

STAFF REPORT ACTION REQUIRED

555 Rexdale Boulevard - Zoning By-law Amendment Applications and Draft Plan of Subdivision Application -Preliminary Report

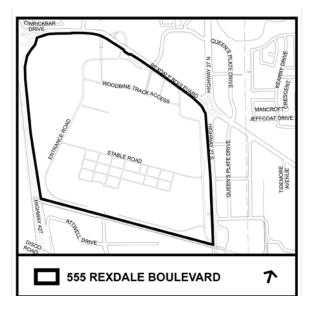
Date:	May 25, 2017				
To:	Etobicoke York Community Council				
From:	Director, Community Planning, Etobicoke York District				
Wards:	Ward 2 – Etobicoke North				
Reference Number:	17 158697 WET 02 OZ 17 158704 WET 02 OZ 17 158705 WET 02 SB				

SUMMARY

Woodbine Entertainment Group (WEG) has submitted two applications to amend the former City of Etobicoke Zoning Code to permit expanded gaming on the Woodbine Racetrack lands: one for the existing grandstand building; and one for a new Gaming District to be located to the northeast of the existing grandstand. These applications propose amendments to existing site specific Zoning By-law 864-2007 to add live

gaming as a permitted use at 555 Rexdale Boulevard. All other permitted land uses and zoning performance standards are to remain unaltered. No new development is proposed through these applications.

In addition to the two rezoning applications, a Draft Plan of Subdivision application has also been submitted. The Draft Plan of Subdivision would establish a framework for public roads and services and would create development blocks for WEG's Phase 1 and 2 lands to facilitate the development of the Gaming District and associated uses and an integrated entertainment complex, as well as other uses.



This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A community consultation meeting scheduled by staff, in consultation with the Ward Councillor, is targeted to be held in the third quarter of 2017. A Final Report and statutory public meeting under the *Planning Act* to consider the applications is targeted for the first quarter of 2018. This target assumes the applicant will provide all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff be directed to schedule a community consultation meeting for the lands at 555 Rexdale Boulevard together with the Ward Councillor.
- 2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- 3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On July 7, 2015, City Council approved, in principle, expanded gaming at Woodbine Racetrack, subject to 21 conditions. City Council's approval was, among other items, subject to expanded gaming occurring in the context of an integrated entertainment complex on the site. City Council also endorsed a process whereby the City Manager will prepare a report for Council to assess how the Ontario Lottery and Gaming Corporation's (OLG) successful service provider has met or has contractually agreed to meet the 21 conditions. This decision can be found at the following link: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX7.4

On May 21, 2013, City Council considered a report from the City Manager, EX30.1 *New Casino and Convention Development in Toronto*. The report provided analysis of the financial, economic development, social and planning implications of the introduction of gaming in downtown Toronto and expanded gaming at the existing Woodbine facility in the Ontario Lottery and Gaming Corporation (OLG) C2 zone. In 2013, City Council opposed the introduction of gaming in the downtown and the expansion of gaming at Woodbine Racetrack. This decision can be found at the following link: http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EX30.1

On July 16, 2007, City Council approved an Official Plan Amendment and Zoning Bylaw Amendment for the site known as the Woodbine Live! proposal. This proposal would have developed a commercial district integrated with entertainment and retail uses. A residential neighbourhood in the northwest portion of the lands was also proposed.

The Official Plan Amendment resulted in Site and Area Specific Policy No. 296 that provides an overall planning framework for the site and outlines general locations for retail, office, residential and entertainment uses as part of the Woodbine Live! integrated entertainment complex. The corresponding site-specific Zoning By-law 864-2007 added retail, business and professional offices uses as well as site specific development standards for parking, gross floor area and building setbacks to support a mixed use entertainment and retail complex within the existing I.C2 zoning. By-law 864-2007 also included the uses permitted by the Provincial Minister's Zoning Order filed as Ontario Regulation 688/98 that allows for slot machines and electronic gaming on the lands. This decision can be found at the following links:

http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-4936.pdf http://www.toronto.ca/legdocs/mmis/2007/ey/bgrd/backgroundfile-5532.pdf

In 1998, the Minister of Municipal Affairs and Housing filed Ontario Regulation 688/98, a Minister's Zoning Order, to allow for the operation by Ontario Lottery and Gaming Corporation of slot machines and electronic table games on the lands.

