

**O'Connor/Bermondsey Business Area Study and Interim Control By-law - Final Report**

<b>Date:</b>	March 25, 2008
<b>To:</b>	Planning and Growth Management
<b>From:</b>	Acting Chief Planner and Executive Director, City Planning Division
<b>Wards:</b>	Ward 31 – Beaches –East York Ward 34 – Don Valley East
<b>Reference Number:</b>	pg080022

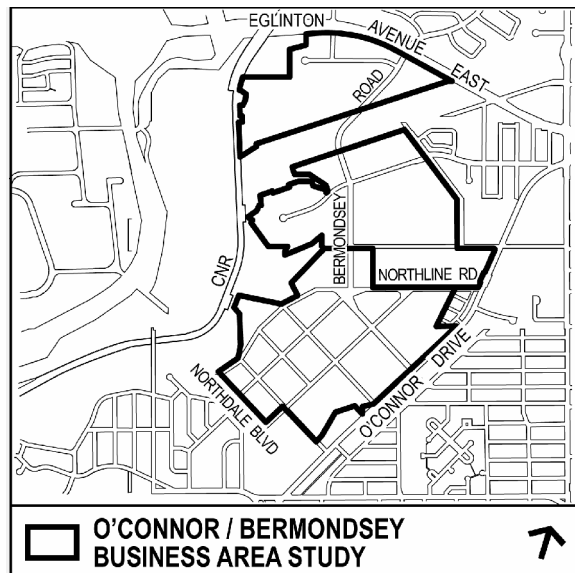
**SUMMARY**

City Council on May 23, 24 and 25, 2007 directed the Chief Planner and Executive Director to undertake a study for all lands within the O'Connor/Bermondsey Business Area that are designated as *Employment Areas* on Map 20 in the Official Plan. The purpose of the study was to review and analyze the existing conditions, zoning regulations and planning policies as they relate to Places of Worship within the O'Connor/Bermondsey Business Area, and to determine if new policies and standards are required.

At that same meeting, City Council enacted an Interim Control By-law to prohibit Places of Worship on all lands within the O'Connor/Bermondsey Business Area for a period of one (1) year. The Interim Control By-law will expire on May 23, 2008.

This report presents the findings of the O'Connor/Bermondsey Business Area planning study, and recommends amendments to the former Borough of East York Zoning By-law 6752, as amended.

The proposed By-law Amendment for the portion of the area in East York continues to permit Places of Worship and establishes



new regulations through the introduction of specific development standards.

These City-initiated amendments are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

## **RECOMMENDATIONS**

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

1. City Council amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 4.
2. City Council amend Zoning By-law 6725, as amended, for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendment as may be required.
4. In the event that the proposed amendments are appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in support of the recommendations contained within this report.
5. In the event that the Site Plan Control Application for 20 Curity Avenue is appealed to the Ontario Municipal Board the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board in opposition to such Site Plan Control approval and further the Acting Chief Planner and Executive Director of City Planning Division, in consultation with the City Solicitor, be authorized to settle such Site Plan appeal on terms satisfactory to him.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **Planning Study and Interim Control By-law**

At its May 23, 24 and 25, 2007 meeting, Council directed the Chief Planner and Executive Director to undertake a study for all lands within the O'Connor/Bermondsey *Employment District* that are designated *Employment Areas* on Map 20 in the Official Plan. The purpose of the study is to review and analyze the existing conditions, zoning regulations and planning policies as they relate to Places of Worship within the O'Connor/Bermondsey Business Area, and to determine if new policies and standards are required.

At that meeting, City Council also enacted an Interim Control By-law that prohibits Places of Worship until the completion of a planning study. The staff report is available at: <http://www.toronto.ca/legdocs/mmis/2007/cc/bgrd/m58.pdf>

### **Ontario Municipal Board Appeals**

On July 16, 2007, the owner of 20 Curity Avenue appealed the Interim Control By-law to the Ontario Municipal Board.

A Zoning By-law Amendment was received on December 14, 2007 to lift the Holding Provision (H) to permit a Place of Worship at the lands municipally known as 20 Curity Avenue. A Site Plan Control Application was also received for the proposed Place of Worship. The applicant has advised that it will be appealing the Zoning By-law and Site Plan Control Applications to the Ontario Municipal Board due to the approval authority's failure to make a decision on the applications within the timelines prescribed in the *Planning Act*.

A pre-hearing conference before the Ontario Municipal Board with respect to the Interim Control By-law appeal has been scheduled for May 1, 2008. In the event the owner of 20 Curity Avenue also appeals it's Zoning By-law Amendment and Site Plan Control applications, it is anticipated that those appeals will be consolidated with the appeal of the Interim Control By-law.

## **ISSUE BACKGROUND**

### **Previous Studies:**

#### **O'Connor Drive Industrial Study, 1982**

The O'Connor Drive Industrial Study, 1982, was the first major re-examination of the area since the adoption of the original Official Plan for the Township of East York in the early 1960's. The study recommended that the bulk of the area remain industrial, with other designations recognizing the existing residential, commercial and industrial-commercial uses along O'Connor Drive.

#### **Mayor's (North York) Task Force on Places of Worship, 1987**

In 1987, in response to public concern about Places of Worship in residential areas, North York Council established the Mayor's Task Force on Places of Worship. The task force was comprised of Councillors, representatives of religious organizations, and representatives from Ratepayers Associations.

The Task Force made the following recommendations:

- Create a new definition for "Place of Worship";
- Increase the parking requirement for Places of Worship in all zones;
- Set out a landscape requirement for Places of Worship in all zones;
- Establish a maximum size for Places of Worship based on location abutting arterial, minor arterial, collector, or local roads in R and RM zones;

- Impose a maximum separation distance between Places of Worship on local roads in R and RM (Residential) zones; and
- Add Places of Worship in the C1, C2 (Commercial) and all of the M (Industrial) zones.

The Task Force's recommendations were adopted by Council on January 11, 1988 and implemented by Zoning By-law 30431. The By-law was appealed to the Ontario Municipal Board. On February 2, 1989, the Ontario Municipal Board issued an order dismissing the appeals.

### **Mayor's (East York) Economic Development Task Force, 1992**

The report of the Mayor's Economic Development Task Force, 1992 addressed business issues with relation to both the Leaside-Thorncliffe and O'Connor business areas. The Task Force made a number of recommendations including:

- Achieve 'as of right zoning' for business growth; and
- Immediately change the Official Plan land uses and zoning categories in the O'Connor Industrial Area to be consistent with the abutting Bermondsey Business Area in North York.

### **City of North York Places of Worship in Industrial Zones, Official Plan Amendment and Zoning By-law Amendment, 1994**

On May 11, 1994, North York Council passed two interim control By-laws that prohibited Places of Worship in select industrial zones. At that same meeting, Council directed the Planning Department to study Places of Worship in Industrial Zones.

The planning study reviewed the Places of Worship use in Industrial Zones, and reviewed the appropriateness of the regulations that applied to Places of Worship in these zones. The study recommended adding the following policies for the Industrial Districts of the North York Official Plan:

- Any rezoning application or application to the Committee of Adjustment to reduce the minimum parking standards contained in the zoning by-law for a Place of Worship shall be substantiated by a study acceptable to Council, that justifies the proposed reduction in the number of parking spaces;
- Any rezoning application or application to the Committee of Adjustment for a Place of Worship that requires more than 50 spaces, shall be accompanied by a study acceptable to Council, that shows that the development will not result in an unacceptable level of road service;
- When a study is required, it will be undertaken by a professional qualified in the field, focusing on transportation and parking impacts; and
- On lands designated for industrial use, Council may restrict the location and amount of floor space for Places of Worship in industrial area depending upon the type of road on which they are located, and their proximity to residential areas.

