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File 14018.00001

VIA E-MAIL AND REGULAR MAIL

The Mayor and Members of Council
City of Toronto
City Hall
100 Queen St. West, 2nd Floor
Toronto, ON M5H 2N2

Attention: Ms. Ulli S. Watkiss, City Clerk

Dear Sirs/Mesdames:

**Re: 5 Year Official Plan and Municipal Comprehensive Review
88 Sunrise Avenue and 22 Hobson Avenue, Toronto (formerly North York)**

We are counsel for the Islamic Community of Afghans in Canada ("ICAC"), registered owner of two adjacent properties located at 88 Sunrise Avenue and 22 Hobson Avenue (collectively the "Site") in the City of Toronto (the "City"), formerly in the City of North York. The purpose of this correspondence is to provide our client's concerns in respect of the City's Municipal Comprehensive Review and the proposed Official Plan Amendment resulting from the process as it applies to the Site.

ICAC is a registered charitable organization whose purposes are wholly religious and educational – primarily, to provide facilities for religious prayer and religious education services to members of its congregation. These facilities are currently located at 22 Hobson Avenue. Its immediate adjacent property at 88 Sunrise Avenue provides the following ancillary, complementary and related uses:

1. In the short term, to provide an outdoor amenity space in connection with ICAC's religious prayer and religious education services, including the holding of outdoor events when weather permits, and to provide additional parking facilities solely for attendees of ICAC's religious prayer and religious education services; and
2. In the long term, to enable a future expansion of the existing religious facilities onto the 88 Sunrise Avenue portion of the Site in accordance with the active site plan application filed with the City (as described below).

On December 13, 2012, we filed correspondence detailing the on-going active Site Plan Application which encompasses the entire Site as a comprehensive and fully integrated redevelopment concept - in effect, comprising a Master Plan for the entire campus consisting of a relocated place of worship and community centre. The predominant purpose of the Site Plan Application is to permit the construction of a new place-of-worship, with ancillary uses, on the 22 Hobson Avenue portion of the Site. Once the new place of worship is constructed and available for occupancy, the existing building at 88 Sunrise Avenue will be converted to a community centre, a use permitted under existing zoning. A second site plan submission was filed with the City on October 10, 2013 addressing initial circulation comments. We expect to have second submission circulation comments shortly for review.

Both a community centre and a place-of-worship are permitted uses under the former City of North York Zoning By-law 7625, as amended. The newly enacted City-wide Zoning By-law 569-2013 does not apply to the subject sites. Due to the place-of-worship separation distance regulations that apply under former City of North York Zoning By-law 7625, as amended, we anticipate that a "technical" minor variance may be required to permit the permission of the existing place-of-worship located at 88 Sunrise Avenue to remain while the new place-of-worship is being constructed. Upon occupancy of the new place-of-worship, the proposed variance would cease to apply.

On November 21, 2013, the City's Planning and Growth Management Committee ("PGMC") held a statutory public meeting to consider to implement the Municipal Comprehensive Review ("MCR") of the City's Official Plan. The Official Plan Amendment which would implement the MCR proposes to retain the Site within the Employment Areas and concurrently re-designate it to Core Employment Areas. The Employment Areas policies are proposed to be substantially revised. The Core-Employment Areas policies are new.

In our respectful submission, City Staff failed to appreciate the interrelated and integrated aspects of the Master Plan proposed for the Site. Both portions of the Site are currently occupied and used for religious and institutional purposes. The existing uses were already been well-established within this employment zone, at approximately the same time the amalgamation of the City in 1997. Moreover, the two components of the Site effectively function collectively as one institutional operation, and ICAC is in the process of combining the two lots to form one larger lot, consistent with the commitments provided to Planning Staff as part of the site plan submission requirements. We also wish to remind the City that both properties are assessed as "institutional".

While ICAC does not oppose the proposed Employment Areas and Core Employment Areas designation and land use policies as drafted, we continue to request a Site and Area Specific Policy (SASP) in order to recognize and protect the existing and committed institutional uses on both portions of the Site.

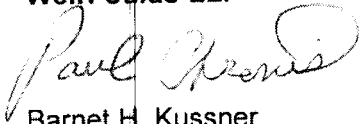
The Site Plan Application is anticipated to be finalized and approved in due course. In our respectful opinion, the complete Site Plan Application should be assessed under the policies in place at the time of application. Accordingly, we strongly object to Staff's recommended change for the Sites, unless that change is accompanied with a SASP in order to permit the continuation of the already committed institutional uses and the implementation of the proposed site plan. In our respectful submission, that would be the fair, reasonable and appropriate balancing of rights and interests, and would be consistent with our client's existing and long-term planned function of the two Sites.

We would be pleased to discuss this matter further with the PGMC or City Staff, as appropriate. In the interim, should you have any questions or need clarification, please do not hesitate to contact Paul Chronis, Senior Planner in our office, at (416) 947-5069.

Thank you for your ongoing attention to this matter.

Yours truly,

WeirFoulds LLP



Barnet H. Kussner

BHK/PC:cl

cc: Councillor Denzil Minnan-Wong, Ward 34, Don Valley East
Jennifer Keesmaat, Chief Planner and Executive Director, City of Toronto
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