

Date: 2022-05-24

Subject: **Relocation of Bingo Country Brampton**

Contact: Roger Wilson, Lottery Licensing Clerk, City Clerk's Office,
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Report Number: Legislative Services-2022-485

Recommendations:

1. That the report titled: **Relocation of Bingo Country Brampton**, dated May 24, 2022, to the Committee of Council meeting of June 22, 2022, be received; and
2. That the proposed relocation of 1739773 Ontario Inc. (operating as Bingo Country Brampton) to – 227 Vodden Street East, Unit 1 A – be supported, subject to the following conditions:
 - a. Compliance with the AGCO's "Criteria and Procedures For Establishing Bingo Halls (3013 E (06/05))";
 - b. Compliance with the Zoning By-law through approval of the minor variance application;
 - c. Compliance with the Lottery Licensing By-Law; and,
 - d. Compliance with the Business Licensing By-Law as applicable; and
3. That a copy of Council's Resolution be forwarded to the AGCO, the applicant and Delta Bingo for their information.

Overview:

- **Bingo Country Brampton, which has been operating at 190 Bovaird Drive West for approximately 38 years, has found it necessary to secure a new location for its gaming facility due to the end of its lease.**
- **Bingo Country Brampton, under operation by 1739773 Ontario Inc., would like to move its facility to 227 Vodden Street East, Unit 1A, Brampton.**
- **In order to complete this process, 1739773 Ontario Inc. must comply with the Alcohol and Gaming Commission of Ontario's (AGCO) *Criteria and***

Procedures For Establishing Bingo Halls (3013 E (06/05)) and various City By-Laws, including the Lottery Licensing By-law, Business Licensing By-law and Zoning By-law.

- This report provides an overview of the proposal to relocate Bingo Country Brampton which employs approximately 25 people and serves approximately 30 charitable organizations in the community.
- This report achieves the Term of Council Priority of a Well-Run City by ensuring compliance with local and provincial legislation relating to gaming businesses.

Background:

For approximately 38 years, Bingo Country Brampton (currently run by 1739773 Ontario Inc.) operated a variety of lottery related games, (e.g., Bingo and Break Open Tickets), at 190 Bovaird Drive West. As a result of new ownership at the subject property, Bingo Country's lease was terminated. This meant that the operator of Bingo Country would need to secure a new location if they wished to continue operations in the City.

Current Situation:

In order to secure a new location within the City, Bingo Country Brampton (i.e., the applicant) must comply with the AGCO's [*Criteria and Procedures For Establishing Bingo Halls \(3013 E \(06/05\)\)*](#), the City's [*Lottery Licensing By-Law 121-2012*](#), the City's [*Business Licensing By-Law 332-2013*](#) and the City's [*Zoning By-Law 270-2004*](#).

The ***Criteria and Procedures For Establishing Bingo Halls (3013 E (06/05))*** (attached) covers a variety of options including:

- *Opening a New Bingo Hall,*
- *Upgrade an Existing Bingo Hall,*
- *Relocate an Existing Bingo Hall, and*
- *Re-Open a Bingo Hall*

The applicant must comply with the third option – Relocate an Existing Bingo Hall.

To fulfill the requirements to “*Relocate an Existing Bingo Hall*”, the applicant must submit a formal proposal to the municipality in accordance with Appendix 2 (attached) of the ***Criteria and Procedures For Establishing Bingo Halls (3013 E (06/05))***. A copy of the proposal must also be submitted to the AGCO. Further, the applicant must advertise that a proposal has been made to relocate the bingo hall in accordance with the requirements set out in Appendix 3 (attached) of the ***Criteria and Procedures For Establishing Bingo Halls (3013 E (06/05))***. The applicant must also supply the municipality with sufficient copies of the proposal for public review if requested.

To fulfill the City's various licencing requirements, the applicant must comply with all of the applicable requirements in the City's *Lottery Licensing By-Law 121-2012* (e.g., register with the AGCO as required by the *Gaming Control Act 1992, S.O. 1992, c. 24*), the City's *Business Licensing By-Law 332-2013* (e.g., secure the required business licences such as *Place of Public Assembly* and *Fixed Food Premises* (if food is to be served)), and the City's *Zoning By-Law 270-2004*.

