



LAKESHORE PLANNING COUNCIL CORP.

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November 30, 2016

TO: Executive Committee of Toronto City Council
Meeting date: December 1, 2016

EX 20.26 - Capital Variance Report for the Nine-Month Period Ended September 30, 2016 APPENDIX C1: Reserves and Reserve Funds Variance Report – Parkland Acquisition / New Development (Section 42)

The above report, specifically concerning Reserve Funds for Section 42, Parkland Acquisition/New Development, shows a projected Budget Balance as at December 31, 2016, of \$329,679.974 (**Appendix A**).

Background

- 1A. On August 20, 2014 - **EX44.14 Mimico by-the-Lake Secondary Plan – City Actions to Support Revitalization** - the Executive Committee directed City Divisions “to give consideration to identifying and including coordinated capital investments, within the 10 year Capital Plan, in the Mimico-by-the-Lake Secondary Plan area that will act as a catalyst to attract private investment into the Secondary Plan area.” (**Appendix B**)
- 2A. On August 30, 2016, the Ontario Municipal Board issued a 93-page Decision and Direction concerning the Mimico by-the-lake Secondary Plan, including:

[389] In addition to the modifications “on consent”, the Board finds that OPA 197 should be further modified (or remain unchanged, as the case may be) to reflect the items set out below:

3. Land Acquisition for Public Purposes

a) The City should verify that there is congruence between:

- The scale of development that it anticipates,*
- The likely receivables for the City,*
- The objective of improving Mimico’s ratio of parkland to population (which is about to expand), in light of Citywide target ratios, and its budgetary commitments to land acquisition and infrastructure.*

b) If further budgetary commitments or "coordinated capital investments" are necessary for same, the City should prepare itself accordingly.
(Appendix C)

[390] In accordance with traditional principles of professionalism, the Board expects the parties – and their experts – to use their best efforts to proceed by consensus wherever possible.

and

[391] It is in the interest of the City to assure that the parties and participants have been properly consulted.

(Appendix D).

- 3A. It is our view that there is "no congruence" whatsoever between the scale of development set out in the Mimico by-the-Lake Secondary Plan and
- *the objective of improving Mimico's ratio of parkland to population (which is about to expand), in light of Citywide target ratios,*
 - planning that promotes healthy and sustainable communities in the public interest
 - the City of Toronto Official Plan
- 4A. The Lakeshore Planning Council Corp. is a Party to this OMB Hearing, Decision and Direction. The OMB provided the City and Parties with four months, to the end of December 2016, to respond to the OMB Decision.
- 5A. We have not heard from the City concerning this OMB Decision. Consequently, we are bringing this matter to the attention of the Executive Committee.

Proposal for Parkland Acquisition and New Waterfront Road

- 1B. We have reviewed the Mimico by-the-Lake Secondary Plan area in detail to identify the potential for acquiring public parkland, including surveys, etc. Attached is a Plan indicating potential land for acquisition for Parkland and the Waterfront Road. The majority of the land proposed for acquisition is Zoned as Open Space and, therefore, is NOT buildable land (**APPENDIX E**).
- 2B. We have also prepared a Chart showing the addresses of the lands in question along Lake Shore Blvd West, with the approximate land areas for acquisition and potential purchase prices ranging from \$1.25 million to \$2.0 million per acre. This would involve an exchange of some of Superior Park to accommodate the Secondary Plan, for an approximate maximum cost at \$2.0 million per acre of \$7.734 million to acquire the land for both Parkland and the Waterfront Road (**APPENDIX F**).
- 3B. An estimated cost for construction of the 6.6 metre wide Waterfront Public Road is around \$1.6 million for approximately 531 metres length of public road.

- 4B. Official Plan Map 8B and an extraction of the Mimico by-the-lake Secondary Plan area is attached (**APPENDICES G AND H**), show that there is a deficiency of Parkland in the area west of Lake Shore Blvd West, and residents utilize the parkland located on Lake Ontario.
- 5B. In addition, the City Municipal Code Chapter 415 Development of Land has identified the Mimico by-the-Lake Secondary Plan area as a priority area for parkland acquisition and is subject to the application of the Alternative Parkland Dedication Rate, as provided for in the City's Official Plan and identified in on Map 1-3 (**APPENDIX H**).

