



December 13, 2013

VIA E-MAIL

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

Michael S. Polowin
Direct 613-786-0158
Direct Fax 613-788-3485
michael.polowin@gowlings.com

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,

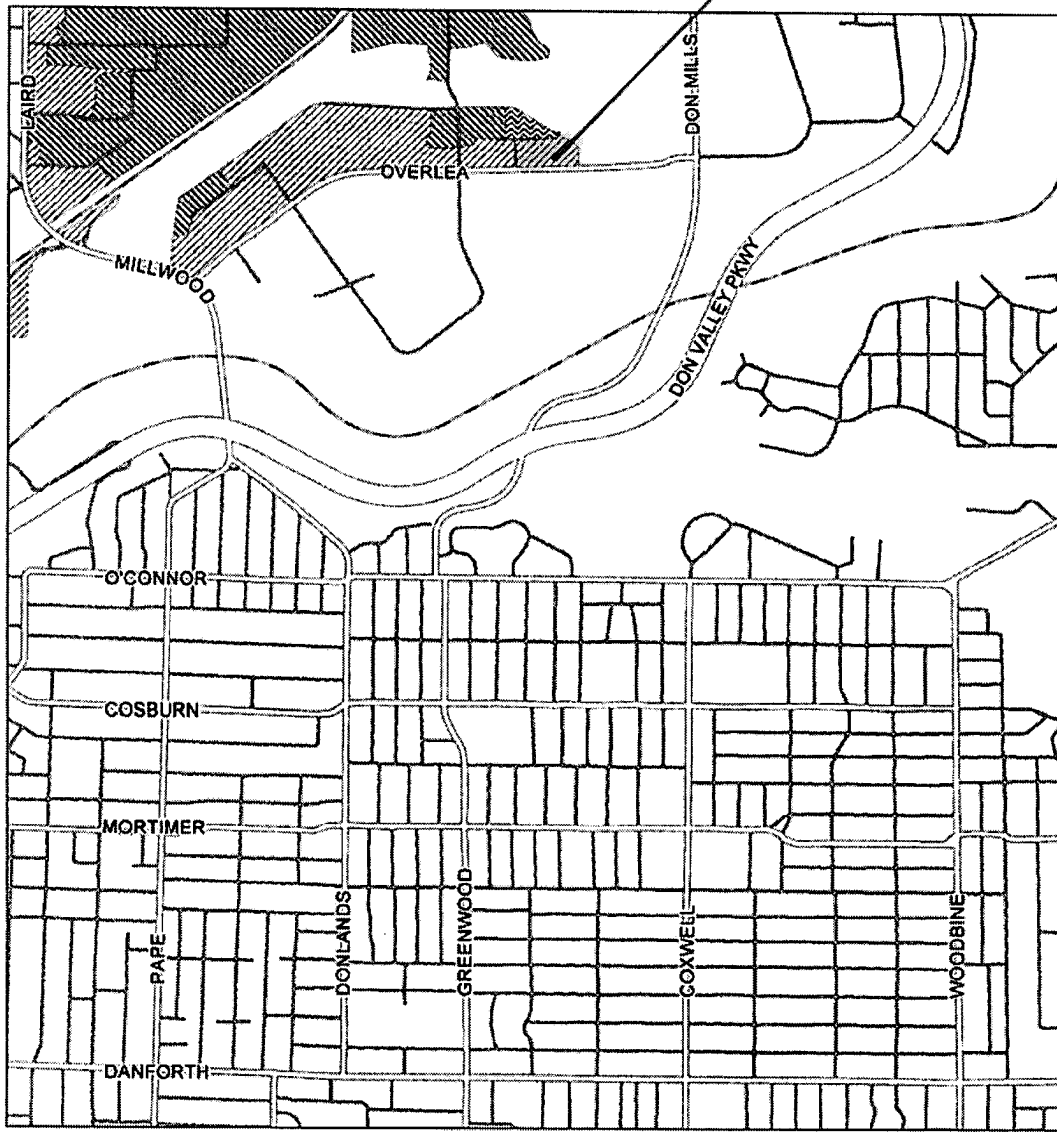


