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October 15, 2021

Nancy Martins
Administrator, Planning and Housing Committee
City of Toronto
100 Queen Street West
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Dear Members of the Planning and Housing Committee :

AGENDA ITEM PH27.2: ZONING CONFORMITY FOR OFFICIAL PLAN EMPLOYMENT AREAS - PHASE 1 FINAL REPORT AND PHASE 2 UPDATE: COMMENTS FILED ON BEHALF OF DELTA BINGO & GAMING - 12, 14, 16 ARNOLD STREET & 340, 350, 360, 364 EVANS AVENUE

IBI Group is the planning consultant for Delta Property Holdings Inc. and Tonlu Holdings Limited (“client”), the prospective owners of the lands municipally known as 2, 14, 16 Arnold Street & 340, 350, 360, 364 Evans Avenue in the Lakeshore East Area of Etobicoke, City of Toronto (“subject lands”). Collectively, these parcels total 4.7 hectares (“ha”) in size, situated immediately south of the Gardiner Expressway at the northeast corner of the Kipling Avenue and Evans Avenue intersection. A map of the subject lands is attached to this letter in **Appendix A**.

The purpose of this letter is to outline our client’s concerns with respect to the proposed Zoning By-law Amendment to the Former City of Etobicoke Zoning Code (Attachment 9 to the Final Report) (the “Proposed ZBA”) as it applies to the removal of the bingo hall use currently permitted on the subject lands. Additionally, our client is concerned that amendments to the City of Toronto Zoning By-law 569 -2013 do not adequately allow for bingo hall or similar uses (i.e. Place of Assembly) throughout the *Core Employment Area* designations of the City of Toronto Official Plan (“OP”), further detailed below.

For the purposes of this letter, it should be noted that our client owns and operates another Delta Bingo location at 1799 St Clair Avenue West, which is being shut down in favour of a mixed-use residential development.

Our client has recently acquired an interest in the subject lands located at 2, 14, 16 Arnold Street & 340, 350, 360, 364 Evans Avenue, with an intent to adaptively reuse portions of the building at 360 Evans Avenue to introduce a bingo hall, restaurant, and other complementary uses. The subject lands were acquired in good faith following a due diligence period in which the underlying uses were verified in the zoning by-law.

The subject lands are designated as *Core Employment Area* on Map 15 of the City of Toronto OP, and are not subject to any Secondary Plans or Site and Area Specific Policies. *Core Employment Areas* are places for business and economic activities that are generally geographically located within the interior of Employment Areas. The general intent of the Official Plan direction is to have uses which draw the general public located at the periphery of these *Core Employment Areas*, as well as ensure that there are ancillary uses (as proposed) which further support the viability of the City’s employment areas.

The subject lands are split-zoned *IC.1*, under the Former City of Etobicoke Zoning Code (By-law 11,737) which permits a bingo hall use, and *Employment Industrial Zone (E 1.0)*, under City of

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Toronto Zoning By-law 569 – 2013. The presence of the bingo hall permission under Etobicoke Zoning Code was one of many of the site attributes which was appealing to our client. It should be noted that the *Employment Industrial* zone under 569-2013 does not permit a *Place of Assembly*, under which a bingo hall is permitted. A map of the zoning provisions described above impacting the subject lands is attached to this letter in **Appendix B**.

In light of the foregoing planning framework, our client intends to submit planning applications to expand the permitted uses of the Former City of Etobicoke Zoning Code (By-law 11,737) on the subject site to permit a bingo hall on the appropriate portions of the subject lands falling under the provisions of 569-2013, to facilitate the adaptive reuse of an existing building and utilize existing infrastructure to introduce a bingo hall, restaurant(s), and other complementary uses.

As alluded to above, in consideration of a number of the subject land's attributes, IBI Group opines that the site is well suited to accommodate a bingo hall and other complementary uses. These attributes include:

- the proximate access to the Gardiner Expressway;
- the location at the periphery of a *Core Employment Area*;
- the potential to adaptively reuse portions of the existing buildings/infrastructure specifically on 360 Evans Avenue; and,
- the size, configuration, and ability to share parking requirements with other existing uses present on site, that are not proposed to be changed.