In addition, the study recommended the following changes to North York Zoning By-law, 7625:

- Limit the maximum size of Places of Worship in all industrial zones to 2,782m<sup>2</sup>;
- Require that Places of Worship in industrial zones on roads other than arterial or minor arterial roads that are closer than 300 metres from any R, or RM zones must meet the following:
  - there is no more than one Place of Worship per block; and
  - no Place of Worship on roads other than arterial or minor arterial roads may be located within 300 metres of another Place of Worship on roads other than arterial or minor arterial roads.
- Permit a maximum of 4 parking spaces in the minimum required front yard for Places of Worship in industrial zones;
- Permit parking spaces between the front wall of the building and the required front yard for Places of Worship in industrial zones; and
- Revise the parking standard for Places of Worship in all zones to the greater of 1 parking space for every 4.7m<sup>2</sup> of main worship area, or 1 parking space per 21m<sup>2</sup> of gross floor area.

North York Council adopted the recommendations at its meeting on March 1, 1995 and at that meeting changed the separation distance required from 300 metres to 500 metres.

### **O'Connor Business Area Study, 1998**

In 1998, a study entitled "O'Connor Business Area Study" was completed. The lands that formed part of the study area were bound by Northdale Boulevard to the south and west, O'Connor Drive to the south, and the former East York Boundary and Northline Road to the North. The subject lands were designated "Light Industrial" and "Industrial Special Purpose Commercial" in the former Borough of East York Official Plan. The land use designations restricted the use of the lands to manufacturing type uses.

At the time of the study, East York had seen industrial enterprises moving away from traditional manufacturing and towards a more diversified mix of employment uses that subsequently resulted in an influx of planning applications for non-industrial uses. The Borough of East York gradually introduced various measures to respond to the shifting trends such as the introduction of a broad range of non-industrial uses along sections of O'Connor Drive and the expansion of the floor space devoted to retail sales permitted in association with manufacturing, warehousing, and wholesale uses.

The recommendations from this study were adopted as Official Plan Amendment 15 to the former Borough of East York Official Plan, and adopted as City of Toronto By-law 627-1998. One appeal, which was specific to residential uses, was made to the Ontario Municipal Board (Order No. 0738).

### **Former Borough of East York Official Plan Amendment No. 15 (By-law 627-98)**

The former Borough of East York Official Plan designated the O'Connor Business Area as "Light Industrial" and "Industrial-Special Purpose Commercial". The "Light Industrial" designation permits a wide range of employment activities, including, but not limited to, manufacturing, warehousing and wholesaling, laboratories, research facilities, service and repair of goods manufactured, stored or processed, retail sales outlets, and business and professional offices. The "Industrial – Special Purpose Commercial" designation permits special purpose commercial uses in addition to all land uses permitted in the Light Industrial designation.

On October 1 and 2, 1998, East York Community Council adopted Official Plan Amendment 15 to the former Borough of East York Official Plan, which permitted the following additional land uses on the portion of lands designated "Light Industrial" by Map 2, Predominant Land Uses, which were further designated "O'Connor Business Area" on Map 1, Urban Structure, of the former Borough of East York Official Plan;

- (a) commercial uses of up to 2,500 m<sup>2</sup> per lot;
- (b) Places of Worship, subject to a Holding By-law;
- (c) automobile repair, provided that they are located not less than 20 metres away from existing residential development and subject to storage and screening policies; and
- (d) automobile body repair shops, provided that they are located not less than 70 metres from existing residential development and subject to storage and screening policies.

## **Proposal**

### **Purpose and Objectives of the Study**

As requested by City Council, a planning study was undertaken by the City Planning Division to review the land use permissions and zoning regulations in the O'Connor/Bermondsey Business area as it relates to Places of Worship.

The purpose of the study was to review the current planning policies and zoning permissions with respect to Places of Worship in this area and, if necessary, recommend revised planning policies and zoning standards.

The study was conducted in three phases: Phase 1: O'Connor Business Area Study Profile; Phase 2: Vision/Options; and Phase 3: Recommendations, which is completed with this report.

### **Study Area**

Originally, it was proposed that only the lands in East York were to be subject to the Interim Control By-law and study. This was amended by a City Council recommendation (contained within the Motion Without Notice No. 58) that directed the Chief Planner and Executive Director to include all the lands in the O'Connor/Bermondsey Employment District that are designated *Employment Areas* on

Map 20 of the Official Plan. City Council determined it was necessary to expand the study area because the entire area functions as one employment district and therefore, policies and regulations should be reviewed concurrently. The effect of the recommendation brought the North York portion of the Employment District under the Interim Control By-law and study.

### **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The PPS supports the objective of ensuring that there are adequate employment opportunities for City residents and the continued growth of the City's assessment base. It requires that the City plans, protects and preserves employment lands for current and future uses. The conversion of employment lands to non-employment uses is permitted only after a comprehensive review, which is a review based on population and employment growth projections. It considers alternative directions for growth and identifies opportunities for intensification and redevelopment. The review must show that the lands are not needed for employment uses over the long-term and there is a need for conversion to non-employment uses.

On June 16, 2006, the Places to Grow Growth Plan for the Greater Golden Horseshoe came into effect. City Council's planning decisions are required to conform, not conflict, with the Growth Plan.

The Growth Plan sets out policies for the protection of employment lands to ensure the economic vitality of the Greater Golden Horseshoe. It also clarifies and strengthens the application of the PPS as it applies to employment lands. Where there is a conflict between the PPS and the Growth Plan, the Growth Plan prevails. Key policies in the Plan include:

- Ensuring there is an adequate supply of lands for employment uses to meet future needs;
- Promoting economic development and competitiveness by providing for an appropriate mix of employment uses, providing opportunities for a diversified economic base and ensuring the necessary infrastructure is in place to support employment needs;
- Permitting municipalities to convert employment lands to non-employment uses only through a municipal comprehensive review where it has been demonstrated that: there is a need for the conversion; the City will meet its employment forecasts; the conversion will not affect the viability of the employment area; there is existing or planned infrastructure to accommodate

the conversion; and the lands are not required for employment purposes over the long term; and

- Promoting transit supportive, compact built form and minimizing surface parking when planning for employment lands.

## **Official Plan**

The O'Connor/Bermondsey Business Area is identified as an *Employment District*, on Map 2, Urban Structure, in the Official Plan. *Employment Districts* are to be protected and promoted exclusively for economic activity in order to maintain and grow the City's tax base, attract new, and expand existing employment clusters, develop quality *Employment Districts* that are globally competitive, nurture Toronto's economic base, and provide a range of employment opportunities for Toronto residents.

In addition to being identified as an *Employment District* on Map 2, the O'Connor/Bermondsey Business Area is designated *Employment Area* on Map 20 of the Official Plan (Attachment No. 1). Uses that support the function of *Employment Areas* include offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small-scale stores and services that serve area businesses and workers. Within *Employment Areas*, Places of Worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities may locate only on major streets, as shown on Map 3. The major streets for this *Employment District*, as identified on Map 3, are O'Connor Drive, Eglinton Avenue, and Bermondsey Road.

The Official Plan also establishes development criteria in *Employment Areas* for these areas to function well and be attractive. The criteria includes, but is not limited to, avoiding excessive car and truck traffic on the road network, creating an attractive streetscape and screening parking, loading and service areas.

The East York portion of the study area is subject to Site and Area Specific Policy 233 in the Official Plan. This Site and Area Specific Policy was incorporated into the Plan to reflect an Ontario Municipal Board decision which related to the appeal of OPA 15, to the former East York Official Plan. The Policy permits commercial and institutional uses, as well as Places of Worship in the area generally bound by O'Connor Drive, Northdale Boulevard and the former Boundary of the Borough of East York. Places of Worship are permitted in the subject area through the lifting of a Holding (H) provision in the Zoning By-law, and subject to the submission of satisfactory traffic and parking studies.