Michael S. Polowin

MSP:abh

cc: City Clerk
Mr. Paul Bain
Ms. Kerri Voumvakis
Mr. Allen Appleby
Clients

#80 OVERLEA



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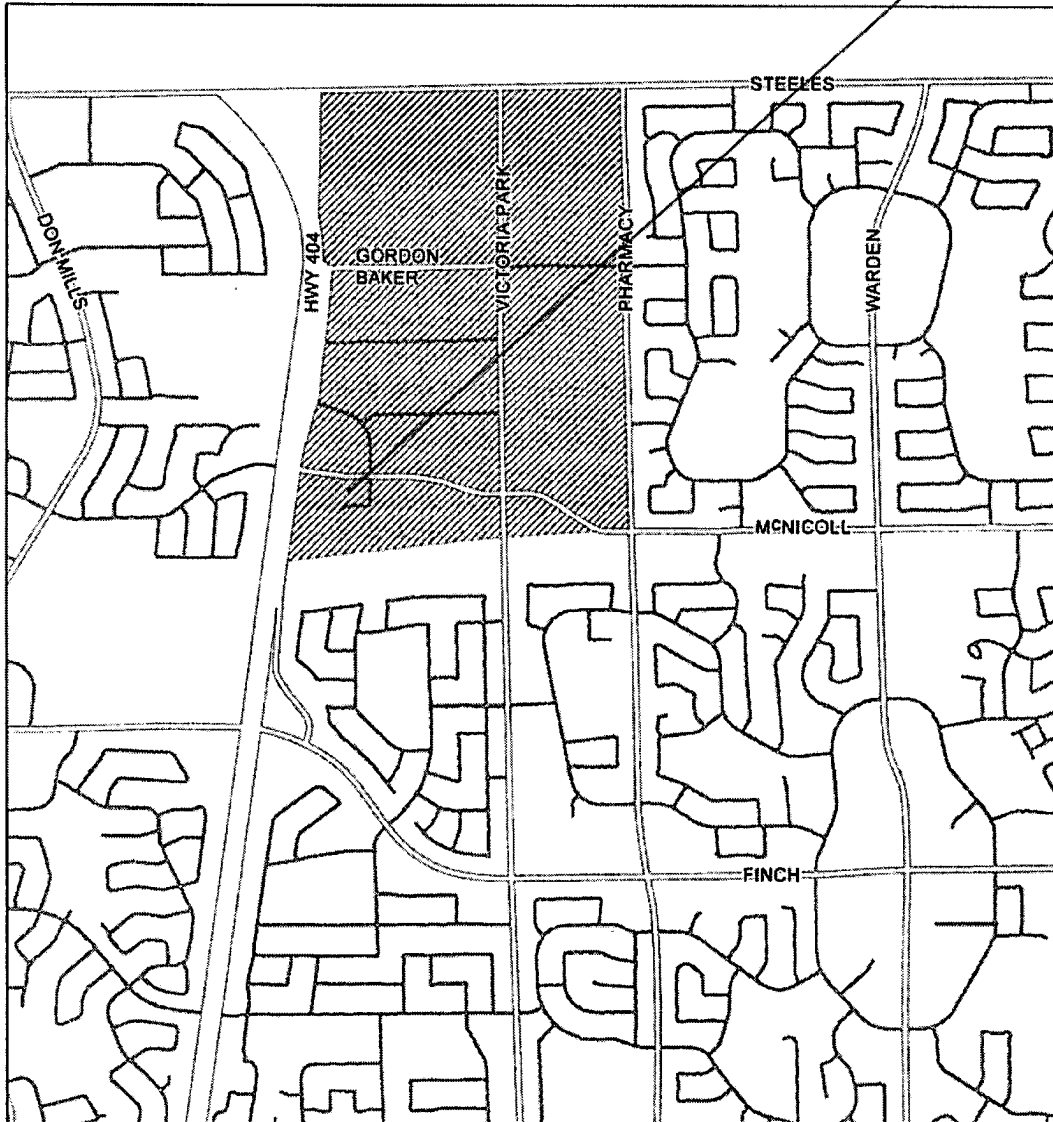
Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 36

