

Filing Date: October 9, 2020
Hearing Date: November 10, 2020

File: A-2020-0107

**Owner/
Applicant:** PEEL HOLDING INC.

Address: 220 Advance Boulevard

Ward: 3

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0107 is supportable in part, subject to the following conditions being imposed:

1. That Motor Vehicle Sales Establishment use be limited to Unit 2 and the associated outdoor display be limited to one (1) vehicle;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:**Existing Zoning:**

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

Requested Variance:

The applicant is requesting the following variance:

1. To permit a Motor Vehicle Sales Establishment with outdoor display of three (3) vehicles for sale whereas the by-law does not permit the proposed use.

Current Situation:

1. Conforms to the Intent 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 General Employment 1 designation permits a range of 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 property has an existing "industrial/retail" style construction that allows for a mix of employment uses, but does not necessarily accommodate the large scale employment uses noted within the Secondary Plan. Currently, the property houses a number of permitted automobile repair facilities and the requested motor vehicle sales use, given its limited floor area, would be considered ancillary and complementary to those permitted uses. A condition of approval is recommended that the use be limited to Unit 2 and that the outdoor vehicle display be limited to one vehicle to ensure that the automobile sales use continues to be ancillary to the permitted repair uses. Further, the proposed automobile sales use will generate new jobs for the plaza, which is consistent with the objectives of the City's employment areas.

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 Two (M2)" according to By-law 270-2004, as amended.

The intent of the by-law in prescribing a set of uses for a property is to ensure that a certain character is maintained for that property. On the subject property, there are a number of permitted automobile repair uses and a permitted furniture warehouse. The proposed automobile sales use would consume less floor area than the permitted uses, and could be considered to be ancillary to the permitted motor vehicle repair uses. A condition of approval is recommended that the use be limited to Unit 2 to ensure that automobile sales remains ancillary to the permitted uses on site.

Subject to the recommended 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 requested variance is intended to facilitate the establishment of an automobile sales use within one unit in the existing building, and to allow one parking space to be used for outdoor vehicle display. It should be noted that the use of this space for vehicle display does not create the need for a variance related to parking as there are excess parking spaces provided on the site currently.

The automobile sales use is not anticipated to negatively impact the overall function of the property and is considered to be complimentary to the permitted uses on the property provided that the floor area is limited to one unit. 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 requested variance is proposed to permit an automobile sales use within one unit of the existing plaza and to utilize parking spaces for outdoor display. A condition of approval is recommended that the outdoor display be limited to one vehicle to ensure the display does not encroach into required parking and instead utilizes excess parking. The additional use is not anticipated to impact the overall function of the property. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development