

July 4, 2023

**BY EMAIL TO:** [phc@toronto.ca](mailto:phc@toronto.ca)

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

**ATTENTION:** Nancy Martins, Committee Administrator, Planning And Housing Committee

Dear Members of Planning and Housing Committee:

**Re: PH 5.3 – Our Plan Toronto: Recommendations on Seventy Employment Area Conversion Requests and Chapter 7 Site and Area Specific Policy Review – Final Report  
Official Plan Amendment No. 653 (OPA 653)**

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### (i) Introduction

Aird & Berlis LLP is counsel to Woodbine Entertainment Group (“**WEG**”), the owner of 555 Rexdale Boulevard in the City of Toronto (the “**Woodbine Lands**”). The Woodbine Lands are approximately 277 hectares (684 acres) in size and are generally bounded by Rexdale Boulevard to the north, Highway 27 to the east, Highway 427 to the west and the Metrolinx rail corridor to the south.

The Woodbine Lands currently contain the Woodbine Racetrack complex, and ancillary/associated uses including gaming, off-track wagering and various accessory buildings related to the racetrack operations, with extensive surface parking areas. An integrated entertainment complex is nearing completion on the Woodbine Lands along its Rexdale Boulevard frontage, which includes a casino, a performance venue, two hotels and associated parking structures.

The Woodbine Lands are currently designated *General Employment Areas* and *Core Employment Areas* in the City of Toronto Official Plan, but subject to a comprehensive planning framework which provides permissions for non-employment uses, including residential and other sensitive uses, through two Site and Area Specific Policies (“**SASP**”), SASP 29 and SASP 296.

An employment area conversion request for the Woodbine Lands was submitted by Davies Howe LLP and WND Associates on behalf of WEG on July 30, 2021. This request was made through the City-initiated Municipal Comprehensive Review (“**MCR**”) process, and was submitted during the City Council-approved window to receive conversion requests (the “**Woodbine Conversion Request**”). The Woodbine Conversion Request is known municipally as Conversion Request No. 074.

WEG has initiated a master planning exercise, which contemplates the comprehensive redevelopment of the Woodbine Lands to allow for the achievement of a mixed use community,

which could deliver more than 25,000 housing units and over 17,000 jobs, as well as 30 hectares of parks and open spaces. This master planning exercise has been undertaken in the context of WEG's ongoing discussions with Metrolinx to ensure the timely delivery of a GO station, parking facilities and a regional bus hub within the Woodbine Lands. Ensuring that transit supportive densities – both residential and employment – are delivered in tandem with higher order transit is a cornerstone of the Transit Oriented Communities (“**TOC**”) approach to planning, which WEG is actively working to facilitate for the Woodbine Lands.

We are writing to provide comments on the City Planning staff report titled “Our Plan Toronto: Recommendations on Seventy Employment Area Conversion Requests and Chapter 7 Site and Area Specific Policy Review - Final Report,” dated June 16, 2023 and its Attachments (the “**Final Report**”), including in particular Attachment 2: “Final Assessments and Recommendations on Requests to Convert Land Designated Employment Areas” (“**Final Assessment**”) and Attachment 1: Draft Official Plan Amendment (“**OPA**”) 653. In the Final Report, Planning staff have provided recommendations to City Council on the remaining tranche of MCR employment land conversion requests, including the Woodbine Conversion Request. This report is intended to be considered by Planning and Housing Committee on July 5, 2023 as Item PH5.3.

Through the MCR consultation process, WEG and its consultants have provided numerous comment letters to City Planning staff<sup>1</sup>, Planning and Housing Committee<sup>2</sup> and to the Ministry of Municipal Affairs and Housing through the Environmental Registry of Ontario<sup>3</sup> outlining support for the Woodbine Conversion Request as well as the related delineation of the Woodbine GO Station Major Transit Station Area (“**MTSA**”). WEG also participated in MCR consultation meetings with City Planning staff on April 7, 2022 and December 12, 2022, where WEG's consultants reiterated a request for coordination of the MTSA delineation and the Woodbine Conversion Request and a strong desire to work with Staff on a comprehensive planning framework for the Woodbine Lands. To date, City Planning Staff have not substantively engaged with WEG regarding their comments nor their requests for further working meetings.

#### **(ii) Comments on Draft OPA 653: Revisions to Site and Area Specific Policy 296 Mapping and Proposed Redesignation**

City Planning Staff are recommending a mapping revision to SASP 296, which applies to the entirety of the Woodbine Lands. WEG understands and accepts the proposal to revise Parcel C on Map 1 of SASP 296 to reflect the approved Plan of Subdivision in the northern portion of the lands, which was the subject of extensive consultation with both City Planning Staff and the public at the time.

WEG also agrees with the redesignation of this area to *Mixed Use Areas*, to facilitate residential development and the development of a complete community in line with a planning framework as per SASP 296. WEG and its consultants look forward to working with City Planning staff to

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<sup>1</sup> See letters submitted on behalf of WEG to City Planning Staff dated March 4, 2022, May 13, 2022 and May 15, 2023.

<sup>2</sup> See letters submitted on behalf of WEG to Planning and Housing Committee dated March 24, 2022 and June 29, 2022.

<sup>3</sup> See letters submitted to the Minister of Municipal Affairs and Housing dated January 19, 2023, February 3, 2023 and May 9, 2023.

advance development approvals for this portion of the Woodbine Lands in a cooperative and timely manner.

