

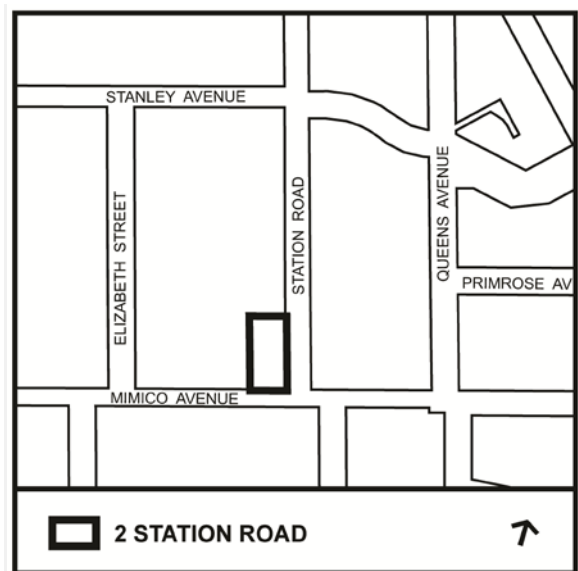
**2 Station Road – Zoning By-law Amendment Application
– Supplementary Final Report**

Date:	May 18, 2016
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	13 143167 WET 06 OZ

SUMMARY

At its meeting of July 8, 2014 City Council approved a proposal for the adaptive re-use of the heritage building, the Wesley Mimico United Church, at 2 Station Road. The application proposed a multi use facility including a new worship area, community uses and 30 seniors apartments. Part 6 of City Council's decision stated that if the development did not proceed within five (5) years from the passage of the Bills by City Council, the site specific Zoning By-law Amendment would be null and void and new plans and drawings for the development of the site must be submitted to the City of Toronto for approval.

The execution of a Section 37 Agreement was required prior to the Bills being submitted to City Council. The Section 37 agreement was executed on March 31, 2015 and City Council adopted By-law No. 379 -2015, a site specific zoning amendment for the property. The Section 37 Agreement and Heritage Easement Agreement provided that should the City receive notice in writing from the developer that the proposal would not proceed, the Section 37 Agreement and the associated Heritage Easement Agreement would be terminated and the Zoning By-law



provisions applicable to the site on the day immediately prior to the passing of the Amending By-law could be restored by City Council.

On January 24, 2016, the applicant provided the City with written notice that the project, as approved, would not proceed, and the owners waived the 90 day period for the termination of the Section 37 Agreement and the Heritage Easement Agreement.

This report recommends that Zoning By-law No. 379-2015 be repealed consistent with the terms of the Section 37 Agreement and the R3 – Third Density Residential zone in the former City of Etobicoke Zoning Code be restored.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council repeal By-law No. 379-2015 for the lands located at 2 Station Road.
2. City Council re-instate the R3 – Third Density Residential zone of the former City of Etobicoke Zoning Code for the lands at 2 Station Road substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to the Report of the Director, Community Planning, Etobicoke York District dated May 11, 2016.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application was filed in April 2013 by Wesley Mimico United Church for the adaptive re-use of the heritage church building for a new worship space, community uses and 30 seniors apartments. A Preliminary Report was considered by Etobicoke York Community Council at its meeting of June 18, 2013 and can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY25.14>

The Toronto Preservation Board approved the Intention to Designate the property under Part IV, Section 29 of the *Ontario Heritage Act* on December 16, 2013. The report can be found at:

<http://www.toronto.ca/legdocs/mmis/2013/pb/bgrd/backgroundfilr-61764.pdf>

By-law No. 913 – 2014 designated the property under Part IV of the Ontario Heritage Act.

A Final Report was considered by Etobicoke York Community Council on June 17, 2014 that recommended approval of the draft zoning by-law for the site specific development

of the lands at 2 Station Road and the execution of the Section 37 Agreement. The report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY34.5>

A staff report on the Alteration of a Designated Heritage Property – 2 Station Road, including a requirement for the execution of a Heritage Easement Agreement, was considered by Etobicoke York Community Council on June 17, 2014. The report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY34.6>

On July 8, 2014, City Council adopted the recommendations of both reports.

At its meeting of March 31, April 1 and April 2, 2015, City Council adopted By-law No. 379-2015 to amend Chapter 342 of the Etobicoke Zoning Code with respect to the lands municipally known as 2 Station Road.

COMMENTS

The previous proposal sought to redesign the interior of the church to create a new flexible worship space as well as a multi use space, lounge and kitchen facilities for community programs on the ground floor. A new 1.5 storey addition was proposed to the front of the existing church creating a greater street presence along Mimico Avenue. A four-storey addition would be constructed to the rear of the church on the existing parking lot. An additional two floors would be added to the existing building to "square off" the existing pitched roof.

Staff worked with the applicant to achieve a redevelopment that retained key historical elements of the building. While staff had some concerns with the proposal, it was determined that the retention and preservation of the key historical elements through the adaptive reuse of the building as a seniors home, with the continued participation of the church congregation, was an acceptable compromise.

Through the May 30, 2014 Final Report from the Director, Community Planning, Etobicoke York District, staff acknowledged that the proposal would continue to be refined through the Heritage Conservation Plan and site plan process. Staff acknowledged that the review of the proposal was continuing and the consideration of the proposal was based on the review of the entire project, including the community outreach programs being proposed and the continuation of the ownership and use by the congregation of the church. As part of its approval of the report, City Council directed that, should the development not proceed within five years, the site specific Zoning By-law Amendment should be null and void and plans and drawings outlining any new development would have to be submitted to the City for approval. The Section 37 Agreement and Heritage Easement Agreement were prepared to reflect that, should the applicant determine they were not proceeding with the development, upon written notice the Section 37 Agreement and Heritage Easement Agreement would be terminated and the original zoning on the site could be restored by the City.

