

PG21.1.135



36 Curity Avenue
Toronto, Ontario M4B 0A2
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3/4/2013

Pastor Steve Yuke
City of Toronto

City Clerk
Attention: Francis Pritchard
Planning & Growth Management Committee
Toronto City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, ON M5H 2N2

Dear Madam:

The following is provided in relation to the proposed City of Toronto Zoning By-law 1156-2013. Toronto City Church ("TCC") is a place of worship.

In 2008 TCC obtained development approvals, including a zoning by-law amendment and site plan approval for the construction of a place of worship on a property in East York, municipally known as 36 Curity Ave. The applicable zoning by-law provisions as they pertain to the subject property contemplated a place of worship and accessory uses in the form depicted on Map 2 to City of Toronto Zoning By-law 589-2008. The site specific provisions in Zoning By-law 589-2008 included provisions related to parking requirements, total floor area, setbacks and permitted uses.

At the present time two phases of the TCC building program have been constructed, including the place of worship and a recreational facility (i.e. soccer dome). Phase 3 is anticipated to be constructed in due course and will be in accordance with the approved site specific Zoning By-law provisions.


According to the City's proposed Zoning By-law 1156-2013, the subject property is proposed to be zoned Employment Industrial [E 1.0 (x 229)] according to the by-law. It is also our understanding that there is a site specific provision that refers to Section 229 of the by-law, which provides reference to Zoning By-laws 89-2003 and 589-2008, which is the site specific Zoning By-law applicable to the subject property. We wish to confirm that the provisions of the aforementioned Zoning By-laws will take precedent and prevail to the extent of any conflict with all other provisions of Zoning By-law 1156-2013. We also wish to confirm that the provisions of Section 150.50, Chapter 200, Chapter 220, and Table 200.5.10.10 in the proposed by-law shall not apply to the subject property to the extent of any conflict with the site specific zoning by-law.

Please consider these comments our formal response to the City Zoning By-law review process. We trust that these comments will be considered and we request confirmation of the proposed status with regard to the existing permissions secured through Zoning By-law 589-2008.

TCC went through a considerable process that was both lengthy and costly in order to secure these permissions and we want to ensure that they will be maintained in order to facilitate the completion of the third phase of our building project.

We reserve the right to provide further comments in relation to the Zoning By-law and request to be notified of the consideration of this matter in the future by Committee or Council.

Sincerely,



Pastor Steve Yuke
Lead Pastor
City of Toronto

c. TCC Board
Attachment: City of Toronto Bi-law 589-2008

Authority Planning and Growth Management Committee Item 15.1, adopted as amended,
by City of Toronto Council on May 26 and 27, 2008
Enacted by Council: June 24, 2008

CITY OF TORONTO

BY-LAW No. 589-2008

To amend former Borough of East York Zoning By-law No. 6752, as amended, with respect to the O'Connor/Bermondsey Business Area.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*,

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are those lands outlined by heavy black line and identified as "Areas Subject to Amendment" as shown on Schedule 1 and Map 1 attached hereto.
2. Zoning By-law No. 6752, as amended, as it applies to the lands identified on Schedule 1 of this By-law, is further amended by deleting Sections 8.C.3 e) iii), 9.3 c) iv), and 9.4 ii) and by replacing 8.C.3 e) iii) and 9.3 c) iv) with the following:

"8.C.3 e) iii) Places of Worship and uses Accessory thereto provided the following requirements are met:

(a) **Minimum Distance between Places of Worship:**

For Places of Worship on any lands shown within the heavy lines on Schedule 1 attached to this By-law:

- i) There shall be no more than one Place of Worship per Block; and
- ii) No Place of Worship on a lot that abuts a road that is not O'Connor Drive or Bermondsey Road shall be located within 500 metres of another Place of Worship on a lot that abuts a road that is not O'Connor Drive or Bermondsey Road.

