

Proposed Interim Control By-law – Parkway-Finch Business Park

Date:	February 23, 2009
To:	City Council
From:	Chief Planner and Executive Director, City Planning
Wards:	Ward 24 – Willowdale
Reference Number:	09 109635 NPS 00 OZ

SUMMARY

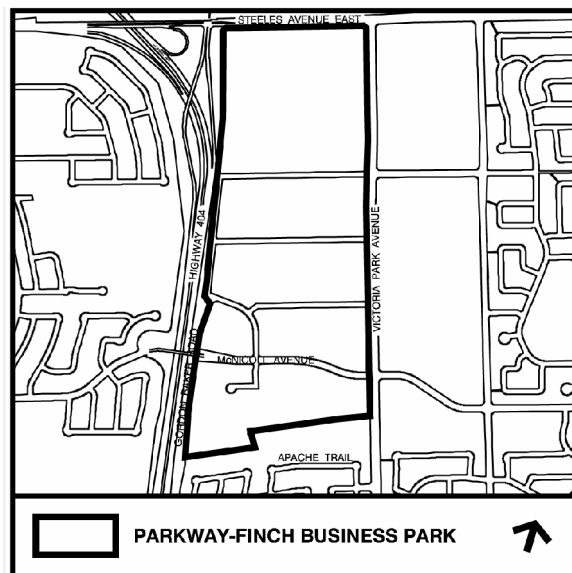
This City-initiated By-law is subject to the new provisions of the *Planning Act* and the City of Toronto Act, 2006.

This report proposes an Interim Control By-law to prohibit places of worship in the Parkway-Finch Business Park for a period of one year. The area is generally bounded by Steeles Avenue to the north, Victoria Park Avenue to the east, the hydro corridor to the south and Highway 404 to the west. The By-law will enable the Chief Planner and Executive Director of City Planning to review the impact of places of worship on this area, and together with the completion of the new harmonized zoning by-law, recommend revised zoning regulations and other policies for places of worship in this area.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the Chief Planner and Executive Director to undertake a study for the lands



- generally bounded by Highway 404 to the west, Steeles Avenue to the north, Victoria Park Avenue to the east and the hydro corridor to the south as identified on Attachment 1, to review the existing regulations pertaining to places of worship, determine if new policies and standards are required, and if so, to bring forward new policies and zoning regulations for places of worship for this area.
2. Pursuant to Section 38 of the *Planning Act*, City Council enact an Interim Control By-law substantially in accordance with the proposed By-law attached as Attachment 2.
 3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Interim Control By-law as may be required.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The lands comprising the Parkway-Finch Business Park are identified on Map 2 of the Official Plan as an Employment District. Under 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, provide a range of employment opportunities for Toronto residents and create and sustain well-paid employment opportunities.

In addition, Land Use Plan Map 19 of the Official Plan designates the lands in the Parkway-Finch Business Park as Employment Areas. The Official Plan indicates that Employment Areas are places of business and economic activity. Uses that support this function include offices, manufacturing, warehouse, 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.

The Plan indicates that some uses that are extensive land users and are not directly supportive of the primary employment function of Employment Areas, such as places of worship, have located in Employment Areas in recent decades. In the case of places of worship, the Plan states that they have special locational needs, they draw large numbers of worshippers from broad catchment areas and can have a serious impact on local traffic movement. Special locational limitations are needed for such uses in Employment Areas. Within Employment Areas, the Plan permits places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities only on major streets shown on Map 3 of the Official Plan.

Under former North York Zoning By-law 7625, the Parkway-Finch Business Park is zoned MO Industrial-Office Business Park Zone. The MO zone permits a range of industrial, office, and commercial uses as well as some institutional and recreational uses including places of worship. Section 6(26) of the zoning by-law sets out development standards for places of worship including landscaping, maximum gross floor area, minimum distance between places of worship and maximum size regulations. Places of worship in industrial zones are limited to a maximum size of 2,787 m². In addition, for sites that are not located on an arterial or minor arterial road and are located closer than 500 metres from a lot in a residential zone, only one place of worship per block is permitted and the place of worship must be located more than 500 metres away from another place of worship that is not located on an arterial or minor arterial road.

COMMENTS

In the Parkway-Finch Business Park, pressure exists to convert employment lands to sites for places of worship. A number of places of worship have located in the Parkway-Finch Business Park and recently, an application was submitted to the Committee of Adjustment to permit a place of worship through variances to the existing zoning restrictions and to allow an increase in the size permitted by the zoning by-law. These conversions can undermine the City's competitive advantage by creating land use instability while limiting the potential to create new jobs within the Employment Area.

Section 38 of the Planning Act gives City Council authority to pass Interim Control By-laws to temporarily restrict a land use while the City studies and reviews the affected land use policies. The proposed Interim Control By-law contained in Attachment 2 applies to lands in the former City of North York only, and seeks to prohibit places of worship within the Parkway-Finch Business Park while the review is underway. The Interim Control By-law would not prevent lawfully existing places of worship from continuing to operate. In addition, the By-law will exclude the site at 405 Gordon Baker Road which has been the subject of an application to permit a place of worship.

City Planning Division is currently completing a review of the zoning by-laws governing land use in Toronto and will be reporting this spring on the new consolidated Zoning By-law for the City. One of the matters being reviewed includes appropriate zoning regulations for places of worship in Employment Areas to be included in the new harmonized zoning by-law. The enactment of the Interim Control By-law will enable staff to review the policies and regulations pertaining to places of worship in the Parkway-Finch Business Park and if necessary bring forward additional regulations.

CONCLUSIONS:

It is recommended that Council enact the attached proposed Interim Control By-law for the lands in the Parkway-Finch Business Park to prohibit for a period of one year places

of worship in this area. This will enable the City to complete the review of land use policies as they apply to places of worship, and if necessary, bring forward recommendations setting out changes to the development regulations for places of worship in the Parkway-Finch Business Park.

CONTACT

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SIGNATURE

Gary Wright, Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Parkway-Finch Business Park

Attachment 2: Proposed Interim Control By-law

Attachment 1: Parkway-Finch Business Park



Schedule 1

Area of Proposed Interim Control Bylaw

File # 09_109635

Date: 02/16/2009
Approved by: N. Salamon

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Not to Scale

Attachment 2: Proposed Interim Control By-law

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2009

To pass an Interim Control By-law affecting those lands in the Parkway-Finch Business Park generally bounded by Highway 404 on the west, Steeles Avenue on the north, Victoria Park Avenue on the east and the hydro corridor on the south.

WHEREAS the Council of the City of Toronto has, by adopting Notice of Motion ~ at its meeting of ~, 2009, directed that a review be undertaken of the regulations pertaining to places of worship in the Parkway-Finch Business Park; and

WHEREAS authority is given to Council by Section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass an Interim Control By-law for a period of time which shall not exceed one year from the date of passage of the By-law for such purposes as are set out in the By-law:

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

1. Places of worship are prohibited on any lands shown within the heavy lines on Schedule 1 attached to this by-law.
2. This by-law shall not apply to the property known municipally as 405 Gordon Baker Road.
3. This By-law expires one year from the date of its enactment by Council.

ENACTED AND PASSED this ~ day of ~, A.D. 2009.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



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