

**3270 Markham Road – Rezoning Application – Preliminary Report**

<b>Date:</b>	January 20, 2010
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 41 – Scarborough-Rouge River
<b>Reference Number:</b>	09 190533 ESC 41 OZ

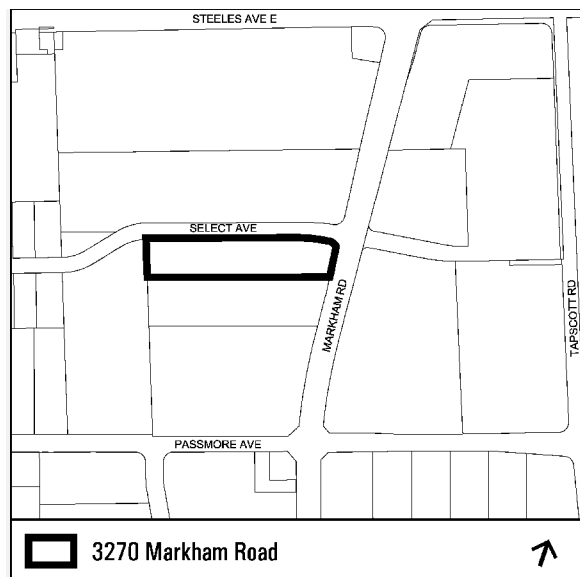
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The applicant proposes to amend the zoning by-law to permit a place of worship and associated community facilities on the vacant parcel of land at the southwest corner of Select Avenue and Markham Road (3270 Markham Rd).

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

The application should proceed through the normal planning review process including the scheduling of a community consultation meeting. A final report will be prepared and public meeting scheduled once all required information is provided by the applicant and issues raised during the review are addressed in a satisfactory manner.



## **RECOMMENDATIONS**

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

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **Pre-Application Consultation**

Staff held pre-application consultation meetings with the applicant in November 2008, February 2009 and September 2009. In early consultation the applicant proposed a private school and residence associated with the place of worship within the main building. Among other matters and concerns respecting the proposed land uses and compatibility with nearby uses, staff identified complete application submission requirements.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to erect a place of worship with associated community facilities. The proposal contemplates the construction of two buildings on a 1.7 ha. (4.2 ac.) site. The project consists of a 2-storey, 5,421 square metre (58,351 square feet) structure oriented towards the corner of Markham Road and Select Avenue and a small 1-storey, 174 square metre (1,873 square feet) structure at the southeast end of the main building. The main building consists primarily of space for religious activity, uses ancillary to this function and recreational spaces (pool, gymnasium, billiards & table tennis areas). The 1 storey structure proposed is intended to contain a mortuary and kitchen, storage, garbage and electrical rooms. A minaret approximately 40 metres (131 feet) in height is proposed at the east end of the site. The proposal contemplates 188 parking spaces including 4 handicapped spaces. A landscaped play area is proposed at the west end of the site. Two vehicular accesses are proposed from Select Avenue for ingress and egress of the site. Pedestrian access is proposed off of Select Avenue and Markham Road. The applicant has indicated in submitted materials that there are tentative locations for solar panels on the roof and a portion of the total roof area is intended to be a green roof.

## **Site and Surrounding Area**

The subject site is approximately 1.7 ha. (4.2 ac.) in size, flat and generally rectangular in shape. The site is vacant and has little vegetation. The site is located at the southwest corner of Markham Road and Select Avenue, south of Steeles Avenue.

North: Immediately north of the subject lands, north of Select Avenue, is a commercial development including two big box retailers (Walmart and Lowe's). The lands are zoned Special District Commercial (SDC) Zone.

South: Immediately south of the subject lands is a landscape and garden supply centre a greenhouse and golf driving range. (The lands are zoned Agricultural (AG) Zone).

West: To the west of the subject lands are existing industrial uses (The lands are zoned General Industrial (MG) Zone & Vehicle Service (VS) Zone).

East: To the east of Markham Road are vacant city-owned lands (former site of Scarborough Family Golf Centre). The lands are zoned (AG), Exception 387 permits a golf driving range and miniature golf. The lands directly southwest of the subject lands are the subject of a rezoning application (06 156009 ESC 42 OZ) submitted to permit restaurant, retail, personal service and industrial uses. The application has recently been appealed.

