



cosmopolitan

associates inc.

14 June 2012

Gregg Lintern, MCIP, RPP
Acting Chief Planner and
Executive Director
City Planning
Toronto City Hall
12th Floor East, 100 Queen St. W.
Toronto, ON
M5H 2N2

Re: **Cemetery Zone (CO) Standards**
City of Toronto Proposed Zoning By-law

Dear Mr. Lintern,

We represent Memorial Gardens Canada Limited ("Memorial Gardens"), which owns cemetery lands within the City of Toronto, GTA, across Ontario and Canada. For more than 20 years, our firm has been working with Memorial Gardens on land development matters which may impact their cemetery properties across Canada.

We have had an opportunity to review the most recent version of the City of Toronto Proposed Zoning By-law which will be considered at the upcoming Planning and Growth Committee Meeting on June 18, 2012. Prior to the initial zoning bylaw (2010) being approved, then repealed, Memorial Gardens Canada Limited retained planning consultants that made submissions to the City with regard to the proposed cemetery policies contained in the proposed Bylaw. We have reviewed the current zoning by-law in light of the comments and concerns made in the letters submitted to the City of Toronto, dated October 26, 2009 and resubmitted on February 9, 2010, prepared by LARKIN+ Associates Planning Consultants. These suggestions are based on our extensive experience in dealing with cemetery planning matters in the Greater Toronto Area and across the Province of Ontario.

Based on this review, we notice that the City has not addressed all of our concerns in the new proposed zoning by-law. In this regard, we have attached a copy of both letters (October 26, 2009 and February 9, 2010) to this new submission and would like to highlight a couple of our most pressing concerns with the Cemetery zone standards as follows:

185 Blake Avenue
Willowdale Ontario
M2M 1B5 CANADA

tel 416.730.0886
fax 416.250.0328
cosimo@cosmopolitan.ca

development consultants

project managers

design builders

engineers

1. Draft ZBL Policy #90.70.20.10 Permitted Use

(1) Use – OC Zone

The following uses are permitted in an OC zone:

Ambulance Depot

Cemetery

Fire Hall

Police Station

Public Utility

Transportation Use

On July 1, 2012, Ontario's *Funeral, Burial and Cremation Services Act, 2002* (FBCSA) comes into force, combining the *Cemeteries Act* and the *Funeral Directors and Establishments Act*. The new act will permit funeral homes and their associated services to be established on cemeteries. In order to comply with this new act, funeral homes should be included as a permitted principal use within the Cemetery (OC) Zone.

2. Draft ZBL Policy #90.70.40.80

(1) Separation of Columbarium or Mausoleum from a Lot in Specified Zone Categories

A **columbarium** or a **mausoleum** must be no closer to a **lot** in a Residential Zone category or Residential Apartment Zone category than:

(A) 7.5 metres, if its:

(i) height is 2.0 metres or less, and

(ii) volume is 15.0 cubic metres or less; or

(B) 30.0 metres, in all other cases.

Comment: The setback from a residential zone should relate among other things to the use of the intended building. It is unclear in the proposed Zoning Bylaw, the intent of having such a large separation (30m) from a Mausoleum to a residential zone. Clarification on this matter is requested as a more appropriate setback distance should be proposed.

3. Draft ZBL Policy #90.70.40.1 Height

90.50.40.10 Height

(1) Maximum Height

The maximum height for a **building** or **structure** on a **lot** in an OM zone is:

(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map;
or



(B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

Comment: Many existing buildings on cemeteries in the City of Toronto are between 18 and 20 metres in height. This has become a standard height with which mausoleums are being developed within the City to meet current demand. Should the zoning by-law be approved with the proposed height restriction to 12.0m, a minor variance would be required for each development application requiring the standard height of 18 to 20 metres. The increase in height recognizes the increase in need for cemetery land. By permitting higher mausoleums, for example, cemetery operators can better accommodate client demand on cemeteries which have restricted land resources due to established burial areas, etc.

Please accept this letter as our formal submission to the Planning and Growth Management Committee meeting on June 18, 2012. We are asking that staff and the committee consider our comments so that they may be incorporated into the new Proposed Zoning by-law. We trust that you will find these comments useful in ensuring that the new, proposed Zoning By-law properly addresses cemeteries in the City of Toronto.

We would like to emphasize that the concerns addressed in this letter are not comprehensive, but rather the most pressing issues. We urge the City to consider these suggestions and would like to meet with your department to discuss all of our concerns and necessary changes to the new proposed zoning by-law.

We look forward to working with your department to resolve our concerns. Should you have any questions regarding these comments, please do not hesitate to contact the undersigned.

Sincerely,

Cosimo **Casale**, P.Eng