TORONTO

REPORT FOR ACTION

Proposed Park in Emery Village - Update on Hydro One Negotiations

Date: December 11, 2017
To: Etobicoke York Community Council
From: General Manager, Parks, Forestry and Recreation
Wards: Ward 7 - York West

SUMMARY



Figure 1. Entirety of hydro right-of-way between Weston Road and the rail corridor. The eastern portion is requested to be licensed by PFR for the Emery Village BIA First Nations Park project.

This report provides an update on the status of negotiations with Hydro One for the licensing of a portion of hydro right-of-way (ROW) for park use within the Emery Village Neighbourhood.

Emery Village BIA has produced detailed design drawings of a proposed park on the hydro ROW that would pay tribute to the First Nations history in the area. The plans have been preliminarily reviewed by staff of Parks, Forestry and Recreation and Hydro One, as well as the local Councillor.

Additional discussions with Transportation Services and City Planning are required to assess any conflict with a planned road identified in the Emery Village Transportation Master Plan as well as the Emery Village Secondary Plan, both of which are Council approved. If Council determines that a park is preferred for this site, then the Emery Village BIA will need to submit a formal application for the City to review and submit to Hydro One.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that:

1. Etobicoke York Community Council receive this report for information.

FINANCIAL IMPACT

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

DECISION HISTORY

City Council, at its meeting of December 2, 2001, adopted the Emery Village Secondary Plan.
https://www.toronto.ca/legdocs/2001/agendas/council/cc011204/ny9rpt/cl011.pdf

City Council, at its meeting of August 5 and 6, 2009, adopted the recommendations in the Emery Village Transportation Master Plan Study.
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.PG26.8

City Council, at its meeting of August 25, 26, and 27, 2010, approved an Official Plan Amendment that incorporated the Emery Village Transportation Master Plan Study recommendations into the City's Official Plan.
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG40.3

At its meeting of September 6, 2017, Etobicoke York Community Council, through item EY24.49, requested the General Manager of Parks, Forestry and Recreation to report to Etobicoke York Community Council with a status update on the negotiations with Hydro One for the use of hydro ROW for a First Nations Park.
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY24.49

City Council at its meeting of October 2, 3 and 4, 2017, also through item EY24.49, expressed its support for a "First Nations Park" to be developed in Emery Village.
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY24.49

City Council, at its meeting held December 5, 6, 7 and 8, 2017, identified the construction of a "First Nations Park" in Emery Village as one of the potential uses for Section 37 funds from a proposed development at 3415-3499 Weston Road.
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY26.10

COMMENTS

Hydro One ROW lands are used across the City for recreational purposes. There are currently 67 licenses that make up the master license agreement between Hydro One and Parks, Forestry and Recreation, comprising 346.25 hectares of land.

This site, south of Finch Avenue West and east of Weston Road, was identified in a study done by Terraplan, under the direction of the Emery Village BIA, as a location to connect the bike paths on Finch Avenue to the existing bicycle network within the West

Humber Parkland to the west. The BIA engaged the Huron Wendat, Six Nations of the Grand River and Mississaugas of New Credit First Nation to help design a potential park and bike path connection on the site as further investigation found there was evidence of historic First Nations habitation within the surrounding neighbourhood. The concept was supported by the local Councillor, who brought the motion forward to Etobicoke York Community Council. This report will update Community Council on the status of the negotiations with Hydro One for the licensing of the property.

Acquisition of Parkland

The City of Toronto's Official Plan is the main policy document that guides staff in their evaluation of potential future park sites. The Official Plan promotes expanding and enhancing the parks and open space system (particularly in growth areas), improving existing parks, and designing parks that promote user comfort, safety, and accessibility. As per Section 3.2.3 of the Official Plan, staff take into account various criteria when assessing potential park sites throughout the city, including:

- Parkland need
- Opportunities for park expansion and connections
- Site utility as parkland
- Costs

The proposed site is located in an area previously used for employment purposes, but over time has changed to residential and mixed use. The Local Parkland Provision Levels (LPAC) show this site having a provision level of 0.43 - 0.79 hectares of parkland per 1,000 people. This is the second lowest LPAC level and as per the City's Official Plan is an area where parkland should be acquired.

