



montréal · ottawa · toronto · hamilton · waterloo region · calgary · vancouver · moscow · london

Facsimile

David C.K. Tang
Direct 416-862-3547
Direct Fax 416-863-3547
david.tang@gowlings.com

To: Ms Ulli Watkiss, City Clerk
Company: City of Toronto
Fax Number: 416-392-2980

City/Country: Toronto, Ontario
Phone Number: 416-392-8018

Date: February 28, 2013
Re: City Wide Zoning By-law
Total Pages: 3 (including cover)
File Number: T995595
CopyTrak #: 1920

2013-858

CITY CLERK'S OFFICE
SECRETARIAT SECTION
FEB 28 P 1:42

Please see attached.

If there is a problem with transmission or all pages are not received, please call Grace van Dinther at 416-862-5421 for retransmission.

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (call us collect), and return the original to us by postal service at the address noted above. Thank you.



montreal · ottawa · toronto · hamilton · waterloo region · calgary · vancouver · beijing · moscow · london

February 28, 2013

David C.K. Tang
Direct (416) 862-3547
Direct Fax (416) 863-3547
Assistant (416) 862-5421
david.tang@gowlings.com
File No. T995595

VIA FACSIMILE AND DELIVERY

Mayor Rob Ford and Members of Council
Toronto City Hall
2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mayor Ford and Members of Council:

RE: City-Wide Zoning By-law Project Zoning Report
1 Elrose Avenue, Toronto
The Triumphant Church of God in Canada

We are solicitors for The Triumphant Church of God in Canada (the "**Church**"), which is the owner of the property known municipally as 1 Elrose Avenue (the "**Property**"). The Church purchased the Property over 10 years ago and it has been used as a place of worship since then.

As is obvious from its street number (1), the Property is the first property from the corner of Wilson Avenue. The Church is a valued part of the neighbourhood and has functioned well in this location for over 10 years without any conflicts with its neighbours. Under the current zoning for the Property, a place of worship is a permitted use, subject to a separation requirement from other places of worship.

The New Zoning By-Law, quite rightly, abandons any attempt to limit the number of churches within the block. We are supportive of the elimination of that requirement.

The new City-Wide Zoning By-law (the "**New Zoning By-law**") proposes to zone the Property Employment Industrial (E). The Employment Industrial (E) zoning would not permit a place of worship to be located on the Property.

Our client believes that the Property should be zoned to permit the continuation of its use as a place of worship as of right. The Property's edge condition means it essentially functions as if it located on Wilson Avenue and has demonstrated over the years that it functions well as a place of worship. The New Zoning By-law should recognize the appropriateness of a place of worship at this location

TOR_LAW\8104193\2

Gowling Lafleur Henderson LLP · Lawyers · Patent and Trade-mark Agents

1 First Canadian Place · 1100 King Street West · Suite 1600 · Toronto · Ontario · M5X 1G5 · Canada T 416-862-7525 F 416-862-7661 gowlings.com

gowlings

We note that the much of the land on either side of Wilson Avenue in this area remains zoned under the former North York Zoning By-law No. 7625, having been excepted from the New Zoning By-law to a depth greater than the Property is located from Wilson Avenue. This location is the closest that a new zoning is imposed to Wilson Avenue. Except for in this location lands located further north and away from Wilson Avenue remain subject to By-law No. 7625.

We would ask, on behalf of our client, that 1 Elrose Avenue be site-specifically zoned to permit a place of worship or alternatively, that it remain subject only to former North York Zoning By-law No. 7625.

Please consider this letter to be the written submissions to City Council referred to in section 34(19)2 of the *Planning Act*.

Thank you for your consideration.

Yours very truly,

GOWLING LAFLEUR HENDERSON LLP



David C.K. Tang

DCT:pc

c.c. Bishop J. Parke
Joe D'Abramo