

Clause embodied in Report No. 12 of the North York Community Council, as adopted by the Council of the City of Toronto at its regular meeting held on November 26, 27 and 28, 2002.

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**Final Report - UD03-FW - Emery Village Secondary Plan -
Finch Avenue West and Weston Road -
Ward 7 - York West**

(City Council at its regular meeting held on November 26, 27 and 28, 2002, amended this Clause

- (1) *in accordance with the supplementary report dated November 20, 2002, from the Commissioner of Urban Development Services, embodying the following recommendation:*

“It is recommended that City Council amend the Emery Village Secondary Plan in accordance with the policies attached as Attachment 1.”; and

- (2) *by adding thereto the following:*

“It is further recommended that Council adopt the further supplementary joint report dated November 19, 2002, from the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, embodying the following recommendation:

‘It is recommended that, in conjunction with the review of application TB CMB 2002 0012 by Centrillium, with lands at 15-19, 21 and 23 Toryork Drive and 2340 and 2350 Finch Avenue West, Works and Emergency Services staff initiate the design of the proposed portion of the ring road section between Finch Avenue and Toryork Drive, passing through Emery Parks Yard lands.’ ”)

The North York Community Council recommends:

- (1) **the adoption of the report (October 31, 2002) from the Acting Director, Community Planning, North District, Urban Development Services;**
- (2) **the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:**

“WHEREAS the Emery Village Secondary Plan (the Plan), as attached to the Final Report, dated October 31, 2002, from the Acting Director, Community Planning, North District, Urban Development Services, permits a maximum density of development of 2.5 FSI; and

WHEREAS the Plan permits the use of Section 37 of the Planning Act by Council to assist in the delivery of community services and facilities; and

WHEREAS the Plan encourages streetscape improvements in the Plan area to create an attractive pedestrian environment; and

WHEREAS the Plan requires improved pedestrian and cycling connections throughout the plan area to provide greater access to public open space; and

WHEREAS the Plan encourages the upgrading of Lindylou Park, encourages the provision of additional parkland for additional seasonal amenities such as an outdoor ice rink and encourages public access to the Emery Creek ravine lands; and

WHEREAS the Plan requires the provision of visual focal points and public amenity spaces, including special corner treatments, at the intersection of Finch Avenue and Weston Road;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to prepare policies and criteria for inclusion in the Secondary Plan that will permit Council, pursuant to Section 37 of the Planning Act, to consider increases in density and/or height of development, to a maximum density of 3.0 FSI and a maximum building height of 18 storeys, subject to meeting the criteria and to the provision of specific community benefits. These community benefits may include, but are not limited to, the provision of recreation uses, social facilities including “Doorsteps Neighbourhood Services” and “Youth Clinical Services”, new social facilities such as child care facilities, non-profit arts, cultural, heritage, community or institutional facilities, local parks improvements, public access to ravines and valleys, pedestrian and cycling connections throughout the Secondary Plan area; significant landscape features or focal points (ie. flagpole), streetscape improvements on the public boulevard not abutting the site, transportation related improvements not required to support development, and other local improvements identified in the Secondary Plan, a Community Improvement Plan, community service and facilities strategies, the Finch-Weston Avenues Study or other implementation plans and strategies and that community consultation be required where appropriate;

AND BE IT FURTHER RESOLVED THAT the draft Emery Village Secondary Plan be so amended to include these policies and criteria, and that the Plan, together with this amendment, be forwarded directly to City Council for consideration at their meeting scheduled for November 26, 27 and 28, 2002.”

- (3) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:**

“WHEREAS the City of Toronto is in the midst of finalizing the proposed Emery Village Secondary Plan; and

WHEREAS a community consultation meeting has been held to review the details of the proposed Emery Village Secondary Plan; and

WHEREAS an application (File No. TB CMB 2002 0012) for the properties municipally known as 15-19, 21 and 23 Toryork Drive, 2340 and 2350 Finch Avenue West, 3514 Weston Road and vacant lands on the north-west corner of Toryork Drive and Weston Road has been submitted by Centrillium Inc.; and

WHEREAS the aforementioned application proposes the redevelopment of the subject lands for mixed-use, residential and commercial uses, with a total of 1,030 dwelling units, with 400 dwelling units in Phase I, 433 dwelling units in Phase II, and 197 dwelling units in Phase III, and a significant flagpole at the northwest corner of Finch Avenue and Weston Road; and

WHEREAS at the October 3, 2002, community consultation meeting held at the Humber Sheppard Community Centre the proposal for 15-19, 21 and 23 Toryork Drive, 2340 and 2350 Finch Avenue West, 3514 Weston Road and vacant lands on the northwest corner of Toryork Drive and Weston Road were presented to the Community and the local Councillor; and

WHEREAS this application seeks an increase in the height and density beyond that otherwise permitted on the aforesaid lands by the proposed Emery Village Secondary Plan;

NOW THEREFORE BE IT RESOLVED THAT the following be required in the implementing zoning by-law and also secured in a Section 37 Agreement and/or development agreement as necessary:

- (a) In the event that the required Traffic Impact Study for Phase I does not require the construction of the local road connecting Toryork Drive to Finch Avenue as shown in the Emery Village Secondary Plan, then prior to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of this road.**
- (b) Prior to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of the 110 metre flagpole proposed at the northwest corner of Finch Avenue and Weston Road; and**
- (c) Prior to the issuance of a building permit for Phase III, the applicant shall provide the necessary funds for the construction of 50% of the traffic circle at the Finch Avenue and Weston Road intersection, if the traffic circle receives approval through the Municipal Class Environmental Assessment process. In the event that the traffic circle is not approved through this process, such funds shall be used by the City for other community facilities in the immediate area.”**

AND BE IT FURTHER RESOLVED THAT Section 4.3 of the Emery Village Secondary Plan be amended by adding at the end of the policy entitled “Height and Density” the following:

- (a) And subject to the policies set out in the bonusing and incentive provisions in this Plan being fulfilled: in area C1 on Map D.17.1, building heights shall generally range from 2 to 18 storeys in height and in area C2 on Map D.17.1 heights shall generally range from 2 to 10 storeys in height; and a maximum density of 2.97 FSI will be permitted on the land located in areas C1 and C2 on Map D.17.1.**
 - (b) Map D.17.1 be amended to show areas C1 and C2 as shown on the attached plan.**
- (4) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:**

“WHEREAS applications (File Nos. UDOZ-99-06 & UDSB-1245) for the properties municipally known as 3415 Weston Road & 2345 Finch Avenue West have been submitted by Medallion Properties Inc.; and

WHEREAS the aforementioned applications propose to redevelop the subject with a phased, mixed-use residential and commercial development, with a total of 1,470 dwelling units; with 284 dwelling units in Phase I, 297 dwelling units in Phase II, 216 dwelling units in Phase III, 252 dwelling units in Phase IV, 312 dwelling units in Phase 5 and 109 dwelling units in Phase 6;

NOW THEREFORE BE IT RESOLVED THAT in the event that the applicants request an increase in height or density of development beyond that otherwise permitted in the proposed Secondary Plan, the applicant shall endeavour to provide the following contributions and/or complete the following matters, which will be evaluated through the review of the development application and may be required in the implementing zoning by-law and also secured in a Section 37 Agreement and/or development agreement as necessary:

- (a) Prior to the issuance of a building permit for Phase III, the applicant shall remove the existing commercial retail mall currently existing on the subject site;**
- (b) Prior to the issuance of a building permit for Phase III, the applicant shall provide the necessary funds for the construction of 50% of the traffic circle at the Finch Avenue and Weston Road intersection, if the traffic circle receives approval through the Municipal Class Environmental Assessment process. In the event that the traffic circle is not approved through this process, such funds shall be used by the City for other community facilities in the immediate area;**

- (c) **The applicant shall provide for the entire cost of the design and construction of the proposed clock tower to be located at the southeast corner of Finch Avenue and Weston Road prior to the issuance of a building permit for Phase III; and**
 - (d) **In the event that the required Traffic Impact Studies for Phases I and II do not require the construction of the local road connecting Weston Road to Finch Avenue, as shown in the Emery Village Secondary Plan, then prior to the issuance of a building permit for Phase III, the applicant shall contribute towards the construction of this road.”**
- (5) **the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:**

“WHEREAS the City intends, as an integral part of the revitalization of the Emery Village Area, to promote and advertise the merits of the Emery Village Secondary Plan.

