

# MM3.39 - Mimico-by-the-Lake Secondary Plan (OPA 197) - Request for Direction Report

## APPENDIX A TO ATTACHMENT 1: CONFIDENTIAL INFORMATION PROPOSED AMENDMENTS TO OPA 197 - SETTLEMENT MADE PUBLIC ON FEBRUARY 23, 2015

The following are amendments to the Mimico-by-the-Lake Secondary Plan (OPA 197) organized below by general topic category are proposed in partial settlement of the issues before the Ontario Municipal Board (PL130885):

### Growth in the Secondary Plan Area

- a) Incorporation of additional text in OPA 197, Policy 4.9.1 as follows and shown in bold italics:

***"4.9.1 New development will not exceed the physical capacity of the available municipal servicing infrastructure as improved from time to time. Development proponents in the Secondary Plan area will have appropriate and meaningful regard for the Mimico 20/20 Infrastructure Analysis and Functional Servicing Plan and will be required to fund and/or construct upgrades to municipal servicing infrastructure where existing infrastructure capacity is inadequate to support proposed and planned growth. Development proponents ..."***

### Boundaries and Stable Neighbourhoods

- b) Addition of new OPA 197 policy, as Policy 5.7.7 as follows and shown in italics:

*"5.7.7 Site-specific amendments to this Secondary Plan that alter provisions in terms of boundaries, land use, height and built form will not be permitted without a comprehensive review of this Secondary Plan. Site-specific amendments that could destabilize areas within or adjacent to the Secondary Plan area or that are not consistent with the intent or the vision and principles of this Secondary Plan will be discouraged."*

- c) Addition of sidebar text adjacent to Section 4.2 – Built Form as follows:

#### "The Mimico Neighbourhood

The Mimico-by-the-Lake Secondary Plan area is surrounded by the predominantly low density residential neighbourhood of Mimico to the south and west. A cornerstone policy of the Official Plan is to ensure that new development respects the existing physical character of *Neighbourhoods*, reinforcing the long term stability of these areas. The purpose of a Secondary Plan is to provide guidance to an area that is anticipated to

experience growth and change. In consultation with the broader community, the boundary of the Mimico-by-the-Lake Secondary Plan area was purposefully drawn to exclude any areas within a *Neighbourhoods* designation to ensure that these areas remain stable and not subject to the growth and change envisioned within the Plan area. Any boundary changes to the Secondary Plan area, due to the nature of the surrounding neighbourhoods will not be supported. In addition to the built form policies of this Secondary Plan, including those related to height, setbacks, stepbacks and angular planes, the Mimico 20/20 Urban Design Guidelines contain further performance standards to guide appropriate transition to the surrounding neighbourhoods."

- d) Addition of sidebar text in margin adjacent to OPA 197 Policy 3.2.1 g) as follows:

"Avenues & Mid-Rise Buildings Study

The City's Official Plan encourages a significant portion of growth to be directed towards intensification areas, one of which is the Avenues.

The Avenues policies in the Official Plan are intended to help the City direct growth to key main streets, and areas with existing infrastructure, including transit, retail and community services, while protecting the character and stability of existing adjacent neighbourhoods. The character of growth that will occur through mid-rise built form will recognize the unique connection to these neighbourhoods through a development form that is moderate in scale and reflects high quality design and materials.

Mid-rise buildings are no taller than the width of the street right-of-way. The as-of-right height of a mid-rise building will be determined by a series of factors. The maximum height is established based on a 1:1 ratio where the maximum height of a building is equivalent to the width of the right-of-way. The ability to realize the maximum height is tempered by angular planes applied to the front of the site and the rear of the site respectively. Not all sites on the Avenues will be able to achieve the maximum height, as some properties are physically constrained."

