TORONTO

STAFF REPORT
ACTION REQUIRED

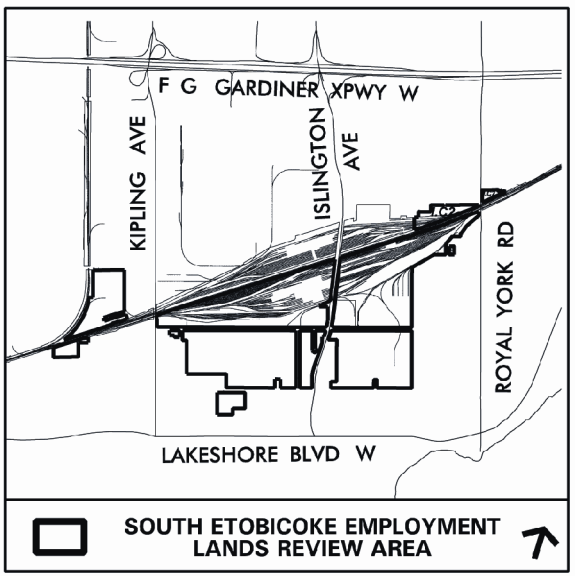
Extension of Interim Control By-law 298-2010 – South Etobicoke Employment Lands Review Area – Final Report

Date:	March 8, 2011
To:	City Council
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	cc11017 (File #08 199425 WET 06 OZ)

SUMMARY

This City-initiated amendment to Interim Control Zoning By-law 298-2010 is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This report recommends an extension of Interim Control Zoning By-law 298-2010 for one year. The new expiry date will be March 30, 2012. This action would allow staff to complete the study of the policies and regulations pertaining to concrete batching plants and asphalt operations in the South Etobicoke Employment Lands Review Area (SEELRA) (Attachment 1). At the completion of the study, staff may make recommendations for amendment of the relevant zoning by-law(s), controlling uses in the SEELRA.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Interim Control By-law 298-2010 for the lands in the

South Etobicoke Employment Lands Review Area substantially in accordance with the proposed By-law attached as Attachment 2, to extend to March 30, 2012 the period of time which the By-law is in effect.

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
City Council, at its meeting of March 31, 2010 enacted Interim Control By-law 298-2010 for the South Etobicoke Employment Lands Review Area (SEELRA) for a period of one year. The By-law prohibits concrete batching plants and asphalt operations from locating in the SEELRA. The motion and staff report recommending the Interim Control By-law is available at the following link:
http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.MM47.13

ISSUE BACKGROUND
The SEELRA is composed of land previously zoned I.C2 clustered along the CN rail line from just east of Royal York Road to just west of Kipling Avenue (Attachment 1). South Etobicoke has a long history as an area of employment and traditionally worker housing was located within walking distance of factories and other industries. On the west, south and east sides of this industrial area low-rise residential neighbourhoods are either abutting or across a street. Aside from the rail yards themselves, no portion of the industrial land is more than 350 metres from a residential neighbourhood.

The former City of Etobicoke Zoning Code I.C2 zoning permits a wide range of general employment uses, some of which have the potential to create adverse impacts on sensitive land uses in the community. Concrete batching and asphalt operations are permitted in the I.C2 zone. These uses in particular have the potential of imposing significant negative impacts on neighbouring sensitive uses, especially noise and dust.

When City Council enacted the Interim Control By-law it directed that a study be undertaken to review the existing regulations pertaining to concrete batching plants and asphalt operations, determine if new policies and standards are required, and if so to bring forward new policies and zoning regulations for these uses in this area.

Since the enactment of Interim Control By-law 298-2010, the new City-wide Zoning By-law 1156-2010 has been approved by Council. The SEELRA lands are now zoned "E" – Employment Industrial. Concrete batching plants and asphalt operations are specifically excluded by Zoning By-law 1156-2010 from the permitted uses in the SEELRA. These uses are only permitted in areas zoned "EH" – Employment Heavy Industrial.

Interim Control By-law 298-2010 has been appealed to the Ontario Municipal Board by the owners of 194 New Toronto Street (St. Mary's Cement Inc. (Canada)), which is

located in the SEELRA. St. Mary's Cement Inc. (Canada) has also appealed the new City-wide Zoning By-law 1156-2010. The owners wish to construct a concrete batching plant on their property.

COMMENTS

Section 38(2) of the *Planning Act* authorizes City Council to amend an interim control by-law to extend the period of time which it will be in effect, provided the total period of time does not exceed two years from the passing of the interim control by-law.

Interim Control By-law 298-2010 was originally recommended in a report dated March 29, 2010 from the Chief Planner and Executive Director, City Planning Division. Staff continue to work on the study of existing zoning regulations relating to concrete batching operations and asphalt operations in the SEELRA.

It is appropriate to amend Interim Control By-law 298-2010 for an additional year. The extension will enable staff to complete the review and make recommendations to Etobicoke York Community Council for appropriate changes to the relevant zoning by-laws.