Pre-Application Consultation

A number of pre-application consultation meetings were held with the applicant, Woodbine Entertainment Group, to discuss process and complete application submission requirements.

ISSUE BACKGROUND

OLG Process

Ontario Lottery and Gaming Corporation (OLG) is undertaking a Request for Proposal (RFP) process to select a private sector service provider to operate gaming at Woodbine Racetrack. The successful proponent is anticipated to be announced in late summer 2017. This process is within the context of gaming modernization which allows for expanded gaming subject to approvals, including municipal approvals, as outlined in Ontario Regulation 81/12.

In 2015, City Council approved expanded gaming at Woodbine Racetrack subject to OLG's new service provider meeting 21 conditions. City Council also endorsed a process that would allow future consideration of how the service provider has met or contractually agreed to meet these City conditions. Under this process, the City Manager will prepare a report for City Council at the same time as the evaluation of the planning applications for 555 Rexdale Boulevard. City Council will then decide whether to maintain or reverse its conditional resolution in support of expanded gaming at Woodbine.

Proposal

The proposal consists of two Zoning By-law Amendment applications to permit expanded gaming and a Draft Plan of Subdivision application for the creation of roads and development blocks. As part of the preparation for the submission of these applications, Woodbine Entertainment Group, the owners of the site, undertook an extensive Master Plan process for all 277 hectares of the Woodbine Racetrack lands.

Woodbine Master Plan

Woodbine Entertainment Group (WEG) has undertaken a Master Plan process to establish the general framework and vision for development of the Woodbine Racetrack lands. The Master Plan vision outlines a series of co-ordinated and interconnected districts within a framework of roads and development blocks that would ensure the future development of an integrated entertainment, gaming and retail complex and associated uses is supportive and compatible with the continued operation of the racetrack (see Attachment 4: Woodbine Entertainment Group Master Plan Concept).

Zoning By-law Amendment Application: Grandstand

This application proposes to amend site specific Zoning By-law 864-2007 to permit live gaming in the existing grandstand building (see Attachment 2: Proposed Zoning - Area of Grandstand). This application would apply only to the area of the existing grandstand building, comprising approximately 2.6 hectares (6.4 acres) of the Woodbine lands. The application would permit live gaming within the existing grandstand building in addition to the existing slot and electronic table games currently permitted, in advance of the development of the Gaming District.

Zoning By-law Amendment Application: Gaming District

This application proposes to amend site specific Zoning By-law 864-2007 to permit live gaming on approximately 23.4 hectares (57.7 acres) of land northeast of the existing grandstand building that would be the future Gaming District. These lands comprise the lands identified by WEG as being available for the gaming district (see Attachment 3: Proposed Zoning – Gaming District).

No new development is being proposed at this time through these Zoning By-law Amendment applications. It is anticipated additional applications will be submitted when the service provider has been selected through the OLG procurement process.

Plan of Subdivision Application: Phase 1 and 2

This application would allow for the creation of roads and development blocks to achieve the vision of the WEG's Master Plan. The application covers 118.7 hectares (293.2 acres) of land generally to the northeast and west of the existing grandstand building. Four new public roads are to be introduced and 15 development blocks are to be created for the Gaming District, integrated entertainment complex and other uses such as retail, commercial, institutional and stormwater management facilities (see Attachment 8: Draft Plan of Subdivision).

Site and Surrounding Area

The Woodbine Racetrack lands, including the racetrack itself, are approximately 277 hectares (684 acres) in size. The site is located at the southwest corner of Rexdale Boulevard and Highway 27 and the lands are generally flat and sloping southward. The lands are currently developed with the grandstand facility and parade ring oval, surface parking, racetrack, horse barns, living quarters and practice tracks. A large area on the west side of the site is used for agricultural purposes.

