

TO: Jennifer Rieger, Chair, Toronto Preservation Board
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FROM: Vincent Ching, Chair, Board of Directors,
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Date: August 23, 2016

Dear Ms. Rieger and Members of the Toronto Preservation Board,

Submission by Scarborough Chinese Baptist Church re: Agenda Item PB16.6 for meeting of the Toronto Preservation Board on August 25, 2016

The Scarborough Chinese Baptist Church (SCBC or the Church) located at 3223 Kennedy Road, Scarborough, Toronto, raises objection to Agenda Item PB16.6 of the Toronto Preservation Board for the meeting to be held on August 25, 2016, on "Proposed Designation of the Bush Lot known as Vimy Oaks Bush located at 3223 Kennedy Road under Part IV of the Ontario Heritage Act". (Note: the address reference in the item content "Vimy Oaks Bush located at 3223 Brimley Road in Scarborough" should be corrected to "3223 Kennedy Road".)

SCBC was established in 1987 and is a vibrant place of worship with 2,300 congregants. The Church serves the community, among other things, by providing free English as a Second Language classes to newcomers, collecting food and used clothing for the needy, sponsoring and assisting Syrian refugees in settlement, and providing our facilities for use by local schools and community groups. As a responsible corporate citizen and as a faith group, we strive hard to preserve and protect the natural environment, including the Vimy Oak trees on our property, as part of the Canadian heritage. However we must oppose the said agenda item, based on the following grounds.

1. No consultation nor communication:

SCBC is the property owner of the above location. We were shocked to learn about this item being put on the Preservation Board's meeting agenda as there was **no** prior consultation with, nor communication to SCBC on this subject. We came to know about this only through an unofficial channel as late as August 18 evening. We believe that the way this agenda item is handled is procedurally unfair and highly inappropriate. It appears that the Chair of the Scarborough Community Heritage Preservation Panel has secretly initiated the heritage designation of the church property and included this on the agenda of

the Preservation Board without even speaking with the property owner. We are gravely concerned about this "heavy handed" draconian approach of designating a property unilaterally and therefore request the Toronto Preservation Board to defer consideration of this agenda item until full consultation is done.

2. "Scope" of the proposed designation is unclear:

Agenda item PB16.6 is unclear about the "extent" or "scope" of the proposed designation, by referring to the "bush lot known as Vimy Oaks Bush". The fact is that there is *no* identifiable "bush lot known as Vimy Oaks Bush". Currently, there are seven Vimy Oak trees identified within a big woodlot of about two acres that is situated at the west side of the church property. The proposed designation of the entire "bush lot" with hundreds of trees in order to protect seven Vimy Oak trees is considered excessive, and it unnecessarily interferes the legal rights and interests of the property owner.

3. Designation under *Ontario Heritage Act* is unnecessary and inappropriate:

The designation of the Vimy Oak trees under the OHA (*Ontario Heritage Act* Part IV section 29) is a complicated and lengthy process. We are concerned that a potential designation of the property or part thereof under the OHA could have adverse implications for the church and, in particular, for any potential site alterations and/or future expansion of the church building. For this reason, the Church would not support the proposed designation of the property under the OHA but support other means of protecting the Vimy Oak trees (as stated in paragraphs 4 and 5 below).

Currently, all the trees in the woodlot are protected under the jurisdiction of the Toronto and Region Conservation Authority (TRCA). As a responsible corporate citizen, the Church has absolutely no intention of removing or harming any of the trees in the woodlot. As a matter of fact, as soon as the Church found out about the existence of the Vimy Oak trees on its property, the Church has actively been involved in protecting and propagating the trees (see paragraphs 5 and 6 below).

Based on the above, we found it to be unnecessary and inappropriate to designate the church property under *Ontario Heritage Act* to protect seven Vimy Oak trees.

4. Alternative instruments to protect the Vimy Oak trees:

We believe that there are sufficient alternative measures in place to protect the Vimy Oak trees. Specifically, By-law 248-2013 is a simplified process to give trees accepted by Forests Ontario Recognition Program as having the same status as trees designated under OHA. And indeed as a better approach, SCBC has been in active consultation and collaboration with Forests Ontario to have the Vimy Oak recognized as heritage trees under the Heritage Tree Recognition program.

5. Active efforts by SCBC in protecting the Vimy Oak trees:

Under the advisory of Forests Ontario, the Church have already engaged two student teams (from the Sustainable Agriculture course of Fleming College and from the Arborist Program of University of Toronto) to each do a Baseline Documentation Report and a Stewardship

Plan of the Vimy Oak trees, for the purpose of mapping the trees and recommending ways to protect them. The student teams will start working with us from September 2016.

6. Collaborative efforts to propagate Vimy Oak trees across Canada:

Since two years ago as soon as SCBC was first informed about the Vimy Oaks, we have been good stewards of the original trees. We partnered with the Vimy Oak Legacy (VOL), allowing them to access the site and harvest the acorns. There are now over 1,500 descendant trees growing at a nursery near Hamilton, with several hundred being planned to be repatriated to Vimy Ridge in 2017. We understand that VOL has plans for planting at different commemorative sites across Canada. Hence, the original trees at the Vimy Oaks woodlot will eventually die but their heritage will be preserved across Canada to commemorate the Battle of Vimy Ridge. There is no need to designate the original woodlot a heritage site.

Despite our objection to Agenda Item PB16.6, we have and will continue to work with the various levels of government to protect the Vimy Oak trees in an appropriate manner without adversely affecting the Church, and to support any activities associated with the Vimy centennial commemoration.

We request the Preservation Board to defer any decision on this agenda item until a full consultation is made with SCBC and Forests Ontario, to find an acceptable course of action to protect the Vimy Oak trees.

Yours truly,

Vincent Ching
Chair, SCBC Board of Directors