CONTACT

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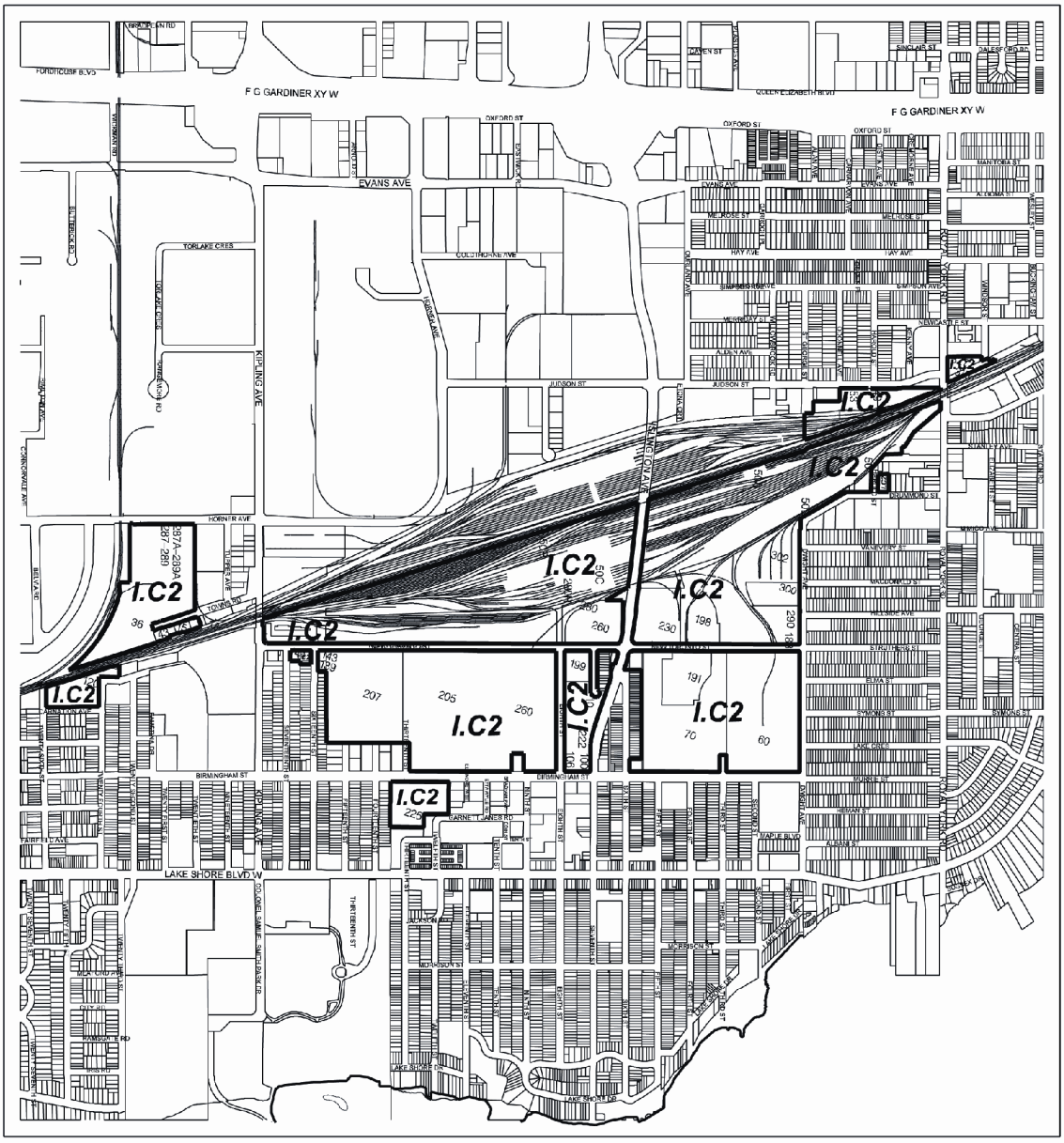
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Gary Wright
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1: South Etobicoke Employment Lands Review Area
Attachment 2: Proposed Amendment to Interim Control By-law 298-2010

Attachment 1: South Etobicoke Employment Lands Review Area



TORONTO City Planning
Zoning

South Etobicoke Employment Lands Review Area

File # 08_199425

Former Etobicoke By-law 11,737

I.C2 Industrial Class 2

Not to Scale
Zoning By-law 11,737 as amended
Extracted 08/08/08 - MH

Attachment 2: Proposed By-law to Extend Interim Control By-law 298-2010

Authority:
Enacted by Council:

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2011

To amend By-law 298-2010 to extend the period of interim control for the lands in the South Etobicoke Employment Lands Review Area zoned I.C2 in the Etobicoke Zoning Code

WHEREAS the Council of the City of Toronto has, by adopting Motion without Notice MM31.17 at its meeting of March 31, 2010, directed that a study and review be undertaken of the regulations pertaining to concrete batching plants and asphalt operations in the South Etobicoke Employment Lands Review Area currently zoned I.C2;

and

WHEREAS Council, at its meeting of March 8-9, 2011 adopted the recommendations of the report dated March 4, 2011 from the Director, Community Planning, Etobicoke York District recommending an extension of the period of interim control to two years;

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

1. By-law 298-2010, which effects interim control for lands in the South Etobicoke Employment Lands Review Area is amended by deleting from Section 2 the words "one year" and replacing them with the words "two years".

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ENACTED AND PASSED this ~ day of ~, A.D. 2011.

ROB FORD, Mayor

ULLI S. WATKISS, City Clerk

(Corporate Seal)