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

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Not to Scale
10/30/2013

#435
McNICOLL



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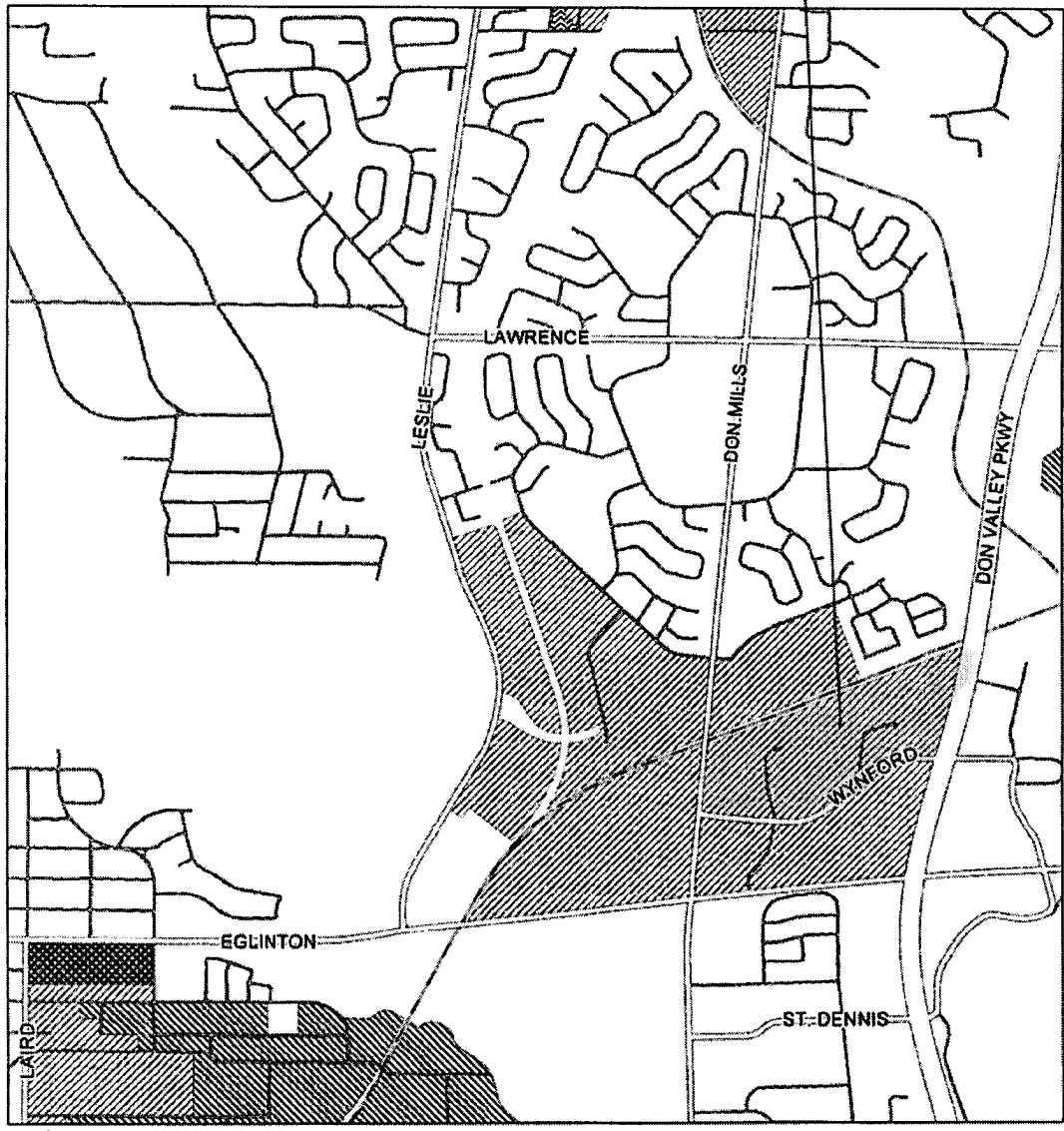
Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 6