(b) **General Development Requirements for Places of Worship:**

- | | | |
|-------|------------------------------|----------------------|
| (i) | Minimum Lot Frontage | 30.0 metres |
| (ii) | Minimum Lot Area | 4,000 m ² |
| (iii) | Maximum Lot Coverage | 45 % |
| (iv) | Minimum Setback – Front Yard | 3.0 metres |

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- | | | |
|-------|------------------------------|-------------|
| (v) | Minimum Setback – Rear Yard | 12.0 metres |
| (vi) | Minimum Setbacks – Side Yard | 6.0 metres |
| (vii) | Maximum Building Height | 15.0 metres |
- (c) **Off-Street Parking:**
- i) The Off-Street Parking shall be located on the same Lot as the Place of Worship it is intended to serve.
 - ii) 1 space for each 4.7 square metres of Main Worship Area or 1 parking space for every 21 square metres of gross floor area, whichever is greater, and
 - iii) No parking of motor vehicles shall be permitted within the 3.0 metre Landscaped Open Space referred to in Section 8.C.3 e) iii) (d).
- (d) **Landscaped Open Space:**
- A 3.0 metre strip of land immediately abutting any Street Line shall be used only for Landscaped Open Space except that driveways perpendicular to a street line shall be permitted to cross such Landscaped Open Space.
- (e) **Definitions:**
- For the purpose of Section 8.C.3 e) iii) the following definitions shall apply:
- Block:**
The term Block shall include the lots abutting that part of a street that is between two streets that cross or bisect each other, but does not include two streets that meet but do not cross.
- Main Worship Area:**
The term Main Worship Area shall mean the portion of the building dedicated exclusively for religious worship, and does not include the portions of the building used for purposes of office use, temporary care and custody of children, education, entertainment, the assembly of individuals for social, entertainment or fraternal purposes, or the areas where food or drink are prepared, provided and/or served.”

“9.3 c) iv) Places of Worship and uses Accessory thereto provided the following requirements are met:

(a) Minimum Distance between Places of Worship

For Places of Worship on any lands shown within the heavy lines on Schedule 1 attached to this By-law:

- i) There shall be no more than one Place of Worship per Block;
- ii) No Place of Worship on a lot that abuts a road that is not O'Connor Drive or Bermondsey Road shall be located within 500 metres of another Place of Worship on a lot that abuts a road that is not O'Connor Drive or Bermondsey Road; and
- iii) The provisions contained within Section 9.3 c) iv) (a) ii) shall not apply to the property municipally known in the year 2008 as 20 Curity Avenue provided that a building permit for a Place of Worship on that property is obtained and construction has commenced within 24 months of the date of passage of this By-law. In all other respects, except as modified by the provisions of Section 9.8(n), the provisions of Section 9.3 c) iv) shall apply to the lands described.

(b) General Development Requirements for Places of Worship:

- | | | |
|-------|------------------------------|----------------------|
| (i) | Minimum Lot Frontage | 30.0 metres |
| (ii) | Minimum Lot Area | 4,000 m ² |
| (iii) | Maximum Lot Coverage | 45 % |
| (iv) | Minimum Setback – Front Yard | 9.0 metres |
| (v) | Minimum Setback – Rear Yard | 12.0 metres |
| (vi) | Minimum Setbacks – Side Yard | 6.0 metres |
| (vii) | Maximum Building Height | 15.0 metres |

(c) Off-Street Parking:

- i) The Off-Street Parking shall be located on the same Lot as the Place of Worship it is intended to serve;
- ii) 1 space for each 4.7 square metres of Main Worship Area or 1 parking space for every 21 square metres of gross floor area, whichever is greater, and

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iii) No parking of motor vehicles shall be permitted within the 6.0 metre Landscaped Open Space referred to in Section 9.3 c) iv) (d).

(d) Landscaped Open Space:

A 6.0 metre strip of land immediately abutting any Street Line shall be used only for Landscaped Open Space except that driveways perpendicular to a street line shall be permitted to cross such Landscaped Open Space.