In undertaking a harmonization and conformity exercise, it is the opinion of IBI Group that the City has not fully considered site specific circumstances under which certain uses may be viable and not adversely affect the viability of the *Core Employment Area*. The proposed changes prejudice our client's plans for the site which was acquired in good faith after undertaking a due diligence which verified that the proposed uses were, in fact, permitted on portions of the site.

In summary, our client's landholding at 2, 14, 16 Arnold Street & 340, 350, 360, 364 Evans Avenue is located at the periphery of a *Core Employment Area*. This proposed use, as well as the location of the subject lands, would satisfy the general intent of the OP by not attracting the general public into the interior of employment areas and provide ancillary uses that support the viability of the Employment area. In addition, portions of the subject site have historically been zoned to permit a bingo hall on site. Any future planning applications made on-site to expand these permitted uses would strictly be made in the interest of adaptively reusing an existing building directly adjacent to the portion of land where the bingo hall permission exists, as well as support the utilization and optimization of existing infrastructure.

On behalf of our client and in consideration of the foregoing, it is IBI Group's opinion that the City should give further consideration to the specific uses to be removed from the zoning by-laws taking into account the site-specific nature and appropriateness of certain uses, their locations, and their ability to enhance existing buildings and infrastructure, as described above. Further, a blanket approach to harmonization and conformity should not be taken as that may have the adverse affect of prejudicing sites, as above, where historic land use permissions are viable and appropriate.

Sincerely,

IBI Group

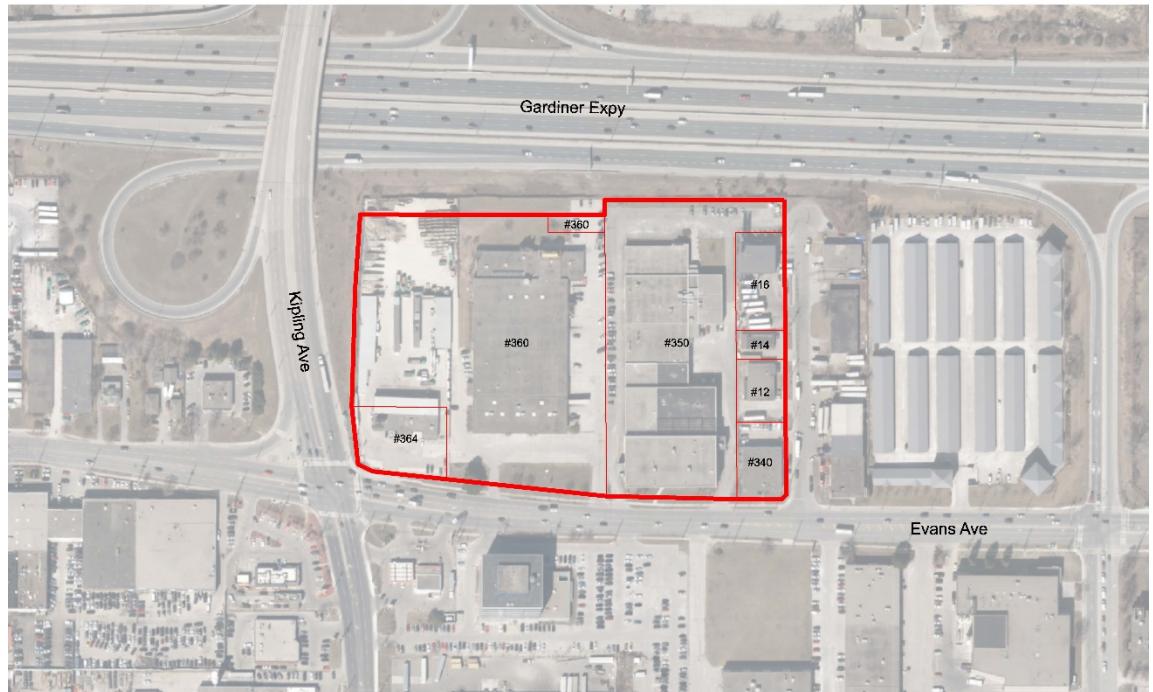


Stephen Albanese MCIP RPP

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Appendix A – Map of Subject Lands

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— Subject Lands



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Appendix B – Zoning Map

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