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March 5, 2013

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File No.: 236848-18

**SENT VIA E-MAIL (pgmc@toronto.ca)**

**PG21.1.197**

Planning and Growth Management Committee  
City of Toronto  
c/o City Clerk's Department  
10th Floor, West Tower, City Hall  
100 Queen St W  
Toronto ON M5H 2N2

Attention: Committee Administrator

Dear Committee Members:

**Re: Planning and Growth Management Committee - Statutory Public Meeting on  
March 6th, 2013 re City-wide Zoning By-law (Item PG21.1)  
- Submission on behalf of Christian Horizons**

Please be advised that we are the solicitors for Christian Horizons. Our client has an interest in the properties listed in the attachment that accompanies this letter. We have monitored the process with respect to the proposed new City-wide Zoning By-law and want to ensure that our client's existing zoning rights with respect to the properties listed in this letter's attachment are not impacted in any way and the properties are appropriately zoned under the new Zoning By-law. Unfortunately, in reviewing the draft of the proposed new Zoning By-law, our client has not been able to determine with certainty that its existing zoning rights are fully protected and that those rights are not undermined by other proposed new provisions.

We do not support the proposed Zoning By-law's use of separation distances for supportive housing types such as group homes, residential care homes, or crisis care facilities. We take the position that it is inappropriate for a zoning by-law to "people zone" rather than the zone the physical form of housing. The fact that a person requires some form of support in their living arrangements should not limit that person from living in any part of the City where other residents could live.

In addition, we are concerned with some of the requirements of various types of supportive housing provisions. For example, the definition of Residential Care Home includes a requirement that any such home be "licensed or funded under Province of Ontario or Government of Canada

legislation". We believe that there is no sound planning rationale that a residential care home must be licensed or funded by the senior orders of government. Furthermore, this definition clearly excludes accommodation provided by a charitable organization without a license from either level of government and independent of funding from those sources. Therefore, we're concerned that residential care homes that do not fall within the proposed Zoning By-law definition will not be permitted in the City.

Finally, we are also concerned that the process of adoption for the proposed Zoning By-law does not permit us to know what its exact contents will be until after it's adopted by City Council. As you know, motions can be brought forward on the City Council floor to revise the proposed Zoning By-law before its adoption and the public will not have the opportunity to speak to those revisions.

Accordingly, please accept this letter as a request that the City ensure that all of our client's existing zoning rights as provided for under the existing Zoning By-law (together with any related Committee of Adjustment variances) are not negatively impacted by the provisions of the proposed Zoning By-law. Until such time as our client is satisfied by the City that its existing zoning rights are not prejudiced in any way and that the properties are appropriately zoned under the new Zoning By-law, our client objects to the adoption of the new Zoning By-law as it relates to our client's properties.

If the City could provide us with confirmation that the new Zoning By-law does not make any changes whatsoever to the existing zoning rights of our client, then we would be pleased to review that information. However, until such time as that confirmation is received from the City, our client maintains its objection to the new Zoning By-law in respect of its property.

Kindly provide the writer with notice of all further actions with respect to this matter including Notice of Passing of the new Zoning By-law. In addition, kindly ensure that this written submission is forwarded to City Council for its consideration prior to the adoption of the new Zoning By-law.

Should you require anything further with respect to this matter, kindly contact the writer at your earliest convenience.

Yours very truly,  
**Fraser Milner Casgrain LLP**



Mark A. Piel  
MAP/ss

c.c. Christian Horizons

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**Attachment**

**List of Properties**

With respect to each and every property set out below, we would like to emphasize that each property should be zoned so as to, at a minimum, retain its existing zoning rights and to have permitted any and all existing uses. We are happy to work with the City in order to ease this process so as to ensure that our client's existing rights are protected.

275 Codsell Ave.  
58 Faywood Blvd.  
2 Windsor Rd.  
5 Annabelle Dr.  
291 Homewood Ave.  
330 Ellerslie Ave.  
45 Bluehaven Cres.  
2265 Victoria Park Ave.  
1750 Lawrence Ave., W.  
146 Viewmount Ave.  
25 Roberta Dr.  
103 Royalcrest Rd.  
31 Thirtieth St.  
25 Harding Ave.