North: The lands are bordered on the north by Rexdale Boulevard. Across Rexdale Boulevard are residential uses and the existing Woodbine Entertainment Group stormwater facility. The Woodbine Centre mall is located north of the lands at the northwest corner of Rexdale Boulevard and Highway 27.

South: The lands are bordered on the south by the CNR rail line that includes the GO Kitchener Line and the UP Express. To the south of the rail line are existing industrial uses including an asphalt plant.

East: The lands are bordered on the east by Highway 27. Across Highway 27 is a mix of commercial and industrial uses including a hotel, car dealerships and banquet hall.

West: The lands are bordered on the west by Highway 427, the boundary between the City of Toronto and the City of Mississauga. Across Highway 427 are industrial uses including the Airport Corporate Centre.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Woodbine Racetrack lands are designated for employment use in the Official Plan. A review of the Official Plan's economic health and employment area policies, designations and mapping was carried out during the 2011 five year Official Plan and Municipal Comprehensive Review. Official Plan Amendment 231 (OPA 231), which amended policies and mapping, was adopted by City Council in December 2013 and approved by the Ministry of Municipal Affairs and Housing in July 2014. Portions of the amendment are under appeal at the Ontario Municipal Board.

The Woodbine Racetrack lands are not subject to a site and area specific appeal to OPA 231. They are identified as *Employment Areas* on Map 2 Urban Structure of OPA 231, and subject to *Employment Districts* policies of the in force Official Plan. The lands are designated *Core Employment Areas* and *General Employment Areas* on Map 10 Land Use Plan of OPA 231. They are also subject to Site and Area Specific Policy 29 and Site and Area Specific Policy 296 of the Official Plan.

Toronto's *Employment Areas* are important in providing good quality services to residents and workers. The industrial and commercial properties are vital to maintaining a healthy civic tax base that pays for those services. Preserving *Employment Areas* contributes to a balance between employment and residential growth so that Torontonians have a greater opportunity to live and work in the City.

Policy 2.2.4.1 of the in force Official Plan states that these areas will be protected and promoted exclusively for economic activity in order to:

- a) maintain and grow the City's tax base;
- b) attract new and expand existing employment clusters that are key to Toronto's competitive advantage;
- c) develop quality employment areas that are globally competitive locations for national and international business and offer a wide choice of sites for new business:
- d) nurture Toronto's diverse economic base;
- e) provide a good overall balance between population and employment growth by creating job opportunities for Toronto residents;
- f) provide a range of employment opportunities for Toronto residents that can be reached by means other than the private automobile; and
- g) create and sustain well-paid, stable, safe and fulfilling employment opportunities for all Torontonians.

Policy 2.2.4.2 states that these employment areas will be enhanced to ensure they are attractive and function well, through actions such as:

- a) permitting a broad array of economic activity that encourages existing businesses to branch out into new areas of activity and facilitates firms with functional linkages to locate in close proximity to one another;
- b) investing in key infrastructure, or facilitating investment through special tools, programs or partnerships, in order to:
 - i) revitalize areas which may be experiencing decline because of

- vacancies and closures, absence of key physical infrastructure, poor accessibility, or poor environmental conditions;
- ii) promote the distinctive character or specialized function of an area to attract firms within a particular targeted cluster of economic activity;
- iii) facilitate the development of vacant lands; and
- iv) create comfortable streets, parks and open spaces for workers and landscaped streetscapes to attract new business ventures; and
- c) encouraging and supporting business associations that promote and provide a business voice for the employment area.

The Woodbine Racetrack lands are designated *General Employment Areas* along the northern and western peripheries and *Core Employment Areas* in the centre of the site. Uses permitted in *Core Employment Areas* are set out in Policy 4.6.1. Permitted uses include all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems and vertical agriculture. Additional uses including small scale restaurants, catering facilities, courier services, banks and copy shops are permitted provided that they are ancillary to and integrated to serve the *Core Employment Areas* in which they are located. Small scale retail uses that are ancillary to and on the same lot as the principle use are also permitted.

