

Murray Road – Interim Control By-law – Final Report

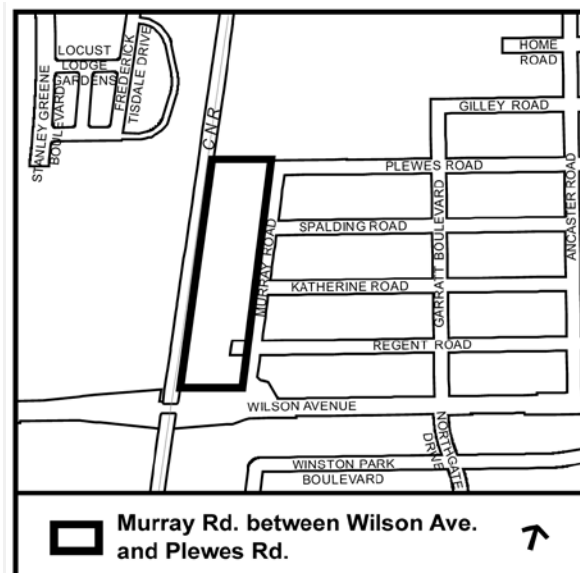
Date:	January 30, 2017
To:	City Council
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 9 – York Centre
Reference Number:	File No. 16 115948 NNY 09 OZ

SUMMARY

Staff are currently conducting a City-initiated study of land-use permissions in the area bounded by the west side of Murray Road between Wilson Avenue to the south and Plewes Road to the north, and the Metrolinx railway corridor to the west (the “Murray Road Land Use Study”). The Murray Road Land Use Study is assessing the compatibility of established employment uses with the array of use permissions currently permitted through in-force zoning in the Industrial and Employment Light Industrial Zones, and adjacent residential areas.

The Murray Road Land Use Study also includes a detailed consideration of planning issues associated with concrete batching plants, a contractor’s establishment, motor vehicle body repair shop, transportation terminal and plastic product manufacturing use, permission for which have been temporarily suspended through the enactment of Interim Control By-law 71-2016 on February 3, 2016.

The purpose of this report is to inform Council as well as interested stakeholders on the progress of the Study, and to recommend an extension of the Interim Control By-Law for a further twelve month period, to enable completion of the Study.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Interim Control By-law No. 71-2016 to extend the period of interim control to February 3, 2018 for the lands in the Murray Road Land Use Study Area, substantially in accordance with the proposed By-law attached as Attachment 1.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the By-law as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

In 2013, the City of Toronto City Planning Division undertook a review of the policies and designations of the City's Employment lands. The resultant Official Plan Amendment #231 was adopted by Council in December 2013.

Although presently under appeal, Official Plan Amendment #231 to the Official Plan for the City of Toronto also redesignated the Murray Road Land Use Study lands as a Regeneration Area. Site and Area Specific Policy #389 sets out a framework for new development on the lands located within the Murray Road Land Use Study Area.

In addition to the development criteria for regeneration areas found in Section 4.7.2 of the City's Official Plan, Site and Area Specific Policy #389, also requires that new development on these lands be guided by the following considerations:

- a) A land use buffer of *Core Employment Area* uses on the north portion of the lands that is compatible with and sensitive to adjacent existing and planned residential and sensitive non-residential uses;
- b) A low scale residential built form on lands south of the land use buffer described above, that is compatible with and sensitive to the existing low scale residential neighbourhood located east of the lands;
- c) A requirement that residential and sensitive non-residential uses only be permitted on the lands south of the land use buffer described above, once the concrete batching use ceases to operate on the lands;
- d) Opportunities for commercial uses at the Wilson Avenue frontage;

- e) A street and block plan that includes pedestrian and cycling connections; and,
- f) A setback of any residential and sensitive non-residential use from the rail corridor west of the lands.

A Site Plan Control application (File # 15-263446 NNY 09 SA) for a proposed concrete batching plant was submitted to the City on December 10, 2015. This application has not been appealed to the Ontario Municipal Board.

At its meeting on February 3 and 4, 2016 Toronto City Council directed City Planning staff to undertake a study for the lands on the west side of Murray Road between Wilson Avenue and Plewes Road, to review the existing land use permissions and regulations pertaining to the study area and determine if new policies and standards are required to reduce land use conflict, and if so, to bring forward new policies and zoning regulations for the area. At the same meeting, City Council enacted Interim Control By-law 71-2016 to prohibit any new Employment and Manufacturing uses described as concrete batching plants, a contractor's establishment, motor vehicle body repair shop, transportation terminal and plastic product manufacturing use, for a period of one year to study the land use permissions contained within the former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law No. 569-2013, as they apply to the Study Area.

On April 1, 2016, the Interim Control By-law was appealed to the Ontario Municipal Board by Wood Bull Barristers and Solicitors on behalf of the owner of 62 Murray Road. To-date, the matter has not been scheduled to be heard at the Ontario Municipal Board.