Procuring Parkland on Hydro One Right-of-ways

Hydro corridors are located throughout the City and are a very affordable option for the City to convert existing open space into parkland. In 2005, City Council approved a list of specific uses within hydro corridors across the city, including public parkland. This approval has led to 67 licenses with Hydro One, taking advantage of over 300 hectares of land the City could otherwise not afford to purchase outright. There are conditions on these lands that limit the City's use of the space; most importantly, Electric and Magnetic Fields (EMF).

Electric and Magnetic Fields occur through the use or transmission of electricity. While levels have been found to be very low in the average household, levels are much higher around power lines. Toronto Public Health recommends against locating anything within the hydro right-of-way that would encourage citizens to linger in the area and be exposed to higher levels of EMF. Hydro One also requires EMF studies to be completed of the proposed area before agreeing to any license, which limits parkland amenities within the hydro ROW to trails, walkways, dog off-leash areas and garden plots.

Along with the usage restrictions, Hydro One also has strong regulations regarding the addition of anything that has the possibility of conducting electricity, as well as

limitations on species available for plantings and a prohibition on the construction of structures.

Indigenous Place-making and Park Naming

Parks, Forestry and Recreation has collaborated with City Planning and other divisions on the development of an Indigenous place-making framework for Toronto's parks and public realm. Staff recently presented to the Aboriginal Advisory Committee on this framework, which includes intentional Indigenous engagement and place-making in the Lower Don Parklands and Toronto Island Park, quarterly meetings of Indigenous community stakeholders to consider future place-making projects and proposals, and the development of protocol around sacred fires, and other ceremonial uses of parks.

Although the BIA has engaged specific First Nations in the development of their proposal, the project should be reviewed by the Aboriginal Advisory Committee and other Indigenous stakeholders prior to final approval. Additionally, the BIA's current title for the project (First Nations Park) has not been considered in accordance with the Council approved Property Naming Policy. Should the project proceed, the final name for the park would be subject to the process outlined in the Property Naming Policy.

Process for the Emery Village BIA Proposal

City staff, the BIA and Hydro One met November 23, 2017 to get initial feedback on the design from Hydro One, as well as the proposals next steps. The Emery Village BIA showed updated engineered drawings of the proposal, which mitigated some of the potential issues previously identified by City staff. Hydro One gave positive feedback on the design, but had some reservations regarding the proposed playground.

Additionally, Transportation Services has been directed to review the Emery Village Transportation Master Plan, which currently identifies this hydro ROW as a planned road connecting Weston Road to Arrow Road, as well as secondary connections to Lanyard Road and Vena Way. Further discussions are required between Transportation Services, City Planning, Parks, Forestry and Recreation, the Emery Village BIA and Hydro One regarding how the future road affects the proposed park.

Hydro One has agreed to give the BIA initial feedback on the design, however in order to begin formal discussions to obtain a license for the hydro ROW site, questions regarding the designation of the site for transportation purposes must first be resolved.

Subsequently, the City must receive a formal proposal that meets Hydro One submission requirements including engineering drawings. If the proposal is agreeable to the City, the proposal is then submitted and reviewed by Hydro One stakeholders. These stakeholders then provide recommendations to the City, including all required changes. This could include the need for further studies, such as environmental assessments, archeological studies, grounding studies, etc. The proposal must be updated to comply with the recommendations. Once the proposal has been agreed to by all parties, the license request with Hydro One can move forward.

If Council determines that a park is the preferred use for this site, the Emery Village BIA will formally submit a proposal for the City to bring forward to Hydro One. This would then move through the park design process including public consultation, consultation with the Indigenous communities of Toronto and the naming process outlined in the Property Naming Policy.

CONTACT

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SIGNATURE

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