December 13, 2013

VIA E-MAIL

Office of the Mayor
Toronto City Hall,
2nd Floor,
100 Queen St. West,
Toronto ON
M5H 2N2

Dear Mayor Ford and Members of Council:

Re: Official Plan Amendment 231 - Employment Lands - Aga Khan Foundation Canada and the Ismaili Council in Ontario

We are the solicitors for the Aga Khan Foundation Canada and the Ismaili Council in Ontario with respect to Official Plan Amendment 231 ("OPA 231") to be considered by Council on December 16. We would be grateful if the concerns expressed in this letter could be brought to the attention of Council in advance of its consideration of OPA 231.

Our clients own Jamatkhana (places of worship and cultural centres for the Ismaili Community in the City of Toronto) at the following locations, all proposed to be affected by OPA 231:

1. 80 Overlea Blvd. – Map 36. Proposed designation is General Employment Areas. In-force zoning Bylaw is new Bylaw for Toronto, Bylaw 569-2013. Approved zoning is Employment Industrial Office Zone (EO) with a site-specific exception 22 which permits a Place of Worship subject to certain conditions.

2. 435 McNicoll Ave. – Map 6. Proposed designation is General Employment Areas. In-force zoning Bylaw is old North York Bylaw 7625. Approved zoning is Industrial Office Business Park Zone (MO) which permits a Place of Worship subject to certain conditions.

3. 695 Middlefield Road – Map 8. Proposed designation is General Employment Areas. In-force zoning Bylaw is old Scarborough Employment District Bylaw 24982. Approved zoning is Community Facility (CF) which permits a Place of Worship.

4. 149 Bartley Drive – Map 37. Proposed designation is Core Employment Areas. In-force zoning is old North York Bylaw 7625. Approved zoning is Industrial Zone 1 (M1) which permits a Place of Worship subject to certain conditions.

5. 100 Skyway Avenue – Map 20. Proposed designation is Core Employment Areas. In-force zoning is new bylaw for Toronto, Bylaw 569-2013. Approved zoning is Employment
Industrial Zone (E) 1.0 with an exception #105, which permits a Place of Worship subject to certain conditions.

6. In addition, our client AKFC owns 59/75 Wynford Drive. This property, due to open in 2014, will house both the Ismaili Centre and the Aga Khan Museum – Map 25. Proposed designation is General Employment Areas. In-force zoning Bylaw is old North York Bylaw 7625. Approved zoning is Industrial Office Business Park Zone (MO) which permits a Place of Worship subject to certain conditions.

We have attached the maps showing these properties for your convenience. OPA 231 would not permit the use of any of these properties for these purposes. These properties are the heart of our client’s religious and cultural community. As you will see, the zoning in place supports the use of these properties for these purposes.

While OPA 231 itself will not affect the continued use of the properties as places of worship and cultural centres, the zoning that will emanate from this OPA must do so. If that is the case, our clients’ properties would become legally non-conforming, with all of the attendant complications associated with expansion of the use on the lands, which is a problem for a growing faith community in Toronto.

We would ask Council and staff to consider making exceptions to OPA 231 for these properties and uses.

We thank you for your attention to this matter, and would ask to be provided with a Notice of Decision in this matter.

Yours very truly,

[Signature]

Michael S. Polowin

MSP: abh

cc: City Clerk
    Mr. Paul Bain
    Ms. Kerri Voumvakis
    Mr. Allen Appleby
    Clients
Redesignate from 'Employment Areas' to Official Plan
Designations Shown on Maps 1 to 48 inclusive

Map 36

Neighbourhoods
Apartment Neighbourhoods
Mixed Use Areas
Regeneration Areas
Parks & Open Space Areas
Natural Areas
Parks
Utility Corridors
Core Employment Areas
General Employment Areas

Not to Scale
12/30/2013
Redesignate from 'Employment Areas' to Official Plan
Designations Shown on Maps 1 to 48 inclusive

Map 6

Neighbourhoods
Apartment Neighbourhoods
Mixed Use Areas
Regeneration Areas

Parks & Open Space Areas
Natural Areas
Parks

Employment Areas
Core Employment Areas
General Employment Areas

Utility Corridors

Not to Scale
10/03/2013

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Redesignate from 'Employment Areas' to Official Plan
Designations Shown on Maps 1 to 48 inclusive

Map 25

Not to Scale
10/30/2013
Redesignate from 'Employment Areas' to Official Plan
Designations Shown on Maps 1 to 48 inclusive

Map 8

Not to Scale
18/03/2013
Redesignate from 'Employment Areas' to Official Plan
Designations Shown on Maps 1 to 48 inclusive

Map 37

Not to Scale
10/30/2013

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