(e) Definitions:

For the purpose of Section 9.3 c) iv) the following definitions shall apply:

Block:

The term Block shall include the lots abutting that part of a street that is between two streets that cross or bisect each other, but does not include two streets that meet but do not cross.

Main Worship Area:

The term Main Worship Area shall mean the portion of the building dedicated exclusively for religious worship, and does not include the portions of the building used for purposes of office use, temporary care and custody of children, education, entertainment, the assembly of individuals for social, entertainment or fraternal purposes, or the areas where food or drink are prepared, provided and/or served.”

3. Zoning By-law No. 6752, as amended, as it applies to the lands municipally known as 20 Curity Avenue, is further amended by adding a new Section 9.8(n) as follows.

9.8(n) – 20 Curity Avenue

(1) Area Restricted

The provisions of Section 9.8(n) shall only apply to those lands being part of Block B, Registered Plan 3683, City of Toronto (formerly Borough of East York) as shown on Map 1 attached to this By-law.

(2) General Provisions:

On those lands referred to in Map 1 attached to this By-law, no person shall use, occupy, Erect, alter, cause to be used, occupied, Erected or altered, any Building, Structure, or land or part thereof, except in accordance with the following provisions:

(i) Restricted Uses:

The following uses shall not be permitted on those lands referred to in Map 1:

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- (a) Multi-purpose recreational complexes including Accessory Restaurants; and
- (b) Public Recreational Uses including Accessory Restaurants.

(ii) Permitted Uses:

In addition to the uses permitted by Zoning By-law No. 6752, as amended, with the exception of the restricted uses listed in Section 9.8(n)(2)(i), the following uses shall be permitted on those lands referred to in Map 1:

- (a) Place of Worship;
- (b) Day Nursery accessory to a Place of Worship;
- (c) Athletic Facility; and
- (d) Buildings, Structures and uses Accessory to the foregoing.

(iii) Developable Area

The development requirements shall only apply to the lands identified on Map 1 attached to this By-law

(iv) Development Requirements:

The following development requirements shall only apply to the permitted uses listed in paragraphs (a), (b), (c), and (d) of Section 9.8(n)(2)(ii)

- (a) Minimum Lot Frontage 30.0 metres
- (b) Minimum Lot Area 4,000 m²
- (c) Maximum Number of Buildings Permitted per Lot 2
- (d) Maximum Gross Floor Area of Place of Worship 4,600 m²
- (e) Maximum Gross Floor Area of Athletic Facility 2,500 m²
- (f) Maximum Gross Floor Area of Day Nursery 500 m²
- (g) Maximum Lot Coverage of all Buildings or Structures 45%

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|-----|---------------------------------------|--|
| (h) | Siting of all Buildings or Structures | Wholly within the Building Envelopes shown on Map 2 to this By-law |
| (i) | Maximum Building Height | 15.0 metres |
- (3) Minimum Separation Distance for Place of Worship**
- i) For the purpose of Section 9.8(n), the provisions contained within paragraphs i), ii), and iii) of Section 9.3 c) iv) shall apply to the lands described on Map 1 attached to this By-law.
- (4) Off-Street Parking:**
- i) A minimum of 242 Off-Street Parking spaces shall be provided for a Place of Worship and any accessory Day Nursery;
- ii) The Off-Street Parking shall be located on the same Lot as the Place of Worship it is intended to serve;
- iii) A minimum of 20 Off-Street Parking spaces shall be provided for an Athletic Facility, and
- iv) No parking of motor vehicles shall be permitted within the 6.0 metre Landscaped Open Space referred to in Section 9.8 (n)(5).
- (5) Landscaped Open Space:**
- A 6.0 metre strip of land immediately abutting any Street Line shall be used only for Landscaped Open Space except that driveways perpendicular to a street line shall be permitted to cross such Landscaped Open Space.
- (6) Definitions**
- For the purpose of Section 9.8(n) the following Definition shall apply:
- Athletic Facility:**
The term Athletic Facility shall mean a sports field located wholly or partially indoors, or contained within a structure, and used or maintained for the purpose of playing sports.
- (7)** Excepting the amendments contained in this By-law, all the other provisions of former East York Zoning By-law No. 6752, as amended, shall apply to the lands referred to in Section 9.8(n).