Request for Direction to the City Planning and City Legal Departments

- 1C. The Lakeshore Planning Council Corp. is a Party to this OMB Decision, and represents the interests of more than 1,000 residents who signed a petition objecting to various terms of the Mimico by-the-Lake Secondary Plan, and nearly 100 residents who attended and voted on their priorities at a public meeting held on February 11, 2012.
- 2C. We kindly request that the Executive Committee direct both the City Planning and City Legal Departments to comply with the OMB Direction contained in paragraphs [390] and [391] above and properly consult with the Lakeshore Planning Council Corp. in this matter.

The above is provided respectfully for the information of the Executive Committee, to provide its members with an opportunity to conduct appropriate review and oversight, and to take appropriate action in this important matter of public interest.

Yours truly,

Timothy Dobson, OALA, ISA, Landscape Architect & Arborist
Chairman
LAKESHORE PLANNING COUNCIL CORP.

Link to the full OMB Decision of August 30, 2016

<https://www.dropbox.com/s/f6i2y2fn4i51ydp/Decision%20PL130885-AUG-30-2016.pdf?dl=0>

APPENDIX C1: RESERVES AND RESERVE FUNDS VARIANCE REPORT
 OBLIGATORY RESERVE FUNDS
 AS OF SEPTEMBER 30, 2016

RESERVE FUND / ACCOUNT	2016 ANNUAL BUDGET PROJECTION				ACTUALS TO SEPTEMBER 30, 2016					
	BALANCE JAN 1, 2016	INTEREST & OTHER CONTRIBUTIONS	TRANSFERS (TO) FROM OPERATING	TRANSFERS FROM (TO) OTHER FUNDS	BALANCE DEC 31, 2016	BALANCE JAN 1, 2016	INTEREST & OTHER CONTRIBUTIONS	TRANSFERS (TO) FROM OPERATING	TRANSFERS FROM (TO) OTHER FUNDS	BALANCE SEP 30, 2016
Development Charges	633,052,960	219,550,801	(23,102,337)	(164,089,228)	665,412,196	633,052,960	111,620,942	(13,840,743)	(40,572,571)	690,260,568
Community Services	38,849,185	163,909	(12,134,966)		26,876,127	38,849,185		2,200,000	(700,954)	38,849,185
National Child Benefit Support	3,468,227	1,018,076	2,200,000	(2,906,000)	3,780,303	3,468,227				4,967,273
Homes For The Aged	7,106,581	31,783	(1,500,000)		5,638,364	7,106,581				7,106,581
Kids @ Computers Scholarship Project	20,796,042	72,730	(12,500,000)		8,368,772	20,796,042				20,796,042
Social Housing Federal	70,220,035	1,286,498	(23,934,966)	(2,906,000)	44,665,567	70,220,035	0	2,200,000	(700,954)	71,719,081
Parkland Acq / New Development (Section 42)	363,677,578	60,466,353	(4,725)	(94,459,231)	329,679,974	363,677,578	34,983,719	(85,028)	(16,435,731)	382,140,538
Third Party Agreements	2,497,313	12,487			2,509,800	2,497,313				2,497,313
Golden Mile Transportation System Improvmt	104,912	525			105,437	104,912				104,912
Guild Inn	363,737	1,819			365,556	363,737				363,737
Alexander St Theatre Project	11,319	57			11,376	11,319				11,319
Design Exchange	208,525	2,810,043	(2,809,014)		209,554	208,525				208,525
Conservation Management	1,472,384	12,074			1,484,458	1,472,384	460,000		(63,325)	1,932,384
Community Development	3,129,043	9,101		(2,617,772)	520,372	3,129,043			(3,000,000)	3,065,719
Section 16	3,000,000	26,047,500	(2,000,000)	(10,000,000)	16,047,500	3,000,000	4,004,000			4,004,000
Gardiner West Public Realm Improvement	116,692	583			117,276	116,692				116,692
Ward 23 Parks & Recreation Improvement	134,971	675			135,646	134,971				134,971
Design Exchange Capital Maintenance	16,064	7,540	(23,564)		40	16,064				16,064
Eglinton Flats Tennis Facility Maintenance	60,107	301			60,407	60,107				60,107
Ireland Park	0	0			0	0	100,000			100,000
Management of Contaminated land	11,115,068	27,902,702	(4,832,578)	(12,617,772)	21,567,421	11,115,068	4,564,000	0	(3,063,325)	12,615,744
Toronto Transit Commission (TTC) Fund	1	170,000,000	(91,600,000)	(78,125,000)	275,001	1	42,292,180	(42,292,179)		1
Prov Gas Tax Revenues for Public Transit	15,555,046	77,775			15,632,821	15,555,046				15,555,046
Canadian Strategic Infrastructure	57,345,394	283,502		(1,290,000)	56,338,896	57,345,394				57,345,394
MoveOntario 2020	25,930,464	357,542,679		(357,412,541)	26,060,602	25,930,464	95,400,348		(105,678,980)	15,651,832
Toronto-York Spadina Sbow Ext	3,504,654	17,523			3,522,177	3,504,654				3,504,654
Move Ontario Trust Interest	102,335,558	527,921,490	(91,600,000)	(436,827,641)	101,829,497	102,335,558	137,692,528	(42,292,179)	(105,678,980)	92,056,927
State of Good Repair	52,432,782	293,201	13,597,897	(1,183,000)	65,140,880	52,432,782		11,701,000		64,133,782
Building Code Act Service Improvement	971,661	5,081	69,015		1,065,757	971,661				971,661
Zoo Endangered Species	17,528	30,163			47,690	17,528	30,000			47,528
Tam Heather	535,375	2,727	20,000		558,102	535,375		52,500		587,875
Racquet Sports- Scarborough	232,539	1,163			233,702	232,539				232,539
Campeau Dock	7,799,283	38,516		(192,000)	7,645,800	7,799,283			(2,910)	7,796,373
Harbourfront Parkland	276,914	1,260		(50,000)	228,174	276,914				276,914
16 Ryerson Cap Maint	264,257	51,446			315,703	264,257				264,257
Allan Lamport Stadium Maintenance	104,124	521			104,645	104,124				104,124
North Linear Park Retaining Walls Maint	62,634,463	424,077	13,706,912	(1,425,000)	75,340,453	62,634,463	30,000	11,763,500	(2,910)	74,415,053