The North York portion of the study area is not subject to any Site and Area Specific Policies in the Official Plan.



## **Zoning**

There are two existing Zoning By-laws that apply to the study area: the former City of North York, 7625, as amended, and the former Borough of East York, area specific Zoning By-law 89-2003.

### **Former Borough of East York Zoning By-law**

Zoning By-law 89-2003, being an amendment to the former Borough of East York Zoning By-law 6752, implemented OPA 15 as it was approved by Ontario Municipal Board (Order No. 0738). The Official Plan Amendment and implementing Zoning By-law Amendment augmented the range of permitted uses for the O'Connor Business Area. The additional uses which were introduced by By-law 89-2003 include:

- (a) commercial and institutional uses consisting of: business and professional offices, multi-purpose recreational complexes, private clubs, public recreational uses, banquet halls, contractor's establishments, commercial laundries, public self storage warehouses, car rental agencies, data processing, commercial art galleries and framing establishments, caterer's establishments, equipment sales and rental, auctioneer's premises, home decorating products sales, union halls, performing arts studios, brew on premises establishments all up to a maximum of 2,500 m<sup>2</sup> of Gross Floor Area-Commercial per lot;
- (b) automotive service centres and automobile service stations, with provisions;
- (c) motor vehicle repair shops with provisions; and
- (d) places of worship and uses accessory thereto, subject to an (H) hold zone provision removable by an amendment to the By-law, after Council has been satisfied that traffic capacity and parking adequacy issues specific to a Place of Worship and uses Accessory thereto have been addressed in a detailed report prepared by a qualified transportation consultant.

The HPI-(H) zoning provisions within the former Borough of East York Zoning By-law 6752, were amended to reflect the changes brought forth by Zoning By-law 89-2003. The zoning by-law also contains general development requirements related to minimum lot size, frontage, coverage, height, yard setbacks and off-street parking standards for particular uses.

### **Former City of North York Zoning By-law 7625, as amended**

A portion of the O'Connor/Bermondsey Business Area is in the former City of North York and subject to numerous industrial zoning categories. Uses permitted in all of the Industrial zoning categories; Industrial-Commercial Zone (MC), Industrial Zone One (M1), Industrial Zone Two (M2), and Industrial Zone Three (M3) include: adult education school, artist studio, club, college, commercial gallery, commercial school, communications and broadcasting, community centre, contractors establishment, custom workshop, financial institution, fitness centre, industrial sales and service, information processing, laundry, manufacturing, museum, office uses, park, parking lot, personal

service shop, Place of Worship, public library, public self storage warehouse, school, service shop, showroom, warehouse and veterinary clinic.

The Industrial Zone One (M1) zoning category permits a day nursery, and university uses as additional uses to those listed above.

Additional uses permitted in the Industrial Zone Two (M2) include: banquet hall, car rental agency, car washing establishment, commercial recreation, gasoline station, golf course, health science research laboratory, hotel, motor vehicle body repair shop, motor vehicle dealership, pinball and video games arcade, research laboratory, restaurant, with or without an outdoor patio, retail store, service station, transportation terminal, university uses, and works yards.

Additional uses permitted in the Industrial Zone Three (M3) category include: banquet hall, boarding kennel, car rental agency, car washing establishment, gasoline station, golf course, health science research laboratory, hotel, motor vehicle body repair shop, motor vehicle dealership, pinball and video games arcade, recycling facility, research laboratory, restaurant, with or without an outdoor patio, retail store, service station, transfer station, transportation terminal, university uses, and works yard.

The Industrial-Commercial Zone (MC) category permits the following additional uses: banquet hall, car rental agency, car washing establishment, cinema, commercial recreation, day nursery, funeral establishment, gasoline station, golf course, health science research laboratory, hotel, motor vehicle body repair shop, motor vehicle dealership, pinball and video games arcade, research laboratory, restaurant, with or without an outdoor patio, retail store, secondary school, service station, theatre and transportation terminal.

In addition to the above noted zoning categories, a number of properties have been subject to site specific zoning by-law amendments.

Section 6 of the former City of North York Zoning By-law contains development standards for Places of Worship in industrial zones. The development standards include limitations on the maximum gross floor area of Places of Worship, minimum separation distances, landscaping, and parking requirements.

## **Consultation**

A community consultation meeting was held on the morning of March 6, 2008 to present a summary of the profile information and the proposed options. Approximately 25 members of the public attended the public meeting. The following issues were discussed at the meeting:

- Policies related to Employment Lands and *Employment Areas* contained within the Official Plan and the Growth Plan;
- The status of the 2006 Bermondsey Revitalization Study undertaken by Economic Development;

- The factors and issues that prompted the Interim Control By-law and study;
- Notification requirements and methods of notification;
- Economic health of the business park;
- The vacancy rates of the business park and how they compare to the rest of the City;
- The evolution of Places of Worship, and how they have changed from being a singular use to being multi-purpose buildings which provide various supports to the local community;
- The appropriateness of Places of Worship in industrial areas; and
- Community Facility service shortages in the surrounding area.

### **Technical Advisory Committee**

A technical advisory committee was created and consists of representatives from City Planning (including Policy and Research), Legal Services, and Economic Development. The committee has met to provide advice, comments, and review documents at key stages throughout the study process.

## **COMMENTS**

### **Official Plan**

The City of Toronto Official Plan recognizes that Places of Worship have located in *Employment Areas* in recent decades. The Plan also identifies that because they can be extensive land users, and, that they are not directly supportive of the primary employment function of employment areas and, can have a serious impact on local traffic movement and parking supply, locational limitations are needed for such uses in *Employment Areas*. Official Plan policy 4.6.2 which identifies locational limitations for Places of Worship in *Employment Areas* will be implemented for the study area. Through the recommendations of this report, separation distances will also be introduced in the former East York portion of the Study Area. It was determined that the introduction of separation distances was the appropriate manner in which to deal with Places of Worship, as it provided for greater limitations on the location of Places of Worship in the interior of the business area.

Site and Area Specific Policy 233 was incorporated into the Official Plan to reflect an Ontario Municipal Board decision and continues to be reflected in the proposed Zoning By-law amendment attached to this report. With the proposed development standards recommended, an amendment to Site and Area Specific Policy 233 will be necessary.

### **Zoning By-law(s)**

Currently, the development standards for Places of Worship in industrial areas differ significantly in the North York and East York portions of the study area. The former City of North York Zoning By-law contains specific development standards related to Places of Worship in industrial areas, and prescribes minimum separation distances; maximum number of Places of Worship per block; parking requirements; maximum gross floor area; and landscape open space requirements.

This contrasts significantly with the East York Zoning By-law for the area, which permits Places of Worship in the O'Connor Business Area subject to the lifting of a Holding (H) provision and the submission of a satisfactory traffic and parking study. With the exception of the requirements to lift the Holding provision, the East York zoning by-law does not contain any development standards regarding separation distance, landscape open space, or parking requirements for Places of Worship.

### **Traffic Generation and Parking Supply**

Issues associated with Places of Worship in the O'Connor/Bermondsey Business Area and *Employment Areas* generally include traffic generation and traffic conflicts with employment uses and parking supply. This is because employment uses can operate seven days a week, 24 hours a day and may be in operation when Places of Worship are active. This can create traffic and parking supply conflicts. As well, Places of Worship may offer other community functions such as banquets, daycare and educational facilities, which increases the use of the Place of Worship and potential for conflicts with employment uses.

Places of Worship draw congregants from a wider area today than was the case historically which means more people drive and need to park at Places of Worship. There is one Place of Worship in the former East York portion and eight Places of Worship in the former North York portion of the Study Area. While there appear to be no immediate concerns with traffic generation and parking supply, this issue can commonly occur in employment areas. The opportunity exists through the current study to regulate the size and location of Places of Worship to help control this issue.