Uses permitted in *General Employment Areas* are set out in Policy 4.6.2. In addition to all uses permitted in *Core Employment Areas*, permitted uses also include restaurants and service uses. Though the *General Employment Areas* policy permitting retail and major retail is under appeal to the OMB as part of OPA 231, the in force Official Plan generally permits small scale stores on employment lands. It also permits major retail on employment land that fronts onto major streets at the boundary of employment areas through the enactment of a zoning by-law and so long as certain policies are met.

Site and Area Specific Policy (SASP) No. 29

The Woodbine Racetrack lands are subject to Site and Area Specific Policy (SASP) No. 29, Lester B. Pearson International Airport Operating Area. SASP 29 addresses the operation of the airport and sensitive land uses with respect to noise. While the policy states that new residential and sensitive land uses are prohibited, unless permitted by existing zoning, the Woodbine Racetrack lands are exempted. The policy for the Woodbine Racetrack lands would permit new residential and other sensitive lands uses provided they are not located within the Transport Canada 30 NEF/NEP Composite Noise Contour and would have no negative impacts on the long term function of the airport. SASP 29 also protects the use of the Woodbine Racetrack lands for a horse racetrack including housing, dormitories and other noise sensitive land uses and the keeping of horses, required only for the operation of horse racing, and for any related, associated or accessory uses, facilities and services.

Site and Area Specific Policy (SASP) No. 296

The Woodbine Racetrack lands are also subject to Site and Area Specific Policy (SASP) No. 296. SASP 296 provides an overall framework for the lands that will sustain and build on the existing horse racetrack and associated entertainment uses to create a prominent, active, pedestrian friendly commercial, retail and entertainment centre and residential neighbourhood; for residents, workers and visitors in the Greater Toronto Area. SASP 296 states that in addition to SASP 29, permitted uses on the lands include horse racetrack and related, associated and accessory uses including gaming, entertainment, retail, including large scale, stand alone retail stores, hotel, restaurant and office uses. In addition, SASP 296 states that development will:

- Build on the existing campus like setting;
- Organize new development into districts for commercial, retail, entertainment and residential sub areas;
- Development and its associated infrastructure may be phased and structured to support public access and connections on the lands and to surrounding streets and areas; and
- Development will proceed in a manner that will not preclude additions to the road network, enhanced surface transit and future transit improvements including the potential for a GO transit station located along the CNR line abutting the south limit of the lands.

Zoning

The land is currently zoned Class Two Industrial (I.C2) within the former City of Etobicoke Zoning Code (see Attachment 1: Existing Zoning). The I.C2 zone permits a wide range of industrial uses as well as restaurants, offices, banquet halls and entertainment facilities as accessory uses. In 2007, as part of the Woodbine Live! proposal for the lands, Zoning By-law 864-2007, comprising WEG's Phase 1 lands, was adopted by City Council introducing retail, business and professional offices uses, as well as site specific development standards for parking, gross floor area and setbacks to support the development of the lands as a mixed use entertainment and retail centre.

Slot machines and other electronic games were introduced to the site in 2000, through a Provincial Minister's Zoning Order filed as Ontario Regulation 688/98. As the former City of Etobicoke Zoning Code and the City of Toronto Zoning By-law did not include gaming or casinos as a permitted use, the Zoning Order was placed on the property to permit slot machines and other electronic games at the existing Woodbine Racetrack. The permission for slots and other electronic games at Woodbine was part of the Provincial Slots at Racetracks program to support the horse racing industry.

Site Plan Control

The site is subject to site plan control. Site Plan applications have not yet been submitted for the site. It is anticipated that site plan applications would be submitted in the fourth quarter of 2017, when the service provider has been selected through the OLG procurement process.

Tree Preservation

A Tree Inventory and Management Plan has been submitted in support of the applications. This material is presently being reviewed by Urban Forestry staff.

