



## Report Committee of Adjustment

**Filing Date:** May 9, 2024  
**Hearing Date:** July 16, 2024

**File:** A-2024-0149

**Owner/  
Applicant:** 2121256 Ontario Inc., c/o Graham M. Tobe

**Address:** 210 Rutherford Road South

**Ward:** 3

**Contact:** Megan Fernandes, Assistant Development Planner

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### **Recommendations:**

That application A-2024-0149 be deferred no later than the last hearing of October 2024.

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### **Background:**

#### Existing Zoning:

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

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit motor vehicle sales, rentals, and leasing, whereas the by-law does not permit the uses;
2. To permit 15 parking spaces, whereas the by-law requires a minimum of 29 parking spaces.

### **Current Situation:**

The applicant is proposing to permit motor vehicle sales, rentals, and leasing, whereas the by-law does not permit the uses. The applicant/owner has currently obtained a temporary permit for 90 days which permits the sales/rental and leasing of vehicles on the site.

During the initial circulation of the application, City and Regional Staff expressed concerns regarding the requested variance and its compatibility with the surrounding industrial and employment uses. The applicant/owner is currently working with City and Regional staff to provide more information regarding

amount of Gross Floor Area (GFA) dedicated to the proposed motor vehicle sales, rentals, and leasing in relation to the existing auto repair shop, as well as storage of the motor vehicles.

The applicant provided the revised site plan which was circulated on the public notice. Zoning Staff have reviewed the revised site plan and have identified an additional variance (Variance 2) noting a parking deficiency on site as a result of the proposed use. The City's Traffic department have also reviewed the application and have advised that a parking study will be required to justify the approximate 48% reduction in parking spaced and have noted concerns with the revised site plan regarding the functionality of the overheard entrance on the northeast side of the property and 6.00m drive aisle width. Staff are recommending that the applicant/owner arrange for and attend a Pre-Consultation meeting for a Site Plan application with City Staff. A through technical review will be required to determine if staff can recommend that the additional use can be supported.

Staff are recommending a deferral of the application to a date no later than the last hearing of October 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