



## STAFF REPORT

## 19 Belfield Road Committee of Adjustment Application

**Date:** October 15, 2024

**To:** Chair and Committee Members, Committee of Adjustment, Etobicoke York District

**From:** Michael Mizzi, Director, Community Planning, Etobicoke York District

**Ward:** 1 (Etobicoke North)

**File No:** A0225/24EYK

**Application to be heard:** October 24, 2024

### RECOMMENDATIONS

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City Planning staff respectfully recommend that the Minor Variance application should be refused.

### APPLICATION

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To permit a vehicle dealership.

### CONTEXT

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The subject property is located west of Kipling Avenue, on the south side of Belfield Road.

The subject property is designated *Core Employment Areas* on Map 14 of the Official Plan and is zoned Employment Industrial (E 1.0) under city-wide Zoning By-law 569-2013.

### COMMENTS

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Community Planning Staff previously wrote a report in regards to the current application dated June 20, 2024. The applicant deferred the application to have further discussion with city Staff. This is to confirm that Staff's position is unchanged.

Community Planning staff have reviewed the application and supporting materials. Based on this review, City Planning staff have determined that the application to permanently introduce a use which is not permitted under the Zoning By-law is not appropriate by way of a Minor Variance application. Rather, a Zoning By-law Amendment application is the appropriate planning application as this will allow Staff to conduct a comprehensive review of the proposed use and functions of the site.

The Official Plan acknowledges that *Core Employment Areas* are places for business and economic activities. Policy 4.6.1 of the Official Plan states that uses permitted in *Core Employment Areas* are all types of manufacturing, processing, warehousing,

wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information and technology facilities, and vertical agriculture. As outlined in 4.6.2 of the Official Plan, the following additional uses are permitted, if they are ancillary to and intend to service the *Core Employment Area* in which they are located: parks, small-scale restaurants, catering facilities, and small-scale service uses, such as courier services, banks, and copy shops. Small scale retail uses that are ancillary to and on the same lot as the principal use are also permitted.

In addition, Policy 2.2.4.14 of the Official Plan determines that the proposal to permit the rental vehicle dealership use is considered a conversion of Employment Area lands, since the proposal seeks to introduce a use that is otherwise not permitted with an Employment Area. Policy 2.2.4.15 of the Official Plan requires that a conversion of land with an Employment Area only be permitted by way of a Municipal Comprehensive Review (MCR) that comprehensively applies the policies and schedules of A Place to Grow – the Growth Plan for the Greater Golden Horseshoe. The approval authority of a MCR is the Minister of Municipal Affairs and Housing. The proposed minor variance does not conform to the Provincial Growth Plan.

The proposal to permit the rental vehicle dealership use is considered a conversion of *Employment Area* lands, since the proposal seeks to introduce a use that is otherwise not permitted with an *Employment Area*.

Conversion requests are required to provide information to support their submission and to allow the City to appropriately assess the proposed conversion of Employment Area lands as set out in Policy 2.2.4.17. A critical submission requirement is a Compatibility/Mitigation (C/M) Study, which helps to determine whether a proposed non-permitted land use will affect the overall viability of *Employment Areas* and major facilities. The introduction of sensitive and non-permitted land uses into *Employment Areas* can force industry to alter their operations, particularly when the environmental certificates that industries operate under are affected, or complaints are lodged about adverse effects from industrial operations. The onus of mitigation is on the industrial operation, is usually financially significant and can lead to some business establishments choosing to relocate elsewhere within the City or to other municipalities.

The proposed vehicle dealership does not support the economic function of *Core Employment Areas*, which are to be protected and promoted exclusively for economic activity. Further, the proposed vehicle dealership would also not be ancillary to or intend to serve this *Core Employment Area*. It is recommended that a formal Zoning By-law Amendment application be submitted, as this is the appropriate mechanism for a change in use on a site. For this reason, City Planning staff recommend that this Minor Variance application should be refused.

## **CONTACT**

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## **SIGNATURE**

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Signed by Ohi Izirein, MURP, MCIP, RPP, Manager, Community Planning, on behalf of  
Michael Mizzi, MCIP, RPP

Director, Community Planning

Etobicoke York District