NOW THEREFORE BE IT RESOLVED THAT staff be directed to initiate the necessary amendments to the City Sign By-law to facilitate the construction of four, 10 feet by 23 feet billboards at the following locations:

- (a) **East side of Weston Road, across from Lanyard Road;**
- (b) **Southeast corner of Jayzel Drive and Finch Avenue, adjacent to Lindylou Park;**
- (c) **Northwest corner of Toryork Drive and Weston Road; and**
- (d) **Northwest corner of Finch Avenue West and Hwy. 400.**

AND BE IT FURTHER RESOLVED THAT both Medallion Properties and Centrillium Inc. have agreed to make equal contributions towards the design and construction for all of the aforementioned billboards, which contributions shall be immediately secured and attributed as a portion of the Section 37 contributions to be made by each.”

- (6) **the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:**

“WHEREAS a group of community and City representatives have selflessly given their time to form a Committee to recognize the historical aspects of Emery Village;

NOW THEREFORE BE IT RESOLVED THAT Council hereby recognizes the EVHAAC as the Committee to be consulted with in the Emery Village Secondary Plan area when consulting on any matters of historical and heritage significance.

AND BE IT FURTHER RESOLVED THAT Council receives and endorses the report from the EVHAAC, dated November 6, 2002;

AND BE IT FURTHER RESOLVED THAT any public art contribution that is to be included as part of any development within the Secondary Plan Area shall be of a worldwide, multi-cultural theme.”

(7) the adoption of the following Recommendation:

“THAT the following clause be included in any Subdivision Agreement, Site Plan Agreement or Development Agreement as required on lands within the Emery Village Secondary Plan Area which are adjacent to lands zoned for industrial purposes:

“The Owner agrees to include a warning Clause in the Offers of Purchase and Sale and/or Rental Agreements for all residential dwelling units stating that purchasers are advised that this development is in proximity to existing industrial facilities and industrially zoned lands whose activities, at times may be objectionable to residents, by reason of noise, dust, vibration, odour, truck traffic and other similar effects.”

The North York Community Council also reports having:

- (i) referred the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West, to the Acting Commissioner of Community and Neighbourhood Services for a report directly to City Council for its meeting scheduled for November 26, 27 and 28, 2002:

“WHEREAS the lands owned by the City of Toronto municipally known as 2350 Finch Avenue West are intended to be developed pursuant to the “Let’s Build” Program for a group known as Ghana Amansie Multicultural Association;

AND WHEREAS the Ghana Amansie Multicultural Association has not yet submitted an appropriate redevelopment plan for the City’s lands;

NOW THEREFORE BE IT RESOLVED THAT the City immediately establish and retain a one foot reserve along the Finch Avenue frontage of the site so as to ensure that any future development is comprehensively designed in accordance with the Secondary Plan policies;

AND BE IT FURTHER RESOLVED THAT if the Ghana Amansie Multicultural Association has not proceeded through an approval process that would facilitate the commencement of construction by December 31, 2003, the City shall declare such lands as surplus for the purpose of providing such lands for alternate non-profit group.” and

- (ii) referred the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West, to the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture and Tourism for a report directly to City Council for its meeting scheduled for November 26, 27 and 28, 2002:

“WHEREAS within the Emery Village Secondary Plan, a local road connecting Toryork Drive to Finch Avenue, is shown schematically on Map D.17.2 – Structure Plan as part of a network of new and existing roads in the Secondary Plan area in order to support the redevelopment and revitalization of the plan area;

AND WHEREAS the applicants for File No. TB CMB 2002 0012, which includes lands abutting the Emery Parks Yard, are required to either construct or provide the necessary funds to the City for the construction of the aforementioned road;

NOW THEREFORE BE IT RESOLVED THAT the City initiate the appropriate actions to immediately declare as surplus that portion of the Emery Parks Yard lands required to facilitate the entire road construction on the Emery Parks Yard Lands, and that such lands shall be provided to the applicants at no cost, provided the applicants construct or provide the necessary funds to the City for the construction of the aforementioned road.”

The North York Community Council reports having held a statutory public meeting on November 13, 2002 and that notice was given in accordance with the Planning Act.

The North York Community Council submits the following report (October 31, 2002) from the Acting Director, Community Planning, North District, Urban Development Services:

Purpose:

This report reviews and recommends approval of the Emery Village Secondary Plan.

Financial Implications and Impact Statement:

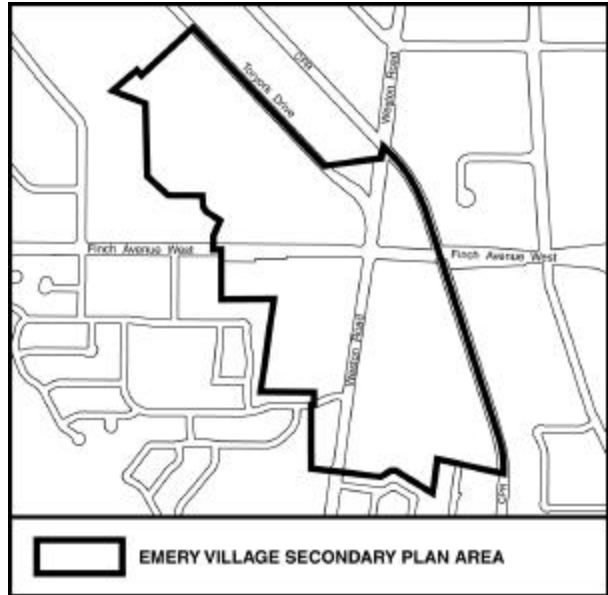
There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council amend the Official Plan substantially in accordance with the draft Emery Village Secondary Plan attached as Attachment 1.
- (2) City Council authorize the City Solicitor to make such stylistic and technical changes to the draft official plan amendment as may be required

- (3) Staff be directed to prepare a zoning by-law to implement the policies of the Emery Village Secondary Plan and that Notice for the Public Meeting under the Planning Act be given to every owner of land within the Secondary Plan Area and by publication in a daily newspaper with City-wide circulation;
- (4) The Emery Village Municipal Class Environmental Assessment Study be deferred and the Director of Community Planning, North District and the Director of Transportation Infrastructure Management, Works and Emergency Services, in consultation with the Ward Councillor, be requested to report to North York Community Council at the appropriate time, following the approval of the Emery Village Secondary Plan, on the recommended timing of the Class Environmental Assessment Study.



Background :

Avenues Study / Draft Emery Village Secondary Plan

Growth opportunities along Finch Avenue West and Weston Road were examined as part of an Incremental Growth – “Avenues Study”. The purpose of the study was to establish a framework for change along the selected portions of the Finch Avenue West and Weston Road corridors. A ‘shared vision’ and Concept Plan for the improvement and reurbanization of the Study Area was developed and is contained within “The Avenues – Finch Weston, Phase II Study”, dated February 2001. The Concept Plan and the related recommendations for action form the basis for the Secondary Plan. A detailed discussion on the Study and the draft Secondary Plan were presented in a planning report to North York Community Council, dated November 8, 2001, from the Director, Community Planning, North District. Council adopted this report at its meeting held on December 4, 5 and 6, 2001. Consistent with the recommendations contained in the report, Council authorized staff to schedule a community consultation meeting on the Secondary Plan and to circulate the Plan to other departments and agencies for comments.

Municipal Class Environmental Assessment Study

North York Community Council, at its meeting held on November 21, 2001 recommended adoption of the above-noted planning report subject to Notice of the Statutory Public Meeting being given following Council’s consideration of the Policy and Finance Committee’s recommendations respecting a Resolution submitted by Councillor Mammoliti regarding the expenditure for a Municipal Class Environmental Assessment Study. The resolution authorizes the expenditure of \$150,000.00 to initiate a Municipal Class Environmental Assessment Study to investigate a number of possible road network changes in the Finch/Weston area including the

feasibility of diverting traffic from the Finch/Weston intersection and to review the feasibility of closing a portion of Weston Road.

A copy of the clause (No. 11, Report No. 9) from the North York Community Council, as adopted by the Council of the City of Toronto at its meeting held on December 4, 5 and 6, 2001, is attached.

City Council, at its meeting held on June 18, 19 and 20, 2002, adopted a report from the Works Committee, dated May 9, 2002, which approved funding for the Emery Village Environmental Assessment Study from the former City of North York Development Charge Reserve Fund.

