



## Report Committee of Adjustment

**Filing Date:** August 18, 2021  
**Hearing Date:** September 14, 2021  
**File:** A-2021-0198  
**Owner/  
Applicant:** COCA-COLA REFRESHMENTS CANADA  
**Address:** 15 Westcreek Boulevard  
**Ward:** WARD 3  
**Contact:** François Hémon-Morneau, Planner I

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### **Recommendations:**

That application A-2021-0198 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 a Site Plan application shall be submitted within 90 days of the Committee's decision, or within an extended period of time as approved by the Director of Development Services.  
Through the Site Plan review process, the applicant shall maintain a 3.0m wide landscape strip along Westcreek Boulevard and provide adequate screening to limit the visual impact of the outdoor truck and trailer parking;
3. That the use not be established until such time as the site plan has been approved and all related on-site improvements are implemented to the satisfaction of the Director of Development Services.
4. That the outdoor storage of trucks and trailers be limited to the areas on the property identified on the sketch attached to the Notice of Decision;
5. That no other outside storage of materials or equipment other than truck and trailer parking shall occur on the property at any time;

6. 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 applicant is requesting four variances to facilitate outdoor truck and trailer parking on portions of the subject property currently occupied by a Coca-Cola Industrial Plant. The owners of the lands are proposing to lease a portion of the underutilized parking area (approximately 0.94 hectares or 2.32 acres) along the east side of the north-south leg of the Westcreek Boulevard for outdoor storage of trucks and trailers.

Existing Zoning:

The property is split zoned 'Industrial One (M1) and (M1-2716)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit outside storage including truck and trailer parking as a non-accessory use that is not associated with a business located within a building or structure on the same lot whereas the by-law only permits outside storage as an accessory use;
2. To permit outside storage on lands zoned Industrial One – M1 whereas the by-law does not permit outside storage on lands zoned Industrial One – M1;
3. To permit outside storage including truck parking on an area equivalent to 56.53% of the GFA of the main building whereas the by-law permits outside storage to occupy a maximum 5% of the GFA of the main building;
4. To permit outside storage including truck parking in the exterior side yard, whereas the by-law only permits outside storage in the rear yard.

**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 1' in the Highway 410 and Steeles Secondary Plan (Area 5).

The Official Plan policies for the 'Industrial' designation are intended to provide for the development of industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit limited service and retail uses, open space, public and institutional use as practical and appropriate subject to the appropriate sub-designations and policies in the relevant Secondary Plan. Within the Industrial

designation, areas intended for open storage and truck trailer parking shall be identified in the relevant Secondary Plan.

The 'General Employment 1' Secondary Plan designation permits a broad range of industrial uses including but not limited to: warehousing and storage of goods, manufacturing, processing, repairing and servicing operations, but excluding motor vehicle body shops; and, outdoor storage areas, only as accessory to an industrial use.

The Official Plan states that open storage and truck trailer parking be limited to Industrial areas identified in the applicable Secondary Plan. The Secondary Plan policies for the property states that outdoor storage is permitted only as an accessory to an industrial use. In the case of the subject property and nature of the business, the request to expand the policies to allow outside storage including truck and trailer parking is in keeping with the intent of the 'General Employment 1' designation of the Secondary Plan and the 'Industrial' policies of the Official Plan. The proposed variances maintains the general intent and purpose of the Official Plan.

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

The property is split zoned 'Industrial One (M1)' and '(M1-2716)', according to By-law 270-2004, as amended. The northern portion of the property is zoned 'Industrial One (M1)' which permits a broad range of industrial and non-industrial activities and purposes accessory to the permitted uses. Furthermore, the Industrial One (M1) zone prohibits outside storage. The remaining southern portion of the property is zoned "Industrial One (M1-2716)" which permits industrial uses identified in the 'M1' zone but restricts storage to be located outside a building other than an enclosed area to not more than 5% of the gross floor area of the main building and such enclosed area shall be located in the rear yard and screened from view of any public street. Therefore, outside storage is not permitted in the 'M1' zone yet permitted with restrictions in the 'M1-2716' zone.