### **Planning Study Findings**

The O'Connor/Bermondsey Business Area had been studied numerous times in the past. In East York, each of the studies attempted to encourage the redevelopment of the area through incremental changes in land use regulations. The studies have resulted in the introduction of a broader array of uses being permitted in the area. The Bermondsey Business Area in North York, has always permitted a wider range of uses, and thus study of the area has been relatively limited.

With the changes in provincial and municipal policies regarding employment areas and the protection of employment lands, in addition to recent pressure to convert employment lands to non-employment uses throughout the City, Council felt it was necessary to examine the appropriate range of complementary land uses within the O'Connor/Bermondsey Business Area. The goal of the study was to identify whether specific Zoning By-law and Official Plan modifications were necessary to address the issues of compatibility between employment uses and Places of Worship in *Employment Areas* with particular regard for the O'Connor/Bermondsey Business Area.

Phase 1 of the study involved a background review and the creation of an area profile. This work established an overview of existing conditions and issues. The profile consisted of a review of previous initiatives in the area, land use policies, an inventory of

area land uses and characteristics, a review and comparison of City-wide policies and regulations, and a review of development applications. The development profile included a review of the location, patterns and characteristics of existing land uses; an analysis illustrating trends and changes in the area; and a review of existing Places of Worship size, location, and parking requirements. In addition, an analysis of employment uses within the study area was undertaken which included identifying employment trends and changes over time, and identifying of vacancy rates.

The Development Profile for East York portion of the study area revealed:

- One Place of Worship exists; and
- Lot sizes in the area vary, ranging from small parcels of approximately 0.4 hectares to large development parcels nearly 2 hectares in size;
- There is a range of heavy industrial, wholesale, commercial, office, retail and storage uses interspersed with one another;
- Little uniformity exists with respect to building locations and orientation, landscaping, parking or site access;
- There are a number of buildings for lease in the area, with leaseable areas ranging from less than 100 m<sup>2</sup> (1,000 square feet) up to approximately 1,000 m<sup>2</sup> (10,000 square feet);
- The street edge of sites is used for vehicular parking and/or loading;
- There is a lack of public infrastructure, such as municipal sidewalks, in the area;
- Minimal landscaped open space is provided on individual sites;
- The vacancy rate is low.

The Development Profile for North York portion of the study area revealed:

- Eight Places of Worship exist in the area. A majority of the Places of Worship existed prior to the 1994 Places of Worship study and are legal non-conforming uses.
- A greater uniformity in lot sizes, building locations and orientations, landscaped open space on private property, parking and site access;
- Land uses in the area range from light industrial, storage, commercial, wholesale and institutional;
- The area has wide public sidewalks within the municipal right-of-way;
- Landscape areas exist between street edge of sites and building façade;
- Parking and loading is generally located at the rear of the building, or buffered from the street edge by landscaping or ornamental fencing;
- Few vacant lands or buildings exist in the area;
- Two buildings available for lease, with leaseable area ranging from less than 100 m<sup>2</sup> (1,000 square feet) up to approximately 3,250 m<sup>2</sup> (35,000 square feet);

- The vacancy rate is low; and

Key findings with respect to Places of Worship in the study area:

- The North York Zoning By-law contains development standards for Places of Worship in Industrial Areas;
- The East York Zoning By-law permits Places of Worship in the O'Connor Industrial Area subject to a Rezoning Application to lift a Holding (H) Provision. Limited development standards exist for Places of Worship;
- Nine Places of Worship exist in the study area, a majority (8) of which are within the former City of North York limits of the study area;
- The Places of Worship within the former City of North York study limits that were created prior to the implementation of the 1994 Places of Worship study are legal non-conforming uses;
- The Places of Worship within the former City of North York study limits which were established after 1994 were subject to, and reviewed as part of, a Site Plan Control and/or Committee of Adjustment application;
- Within the former Borough of East York study limits, one application to lift the Holding (H) provision had been submitted to the City Planning Division. In 2001, Council approved the application for 36 Cranfield Avenue;
- An application to lift the Holding (H) provision at 45 Cranfield Avenue was submitted in 2005. Planning staff have been informed by the applicant that the application will be withdrawn because the inability to satisfy the requirements necessary to lift the Holding Provision.
- Since the enactment of the Interim Control By-law, one application for a Place of Worship was submitted in East York. The application for 20 Curity Avenue was submitted in December 2007, and has since been appealed to the Ontario Municipal Board. No applications for Places of Worship have been received in the North York portion of the study area;
- The existing Places of Worship, in both North York and East York, provide some form of landscaped open space between the street edge and front wall of the existing Places of Worship;
- Minimal vehicular parking is located in the front yard. Parking that does exist in the front yard is limited and screened;

Phase 2 of the study developed land use options for the O'Connor/Bermondsey Business Area. The review also included an examination of the growth and evolution of Places of Worship. Based upon the analysis of the O'Connor Industrial Area Studies, the North York Places of Worship studies, and the existing Zoning By-law and Official Plan policies, four options were developed. They are as follows:

1. Make no changes to the existing policies and retain the existing zoning.

2. Prohibit Places of Worship outright in the O'Connor/Bermondsey Business Area.
3. Amend the existing zoning standards by creating new standards throughout the O'Connor/Bermondsey Business Area.
4. Apply zoning standards to East York that are reflective of the existing North York Zoning By-law standards for Places of Worship in industrial areas.

The four options were presented to the public for feedback at the community consultation meeting held on March 6, 2008.

### **Evaluation of Options:**

The options were evaluated based on existing policies and whether they would resolve the issues identified in Phase 1 of the planning study.

#### **1. Make no changes to the existing policies and retain the existing zoning**

This option was evaluated and it was determined that it does not address the issues that exist regarding Places of Worship in the O'Connor/Bermondsey Business Area.

Currently, the development standards for Places of Worship in industrial areas differ significantly in the North York and East York portions of the study area. North York Council adopted development standards related to Places of Worship as a result of the 1994 Places of Worship in industrial areas study. Therefore, in order to establish consistent development standards, minimize land use conflicts, and achieve cohesive, street-oriented development, and properly landscaped and buffered Places of Worship sites, it is necessary to establish consistent zoning standards and development regulations regarding Places of Worship for the entire area.

#### **2. Prohibit Places of Worship outright in the O'Connor/Bermondsey Business Area**

This option was evaluated and it was determined that it is not appropriate to prohibit Places of Worship outright, since the *Employment Areas* policies contained within the Official Plan provide policy direction and permit such uses.

Official Plan Policy 4.6.2 permits Places of Worship to locate only on major streets, as shown on Map 3. In the case of the O'Connor/Bermondsey Business Area study, the major streets identified on Map 3 are Eglinton Avenue East, O'Connor Drive, and Bermondsey Road. As a result of this Official Plan policy, Places of Worship are permitted to locate within the interior of the study area.

In addition, Site and Area Specific Policy 233 in the Plan permits commercial and institutional uses, as well as Places of Worship in the area generally bound by O'Connor Drive, Northdale Boulevard and the former boundary of the Borough of East York. Places of Worship are permitted through the lifting of a Holding (H) provision in the Zoning By-law, and subject to the submission of satisfactory traffic and parking studies.

Since the Official Plan permits Places of Worship in a majority of the study area, it would be appropriate to apply Policy 4.6.6, Development Criteria in *Employment Areas*, along with zoning standards regulating Places of Worship, rather than prohibit Places of Worship outright.

**3. Amend the existing zoning standards by creating new standards for Places of Worship throughout the O'Connor/Bermondsey Business Area.**

This option was evaluated and it was determined that it is not appropriate to create one Zoning By-law for the O'Connor/Bermondsey Business Area.