## **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 Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject lands are located within an 'Employment Districts' land use designation as indicated on Map 2 'Urban Structure' in the Official Plan. The policies indicate that lands that fall within the 'Employment Districts' land use designation should be protected and promoted exclusively for economic activity in order to attract new and expand existing employment clusters that are key to Toronto's competitive advantage; develop quality

Employment Districts that are globally competitive locations for national and international business and offer a wide choice of sites for new business; nurture Toronto's economic base; create and sustain well paid stable, safe and fulfilling employment opportunities for all Torontonians.

The subject site is also located in an 'Employment Areas' designation as illustrated on Map 22 'Land Use Plan'. Policy 4.6.2 indicates that 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. All existing places of worship, recreation and entertainment facilities, business and trade schools and branches of community colleges or universities legally established before the approval date of this Official Plan within Employment Areas are permitted. Markham Road is identified as a major street on Map 3 in the Official Plan. This section of Markham Road is identified as a planned Higher Order Transit Corridor on Map 4 and as a part of the surface transit priority network on Map 5.

Policy 4.6.6 indicates that development will contribute to the creation of competitive attractive, highly functional Employment Areas by avoiding excessive car and truck traffic on the road system within Employment Areas and adjacent areas; providing adequate parking on site; sharing driveways and parking areas wherever possible; providing landscaping on the front and flankage yards and adjacent to any public parks and open spaces and screening parking, loading and service areas; ensuring that outdoor storage and outside processing is not detrimental to neighbouring land uses in terms of dust, noise and odours.

## **Zoning**

The subject lands fall under the Employment Districts Zoning by-law 24982 (Tapscott). The subject lands are zoned Agricultural (AG) Zone. This zoning category has applied to these lands since the mid 1960's.

## **Site Plan Control**

The proposed development is not currently within a site plan control area. However, in considering a zoning by-law amendment application for these lands staff will recommend that these lands be subject to site plan control. A site plan control application has been submitted and is currently being reviewed by staff.

## **Tree Preservation**

The site is subject to the City's private tree by-law. A tree preservation plan has not been submitted to date. Staff have requested a tree preservation plan from the applicant. Once an appropriate plan has been received it will be circulated to Urban Forestry staff for review and comment.

## **Reasons for the Application**

The existing zoning on site permits Agricultural Uses. A site specific zoning by-law amendment is necessary to permit the uses proposed and to establish appropriate performance standards.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application: archaeological assessment, geotechnical investigation report, stormwater management report, arborist's report, traffic impact study and planning rationale.

A Notification of Incomplete Application issued on December 22, 2009 identified that a tree preservation plan is outstanding and that it is required for a complete application.

### **Issues to be Resolved**

#### **Proposed Land Use Change**

The Official Plan provides that places of worship may locate on major streets. Markham Road is a major street in the Official Plan and therefore a place of worship can be considered through a rezoning.

The proposal contains a mix of uses consisting primarily of a place of worship and recreational uses. The compatibility of the proposed development with the existing land uses will need to be assessed and the suitability of these uses at this location will need to be determined. The appropriateness of the proposed outdoor play area adjacent to the existing industrial uses and zoning permissions will need to be considered as a part of the review.

Staff note that the existing Ministry of Environment land use planning policy guidelines are to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial uses on one another. The Guideline D-1 (formerly policy 07-03) 'Land Use Compatibility Guidelines', Guideline D-6, and 'Noise Assessment Criteria in Land Use Planning Publication' LU-131 need to be considered in the review of the application. A place of worship is considered a 'sensitive land use' in the guidelines. Staff will have regard for the Ministry of Environment policies as the application is being processed.

On May, 6, 2009, the Planning and Growth Management Committee requested that City Planning review certain 'Employment Areas' policies, including Policy 4.6.2 which allows places of worship and recreational facilities in 'Employment Areas' along major streets on Map 3. The review is to assess the impact of these uses on the prime economic function of 'Employment Areas'. This review is currently underway and any findings will be utilized in the evaluation of this application.