- e) Addition of new OPA 197 policy as Policy 2.2, as follows and shown in italics:

*"2.2 Adjacent residential areas designated Neighbourhoods and/or Apartment Neighbourhoods (including their various components such as homes, schools and parks) which are not within the boundaries of this Secondary Plan and are therefore outside the redevelopment areas proposed by this Secondary Plan, are considered to be stable residential areas."*

## Character of the Area

- f) Addition of new OPA 197 policy as Policy 4.2.4 a) vi and vii as follows and shown in italics:

*"4.2.4 a) vi: Mimico-by-the-Lake has a fine grain main street retail character of storefronts and building entrances along Lake Shore Boulevard West. New buildings are to be designed to reflect a similar rhythm of entrances and multiple retail units in order to contribute to a highly animated pedestrian environment.*

*4.2.4 a) vii: New Buildings along Lake Shore Boulevard West will acknowledge the existing building character along the block through an appropriate cornice line. This may be achieved in a number of ways, including façade detail, articulation and stepbacks."*

- g) Incorporation of additional text in OPA 197 Policy 4.2.2 as follows and shown in bold italics:

"4.2.2 Consolidation of properties is encouraged in all areas of the Secondary Plan ***located east of Lake Shore Boulevard West in order*** to achieve appropriately sized and dimensioned development blocks..."

## Minimizing Shadow Impacts

- h) Addition of new OPA 197 policies as Policy 4.2.9, 4.2.10 and 5.1.5 as follows and shown in italics:

*"4.2.9 To minimize the effect of shadows, new buildings will be designed and oriented to minimize shadow impacts on all parks and open spaces at all times of the day particularly during the spring and fall equinoxes.*

*4.2.10 To maintain views and vistas to the lake, open spaces or other significant features, new buildings will be located and oriented in a way to preserve the view corridors shown on Map 33-4."*

*5.1.5 s): Shadow studies to ensure that shadow impacts are minimized on sensitive land uses such as parks and open spaces within the Secondary Plan area and Neighbourhoods adjacent to the Secondary Plan Area."*

## Built Form, Stepbacks and Angular Plane

- i) Amend OPA 197 Policy 4.2.4 a) ii as follows with revision shown in bold italics::

"4.2.4 a) ii a maximum building height of 21.5 metres or 6 storeys along the Lake Shore Boulevard West frontage stepping **upback** to a maximum 27 metres or 8 storeys, as illustrated on Map 33-6 to this Secondary Plan;

- j) Addition of sidebar text adjacent to OPA 197 Policy 4.2.4 a) as follows:

"Building Stepbacks and Pedestrian Perception on the Lake Shore Boulevard West Avenue:

Stepbacks on buildings taller than 21.5 metres should be required to mitigate the perception of height and create buildings at the street that are of a comfortable scale for pedestrians.

The required stepback at the 6 storey height is to be substantial so that the pedestrian perception while walking on the sidewalk is of a 6 storey building, with any additional storeys well setback from the street wall of the building. The stepback will also ensure that there is sunlight penetration onto the sidewalk on the opposite side of the street, generally a 45 degree angle projecting from the front façade of the building back to the face of the stepback wall will achieve the required sunlight penetration onto the street."

- k) Addition of new OPA 197 policy as Policy 4.2.4 b) ix as follows and shown in italics:

*"4.2.4 b) ix. a building stepback is required above the podium building height"*

- l) Incorporation of additional text in OPA 197 Policy 4.2.4 c) i as follows and shown in bold italics:

*"4.2.4 c) i. minimum base building height of 8 metres or 2 storeys, **and a maximum base building height of 14 metres or 4 storeys with a building stepback above the base building height.**"*

- m) Addition of new OPA 197 policy as Policy 4.2.4 e) as follows and shown in italics:

*4.2.4 e) For mitigating the effects of building heights, the building stepback requirements under Policies 4.2.4 a), b), and c) are considered important elements in establishing comfortable scales of pedestrian perception."*

Roads and Infrastructure

- n) Incorporation of additional text in OPA 197 Policy 4.4.5 as shown in bold italics:

"Transportation Impact Studies are required in support of any new applications on a block and site basis that **will take into account the potential traffic which would be generated by other existing and approved developments** and that will demonstrate that traffic can be accommodated on the area road network, **including any new roads**, and **will identify** necessary off site improvements.

- o) Addition of sidebar text adjacent to Policy 4.4.11 as follows:

"Functional Streets

For the purposes of this Plan, a functional street is defined as an operational public street, or portion of a public street, that meets all City standards for local streets or secondary

local streets, as applicable, and that can accommodate vehicles, cyclists, and pedestrians. A functional street must connect to an existing public street network."