On January 24, 2016, Trustees for the Wesley Mimico Congregation of the United Church of Canada and Wesley Mimico Place, the owners of the development lands, provided Notice of Termination in accordance with Section 5.5 of the Section 37 Agreement and waiving the 90-day termination period for the Section 37 Agreement and the Heritage Easement Agreement. As such, staff are recommending that By-law No. 379-2015 be repealed and the previous zoning on the lands be re-instated.

CONTACT

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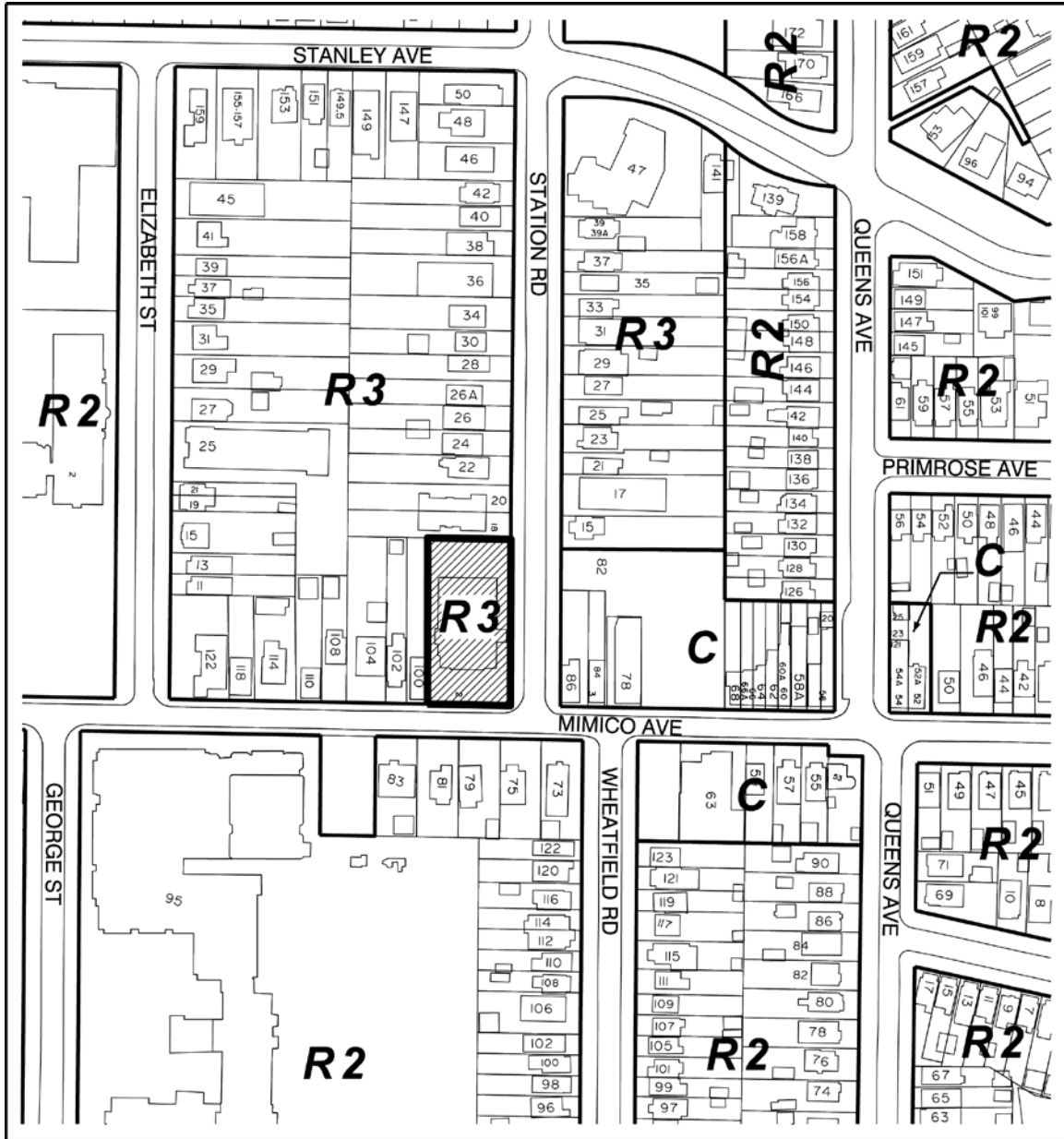
SIGNATURE

Neil Cresswell, MCIP, RPP
Director of Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Zoning (Former City of Etobicoke Zoning Code)
Attachment 2: Draft Zoning By-law Amendment

Attachment 1: Zoning (Former City of Etobicoke Zoning Code)



2 Station Road
File # 13 143167 WET 06 02

- R2 Second Density Residential
- R3 Third Density Residential
- C Commercial

↑
Not to Scale
Former Mimico By-law 1930
Extracted 03/21/2014

Attachment 2: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item – as adopted by City of Toronto Council on ~, 20~.

Enacted by Council: ~, 20~.

CITY OF TORONTO

Bill No. ~

BY-LAW NO. ~ - 2016

To amend the Etobicoke Zoning Code, as amended, with respect to the lands municipally known as 2 Station Road

Whereas Council of the City of Toronto has the authority pursuant to 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. By-law No. 379-2015 be repealed.
2. The R3 - Third Density Residential Zone of the Etobicoke Zoning Code as it existed on July 7, 2014 be reinstated on the property.

