

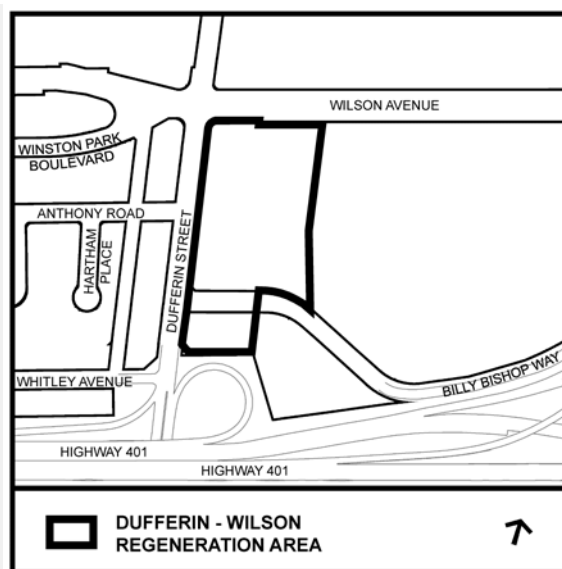
Dufferin Wilson Regeneration Area – Interim Control By-law - Final Report

Date:	December 4, 2017
To:	City Council
From:	Acting Chief Planner and Executive Director, City Planning
Wards:	Ward 9 – York Centre
Reference Number:	14 101834 NPS 00 OZ

SUMMARY

On January 31, 2017, City Council enacted Interim Control By-law No. 63-2017 temporarily suspending within the Dufferin-Wilson Regeneration Area, permission for manufacturing, automotive-related and self storage uses for the study area lands, and in particular: car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse uses.

Staff have since completed a City Council directed planning study (the Dufferin-Wilson Regeneration Area Study) for the area bounded by Dufferin Street to the west, Wilson Avenue to the north, the retail centre known as the Downsview Power Centre to the east, Billy Bishop Way and the parcel of land abutting Highway 401 to the south. The study has made recommendations to create a planning framework for the Dufferin-Wilson Regeneration Area that will support future growth in the study area as set out in Section 4.7 of the Official Plan for



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'Regeneration Areas', and as per the City Council adopted Site and Area Specific Policy 388 of OPA No. 231.

The study included the initiation of an assessment of the compatibility of as-of-right use permissions currently permitted through in-force zoning and the emerging planning framework for the study area.

On November 9, 2017 City Council adopted OPA No. 362 which redesignates lands within the Dufferin-Wilson Regeneration Area and brings forward a new planning framework to ensure a balance of land uses and public realm improvements which will encourage the creation of a vibrant, transit oriented new community.

The purpose of this report is to recommend an extension of the Interim Control By-law for a further twelve month period, to enable the completion of the review and assessment of the zoning permissions and permitted uses in the Dufferin Wilson Regeneration Area to ensure that the land use permissions will be complementary to the planning framework and vision for the Dufferin-Wilson Regeneration Area as approved by City Council.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Interim Control By-law No. 63-2017 to extend the period of interim control to January 31, 2019, for the lands in the Dufferin-Wilson Regeneration Area Study, 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

At its meeting of January 31, 2017, Toronto City Council directed City Planning staff to complete the Regeneration Area Study that had been initiated as per the requirements for *Regeneration Areas* set out in OPA No. 231 for the lands bounded by Dufferin Street to the west, Wilson Avenue to the north, the retail centre known as the Downsview Power Centre to the east, Billy Bishop Way and the parcel of land abutting Highway 401 to the south, as identified in Schedule 1 to this report, and in connection with the ongoing study, to complete the review of the zoning regulations and permitted uses in the Dufferin Wilson Regeneration Area.

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At the same meeting, City Council enacted Interim Control By-law 63-2017 to prohibit the following uses: car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse, 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 as they apply to the study area.

