

**City Council****Notice of Motion**

MM5.3	ACTION			Ward:6
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**2 Station Road - Deletion of Proposed Condition in Zoning By-law - by Councillor Mark Grimes, seconded by Councillor Justin J. Di Ciano**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Mark Grimes, seconded by Councillor Justin J. Di Ciano, recommends that:

1. City Council direct that the amendment to the Etobicoke Zoning Code under Item EY34.5 and the redevelopment of the existing Wesley Mimico United Church at 2 Station Road shall not include a condition that the zoning by-law become null and void in the event that the development proposal does not proceed within five years.
2. City Council determine that the revision made to the proposed zoning by-law is minor in nature and, pursuant to subsection 34(17) of the Planning Act, no further public notice is required in respect of the proposed zoning by-law.

**Summary**

Etobicoke York Community Council Item EY34.5 approved an amendment to the Etobicoke Zoning Code to permit additions to, and the internal conversion of, the existing Wesley Mimico United Church at 2 Station Road to facilitate the redevelopment of this site to a multi-use facility that includes a new worship area, community uses and 30 seniors' apartments.

One of the conditions to the approval requires that the proposed zoning by-law amendment shall be come null and void if the proposed redevelopment does not proceed within five years after the passage of the by-law. Although the Province of Ontario enacted legislation some years ago to enable conditional zoning, that conditional zoning authority was made subject to regulations - and the Province has not yet authorized regulations for conditional zoning.

As a result, this Motion proposes that reference to such condition not be included in the proposed zoning by-law.

This Motion is urgent on the basis that the applicant has significant financial, legal and contractual deadlines to address before the next Council meeting.