- p) Addition of new OPA 197 policies as Policy 4.4.10, 4.4.11 and 4.4.12 as shown in italics as follows:

*"4.4.10 Lands that are required for new public streets, new trail extensions and cycling and pedestrian connections pursuant to policies of the Plan and as generally illustrated on Map 33-5 will be identified and appropriately secured through development applications. For a development site, the development application process and submission requirements will help to identify the necessary transportation components, alignments and associated land requirements.*

*4.4.11 Development applications will not be approved until the appropriate arrangements are in place for securing the necessary lands to accommodate the transportation facilities required for the development. All new functional streets, or segments of them, are required to:*

- a) meet the City's Development Infrastructure Policy & Standards (DIPS) for public local streets or be otherwise acceptable to the City; and*
- b) provide public road frontage and address to all buildings to, in part, avoid development patterns that are based on a "building located behind a building" pursuant to policies 3.1.2 (f) and 4.2.2 c) of this plan; and*
- c) connect to an existing public street network.*

*4.4.12 A development application may propose an interim new functional street connection that is built to City approved standards, provided that it directly connects with the existing area public street network, and where possible, should align with existing streets. Under interim conditions, temporary transportation facilities built to City approved standards, such as cul-de-sacs, may need to be provided to in order facilitate the movement of traffic until the full street network is built out."*

- q) Addition of sidebar text adjacent to Policy 4.4 as follows:

"The proposed Transportation Infrastructure on Map 33-5 of this Secondary Plan, including the new public and secondary local streets, trail extensions and cycling and pedestrian connections, are all shown as approximate locations that will require future study and analysis when development applications come forward. To support more intensive redevelopment and in most cases to achieve the maximum height and density potential provided by this Plan, particularly on lands on the east side of Lake Shore Boulevard West, it is anticipated that this will be done by consolidation of properties and, as appropriate, with cooperation from adjoining individual land owners. Applicants will be required to complete a comprehensive Transportation Precinct Study that will include a detailed assessment of where local streets and other transportation infrastructure will be located, and how these will be achieved. Applications on smaller landholdings may proceed, provided that they also demonstrate how the public street requirements of this Plan will be achieved for both the short and long term."

- r) Addition of sidebar text adjacent to Policy 4.4.10 as follows:

"Public Street Standards

One of the key principles for new development in the Mimico-by-the-Lake Secondary Plan is that new streets are required to be public streets – built in accordance to the applicable provisions of this Plan, the Mimico 20/20 Urban Design guidelines, and all municipal standards including the City of Toronto Streetscape manual and the Development Infrastructure Policy and Standards (DIPS). The DIPS standards were adopted by Council and establish uniform and high quality street standards for new local streets. The DIPS initiative is also consistent with the main Official Plan policy that all new streets should be public and is one of the key factors in establishing a high quality and desirable public realm. Consistent with the policies of this Secondary Plan, the DIPS document also advocates for the creation of public streets through the Plan of Subdivision process."

- s) Renumbering existing OPA 197 Policy 4.4.10, Transit, as 4.4.13 and renumbering existing OPA 197 Policies 4.4.10, Cycling and Pedestrian Network as 4.4.14 and 4.4.15, respectively.

Parks and Open Spaces

- t) Addition of new OPA 197 policies as Policy 4.5.10 and 4.5.11 as follows and shown in italics:

*"4.5.10 Additional park and open spaces areas contemplated in the vision and policies of this Secondary Plan, including those identified as proposed open space on Map 33-7, are intended to be secured primarily in the context of development approvals and parkland related public actions/initiatives including land acquisitions as they may occur from time to time.*

*4.5.11 The broader public realm and parkland objectives of this Plan will include improved interconnectivity and access to waterfront parklands for the residents located within the Secondary Plan and the outside surrounding area, including those on the west side of Lake Shore Boulevard West."*

- u) Addition of a new OPA 197 site specific policy as Policy 6.2 as follows and shown in italics:

"6.2 Special Policy Area 2 – Map 33-9

*Within Site Specific Policy Area 2 on Map 33-9, lands designated Parks and Open Space Areas that are in City ownership and located adjacent to Superior Avenue, could be considered for a land exchange concurrent with a development application for the adjacent property provided any such land exchange is for land adjacent to the lake front park area and is of an equivalent or larger area and of comparable or superior green space utility, consistent with Official Plan policies, in particular Policies 2.3.2.4 and*

4.3.8.”

