

October 5, 2012

Delivered via Email: pgmc@toronto.ca

Chairman and Members
Planning and Growth Management Committee
City of Toronto
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File: 021362.0520

Attention: Ms. Merle MacDonald
City Clerk's Department

Dear Sirs/Mesdames:

**Re: Planning and Growth Management Committee
Agenda Item PG18.7 – October 12, 2012
Recommended Changes to the Draft City-Wide Zoning By-law**

We represent the Roman Catholic Episcopal Corporation for The Diocese of Toronto, in Canada (the "Archdiocese") in respect of approximately 123 property, parish and mission interests throughout the City of Toronto. Those interests cover 42 of the City's 44 Wards and represent approximately 600,000 parishioners.

The Archdiocese actively participated in the City's previous initiative to harmonize the City's zoning by-laws in order to create a City-wide zoning by-law. It requested at that time that the proposed Place of Worship zoning be reconsidered and that churches and their related uses be maintained as permitted uses within a variety of zones, with appropriate regulations to accommodate growth and preservation. In the alternative, it requested appropriate Section 900 site-specific amendments and exceptions for all Archdiocese-related properties, together with appropriate revisions to the general regulations. Those requests were not granted and our client appealed the previous by-law, which was ultimately repealed.

We have reviewed the current draft by-law and, unfortunately, little has changed since our client's previous appeal. The concerns raised by the Archdiocese and other faith groups remain unaddressed. For example, the provision in Section 10.5.20.1(2) of the draft by-law that proposes to strictly grandfather only existing situations would unduly restrict the ability of the Archdiocese to respond to changing circumstances in respect of any of its churches, most of which have been in existence for many years.

The staff report indicates that a significant number of faith groups participated in the public open houses that took place since the release of the draft by-law. Those groups expressed concerns similar to those expressed by our client. The Archdiocese has met with a number of those groups, which share the position that the proposed by-law provisions are simply too restrictive of existing and future places of worship. Notwithstanding this strong interest among the affected group, the concerns raised by them through the process to date have not been addressed in the draft by-law.

The Archdiocese has also indicated an interest in the City's Official Plan Review, and continues to monitor the relationship between that OP Review and this Zoning By-law initiative. It remains concerned about the apparent disconnect between the two processes in respect of Places of Worship and related policies.

Our client's preference continues to be that churches and their related uses be maintained as permitted uses within a variety of zones. Alternatively, it requests site-specific Section 900 exceptions for all Archdiocese-related properties, together with appropriate revisions to the general regulations.

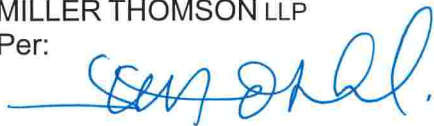
In order to carry out a more comprehensive consultation process in an orderly fashion, we request on our client's behalf that the provisions relating to Places of Worship be excluded from the proposed by-law and that the Chief Planner be directed to conduct further consultations with place of worship stakeholders.

We thank the Committee for its consideration and will continue to monitor the process of this initiative.

Yours truly,

MILLER THOMSON LLP

Per:



Steven J. O'Melia
SJO/kb

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