



**TORONTO SOUTHEAST PRESBYTERY
FINANCE AND PROPERTY TEAM**

August 18, 2011

Toronto Conference
The United Church of Canada

For All Offices:

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To: All Pastoral Charges of Toronto Southeast Presbytery via email.

Attention:

Chairs of Official Board, Executive Council or Church Council
Property Chairs,
Chairs of Board of Trustees

I am writing to draw your attention to several important matters affecting your church property which those with responsibility for property matters in your congregation need to give consideration or note.

1. ASBESTOS:

Attached with this letter is a rather large pdf file <<ASBESTOS_GUIDE May 2011.PDF>> which is a guide provided by the Ontario Department of Labour titled "A Guide to the Regulation Respecting Asbestos on Construction Projects and in Buildings and Repair Operations." While many of the pages pertain to how to safely remove asbestos others speak to the responsibility of building owners and occupiers; i.e., all of us.

Given the age of our buildings, it is likely that asbestos was used for a number of purposes and is still there today. While it does not necessarily represent an active health hazard, it can be if it is deteriorating or is disturbed or likely to be disturbed during a repair or renovation. It is incumbent on the officers responsible for the building and its use to understand where the asbestos is and its condition. If you don't know what the asbestos situation is in your church building, it may be that you need to consider a professional assessment and report.

Please review the Guide in the detail that seems appropriate to your situation (the index is helpful) realizing that it is a guide not the law or regulation. It should help you to identify where you may need to act or consult with experts. In the document you will find much detail about handling asbestos which is more applicable to contractors and trades. You should note in particular the parts applying to owners and occupiers and following sections seem applicable to church properties and officials.

Purpose of Guide

Page 3

When Does the Regulation Apply?

Page 10

This is a Guide to the Regulation governing Asbestos and among those to whom that regulation applies are, among others:

- "every project and its owner" (emphasis added)

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South West Presbytery
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Toronto Southeast Presbytery
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- “every building in which material that may be ACM (Asbestos Containing Material) has been used and the **owner of the building**”
“owner” is defined in the Act and includes a trustee,, tenant, lessee, or occupier of any lands or premises used or to be used as a workplace,

It also applies whether or not it is known or suspected that ACM will be encountered. (See page 11)

How Is the Regulation Applied to Buildings? Page 13

- “Section 30 of the Act requires that the owner of a project prepare a list of designated substances on the project, including asbestos, before tendering a project. The owner must then give this list to all persons submitting tenders for the project”

If your congregation is engaging a contractor you are like the owner of a project.

Information for Workers Chapter 6 Page 19

If there is asbestos in your building your staff needs to be informed where and what it is in order that they can work safely.

Is the owner required to prepare a report prior to tendering or arranging work? See Page 21, 22 and Chapter 9

Ongoing Asbestos Management Chapter 8: Page 24

Sample List of Suspected Asbestos Containing Material Appendix 2 Page 86

2. DOWNSPOUT DISCONNECTION (City of Toronto)

As a property owner in the city of Toronto, you will have received a notice mailed to your church similar to that appended to this letter if you are located in the area that the City has currently designated. Attached with this email is an information sheet and map <<mandatory-downspout-disconnection- program-qa.pdf>>. The disconnection is to be completed by November 20, 2011. If there are technical reasons why you cannot disconnect you must apply for an exemption. A common reason would be the internal drains off flat roofs but there are others. Exemption application forms and additional information are now available online at http://www.toronto.ca/water/protecting_quality/downspout.htm
Because of the impending deadline please give this your immediate attention to ensure that your church property and/or manse is in compliance.

3. CITY OF TORONTO ZONING BYLAWS (CONGREGATIONAL PROPERTY ZONING DATA)

One of the last acts of the previous Toronto City Council was to adopt a Harmonized Zoning Bylaw to replace all the pre-amalgamation zoning. Unfortunately it did not deal appropriately with church properties which are located in various kinds of neighbourhoods and as a result the United Church of Canada on behalf of the two Toronto Conference Presbyteries encompassing the City of Toronto (Toronto Southeast Presbytery and South West Presbytery) joined other faith groups in appealing the bylaw to the Ontario Municipal Board. There were over 600 appeals and

as a result the current City Council rescinded the bylaw and instructed the city planning staff to develop a revised bylaw.

In preparation for the appeal and with the assistance of the Mission Through Property Unit of the General Council Office, the two presbyteries have made use of Lehman and Associates to conduct the detailed property by property analysis of the impact of a bylaw change and prepare an appropriate report. Although there is no longer an appeal in progress there are now ongoing discussions with City Planners in respect to a revised bylaw. The work undertaken will be paid from the presbytery budget surplus of past years and is now complete. In the words of that report, ***the key issues for the Church are the increased parking standards, the method in which the place of worship use is regulated and the limitations on accessory or ancillary uses, all of which create a planning structure that will require applications for rezoning or minor variance for the majority of changes of use, alterations or enlargements. This was not the case for most of the properties under the former (now again the existing by-laws.)***

In the meantime discussions with City Planning and the cooperative work with the Anglican Diocese of Toronto and Roman Catholic Archdiocese of Toronto continue.

As a result of this work this summer, there is now on file in the presbytery office the detailed work up of each pastoral charge property with maps showing the zoning and various aspects of it. The many colour maps relevant to zoning are also available digitally on a CD. **This can be made available to a congregation should they find a need for it. Note that a particular zoning issue was identified with regard to cemeteries and the five pastoral charges involved may wish to consult the report in that regard.**

In authorizing the undertaking, Finance and Property Team and the Executive of Toronto Southeast Presbytery realized that the cost of the work involved in even one major application for rezoning might equal the cost of the present consultation. We believe that as a Church we will realize the benefits of it over the coming years.

If you have a question or comment regarding these matters please contact me at your convenience.

Yours in Christ,



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Toronto Southeast Presbytery
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August 18, 2011

Property Owner/Manager**Re: City of Toronto's Mandatory Downspout Disconnection bylaw**

During heavy rainfall, the sewers become overloaded, increasing the risk of basement flooding and releasing polluted rainwater into our local waterways. To help solve the problem, the City will soon require all properties to disconnect their downspouts from the sewer system.

The bylaw will take effect on **November 20, 2011** for properties in the core of the City where stormwater and sanitary drainage are combined into a single pipe. All properties located within the affected area will receive this notice and are required to disconnect their downspouts by November 20th of this year. **A detailed map can be found at www.toronto.ca/water.** The bylaw will be phased in across the remaining parts of the City over the next five years.

You are connected to the system if you have:

- a) Downspouts that are visible from the outside of the building and connected to the sewer; or
- b) Downspouts that are connected to the sewer through an internal system.

Buildings with *external* downspouts, regardless of the type of roofing system (Peak or Flat), will be required to disconnect.

Exemptions are permitted under the bylaw. In cases where it's not technically feasible to disconnect your downspout or where disconnection would create a hazardous condition, property owners can apply to the City for an exemption.

Please note that exemptions *will* be granted to *internal* storm water system connections. If your building uses an internal storm water system (typical to flat roofs), you are still required to submit an application for exemption.

If you have any questions or would like to discuss your unique situation, please contact Toronto Water at 416 392-1807 or visit our website for information about the Mandatory Downspout Disconnection Program www.toronto.ca/water or call 311

Thank you,

Downspout Disconnection Team