**Traffic/Parking/Access**

Staff have concerns related to access, the traffic impact of this development on the local road network and the adequacy of parking on site. The applicant has submitted a traffic impact study prepared by Read Voorhees & Associates Limited dated November 9, 2009 in support of the application. The report has been circulated to Transportation Planning & Technical Services for review and comment.

**Toronto Green Standard**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

**CONTACT**

Jeffery Sinclair, Assistant Planner

Tel. No. 416-396-7685

Fax No. 416 396-4265

E-mail: jsincla@toronto.ca

**SIGNATURE**

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Allen Appleby, Director  
Community Planning, Scarborough District

**ATTACHMENTS**

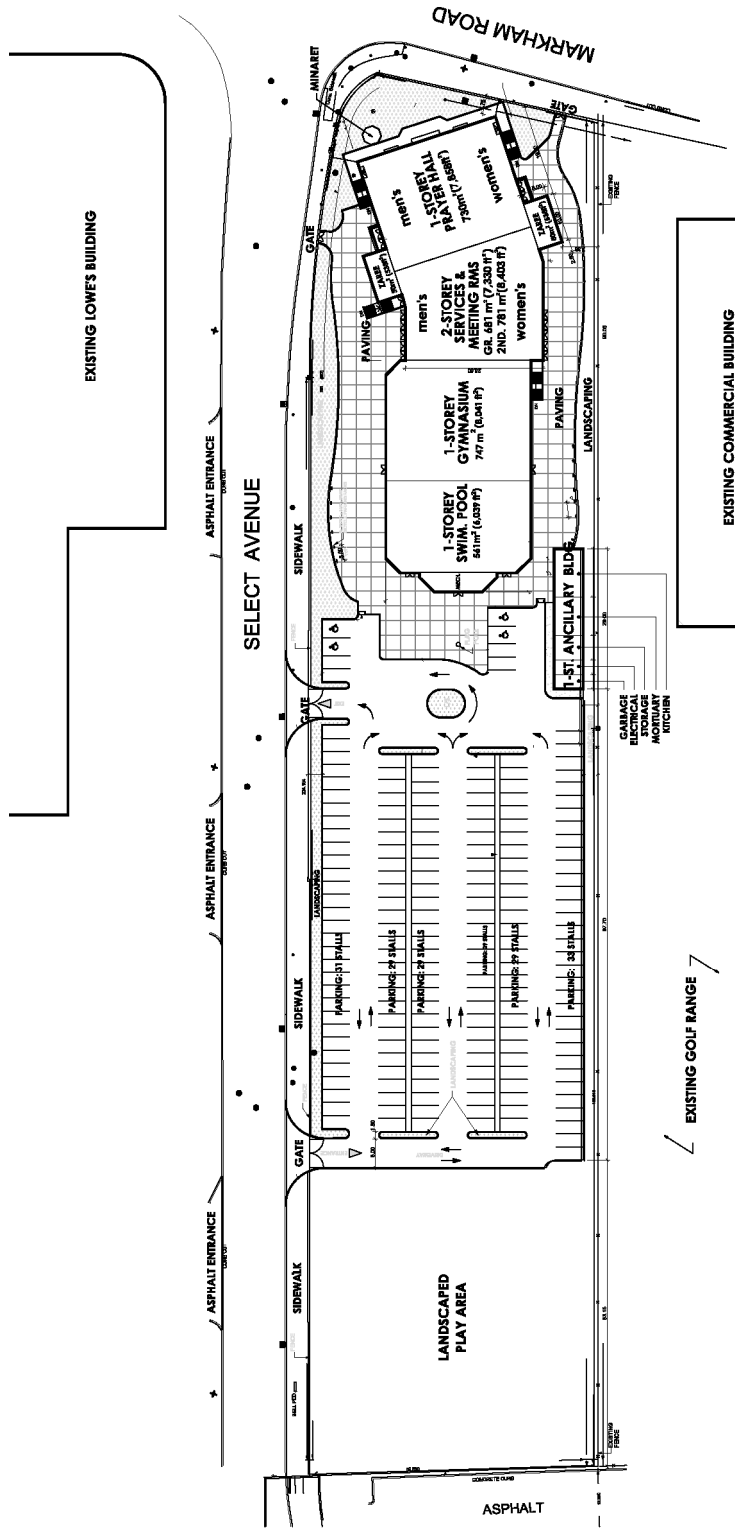
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