Tracking Status

- This item was considered by Executive Committee on August 20, 2014 and was adopted without amendment.

Executive Committee consideration on August 20, 2014				
EX44.14	ACTION	Adopted		Ward 6

Mimico-by-the-Lake Secondary Plan - City Actions to Support Revitalization

Committee Decision

The Executive Committee directed that:

1. The City Divisions responsible for Parks, Forestry and Recreation, Affordable Housing, Transportation, Transit, Water, Culture, Health, and Social Development give consideration to identifying and including coordinated capital investments, within the 10 year Capital Plan, in the Mimico-by-the-Lake Secondary Plan area that will act as a catalyst to attract private investment into the Secondary Plan area.
2. Staff from the Affordable Housing Office to conduct a pilot project in the context of the City's affordable housing funding incentives and to further the pilot initiative, City staff host a charrette with local housing stakeholders in 2015 to explore rental replacement housing development opportunities and new affordable housing within the Secondary Plan area.
3. City Planning staff, in conjunction with the Ward Councillor, as redevelopment occurs in the Mimico-by-the-Lake Secondary Plan area, secure the provision of community benefits in accordance with the community benefit priorities outlined in the Secondary Plan including: securing long term rental housing and affordable rental housing; tenant relocation provisions; expansions to public parks; new or expanded community services including library, day care facilities and community service space; and public art.
4. The Deputy City Manager and Chief Financial Officer to report back in 2015 on the feasibility of deferring development charges for any new purpose built rental units, as part of the development charges review currently underway.



Origin

(August 6, 2014) Report from the Deputy City Manager, Cluster A, the Deputy City Manager, Cluster B and the Deputy City Manager and Chief Financial Officer

Summary

This report identifies options and actions the City could undertake to support the implementation of the new planning framework for the Mimico 20/20 Revitalization Study. The new planning framework is the Council adopted Mimico-by-the-Lake Secondary Plan area.

The Council adopted Mimico-by-the-Lake Secondary Plan provides the policy framework for revitalization and change within this community over the next twenty years. Taking advantage of its unique lakeside setting, the Secondary Plan envisions an inclusive, mixed use community that is well integrated with the surrounding neighbourhood. The Secondary Plan provides for choice in terms of mobility, work, shopping and recreational opportunities as well as housing in terms of built form, tenure and affordability. A new public street structure is proposed to create new development blocks and to increase physical and visual access to Lake Ontario.



To implement the goal of revitalizing the Mimico-by-the-Lake Secondary Plan area, strategic investments must be made by the City. There are five broad categories of actions the City could undertake to support the implementation of the new planning framework including: Financial Incentives; Tower Renewal; Housing; Parks and Open Space; and Section 37 of the Planning Act.

