

Proposed Interim Control By-law – Eddystone Avenue

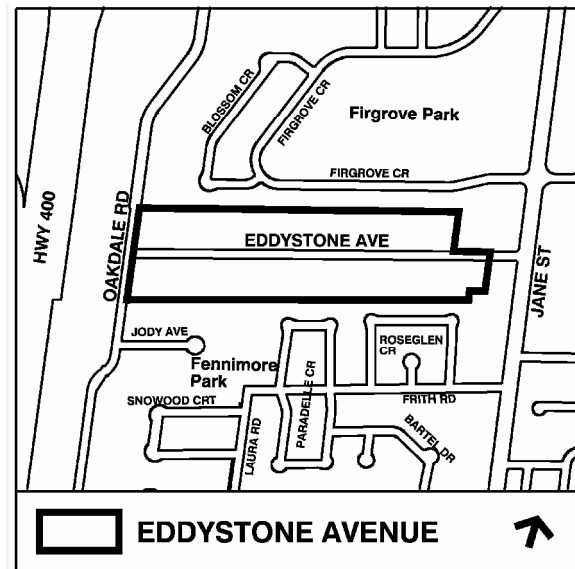
Date:	July 6, 2012
To:	City Council
From:	Acting Chief Planner and Executive Director, City Planning
Wards:	Ward 7 – York West
Reference Number:	Cc12048 (12 205179 WET 07 OZ)

SUMMARY

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

Along Eddystone Avenue, pressure exists to convert employment lands to sites for places of worship and restaurants. There are several multi unit buildings along Eddystone Avenue which have signage denoting places of worship. Land uses such as this can undermine the City’s competitive advantage by creating land use instability while limiting the potential to create new jobs within the *Employment Area*.

This report proposes an Interim Control By-law to prohibit places of worship, banquet halls and large restaurants along Eddystone Avenue for a period of one year. The area of the interim control is for both sides of Eddystone Avenue, zoned MC, M1 and M2 and between Jane Street and Oakdale Road. The By-law will enable the Acting Chief Planner and Executive Director of City Planning to review the impact of places of worship, banquet halls and large restaurants on this employment area and abutting residential uses and if necessary recommend revised zoning regulations and other policies for places of worship, banquet halls and restaurants in this area.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the Acting Chief Planner and Executive Director to undertake a study for the lands generally on Eddystone Avenue bounded by Jane Street and Oakdale Road and zoned MC, M1 and M2 as identified on Attachment 1 to this report, to review the existing regulations pertaining to places of worship, banquet halls and restaurants with a floor area greater than 250 square metres, determine if new policies and standards are required, and if so, to bring forward new policies and zoning regulations for places of worship, banquet halls and restaurants with a floor area greater than 250 square metres in 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

Eddystone Avenue is 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 13 of the Official Plan designates the lands as *Employment Areas*. The Plan states *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 notes that some uses that are extensive land users and are not directly supportive of the primary employment function of Employment Areas uses, such as places of worship and recreation and entertainment facilities, have located in Employment Areas in recent decades. In the case of places of worship and recreation and entertainment facilities, the Plan states that they have special locational needs, they draw large numbers of people 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, Eddystone Avenue is zoned MC, M1 and M2. The MC and M2 zones permit a range of industrial, office, and commercial uses as well as some institutional and recreational uses including places of worship, banquet halls and restaurants. M1 zones permit a range of industrial, office, and commercial uses as well as some institutional uses including places of worship. Restaurant and banquet hall uses are permitted in the MC and M2 zones.

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 square metres. 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.

Section 6(29) of the zoning by-law limits restaurants having a gross floor area of 1,000 squares or more within 300 metres from any residential zone.

COMMENTS

Eddystone is an Employment Area extending from Oakdale Road and the Highway 400 Employment Corridor next to Jane Street, made up of approximately 31 properties and containing a mix of multi unit buildings and larger buildings. Along the middle section of Eddystone the employment area, the areas zoned M1 zone and MC, generally backs directly onto low density residential areas. Along Eddystone Avenue there are a number of places of worship and restaurants. In a recent site visit of this area it was observed that approximately 12 places of worship and 5 restaurants are located along Eddystone Avenue. A large concentration of these types of uses in an employment area can undermine the City's competitive advantage by creating land use instability while limiting the potential to create new jobs within the *Employment Area*. Moreover, in the case of restaurant and banquet halls in MC zones abutting R zones the permitted size of the uses can create adverse impacts on the nearby residential zones.

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 relevant land use policies. The proposed Interim Control By-law contained in Attachment 2 seeks to prohibit: places of worship in the M1, M2 and MC zones; banquet halls in the MC zone; and restaurants with a floor area greater than 250 square metres in MC zone, along Eddystone Avenue while the review is underway. Restaurants that are 250 square metres or less in size tend to serve the local area rather than a regional draw. The Interim Control By-law would not prevent existing lawfully established places of worship, banquet halls

and restaurants from continuing to operate. The Interim Control By-law would also not prevent the establishment of a new smaller restaurant having a floor area under 250 square metres.

The City Planning Division is currently completing a review of the zoning by-laws governing land use in Toronto. One of the matters being reviewed includes appropriate zoning regulations for places of worship and restaurants 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, banquet halls and restaurants along Eddystone Avenue and if necessary, bring forward additional regulations.

Conclusions

It is recommended that Council enact the attached proposed Interim Control By-law for Eddystone Avenue to prohibit for a period of one year places of worship, banquet halls and restaurants with a floor area greater than 250 square metres in this area. This will enable the City to complete the review of land use policies as they apply to places of worship, banquet halls and restaurants, and if necessary, bring forward recommendations setting out changes to the development regulations for places of worship, banquet halls and restaurants along Eddystone Avenue.

CONTACT

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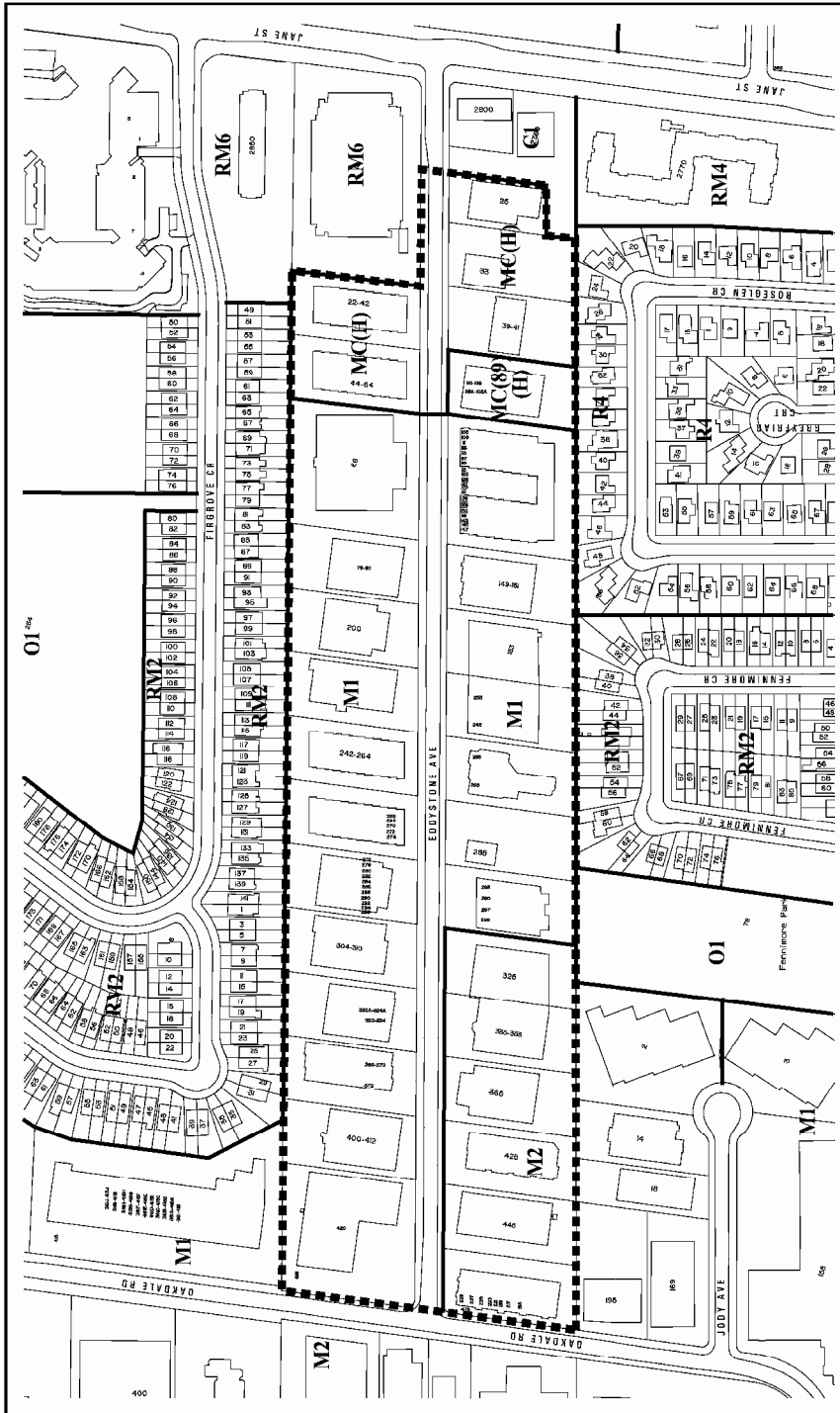
SIGNATURE

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

ATTACHMENTS

Attachment 1: Area Proposed for Interim Control
Attachment 2: Proposed Interim Control By-law

Attachment 1: Area Proposed for Interim Control



Area of Proposed Interim Control

File # 12 205179 WET 07 02



- M1 Industrial Zone One
- M2 Industrial Zone Two
- MC Industrial-Commercial Zone
- O1 Open Space Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning Bylaw 7625
Extracted 07/05/2012

Attachment 2: Proposed Interim Control By-law

Authority:
Enacted by Council:

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2012

To effect interim control with respect to those lands on Eddystone Avenue bounded by Jane Street and Oakdale Road and zoned MC, M1 and M2.

WHEREAS the Council of the City of Toronto has, by adopting Motion ~ at its meeting of ~, 2012, directed that a review be undertaken of the regulations pertaining to places of worship, banquet halls and restaurants on Eddystone Avenue; and

AND WHEREAS Section 38 of the Planning Act permits the Council of a municipality to pass a by-law where the Council has directed that a review or study be undertaken in respect of land use planning policies within a defined area prohibiting the use of land, building or structures within the defined area under review for, or except for, such purposes as are set out in the by-law;

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

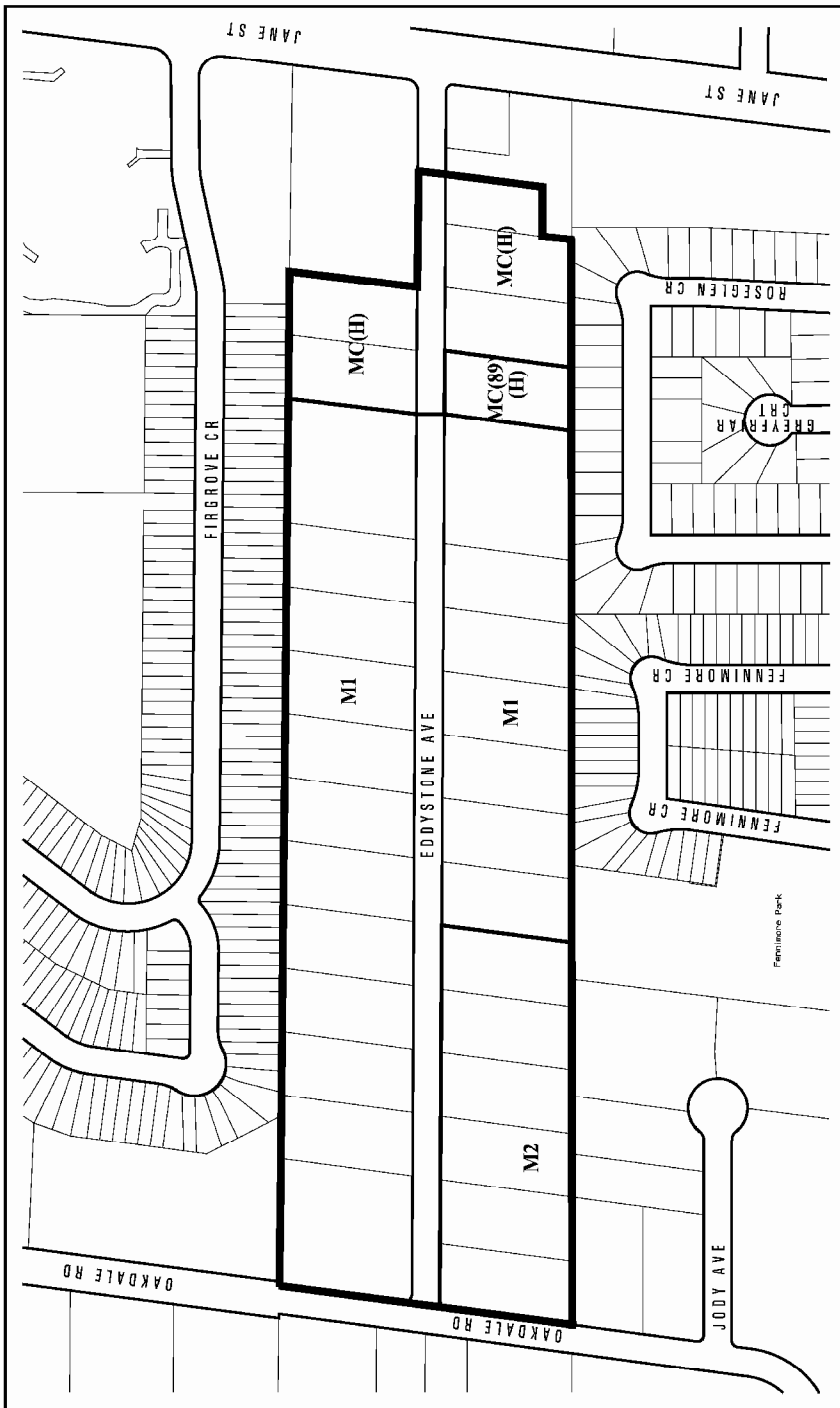
1. Places of worship are prohibited on any lands shown within the heavy lines on Schedule 1 attached to this by-law.
2. Restaurants with a gross floor area greater than 250 square metres and banquet halls are prohibited on lands zoned MC as shown within the heavy lines on Schedule 1 attached to this by-law.
3. This By-law expires one year from the date of its enactment by Council.

ENACTED AND PASSED this ~ day of ~, A.D. 2012.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



Area of Proposed Interim Control By-law



Not to Scale
 07/05/2012