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Councillor Peter Milczyn, Members of Planning and Growth Committee
and Members of City Council
City of Toronto
10th Floor, West Tower
City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Nancy Martins

Dear Mr. Chair and Members of Committee and Council:

**Re: Comprehensive Review of the City of Toronto Official Plan, Amendments for Economic Health and Employment Policies Designations
Draft Official Plan Amendment No. 231
Meeting: November 21, 2013
Item: PG28.2**

We are the solicitors for the Toronto Faith Coalition Inc. which is an organization that represents amongst others, the Pentecostal Assemblies of Canada, African Canadian Christian Network, the Free Methodist Church in Canada, the Toronto churches of the Canadian Baptists of Ontario and Quebec (Toronto Baptist Ministries), The Christian and Missionary Alliance Church of Canada - Eastern Canadian District, the Church of God in Ontario, Church of God of Prophecy Canada – Eastern Canada, Catch the Fire family of churches, Spanish Association Unidos Para Orar, Korean Ontario Church Association, MisionGTA Christian Network, The Apostolic Church in Canada, Church of Jesus Christ of Latter-Day Saints (Mormons), Can-Sikh Cultural Centre, Etobicoke Church Network (Light House Fellowship Assembly), The Triumphant Church Of God and coordinated the concerns of B'nai Brith Canada, the Hindu Temple Society of Canada, Jaffari Islamic Centre, Ontario Sikh and Gurdwara Council, Canada Christian College, Hindu Sabha and many individual congregations and temples. These diverse faith groups all share a desire to continue establishing places of worship in the Toronto.

We have reviewed the draft Official Plan Amendment No. 231 (“OPA 231”) and are writing to provide comments with respect to the amendment. Please consider this letter to be a written submission to City of Toronto Council given pursuant to subsection 17(24)1 of the *Planning Act*. Our comments are intended to be general and speak to the overall intent of the Official Plan and this letter’s suggested amendments should not be considered comprehensive. We would welcome the

opportunity to engage in further dialogue with your staff and to continue working on acceptable and appropriate ways to recognize the City's interest in accommodating new and existing places of worship so the faith community can continue to benefit the City and its residents.

We have previously provided, in consultation meetings, comments and input on earlier drafts of this Official Plan Amendment and the entire issue of how the City's Official Plan policies for *Employment Areas* should deal with places of worship to City planning staff. Our last substantive comments were to the draft contained in the staff report dated October 23, 2012.

The currently proposed draft Official Plan Amendment differs from that October 23, 2012 draft in its approach to places of worship. In particular, any explicit recognition that places of worship are appropriate land uses and should be permitted uses in the *General Employment Areas* has been deleted. It is unclear to us whether that is intentional or whether the intent of the changes is to prohibit or discourage places of worship from being located anywhere within the *Employment Areas*.

Places of Worship No Longer Sensitive

Between our last comments and today there has been a very significant change in Ontario's land use planning policy environment. The Province of Ontario has made it clear that places of worship should not be considered a sensitive land use if they are located in industrial or commercially zoned areas. The new guideline for land use planning and approvals, NPC-300, now explicitly provides that places of worship should no longer be considered as noise sensitive land uses if they are located in employment or commercial areas. The definition of a "noise sensitive institutional purpose building" now specifically provides as follows:

A place of worship located in commercially or industrially zoned lands is **not** considered a noise sensitive institutional purpose building. (emphasis added)

A place of worship located in an *Employment Area* will no longer threaten industries operating under provincial environmental certificates. Those industries will be able to renew their certificates without needing to maintain a low sound level at nearby places of worship.

Need to Recognize Existing Places of Worship

The City of Toronto has, over the last two or three decades, seen a very significant number of places of worship locate in light industrial areas. Their continued existence will not jeopardize the ability of industries in the area to expand or continue operating. Indeed, as discussed in the next section of this letter, there are advantages to them being located in portions of the *Employment Areas*. The Official Plan Amendment should, as a result and a minimum, explicitly provide that existing places of worship can continue as legal uses wherever they are located as of the date the OPA is adopted.

