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File No. 701524-10

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By E-Mail to pgmc@toronto.ca

City of Toronto
Planning and Growth Management Committee
Toronto City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, Ontario
M5H 2N2

Attention: Ms. Merle MacDonald, Committee Administrator

Dear Ms. MacDonald:

**Re: Proposed City-Wide Zoning By-law (Item PG21.1)
Scarborough Chinese Baptist Church
3223 Kennedy Road, Toronto**

We are counsel to the Scarborough Chinese Baptist Church (the "Church"), which is located at 3223 Kennedy Road in the City of Toronto (the "Property").

On behalf of the Church, we are writing to provide submissions in respect of the proposed City-wide Zoning By-law as it would apply to the Property. Specifically, we are writing to express the Church's opposition to the draft by-law and to request that the Property be excluded from the by-law at this time.

By way of background, the Church currently has a congregation of more than 2,000 members and is growing. The church building on the Property is more than 7,000 sm and opened in September 2007, following the approval of a Site Plan Control application by the City.

The Property currently has a split zoning under the former City of Scarborough Employment Districts Zoning By-law 24982, as amended. More specifically, the westerly portion of the Property (i.e. that portion of the Property located within 110 metres of the centre line of Kennedy Road) is zoned M (Industrial Zone) and the easterly portion (i.e. the remainder of the Property) is zoned M, MG and MS (Industrial Zone, General Industrial Zone and Special Industrial Zone), and subject to a series of performance standards.



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Under the draft City-wide Zoning By-law, we understand that the Property is proposed to continue to have a split zoning, with the westerly portion zoned E 0.5 (Employment – Industrial Zone) and easterly portion zoned EH 0.5 (Employment – Heavy Industrial Zone).

In accordance with the existing zoning permissions, a place of worship is currently permitted on the entirety of the Property, together with industrial uses and a variety of non-industrial uses, including day nurseries, offices, recreational uses, and education and training facility uses. Under the proposed by-law, it is our understanding that many of these existing use permissions would be removed from the Property and/or be subject to various restrictions that do not currently exist.

The Church was one of the numerous appellants to the City's previous City-wide Zoning By-law in 2010. Following the repeal of that by-law, the Church met with City staff in August 2011 to discuss various concerns with the zoning by-law. As a result of that meeting, it was our expectation that City staff would be preparing a proposed site-specific exception for the Property; however, that has not happened.

More recently, in October 2012, the City expropriated a 23 metre wide north-south parcel of land through the middle of the Property for the proposed extension of Redlea Avenue, having the effect of splitting the Property into two separate parcels and creating additional zoning complications, including matters related to the supply of vehicle parking.

For these reasons, we request that the entirety of the Property be excluded from the proposed by-law at this time. Further, we note that a large area of lands immediately to the north and east of the Property is currently proposed to be excluded from the by-law. Alternatively, the Church opposes the proposed by-law in its current form as it fails to address the zoning concerns that have been previously identified by the Church and fails to address the additional zoning complications that have been created by the City's recent expropriation.

Kindly ensure that we are notified of any decision(s) made by the Committee and/or City Council in respect of this item as well as any further staff report(s) and/or public meeting(s) pertaining to the City's proposed new zoning by-law.



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Yours truly,
DAVIES HOWE PARTNERS LLP

A handwritten signature in black ink, appearing to read "Mark R. Flowers".

Mark R. Flowers
Professional Corporation

copy Client