Background Information

(August 6, 2014) Report and Attachment 1 from the Deputy City Manager, Cluster A, the Deputy City Manager, Cluster B, and the Deputy City Manager and Chief Financial Officer (<http://www.toronto.ca/leqdocs/mmms/2014/ex/bgrd/backgroundfile-72643.pdf>)

Communications

(August 19, 2014) Letter from Councillor Mark Grimes (EX.Supp.EX44.14.1) (<http://www.toronto.ca/leqdocs/mmms/2014/ex/comm/communicationfile-49495.pdf>)

Motions

1 - Motion to Adopt Item moved by Councillor Peter Leon (Carried)

- a) The Board supports a waterfront street, to cross Precinct B.
 - b) The OPA does not need to require that the street's travelled portion exceed 6.6 m, nor that it would require a parking lane.
 - c) The OPA does not need to require that the width of the street's single-loaded combined sidewalk and planted strip would exceed DIPS.
 - d) The OPA does not need to require that the sidewalk and planting strip must be in public ownership (they may be in private ownership, subject to an easement, depending on the circumstances in various locations).
 - e) Subject to subparagraph 1(f) below and paragraph 6 below, the Board does not intervene in the City's anticipated private front yard setback of 3.0 m facing the waterfront street.
 - f) The OPA does not need to prohibit all subsurface use of that front yard setback. It does not need to prohibit e.g. garage use, though on condition that the surface can accommodate landscaping satisfactory to the City.
- 2. The Proposed East-West Street on the Existing Driveway**
- a) The Board does not support Shoreline's proposal for a "temporary" east-west "street" – ultimately to be treated as an actual conventional street – on Shoreline's north driveway.
 - b) The Board takes no position, at this time, on whether that driveway and/or the south driveway could serve as an interim private driveway for an infill project on the east side of the property, *pending* construction of the waterfront street. The Board would expect that question to be determined in accordance with the Ontario Building Code and other currently-applicable governing documents.
- 3. Land Acquisition for Public Purposes**
- a) The City should verify that there is congruence between:
 - The scale of development that it anticipates,
 - The likely receivables for the City,
 - The objective of improving Mimico's ratio of parkland to population (which is about to expand), in light of City-wide target ratios, and
 - Its budgetary commitments to land acquisition and infrastructure.
 - b) If further budgetary commitments or "coordinated capital investments" are necessary for same, the City should prepare itself accordingly.
- 4. Open Space Designation**
- a) The Board was not persuaded to change any OS designations at this time.
- 5. Height**

- a) The OPA should be more explicit on how the City proposes to use e.g. pre-consultation and other measures to prevent the application paperwork from spiralling, and to avoid duplication of studies.
- b) In particular, the City should take all available measures to mitigate the risk that owners and developers will assume that multiple consequential OPA's – and accompanying appeals to this Board – are a matter of course.

11. Miscellaneous

- a) The OPA should elaborate on how the Study Area is intended to contribute to a complete community, with a reasonable balance of employment and residential uses.

[390] In accordance with traditional principles of professionalism, the Board expects the parties – and their experts – to use their best efforts to proceed by consensus wherever possible.