### **(iii) Comments on Final Assessment and Review of the Remainder of the Lands**

With respect to the remainder of the Woodbine Lands, we disagree with City Planning staff's recommendation to retain these lands as *General Employment Areas* and *Core Employment Areas* for the reasons set out in the planning rationale and supporting technical reports provided in the initial Woodbine Conversion Request as well as the further supporting information provided to the City in subsequent correspondence and meetings with City Planning Staff and WEG's submission letters to Planning and Housing Committee and the Ministry of Municipal Affairs and Housing.

Overall, the Final Assessment does not adequately or appropriately recognize the need to support the extensive public and private investment in the Woodbine GO Station, through the development of a mixed use and transit-oriented complete community. The Woodbine GO Station has been a long-standing transit expansion project and central element of the planned transit system in the Toronto Official Plan. The area in the southeast portion of the Woodbine Lands has also been specifically included by City Council within the delineated Woodbine GO MTSAs through OPA 575 and SASP 758, recognizing their close proximity and relationship to the planned higher order transit station. As a result, these lands should support mixed use transit supportive densities. OPA 575 and SASP 758 are currently with the Minister of Municipal Affairs and Housing for approval.

In addition to the above general commentary, we wish to also identify the following comments and points of clarification with respect to the Final Assessment of the Woodbine Conversion Request:

- The Final Assessment does not acknowledge that SASP 29 identifies specific areas within the Toronto Pearson International Airport Operating Area (“**AOA**”) that are located at both the northwest and southeast quadrants of the Woodbine Lands, and outside of the 30 NEF/NEP Composite Noise Contour, as having residential and non-employment land use permissions. This policy was subsequently confirmed in a letter from Gregg Lintern, then Acting Chief Planner, dated April 18 2012, and this was also outlined in detail to City Planning staff in WEG's comments on the Preliminary Assessment dated March 4, 2022 and rearticulated in subsequent meetings with staff.
- The Final Assessment does not acknowledge, or take into consideration, the long-standing and currently existing horse racetrack uses of the Woodbine Lands, and the associated and accessory uses which include housing, dormitories and other noise sensitive land uses.
- The Final Assessment outlines the Woodbine Lands' locational attributes and proximity to adjacent *Employment Areas*, but it does not recognize the unique nature of the single ownership of the Woodbine Lands. In addition, staff's assessment fails to recognize the opportunities for significant buffering and separation of proposed residential uses on the Woodbine Lands from the areas located to the south and east and occupied by the Metrolinx Rail Corridor and Highway 27, respectively, and proposed non-residential uses. These unique features were previously outlined for staff in the Woodbine Community Plan that was submitted in support of the Woodbine Conversion Request.

- The Final Assessment does not accurately indicate that the Peer Reviewer of the Land Use Compatibility/Mitigation Study concluded that the submitted study was prepared according to the available guidelines. The only updates requested through the Peer Review process were required to confirm the use of the best industry practices with respect to analysis and recommendation of mitigation measures. In discussions with City Planning staff, WEG agreed that the conclusions of the assessment remain unchanged and that the concerns that had been noted will be addressed in future assessments as the detailed design advances. Furthermore, WEG's land use compatibility and mitigation consultants have concluded that they were satisfied that the concerns raised can be appropriately addressed.

Despite numerous requests for further working sessions from WEG and their consultants, City Planning staff have not further engaged with respect to compatibility, mitigation or any other matters outlined in the Final Assessment.

#### **(iv) Conclusion**

The Woodbine Conversion Request's proposal to redesignate the Woodbine Lands to *Mixed Use Areas* and to implement the Woodbine Community Plan in support of that redesignation will provide for significant additional employment on the Woodbine Lands, which is compatible with the existing horse racetrack operations, in addition to creating significant new residential uses in a complete community in proximity to new public transit and outside of the airport noise contours.

As outlined in our most recent submissions to the Ministry of Municipal Affairs and Housing and City Planning staff, dated May 9, 2023 and May 15, 2023, which have been previously shared with City staff, the redesignation of the Woodbine Lands within an expanded MTSA delineation is appropriate to ensure the timely delivery of employment and residential uses to support the significant investment in higher order transit which has been proposed through the construction of the Woodbine GO Station and associated transit infrastructure upgrades. These submissions proposed a comprehensive planning policy framework through a draft SASP for the lands within the Council-delineated Woodbine GO MTSA boundary, which would ensure that those lands are developed to be consistent with the current applicable planning policy framework for this site as well as accommodating the priorities of both the Province and City for appropriate *Employment Area* conversions and the need to support transit-oriented complete communities.

WEG requests Planning and Housing Committee amend the recommendations of City Planning staff to approve WEG's modified conversion request to redesignate the Woodbine Lands included within the proposed expanded Woodbine GO MTSA boundaries as *Mixed Use Areas*, to be supported by the draft SASP policy framework already shared by WEG with City Planning.

Page 5  
July 4, 2023

Should you have any questions about the above, please do not hesitate to contact me or WEG's planning consultant, Tyler Peck of WND Associates, at 416-968-3511 ext. 122 or [tpeck@wndplan.com](mailto:tpeck@wndplan.com)

Yours truly,

AIRD & BERLIS LLP



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