Attachment 2: Elevations

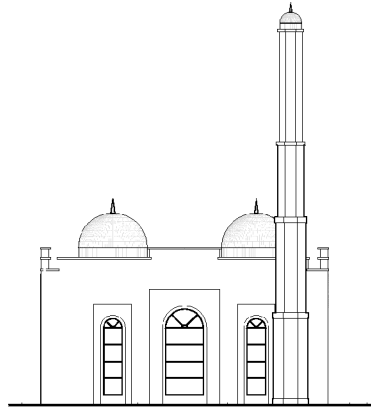
3270 Markham Road

File # 09-190533 0Z

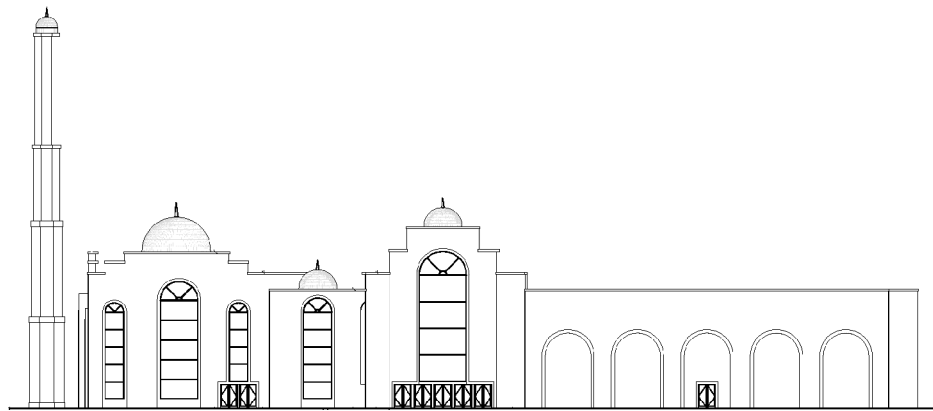
Site Plan  
Applicant's Submitted Drawing

