

September 20, 2021

By E-Mail Only to *phc@toronto.ca*

Planning and Housing Committee
City of Toronto
100 Queen Street West
Toronto ON M5H 2N2

Attention: Nancy Martins, Administrator

Dear Members of Planning and Housing Committee:

**Re: Agenda Item PH26.2
Zoning Conformity for Official Plan Employment Areas – Phase 1 Final
Report and Phase 2 Update
Comments on behalf of Woodbine Entertainment Group – 555 Rexdale
Boulevard**

We are counsel to Woodbine Entertainment Group (“**WEG**”), the owner of the lands located at 555 Rexdale Boulevard (the “**Woodbine Lands**”).

WEG wishes to thank the Committee for its direction at the June 28, 2021 meeting requiring City Planning Staff to assess and report back on revisions to the proposed Zoning By-law Amendments to maintain existing land use zoning permissions on the Woodbine Lands. We also thank City Staff for subsequently meeting with us to discuss these potential revisions.

We are writing further to our correspondence of June 25, 2021 and to provide WEG’s comments on the proposed exception for the Woodbine Lands as detailed in the September 1, 2021 Staff Report and identified in section 1(O) and (P) of the proposed Amendment to the Etobicoke Zoning Code included as Attachment 9 to that Report (the “**Woodbine Exception**”).

While WEG appreciates Planning Staff’s intention to recognize some of the existing permissions applicable to the Woodbine Lands, unfortunately, it is WEG’s position that the proposed Woodbine Exception does not fully maintain the existing land use permissions on the Woodbine Lands.

The entirety of the Woodbine Lands is subject to Site and Area Specific Policy (“**SASP**”) 296, which provides a planning framework for the lands, including a variety of commercial

retail, entertainment and residential uses. The majority of the Woodbine Lands are also subject to SASP 29, which provides for residential and other sensitive uses on the portions of the lands that are within the Airport Operating Area but outside of the 30 NEF/NEP Noise Contours. Collectively, SASPs 29 and 296 provide for a variety of uses on the Woodbine Lands that would not otherwise be permitted in the Core Employment Area or General Employment Area designations in Official Plan Amendment No. 231 (“**OPA 231**”).

Fundamentally, as SASPs 29 and 296 provide the planning framework for the Woodbine Lands and not the Employment Area designations in OPA 231, it is WEG’s view that the existing permissions in the IC.2 zone, including those established through the site-specific zoning by-laws, should remain in-force for the entirety of the lands.

The proposed Woodbine Exception is of considerable concern to WEG as it proposes to restore only some of the uses which are to be deleted in the proposed Amendment to the Etobicoke Zoning Code and to limit those uses to specific areas within the Woodbine Lands; however, a broader range of the deleted uses, including, for example, banquet halls, entertainment facilities and hotels, is currently permitted across the entirety of the Woodbine Lands in the existing zoning and under the applicable SASPs. As one example of WEG’s concerns, the proposed Woodbine Exception as currently drafted would limit the application of zoning by-law 500-2021 to only the northern portion of the lands; however, this by-law was recently enacted to permit Transportation Uses and ancillary uses including Retail Stores on the entirety of the lands, and specifically, in contemplation of, and to allow for, a future transit station in the southern portion of the lands.

To avoid unduly and unfairly removing or limiting its existing permissions, WEG requests that the proposed Woodbine Exception be revised and replaced with the text and mapping included hereto as “Attachment 1”. This proposed exception is appropriate and conforms with the Official Plan by reflecting the existing zoning permissions currently applicable to the Woodbine Lands, as established through SASPs 29 and 296 and the prior development approvals. Further, the existing permissions under SASPs 29 and 296, and the proposed exception which would maintain them, are consistent with the *Provincial Policy Statement, 2020* and conform with the *Growth Plan for the Greater Golden Horseshoe*.

We thank the Committee for its consideration of our client’s concerns and requested revisions.

Please provide us with notice of any further meetings of Council or Committees of Council and any decisions made in respect of this matter.