The Emery Village Secondary Plan encourages new growth and reinvestment along both Finch Avenue and Weston Road. While funding has been secured, proceeding with an Environmental Assessment at this time will delay the approval of the Emery Village Secondary Plan and Council's consideration of the development applications located in the Secondary Plan Area.

Development Applications

Three development applications affecting lands located within the Secondary Plan area have been filed with the City. Preliminary Reports on these applications have been considered by City Council. Final Reports will be prepared and required Statutory Public meetings scheduled once outstanding issues have been resolved and required supporting documentation/studies have been received. These applications will be reviewed within the framework of the policies of the Secondary Plan.

- Files: UDOZ-99-06 and UDSB-1245 – 3415 Weston Road and 2345 Finch Avenue West – Medallion Properties Inc:

Redevelopment of the lands at the south-east corner of Finch Avenue and Weston Road (Finch West Mall lands) for a phased, mixed use residential and commercial development is proposed. The development consists of 1,470 residential dwelling units within eight buildings 8-12 storeys in height and one 19 storey building at the southern end of the site.

- File: TB CMB 2001 0005 - 2350 Finch Avenue West – Ghana Amansie Multicultural Association:

These lands are owned by the City of Toronto and have been declared surplus (former Fire Hall). The non-profit Ghana Amansie Multicultural Association has been selected by the City to build affordable housing on the site under the City's "Let's Build" program. A 5 storey, mixed-use building with approximately 50 dwelling units is proposed.

- File TB CMB 2002 0012 – 15-19, 21 & 23 Toryork Drive, 2340 & 2350 Finch Avenue West, 3514 Weston Road and vacant lands on the north-west corner of Toryork Drive and Weston Road – Centrillium Inc.:

Redevelopment of the lands at the north-west corner of Finch Avenue and Weston Road, including lands on the north and south side of Toryork Drive, for a phased, mixed use residential and commercial development is proposed. The development consists of 1,030 dwelling units within ten buildings, 7-18 storeys in height with an open air market, commercial galleria and flagpole focal point.

Community Consultation

A Community Consultation meeting on the proposed Emery Village Secondary Plan and the concurrent development applications by Centrillium Inc. and Medallion Properties Inc. was held on October 3, 2002 at the Humber Sheppard Community Centre. The meeting was chaired by Councillor Mammoliti. City planning and transportation staff and representatives for the applicants were in attendance. In excess of 100 members of the public attended. Comments received have been taken into account in the preparation of the Secondary Plan. Comments received on the specific development applications will be taken into account during the regular processing/evaluation of these applications.

A petition signed by 74 residents of Ward 7 supporting the proposed road to connect Finch Avenue to Toryork Drive, the construction of an outdoor ice-rink/inline skate rink on the City owned lands on the north side of Finch Avenue and the rezoning of the Emery Parks Yard ravine from Industrial to parkland was also submitted.

Agency Circulation

The Secondary Plan was circulated to all appropriate agencies and City Departments. Comments received have been used to assist in the preparation of the Plan and are included as attachments to this report.

Comments:

The Secondary Plan is an amendment to the former City of North York Official Plan and proposed land use designations are consistent with those contained in this Plan but are also intended to be consistent with the policies in the new City of Toronto Official Plan.

City of Toronto Official Plan

The new City of Toronto Official Plan was adopted by City Council at its meeting held on October 29, 30 and 31, 2002 and will be forwarded to the Minister of Municipal Affairs and Housing for approval. When the new City of Toronto Official Plan is in effect the Emery Village Secondary Plan, if approved, will form part of that Plan.

As it relates to lands within the Emery Village Secondary Plan Area, the new City of Toronto Official Plan generally does the following:

- identifies developable lands in the immediate vicinity of the intersection of Finch Avenue and Weston Road as "Avenues" on the Urban Structure Map (Map 2). Avenues are areas

where new growth can occur along major streets where there are reurbanization opportunities supported by public transit;

- proposes a “Mixed Use Areas” designation on lands identified as “Avenues”, an “Apartment Neighbourhoods” designation on the existing high density residential development located adjacent to Lindylou Park, a “Parks and Open Spaces Areas” designation on Lindylou Park and the Emery Creek ravine lands and an “Employment Areas” designation on lands located on Toryork Drive (see Maps 10 and 11 – Land Use Plan).

Reference should be made to the Official Plan for the specific goals, objectives and policies of each Land Use designation.

Emery Village Secondary Plan

As previously indicated, a report on the draft Emery Village Secondary Plan was adopted by City Council on December 4, 5 and 6, 2001.

Key changes to the proposed Secondary Plan from the draft version presented in November 2001 are as follows:

- Boundary of Secondary Plan Area:

Lands on the north side of Toryork Drive and located at the northwest corner of Toryork Drive and Weston Road have been included in the Plan area. These lands are approximately 0.72 ha (1.8 acres) in area and currently contain a Scotiabank building, vacant lands and surface parking for existing industrial-commercial uses on the south side of Toryork Drive. Reasons for considering this boundary change are identified in the discussion below.

- Re-designation of lands within the Secondary Plan area on Toryork Drive from Industrial to Arterial Corridor Area (ACA):

Lands on the south side of Toryork Drive are identified as being part of a Sub-Centre (SC) on the Land Use Plan to the former City of North York Official Plan. Sub-Centres are intended to be reurbanization areas intended for a mix of compatible residential, commercial and institutional uses. The existing industrial designation is only intended to remain until such time as further amendments are made through the processing of development applications or Secondary Plans are adopted. The inclusion of these lands within a Mixed Use ACA designation will encourage the consolidation of parcels on the north side of Finch Avenue and allow for more comprehensive development. The proposed road linking Finch Avenue to Toryork Drive as shown on Map D.17.2 – Structure Plan to the Secondary Plan can function as a logical boundary/buffer between the Mixed Use ACA designation and the Industrial/Employment lands to the west on Toryork Drive.

Part C.8, Section 5.3 of the former City of North York Official Plan provides criteria where Council may consider the redesignation of industrial land for other purposes,

including residential and commercial uses or a combination thereof. These criteria have been applied to the lands located on the north side of Toryork Drive which form the new Plan boundary.

The redesignation of these lands to a Mixed Use ACA designation can be supported since all the Official Plan criteria can be satisfied. These land holdings are on the periphery of the industrial area and are only 0.72 ha (1.8 acres) in area which significantly reduces their viability for industrial uses. Existing uses on these lands are commercial in nature and are permitted within a Mixed Use (ACA) designation.

The Secondary Plan will require appropriate environmental reports to be conducted on these lands prior to any development approvals being granted. Accordingly, their redesignation will not jeopardize the viability of adjacent industrial lands/operations. Appropriate building setbacks and other mitigative measures will be identified in the required environmental reports and will be established and secured in implementing zoning by-laws and site plan agreements as necessary.

- Environmental Policies:

A new section entitled Environmental Policies has been added as Section 12 of the Secondary Plan. Noise and vibration studies and studies to ensure satisfactory soil and groundwater conditions including remediation measures will be required, where necessary, to support development applications proposing sensitive land uses.

Zoning

A zoning by-law to implement the policies of the Emery Village Secondary Plan will be prepared and a statutory public meeting scheduled for 2003.

Conclusions:

This report recommends approval of the Emery Village Secondary Plan which together with the implementing Zoning By-law and other ongoing implementation strategies will provide mechanisms to encourage growth and support new investment in the Emery Village Community.

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Attachment No. 1

PART D.17 EMERY VILLAGE SECONDARY PLAN
(OPA 499)

1. Interpretation

- 1.1 The lands affected by the Emery Village Secondary Plan are shown on Map D.17.1.
- 1.2 The text and maps of Parts A, B and C of the Official Plan continue to apply to the lands affected by this Secondary Plan. Where there is a conflict between the policies of this Secondary Plan and the policies contained elsewhere in the Official Plan, the policies of this Secondary Plan shall take precedence.

2. Incremental Growth - Avenues Study

Growth opportunities along Finch Avenue West and Weston Road were examined as part of an Incremental Growth – “Avenues Study”. This area was selected due to its potential to accommodate new growth, especially residential development, on an incremental basis, without significant impact on nearby stable residential areas and with the ability to utilize existing infrastructure (ie. transit, sewers and water). The revitalization of and reinvestment in this area is expected to have both local and regional benefits.

The purpose of the study was to establish a framework for change along selected portions of the Finch Avenue West and Weston Road corridors. A ‘shared vision’ and Concept Plan for the improvement and reurbanization of the Study Area was developed and is contained within “The Avenues – Finch Weston, Phase II Study”, dated February 2001. The Concept Plan and the related recommendations for action form the basis for this Secondary Plan.