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

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Not to Scale
10/30/2013

H 59/75
WYNFORD



TORONTO City Planning

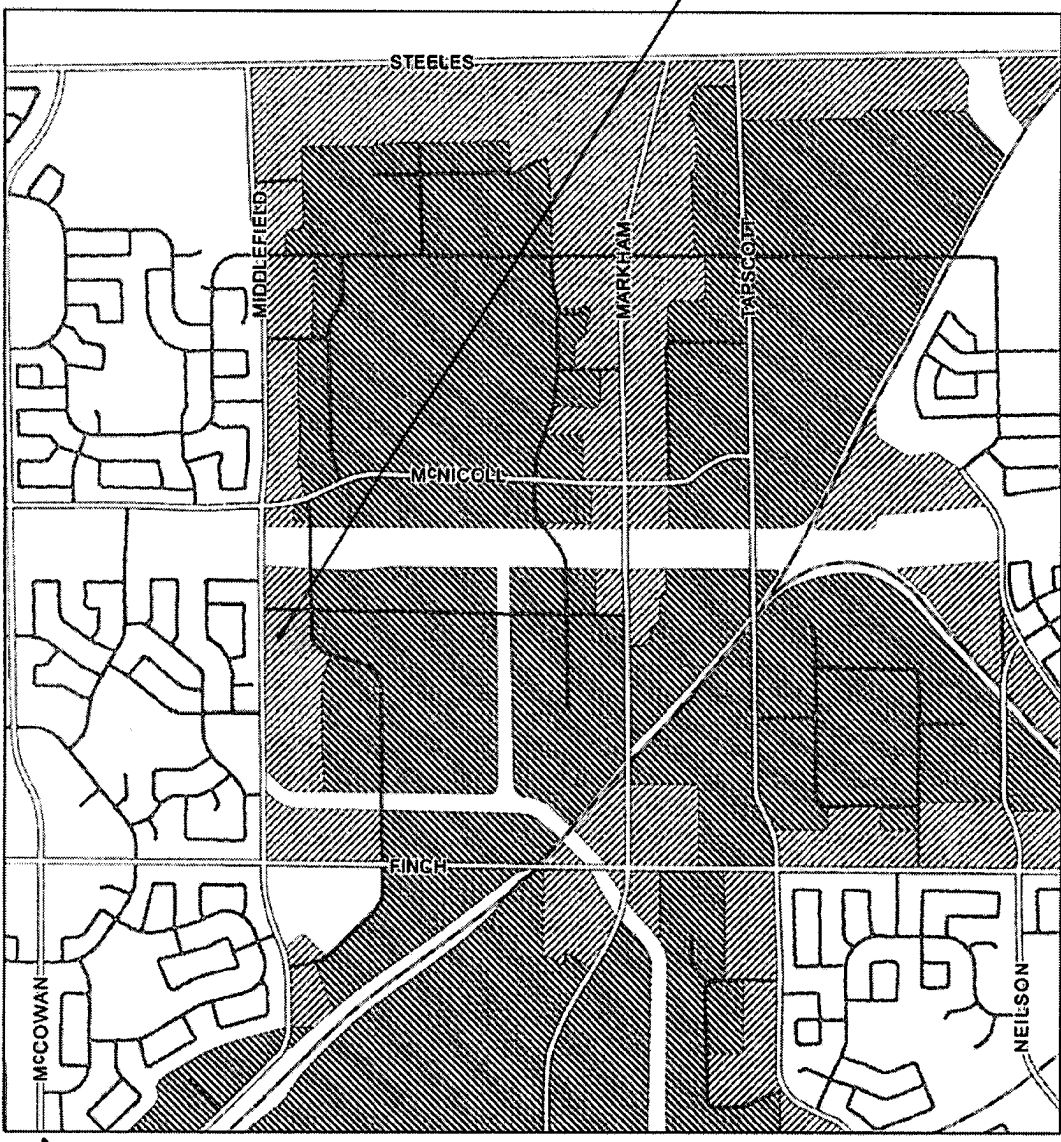
Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 25