ISSUE BACKGROUND

Murray Road is a north-south road connecting Wilson Avenue to Plewes Road to the north. The land on the west side of Murray Road and within the study area is designated Employment Areas within the City's Official Plan, and forms part of an Employment District.

The character of employment has remained static over the past years and has included a range of outdoor industrial storage, aggregate and manufacturing uses. Presently along the west side of Murray Road at its southerly end is located a concrete batching plant and truck distribution operation. The area is bordered on the east by the Ancaster low density residential neighbourhood, a stable residential community experiencing reinvestment in its housing stock. To the west the subject lands are bordered by the Toronto-Barrie railway corridor. Further west and across the railway corridor is located Mount Sinai Cemetery. At the north terminus of Murray Road is a City of Toronto Transportation Works Yard and immediately thereafter the airplane manufacturing and maintenance facilities of Bombardier.

To the north-west of the study area is located the Stanley Greene residential district on the former Canadian Forces Base Downsview Lands. Since the Murray Road Land Use

study was initiated, City Council granted subdivision approval for a 225 unit low-rise residential development (File # 15-172297 NNY 09 SB) in the Stanley Greene District. This subdivision approval also makes provisions for a future pedestrian and cycling connection across the railway corridor that at its eastern end would be located immediately abutting the northern boundary of the study area.

At the southern end of Murray Road and easterly along Wilson Avenue is located a Mixed Use Area, with mixed residential and local neighbourhood commercial uses. The southern portion of the Study Area is located in the Wilson Village Business Improvement Association area.

Comments

The purpose of the Murray Road Land Use Study is to assess the compatibility of established employment uses with the array of use permissions that exist through in-force zoning in the study area, as well as in the adjacent residential areas.

Some of the permitted employment and manufacturing uses and facilities applicable to the study area can potentially generate significant land use conflicts due to the nature of their operations, such as truck traffic, and create significant environmental impacts such as chemical uses, noise, dust and odour. The study is also exploring alternative land use options for the Study Area in accordance with the policies of Amendment #231 to the Official Plan as they apply to Regeneration Areas and specifically as outlined in Site and Area Specific Policy #389.

A considerable amount of staff resources, research and analysis have been conducted to date, including meetings with the public and local residents working group, discussion with the local Wilson Village Business Improvement Association and stakeholder consultations. Compatibility of land uses, noise and dust associated with the existing cement batching operation and reinvigorating the local business community were common issues. The opportunity to create a connection with the emerging Stanley Greene residential community, and implementing pedestrian and cycling connections have also become emerging themes for the community .

To inform review of existing conditions in the Study Area, an Air Quality and Noise Impact Study was initiated via a retained consultant at the end of August 2016. In January 2017, the consultant provided the City a draft report of initial findings for review. Staff have determined that additional testing in the spring is required for the consultant's analysis. A fulsome understanding of the Air Quality and Noise conditions in the Study Area is important to the analysis of land use considerations and their impacts on the surrounding residential areas. It is expected therefore, that the consultant's final report will be provided towards the end of the second quarter of 2017.

An extension to the Study period will allow additional consultation with the residential and business community and stakeholders on the air quality and noise study outcomes, as well as emerging land use scenarios. Using the City's Official Plan framework and analysis of study data, findings and possible land use options, the final report will put

forward recommendations which may include as per City Council’s direction, amendments to the City’s Official Plan, Zoning By-law or other restrictions or requirements. It is anticipated that a final report on the Study will be provided to City Council by the third quarter of 2017.

While the study is being led by City Planning staff, additional expertise and assistance is being provided by staff from the Environment and Energy Division, Public Health, Transportation Services, Economic Development and Culture, and Municipal Licensing and Standards.

Conclusion

This report provides an update on the progress of the Murray Road Land Use Study and background for the request to seek a 12 month extension to the 1-year period of Interim Control By-law 71-2016. The request for a 12 month extension allows for a fulsome opportunity to review the results of the consultant’s study, to share and further consult with the community on the study results and update interested stakeholders on the study direction.

On this basis, Interim Control By-law 71-2016 is recommended for a 12-month extension to February 3, 2018 in accordance with the draft By-law attached to this report as Attachment 2.

CONTACT

Ben DiRaimo, Planner, Community Planning
Tel. No. (416) 395-7119
Fax No. (416) 395-7155
E-mail: bdiraimo@toronto.ca

SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director

ATTACHMENTS

Attachment 1: Boundary of the Murray Road Study Area
Attachment 2: Proposed By-law to extend Interim Control By-law

Attachment 1: Boundary of the Murray Road Study Area



File # 16108149 NNY 09 TM



Boundaries of the Murray Rd. Land Use Study Area

City of Toronto By-Law 569-2013
Not to Scale
01/22/2016

Attachment 2: Proposed By-law to extend Interim Control By-law

Authority: Motion M~, moved by Councillor ~, seconded by Councillor ~,
as adopted by City of Toronto Council on ~, 2017

Enacted by Council: ~, 2017

CITY OF TORONTO

Bill No.