In order to secure the required zoning approvals, the applicant will need to apply for a Minor Variance given that 227 Vodden Street East, Unit 1A cannot currently be leased to anyone other than a charitable or not-for-profit organization where a gaming facility is concerned. As of May 24, 2022, the applicant has filed an application with the Committee of Adjustment for the required minor variance. The meeting to discuss the variance will take place on June 21, 2022 with the Committee's decision to become binding after the standard appeal period – barring any Committee decision to defer the matter or appeal of the decision filed with the Ontario Land Tribunal.

If Council supports the applicant's move to 227 Vodden Street East, Unit 1A and if the applicant secures the required minor variance, they will be in a position to move forward with the requirements as outlined in all of the City's applicable by-laws.

To date, the applicant has completed a majority of the AGCO's requirements as outlined in Appendix 2 and Appendix 3.

It should be noted that another gaming business operating within the City, Delta Bingo Brampton, has expressed some concern about the relocation proposal as it will bring the applicant's gaming facility within 4 kilometers of Delta Bingo Brampton (see letter attached as Appendix 1). It should be noted that the applicant's form of bingo gaming, which takes place largely on paper, is different from Delta Bingo Brampton's bingo gaming, which takes place largely on electronic terminals.

Thus far, Delta Bingo Brampton is the only entity that has provided comment about the proposal to relocate Bingo Country Brampton.

The next step requires that Council review the proposal in accordance with the provisions set out in Appendix 4 (attached). If Council approves the request to relocate the bingo hall, the operator can move to the next steps of complying with the City's various By-Laws including the *Lottery Licensing By-Law 121-2012*, the *Business Licensing By-Law 332-2013* and the *Zoning By-Law 270-2004*.

Staff recommend Council support the relocation of Bingo Country to its proposed location, conditional on the following:

- a. Compliance with the AGCO's "*Criteria and Procedures For Establishing Bingo Halls (3013 E (06/05))*";

- b. Compliance with the Zoning By-law through approval of the minor variance application;
- c. Compliance with the Lottery Licensing By-Law; and,
- d. Compliance with the Business Licensing By-Law as applicable

However, should Council have concerns about the relocation proposal, Council has the right to pursue any of the options outlined in Appendix 4. The options outlined in Appendix 4 include the following:

- Council does not provide a resolution of support for the application.
- Council holds a public meeting to obtain further information upon which to base its decision and to allow the applicant and other interested parties an opportunity to outline their position in a public forum.
- Council request additional information from the applicant to substantiate the proposal or address any issues of Council.
- Council request the applicant to provide an independent market study to the City to determine the impact that a new commercial bingo hall would have on the existing bingo halls and charitable licensees within the City.

Corporate Implications:

Financial Implications:

If Council does not approve the relocation of this facility, the City stands to lose approximately \$80,000 in lottery licensing fees (annually) as well as the fees required for the *Place of Public Assembly Licence (Class A)* and the *Fixed Food Premises Licence (if required)*.

Other Implications:

Should this relocation not be approved, up to 25 staff could be unemployed and approximately 30 charities would lose approximately \$1,000,000 in annual revenue (based on 2019 figures). The revenue is shared between charity members based upon the number of bingo events that each charity manages on a monthly basis.

Term of Council Priorities:

This report fulfills the Council Priority of 'Brampton is a well-run city' through the support of the Alcohol and Gaming Commission of Ontario, and as a licensing authority, through making consistent decisions with respect to the issuance of lottery licences, which promote Corporate accountability, our Corporate values, and governance best practices.

Conclusion:

Staff support the relocation of Bingo Country Brampton, from 190 Bovaird Drive West to 227 Vodden Street East, Unit 1A, conditional on the applicant securing all required AGCO approvals and City By-Law approvals.

Authored by:

Reviewed by:

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City Clerk's Office

Janice Adshead, Deputy Clerk, Administrative
Services and Information Management, and
Peter Fay, City Clerk

Approved by:

Diana Soos, Commissioner,
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Attachments:

Appendix 1 – Delta Bingo Objection Letter
Appendix 2 – AGCO – Criteria and Procedures for Establishing Bingo Halls
Appendix 3 – AGCO – Criteria and Procedures for Establishing Bingo Halls
Appendix 4 – AGCO – Criteria and Procedures for Establishing Bingo Halls
Appendix 5 – Brampton Guardian Ad April 14, 2022
Appendix 6 – Brampton Guardian Ad April 21, 2022
Appendix 7 – Mississauga News Ad April 21, 2022
Appendix 8 – Mississauga News Ad April 28, 2022