Variance 1 is requested to permit outside storage including truck and trailer parking as a non-accessory use that is not associated with a business located within a building or structure on the same lot whereas the by-law only permits outside storage as an accessory use. In this case, the owners are proposing to lease a portion of the parking area on the property along the east side of the north-south leg of Westcreek Boulevard for truck and trailer parking to an outside operator. Since a portion of the property will be utilized for truck and trailer parking by an outside operator, the use is no longer considered an accessory to the existing industrial use. To accommodate the operations and functionality of the leased area, a new and separate access point is proposed in the form of a new driveway entrance to the site on Westcreek Boulevard. The access point would be exclusively used to access the truck and trailer parking area for the outside operator and would be subject of a Site Plan application. The portion of the property that is to be leased to an outside operator accounts for a small portion of the property. Although located on the same lot, the area is proposed to function independently without interfering with the operations of the business on site. The outside storage use is permitted on the property with restrictions. The potential visual impact of permitting the outside storage including truck and trailer parking as a non-accessory use that is not associated with a business located within a building or structure on the same lot will be mitigated through the Site Plan process in the form of adequate screening. 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 on lands zoned Industrial One – M1 whereas the by-law does not permit outside storage on lands zoned Industrial One – M1. Variance 3 is requested to permit outside storage including truck parking on an area equivalent to 56.53% of the GFA of the main building whereas the by-law permits outside storage to occupy a maximum 5% of the GFA of the main building. Variance 4 is requested to permit outside storage including truck parking in the exterior side yard, whereas the by-law only permits outside storage in the rear yard. The intent of the by-law in prohibiting outdoor storage is to ensure that a certain aesthetic quality is maintained for the property. The intent of the by-law in regulating the location of outside storage including truck parking is to ensure that the use does not negatively impact the functioning of the business operations on the property and that it does not pose visual impacts to adjacent properties.

As previously mentioned, outside storage is not permitted in the 'M1' zone yet is permitted with restrictions in the 'M1-2716' zone. Special Section 2716 of the Zoning By-law states that "no storage is permitted outside a building other than an enclosed area not more than 5% of the gross floor area of the main building and such enclosed area shall be located in the rear yard and screened from view of any public street". The Special Section was approved in 1998 which amended the former City Zoning By-law changing the zoning designation from Agricultural to Industrial One and including policies to support previous site operations.

The proposed outside storage including truck parking is requested to bring the current business operations into conformity with the Zoning By-law. The portion of the outside storage area dedicated for the outside operator is expected to be fenced off to provide security to the business along with appropriate screening to limit visual impacts from the public realm. The proposed variances are not expected to negatively impact the functioning of the site and will allow the existing on-site operations. In order to minimize potential visual impacts of the use from the public realm, a condition of approval has been recommended that through the Site Plan review process, the applicant shall maintain a 3.0m wide landscape strip along Westcreek Boulevard and provide adequate screening to limit the visual impact of the outdoor truck and trailer parking. Subject to the recommended conditions of approval, the requested variances are 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 are not anticipated to significantly alter the character of the area given that the immediately surrounding uses are industrial. The variances to permit outdoor storage of trucks and trailers, are not considered to generate negative impacts. Staff has recommended conditions to ensure that the outside storage is screened from public view which will ensure that there are no adverse visual impact from the street. The location and type of screening will be determined through the Site Plan process. A condition of approval is further recommended that a Site Plan application shall be submitted within 90 days of the Committee's decision, or within an extended period of time as approved by the Director of Development Services. A further condition is recommended that the use not be established until such time as the site plan has been approved and all related on-site improvements are implemented to the satisfaction of the Director of Development Services.

Subject to the recommended conditions of approval, the variances are considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

The variances to permit outdoor storage are requested to bring current and future site operations for the Coca-Cola industrial plant into conformity with the Zoning By-law. The lands are located within a predominantly industrial and employment area of the City which is suitable for the requested uses. The requested variances are not expected to generate negative impacts to adjacent uses and properties, nor do they alter the manner in which the property is used. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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