



Report Committee of Adjustment

Filing Date: February 8, 2021

Hearing Date: June 22, 2021

File: A-2021-0014

**Owner/
Applicant:** 2509555 ONTARIO INC

Address: 15 Hale Road

Ward: WARD 3

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0014 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the requirement for parking for any combination of uses permitted within the 'M2' zone shall not exceed 17 parking spaces to ensure that the permissions granted by the variance do not create a further parking reduction should the uses on the site be altered, altering the ultimate parking requirement;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

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

Requested Variance:

The applicant is proposing a vehicle impound facility (a permitted use) and is requesting the following variance(s):

1. To permit a lot area of 1550 square metres whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use;

2. To permit 8 parking spaces whereas the by-law requires a minimum of 17 parking spaces.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Industrial' in the Official Plan and 'General Employment 2' in the Highway 410 and Steeles Secondary Plan (Area 5). The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is to permit a lot area of 1550 square metres whereas the by-law requires a minimum lot area of 1800 square metres for a vehicle impound use. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property and that the size of the lot accommodates the various uses of the zone, including vehicle impound use.

The property has an existing lot area of 1550 square metres and is occupied by an impound facility which is a permitted use on this property. The subject property has a 250 square metres deficiency in lot area which requires relief from the Zoning By-law. The variance is not anticipated to negatively impact the character and functionality of the site. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is to permit 8 parking spaces whereas the by-law requires a minimum of 17 parking spaces. The intent of the by-law in requiring a minimum number of parking spaces to be provided is to ensure that sufficient parking is provided for use on the site.

In the case of the subject property, 8 existing parking spaces are located at the front of the building and an additional 11 parking spaces are located along the rear property line and are reserved for the vehicle impound with no public access. Traffic services staff have reviewed the variance and have confirmed that the southern aisle can be used for two way traffic (one at a time) since the rear impound area is not intended for the public. Given the nature of the existing auto body repair and vehicle impound use on the property, the parking reduction is not anticipated to create negative impacts. A condition is recommended that the requirement for parking for any combination of uses permitted within the 'M2' zone shall not exceed 17 parking spaces to ensure that the permissions granted by the variance do not create a further parking reduction should the uses on the site be altered, altering the ultimate parking requirement. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances will facilitate the operation of the auto body repair shop with vehicle impound. The variances are not anticipated to alter the character of the area, limit the functioning of

the site, or impact adjacent properties. Subject to the recommended conditions of approval, variances 1 and 2 are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variance to reduce the lot area and number of parking spaces on the property is required to accommodate the existing auto body repair shop with vehicle impound. The requested variances are considered acceptable and will not create adverse on-site or off-site impacts. The variances are considered to be minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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