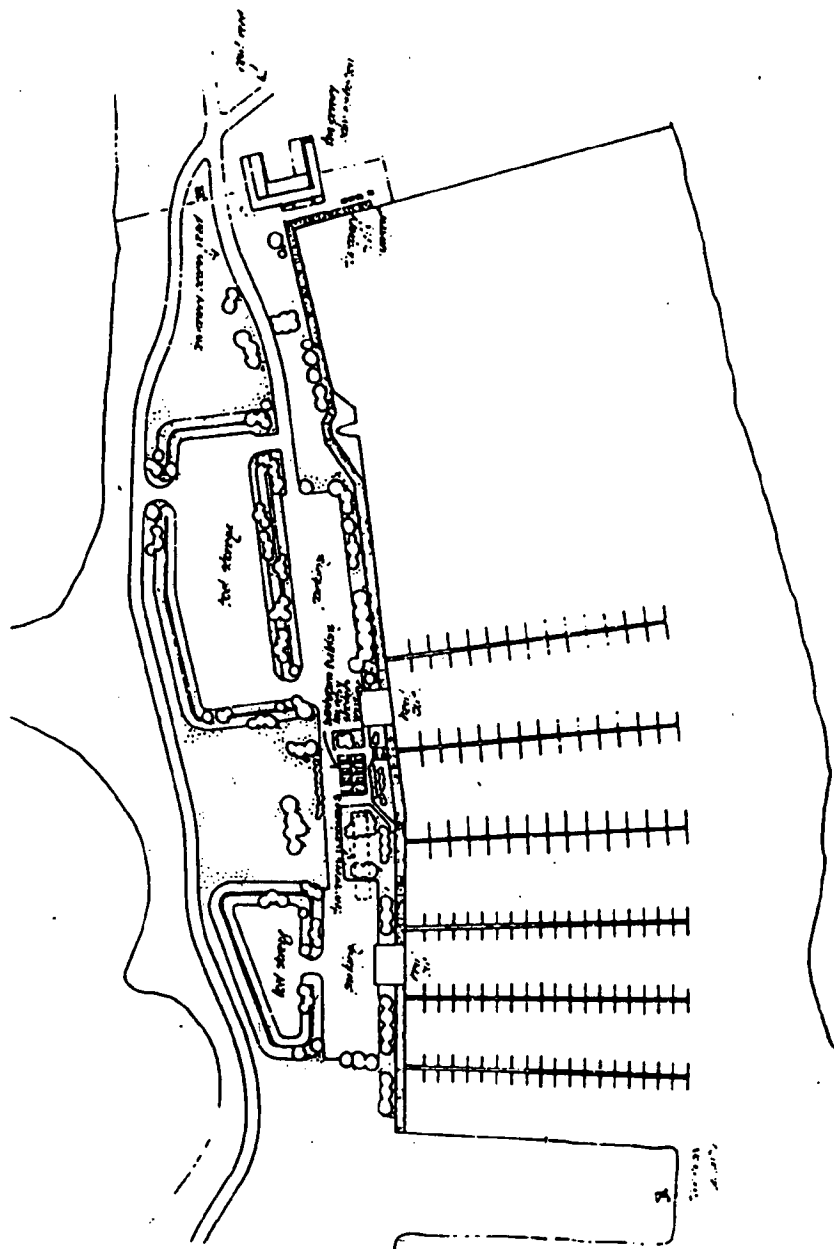
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6





OUTER HARBOUR MARINA

Phase One Completion: 1990 Season

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