As part of Phase 2 of the study, Planning staff analyzed the existing Zoning By-law permissions for employment and industrial areas throughout the City of Toronto. The analysis revealed that current development standards are inconsistent on a City-wide basis. The review showed that the majority of the former municipalities permit Places of Worship in employment/industrial areas, with the only exception being York.

The City Planning Division is currently developing a City-wide Zoning By-law which has an anticipated completion date of late 2008 or early 2009. As part of the City-wide Zoning By-law review, development standards for Places of Worship in all zones will be reviewed and comprehensive development standards for Places of Worship will be established as part of that review. Therefore, it is premature to create an area specific Zoning By-law for the O'Connor/Bermondsey Business Area at this time.

**4. Apply zoning standards to East York that are reflective of the existing North York Zoning By-law standards for Places of Worship in industrial areas.**

The option of applying the existing North York Zoning By-law standards for Places of Worship in industrial areas is the preferred option.

This option would require amending the former Borough of East York Zoning By-law by creating specific zoning standards for Places of Worship in Section 9, the High Performance Industrial (HPI) zoning category. The proposed use restrictions and zoning standards include a separation requirement, lot frontage, lot area, lot coverage, yard setbacks, maximum height, parking requirement and landscape provisions. The zoning standards would assist in ensuring that the development of Places of Worship occurs in an orderly manner, while minimizing land use conflicts with existing and permitted industrial uses. The zoning standards would also assist in achieving street oriented development and landscaping which would improve the public realm. The new standards would reflect the development standards currently in place in North York and will result in a more sensitive integration of Places of Worship in this employment area.

**Proposed Official Plan Amendment**

An evaluation of the options led to the conclusion that applying development standards to Places of Worship in the East York portion of the study area was the appropriate means to address the issue of Places of Worship in the O'Connor/Bermondsey Business Area. With the proposed development standards recommended it is necessary to amend Site



and Area Specific Policy 233. The proposed amendment to the Official Plan is contained in Attachment 3.

The introduction of development standards eliminates the need for the Holding (H) provision and thus, an amendment to the Policy is necessary in order to continue to permit Places of Worship in this area. The proposed Official Plan amendment will delete the requirement to lift the Holding (H) provision via the submission of traffic and parking studies that are satisfactory to Council in order to permit a Place of Worship as a use.

### **Proposed Zoning By-law Amendment**

An evaluation of the options led to the conclusion that the fourth option; apply zoning standards to East York that are reflective of the existing North York Zoning By-law standards for Places of Worship in industrial areas, was the appropriate means to address the issue of Places of Worship in the O'Connor/Bermondsey Business Area.

The role of many Places of Worship has evolved over time, shifting from being a singular, neighbourhood based use with a local draw, to now being a multi-use, multi-purpose, and regionally based use. As such, the land required by many Places of Worship requires larger parcels of land with access to regional links. The evolution has made it necessary to ensure that conflicts between Places of Worship and industrial and/or employment uses are limited and properly mitigated via appropriate development standards.

The primary function of Places of Worship has been to conduct religious services and worship, but over time, some Places of Worship have expanded to provide a range of accessory uses. Depending upon the gross floor area of the Place of Worship, the accessory uses vary in number and size. It is for this reason that a parking standard based on the floor area of the main worship area or the gross floor area of the entire building, whichever is the greater, is the appropriate way in which to address parking for Places of Worship. The amount of required parking should be based upon the most intensive use proposed. When the main worship area is the largest component of the development, a parking standard based on the floor area of the main worship area should be utilized. In the case when the main assembly area occupies a smaller portion of the building relative to the accessory uses, a parking standard based on the total gross floor area of the building is the appropriate means to deal with parking in that instance.

The reason for selecting the parking standard of 1 space for each 4.7 square metres of main worship area OR 1 parking space for every 21 square metres of gross floor area, whichever is greater, is twofold. First, the parking standard is reflective of the standard utilized in the North York Zoning By-law, which is based upon the results of the 1987 Places of Worship Study and the 1994 Places of Worship in Industrial Areas Study. Second, the 4.7m<sup>2</sup> of floor space referred to is the equivalent of one parking space for every five seats, while the 21m<sup>2</sup> of gross floor area is an approximate average of the parking requirements for recreational, banquet hall, office, and private club uses contained within the Zoning By-laws. Since the amendment seeks to introduce a parking

standard, Site and Area Specific Official Plan Policy 233 will be amended to remove the requirement to lift the Holding (H) provision.

Since many employment uses now operate seven days a week, 24 hours a day, on-street parking or illegal parking may affect the industrial operations. To address this issue, it was determined that all required parking for any Place of Worship should be provided on-site.

The requirement for a minimum separation distance between Places of Worship is necessary in this area because the Official Plan allows Places of Worship to locate on any arterial road identified on Map 3, and anywhere within the O'Connor Business Area, as identified in Site and Area Specific Policy 233. The proposed amendment is consistent with the intent of the general Official Plan Policy 4.6.2, and is reflected in the proposed Zoning By-law Amendment that will continue to permit Places of Worship on Bermondsey Road and O'Connor Drive, provided that they comply with the general development standards that are introduced by this report. Development standards, along with a 500 metre separation distance which reflects the North York requirements, with some modification, will apply to area subject to Site and Area Specific Policy 233. The proposed Amendments are the most appropriate means by which to mitigate the effects of traffic infiltration and parking that are generated by Places of Worship in industrial areas, as well as to preserve and maintain the function of the employment area.

The introduction of a minimum separation distance will allow Council to control the location of Places of Worship within the interior of the industrial area, in addition to, preventing Places of Worship from concentrating in one particular part of the Business Area. The requirement that there shall not be more than one Place of Worship per block, and that no Place of Worship not on an arterial road be located within 500 metres of another Place of Worship is appropriate for this area.

The existing legally established Places of Worship that are located in North York, and the one located in East York, would become legal non-conforming uses, leaving particular areas of the O'Connor/Bermondsey Business Area to be developed for Places of Worship. Any new Place of Worship that is not able to satisfy the separation distance requirement would have the option of applying to the Committee of Adjustment for relief to the By-law or make an application for Rezoning.

The City of North York Zoning By-law limits Places of Worship to a maximum gross floor area of 2,787 m<sup>2</sup>. The maximum gross floor area is based on a study, conducted as part of the North York Official Plan Institutional Policy Study, which revealed that most of the existing Places of Worship at that time were less than 2,300 m<sup>2</sup> in size. It was determined as part of the 1994 Places of Worship in Industrial Areas study that a larger Place of Worship would likely be a larger regional Place of Worship, and it would draw a significant number of worshippers from a metro-wide area, which would result in problems related to overflow parking and traffic.

Planning Staff reviewed the maximum gross floor area requirement in North York, and determined that a maximum coverage requirement for the East York portion of the study was appropriate. In East York, the existing lots in the industrial area vary in size, ranging from small lots of approximately 0.4 hectares in size to very large lots over 2 hectares in size, and thus, the developable area of each lot varies significantly. It was determined that by maintaining the East York HPI zone minimum lot frontage and lot area requirements, in addition to implementing a minimum parking standard, the size of a Place of Worship would be constrained by the size of the lot, the amount of parking to be provided, setbacks and landscaped open space requirements. After all factors were considered, it was concluded that a maximum coverage of 45% was the appropriate means of limiting the size of any new Place of Worship in the O'Connor Business Area.

The yard requirements for any development in an HPI zone will continue to apply. In addition, the landscape open space requirement of 6.0 metres along any lot line abutting a public street will apply to Places of Worship. The requirements will achieve properly landscaped and buffered Places of Worship sites.

The maximum permitted building height of 15 metres will continue to apply. The East York zoning By-law measures height to the top of the building roof. A modification to the definition of height is not proposed as part of this review. The maximum height permitted, as well as the definition of height, adequately addresses the issue of excessive height in the industrial area.