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

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Not to Scale
10/30/2013

#695 MIDDLEFIELD



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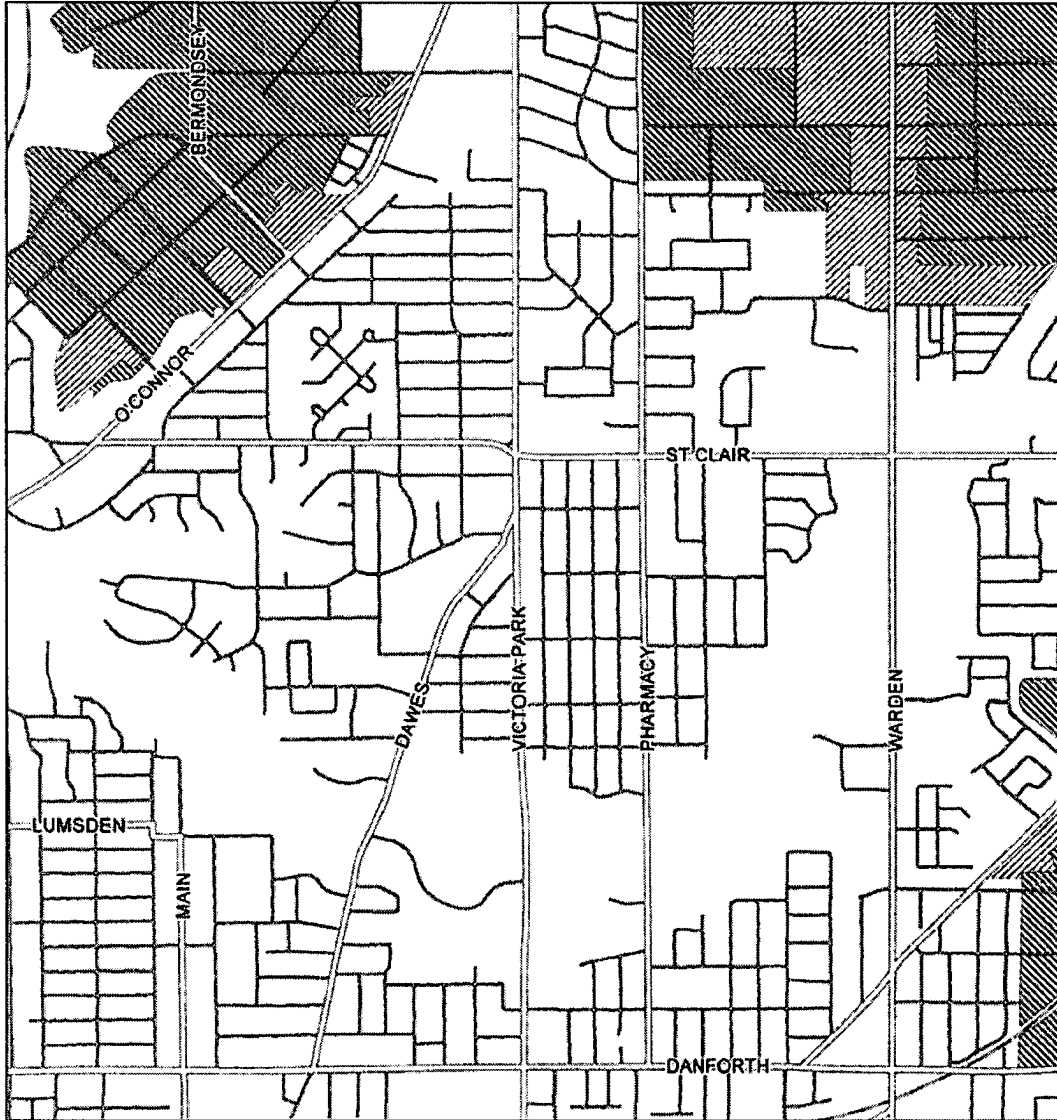
Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 8