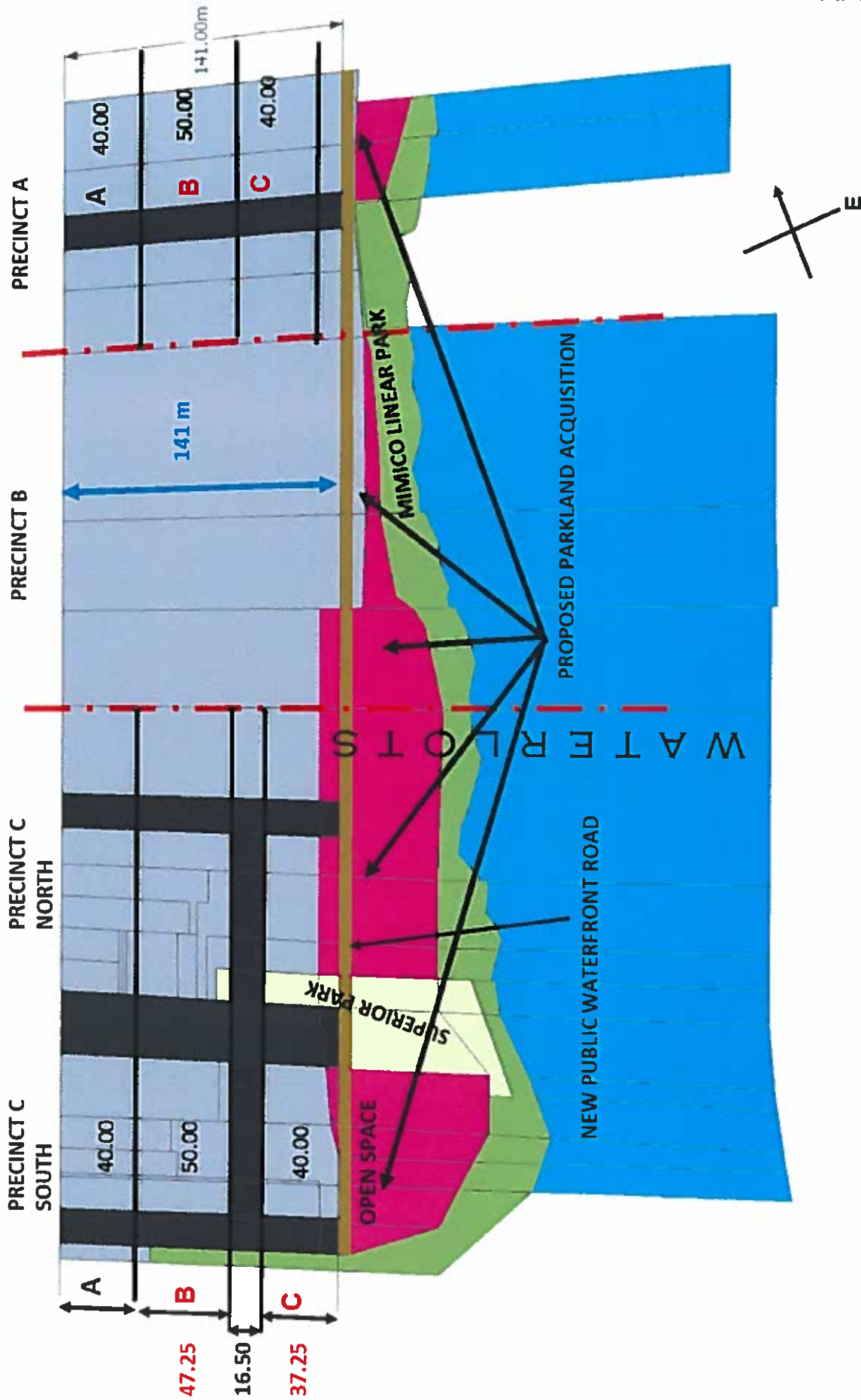
[391] It is in the interest of the City to assure that the parties and participants have been properly consulted.

[392] The Board adds a final word. The Board has no reproach concerning the City's desire for its Plan to be "serious". One might say the same for the entirety of the planning system. Periodically, like clockwork, there are reminders that there is a malaise in Ontario's planning system, which is of concern to observers in the public and private sectors alike; but seldom is the opportunity presented, to go beyond cosmetic aspects and address not only the fundamentals, but alternatives. The Board can only hope that the Mimico-by-the-Lake experience may be helpful in that regard.

13. DECISION

[393] For all of the reasons given, the appeals are allowed in part. OPA 197 shall be modified by the City in accordance with the direction contained herein and filed with the Board (after circulation to the parties) within four (4) months of the date of this decision. Thereafter, the Board's Order will issue.

[394] Board Rule 107 states:



**PLAN FOR LAND ACQUISITION FOR PARKLAND AND BUILDING A NEW WATERFRONT ROAD
FOR THE MIMICO SECONDARY PLAN AREA**

APPENDIX F

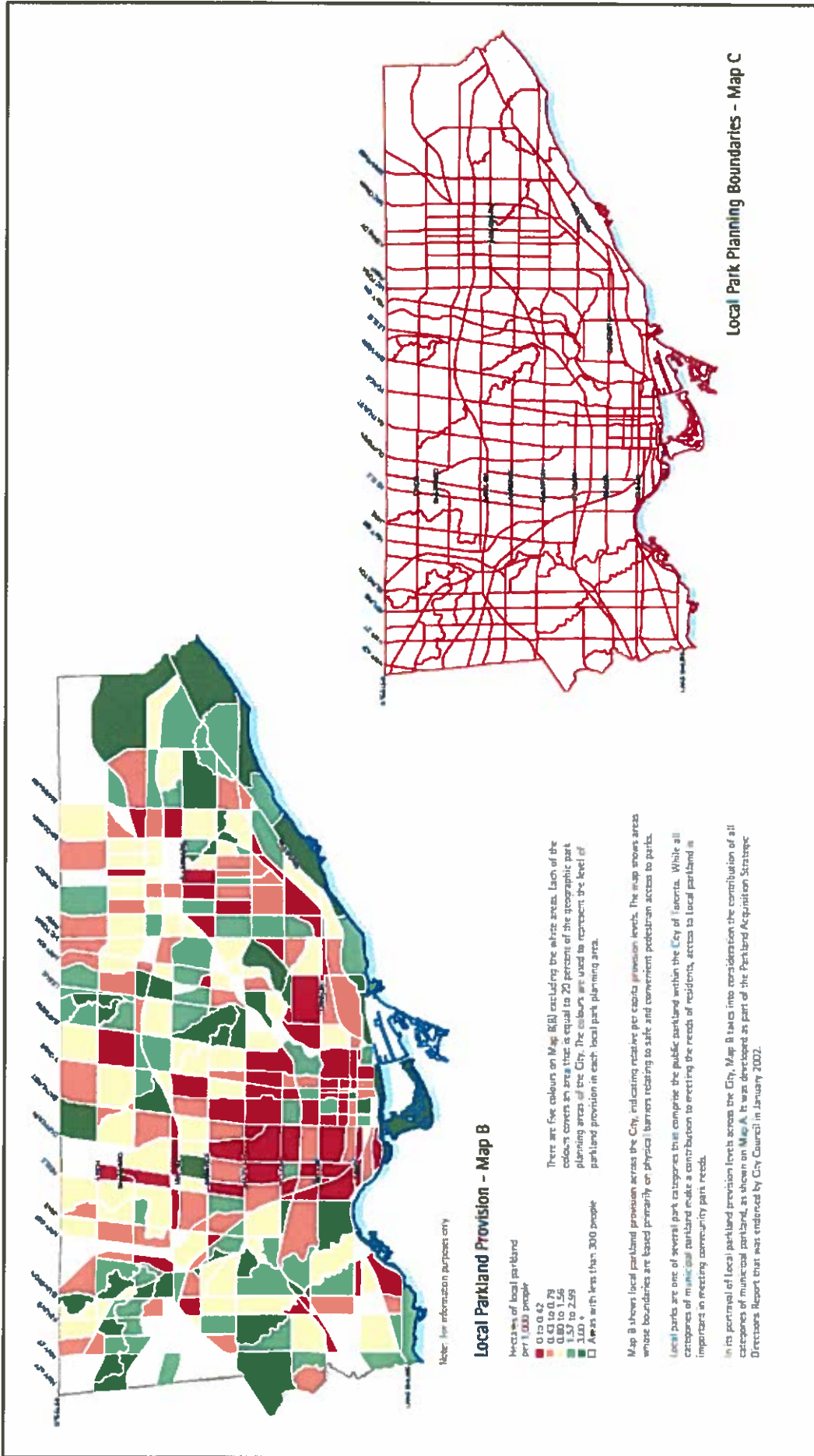
LAKE SHORE BLVD WEST - PROPOSED LAND ACQUISITION FOR PARKLAND AND WATERFRONT ROAD

