

**Filing Date:** 07-April-2021

**Hearing Date:** 20-April-2021

**File:** A-2021-0072

**Owner/  
Applicant:** Jean Paul Goes @ Hertz Canada Ltd. (c/o Lai Sing Company Limited)

**Address:** Unit #10, @ 2 Kennedy Road South, Brampton, Ont

**Ward:** 3

**Contact:** Rob Nykyforchyn, Planner 3, Development Services

---

**Recommendations:**

That application A-2021-0072 is supportable, subject to the following conditions being imposed:

1. That the extent of the storage of rental vehicles be limited to that portion of the rear yard shown on the sketch attached to the Notice of Decision;
2. That no motor vehicle sales, repair or servicing may occur on site; and,
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

---

**Background:**

In 2007, special zoning restrictions were put in place along the Queen Street Corridor to prohibit auto related uses such as car sales, rental, repair and servicing which were considered to be incompatible with the envisioned redevelopment of the area. Notwithstanding this, minor variance permissions for a "Motor Vehicle Rental Establishment", the storage of 15 rental vehicles, and an on-site parking reduction of 15 spaces at this site were previously obtained from the Committee of Adjustment on January 8, 2013 for a temporary period of five (5) years (File: A13-002), and then on July 31, 2018 for a temporary three (3) year period (File: A18-068). These permissions will end on July 31, 2021.

Since the above noted variances were obtained, the City had undertaken changes to the general parking requirements for commercial development located along major transit corridors (ie. Queen Street and Kennedy Road) and which has resulted in the elimination of the need for an on-site parking variance. Also, the zoning on the subject property has been changed to "Queen Street Mixed-Use Transition (QMUT) which now allows for "a motor vehicle rental or car sharing establishment (small-scale)" up to a maximum of five (5) motor vehicles (but excluding oversized vehicles).

**Existing Zoning:**

The property is zoned 'Queen Street Mixed-Use Transition (QMUT)', according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

1. To permit a Motor Vehicle Rental Establishment (Unit 10) for up to 15 vehicles whereas the by-law permits a small scale Motor Vehicle Rental Establishment for up to 5 vehicles.

**Current Situation:**

**1. Conforms to the Intent of the Official Plan**

The subject property is designated 'Central Area' in the Official Plan and 'Central Area Mixed Use' in the Queen Street Corridor Secondary Plan (Area #36). The intent of the "Central Area Mixed Use" designation is to accommodate higher density, mixed use development which takes advantage of the higher order public transit. The Hertz car rental establishment operates out of Unit 10 which is in the central portion of the commercial plaza, and the associated rental parking area is located along the south property limit, about 40 metres set back from the Kennedy Road right-of-way. As such, the car rental use and the associated car parking will not affect the redevelopment potential of the property, The requested variance is not considered to have any adverse impacts within the context of the Official Plan policies, and maintains the general intent and purpose of the Official Plan.

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

The site is zoned 'Queen Street Mixed-Use Transition (QMUT)', according to By-law 270-2004, as amended. This zoning category permits a motor vehicle rental establishment on the property, however, the as-of right use permissions only for 5 vehicles to be stored/ parked on the property. Therefore, the requested variance is to increase the permitted number of (small scale) motor vehicles that to be stored / parked on the site, from 5 to 15. It is noted that the displacement of the 10 parking spaces will not result in a parking deficiency nor require zoning relief.

Planning staff is satisfied that the additional ten (10) rental parking spaces will not adversely impact the balance of the on-site parking, or affect on-site circulation. In addition, there will not be any discernable visible features that will distinguish the vehicle storage (parking) area from the balance of the customer / employee parking area. Whereas there will be no adverse impacts associated with the additional rental vehicle parking, the requested variance is considered to maintain the general intent of the Zoning by-law.

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

A small scale vehicle rental operation does not pose the same compatibility issues as other auto-related uses (ie auto repair noise and dealerships). To ensure that there are no compatibility issues with the adjacent commercial uses, it is recommended that conditions be imposed to restrict motor vehicle sales, repair or servicing on the property.

The 15 parking spaces devoted to the storage of the rental parking is located along the south limit of the property about 40 metres from the Kennedy Road right-of-way. This location is well separated from the balance of the commercial parking on-site, and does not take away prime parking space from the other commercial occupants. It is recommended that a condition be imposed to restrict the rental parking storage area to the portion of the rear yard, as identified on the notice of decision.

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

Based on the new parking requirements, the subject development has a sufficient surplus of parking to serve this development. As such, the applicant's request to use 10 parking spaces for the storage of rental vehicles will not result in an on-site parking deficiency. Whereas there will not be any adverse physical or visual impacts to the site, the requested variance is considered to be minor in nature.

Respectfully Submitted,

*Rob Nykyforchyn*

---

Robert W. Nykyforchyn, RPP, MCIP  
Planner 3, Development Services Division