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

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Not to Scale
10/30/2013

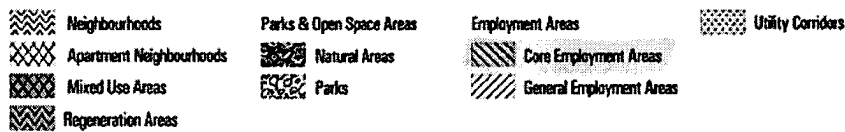
#149 BARTLEY DE



Toronto City Planning

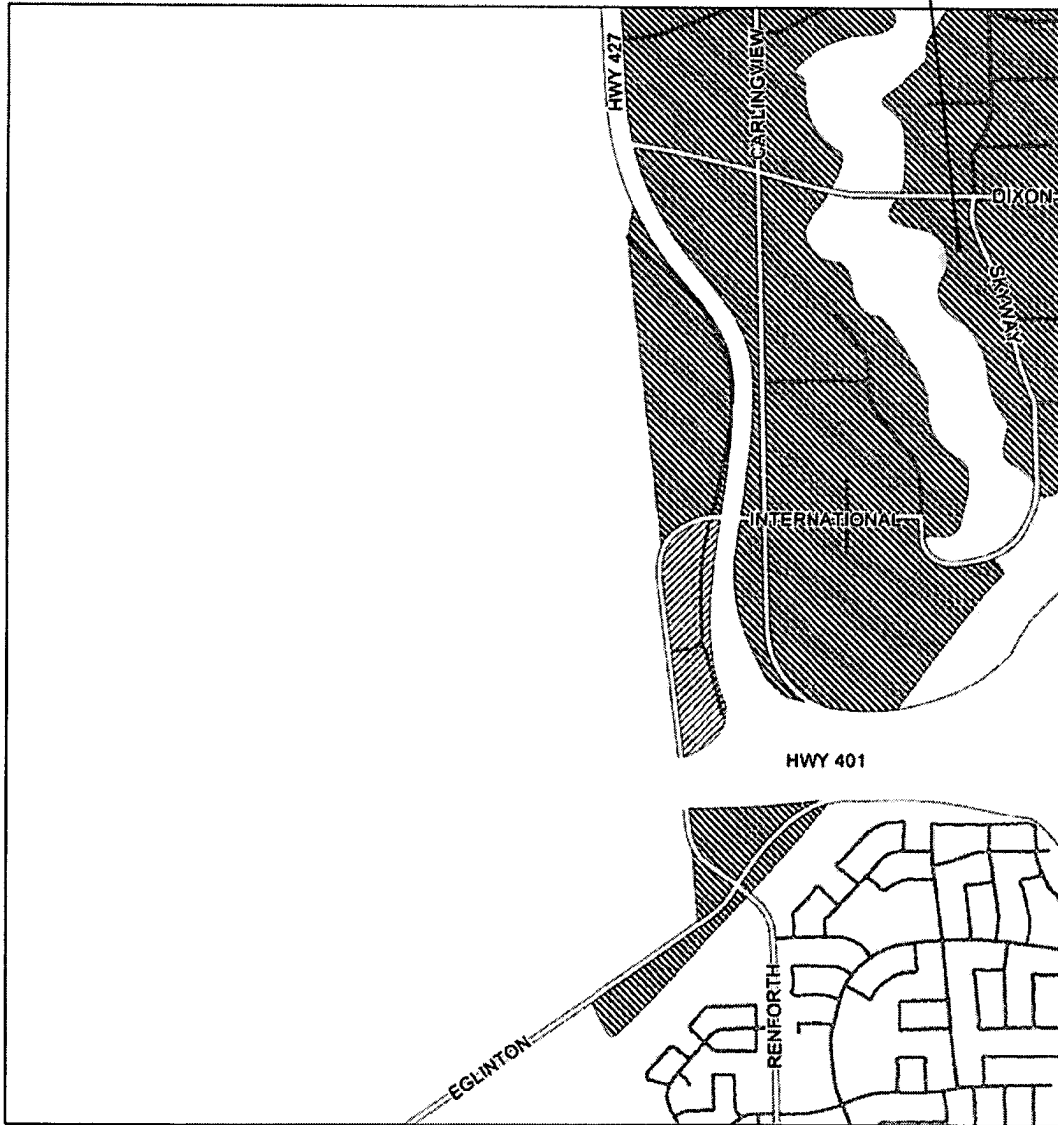
Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 37



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Not to Scale
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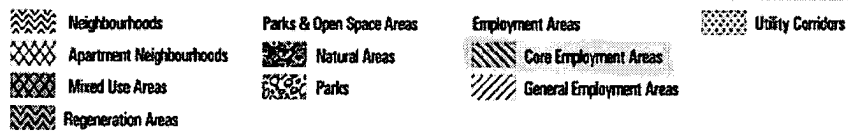
* 100 Skyway Ave.



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

Map 20



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Not to Scale
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