LSBW ADDRESS	RES SM ¹	OS SM ²	1 Metre = 0.00024711 Acres		TOTAL ACRES**	\$1.25M/ACRE	\$1.50M/ACRE	\$1.75M/ACRE	\$2.0M/ACRE
			TOTAL SM	TOTAL ACRES**					
2301	223.20	433.69	656.89	0.16	\$ 202,905	\$ 243,486	\$ 284,067	\$ 324,648	
2303 2305 2307	340.31	471.93	812.24	0.20	\$ 250,891	\$ 301,069	\$ 351,247	\$ 401,425	
2309 2311	279.70	-	279.70	0.07	\$ 86,396	\$ 103,675	\$ 120,954	\$ 138,233	
2313 2323	885.91	445.16	1,331.07	0.33	\$ 411,151	\$ 493,381	\$ 575,611	\$ 657,841	
2335	473.57	536.98	1,010.55	0.25	\$ 312,146	\$ 374,576	\$ 437,005	\$ 499,434	
2339 2341 2343 2345	-	1,962.45	1,962.45	0.48	\$ 606,176	\$ 727,412	\$ 848,647	\$ 969,882	
2355 2361 2369	-	3,611.57	3,611.57	0.89	\$ 1,115,569	\$ 1,338,683	\$ 1,561,796	\$ 1,784,910	
3 Superior Ave	-	1,399.81	1,399.81	0.35	\$ 432,384	\$ 518,861	\$ 605,337	\$ 691,814	
1 * Superior Ave	-	668.98	668.98	0.17	\$ 206,640	\$ 247,967	\$ 289,295	\$ 330,623	
2 Superior Ave	-	1,858.06	1,858.06	0.46	\$ 573,932	\$ 688,718	\$ 803,504	\$ 918,290	
4 Superior Ave	3.52	1,648.52	1,652.04	0.41	\$ 510,295	\$ 612,353	\$ 714,412	\$ 816,471	
2407	22.50	871.96	894.46	0.22	\$ 276,288	\$ 331,545	\$ 386,803	\$ 442,060	
2409/11	3.17	370.56	373.73	0.09	\$ 115,441	\$ 138,529	\$ 161,617	\$ 184,705	
Sub-total	2,231.88	14,279.67	16,511.55	4.08	\$ 5,100,211	\$ 6,120,254	\$ 7,140,296	\$ 8,160,338	

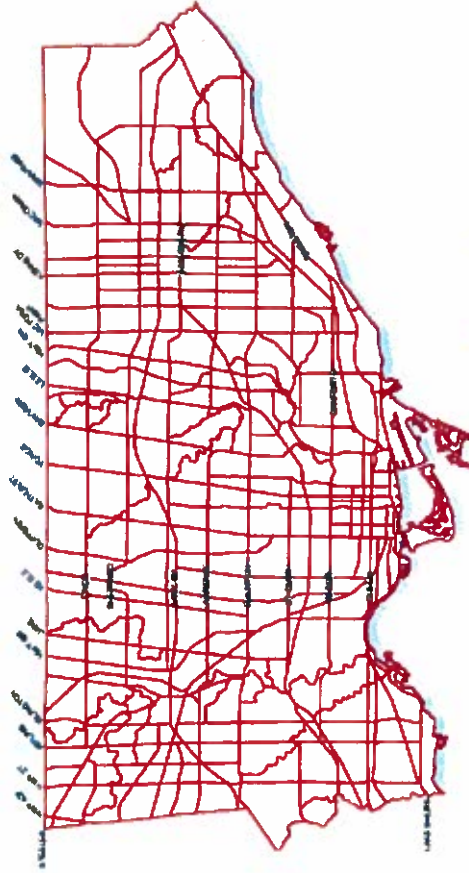
* Candidate for land swap - Superior Parkland for Open Space


LESS SALE OF Superior Parkland	-	863.36	863.36	0.21	\$ 266,681	\$ 320,017	\$ 373,354	\$ 426,690
Total	2,231.88	13,416.31	15,648.19	3.87	4,833,530	5,800,236	6,766,942	7,733,648

As of September 30, 2015, the projected year-end balance of Section 42 Parkland Acquisition Reserve Fund was \$280,818, 229.