City Council's decision can be accessed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.MM24.40>

On April 11, 2017 the Interim Control By-law was appealed to the Ontario Municipal Board by McCarthy Tetrault LLP and Aird and Berlis LLP, solicitors acting on behalf of the owners and parties with an interest in 3621 Dufferin Street. To date the matter has not been scheduled to be heard at the Ontario Municipal Board.

At its meeting of May 31, 2017 a Final Report was tabled at the Planning and Growth Management Committee with a staff recommendation that the planning framework for the Dufferin-Wilson Regeneration Area outlined in proposed Official Plan Amendment No. 362 be adopted by City Council, subject to amendments proposed in a supplementary report. The Committee recommended City Council adopt the recommendations contained in the Reports dated May 9 and May 24, 2017 from the Chief Planner and Executive Director and requested that the Chief Planner and Executive Director, City Planning, in consultation with the local Councillor, continue discussions with the representative for 3621 Dufferin Street (Dymon lands) and report back to City Council if there was an acceptable agreement, which would include revisions to the Site Plan Application to make it consistent with the emerging vision of the Dufferin-Wilson Regeneration Area Study as a complete, transit supportive new community, with a mixture of land uses and new public road network.

Planning staff held discussions with representatives of the Dymon lands and arrived at an agreement which resulted in refinements to the proposed OPA No. 362 to accommodate a self storage facility within a transit supportive mixed use building. Planning staff also used the opportunity to address outstanding concerns of 2 landowners (FLWD Inc. and Costco Ltd.) with regards to adjacency issues, by strengthening the land use compatibility language in the proposed OPA No. 362.

At its meeting of November 7, 2017, City Council adopted OPA No. 362 with amendments as referred to above. The Supplementary Report #2 from the Chief Planner and Executive Director of City Planning, dated November 7, 2017, can be accessed at this link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.6>

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ISSUE BACKGROUND

The Dufferin-Wilson Regeneration Area is located on the east side of Dufferin Street, south of Wilson Avenue, north of Billy Bishop Way and west of the retail power centre known as the Downsview Power Centre and is just west of the Wilson TTC Subway Station. The study area also includes a parcel of land abutting the Dufferin Street/Highway 401 interchange, fronting onto the east side of Dufferin Street and south of Billy Bishop Way.

The study area is approximately 3.64 hectares in area and includes irregular shaped parcels comprised of the following uses:

- vacant lands at 719-725 Wilson Avenue for which a site plan application is presently being reviewed proposing a three-storey commercial development (File # 17 135535 NNY 09 SA);
- a gas station at the southeast corner of Dufferin Street and Wilson Avenue (3639 Dufferin Street);
- a vacant parcel (3633 Dufferin Street);
- a 5-storey office building (3625 Dufferin Street);
- a vacant parcel at 3621 Dufferin Street used partially as surface parking for the abutting property at 3625 Dufferin Street, for which a site plan application is presently being reviewed which originally proposed a three-storey self-storage building (File # 16 271500 NNY 09 SA). As mentioned earlier in this report, Planning Staff have come to an agreement with the applicant that will result in modifications to the proposal into a mixed-use development; and
- a temporary surface parking lot used for an automotive dealership south of Billy Bishop Way and just north of the Dufferin Street/Highway 401 interchange (3501 Dufferin Street).

All the lands in the study area were designated *Regeneration Areas* in the City's Official Plan following City Council's adoption of OPA No. 231. As a result of City Council's adoption of OPA No. 362 on November 7, 2017 lands within the study area at 3621, 3625, 3633 and 3639 Dufferin Street and 719, 721 and 725 Wilson Avenue were redesignated to *Mixed Use Area*, and lands at 3501 Dufferin Street were redesignated as *Employment Areas*. A minimum of 3 metres along the easterly portion of the study lands at 3621 Dufferin Street and 719-725 Wilson Avenue were redesignated to *Parks and Open Space*.

