

May 6, 2025

File No.: 237611-807

By Electronic Mail

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City of Toronto
Planning and Housing Committee

100 Queen Street West
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Toronto, Ontario
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Attention: Nancy Martins, Administrator

Dear Members of Planning and Housing Committee:

**Re: The Governing Council of The Salvation Army in Canada
Comments on City of Toronto (the "City") DRAFT Official Plan Amendment No. 804 ("OPA 804")**

We are counsel for The Governing Council of The Salvation Army in Canada ("**The Salvation Army**"). We are writing to request that the City remove 2 Overlea Boulevard, 2152 Kipling Avenue, and 150 Railside Road (collectively, the "**Properties**") from the City's *Employment Areas* through revisions to OPA 804, which is currently in draft form.

The Salvation Army is a charitable organization that, as the largest non-governmental provider of social services in our country, gives hope and support to vulnerable people in 400 communities across Canada. The Salvation Army is a vitally important provider of services in Toronto and delivers a number of charitable and community services, including housing, health care, shelters, and other social services. The Salvation Army currently operates emergency shelters, transitional housing, and safe houses, all aimed at providing supportive living environments where people can rebuild their lives and make the transition from homelessness and marginalization to meaningful engagement with the community.

The Salvation Army participates in land use planning processes in the City to protect its ability to continue providing these services to marginalized and vulnerable Ontarians. In this regard, in 2013, The Salvation Army appealed Official Plan Amendment No. 231 ("**OPA 231**") as it relates to the Properties for the purposes of ensuring that "places of worship" and all ancillary uses continue to be permitted in *Employment Areas*. The Salvation Army's appeal of OPA 231 remains outstanding.

The current operations and surrounding context for each of the Properties is set out below:

1. **2 Overlea Boulevard:** This site is the location of The Salvation Army's Territorial Headquarters, Canada and Bermuda and is the "command centre" of operations across Canada, together with international relief and emergency response services. It is currently occupied by an office building with administrative offices for The Salvation Army and also serves as its officer training college. The site houses a place of worship, in addition to accessory community facilities which may include, from time to time, a food bank, after school programs, and other spaces to serve the community, as needed. These operations include the remote care monitoring program of The Salvation Army Toronto Grace Health Centre. This program utilizes technology to serve out patients of The Salvation Army Toronto Grace Health Centre, providing services and support remotely to people in their homes in order to effectively provide comprehensive virtual care encompassing both medical and non-medical needs to 20,000 homes across Ontario.

This site is located on the perimeter of an office/commercial/industrial area, and is adjacent to an electric power transmission facility to the west and a single storey office/commercial building to the north. To the east of the site, on the opposite side of Overlea Boulevard, is a 7-storey residential condominium building with ground floor commercial uses, (Leaside Park Terrace), and to the south of the site is a heavily forested green space area. The new Ontario Line Subway is proposed to run in front of the site along Overlea Boulevard on an elevated track and the site will be within 300 m of the new Thorncliffe Park Subway Station.

2. **2152 Kipling Avenue:** This site is the location of The Salvation Army's Etobicoke Temple. It is occupied by a place of worship and accessory and incidental community facilities and uses.

To the immediate south and west of the site are automotive service and transportation uses. Immediately adjacent to the north of the site is a large, secondary school with related sports field. This school services the surrounding, well established, residential neighbourhoods to the north and east. There are also a number service and restaurant uses along this stretch of Kipling Avenue, in the immediate vicinity, including the Kipling Plaza Shopping Mall.

3. **150 Rainside Road:** This site is the location of The Salvation Army's Rainside Distribution and Ministry Support Services. It is occupied in part, as a warehouse, including administrative offices, storage and distribution. It is also used as a gymnasium, and other accessory and incidental services. The site also provides educational/training and day programs for individuals who live with developmental disabilities, together with other community service uses.

Surrounding uses include upscale, automotive service centres and light industrial uses. On the opposite side of Rainside Road is a large, dairy processing and distribution facility.

The Salvation Army submits that the Properties should be removed from the City's *Employment Areas* and redesignated for two (2) principle reasons, which are set out below.

First, OPA 804's treatment of the Properties is contrary to the revised definition of "area of employment" in the *Planning Act* and inconsistent with the *Provincial Planning Statement, 2024* (the "**PPS**"). The Province has provided clear direction that institutional uses, such as those that take place at the Properties, are prohibited in "employment areas". The Province revised the definitions to scope employment areas to only those uses that cannot locate in mixed-use areas and therefore require protection against conversion (i.e.,

heavy industry, manufacturing, large-scale warehousing, etc.). The PPS further requires planning authorities to "assess and update employment areas identified in official plans to ensure that [the] designation is appropriate to the planned function of employment areas".

Contrary to the Province's direction, OPA 804 takes a "blanket" approach to the protection of the City's *Employment Areas* by providing that parcels of land with "lawfully established" uses in *Core Employment Areas* and *General Employment Areas* which do not meet the revised definition of "area of employment" will, nonetheless, remain in the City's *Employment Areas*. This approach will negatively impact The Salvation Army's ability to provide a full range of important services at the Properties to vulnerable and marginalized residents of the City. In particular, The Salvation Army understands that any interim redevelopment or land use planning applications at the Properties which seeks to protect or expand upon existing uses will be subject to the stringent rules, policies, and lack of appeal rights related to employment conversions. For example, as a result of OPA 804, the modest proposal to introduce a "daycare" use at the Properties would effectively constitute an employment conversion request and would, therefore, be subject to the rules relating to employment conversions. In addition, OPA 804, fails to provide sufficient direction regarding the interpretation of "lawfully established" uses. The City's Official Plan should clearly identify what uses are permitted on lands within the City so as to prevent uncertainty, reduce the prospect of future disputes, and avoid placing an undue burden on landowners to justify whether a specific use was "lawfully established" in the absence of any defined criteria.

Second, there is a strong land use planning justification to remove the Properties from the City's *Employment Areas*. The Properties are primarily occupied by institutional uses and are adjacent to lands that do not form part of the City's *Employment Areas* or that otherwise include uses that are no longer permitted in *Employment Areas*. In other words, the Properties are not occupied by industrial/manufacturing/warehouse uses, are not entirely surrounded by lands that are occupied by such uses, are not permitted to have such uses in the Zoning By-law, and do not form an integral part of the City's *Employment Areas*. Accordingly, keeping the Properties within the City's *Employment Areas* is unnecessary and is directly contrary to Provincial direction.

Conclusion

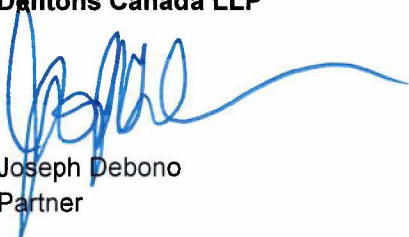
OPA 804 introduces significant uncertainty with respect to the land use planning status of the Properties and will make interim redevelopment of the Properties that is consistent with The Salvation Army's mission more difficult. It is our respectful submission that this will undermine the Province's intention to make it easier, not more difficult, to remove lands from an "area of employment". In order to ensure that The Salvation Army can continue to provide much needed charitable and community services, we request a meeting with City Staff in order to discuss how the concerns outlined in this letter can be addressed.

Please ensure that a copy of these comments are provided to City Council in advance of any decisions on OPA 804, and please provide us with notice of any further proceedings and /or a decision with respect to this matter.

We appreciate your assistance in this regard.

Yours truly,

Dentons Canada LLP



Joseph Debono
Partner

JD/mr

Copy: Client