

October 11, 2012

VIA EMAIL ([PGMC@TORONTO.CA](mailto:PGMC@TORONTO.CA))

Planning and Growth Management Committee  
City of Toronto  
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File No. T994436

**Attention: Ms. Merle MacDonald**

Dear Mr. Chair and Members of the Committee:

**Re: Planning and Growth Management Committee Meeting October 12, 2012-10-11  
Item: PG18.7 – Draft City-wide Zoning By-law (“Draft By-law”)**

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We are the solicitors for the Toronto Faith Coalition, which is made up of a number of organizations within the faith community who are concerned with the manner places of worship are treated in the Draft By-law. The membership of the group is still growing but in addition to individual congregations and churches, the Pentecostal Assemblies of Canada, Toronto Baptist Ministries (the Toronto churches of the Canadian Baptists of Ontario and Quebec), Canada Christian College and the Church of God in Ontario are involved. We are writing to express our clients’ concerns with the Draft By-law and to propose some approaches.

Some of the Coalition members have successfully worked with municipal council and planning staff in other GTA municipalities to find zoning by-law provisions which were satisfactory to everyone. Our clients’ hope is that Toronto Council and staff will similarly engage with them to ensure that Toronto’s faith communities are accommodated by the zoning by-law and given a chance to participate in building a better City.

We expect you will hear directly from the faith community on why places of worship and the ability for people of all backgrounds, economic, ethnic, religion and locational, to congregate together and provide society supports is crucial to the City. They will also provide you with a better sense of exactly why they have the concerns they do with the Draft By-law. This letter is designed to provide you with a high level overview of the three main concerns they have and some suggestions for how those concerns can be resolved.

The Coalition’s first concern is that places of worship are permitted uses in too few areas and zones. While notionally there are several zones where they are permitted, the reality is the amount of land within those zones is a very small part of Toronto. Those areas are either places where little or no

new construction can occur because they are already occupied by existing institutions or are commercial areas where it is simply economically and physically impossible for a church to provide the amount of parking the by-law requires. The result is that there is almost nowhere new temples, synagogues or churches can locate under the Draft By-law. So the Coalitions first request is that you ask planning staff to discuss with my client and us additional zones where places of worship can be permitted as of right.

Our clients recognize that in opening up additional zones to places of worship, it is likely that additional conditions or performance standards will need to be imposed. That is an approach the by-law already uses and our client recognizes is necessary. The Coalition wishes to work with the City to find the right balance of use permissions and conditions to ensure the permissions work.

For example, we would suggest that with more detailed standards the place of worship use could be permitted in the two lightest Employment zones, where they could function as a buffer and transition from the heavier industrial uses of the Employment Heavy Industrial and Employment Industrial zones. These zones would provide affordable locations for start-up and growing congregations because nowhere else can the high parking standards be met reasonably economically.

We would also suggest that permitting places of worship, once again with appropriate conditions, in the Residential Apartment zones makes sense. Many congregations wish to be close to existing and planned concentrations of residents. The advantage of permitting places of worship in these locations is that they are already planned and built to accommodate higher densities of congregating people and that very proximity means automobiles are less likely to be used by worshipers.

The Coalition's second concern with the Draft By-law is that the performance standards, in particular the parking standards, are too broad. They are not detailed enough to reflect the differences between congregations that establish in different areas and in different sizes. There appears to be an assumption that regardless of where the congregation is, how close it is to higher densities of housing or transportation infrastructure or the size of the group, that the same amount of parking is always needed. That is of course simply not true. There are faith groups meeting today in Toronto where not a single person drives to the place of worship. In some cases, that is specifically prohibited by the tenets of their beliefs. The draft by-law currently bases the parking requirement for a place of worship only upon the size and type of worship area and whether the site is within one of the Policy areas, which occupy only very small part of the City. We would suggest that parking standards should be based on a larger number of criteria and that it is possible to use criteria or categories that already exist in the Draft By-law. For example, different zones could have different parking standards and the CR Standard Sets could also be used. We would also suggest that tandem parking and off-site parking arrangements would be recognized in the parking requirements.

The Coalitions third concern is that places of worship are not permitted in either the Institutional Hospital (IH) or Institutional School (IS) zones. Those are zones in which worship does occur, either as part of the intended function of the hospital or through rentals of school buildings. That reality should be recognized by the Draft By-law particularly as these institutions are ideally set up to handle all of the impacts these sorts of uses can generate and in the case of the schools, makes use of the institutional infrastructure when it is underutilized.

A letter of this length can only raise some of the concerns and posit some of the approaches which might address those concerns. We believe that a solution will require a concerted and cooperative approach and that additional concerns and solutions will arise from that process. We look forward to finding the right balance of additional conditions, more detailed or nuanced parking and other standards and more zones in the City where places of worship can locate as of right and enhance the community around them.

Yours very truly,

**GOWLING LAFLEUR HENDERSON LLP**

A handwritten signature in black ink, appearing to read "D.C.K. Tang". The signature is fluid and cursive, with a large loop at the end of the last name.

David C.K. Tang

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