Reasons for the Application

The proposal to develop expanded gaming including live table games on the Woodbine Racetrack lands does not comply with the former City of Etobicoke Zoning Code. Gaming is not a defined use in the Etobicoke Zoning Code and live table games are not a permitted use in Site Specific Zoning By-law 864-2007 or the Provincial Minister's Zoning Order filed as Ontario Regulation 688/98. In its 2015 decision, City Council requested that WEG, OLG and its service provider comply with the City's planning processes, including approval for any new development at Woodbine, and confirm that a Minister's Zoning Order will not be utilized.

COMMENTS

Application Submission

The following reports/studies were submitted with the applications:

- Planning Justification Report
- Tree Inventory and Management Plan
- Preliminary Hydrogeological Investigation
- Geotechnical Report
- Public Consultation Plan
- Traffic Operations Report
- Functional Servicing and Preliminary Stormwater Management Report
- Draft Zoning By-law Amendments for the Grandstand and Gaming District
- Context Plan
- Toronto Green Standard Checklist

City staff are reviewing the applications for completeness.

Issues to be Resolved

The applications have been circulated to City divisions and agencies for review and comment. Issues to be addressed with this proposal include, but are not limited to:

- Conformity with the Provincial Policy Statement and the Growth Plan.
- Conformity with the Official Plan policies regarding the uses currently provided for on these lands.
- Conformity with SASP 296.
- Integration with the OLG's service provider, which will be selected in late summer 2017. The service provider is required to address how it will meet or contractually commit to meeting the City's 21 conditions regarding expanded gaming. It is expected the City Manager will be submitting a report to City Council in this regard.

- Transportation impacts of additional uses.
- Adequacy of parking standards for new uses.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the applications, agency comments, the OLG process and the community consultation process.

CONTACT

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E-mail: kathryn.thom@toronto.ca

SIGNATURE

Neil Cresswell, MCIP, RPP Director of Community Planning

Etobicoke York District

ATTACHMENTS

Attachment 1: Existing Zoning

Attachment 2: Proposed Zoning - Area of Grandstand Attachment 3: Proposed Zoning - Gaming District

Attachment 4: Woodbine Entertainment Group Master Plan Concept

Attachment 5: Woodbine Entertainment Group Phasing Plan

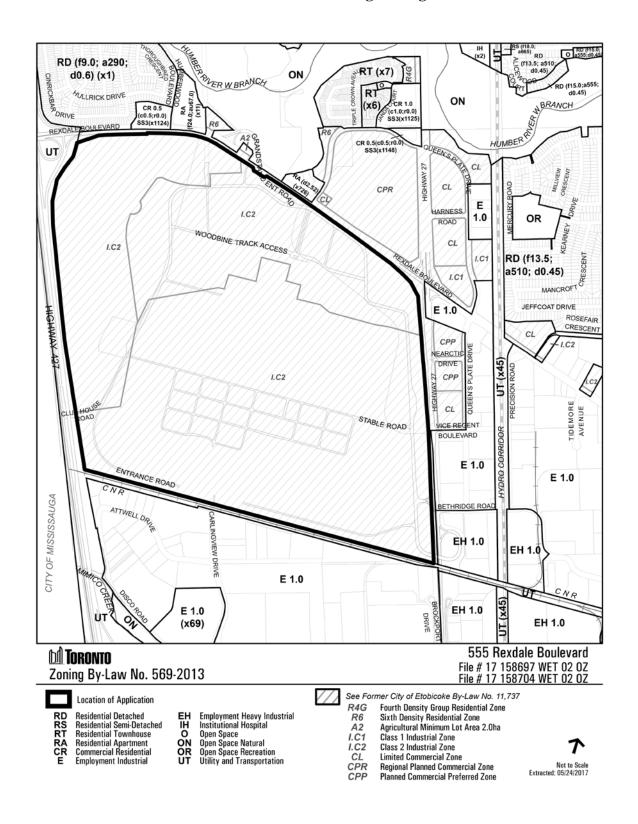
Attachment 6: Woodbine Entertainment Group Preliminary Concept Plan