As noted, the former City of North York Zoning By-law contains standards that regulate the development of Places of Worship in industrial areas. Since the development criteria in East York is limited, comprehensive standards related to Places of Worship in the O'Connor Business Area would ensure that development occurs in an orderly manner, while minimizing land use conflicts with existing and permitted industrial uses. To achieve this goal, the proposed zoning by-law amendment (Attachment 4) would result in comparable development standards for the entire study area.

Based on the discussion above, it was determined that the following standards were appropriate. The proposed Zoning By-law Amendment continues to allow Places of Worship to be a permitted use, but introduces the following development standards:

- A maximum of 1 Place of Worship is permitted per block;
- A minimum separation distance of 500 metres between Places of Worship which are not located on an arterial or minor arterial road;
- A maximum lot coverage of 45%;
- Limited parking in areas flanking street lines; and
- A minimum parking standard.

### **Ontario Municipal Board Appeal – 20 Curity Avenue**

The property owner of 20 Curity Avenue has appealed the Interim Control By-law and has indicated its intention to also appeal its Rezoning Application to lift the Holding (H)

Provision and its Site Plan Control application due to the approval authority's failure to make a decision on the applications within the timelines prescribed in the *Planning Act*.

The applicant proposes to construct a three-storey, Place of Worship with an overall gross floor area of approximately 4,592 m<sup>2</sup>. An air supported sports facility, which is a permitted use subject to a maximum gross floor area of 2,500m<sup>2</sup> per lot, is also proposed for 20 Curity Avenue.

As part of the Place of Worship, the applicant is proposing the following uses as accessory uses to the main Place of Worship at 20 Curity Avenue. The approximate floor area for each accessory use, not including hallways, washrooms or stairways, is as follows:

Use	Approximate Floor Area (m <sup>2</sup> )
Daycare	454
Café	80
Bookstore	60
Classrooms	216
Offices	681
Fellowship hall	431

The purpose of the study was to evaluate the appropriateness of Places of Worship in the industrial area. It was not intended to introduce new uses into the area. City Planning staff are not supportive of any form of relief to the current Zoning By-law permissions to introduce non-permitted uses into the industrial area. Some of the proposed uses may not be permitted in the HPI zone, and as such, it is recommended that they be deleted from the proposal. For example, a day nursery is not a permitted use in the HPI zone in East York.

The proposed zoning by-law amendment does not have significant impacts on the proposed application. Some modifications will be required to the site plan to comply with the new standards. Planning staff do not feel that it is necessary to provide a site specific exemption in the amending Zoning By-law for 20 Curity Avenue.

The proposal is able to satisfy the minimum distance between Places of Worship requirement. The site at 20 Curity Avenue consists of an entire block, and as such, satisfies the one Place of Worship per block requirement. Should any future severance of the lot occur, another Place of Worship would not be permitted on any newly created lot. In addition, the 500 metre separation distance from another Place of Worship is also satisfied by this proposal as the closest Place of Worship is at 34 Cranfield Avenue, which is more than 500 metres away from the subject site. In order to ensure that the owner of 20 Curity Avenue is not prevented from obtaining a building permit for a Place of Worship as a result of another Place of Worship being constructed on a local street within 500 metres of 20 Curity Avenue, the proposed Zoning By-law Amendment includes a provision to allow the owners of 20 Curity Avenue to construct

notwithstanding those circumstances provided they obtain their building permit and commence construction within 24 months of the passing of that Zoning By-law.

The proposed maximum lot coverage proposed by the amendment does not affect the Place of Worship proposed for 20 Curity Avenue. The maximum coverage proposed by the amendment is 45% of the lot area, whereas the proposed Place of Worship has a coverage of approximately 25% the lot area. In addition, the proposal does not exceed the maximum permitted height of 15.0 metres. Although the maximum coverage proposed by the Zoning By-law Amendment is significantly greater than what is proposed by the applicant, the maximum height permitted, the landscaped open space requirements along with the minimum parking requirements effectively limits the size of the Place of Worship that could be developed on this site.

Since the air supported sports facility is a permitted use, and not considered accessory to the Place of Worship, the parking requirement for recreational facilities in the HPI zone, 1 space for every 23m<sup>2</sup> of floor area, is applied. This results in the requirement to provide a minimum of 109 parking spaces. If the sports facility was the only use proposed for this lot the parking requirement would be satisfied.

The requirement of 1 space per 4.7 m<sup>2</sup> of assembly area cannot be applied to this proposal as the floor area of the accessory uses substantially exceeds the floor area of the main worship area, and thus the parking requirement of 1 space per 21m<sup>2</sup> of gross floor area is to be applied. When the parking standard of 1 space per 21 square metres of gross floor area is applied to the proposal, the Place of Worship is required to provide 219 parking spaces. The landscape open space requirement which prohibits parking within the 6 metre landscape strip that abuts any street would result in the loss of 32 parking spaces. The applicant proposes to provide 279 parking spaces, but when the 32 spaces are removed, the number of parking spaces to be provided is 247. If the proposal was solely for a Place of Worship, the parking requirement could be satisfied.

The applicant submitted a consultant's traffic report as part of their application. The report identified that to accommodate the peak parking demand on Sunday (Christmas and Easter) 325 parking stalls will be required for this development, but that off peak demand (any other Sunday) would result in a total of 282 vehicle trips. Since multiple uses are proposed for this site, 328 parking spaces must be provided in order to satisfy the parking requirements for the Place of Worship and the sports facility. Although the applicant's consultant has identified a peak parking period in their report, the study and parking requirement should not relate to a demand of a certain day in the calendar year, but instead it should relate to the parking demand generated by the use proposed for the site. Based on the use, the Place of Worship, the parking standard proposed by the Zoning By-law Amendment is in line with what the applicant's transportation consultant has recommended and suggests that the proposed Zoning By-law Amendment attached is appropriate for Places of Worship.

The only deficiency identified with the proposal, after the development standards are applied, relates to parking. The proposal is deficient by 81 parking spaces. The reason

for the deficiency is that the applicant is proposing several uses in addition to the Place of Worship, that have large gross floor areas, which in turn increases the parking requirement. Planning staff recommend that the applicant amend their proposal in order to comply with the proposed parking standard, since the standard is in keeping with the applicant's own consultant's findings.

### **Conclusion**

The roles of some Places of Worship have evolved over time, and as such, their land use needs have changed. Many Places of Worship will continue to be community or regional religious centres, acting as centres for social, recreational, and educational activities for the patrons of that congregation, and at times, the larger community. The study has reviewed the existing policy and development standards, and suggests amendments to the East York Zoning By-law and Site and Area Specific Official Plan Policy 233.

The City Planning Division is currently developing a City-wide Zoning By-law which has an anticipated completion date of late 2008 or early 2009. As part of the City-wide Zoning By-law review, development standards for Places of Worship in all zones will be reviewed and comprehensive development standards for Places of Worship will be established as part of that review. If that review reveals that conflicts exist between Places of Worship and industrial uses, City-wide development standards will be established and will rescind the Zoning By-law amendment proposed by this report.

