

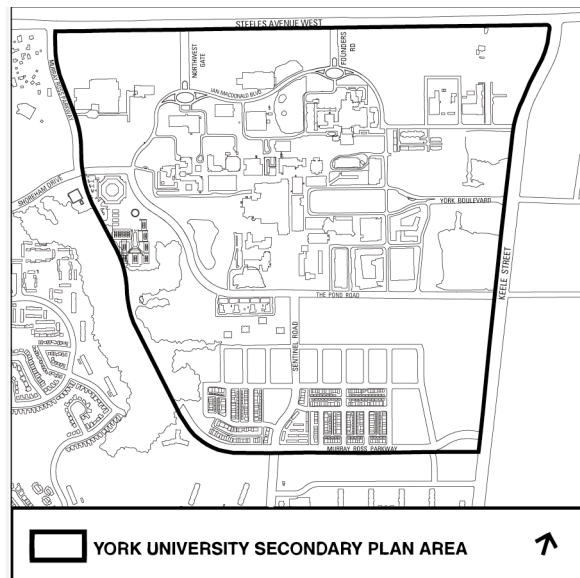
**York University Secondary Plan Update –  
Supplementary Report**

<b>Date:</b>	November 26, 2009
<b>To:</b>	City Council
<b>From:</b>	Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 8 – York West
<b>Reference Number:</b>	05 137971 NPS 00 TM

**SUMMARY**

This is a supplementary report requested by North York Community Council at its meeting of November 10, 2009 when considering the report entitled “Final Report – York University Secondary Plan Update”. This supplementary report addresses the request of North York Community Council at this meeting that the Chief Planner and Executive Director, City Planning address potential development impacts adjacent to Black Creek Pioneer Village.

City staff met with representatives from Toronto and Region Conservation Authority (TRCA) and York University on November 19, 2009 to discuss TRCA’s concerns with respect to Black Creek Pioneer Village. Both TRCA and York University have indicated they are supportive of the directions in the proposed Secondary Plan and the modifications proposed by this supplementary report with respect to maintaining Black Creek Pioneer Village’s sense of place and protecting views from the Village.



## **RECOMMENDATIONS**

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### **The City Planning Division recommends that City Council:**

1. adopt the recommendations contained in the report from the Director, Community Planning, North York District dated October 20, 2009;
2. adopt the recommendations brought forward by North York Community Council at its November 10, 2009 meeting; and
3. amend the Official Plan substantially in accordance with the proposed Official Plan Amendment attached as Attachment No. 1 to the report (October 20, 2009) from the Director, Community Planning, North York District, amended as recommended by North York Community Council, and further modified as follows:
  - a) amend policy 3.4.5 of the proposed York University Secondary Plan by adding “Black Creek Pioneer Village” as an additional trigger for when Heritage Impact Statements will be required for development proposals.
  - b) amend policy 3.9.5.8 of the proposed York University Secondary Plan to state: “Parking and loading facilities will be located to minimize their visual and functional impact on street edges, on surrounding properties, open spaces and pedestrian routes. Surface parking lots, when permitted, should be located to the rear of buildings”.
  - c) amend Section 3.9.5, headed “Parking”, of the proposed York University Secondary Plan by adding a new policy after policy 3.9.5.8, as follows:

“Parking and loading facilities should be located in the interior of development blocks and accessed from secondary streets. Service access areas should not front major or primary streets”.
  - d) amend policy 3.9.3.11 of the proposed York University Secondary Plan to state: “direct driveway access on major streets and primary streets will be discouraged”.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

At its November 10, 2009 meeting, North York Community Council considered a report dated October 20, 2009 from the Director, Community Planning, North York District, entitled “Final Report – York University Secondary Plan Update”. North York Community Council recommended adopting the report’s recommendations, introduced additional amendments and also requested the Chief Planner and Executive Director, City

Planning, to address the issues raised by the Toronto and Region Conservation Authority with regard to Black Creek Pioneer Village and report directly to City Council.

## **ISSUE BACKGROUND**

Black Creek Pioneer Village is located to the west of the Secondary Plan area. The Village is bounded by Black Creek Valley to the west, Steeles Avenue West to the north, Murray Ross Parkway to the east and Shoreham Drive to the south. Additional lands are owned by the TRCA on the north side of Steeles Avenue in the City of Vaughan which contain Dalziel family buildings dating from 1809 to 1870. Opened in 1960 by the Metropolitan Toronto and Region Conservation Authority, the Village consists of 40 heritage homes, shops and buildings restored to re-create an 1860s Ontario village.