Sincerely,
DAVIES HOWE LLP



Kimberly L. Beckman

KLB:MM

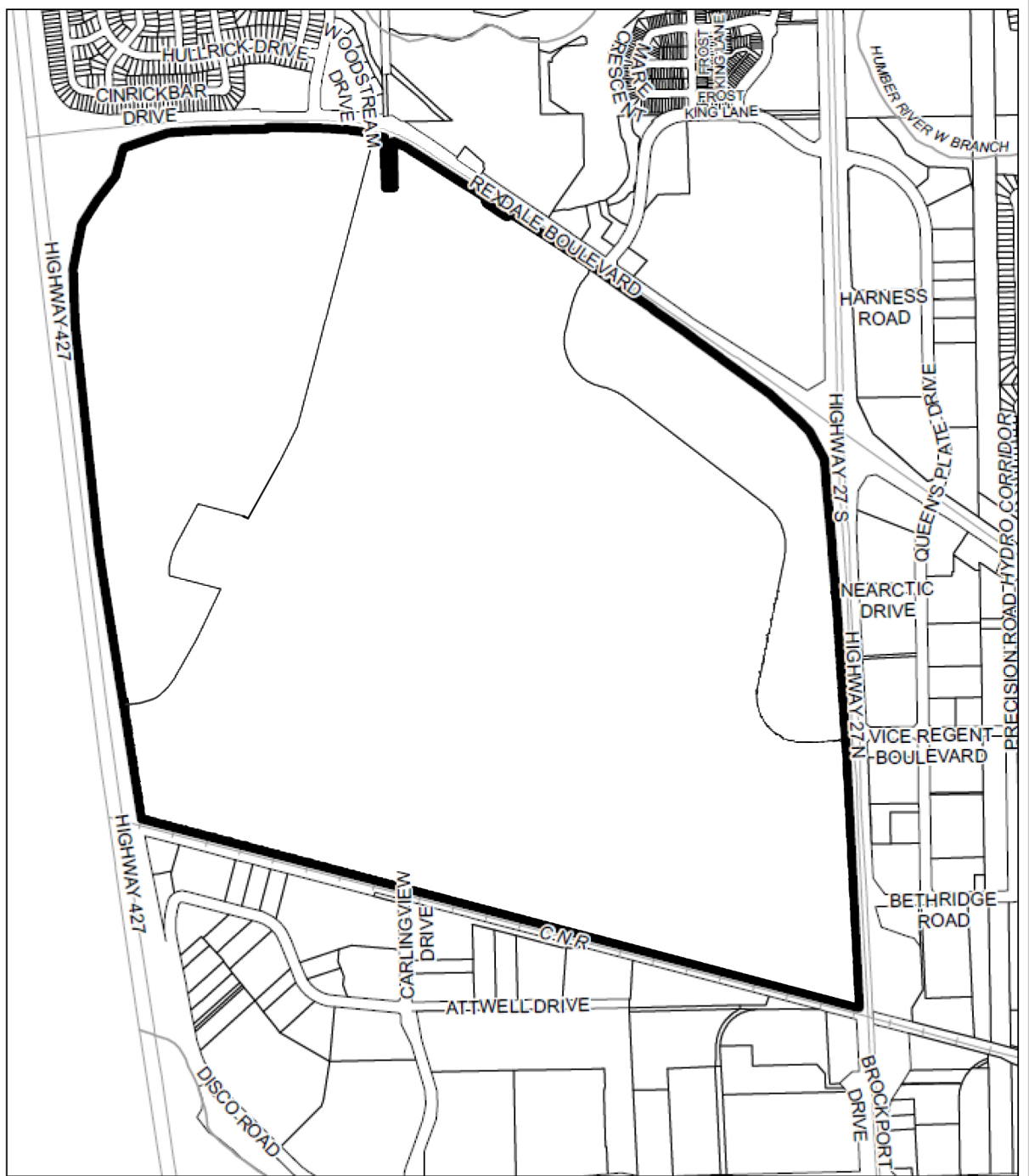
copy: Woodbine Entertainment Group
Gregg Lintern, Chief Planner, City Planning
Mark Piel, Solicitor, City Legal
Kyle Knoeck, Manager, Zoning Section
Luisa Galli, Manager, Community Planning, Etobicoke York District
Tyler Peck, WND Associates
Bob Dragicevic, RDLandPlan Consultants Inc.

Attachment 1

WEG Proposed Exception For Woodbine Lands

2. Despite Section 1(A) to (E) and (K) to (N) above of this By-law, for the lands zoned I.C2 and shown on Schedule 'G', being lands municipally known in 2021 as 555 Rexdale Boulevard, the uses permitted in Chapters 304-31 and 304-34 of the Etobicoke Zoning Code on the day prior to the enactment of By-law XXX-2021 are deemed to be the permitted uses, and zoning by-laws 864-2007, 1260-2018, 1261-2018 and 500-2021 prevail.
3. Former City of Etobicoke Zoning Code, Chapter 324, as amended, is further amended as follows:
 - (A) In Table 324-1 Table of Site-Specifics By-laws, add the following:

" Notwithstanding Section 1(A) to (E) and (K) to (N) of By-law XXX-2021, for the lands zoned I.C2 and shown on Schedule 'G', the uses permitted in Chapters 304-31 and 304-34 of the Etobicoke Zoning Code on the day prior to the enactment of By-law XXX-2021 are deemed to be the permitted uses, and zoning by-laws 864-2007, 1260-2018, 1261-2018 and 500-2021 prevail".
 - (B) In Table 324-1 Table of Site-Specifics By-laws, add a description and reference to this by-law being "By-law XXX-2021".



TORONTO
Schedule G



Former Etobicoke Zoning Code
Not to Scale
07/20/2021