Local Park Planning Boundaries - Map C






TORONTO City Planning
Division



Map 11.00a



TORONTO City Planning
MAP 884C
June 2005

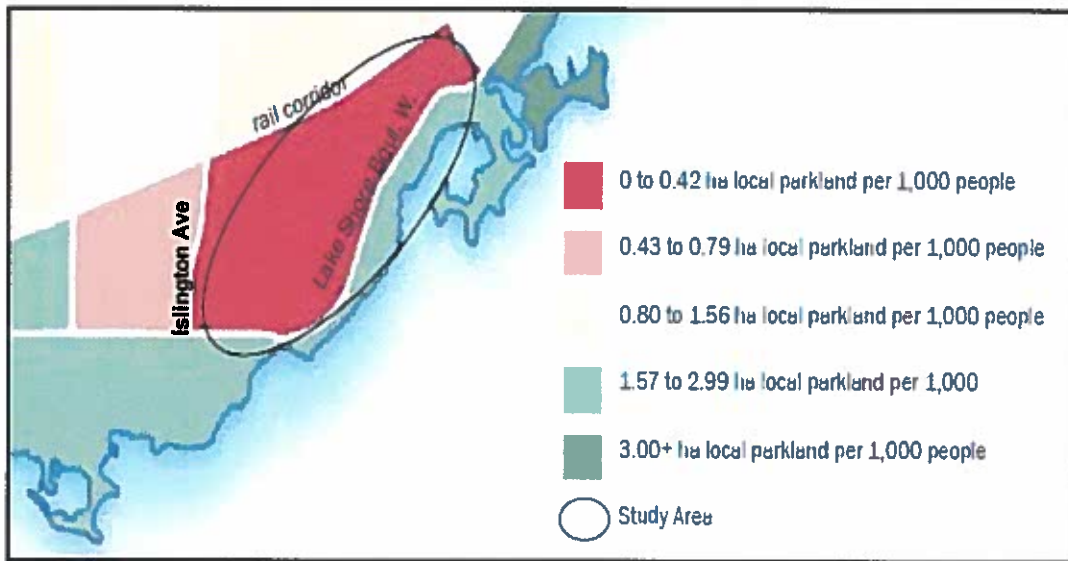
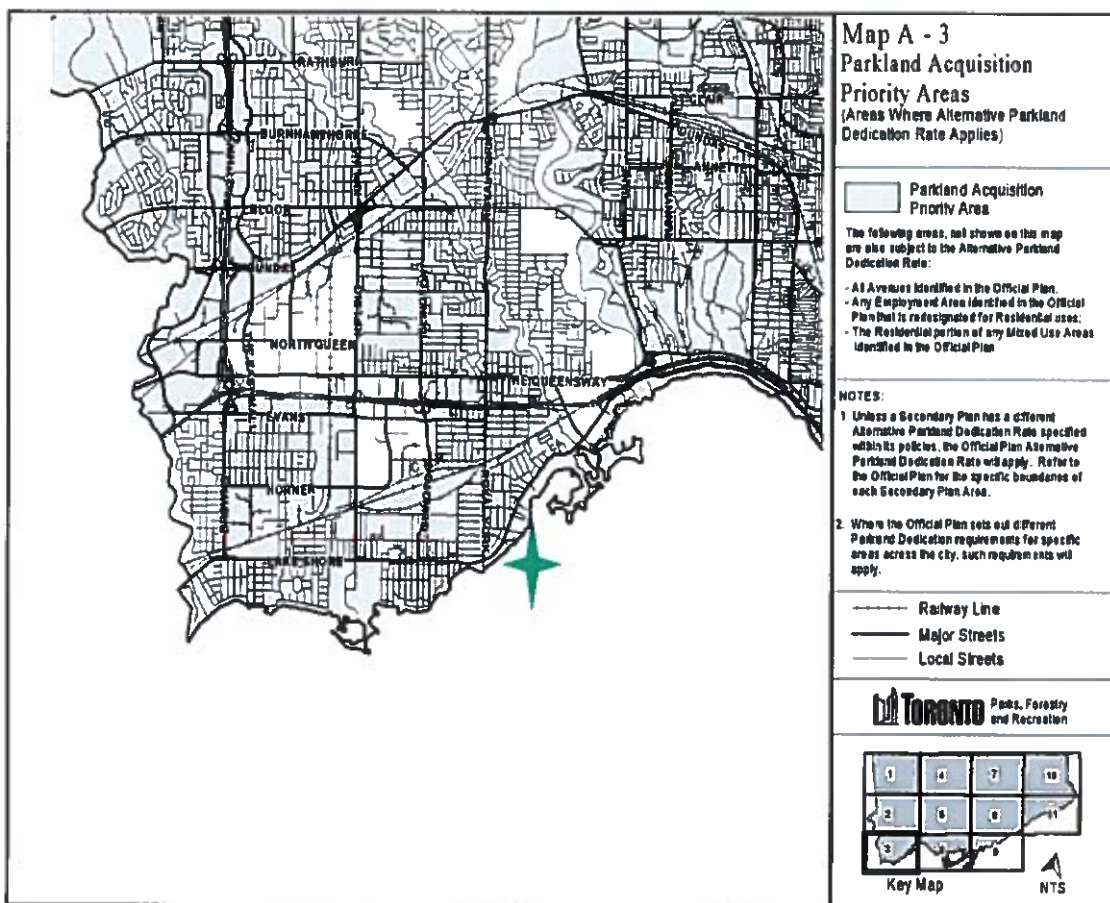


Figure 2: Extract of Official Plan Map 8B: Local Parkland Provision



December, 2007