Not to Scale  
1/07/10

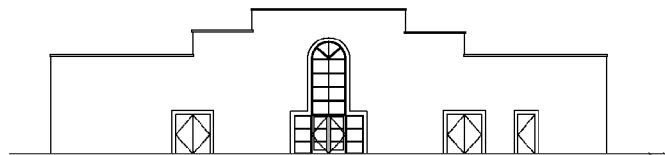
**Attachment 2: Elevations**



**EAST**



**NORTH**



**NORTH  
ANCILLARY BUILDING**

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**Elevation Plan**

**Applicant's Submitted Drawing**

Not to Scale  
1/07/10

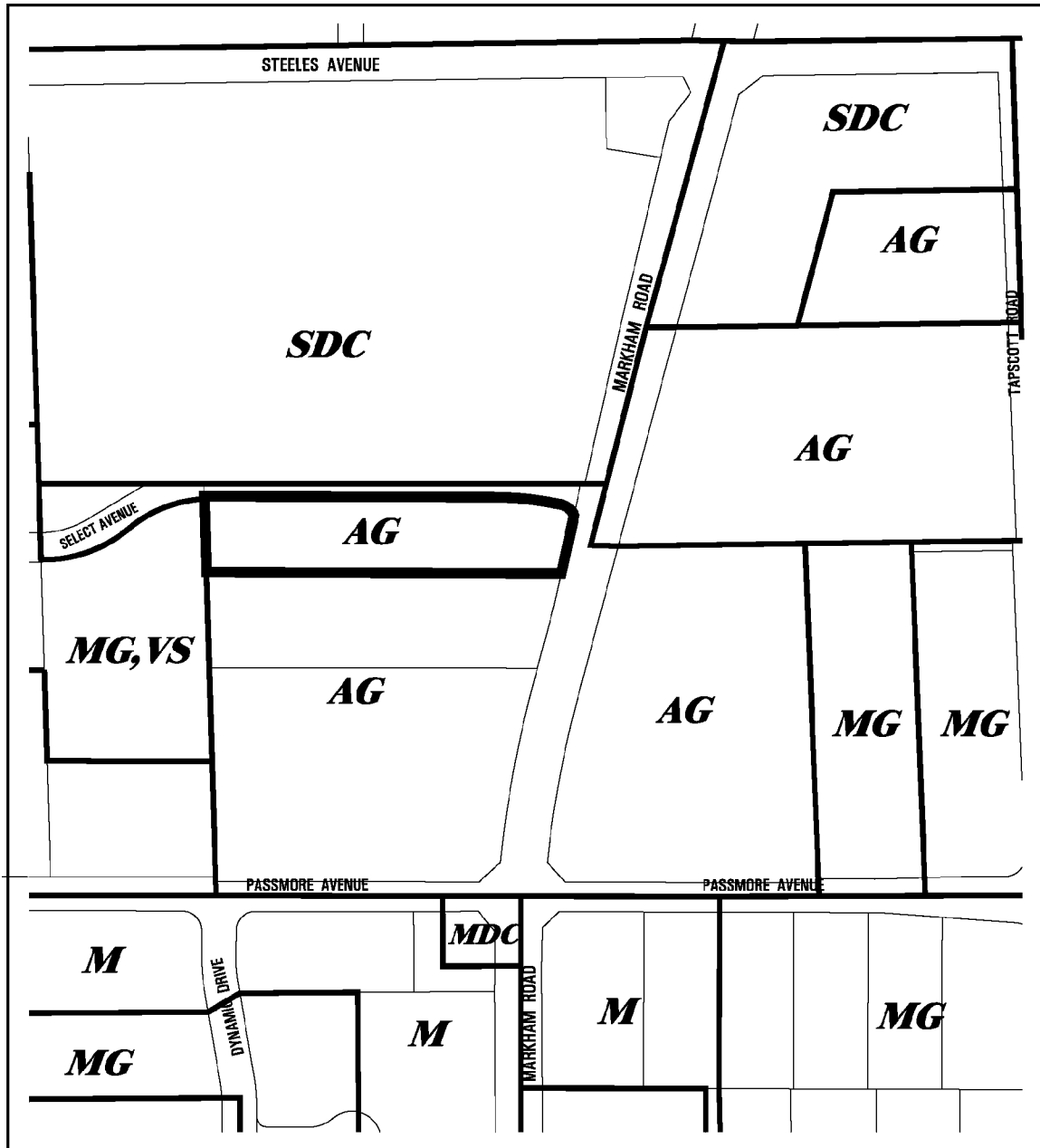
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### Attachment 3: Zoning



**TORONTO** City Planning  
Division  
**Zoning**

**3270 Markham Road**  
09-190533 0Z

**AG** Agricultural Zone  
**M** Industrial Zone  
**MDC** Industrial District Commercial Zone

**MG** General Industrial Zone  
**SDC** Special District Commercial Zone  
**VS** Vehicle Service Zone

Tapscott Employment Bylaw  
Not to Scale  
1/07/10

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	09 190533 ESC 41 OZ
Details	Rezoning, Standard	Application Date:	November 23, 2009
Municipal Address:	3270 MARKHAM RD		
Location Description:	CON 5 PT LT17 PT LT18 **GRID E4104		
Project Description:	The applicant proposes to construct a 5,421 m <sup>2</sup> (58,351 ft <sup>2</sup> ) place of worship consisting of prayer hall & foyer, gymnasium, indoor swimming pool, and meeting rooms and recreational spaces & a 174m <sup>2</sup> (1,873 ft <sup>2</sup> ) building are also proposed. The basement of the main building intended to include a daycare, guest rooms.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
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### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:
Zoning:	AG	Historical Status:
Height Limit (m):		Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq. m):	16847	Height:	Storeys:	2
Frontage (m):	46.607		Metres:	12.2
Depth (m):	278.685			
Total Ground Floor Area (sq. m):	3048			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	188
Total Non-Residential GFA (sq. m):	5595		Loading Docks	0
Total GFA (sq. m):				
Lot Coverage Ratio (%):	18			
Floor Space Index:	0.24			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:			
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	5595
Total Units:	0		0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Jeffery Sinclair, Assistant Planner</b>
	<b>TELEPHONE:</b>	<b>416-396-7685</b>