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- (8) Despite any existing or future severance, partition, or division of the lot, the provisions of Section 9.8(n) of this By-law shall apply to the whole of the lands shown on Map 1 as if no severance, partition, or division occurred.”
4. Within the lands shown on Schedule 1 and Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
5. By-law No. 511-2008 is hereby repealed.

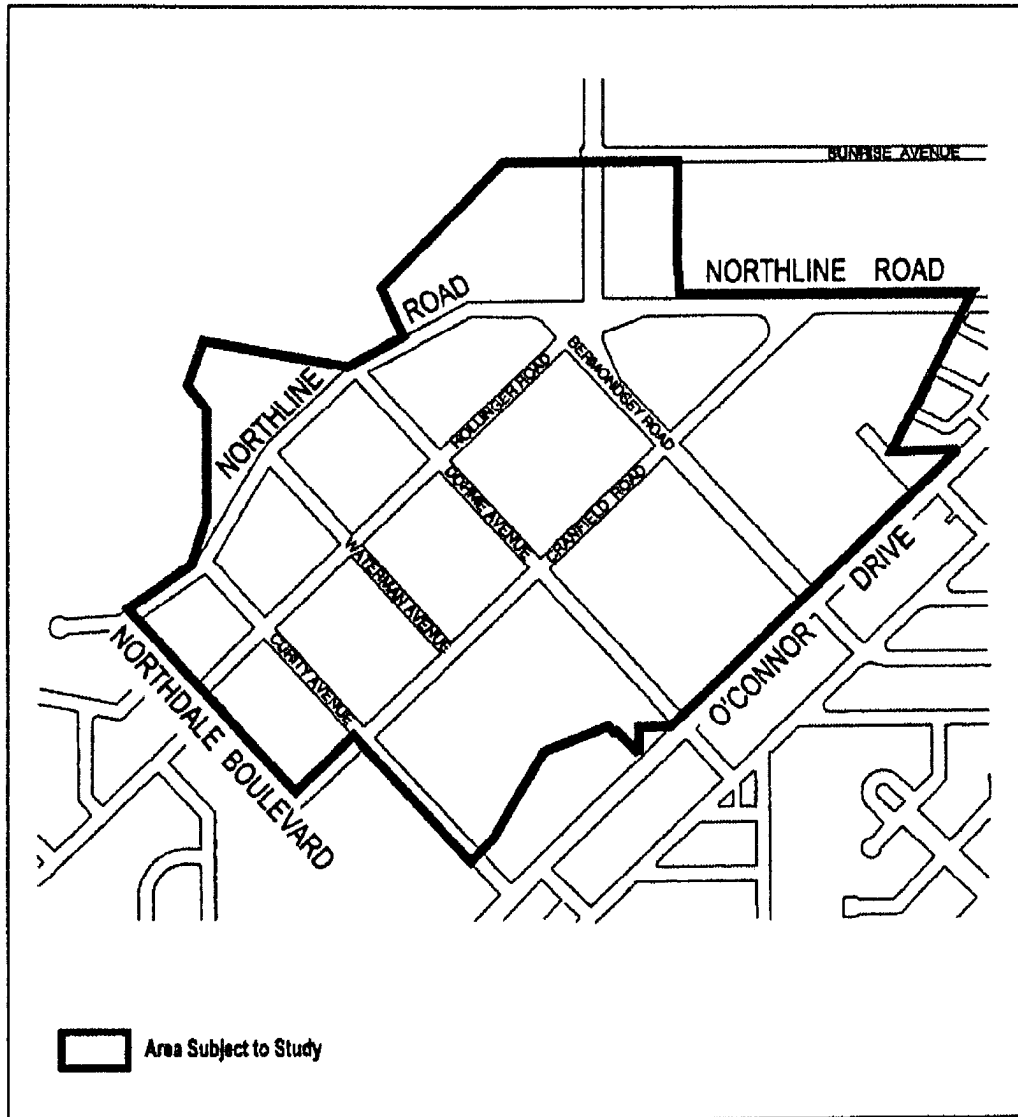
ENACTED AND PASSED this 24th day of June, A.D 2008