3. Goals and Objectives

The following are the Goals and Objectives which apply to the Emery Village Secondary Plan:

Goal

- 3.1 To provide a framework for development that encourages a village- like, street oriented, mixed-use pattern of development that promotes transit, pedestrian use and cycling and improvements to the area’s streetscape and significant open space system;

Objectives

- 3.2 To reurbanize the Emery Village community by facilitating new mixed use development on an incremental basis consistent with the capacity of existing or planned infrastructure;

- 3.3 Create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
 - 3.4 Locate and mass new buildings to emphasize the intersection of Finch Avenue and Weston Road and to provide a transition between areas of different development intensity and scale;
 - 3.5 Enhance and extend the existing open space network;
 - 3.6 Provide a connected, attractive, safe and comfortable system of pedestrian and bicycle routes;
 - 3.7 Encourage streetscape improvements in the Secondary Plan area to create an attractive pedestrian environment; and
 - 3.8 Develop a system of new roads which are intended to service new development, to provide alternate routes to the Finch/Weston intersection, to create new development parcels and to provide access to an enhanced open space network.
4. Land Use, Height and Density

The Plan area consists of four quadrants defined by the intersection of Finch Avenue and Weston Road. This plan permits mixed-use development within three of the four quadrants.

Land use designations are shown on Map D.17.1. Development of those lands designated Arterial Corridor Area (ACA) will be in accordance with the policies of the Official Plan, with specific policies for land use, height and density as set out in this Plan for the north-west, south-west and south-east quadrants.

Development of those lands designated Industrial (IND), General-Institutional (G-INS), Public Utility (PUT), Local Open Space (LOS) and Valley Open Space (VOS) will be in accordance with the policies of the Official Plan.

4.1 South-east Quadrant

Permitted Uses

Street related retail and service commercial uses with residential uses above are encouraged along the Finch Avenue West and Weston Road frontages.

Height and Density

Building heights shall generally range from 8 storeys up to 12 storeys at the intersection of Finch Avenue and Weston Road and adjacent to the Ontario Hydro Utility corridor. A maximum building height of 19 storeys is permitted at the southern apex.

A maximum density of 2.5 FSI is permitted.

4.2 South-West Quadrant

Permitted Uses

- (a) Street related retail and service commercial uses with residential uses above are encouraged along the Finch Avenue and Weston Road frontages in Area A shown on Map D.17.1.
- (b) Only uses permitted in the Residential Density Four (RD-4) land use district of the Official Plan are permitted in Area B shown on Map D.17.1.

Height and Density

In Area A shown on Map D.17.1, building heights shall generally range from 8 storeys up to 12 storeys at the intersection of Finch Avenue and Weston Road.

In Area B shown on Map D.17.1, new buildings shall generally range from 3 to 6 storeys in height.

A maximum density of 2.5 FSI is permitted.

4.3 North-west Quadrant

Permitted Uses

Street related retail and service commercial uses with residential uses above are encouraged along the Finch Avenue West and Weston Road frontages.

Height and Density

Building heights shall generally range from 8 storeys up to 12 storeys at the intersection of Finch Avenue and Weston Road and at the intersection of Toryork Drive and Weston Road.

A maximum density of 2.5 FSI is permitted.

5. Structure, Form and Physical Amenity

The framework for the structure, form and physical amenity of the Emery Village Secondary Plan is as follows:

Structure

- 5.1 The urban design policies contained in this section are intended to provide a framework for redevelopment, to promote a high quality built form and a safe, comfortable and attractive public realm generally in the form shown on Map D.17.2 – Structure Plan.
- 5.2 Development will be focused at the intersection of Finch Avenue and Weston Road. New roads will divide existing blocks into smaller development sites, providing access, address, pedestrian and vehicular connections and frontage for parks and open spaces.

Built Form Principles

- 5.3 New development will incorporate the following principles:
- (a) buildings will define and form edges along streets, parks and open spaces and public squares. If located on a corner site, buildings should be located to define both adjacent streets and to give prominence to the corner;
 - (b) buildings should be sited and organized at-grade to enhance and support streets, open spaces and pedestrian routes. Grade related retail and service commercial uses, street oriented residential units and entrance lobbies are encouraged in these building faces to provide for safe, animated streets and open spaces. Building entrances are to be located on road frontages, visible and accessible from the public or common use sidewalk;
 - (c) landscaping, public art and architectural features are intended to add visual interest and are encouraged at locations identified as a Gateway Feature on Map D.17.2 – Structure Plan. Gateway features located on private lands may be secured through the development process;
 - (d) loading and service areas associated with buildings should not face or be located adjacent to parkland or be located adjacent to Finch Avenue or Weston Road. The use of shared lanes, driveways and courts within the block is encouraged. Access from local streets and service lanes is preferred;
 - (e) the consolidation of vehicular access points shall be encouraged in order to maximize the efficiency of traffic movement and promote a safer pedestrian environment;
 - (f) parking structures above grade are discouraged adjacent to Finch Avenue, Weston Road and Toryork Road;
 - (g) new underground parking entrances or exits onto Finch Avenue or Weston Road are discouraged. Wherever possible vehicular access to these structures shall be from local roads and preferably at the side or rear of buildings fronting onto Finch Avenue or Weston Road;

- (h) surface parking is discouraged in any front or side yard adjacent to Finch Avenue, Weston Road and Toryork Road;
- (i) parking facilities and spaces shall, wherever possible, be provided underground or within a structure. Surface parking will be limited in order to maximize the extent of landscaped open space;
- (j) buildings should be massed to provide adequate street and open space definition, to define urban spaces with good proportion and to provide access to sunlight and sky views;
- (k) where appropriate, sun/shadow studies and wind tests will be required for developments in order to ensure that impacts on the pedestrian environment and adjacent properties are acceptable.

Physical Amenity

- 5.4 Streetscape improvements that promote a healthy and vibrant pedestrian environment are encouraged in the public rights-of-way and adjacent privately owned lands. Coordinated improvements to sidewalks and boulevards including; decorative paving, a landscaped centre median, street trees, street furniture and transit shelters are to be implemented for the portion of Weston Road between Finch Avenue and Lanyard Road and for the portion of Finch Avenue between the CP Rail line and Lindylou Park.
- 5.5 A coordinated series of landscaped open spaces should be provided at the intersection of Finch Avenue and Weston Road in order to establish a visual focal point and public amenity space. Special corner treatments may include public art or other community amenities.
- 5.6 The set back for new buildings along Finch Avenue, Weston Road and Toryork Road will be sufficient to accommodate streetscape initiatives of the City of Toronto.
- 5.7 The reduction of the effect of wind on pedestrian areas through building design and the provision of remedial elements, such as landscaping, screens, sheltered walkways and canopies is encouraged.
- 5.8 Landscaping should be carefully integrated with on-site surface parking. On-site parking should be arranged so that it does not impede pedestrian movement within or between developments.
- 5.9 All utilities and associated works shall, wherever possible, be located underground.

6. Community Improvement

- 6.1 The Finch/Weston area has been designated as a Community Improvement Project Area. A Community Improvement Plan may be prepared which will identify improvements to public spaces. Sections 37 and 45 of the Planning Act will be used to assist in the implementation of the Community Improvement Plan.
- 6.2 Council will encourage the establishment of a Business Improvement Area and will provide technical assistance in studying the feasibility and implementing selected community improvement initiatives.

7. Community Services and Facilities

- 7.1 Council will regularly monitor the need for additional community facilities to serve the residents and employees of the area. The monitoring process may include a community services and facilities study to address the potential need for these facilities and services.
- 7.2 Council will encourage the use of Section 37 of the Planning Act to assist in the delivery of community services and facilities.

8. Public Art

- 8.1 Public art, including but not limited to sculpture, landscape design, structures, architectural treatment, murals, statues and functional elements such as street furniture and related elements is encouraged at all publicly accessible locations in the Plan area.
- 8.2 Public art may be secured in all developments exceeding 20,000 square metres of total gross floor area and Council will seek public art contributions of one percent of the gross construction cost of the development.

9. Parks and Open Space

The plan area contains parks and open spaces which, together with streets, connect to regional open space systems. The parks and open space system includes Lindylou Park, which forms part of the Humber River valley system, the Ontario Hydro Utility corridor that extends east-west across the City and the Emery Creek ravine lands located on the north side of Finch Avenue. The policies in this section identify opportunities for the improvement and expansion of the existing open space network within the Plan area.

