



Report Committee of Adjustment

Filing Date: February 28, 2023

Hearing Date: January 23, 2024

File: A-2023-0055

**Owner/
Applicant:** 1000004087 ONTARIO INC.
Noble Prime Solutions (Navpreet Kaur)

Address: 15 Hale Rd

Ward: 3

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2023-0055 be deferred no later than the last hearing of May 2024.

Background:

The applicant is requesting 4 variances to permit a motor vehicle sales use on the property. Currently operating on the site are an existing auto body repair and vehicle impound use. The applicant had previously received Committee's approval on June 22, 2021 as part of Minor Variance Application A-2021-0014 to permit the following variance(s) associated with a vehicle impound facility (a permitted use):

1. To permit a lot area of 1550 square metres;
2. To permit 8 parking spaces.

Application A-2023-0055 was previously presented to Committee on October 3, 2023. At the time only following three variances were identified:

1. To allow for motor vehicle sales as a permitted use, whereas motor vehicle sales is not permitted;
2. To allow for 9 parking spots, whereas a minimum of 23 parking spaces are required; and

3. To allow for the outside storage and display of motor vehicles for sale to be located in the front yard, whereas no outside storage is permitted unless in a rear or interior side yard and such storage shall be screened from view by a solid fence.

Following a review of the current application (A-2023-0055) and the previously approved application (A-2021-0014), staff have determined that the previously approved application is now null and void. As the current application is introducing an additional use on site, the applicant would be unable to maintain the conditions of the approved application A-2021-0014. Therefore, the applicant was required to amend the current application to include variance 4: To permit a lot area of 1550 square meters, whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use; and revise variance 2: To allow for 17 parking spaces, whereas a minimum of 23 parking spaces is required.

Existing Zoning:

The property is zoned 'Industrial M2 (M2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To allow for motor vehicle sales as a permitted use, whereas motor vehicle sales is not permitted;
2. To allow for 17 parking spaces, whereas a minimum of 23 parking spaces is required;
3. To allow for the outside storage and display of motor vehicles for sale to be located in the front yard, whereas no outside storage is permitted unless in a rear or interior side yard and such storage shall be screened from view by a solid fence; and
4. To permit a lot area of 1550 square meters, whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use.

Current Situation:

The applicant is requesting four variances to permit a motor vehicle sales use, a reduced number of parking spaces, and to permit the outside storage and display of motor vehicles to be located in the front yard on the property, and lot area for a vehicle impound use. Following a review of the application by the City's Traffic Services staff, staff advised a parking study will be required to address the 26% shortfall in parking spaces. With the additional use the applicant is proposing to provide 17 parking space in total to permit the three uses on site.

Staff are recommending a deferral of the application to a date no later than the last hearing of May 2024 to allow sufficient time for the applicant to provide further information and for staff to review and provide additional feedback as necessary. Staff have discussed the above noted matters with the applicant and will be working closely with them to resolve any concerns prior to presenting a recommendation to the Committee of Adjustment.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner