

1736 Weston Road – Rezoning Application – Status Report

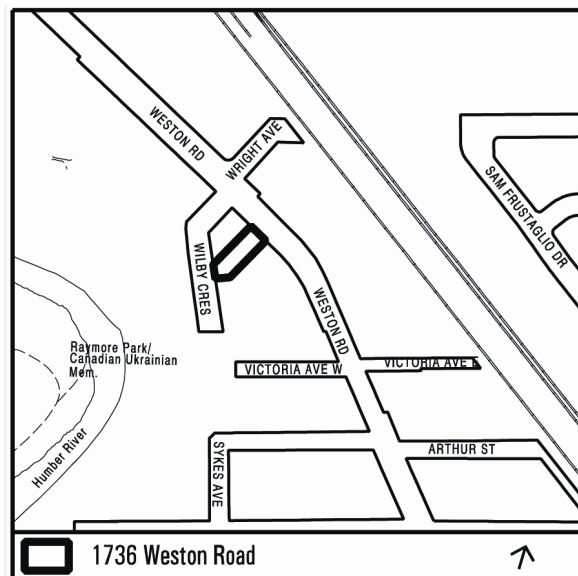
Date:	June 17, 2008
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward No. 11– York South-Weston
Reference Number:	File No: 01 036373 WHY 11 OZ

SUMMARY

At its meeting on February 12, 2008, Etobicoke York Community Council deferred consideration of the Supplementary Reports dated January 24, 2008 and December 22, 2006 from the Director of Community Planning Etobicoke York District. The reports recommended refusal of a proposal to permit a Place of Worship on a temporary basis at 1736 Weston Road.

At this meeting, Council instructed the applicant to have a permanent solution in place that will manage the parking requirements for the site as generated by the proposed use. This solution was required to be brought forward to Etobicoke York Community Council meeting of July 7, 2008.

This report provides a status update, regarding Council’s requirement for a permanent parking solution based on information provided by the applicant



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council adopt the refusal recommendations of the

Supplementary Reports dated January 24, 2008 and December 22, 2006, from the Director of Community Planning, Etobicoke York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A rezoning application to permit a Place of Worship use at 1736 Weston Road was approved on a temporary basis by City Council in June 2003, subject to conditions being fulfilled within a six-month period, prior to the introduction of the Bill to City Council.

After two and a half years of inaction to fulfil the conditions of approval, a request was filed from the applicant to modify a condition of the original approval provision among which included requiring off-site Parking Licence Agreements to be registered on title.

The approval conditions required a minimum of 50 parking spaces to be in compliance with the parking space dimensions of the Zoning By-law, a minimum of two spaces to be located on-site, and the remainder to be leased off-site within 300 metres of the site. The off-site spaces were to be surplus to the donor site(s), registered on title of the donor site(s) and available at all times for use by the Place of Worship.

The applicant has advised that the original conditions relating to the provision and maintenance of surplus off-site parking for the Church, through a lease agreement registered on title to the donor site(s), could not be provided due to conditions beyond the owner's control.

As an alternative, lease agreements were secured in an attempt to address the original parking conditions to approval. These agreements have been renewed and are now in place until the end of August 2008, with an option to extend on a month-to-month basis.

The applicant last appeared before Etobicoke York Community Council at their meeting on February 12, 2008, and reiterated the position that having to register on-title parking agreements cannot be achieved, but could be accomplished through a one-year agreement, with a renewal clause.

At this meeting, Etobicoke York Community Council deferred consideration of the Supplementary Reports (January 24, 2008 and December 22, 2006) from the Director, Community Planning, Etobicoke York District, to its July 7, 2008 meeting and also requested the applicant to obtain and put forward a permanent parking solution for its meeting on July 7, 2008, with no further delays.

It is noted that this application along with the request to revise the original conditions to approval has gone forward to nine Community Council and City Council meetings. In an effort to bring resolution to this situation, it is recommended that Council make a decision on this matter.

<http://www.toronto.ca/legdocs/2003/agendas/committees/yk/yk030610/it002.pdf>

<http://www.toronto.ca/legdocs/2006/agendas/committees/et/et060509/it016.pdf>

<http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-531.pdf>

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-10341.pdf>

COMMENTS

The current parking agreements obtained from 1731 and 1737 Weston Road will each expire at the end of August 2008. Each agreement contains an extension of the lease on a month to month basis, subject to the right of the Licensor to terminate the agreement upon providing notice to the church.

In a communication from the applicant's agent, Community Planning has been advised that Grace Restoration International Ministries is in negotiation to lease 50 parking spaces from Bethel Church, located at 1823-1831 Weston Road. In keeping with the original approval conditions to lease off-site parking spaces, Bethel Church is within the maximum 300 metre distance requirement at a distance of approximately 275 metres (900 feet).

Site information such as worship floor area, congregation size and existing parking supply was requested from the applicant to be provided in order for Planning to assess 1821-1823 and 1831 Weston Road by the same criterion as previously applied to the other sites with which agreements are currently in place until August 2008. To date, this information has not been obtained.

A five-year lease was originally prepared for consideration by Bethel Church, but was not signed on the basis that the agreement was too restrictive. In an effort to continue with negotiations, a lease agreement for one year has been prepared for second review by Bethel Church. To date, the response to this agreement by Bethel Church is not known.

As previously reported, the difficulty herein requires that the donating site provide surplus parking, and parking be made available without time restrictions. Confirmation would be needed that there is surplus parking supply at 1821-1823 and 1831 Weston Road and that the parking would not be constrained should services and activities coincide with the services and weekly functions at Grace Restoration International Ministries.

This information is provided as of the date of this report and will be updated directly at Etobicoke York Community Council if necessary.

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SIGNATURE

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