- 9.1 Opportunities to provide public access to the Emery Creek ravine and open space lands located on the north side of Finch Avenue will be explored.
- 9.2 Opportunities to provide additional parkland and to develop seasonal amenities, such as an outdoor ice rink, on the portion of the Emery Parks Yard that fronts onto Finch Avenue West will be explored.

9.3 The upgrading of Lindylou Park is encouraged. Improvements may include additional planting, seating and signage with an emphasis on the park frontage on Finch Avenue.

9.4 Pedestrian and cycling connections throughout the Plan area shall be improved in order to provide greater access to public open space and public uses.

10. Transportation

10.1 A network of new and existing roads, pedestrian walkways and bicycle routes will provide access through this area and will be developed in order to support the redevelopment and revitalization of the plan area. The need for and location of new roads will be determined during the review of development proposals.

The network is shown on Map D.17.2 – Structure Plan.

10.2 The schematic layout of new roads as shown on Map D.17.2 – Structure Plan is intended to:

- (a) balance vehicular and pedestrian needs;
- (b) create optional routes for traffic and provide alternatives to the Finch-Weston intersection;
- (c) divide large blocks and create new parcels appropriate to the proposed development;
- (d) provide street addresses for new and existing development;
- (e) increase accessibility to parks and open space areas; and
- (f) protect and plan for improved public transit.

10.3 The roads shown schematically on Map D.17.2 – Structure Plan are as follows:

- (a) local road linking Toryork Drive and Finch Avenue;
- (b) local road adjacent to Lindylou Park linking Finch Avenue and Weston Road;
- (c) eastward extension of Lanyard Road through the Ontario Hydro Utility corridor and development lands to connect to Finch Avenue;
- (d) possible northward extension of Rivalda Road, in part, to service the potential commuter/transit station; and
- (e) possible eastward extension of Rivalda Road to Arrow Road as an alternate route for industrial traffic to Finch Avenue and Highway 400.

- 10.4 The preferred location for a potential future commuter/transit station is shown on Map D.17.2 – Structure Plan.
- 10.5 Surface parking lots serving the potential future commuter/transit station will be limited in size and parking structures will be encouraged.
- 10.6 Roads and buildings shall be designed and sited to accommodate transit vehicles and facilitate transit use. Transit shelter stops and facilities shall be provided with direct connections to the pedestrian network in order to encourage the use of public transit.
- 10.7 Developments which exceed 5,000 m² (53,820 sq. ft.) in gross floor area will be required to provide a Traffic Impact Study and traffic certification prepared by a qualified transportation consultant stating that the development meets the following criteria:
 - (i) the site layout provides adequately for the movement needs of pedestrians, automobiles and commercial vehicles without disrupting bordering streets and properties;
 - (ii) the development will not increase local residential road traffic so significantly as to produce appreciable new hazards, noise dust and fumes for nearby residential communities;
 - (iii) the project provides sufficient parking while still encouraging the use of public transit, walking and cycling as alternatives to automobile use;
 - (iv) the traffic resulting from occupancy of the proposed development does not significantly contribute to reducing the level of service of nearby arterial roads and their intersections with local roads to below a generally acceptable level.
- 10.8 The City will encourage proponents of major office and employment uses to develop and implement appropriate travel demand management strategies to reduce peak period automobile trips and facilitate non-auto modes of travel such as transit, walking and cycling. In addition, measures to support transit use such as such as reduced parking standards and/or shared parking for development may be considered where supported by a report prepared by a qualified transportation consultant to the satisfaction of the City.
- 10.9 Pedestrian amenities, off-peak parking and cycling routes may be considered within the planned rights-of-way of Finch Avenue, Weston Road and Toryork Road.
- 10.10 A new off-road bike route within the Ontario Hydro Utility Corridor, in accordance with the City of Toronto Bike Plan, is to be developed as shown generally on Map D.17.2 - Structure Plan.

11. Municipal Servicing

- 11.1 New infrastructure or improvements to existing infrastructure, including roads, sanitary and storm sewers, municipal water and utilities, required to serve proposed development will be provided and paid for entirely by the developer;
- 11.2 If new infrastructure or improvements to existing infrastructure, including roads, sanitary and storm sewers, municipal water and utilities are required to service Secondary Plan areas, which may be above the specific needs of the proposed development, then the developer will be required to provide and pay for the above services and will be eligible for Development Charge credits;
- 11.3 Development proponents will provide required engineering studies and designs to assess the desirability and feasibility of proposed engineering works and modifications, and all required infrastructure will be designed and built to City standards, be provided at approved locations and be conveyed to the City at nominal cost and free of encumbrances, prior to the occupancy of development requiring that infrastructure;
- 11.4 During the review of studies and designs for development-related engineering works and modifications, opportunities may be explored to enhance the levels of service provided in other areas of the Secondary Plan that may be impacted. Where appropriate and feasible, service improvements may be sought within the context of the proposed development-related engineering works; and
- 11.5 Stormwater quantity and quality management will be provided to the satisfaction of the Commissioner of Works and Emergency Services, in consultation with the Toronto and Region Conservation Authority.

12. Environment

- 12.1 The City will use its available powers and will seek the cooperation of land owners and developers involved in the development of Emery Village to ensure that environmental conditions satisfactory to the City of Toronto and the Ministry of Environment and Energy are established for people living and working within the Secondary Plan area.
- 12.2 Where applicable, studies of noise and vibration may be required to be submitted in support of applications proposing the development of residential and other sensitive land uses in proximity to sources of noise vibration, such as the CP Rail line, road corridors or existing industrial operations. These studies will assess existing and forecast conditions, evaluate existing on-site mitigation features, and recommend additional mitigation measures.
- 12.3 Where applicable, studies to ensure satisfactory soil and groundwater conditions, including soil remediation or disposal plans for contaminated soil excavate and remediation measures for methane gas may be required to be submitted in support of applications proposing the development of residential and other sensitive land uses.

12.4 The Ministry of the Environment and Energy will be consulted respecting relevant environmental matters referred to in Sections 12.2 and 12.3 and to ensure that all studies are satisfactory to the City and the Ministry of the Environment and Energy.

13. Implementation

13.1 General

This Secondary Plan is to be implemented by the separate or combined actions of both public and private interests and through various actions including:

- (a) detailed zoning by-laws, Section 36 holding provision by-laws, Section 37 by-laws, plans of subdivision, part lot control, consents, site plan review and Community Improvement Plans; and
- (b) subdivision agreements, site plan agreements and Section 37 agreements to secure the provision of facilities, services or matters required for the desirable development of the lands or to meet the objectives set out in this Plan.

If a proposed development requires the creation of a public road, then the preferred implementation process will be a plan of subdivision.

13.2 Holding “H” By-laws

- (a) A holding provision by-law, pursuant to Section 36 of the Planning Act, may be placed on lands where the ultimate desired use of the lands is specified but development cannot take place until conditions set out in the by-law are satisfied.
- (b) Conditions to be met prior to the removal of the holding provision may include:
 - (i) traffic impact study, transportation or servicing improvements;
 - (ii) open space, recreational, and community services and facilities;
 - (iii) environmental studies, environmental remediation or mitigation measures;
 - (iv) measures to protect a natural heritage feature or environmentally sensitive natural features;
 - (v) professional or technical studies to assess potential development impacts;
 - (vi) submission of development plans; and
 - (vii) entering into agreements, including subdivision agreements, or agreements pursuant to Section 41 of the Planning Act, to secure any of the matters required to satisfy the conditions for removal of the holding provision.

13.3 Development Plan

To provide a context for coordinated incremental development and assist Council in evaluating the conformity of proposed development with the relevant provisions of this Secondary Plan, Council may require the submission of a Development Plan prior to approving development on lands located in the north-west, south-east and south-west quadrants.

Development Plans should indicate the relationship of proposed buildings, structures and open spaces to adjacent developments and development sites, public spaces, roadways and pedestrian routes and should demonstrate how the development policies of this Plan will be achieved. More specifically, such plans will show:

- (i) the proposed massing of buildings, building heights, setbacks and distribution of density;
- (ii) the location, dimensions and character of publicly accessible private open spaces and pedestrian routes, showing their continuity and complementary relationship to adjacent public spaces, pedestrian routes and streets;
- (iii) protection and enhancement of significant views and landscape focal points;
- (iv) the general location, size and treatment of surface parking facilities and vehicular access points in sufficient detail to identify locations where parking amongst different building sites or uses may be shared and to assess the effect of these facilities on public sidewalks and pedestrian routes; and
- (v) the location of street-related uses and principle pedestrian entrances to buildings and the relationship of such uses and entrances to street frontages to ensure that the role of the public street and pedestrian movement along the street is supported and reinforced; and
- (vi) possible phasing of development and new infrastructure including roads, parks and opens spaces.

13.4 For any alteration or addition to municipal property or works that is required or proposed to implement transportation or sanitary and storm sewer servicing improvements serving proposed development, the developer will enter into agreements with the City as applicable regarding the construction and funding of any such alteration or addition.

13.5 Where a development is proposed in phases, interim uses should be shown on site plans submitted for approval under Section 41 of the Planning Act. Where a development, or a phase of a development, is not to be immediately developed, Council may require, through a site plan agreement, that the lands be landscaped, or used for another purpose permitted by the zoning by-law, in order to reduce the impact of delayed development on surrounding lands and the pedestrian environment.

13.6 Council shall acquire lands required for new local roads through the development approval process. It is recognized that the planning and design, acquisition and construction of new roads will be in accordance with relevant legislation including the Environmental Assessment Act, the Planning Act and the Municipal Act.

(Map D.17.1 (Emery Village Secondary Plan – Land Use Plan) and Map D.17.2 (Emery Village Secondary Plan – Structure Plan, attached to Attachment 1; and Attachments 2 – 7, referred to in the foregoing report were forwarded to all Members of the North York Community Council with the agenda for its meeting on November 13, 2002; and copies thereof are on file in the office of the City Clerk, North York Civic Centre).

The North York Community Council also had before it the following communications:

- (October 24, 2002) from Mr. Adam J. Brown, Brown Dryer Karol, on behalf of Centrillum Inc., requesting that they be given the opportunity to address the North York Community Council sometime after 3:30 p.m. due to a scheduling conflict;
- (November 4, 2002) from Mr. Adam J. Brown, Brown Dryer Karol, on behalf of Centrillum Inc., requesting an opportunity to address the North York Community Council with respect to the above-noted matter, between 3:30 to 4:00 p.m. since he is involved in a public meeting in Etobicoke commencing at 2:15 p.m.;
- (November 6, 2002) from Mr. Tim Lambrinos, Community Coordinator and Chair – Emery Village Historical & Arts Advisory Committee, forwarding his written submission on the history of Emery and outlining what the Emery Village Historical & Arts Advisory Committee would like to see in the new Emery Village developments;
- (October 30, 2002) from Mr. Pierre Tourigny, forwarding his comments and concerns respecting the Emery Village Secondary Plan;
- (November 12, 2002) from Mr. Garry Green, in support of the plans to redevelop Emery Village;
- (November 12, 2002) from Ms. Anne Molinari, Yorkwest Residents Association; forwarding an official notice that a representative of the Yorkwest Residents Association would be appearing as a deputant to register an objection on behalf of the association;
- (November 13, 2002) from Ms. Cathy Breton, Branch Manager, North Branch, Children’s Aid Society of Toronto, requesting the North York Community Council consider two vital issues facing children and families in communities; the lack of community space for programs and the dire shortage of affordable housing/transitional housing; and

- (November 13, 2002) from Mr. Robert E. Jarvis, solicitor, on behalf of Finch Main Gardens (West) Limited, owners of property in the area adjacent to the Emery Village Secondary Plan; expressing his client's concerns involving issues of height, massing and possible future impact on his client's holdings arising from the proposed Emery Village Secondary Plan.

A staff presentation was made by Doug Muirhead, Planner, Community Planning, North District, Urban Development Services.

A video produced through the offices of the Ward Councillor, was also shown depicting the existing land uses within the Emery Village Secondary Plan and the types of uses and amenities that could be achieved through implementation of the proposed policies and guidelines in the Plan.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Ms. Sheila Lambrinos, who commented in support of the Emery Village Secondary Plan and who expressed her praise with respect to the continuing progress being made to retain the local history of this area in the re-creation of Emery Village, which she indicated was occurring at the time of the area's bicentennial, 1802 to 2002;
- Mr. Tim Lambrinos, on behalf of The Emery Village Historical and Arts Advisory Committee, who gave a "powerpoint" presentation on the history of Emery;
- Ms. Lorraine Chabot representing the Emery Creek Business Association, who expressed support for the proposed Emery Village Secondary Plan and who commented that the business community has seen some drastic changes, however the residents and the business community would be working together to build an identity;
- Ms. Lorna Weigand on behalf of Doorsteps Neighbourhood Services, who commented that residents are also interested in social and community services and density. She gave a brief overview of the services provided by Doorsteps Neighbourhood Services to seniors, youth, children and families. In addition she commented that she welcomed the opportunity to work with the community and expressed her support for the community space that will be provided within the Emery Village development. In closing she added that although many residents have moved out, the Emery Village development will create a renewed interest in the area as well as new jobs and result in many people moving back into the area.
- Mr. Tony Marzilli, representing the Yorkwest Residents Association, who expressed concern with respect to the lack of information being provided to the residents adding that he has not received a flyer outlining how the project will take place or what the present and future ramifications would be. He further indicated that the Association is not against development but the residents would like to be informed. In his opinion, the

community could not afford to have any changes happen so suddenly without having an opportunity to provide input. In addition he pointed out that the change to the community will be immense in terms of loss of green space and in terms of the erosion of industrial land. He concluded by requesting the Community Council to revisit the proposed Emery Village Secondary Plan because there are many objections to the Plan in its current form;

- Mr. Adam J. Brown, Solicitor, of the law firm of Brown Dryer Karol, on behalf of Centrillium Inc., commented on the Emery Village Secondary Plan. During his submission he indicated that this Plan is something that shows what can be done in a positive way. He further indicated that the development proposed by Centrillium Inc. is one that would implement many of the Guidelines within the Secondary Plan. Their proposal would be a phased, mixed use residential and commercial development which consists of ten buildings, seven to eighteen storeys in height with an open air market, commercial galleria and flagpole focal point. Also, as part of the development, his client would be contributing towards transportation improvements, public art and indoor/outdoor recreational facilities.

Mr. Brown further indicated that the design before the North York Community Council is one that revitalizes the street. He pointed out that the height and density of their proposed development has been reduced since their original submission and in essence, the highest building would be 18 storeys. He concluded by indicating that the Emery Village Secondary Plan would bring real development to the area.

- Mr. Allan Leibel, Solicitor, of the law firm of Goodmans, spoke on behalf of Medallion Properties Inc., and indicated that his client is very anxious to move forward with their redevelopment plans for south-east corner of Finch Avenue and Weston Road;
- Mr. Martin Spero, who spoke on behalf of Ms. Vicky Koriantis, and commented in support of the proposed Emery Village Secondary Plan;
- Ms. Marycarmen Hernandez, who addressed the North York Community Council in Spanish, and expressed her support for the proposed Emery Village Secondary Plan;
- Mr. Igor Karelski, who addressed the North York Community Council in Russian, and expressed his support for the proposed Emery Village Secondary Plan;
- Mr. Abdul Shafiqi, who addressed the North York Community Council in Arabic, and expressed his support for the proposed Emery Village Secondary Plan;
- Mr. Jorma Palomaki, who indicated that he has lived in this area for a number of years and has seen the area deteriorate. In his opinion, the developments proposed within the Emery Village Secondary Plan area would start the revitalization process, which would have a positive impact on the community;
- Mr. George McKenzie, who expressed his support for the proposed Emery Village Secondary Plan and indicated that there has much information provided to residents and there has been community consultation meetings;

- Mr. Michael Delillo, who advised that he represents a community of approximately 1,000 people who reside in a condominium complex which he manages, and expressed concerns with regard to the increased population as a result of the proposed and future developments in this area. In his opinion the existing infrastructure, and especially the schools would not be able to accommodate the increase in population and density. He also indicated that there should be restrictions in the draft Official Plan with respect to the type of retail uses that would be permitted in order to encourage higher end retail stores.
- Mr. Bob Chabot, who advised that he has a business in the industrial area in close proximity to the proposed development, and expressed concern that the operations of his business as well as others will be affected as a result of the expansion of the residential area created by the new development and that further restrictions could be imposed to restrict their operations. He concluded by indicating that the industrial uses were established in this area long before the residential and other non-industrial uses were permitted.
- Mr. Carmen Sefano, who commented on the Emery Village Secondary Plan. He pointed out that facilities should be made available for the youths and the senior citizens in this area. He further indicated that at the present time there are no retirement homes in this area and the seniors that live in this area should be able to remain in the community if they so choose. In his opinion, approval of this Plan will help the youths and seniors.

A recorded vote on Recommendations (1) to (6) moved by Councillor Mammoliti, Ward 7- York West, Recommendation (7) moved by Councillor Feldman, Ward 10 – York Centre, and the referral motions moved by Councillor Mammoliti for reports directly to City Council from the Commissioner of Community and Neighbourhood Services and the Commissioner of Corporate Services and the Commissioner of Economic Development, Culture and Tourism, was as follows:

FOR: Councillors Shiner, Filion, Mammoliti, Feldman, and LiPreti

AGAINST: Nil

ABSENT: Councillors Sutherland and Augimeri.

Carried

(City Council, at its regular meeting held on November 26, 27 and 28, 2002, had before it, during consideration of the foregoing Clause, the following report (November 20, 2002) from the Commissioner of Urban Development Services:

Purpose:

To report on the amendment to the Emery Village Secondary Plan, as instructed by North York Community Council, at the meeting held on November 13, 2002, for the inclusion of policies and criteria in the Secondary Plan that will permit Council, pursuant to Section 37 of the Planning Act, to consider increases in density and/or height of development.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) *City Council amend the Emery Village Secondary Plan in accordance with the policies attached as Attachment 1.*

Background:

North York Community Council, at its meeting held on November 13, 2002, recommended adoption of the Final Report, dated October 31, 2002, from the Acting Director, Community Planning, North District related to the Emery Village Secondary Plan. In addition, at the same meeting, North York Community Council adopted a Resolution instructing staff to prepare policies and criteria for inclusion in the Secondary Plan that will permit Council, pursuant to Section 37 of the Planning Act, to consider increases in density and/or height of development, to a maximum density of 3.0 FSI and a maximum building height of 18 storeys, subject to meeting the criteria and to the provision of specific community benefits.

Comments:

In accordance with the instructions of North York Community Council, staff have prepared policies for inclusion in the Emery Village Secondary Plan that will permit Council to consider increases in density and/or height of development otherwise permitted by the Plan.

Section 4 – “Land Use, Height and Density” of the Secondary Plan establishes the maximum height and density of development permitted within the three quadrants designated for Mixed-Use [Arterial Corridor Area (ACA)] development. A maximum density of development of 2.5 FSI is permitted and building heights shall generally range from 8 up to 12 storeys.

The proposed new policies would be added to Section 4 of the Secondary Plan and become Section 4.4 to the Plan. The proposed policies are attached as Attachment 1 to this report.

Section 37 of the Planning Act permits Council to pass a zoning by-law to grant a height and/or density increase for a particular development that is greater than the zoning by-law would otherwise permit in return for the provision of specific community benefits. These community benefits would be provided at no cost to the City and would assist in meeting the needs and improving the quality of life of the local community.

Proposed Section 4.4 establishes incentives, in the form of gross floor area exemptions (see Figure 4.4), which Council may consider when particular community benefits are proposed to be provided. The nature and extent of permitted incentives is consistent with those permitted in other Secondary Plans which currently exist and which are intended to form part of the new City of Toronto Official Plan. In addition, community benefits which have not qualified for a density incentive have also been identified. The nature and extent of incentives associated with these benefits will vary depending on the nature of the proposed development.

Any application for extra height and density will be evaluated in accordance with the policies of the Emery Village Secondary Plan, including those related to Structure, Built Form and Physical Amenity. The maximum density and height of development permitted after qualifying density incentives or other community benefits secured pursuant to Section 37 of the Planning Act shall be 3.0 FSI and 18 storeys respectively.

Conclusions:

Policies for inclusion in the Emery Village Secondary Plan, relating to Density and Height Incentives, have been prepared in accordance with the instructions of North York Community Council. These policies will provide Council with the ability to approve increases in height and/or density of development and allow for the securing of community benefits which will improve the quality of life of local residents.

Contact:

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Attachment:

Attachment 1: Proposed Section 4.4, "Density and Height Incentives", Emery Village Secondary Plan

ATTACHMENT 1

AMENDMENT TO THE EMERY VILLAGE SECONDARY PLAN

The following policy be added after Section 4.3 and before Section 5:

"4.4 Density and Height Incentives

- (a) Figure 4.4 shows density incentives for the provision of community benefits in the form of specific uses and facilities on lands designated Arterial Corridor Area (ACA). The gross floor area (g.f.a.) of such facilities is exempted from the calculation of densities to the maximum extent provided in Figure 4.4. These uses and facilities may be secured through various means which may include agreements pursuant to Section 37 of the Planning Act.*

Density and height incentives are to be achieved through rezoning. Each development proposal involving a density of height incentive will constitute good planning and meet the objectives and development policies of the Official Plan, particularly as they relate to built form and infrastructure.

- (b) *The following community benefits, in the form of capital facilities and/or cash contributions toward specific capital facilities, which have not otherwise qualified for a density incentive identified in Figure 4.4, may be secured through legal agreements pursuant to Section 37 of the Planning Act:*
- (i) *heritage conservation;*
 - (ii) *preservation of existing rental housing or rental housing to replace demolished rental housing;*
 - (iii) *new social facilities including, but not limited to, daycare, drop-in counselling or crisis centres, libraries, museums, art galleries and cultural heritage centres;*
 - (iv) *local parks improvements including Lindylou Park;*
 - (v) *provision of public recreational centres or facilities;*
 - (vi) *public access to the Emery Creek ravine lands;*
 - (vii) *pedestrian and cycling connections;*
 - (viii) *streetscape improvements on Weston Road and Finch Avenue not abutting the site;*
 - (ix) *significant landscape features or focal points at the intersection of Finch Avenue and Weston Road; and*
 - (x) *transportation related improvements not required to support development*
- (c) *The maximum density of development permitted after qualifying density incentives or other community benefits secured pursuant to Section 37 of the Planning Act is 3.0 FSI. The maximum height of development permitted after qualifying density incentives or other community benefits secured pursuant to Section 37 of the Planning Act shall be 18 storeys.”*

Figure 4.4 Incentives	
COMMUNITY BENEFIT	INCENTIVE
<p>Private Recreational Use Accessory to a Residential Use</p> <ul style="list-style-type: none"> • must be located in a residential development • must not be a commercial for profit enterprise 	<p>The gross floor area of the private recreational use is exempted from the calculation of g.f.a.</p>
<p>Provision of a Public Recreational Centre</p> <ul style="list-style-type: none"> • to be owned by the City • shall be constructed and equipped to Council's satisfaction 	<p>The gross floor area of the public recreational centre is exempted from the calculation of g.f.a. and up to 4 x the g.f.a. of the public recreational centre is available as an incentive.</p>
<p>Provision of Social Facility</p> <ul style="list-style-type: none"> • such as but not limited to child-, elder-, or co-generational daycare, drop-in counselling or crisis centre including, but not limited to, Doorsteps Neighbourhood Services and Youth Clinical Services etc. • does not include institutions that are predominately office or residential uses • premises shall be designed and furnished to enable operation of the social facility in compliance with relevant legislation and regulations, and shall be of sufficient size and condition to enable its efficient operation • shall be located close to grade and easily accessible to the public • may include the retention or relocation of existing social facilities • secured through an appropriate legal agreement pursuant to Section 37 of the Planning Act 	<p>The g.f.a. of the new social facility is exempted from the calculation of g.f.a. and up to 4 x the g.f.a. of the social facility is available as an incentive.</p>
<p>Provision of a Museum, Art Gallery and Cultural Heritage Centre</p> <ul style="list-style-type: none"> • must not be a commercial for profit enterprise 	<p>The g.f.a. of a museum, art gallery or cultural heritage centre is exempted from the calculation of gross floor area.</p>

(City Council also had before it, during consideration of the foregoing Clause, the following joint report (November 19, 2002) from the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services:

Purpose:

To report as requested by North York Community Council at its November 13, 2002 meeting with respect to declaring as surplus that portion of the Emery Parks Yard lands required to facilitate the road construction included in the Emery Village Secondary Plan.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) in conjunction with the review of application TB CMB 2002 0012 By Centrillium with lands at 15-19, 21 and 23 Toryork Drive and 2340 & 2350 Finch Avenue West, Works and Emergency Services staff initiate the design of the proposed portion of the ring road section between Finch Avenue and Toryork Drive, passing through Emery Parks Yard lands.*