The Dufferin-Wilson Regeneration Area study has resulted in a Council approved vision for the study area that will unlock underutilized lands for a mix of transit supportive development. Introducing new green spaces, an improved public realm and new pedestrian and road connections will establish the foundation for the development of a new and complete community.

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The period in which parties can appeal City Council's decision and adoption of Official Plan Amendment 362 to the Ontario Municipal Board expires on December 11, 2017. As of the date of this report an appeal has been filed, dated November 24, 2017, by Davies Howe LLP on behalf of the lessee (and applicant) of 725 Wilson Avenue.

COMMENTS

The Council approved OPA No. 362 has brought forward a new planning framework for the study area lands that establishes the basis for a new mixed use community which will integrate the study area lands back into the City and local community fabric. A mixture of land uses, pedestrian and cycling connections to transit, and an enhanced open space and public realm will make this a desirable place to live, work and do business. Development applications that are presently with the City for review are expected to help create the first components that will bring the Council approved planning framework into a physical reality.

The zoning by-law permissions for manufacturing, automotive-related and self storage uses, car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse uses were temporarily removed by Interim Control by-law 63-2017 on January 31, 2017. Planning staff are continuing with the review of the zoning permissions to ensure that the long term intent of the planning framework and vision for the Dufferin-Wilson Regeneration Study Area is aligned with appropriate zoning by-law permissions.

Extending the prohibition of the as-of-right zoning permissions presently prohibited by Interim Control By-law 63-2017, will enable the completion of the zoning review and a report to City Council in the second quarter of 2018 will recommend appropriate amendments to the Zoning By-law.

CONCLUSION

This report recommends a 12-month extension to the 1-year period of Interim Control By-law 63-2017 to enable the completion of the assessment of the compatibility of land use permissions in the Zoning By-law to ensure they are aligned with the Council

approved vision for the Dufferin-Wilson Regeneration Area Study. A further report to City Council will be provided on the results of the assessment in the second quarter of 2018.

CONTACT

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SIGNATURE

Gregg Lintern MCIP, RPP
Acting Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Proposed By-law to extend Interim Control By-law

Attachment 1: Proposed By-law to extend Interim Control By-law

CITY OF TORONTO

Bill No.

BY-LAW -2017

To amend By-law 63-2017 to extend the period of interim control on lands generally bounded on the east side of Dufferin Street, south of Wilson Avenue, north of Billy Bishop Way, a parcel of land abutting Highway 401 to the south and west of the retail power centre known as the Downsview Power Centre, as detailed in Schedule “1” to this By-law.

Whereas Council of the City of Toronto on January 31, 2017 enacted Interim Control By-law 63-2017 to prohibit car washing establishment, gasoline station, motor vehicle body repair shop and dealership, manufacturing, contractor's establishment, custom workshop, car rental agency, parking lot, public self storage warehouse, retail over 5,000 square metres, service station, transportation terminal and warehouse, use for a period of one year on employment lands on the east side of Dufferin Street, south of Wilson Avenue, north of Billy Bishop Way, a parcel of land abutting Highway 401 to the south and west of the retail power centre known as the Downsview Power Centre; and

Whereas authority is given to Council by Section 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 enacts:

1. By-law 63-2017 which effects interim control for lands on the on the east side of Dufferin Street, south of Wilson Avenue, north of Billy Bishop Way, a parcel of land abutting Highway 401 to the south and west of the retail power centre known as the Downsview Power Centre is amended by deleting from Section 2 the words "one year" and replacing them with the words "two years".

Enacted and passed on December , 2017.