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### **SIGNATURE**

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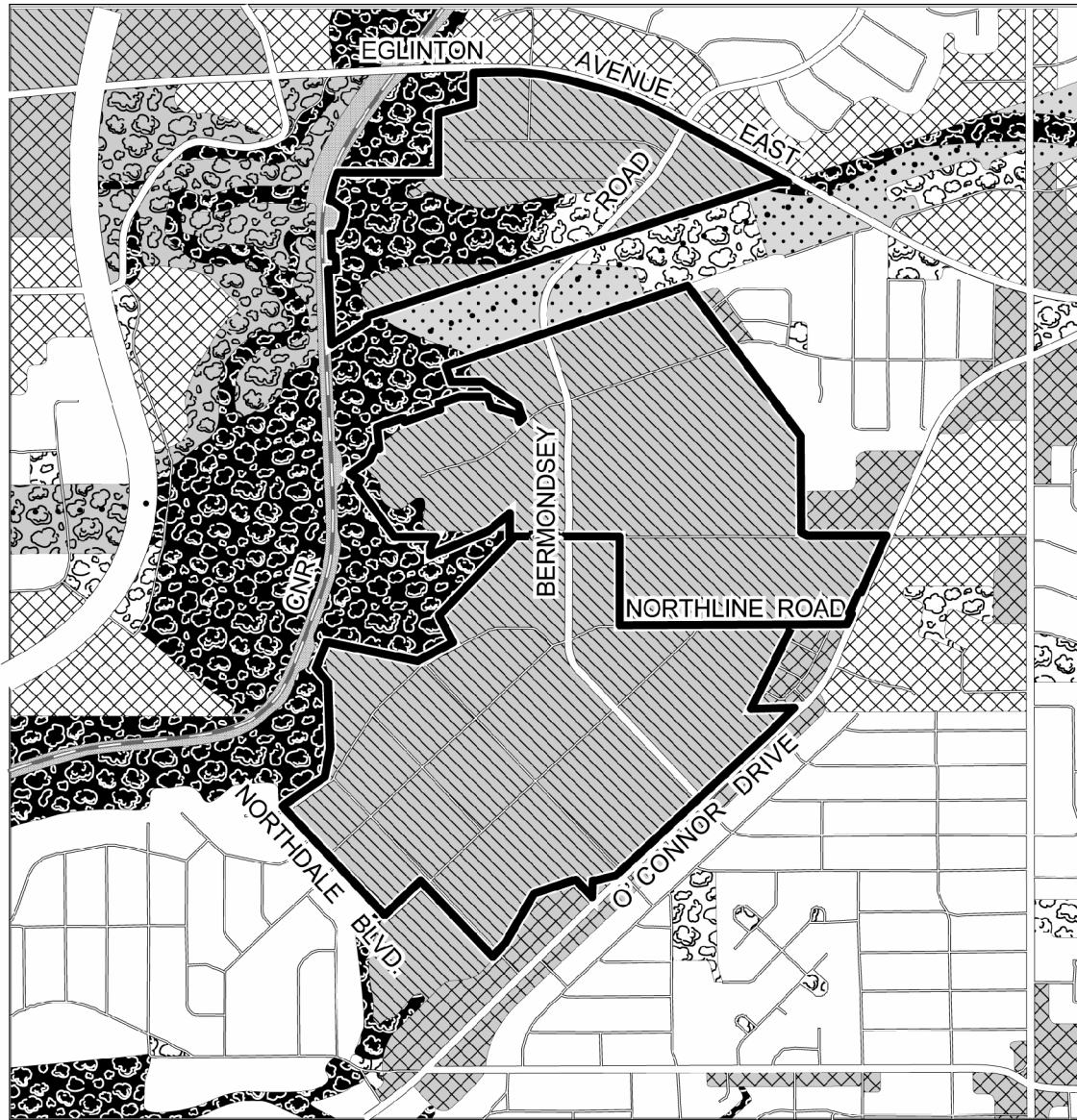
Gary Wright  
Acting Chief Planner and Executive Director  
City Planning Division

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### **ATTACHMENTS**

- Attachment 1: Official Plan
- Attachment 2: Zoning
- Attachment 3: Draft Official Plan Amendment
- Attachment 4: Zoning By-law Amendment

# Attachment 1: Official Plan



**TORONTO** City Planning  
Official Plan

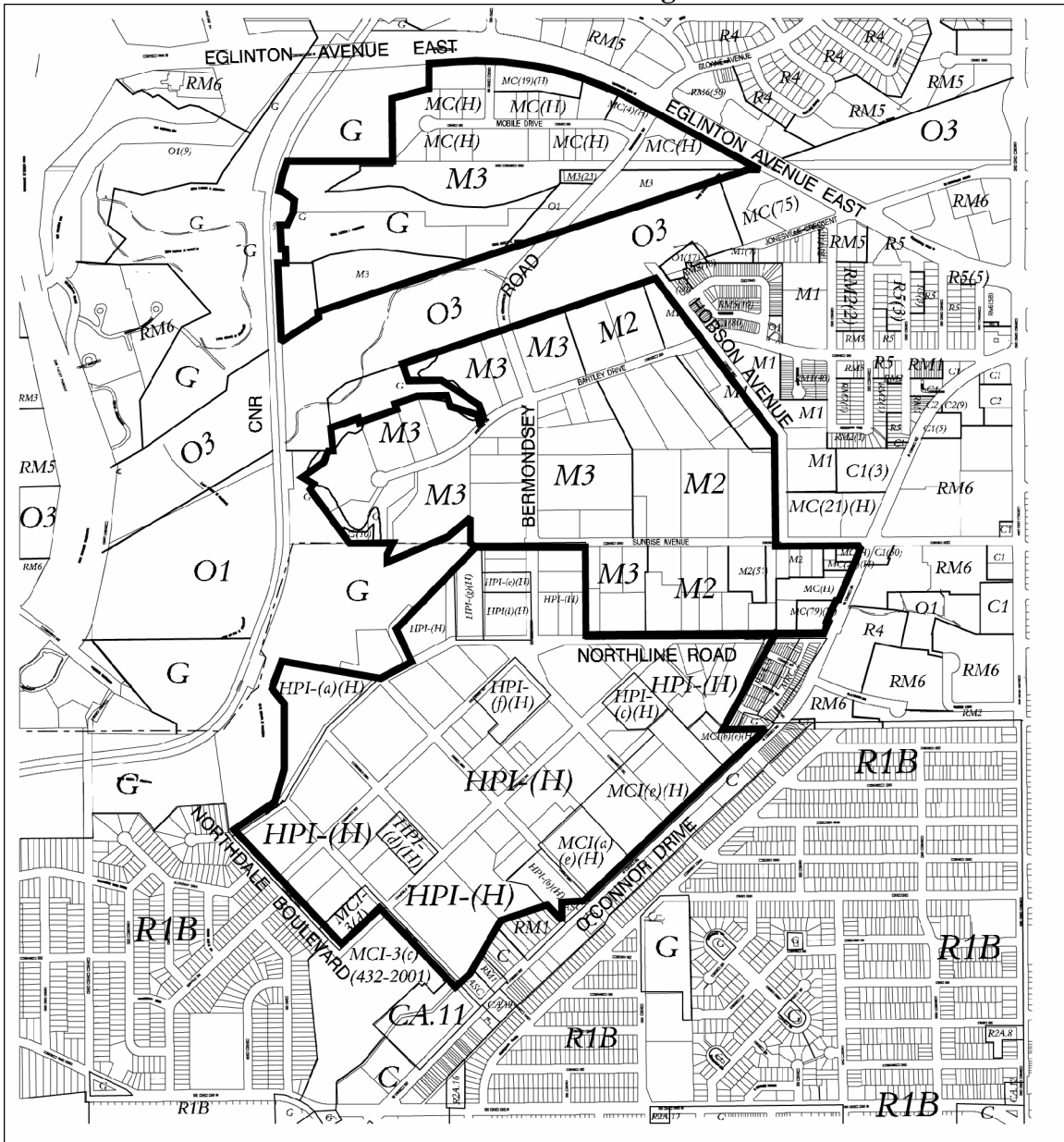
O'Connor / Bermondsey  
Business Area Study

File # 07\_201933

- |  |   |  |
|--|---|--|
|  Site Location            |  Mixed Use Areas   |  Natural Areas          |
|  Neighbourhoods           |  Employment Areas  |  Parks                  |
|  Apartment Neighbourhoods |  Utility Corridors |  Other Open Space Areas |