The policy framework in the proposed Secondary Plan for development adjacent to Black Creek Pioneer Village includes:

- protecting the sense of place and views from Black Creek Pioneer Village by controlling building heights and profiles in important viewsheds. View studies and further detailed height and massing work will be required at the precinct planning stage for lands within 300 metres of the Village to determine if other measures such as reduced building heights, setbacks, angular planes, façade treatments and landscaping should be applied to protect views from the Village and to be sensitive to its sense of place (policy 3.1.2.4);
- a general policy requiring appropriate setbacks, stepbacks, height and massing relationships for new development located in the vicinity heritage resources such as Black Creek Pioneer Village (policy 3.4.4);
- requiring Heritage Impact Statements for development proposals adjacent to properties with listed/designated heritage properties and other heritage resources identified within the Secondary Plan area (policy 3.4.5);
- providing appropriate building height transitions to lower-scale development (policy 4.4.4 (a)); and
- within 100 metres of the Village, building heights will be restricted to a maximum of 19.5 metres which allows for a six storey building with at-grade commercial uses (policy 4.4.4(c)).

At the November 10, 2009 North York Community Council meeting, the Toronto and Region Conservation Authority identified four areas requiring additional clarification in order to establish whether the planning framework in the proposed York University Secondary Plan appropriately minimizes potential development impacts adjacent to Black Creek Pioneer Village. The four clarifications are:

- noise generation from proposed development adjacent to the Village;

- whether specific requirements, such as an angular plane requirement, should be included in the Secondary Plan;
- whether Heritage Impact Statements would be required for development adjacent to the property boundary on the east side of Murray Ross Parkway given the wording of the current policy; and
- limiting servicing and loading access from Murray Ross Parkway.

## COMMENTS

Staff held further discussions with representatives of TRCA and York University to scope the nature of the TRCA's concerns as well as to discuss any proposed modifications to the proposed Secondary Plan. Results of the review of TRCA's concerns are discussed below.

### Noise Generation

The TRCA staff sought clarification on whether any consideration was given to noise generation from potential uses adjacent to Black Creek Pioneer Village. They also inquired as to whether additional policies could be included in the Secondary Plan to ensure that any Zoning By-law Amendment or Site Plan Control application adjacent to the Village will be required to demonstrate that any proposed development will not generate a level of noise which can be heard inside Black Creek Pioneer Village.

A specific policy in the proposed Secondary Plan is not required as existing policies in the City's Official Plan speak to minimizing and mitigating noise adjacent to certain land uses. The Official Plan directs, in policy 3.2.3.3, that the "effects of development from adjacent properties, including additional shadows, noise, traffic and wind on parks and open spaces will be minimized as necessary to preserve their utility". This policy applies to development adjacent to the City's *Green Space System* which is made up of parks and open spaces, the natural heritage system and a variety of privately managed but publicly accessible spaces. Black Creek Pioneer Village is identified on Map 2 of the Official Plan as being within the City's *Green Space System* and is designated *Parks and Open Space Areas (Other Open Space Areas)*.

Based on the land use provisions in the proposed Secondary Plan, it is not anticipated that any significant noise-generating uses would be developed adjacent to Black Creek Pioneer Village. Residential uses with at-grade commercial uses are anticipated on the east side of Murray Ross Parkway and are generally not considered to be noise-generating land uses. Noise-generating land uses are considered to be uses that generate noise in excess of the "urban hum" or noises that are heard over and above the level of surrounding environmental (background) noise at a particular location. The Ministry of Environment identifies the "urban hum" to be the aggregate sound of many unidentifiable, mostly road traffic related sound sources.

Noise Impact Studies may be required as part of a complete application requirement for applications to amend the Zoning By-law, Plans of Subdivision, Consent to Sever and Site Plan Control. Noise Impact Studies are typically required in accordance with the

policies of the Official Plan and may be required for development proposals where noise generating land uses are proposed adjacent to parks and open space areas.

Any development proposal adjacent to Black Creek Pioneer Village that may be expected to generate noise levels in excess of the “urban hum” will be required to submit Noise Impact Studies. In some instances, this requirement may apply to commercial uses depending on the type of commercial use proposed. The purpose of the Noise Impact Study would be to assess the impact of noise sources affecting Black Creek Pioneer Village and determine whether any noise mitigation or adjustments to a proposal would be required to comply with relevant regulations and standards including the City of Toronto Noise By-law and/or the Ministry of the Environment’s (MOE) minimum standards for noise impacts.

### **Angular Planes**

TRCA staff also requested that a specific requirement for an angular plane be established at the appropriate planning stage which would reasonably control building heights and respect views from Black Creek Pioneer Village.

Angular planes are one planning tool that is commonly used to provide transitions to lower-scale development and to minimize overlook and shadow impacts from a proposed development. For instance, 45 degree angular planes are typically applied to development proposals adjacent to a public street and/or low-scale residential development.