Background:

At its meeting on November 13, 2002, North York Community Council recommended that the Commissioner of Corporate Services and the Commissioner of Economic Development and Tourism be requested to submit directly to City Council for its meeting scheduled for November 26, 27, 28, 2002, a report respecting the following Resolution:

- (7)(ii) "WHEREAS within the Emery Village Secondary Plan, a local road connecting Toryork Drive to Finch Avenue, is shown schematically on Map D.17.2 – Structure Plan as part of a network of new and existing roads in the Secondary Plan area in order to support the redevelopment and revitalization of the plan area;*

AND WHEREAS the applicants for File No. TB CMB 2002 0012, which includes lands abutting the Emery Parks Yard, are required to either construct or provide the necessary funds to the City for the construction of the aforementioned road;

NOW THEREFORE BE IT RESOLVED THAT the City initiate the appropriate actions to immediately declare as surplus that portion of the Emery Parks Yard lands required to facilitate the entire road construction on the Emery Parks Yard lands, and that such lands shall be provided to the applicants at no cost, provided the applicants construct or provide the necessary funds to the City for the construction of the aforementioned road."

Comments:

Staff of the Parks and Recreation Division, Transportation Services and Real Estate Services met with the local Councillor on Emery Park Yard lands to discuss the proposed design and

construction of a local road connecting Finch Avenue and Toryork Drive which includes lands dissecting the Emery Parks Yard.

The planning and design of this road will determine the extent of lands that might be required from the Emery Parks Yard. As the land dedicated for the road would remain in public ownership, it need not be declared surplus.

Should an Environmental Assessment (EA) be required for the development and design of this road, the applicant would be responsible for the costs of undertaking such an EA, in addition to the costs of constructing the road.

Works and Emergency Services will assume design and construction of the roadway. The design of this roadway is to be completed to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services and the local Councillor. A full assessment of the impacts on the existing Emery Parks Yard to ascertain the changes required to the Parks Yard for parking and storage compounds will also be undertaken prior to construction of the roadway. Any changes necessitated by the inclusion of the roadway through the Parks Yard will be solely at the cost of the applicant.

Conclusions:

A portion of Emery Park Yard lands might be required to accommodate a local road connecting Finch Avenue and Toryork Drive. It has been determined by City officials that declaring surplus the lands abutting Emery Parks Yard is not necessary. The applicant will be required to provide funds to the City for the construction of the connecting road. Works and Emergency Services will assume construction of this road on public land once a design has been completed and the impact on the Emery Park Yard is fully ascertained and the Yard be redesigned to compensate for the loss of parking and storage.

Staff of Parks and Recreation Division and Transportation Services supports the development of the ring road section between Finch Avenue and Toryork Drive.

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(City Council also had before it, during consideration of the foregoing Clause, the following report (November 25, 2002) from the Commissioner of Community and Neighbourhood Services:

Purpose:

To update Council on the status of the development and respond to a Resolution submitted by Councillor Mammoliti, Ward 7 -York West, adopted by the North York Community Council on November 13, 2002.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that this report be received for information

Background:

The North York Community Council on November 13, 2002 had before it a report from the Acting Commissioner, North District, Urban Development Services recommending approval of the Emery Village Secondary Plan. The Community Council recommended to Council the adoption of the aforementioned report and, among other things, referred the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West, to the Commissioner of Community and Neighbourhood Services for a report directly to City Council for its meeting of November 26, 27 and 28, 2002:

“WHEREAS the lands owned by the City of Toronto municipally known as 2350 Finch Avenue West are intended to be developed pursuant to the “Let’s Build” Program for a group known as Ghana Amansie Multicultural Association;

AND WHEREAS the Ghana Amansie Multicultural Association has not yet submitted an appropriate redevelopment plan for the City’s lands;

NOW THEREFORE BE IT RESOLVED THAT the City immediately establish and retain a one foot reserve along the Finch Avenue frontage of the site so as to ensure that any future development is comprehensively designed in accordance with the Secondary Plan policies;

AND BE IT FURTHER RESOLVED THAT if the Ghana Amansie Multicultural Association has not proceeded through an approval process that would facilitate the commencement of construction by December 31, 2003, the City shall declare such lands as surplus for the purpose of providing such lands for alternate non-profit group.”

Comments:

The site at 2350 Finch Avenue West is one of five City-owned sites declared surplus and approved for affordable housing by non-profit groups in the last term of Council. This particular

site, a small former North York fire hall just west of Weston Road, was leased to the Ghana Amansie Multicultural Association (the "Group") for the construction of 48 family units, mainly townhomes. As the land was designated Industrial in both the Metropolitan Toronto and North York Official Plans, an official plan amendment and rezoning is required. It is a sub-centre where redevelopment and intensification is encouraged with mixed uses at an FSI of 1.0 to 3.0.

In March 2001 the Group submitted an Official Plan and Zoning application. As well as housing, commercial uses at grade were proposed (as encouraged by planning policies) and community space was provided for existing after school programs run by the Group. Upon circulation, significant comments were received, mainly on the issue of garbage pick up. As a result the proposed built form of the small site was radically altered to provide for on site manoeuvring of a large garbage truck, and for the forward movement of the truck exiting the site. The redesign pushed the density to 2.96 FSI and 54 units, with a greater number in an apartment format. This redesign was submitted late in 2001.

In the meantime the policies of the proposed Emery Village Secondary Plan were evolving, with a suggested density limit of 2.5 FSI for the entire secondary plan area. Citing the small area of the site and the minor effect on traffic generation or massing as planning reasons, the Group requested the higher density of 2.96 FSI rather than 2.5 FSI. Planning staff did not support this request. As a result, the application was not brought forward to Community Council for consideration.

Upon further reflection, the Group finally accepted planning staff direction and resubmitted plans at 2.5 FSI by reducing the units to 48, reducing the area of the community space and eliminating the street level commercial frontage. The architect for the Group was directed to revise the design to meet all City comments received to date.

The site requires an official plan amendment, rezoning, and site plan approval and is subject to a city lease, affordable housing agreement and loan agreement. The lease, affordable housing, and loan agreement are registered on title and bind the land for 35 to 50 years. In addition, the freehold interest in the land remains in the ownership of the City. The net effect is substantially more control for the City over this site than any of the other redevelopment parcels within the Emery Village Secondary Plan area. A one-foot reserve along Finch Avenue does not enhance the level of control that already exists by the City over the form of the development or its timing.

The Group is also required to fundraise within the community to a level of \$5,000 per unit (or \$240,000 under the current proposal) as an equity contribution to the development. While they have raised 60% of the amount to date, fundraising remains a challenge without the rezoning of the property in place.

The Group has had discussions with the adjacent large-scale private developer who offered a turnkey development plus assistance to fully complete the Group's fundraising obligations. The discussions, still in an early stage, did not come to fruition because the built form proposed by the private developer was for an apartment building, while the Group's mandate is for family oriented townhomes. Once a planning approval is granted for a townhouse form, the Group will be in a position to negotiate and select from a number of private builder proposals, which could include the adjacent private developer.

Existing Council approval for the City grant from the Capital Revolving Fund for Affordable Housing requires that the group obtain a private first mortgage commitment within 6 months of the rezoning coming into force. If the financing does not take place within this timeframe, the grant contribution is null and void. In that case, the Group would be forced to abandon the development. This places a major onus upon the Group to proceed with the development of the lands in an expeditious manner, once the City or the OMB approves the rezoning. The coming into effect of the rezoning, of course, is not within the purview of the Group and significantly affects the start of construction.

If rezoning comes into effect in the first half of 2003, then the Group will be in a position to complete its fundraising and obtain private mortgage financing so that construction can start within the last half of 2003. If not, staff, as a routine matter, would bring back to Council proposals for another affordable housing group for the site.

Conclusions:

In responding to the points in the Resolution adopted by the North York Community Council, it can be concluded that:

- 1) the plans for the site have been revised to address the results of circulation to City departments and direction of planning staff;*
- 2) given the long list of City controls over the site, a one-foot reserve along the Finch Avenue frontage is not necessary; and*
- 3) controls are already in place to ensure a timely start by the Group, once the rezoning of the land comes into force.*
- 4) if construction has not started by the end of 2003, a report will be brought before Council on the affordable housing options for the site*

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