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

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TORONTO City Planning
 Schedule 1

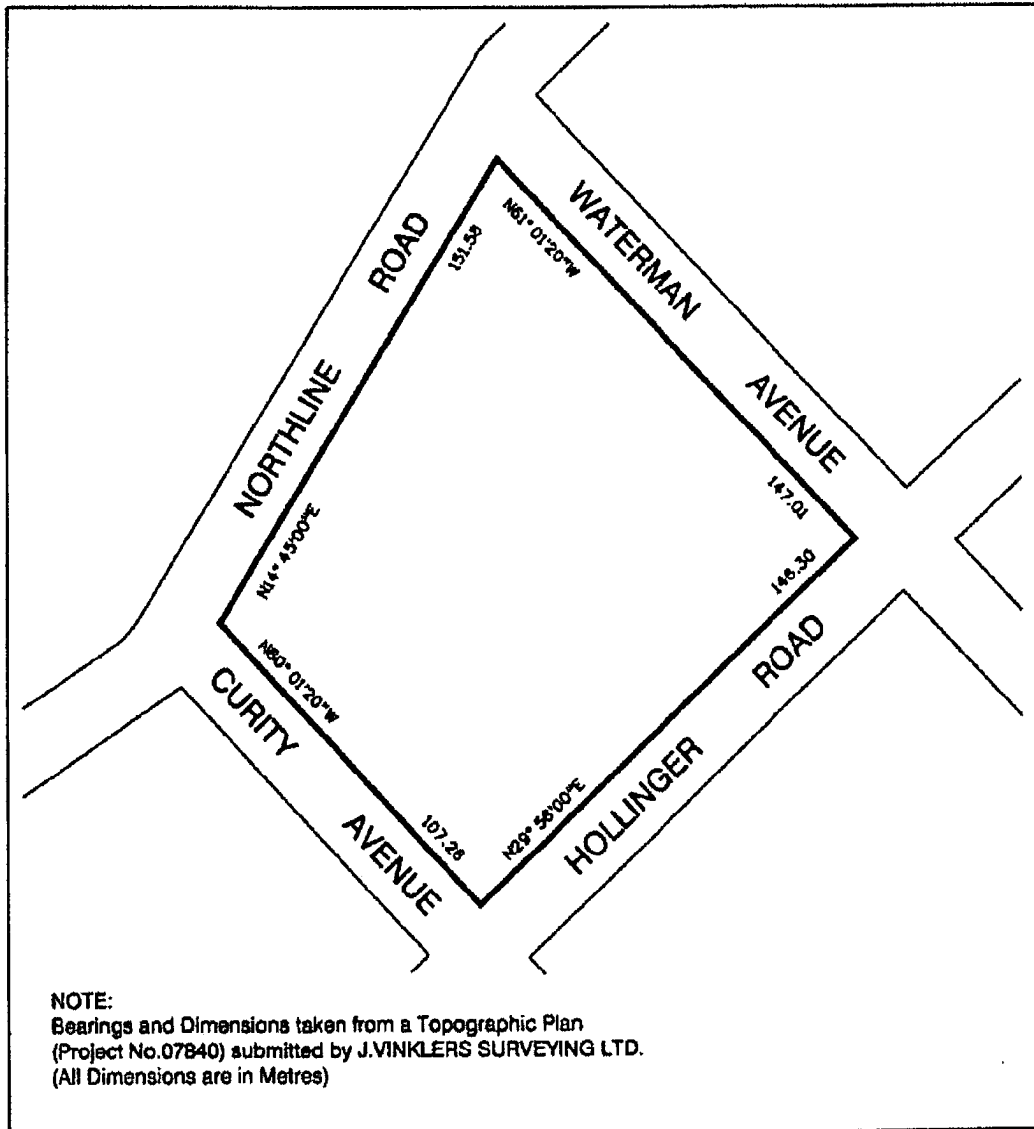
O'Connor / Bermondsey Business Area Study

