1736 Weston Road – Zoning By-law Amendment Application - Preliminary Report

SUMMARY

This application proposes a Zoning By-law Amendment to maintain a place of worship use at 1736 Weston Road. A Zoning By-law Amendment to permit the place of worship use was approved by City Council in 2003, subject to a number of conditions that were never fulfilled. Between 2003 and 2008, the applicant requested through Etobicoke York Community Council and City Council that the condition related to off-site parking be amended to be less onerous. The request was deferred by City Council and Etobicoke York Community Council several times and ultimately considered by City Council in 2008. In 2008, City Council approved a Temporary Use By-law, with no requirement for off-site parking, for a period of three years. The Temporary Use By-law was enacted by City Council in 2010 and it expired in 2013. The subject application is to permit the place of worship as a permanent use.

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.

A community consultation meeting scheduled by staff, in consultation with the Ward Councillor, is targeted to be held in the second quarter of 2016. A Final Report and statutory public meeting under the
Planning Act to consider the application is targeted for the fourth quarter of 2016. This target assumes the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 1736 Weston Road 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 of the Planning Act.

Financial Impact
The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of June 24, 25 and 26, 2003, City Council considered a Final Report from the Director of Community Planning, West District, which recommended that a Zoning By-law Amendment to permit the place of worship be approved for a period of three years. City Council amended the staff recommendation and approved the Zoning By-law Amendment for a period of one year, subject to a number of conditions. The Final Report can be viewed at the following link:

At its meeting of May 9, 2006, Etobicoke York Community Council considered a staff report providing an update on the status of the rezoning application. The Status Report sought direction with respect to a request from the applicant to amend one of the conditions of approval of the Zoning By-law Amendment application related to the provision of off-site parking to make it less onerous. City Planning staff recommended that City Council refuse the applicant's proposal and maintain the original condition. Etobicoke York Community Council adopted the staff recommendation. The Status Report from the Director of Community Planning, Etobicoke York District can be viewed at the following link:

City Council deferred consideration of this matter at three successive meetings. At its meeting of July 25, 26 and 27, 2006 City Council referred the item back to Etobicoke York Community Council for further consideration and consultation with the Transportation Services Division.
At its meeting of January 16, 2007, Etobicoke York Community Council considered a Supplementary Report (Item EY2.26) which again recommended that City Council refuse the applicant's proposal to amend the condition related to the provision of off-site parking. Consideration of this item was deferred by Etobicoke York Community Council for six months. The Supplementary Report from the Director of Community Planning, Etobicoke York District can be viewed at the following link: http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13916.pdf

Etobicoke York Community Council next considered this item again at its meeting of February 12, 2008. In addition to the Supplementary Report noted above, at its meeting of February 12, 2008, Etobicoke York Community Council considered a Further Supplementary Report (Item EY14.29) which again recommended that City Council refuse the applicant's proposal to amend the condition related to off-site parking. City Planning also recommended that the application be closed due to the length of time the approval conditions had been outstanding. Etobicoke York Community Council deferred consideration of the item until its meeting of July 7, 2008. At its meeting of July 7, 2008, Etobicoke York Community Council amended the staff recommendations and recommended that City Council enact a Temporary Use By-law for a period of three years. The Further Supplementary Report from the Director of Community Planning, Etobicoke York District can be viewed at the following link: http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13913.pdf

At its meeting of July 15, 2008, City Council enacted a Temporary Use By-law to permit a place of worship on the subject site for a period of three years, subject to conditions related to gross floor area, front yard landscaping and on-site parking. No off-site parking was required. The Bill was introduced for passage at the April 1, 2010 meeting of City Council. The City Council decision can be viewed at the following link: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2008.EY18.6

Pre-Application Consultation
A pre-application consultation meeting was not requested by the applicant prior to the submission of the application.

ISSUE BACKGROUND

Proposal
The proposal is to amend the Zoning By-law to maintain a place of worship use on the subject site as a permanent use. The existing two-storey (7.42 m) commercial building, which is currently used as a place of worship, would remain and would not be altered. The place of worship has existed for 15 years and previously the building was used as a banquet hall. The existing building covers a substantial portion of the subject site with setbacks of: 3.08 m (front); 5.28 m (rear); 0.19 m (north side); and 0.82 m (south side). The total gross floor area of the existing building is 1,375 m², of which 643 m² (the ground floor) is used for worship area. The balance of the gross floor area (the second floor), is comprised of classrooms and meeting areas associated with the place of worship.
There are two existing parking spaces serving the place of worship, located at the rear of
the subject site and accessed from Wilby Crescent, both of which would be retained.

**Site and Surrounding Area**

The site is located on the west side of Weston Road, between Wilby Crescent and
Victoria Avenue, south of the intersection of Weston Road and Lawrence Avenue West.
The site area is approximately 897 m² and is occupied by a two storey building, currently
being used as a place of worship.

North: To the north are low rise commercial buildings fronting the west side of Weston
Road and high rise residential apartment buildings fronting the east side of
Weston Road.

