



## Report Committee of Adjustment

**Filing Date:** July 8, 2021  
**Hearing Date:** August 3, 2021  
**File:** A-2021-0159  
**Owner/  
Applicant:** Orlando Corporation  
**Address:** 7995 Winston Churchill Boulevard  
**Ward:** WARD 6  
**Contact:** François Hémon-Morneau, Planner I

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### **Recommendations:**

That application A-2021-0159 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
  2. That the owner finalize site plan approval under City File SPA-2021-0083, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
  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:**

The tenant Amazon Inc., operates out the buildings at 7995 Winston Churchill, and 7850 Heritage Road. The tenant is seeking two variances to facilitate outside storage of oversized motor vehicles at 7995 Winston Churchill for their operations at 7850 Heritage Road.

### Existing Zoning:

The property is zoned 'Industrial Four (M4-2797)', according to By-law 270-2004, as amended.

Requested Variances:

*The applicant is requesting the following variances:*

1. To permit outside storage of oversized motor vehicles associated with business operations from a building located at 7850 Heritage Road whereas the by-law only permits outside storage as an accessory use associated with business operating from a building on the same lot;
2. To permit outside storage to occupy 11.1% of the lot area whereas the by-law limits the outside storage of goods and materials to the lesser of 5% of the lot or 10% of the building area.

**Current Situation:**

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

The property is designated 'Industrial' in the Official Plan. The subject property is located within the Bram West Secondary Plan (Area 40b) and is designated 'Prestige Industrial'. Secondary Plan policies for Prestige Industrial designations note that:

- ii) Outdoor storage as a primary use shall not be permitted;
- iii) Limited accessory outside storage areas shall not directly abut arterial class roads and lands designated for Office Centre or Office Centre One purposes, and shall be appropriately set back and screened in accordance with the requirements of the implementing zoning by-law;

In the case of the subject property, the proposed outdoor storage is not the primary use of the site. An existing industrial building occupies the site and the proposed outdoor storage is contemplated to be an accessory use associated with business operating from another building on a different lot. The location of the outdoor storage is proposed to be adequately setback from Steeles Avenue West and will be a sufficiently screened with a solid wood fence.

The requested variances are considered to maintain the general intent and purpose of the Official Plan and Secondary Plan.

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

The property is zoned 'Industrial Four (M4-2797)', according to By-law 270-2004, as amended. The zone permits outside storage as a primary use, but only in association with a business conducted from a building on the same lot.

Variance 1 is requested to permit outside storage of oversized motor vehicles associated with business operations from a building located at 7850 Heritage Road whereas the by-law only permits outside storage as an accessory use associated with business operating from a building on the same lot. Although there is an existing industrial building on the property, the proposed outdoor storage use is not associated with the business. Instead, it is intended to use the lands to store oversized motor

vehicles associated with business operations from a building located at 7850 Heritage Road. The proposed use does not undermine the long-term development potential for the property and does not negatively impact on-site functions. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit outside storage to occupy 11.1% of the lot area whereas the by-law limits the outside storage of goods and materials to the lesser of 5% of the lot or 10% of the building area. The intent of the by-law in regulating the space occupied by outside storage of goods and materials is to ensure that the outside storage is not the primary use on the site and that the outside storage does not negatively impact the functioning of the site. The lot area that the outside storage is proposed to occupy is not anticipated to negatively limit the functioning of the existing industrial uses on the site. No on-site or off-site impacts are anticipated related to this variance. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The variances are requested to facilitate the outside storage of oversized motor vehicles associated with business operations from a building located at 7850 Heritage Road and for the outside storage to occupy 11.1% of the lot area. The request will allow the tenant, Amazon Inc., to use the property to store oversized motor vehicles. Appropriate screening for the outside storage will be provided in form of a wood fence to limit visual impacts on the public realm. A condition of approval is recommended that the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision in order to ensure that the requests are consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variances are desirable for the appropriate development of the land.

### 4. Minor in Nature

The requests to permit the outside storage of oversized motor vehicles associated with business operations from a building located at 7850 Heritage Road and for the outside storage to occupy 11.1% of the lot area are not anticipated to create negative impacts and will be appropriately screened from the public realm. The proposed use does not undermine the long-term development potential for the property and is not considered to limit operations of the existing industrial building on the property. Subject to the recommended conditions, the use is considered to be compatible with the surrounding lands, and the variances are considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Planner I