File # 07_201933

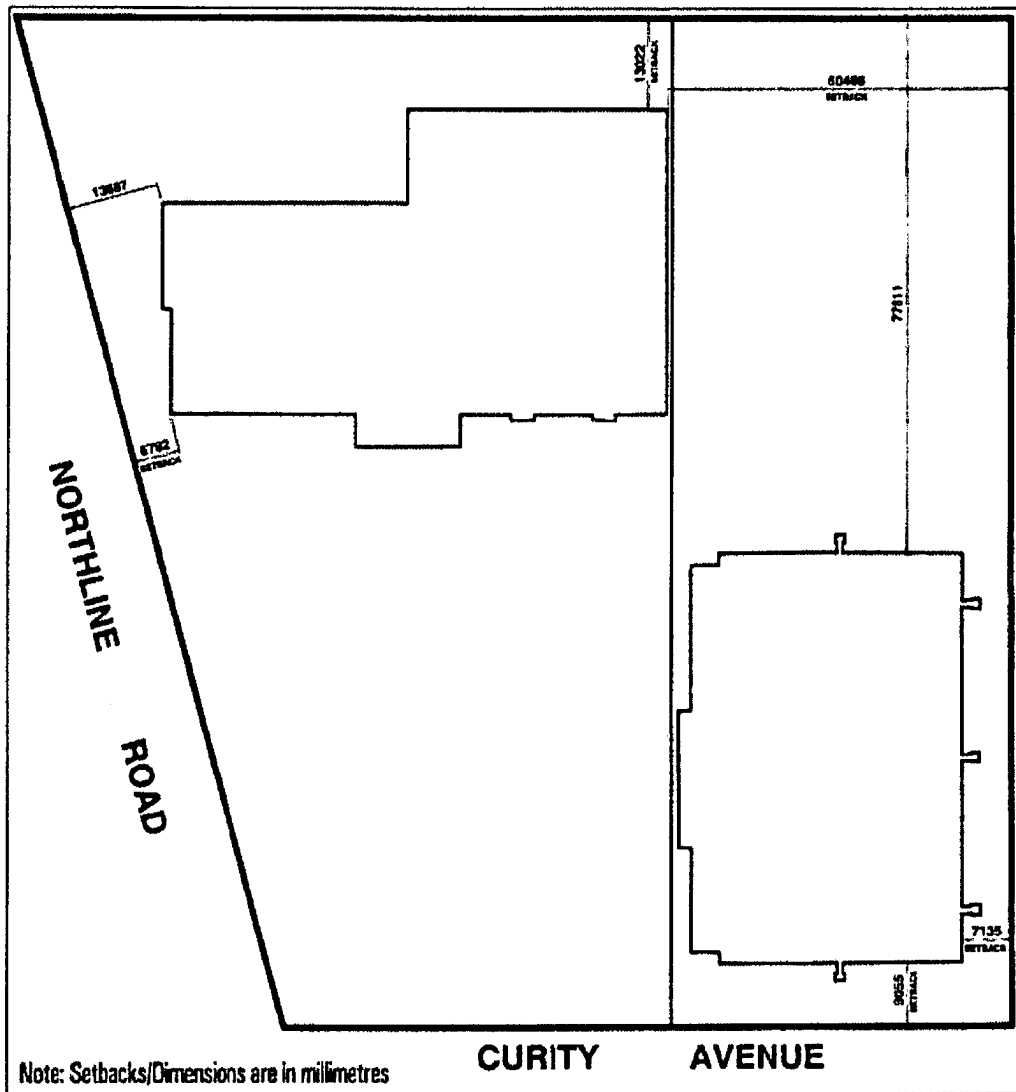


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TORONTO City Planning
Map 2

20 Curity Avenue

File # 07_286887

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Not to Scale
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