↑  
Not to Scale  
03/03/08

## Attachment 2: Zoning



### O'Connor / Bermondsey Business Area Study

File # 07\_201933

East York Zoning By - Law 6752		North York Zoning By-Law 7625		 Not to Scale East York Zoning By - Law 6752 North York Zoning By-Law 7625 Extracted 03/03/08
R1B Low Density Residential	C Commercial	R4 One Family Detached Dwelling	RM1 Multiple Family Dwelling	
RM1 Residential	CA Commercial Site Specific	RM1 Multiple Family Dwelling	M2, M3 Industrial Zones	
R2A Medium Density Residential	ASC Automotive Service Commercial	R2A High Density Residential	O1 Open Space Zone	
MRC Mixed Use- Residential / Commercial (Site Specific)	HPI High Performance Industrial	O3 Open Space Zone	G Greenbelt Zone	
MCI Mixed Commercial Industrial	G Conservation			

**-law**



### **Attachment 3: Draft Official Plan**

Authority: Planning and Growth Management Committee Item ~ as adopted by City of Toronto Council on ~, 2008

Enacted by Council: ~, 20~

#### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To adopt an amendment to the Official Plan of the City of Toronto respecting the lands generally bound by O'Connor Drive, Northdale Boulevard and the Former Boundary of the Borough of East York**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. The text annexed hereto as Schedule "A" are hereby adopted as an amendment to the Official Plan of the City of Toronto.
2. This is Official Plan Amendment No. 51.

## SCHEDULE “A”

The Official Plan of the City of Toronto is amended as follows:

1. The text of Site and Area Specific Policy No. 233 of Chapter 7, Site and Area Specific Policies, is amended by deleting Subsection b) and retaining Places of Worship as a permitted use, so that the text of Site and Area Specific Policy No. 233 reads as follows:

**233. Lands Generally Bounded by O’Connor Drive, Northdale Boulevard and the Former Boundary of the Borough of East York**

Commercial, institutional and Places of Worship uses are permitted.

## **Attachment 4: Draft Zoning By-law**

Authority: Planning and Growth Management Committee Item ~ as adopted by City of Toronto Council on ~, 2008

Enacted by Council: ~, 2008

### **CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2008**

**To amend the former Borough of East York Zoning By-law No. 6752, as amended, with respect to the O'Connor/Bermondsey Business Area**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. The lands subject to this By-law are those lands outlined by heavy black line and identified as "Areas Subject to Amendment" as shown on Schedule "1" attached hereto.
2. Zoning By-law No. 6752, as amended, as it applies to the lands identified on Schedule "1" of this By-law, is further amended by deleting Sections 8.C.3 e) iii), 9.3 c) iv), and 9.4 iii) and by replacing 8.C.3 e) iii) and 9.3 c) iv) with the following:

"8.C.3 e) iii) Places of Worship and uses Accessory thereto provided the following requirements are met:

**(a) Minimum Distance between Places of Worship:**

For Places of Worship on any lands shown within the heavy lines on Schedule "1" attached to this By-law:

- i. There shall be no more than one Place of Worship per Block; and
- ii. No Place of Worship on a lot that abuts a road that is not O'Connor Drive or Bermondsey Road shall be located within 500 metres of another Place of Worship on a lot that

abuts a road that is not O'Connor Drive or Bermondsey Road.

**(b) General Development Requirements for Places of Worship:**

- |       |                              |                      |
|-------|------------------------------|----------------------|
| (i)   | Minimum Lot Frontage         | 30.0 metres          |
| (ii)  | Minimum Lot Area             | 4,000 m <sup>2</sup> |
| (iii) | Maximum Lot Coverage         | 45 %                 |
| (iv)  | Minimum Setback – Front Yard | 3.0 metres           |
| (v)   | Minimum Setback – Rear Yard  | 12.0 metres          |
| (vi)  | Minimum Setbacks – Side Yard | 6.0 metres           |
| (vii) | Maximum Building Height      | 15.0 metres          |

**(c) Off-Street Parking:**

- i) The Off-Street Parking shall be located on the same Lot as the Place of Worship it is intended to serve;
- ii) 1 space for each 4.7 square metres of Main Worship Area or 1 parking space for every 21 square metres of gross floor area, whichever is greater.
- iv) No parking of motor vehicles shall be permitted within the 3.0 metre Landscaped Open Space referred to in Section 8.C.3 e) iii) (d).

**(d) Landscaped Open Space:**

A 3.0 metre strip of land immediately abutting any Street Line shall be used only for Landscaped Open Space except that driveways perpendicular to a street line shall be permitted to cross such Landscaped Open Space.

**(e) Definitions:**

For the purpose of Section 8.C.3 e) iii) the following definitions shall apply:

**Block:**

The term Block shall include the lots abutting that part of a street that is between two streets that cross or bisect each other, but does not include two streets that meet but do not cross.

**Main Worship Area:**

The term Main Worship Area shall mean the portion of the building dedicated exclusively for religious worship, and does not include the portions of the building used for purposes of office use, temporary care and custody of children, education, entertainment, the assembly of individuals for social, entertainment or fraternal purposes, or the areas where food or drink are prepared, provided and/or served.”

“ 9.3 c) iv) Places of Worship and uses Accessory thereto provided the following requirements are met:

**(a) Minimum Distance between Places of Worship:**

For Places of Worship on any lands shown within the heavy lines on Schedule “1” attached to this By-law:

- i. There shall be no more than one Place of Worship per Block;
- ii. No Place of Worship on a lot that abuts a road that is not O’Connor Drive or Bermondsey Road shall be located within 500 metres of another Place of Worship on a lot that abuts a road that is not O’Connor Drive or Bermondsey Road; and
- iii. The provisions contained within Section 9.3 c) iv) (a) ii) shall not apply to the property municipally known in the year 2008 as 20 Curity Avenue provided that a building permit for a Place of Worship on that property is obtained and construction has commenced within 24 months of the date of passage of this By-law. In all other respects, the provisions of Section 9.3 c) iv) shall apply to the lands described.

**(b) General Development Requirements for Places of Worship:**

- (i) Minimum Lot Frontage 30.0 metres
- (ii) Minimum Lot Area 4,000 m<sup>2</sup>

- (iii) Maximum Lot Coverage 45 %
- (iv) Minimum Setback – Front Yard 9.0 metres
- (v) Minimum Setback – Rear Yard 12.0 metres
- (vi) Minimum Setbacks – Side Yard 6.0 metres
- (vii) Maximum Building Height 15.0 metres

**(c) Off-Street Parking:**

- i) The Off-Street Parking shall be located on the same Lot as the Place of Worship it is intended to serve;
- ii) 1 space for each 4.7 square metres of Main Worship Area or 1 parking space for every 21 square metres of gross floor area, whichever is greater.
- v) No parking of motor vehicles shall be permitted within the 6.0 metre Landscaped Open Space referred to in Section 9.3 c) iv) (d).

**(d) Landscaped Open Space:**

A 6.0 metre strip of land immediately abutting any Street Line shall be used only for Landscaped Open Space except that driveways perpendicular to a street line shall be permitted to cross such Landscaped Open Space.

**(e) Definitions:**

For the purpose of Section 9.3 c) iv) the following definitions shall apply:

**Block:**

The term Block shall include the lots abutting that part of a street that is between two streets that cross or bisect each other, but does not include two streets that meet but do not cross.

**Main Worship Area:**

The term Main Worship Area shall mean the portion of the building dedicated exclusively for religious worship, and does not include the portions of the building used for purposes of office use, temporary care and custody of children, education, entertainment,

the assembly of individuals for social, entertainment or fraternal purposes, or the areas where food or drink are prepared, provided and/or served.”

3. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
  - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2008.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