South: To the south are low rise commercial buildings fronting both sides of Weston
Road.

East: To the east is a gas station, a day nursery and a commuter parking lot which
serves the Weston GO Transit and Union-Pearson Express stations.

West: To the west are low rise industrial and commercial buildings, and the Humber
River.

**Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of
provincial interest related to land use planning and development. These policies support
the goal of enhancing the quality of life for all Ontarians. Key objectives include:
building strong, healthy communities; wise use and management of resources; and
protecting public health and safety. The PPS recognizes that local context and character is
important. Policies are outcome-oriented, and some policies provide flexibility in their
implementation provided that provincial interests are upheld. 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 property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in
the Official Plan (see Attachment 2: Official Plan). *Apartment Neighbourhoods* are made
up of apartment buildings and parks, local institutions, cultural and recreational facilities,
and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the Neighbourhoods designation, including places of worship, are also permitted in Apartment Neighbourhoods.

The subject site is located within the Weston Area as defined by Site and Area Specific Policy 51 of the Official Plan which speaks to protecting view corridors of the Humber Valley as well as increasing connectivity to the Humber Valley for pedestrians and cyclists.

This application will be reviewed against the policies in the Official Plan including those in the "Public Realm" and "Built Form" sections of the Plan. Compliance with other relevant policies of the Official Plan including the environment and transportation will also be addressed. The Official Plan is available at: http://www.toronto.ca/planning/official_plan/introduction.htm.

Official Plan Amendment No. 320 (OPA 320)

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, Neighbourhoods and Apartment Neighbourhoods policies to support Council’s goals in the Official Plan to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in Apartment Neighbourhoods. In December 2015 the City submitted OPA 320 to the Minister of Municipal Affairs and Housing for approval. While OPA 320 is City Council's adopted policy, it is not yet in force.

Zoning

The site is zoned Main Street Commercial/Residential (MCR) under former City of York Zoning By-law No. 1-83 (see Attachment 3: Zoning). The MCR zone permits a wide variety of uses including: townhouses, apartment buildings, retail stores, offices, restaurants, recreational uses and limited institutional uses. A place of worship is not a permitted use. The maximum permitted height in the MCR zone is 8 storeys or 24 metres (any construction within 6 metres of the front lot line is limited to 9 metres in height) and the maximum floor space index is 2.5 times the area of the lot.

The site is not subject to City-wide Zoning By-law No. 569-2013 because the zoning does not conform to the Official Plan Apartment Neighbourhoods designation.

Site Plan Control

Toronto Building staff have advised that the change of use to permit a place of worship requires a Site Plan Control application, which has not yet been submitted to the City.

Reasons for the Application

A Zoning By-law Amendment is required to permit the place of worship use. Other areas of non-compliance may be identified through the zoning review currently being undertaken by Toronto Building staff.
COMMENTS

Application Submission
The following reports/studies were submitted with the application:
- Planning Rationale; and
- Parking Demand Study.

A Notification of Complete Application was issued on January 7, 2016.

Issues to be Resolved
Based on a preliminary review of the proposal, the below issues/concerns have been identified:
- determine conformity with the Official Plan policies;
- impacts on adjacent properties, including spillover parking;
- assessment of traffic and transportation impacts;
- the provision and location of vehicular parking;
- the provision of bicycle parking; and
- appropriate landscaping and tree planting.

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

CONTACT
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Fax No. 416-394-6063
E-mail: ahommik@toronto.ca

SIGNATURE

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

ATTACHMENTS
Attachment 1: Site Plan
Attachment 2: Official Plan
Attachment 3: Zoning
Attachment 4: Application Data Sheet
Attachment 1: Site Plan
Attachment 2: Official Plan
**Attachment 4: Application Data Sheet**

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Details</th>
<th>Application Number</th>
<th>Application Date</th>
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<td>Rezoning</td>
<td>Rezoning, Standard</td>
<td>15 264063 WET 11 OZ</td>
<td>December 11, 2015</td>
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**Municipal Address:**
1736 WESTON ROAD

**Location Description:**

**Project Description:**
Proposed amendments to former City of York Zoning By-law No. 1-83 to permit a place of worship to remain permanently.

**Applicant:**
Macdonald Sager Manis LLP  
150 York Street, Suite 800  
Toronto, ON  
M5H 3S5

**Agent:**
Macdonald Sager Manis LLP  
150 York Street, Suite 800  
Toronto, ON  
M5H 3S5

**Architect:**
Grace Restoration International Ministries  
1736 Weston Road  
Toronto, ON  
M9N 1V6

**PLANNING CONTROLS**

<table>
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<tr>
<th>Official Plan Designation</th>
<th>Zoning</th>
<th>Historical Status</th>
<th>Site Specific Provision</th>
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<td>Apartment Neighbourhoods</td>
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**PROJECT INFORMATION**

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**DWELLING UNITS**

**FLOOR AREA BREAKDOWN** (upon project completion)

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**CONTACT:**
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