Places of Worship Desirable in Employment Areas

Indeed, given the reality that places of worship generally tend to attract worshipers at different times than most businesses and industries are busiest, the faith community's experience is that these uses complement each other, with the issue of noise removed. Many places of worship in employment

areas already permit their industrial and business neighbours to use their parking spaces during the week. Their neighbours reciprocate on weekends. The location of places of worship in employment areas represents a more efficient use of the scarce land in Toronto's *Employment Areas* than could be achieved without places of worship.

There is a specific need in the City's *Employment Areas* for places of worship since these areas are places where many people spend the majority of their waking hours. A number of religions encourage or require their followers to worship in some for during the times they would normally be expected to be at work in these *Employment Areas* and of course during lunch and other breaks during the working day, many Torontonians want to be able to worship communally.

Perhaps more importantly, the City's Official Plan should recognize the importance of the faith communities that Toronto's inhabitants are members of. These faith communities, typically represented and active through places of worship, contribute to the well-being of the City, providing not only social benefits but economic ones. The City would be a poorer place without the guidance, support and encouragement its residents receive from their faith communities. A significant portion of the City's population is employed within the faith community or volunteer there, generating economic wealth and activity. The City's faith groups support and enable Toronto's internationally renowned educational institutions which attract students from the rest of Canada and the world. Places of worship provide, often for free or on a heavily subsidized basis, social and other services such as food, daycare, seniors' social services, youth activities, refugee housing and assistance, English, skills and other forms of training and various levels of housing and emergency shelters to the communities around them, relieving the City and other levels of government from the obligation of providing those services out of tax revenues. Many of the services provided are unique and would not otherwise exist but for the faith community and places of worship.

The *Employment Areas* must continue to play a part in hosting new places of worship as demand for new places of worship increases with the City's population growth. The need for more places of worship will be driven by the diversity of the City's population, as different religious, cultural and ethnic groups meet for worship together in their own languages and traditions.

The current direction of the City in both OPA 231 and its City-wide zoning by-law No. 569-2013 is to down-designate and down-zone the overwhelming majority of properties where places of worship are currently permitted. Places of worship would cease to be permitted uses as a result of this OPA 231 and Zoning By-law No. 569-2013 in all *Employment Areas* and in residential zones except on the major streets. Potential sites for places of worship would under these new regimes be a very small fraction of those which exist today in many of the City's industrial and residential areas. Even the existing places of worship in those areas would become legal non-conforming and subject to the policy directive that they should disappear.

Suggested Amendments

We therefore suggest that significantly larger portions of the *Employment Areas* should permit places of worship as of right. Whether this should be accomplished by adding a third designation in which places of worship are permitted to the proposed *General Employment* and *Core Employment Areas*,

or by the introduction of a separate place of worship overlay or policy area, or by expanding the boundaries of the *General Employment Areas* to include more land in combination with our next suggestion, is something we would be pleased to discuss further with the City. At the very least, those industrial or employment zones which currently permit the place of worship use should be included in that designation or overlay.

We suggest that proposed Policy 4.6.3 specifically include “place of worship” as a permitted use within the *General Employment Area* (together with the already listed retail and service uses, restaurants, fitness centres and ice arenas). To put that into perspective, consider whether places of worship are at least as important if not more important to the well-being of individuals, families and the City, than an ice arena.

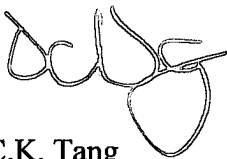
We would also suggest that within the *Core Employment Areas*, places of worship that primarily cater to the spiritual needs of those employed within those Employment Areas, should be permitted. The addition of the following sentence to the end of Policy 4.6.2 would accomplish that: “Places of worship that are designed to serve the needs of those employed in the *Core Employment Area* may be permitted up to a maximize size set out the applicable Zoning By-law(s).”

We believe that the need for future places of worship and the importance of faith communities in the City should be recognized throughout the Official Plan but especially in Policy 3.5.1.2.c) where the words “places of worship” should be inserted after the word “new”. Policy 3.5.1.2.c) would then read as follows: “c) Provides appropriate locations and opportunities for new places of worship, retail and service establishments:”

Thank you for your consideration.

Yours very truly,

GOWLING LAFLEUR HENDERSON LLP



David C.K. Tang

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