

Filing Date: August 27, 2020
Hearing Date: September 29, 2020

File: A-2020-0076

**Owner/
Applicant:** **GWL REALTY ADVISORS – MARK ROLOSON**

Address: **3389 Steeles Avenue East**

Ward: 8

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0076 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 Public Notice;
 2. That the maximum size of the vehicles stored within the area identified on the sketch attached to the Public notice shall be 6.97 metres (22.86) in length;
 3. That no cleaning, maintenance or repairs of the fleet vehicles shall take place on the property;
 4. That no outside storage, other than the storage of fleet vehicles, shall be permitted on the property;
 5. That the applicant submit a limited Site Plan within sixty (60) days of the final date of the Committee's decision, and that the use shall not be implemented until Site Plan Approval is granted; and
 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:**Existing Zoning:**

The property is zoned "Industrial Four Special Section 2742 (M4-2742)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit outside storage of oversized motor vehicles (fleet vehicles) whereas the by-law does not permit outside storage.

Current Situation:**1. Conforms to the Intent of the Official Plan**

The property is designated "Industrial" by the Official Plan, and "Prestige Industrial" by the Parkway Belt Industrial Area Secondary Plan (Area 32).

Section 4.1.3 of the Secondary Plan states "the uses permitted by Section 4.1.1 shall not preclude the establishment of other industrial operations provided that such uses are in keeping with the intended prestige industrial image, and/or satisfy the following criteria...(iv) no outside storage of good and materials"

The intent of this policy is to create a specific prestige character within the prestige industrial area. The policies work to direct operations that involve large amounts of outdoor storage of raw materials and goods, or oversized vehicles such as dump trucks, away from this development area to maintain that prestige character.

The subject of this variance relates to van style fleet vehicles that are 3 cm (1 in) taller than what would *not* be considered an 'oversized vehicle'. The vans do not exceed the permitted length of a "non-oversized vehicle".

In the case of this property, there are both vegetative and constructed screening. These screening elements would remain unchanged from their existing state and the location of fleet parking is located behind these screens to mitigate the impact to the local area, including the majority of the fleet parking/storage taking place between the two industrial buildings.

Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Industrial Four – Special Section 2742 (M4-2742)" according to By-law 270-2004, as amended. The Zoning By-law defines Oversized Motor Vehicles

as motor vehicle having a height greater than 2.6 metres or overall length greater than 6.7 metres of combination of both.

The requested variance is required to facilitate the parking of van style fleet vehicles, the height of which classify them as oversized vehicles.

The intent of the By-law in prohibiting outdoor storage in this zone category is to ensure that a certain aesthetic quality is maintained given the prestige nature of the area, and to dissuade industrial users from locations that require mass amounts of raw material or goods storage outdoors.

The requested variance does not relate to the storage of goods or materials but rather to the overnight parking of the van style fleet vehicles that is proposed to be mostly located between the two existing buildings. On the property both the vegetative and constructed screening will remain unchanged from their existing state and the location of the fleet parking will be located behind these screens to mitigate the visual impacts to the area.

Additionally, a condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the public notice to ensure the impacts of the outdoor storage are minimized.

Subject to the recommend conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance proposes outdoor storage of van style fleet vehicles on portions of the subject property that will be screened visually from surrounding land uses by existing vegetation and constructed screening. Further, the oversized vehicles are only marginally within the limits of being considered oversized. A condition of approval is recommended that the maximum size of the vehicles stored within the area identified on the sketch attached to the Public notice shall be 6.97 metres (22.87 feet) in length. This condition is to ensure the vehicles being stored are van style fleet vehicles and not large trucks or construction vehicles. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed vehicle storage will be van style fleet vehicles and will be screened by both vegetative and constructed screening that is already installed. It is not anticipated that this outdoor storage will impact the character of the property or the prestige industrial area. Subject to the recommended conditions of approval, the variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development