

February 1, 2013

Joe D'Abramo
Acting Director
Zoning By-law and Environmental Planner
City of Toronto
Metro Hall
55 John Street, 22nd Floor
Toronto, ON M5V3C6

Dear Mr. D'Abramo;

**RE: REPLY TO JANUARY 23, 2013 LETTER
REVIEW OF HARMONIZED ZONING BY-LAW
275-279 BELFIELD ROAD AND 285 BELFIELD ROAD
SOUTHDOWN BUILDERS (BELFIELD) LIMITED AND BELFIELD HOLDINGS LIMITED
OUR FILE 1087B**

Thank you for your response to our letter on our concerns with the Harmonized Zoning By-law for the above-noted properties. However, we believe that some clarification is required.

Your letter notes that hotels, entertainment uses, vehicle sales establishments and vehicle rental establishments are not permitted in the Employment Area designation of the Official Plan, and therefore cannot be permitted in the Employment Industrial (E) Zone of the Harmonized Zoning By-law. However, we had requested the preservation of other uses as well. The full list of uses includes:

- Amusement Arcades;
- Banquet Halls;
- Cinemas;
- Commercial Sport/Recreational Facilities;
- Entertainment Facilities;
- Hotels;
- Nightclubs; and
- Vehicle Sales Establishments and Vehicle Rental Establishments.

Your letter notes that hotels, entertainment uses, vehicle sales establishments and vehicle rental establishments serve the general public, and uses that serve the general public may only locate on the edge of an Employment District. You note that the property is not on the edge of the Employment District, and therefore these uses could not be considered in the Employment Industrial (E) Zone of the

Harmonized Zoning By-law. We understand that staff cannot approve a Zoning By-law that does not conform to the Official Plan.

However, the 'edge' situation comes from the draft new Employment Area policies of the Official Plan Review that are not yet adopted or approved. In the draft new policies, employment lands are divided into Core Employment, General Employment, and Retail Employment. The Belfield Road sites are proposed to be designated Core Employment. The Core Employment designation is intended to apply to areas where the City wants industrial, research and development, warehousing, distribution, and trade facilities. We note that hotels are permitted in the proposed Core Employment designation. Regardless, the draft new policies are not in effect and will likely not be considered for adoption until later this year.

The in-effect 2006 Official Plan only has one employment designation: Employment Areas. The Employment Areas designation applies to both Belfield sites and permits hotels per Section 4.6.1. In our recent experience with development applications in the City, vehicle sales and rental establishments are also considered employment uses and are permitted in Employment Areas by the current Official Plan policies. Entertainment and recreation uses (which in our interpretation includes the remainder of the above uses) are permitted in Employment Areas when they front a major street shown on Map 3 of the Plan, per Section 4.6.2. Belfield Road is identified as a major street in Map 3 of the Official Plan. Therefore the current Official Plan policies support the uses that are being taken away by the Harmonized Zoning By-law. There is no planning justification for removing these use permissions from the site via the Harmonized Zoning By-law, as they conform with the in-effect Official Plan.

If and when the draft new Employment Area policies come into effect, those policies will provide additional direction for development on the Belfield properties. Until such time, we request that the Harmonized Zoning By-law, which has been in progress since the 2006 Official Plan was approved, flow from the in-effect 2006 Official Plan.

We reiterate our request that the draft Zoning By-law incorporate a site-specific provision for these properties which permits the above uses so that such use permissions are not lost.

We request an opportunity to meet with you to discuss this matter further. Please advise dates and times that are convenient for you and we would be happy to come to your office.

Thank you,

Yours truly,

MHBC



David A. McKay, MSc, MCIP, RPP



Ryan Moore, MPI, MCIP, RPP, LEED® AP

cc: *Richard Oehshorn*
Grace Russo
Jay Feldman
City Clerk

January 23, 2013

VIA ELECTRONIC MAIL

David McKay
MHBC
230-7050 Weston Road
Woodbridge, Ontario
L4L 8G7

Dear Mr. McKay,

RE: 275-279 & 285 Belfield Road

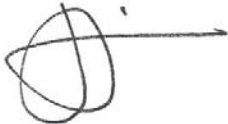
Further to your letter dated January 9, 2012, I am writing regarding your concern that Hotels, Entertainment Use, Vehicle Sales Establishment and Vehicle Rental Establishment were not permitted uses in the Employment Industrial (E) zone.

In the Etobicoke Zoning Code the I.C2 zone is considered a general industrial zone. In the New By-law the E zone is the general employment zone which will replace the I.C2 Zone. Specific uses were added and removed in the creation of the E zone to assure compliance with the policies of the Official Plan.

These uses are service the general public. This creates a compatibility issue with manufacturing uses in the (E) zone. For this reason they have not been carried forward into the new E zone as permitted uses. The uses you have mentioned are only considered for location in an edge situation along an Employment Area. These properties are not located along an Employment Area edge.

If you have any additional comments, suggestions or questions with respect to this letter, please contact the assigned planner in my office, Lorne Berg, at 416-392-0189 or lberg@toronto.ca.

Yours Truly,

A handwritten signature in black ink, consisting of a stylized, overlapping circular shape followed by a horizontal line extending to the right.

Joe D'Abramo
Acting Director, Zoning By-law Project & Environmental Planning
City Planning Division

cc. Tom Wall, Legal Services

January 9, 2012

Joe D'Abramo
Acting Director
Zoning By-law and Environmental Planner
City of Toronto
Metro Hall
55 John Street, 22nd Floor
Toronto, ON M5V3C6

Dear Mr. D'Abramo;

**RE: REVIEW OF HARMONIZED ZONING BY-LAW
275-279 BELFIELD ROAD AND 285 BELFIELD ROAD
SOUTHDOWN BUILDERS (BELFIELD) LIMITED AND BELFIELD HOLDINGS LIMITED
OUR FILE 1087B**

We are writing on behalf of Southdown Builders (Belfield) Limited and Belfield Holdings Limited to outline our concerns with the City's draft new Zoning By-law with respect to the above-noted addresses.

The sites are currently zoned Class 2 Industrial (I.C2) Zone Exception 12,412 in the Etobicoke Zoning Code. Certain uses permitted on the lands in the Etobicoke Zoning Code include:

- Amusement arcades;
- Banquet halls;
- Cinemas;
- Commercial sport/recreational facilities;
- Entertainment facilities;
- Hotels;
- Nightclubs; and
- Vehicle sales establishments and vehicle rental establishments.

The sites are proposed to be zoned Employment Industrial Zone (E 1.0) in the Harmonized Zoning By-law. The above uses that are permitted on the site today by the Etobicoke Zoning Code will no longer be permitted in the E Zone of the Harmonized Zoning By-law.

The sites are designated Employment Area in the Official Plan. Hotels are permitted in Employment Areas by the Official Plan. Recreation and entertainment facilities are permitted when located on major streets as shown on Map 3 of the Official Plan. Belfield Road is a designated major street on Map 3. It is our interpretation that vehicle sales establishments and vehicle rental establishments are employment uses. Therefore it is our interpretation that all of the uses that will be lost with the introduction of the Harmonized Zoning By-law are consistent with the Official Plan, and there is no planning justification for their removal.

We request that the draft Zoning By-law incorporate a site-specific provision for these properties which permits the above uses so that such use permissions are not lost.

We would be pleased to meet with City staff to discuss this matter.

Thank you,

Yours truly,

MHBC



David A. McKay, MSc, MCIP, RPP

cc: *Richard Ochshorn*
Grace Russo
Jay Feldman



Ryan Moore, MPI, MCIP, RPP, LEED® AP