Attachment 7: Woodbine Entertainment Group Rendering of Woodbine Square

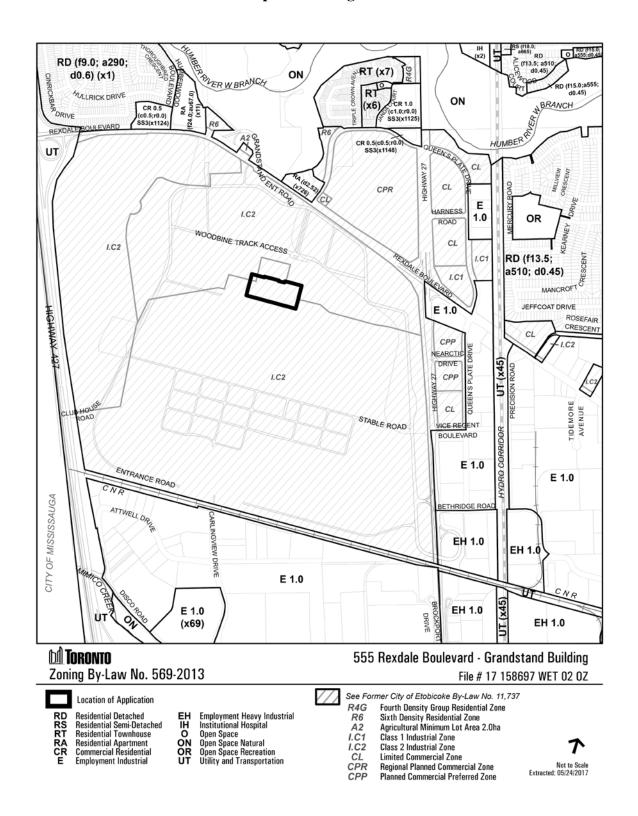
Attachment 8: Draft Plan of Subdivision

Attachment 9: Application Data Sheet

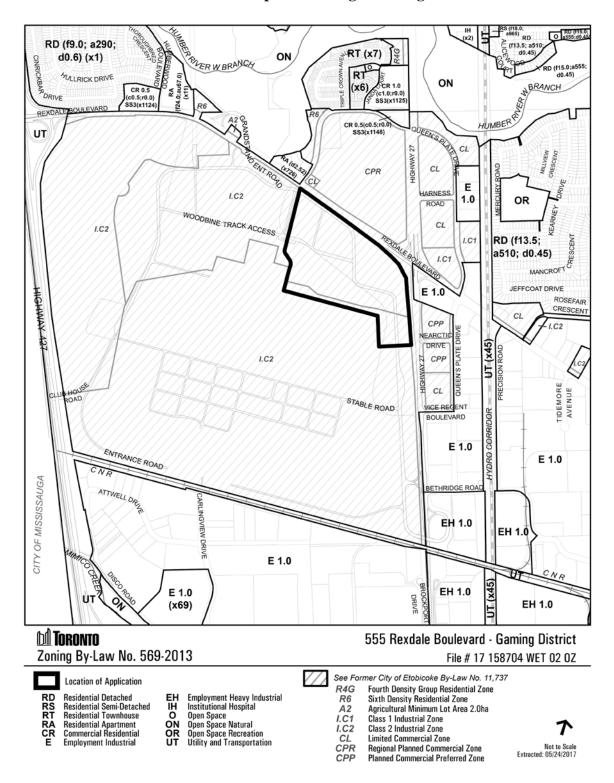
Attachment 1: Existing Zoning