Frances Nunziata,
Watkiss,

Speaker

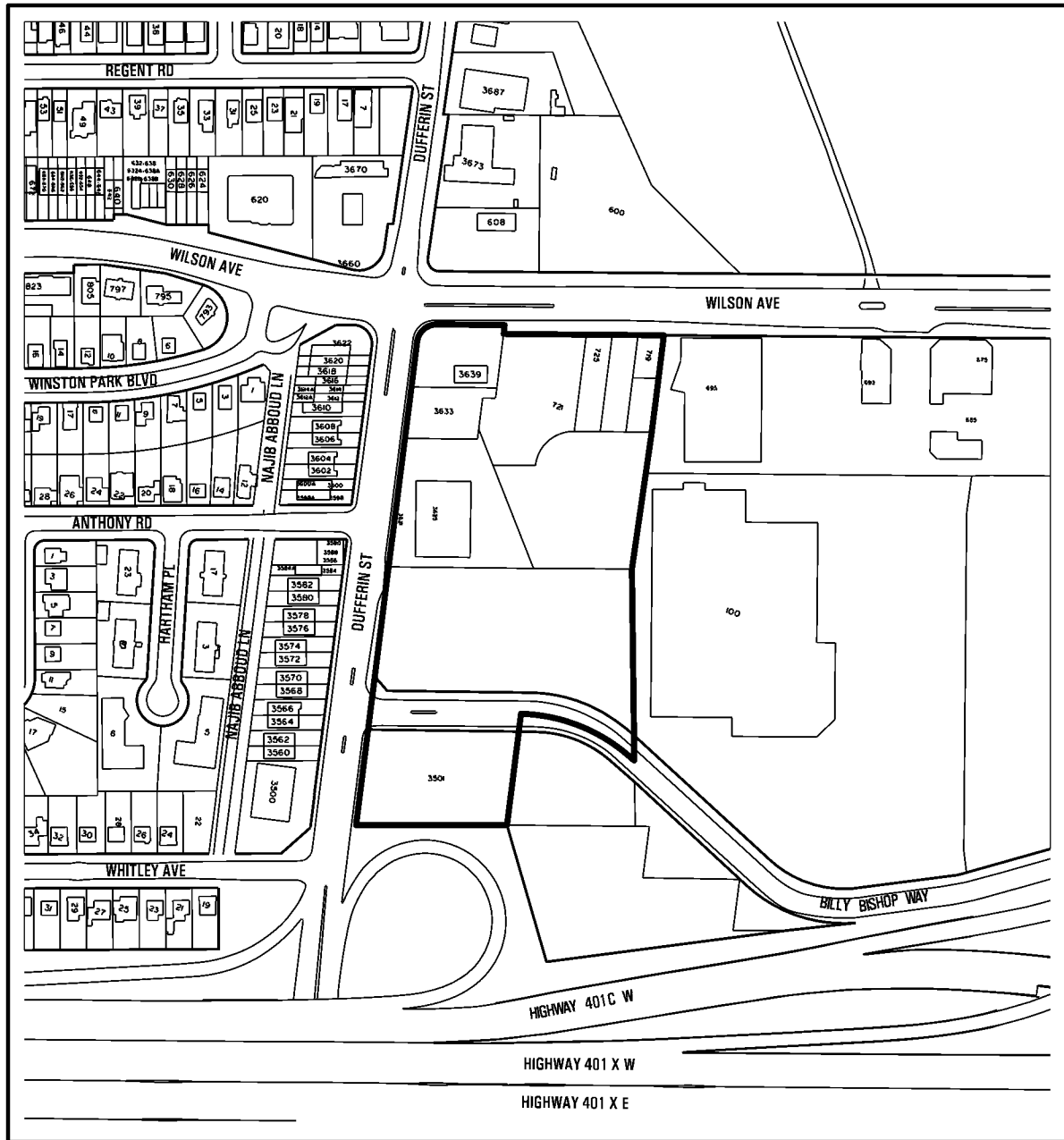
Ulli S.

City Clerk

(Seal of the City)

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Avenue

SCHEDULE "1"



Zoning By-Law Amendment

Dufferin - Wilson Area Study

File # 14 101834 NPS 00 02

 Area affected by this By-law



Not to Scale
Extracted 01/26/2017

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