- v) Addition of a new OPA 197 site specific policy as Policy 6.3 as follows and shown in italics:

*“6.3 Special Policy Area 3 – Map 33-9*

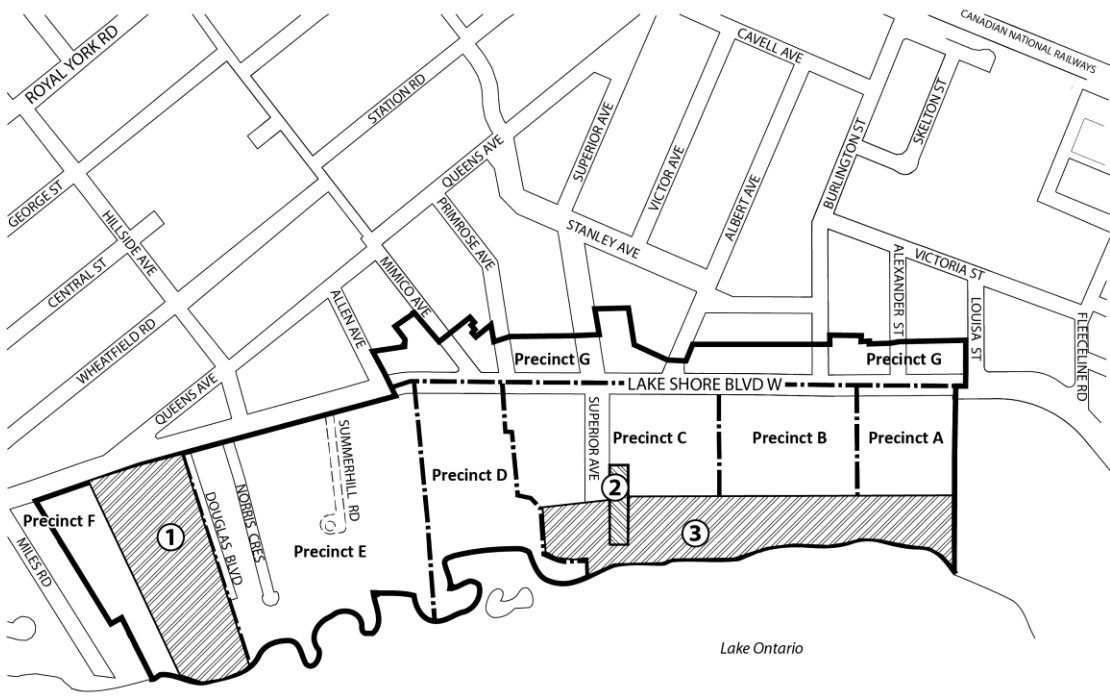
*Within Site Specific Policy Area 3 on Map 33-9 (a cross hatched area that includes private lands previously designated Parks and Open Space Areas under Official Plan Map 15), if an application is made to develop such lands the City or a public agency will be given opportunity to purchase the land for the purpose of extending the public open space system. If the City or public agency does not wish to purchase the lands the application will be considered on the basis of consistency with the policies of this Secondary Plan.*

- w) Amend the first sentence in Policy 6.1 as follows with revisions shown in bold italics:

*“6.1 Special Policy Area 1 – Map 33-6*

*“The area identified as '~~Subject to~~ Site Specific ~~Policy Review~~ – 1' located within Precinct F on Map 33-6 **and Map 33-9** contains a concentration of significant heritage resources including buildings and landscapes....”*

- x) Addition of new OPA 197 map as Map 33-9, Special Policy Areas to identify special policy areas and as follows:



Not to Scale →



### Mimico by-the-Lake Secondary Plan

MAP 33-9 Special Policy Areas

-  Secondary Plan Boundary
-  Existing Private Street
-  Precinct Boundary
-  Special Policy Areas