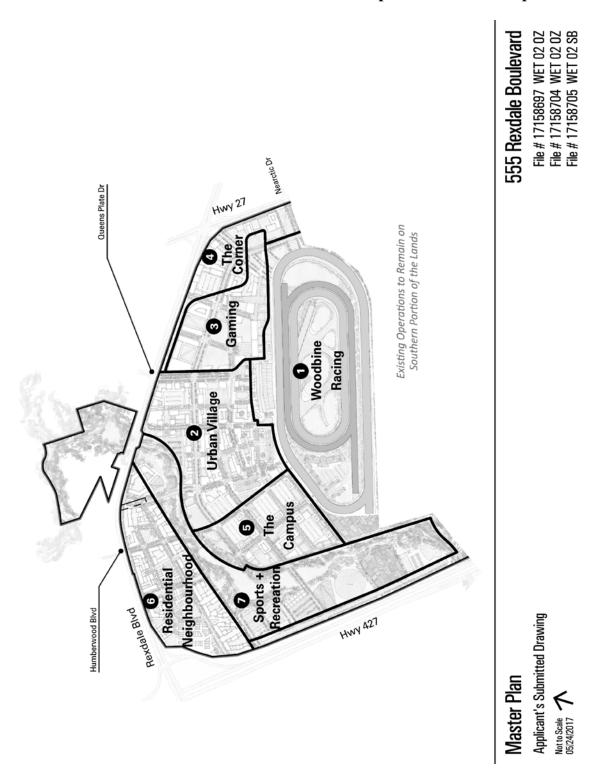
Attachment 2: Proposed Zoning - Area of Grandstand



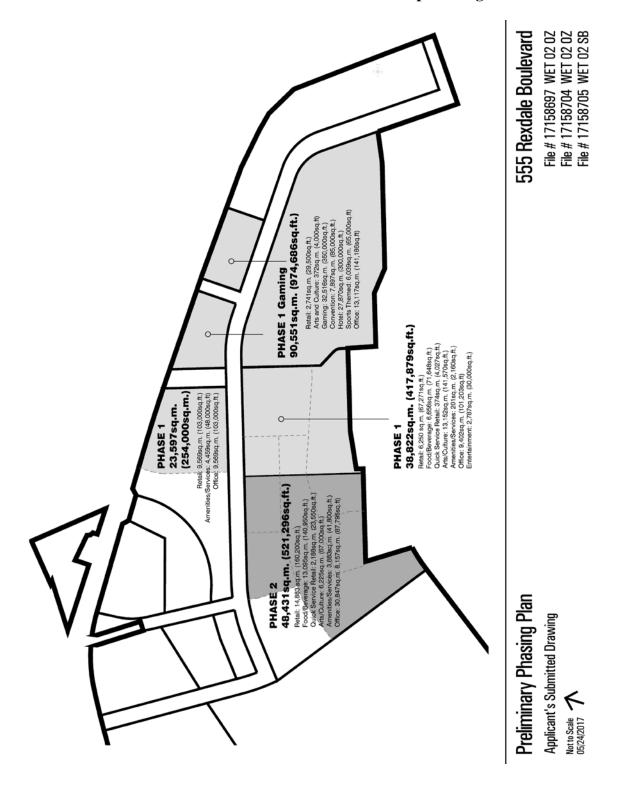
Attachment 3: Proposed Zoning - Gaming District



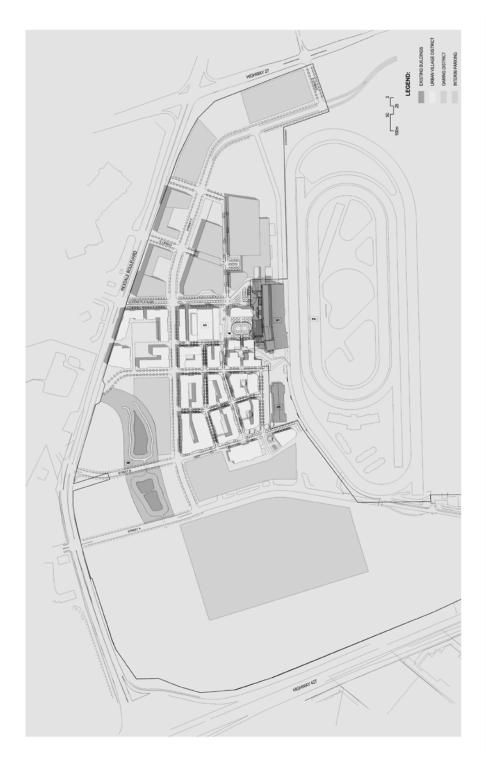
Attachment 4: Woodbine Entertainment Group Master Plan Concept