There are a variety of other mechanisms that can also be used to achieve appropriate transitions in height and scale such as stepping of building heights, ensuring an appropriate location and orientation of buildings and the use of setbacks and stepbacks of building mass, among others. The mechanisms can be used to ensure appropriate transitions in height and scale are achieved adjacent to Black Creek Pioneer Village.

The proposed Secondary Plan identifies that the sense of place and views from Black Creek Pioneer Village will be protected by controlling building heights and profiles in important viewsheds. The Secondary Plan requires view studies at the precinct planning stage for development areas within 300 metres of the Black Creek Pioneer Village western property line. The proposed Secondary Plan also identifies, in addition to the 19.5 metre height limit within 100 metres of the Village, that a range of tools and methods may be utilized to further minimize the impact of development on the Village’s sense of place. These additional tools and methods will be determined at the precinct planning stage and could include, but are not limited to:

- Requiring further height reductions (less than 19.5 metres) for buildings directly adjacent to Murray Ross Parkway;
- Transitioning building heights in an easterly direction with the lowest buildings established along the eastern edge of Murray Ross Parkway;
- Providing setbacks and stepbacks;
- Providing angular planes;

- Ensuring appropriate façade treatments that are compatible with the Village and that are not overly elaborate or extravagant; and
- Including appropriate landscaping to buffer and/or mitigate the impacts of buildings adjacent to the Village.

Given the policy directions in the proposed Secondary Plan, it is not recommended that a specific angular plane requirement be included within the Secondary Plan. The existing policy direction within the proposed Secondary Plan more appropriately addresses concerns raised by the TRCA for respecting the Village as it provides the appropriate mechanisms to control building heights, and to protect important views.

## **Heritage Impact Statements**

Policy 3.4.5 of the proposed Secondary Plan identifies that “Heritage Impact Statements will be required for development proposals on or adjacent to listed and/or designated heritage properties, places and/or landscapes with cultural heritage value or interest shown on Map 10-4 and heritage resources within the Central Campus Precinct”. TRCA staff raised the issue that many of the buildings within Black Creek Pioneer Village are currently not listed or designated and were informed not to pursue designation in light of the fact that the City is investigating designating the Village as a Heritage Conservation District. As such, they are concerned that the current policy wording implies that Heritage Impact Statements would not be required for development proposals on the east side of Murray Ross Parkway adjacent to the Village.

Planning staff have advised TRCA staff that policy 3.4.5 was intended to require Heritage Impact Statements for development proposals adjacent to the Village. There are eight listed buildings within the Village. However, to provide further clarification and ensure that Heritage Impact Statements are submitted, it is recommended that policy 3.4.5 be revised to specifically state that Heritage Impact Statements will be required for development proposals fronting the east side of Murray Ross Parkway adjacent to the Village to ensure development respects the scale and character of the Village.

## **Service Access From Murray Ross Parkway**

TRCA staff also indicated they wanted to have limited servicing access and egress on Murray Ross Parkway so as to reduce noise and odour impacts from large trucks on the Village. The proposed Secondary Plan contains policies which provide direction for where and how servicing and loading areas should be provided within the Secondary Plan area to serve development. These directions are in addition to the policy direction in the City’s Official Plan and include:

- policy 3.9.5.8 identifies that “parking and loading facilities will be located to minimize their visual and functional impact on street edges, open spaces and pedestrian routes”.

- policy 3.9.3.11 identifies that direct driveway access on major streets will be discouraged.

Notwithstanding this, staff are recommending that policy 3.9.5.8 and 3.9.3.11 be revised to add additional direction for locating parking and loading facilities to address the concerns raised by the TRCA. These revisions will provide additional direction on where parking and loading areas should be located and how they are accessed throughout the Secondary Plan area.

Policy 3.9.5.8 should be revised so that parking and loading facilities be located to minimize vehicular and functional impacts on surrounding properties. A new policy is recommended which will direct that these facilities should be located in the interior of development blocks and accessed from secondary (local) streets and should not front major (arterial) or primary (collector) streets. Murray Ross Parkway is identified as a primary street in the proposed Secondary Plan. Finally, it is recommended that policy 3.9.3.11 be revised to state that direct driveway access from major streets and primary streets will be discouraged.

## **CONCLUSION**

City staff met with representatives from TRCA and York University on November 19, 2009 to discuss TRCA's concerns with respect to Black Creek Pioneer Village. Both the TRCA and York University have indicated they are supportive of the directions in the proposed Secondary Plan and the modifications proposed by this supplementary report with respect to maintaining Black Creek Pioneer Village's sense of place and protecting views from the Village.

## **CONTACT**

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## **SIGNATURE**

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