BY-LAW No. ~-2017

To amend By-law No. 71-2016 to extend the period of interim control on lands generally bounded on the west side of Murray Road, immediately north of Wilson Avenue and south of Plewes Road, as detailed in Schedule “1” to this By-law.

WHEREAS Council of the City of Toronto on February 4, 2016 enacted Interim Control By-law No. 71-2016 to prohibit concrete batching plants, a contractor’s establishment, motor vehicle body repair shop, transportation terminal and plastic product manufacturing use for a period of one year on employment lands on the west side of Murray Road north of Wilson Avenue and south of Plewes Road; and

WHEREAS authority is given to Council by Subsection 38 (2) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to extend the period of time during which interim control will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. By-law No. 71-2016 which effects interim control for lands on the west side of Murray Road north of Wilson Avenue and south of Plewes Road is amended by deleting from Section 2 the words “one year” and replacing them with the words “two years”.

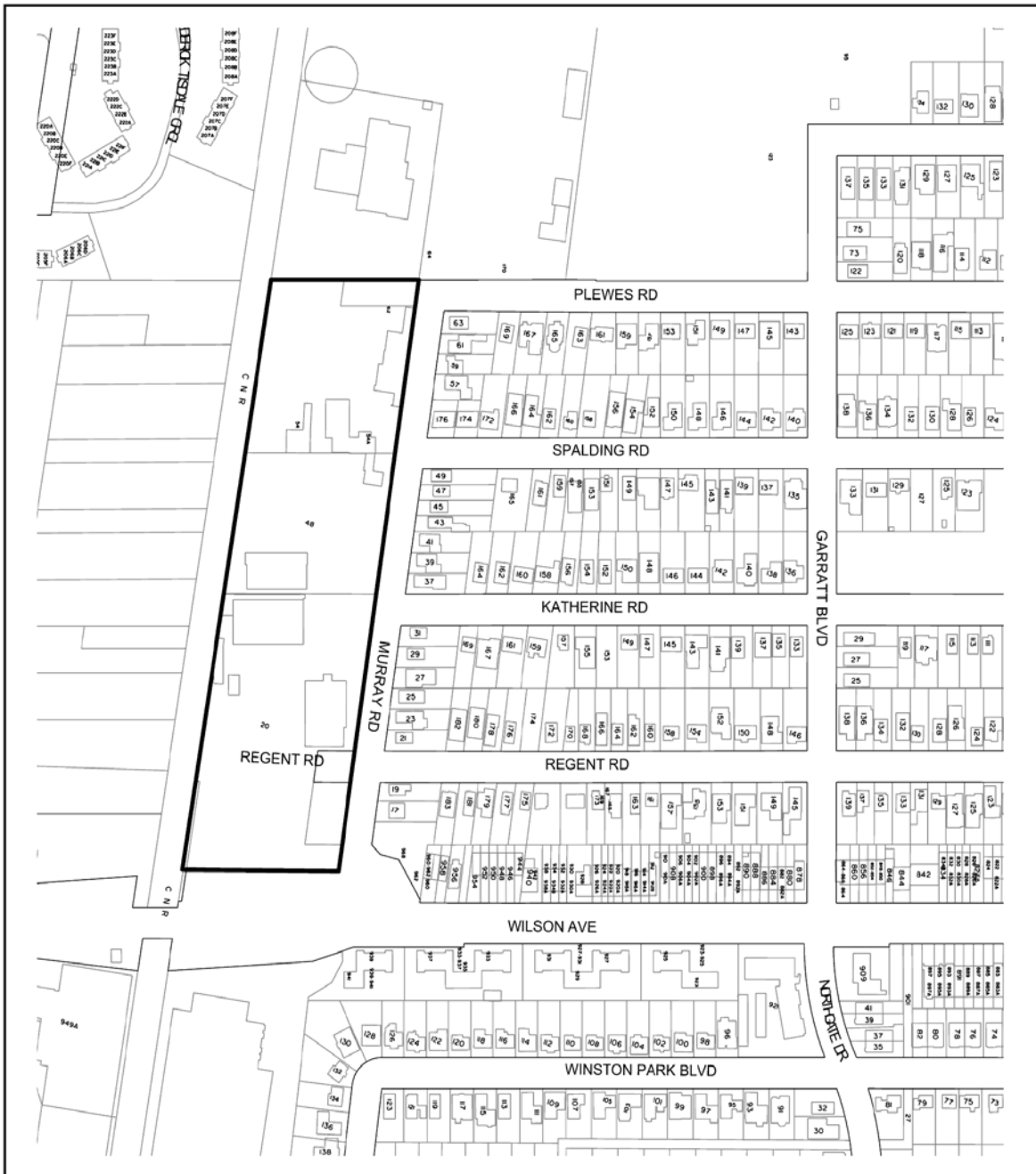
ENACTED AND PASSED this ~ day of ~, A.D. 2017.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule 1




TORONTO City Planning
Zoning By-law Amendment

Murray Rd. Between Wilson Ave. & Plewes Rd.

File # 16 108149 NNY 09 TM

 Area Affected By This By-Law


 Not to Scale
 Extracted 01/25/2015