Attachment 5: Woodbine Entertainment Group Phasing Plan



Attachment 6: Woodbine Entertainment Group Preliminary Concept Plan



555 Rexdale Boulevard

File # 17158697 WET 02 02 File # 17158704 WET 02 02 File # 17158705 WET 02 SB

Preliminary Concept Plan Applicant's Submitted Drawing

Attachment 7: Woodbine Entertainment Group Rendering of Woodbine Square

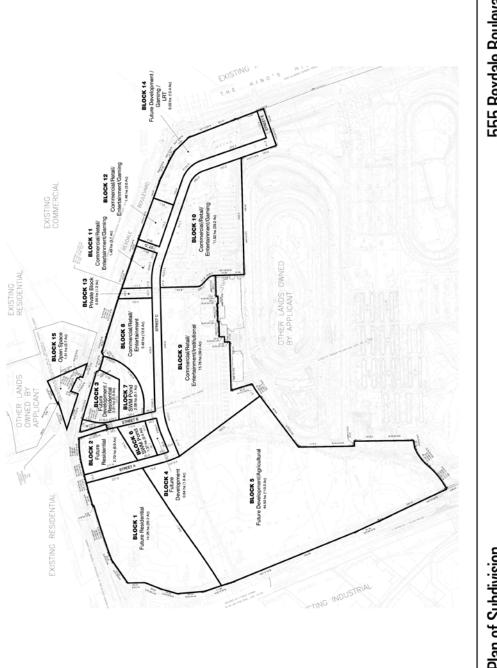


555 Rexdale Boulevard

File # 17158697 WET 02 02 File # 17158704 WET 02 02 File # 17158705 WET 02 SB

Perspective Rendering

Attachment 8: Draft Plan of Subdivision



555 Rexdale Boulevard

File # 17158705 WET 02 SB

Draft Plan of Subdivision Applicant's Submitted Drawing

Notto Scale 05/23/2017

Application 9: Application Data Sheet

Application Type Rezoning Application Number: 17 158697 WET 02 OZ,

17 158704 WET 02 OZ

17 158705 WET 02 SB

Details Rezoning, Standard Application Date: May 15, 2017

Municipal Address: 555 REXDALE BOULEVARD

Location Description: ETOBICOKE CON 3 FTH PT LOTS 26 TO 31 CON 4 FTH PT LOTS 27 TO 31 PT RD

ALLOW RP 66R17003 PARTS 1 4 7 TO 14 PT PARTS 2 3 AND 6 RP **GRID W0201

Project Description: The Zoning By-law Amendment applications propose amendments to the existing site

specific zoning to allow for the addition of live gaming as a permitted use in the existing

'grandstand building' and in a future Gaming District.

Applicant: Agent: Architect: Owner:

WALKER NOTT WOODBINE

DRAGICEVIC ASSOC LTD ENTERTAINMENT

GROUP

PLANNING CONTROLS

Official Plan Designation: Employment Areas Site Specific Provision: SASP 29 & SASP 296

Zoning: IC2 Historical Status:

Height Limit (m): Site Plan Control Area:

PROJECT INFORMATION

Site Area (sq. m): 0 Height: Storeys: 0 Frontage (m): 0 Metres: 0

Depth (m):

Total Ground Floor Area (sq. m): 0 Total

Total Residential GFA (sq. m): 0 Parking Spaces: 10500

Total Non-Residential GFA (sq. m): 60271 Loading Docks 0

Total GFA (sq. m): 60271

Lot Coverage Ratio (%): 0

Floor Space Index: 0

DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

Kathryn Thom, Senior Planner, Community Planning,

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