



Report to: Development Services Committee

Meeting Date: April 29, 2019

SUBJECT: PRELIMINARY REPORT, Can-Am Express, C/O Haley Planning Solutions, Temporary Use Zoning By-law Amendment Application to permit the outdoor storage of motor vehicles including licensed charter buses at 332 and 338 John Street (Ward 1) File No. ZA 18 231295

PREPARED BY: Rick Cefaratti, M.C.I.P., R.P.P., ext. 3675
Planner II, West District

REVIEWED BY: Dave Miller, MCIP, RPP, West District Manager

RECOMMENDATION:

- 1) That the report titled “Preliminary Report, Can-Am Express, C/O Haley Planning Solutions, Temporary Use Zoning By-law Amendment Application to permit the outdoor storage of motor vehicles including licensed charter at 332 and 338 John Street, (Ward 1), File No. ZA 18 231295” be received.

PURPOSE:

This report provides preliminary information on a Temporary Use Zoning By-law application to permit outdoor storage of motor vehicles, including licensed charter buses, at 332 and 338 John Street (subject lands). This report contains general information in regards to applicable OP or other policies as well as other issues and the report should not be taken as Staff’s opinion or recommendation on the application.

BACKGROUND:

The subject lands have an approximate area of 0.38 ha, (0.94 ac.). They are located on the north side of John Street, between the CN Rail Line and McKelvey Drive in Thornhill. To the north is a commercial plaza which fronts on to Green Lane. To the south across John Street, is a commercial self-storage facility and several vacant buildings zoned for industrial uses. To the east are a number of employment uses and low rise residential buildings, including live-work townhouses. To the west is an automotive preparation / reconditioning facility (Mercedes Benz Canada) and the CN Rail Line (Figures 1, 2 and 3). The Zoning Amendment Application was deemed complete on December 18, 2018.

Process to date and next steps:

- The application to amend the Zoning By-law was deemed complete on December 18, 2018.
- A Statutory Public Meeting will be scheduled for May 7, 2019 to provide an opportunity for formal public participation regarding the proposed amendment to the Zoning By-law;
- Following the Public Meeting, a recommendation report may be required, regarding the proposed Temporary Use Zoning By-law Amendment, to address matters raised in this report and at the Public Meeting;

PROPOSAL:

The Temporary Use Zoning By-law Amendment by Can-Am Express requests that outside parking and storage of licensed buses be permitted on a temporary basis on the subject properties. No additional buildings or structures are being considered as part of the proposal (see Figure 4 – Site Plan). Section 39 of the Planning Act authorizes a municipality to enact Temporary Use By-laws for a maximum period of 3 years.

As noted below, a previous Temporary Use Zoning By-law Amendment was approved to permit outdoor storage of licensed charter buses at 332 John Street.

OFFICIAL PLAN AND ZONING:2014 Official Plan

The City's 2014 Official Plan (as partially approved on November 24, 2017 and updated on April 9, 2018) designates the property Service Employment. This designation provides for a range of employment uses including, service, office manufacturing, warehousing and limited retail and commercial uses. Accessory outdoor storage is only permitted in conjunction with manufacturing, warehousing, a motor vehicle body shop, motor vehicle repair and motor vehicle retail uses. Outdoor storage is not permitted as a principle use on this property.

Staff note that the temporary use policies of the 2014 Official Plan establish that Council may pass by-laws to authorize the temporary use of land for a use that is not permitted under the Service Employment land use designation for a period not exceeding 3 years.

Zoning

The subject properties are zoned M – Industrial under By-law 77-73, as amended (See Figure 2). This zone permits industrial uses, including warehousing and / or manufacturing of goods, service and repair of goods and permits indoor storage of goods and materials. Outdoor storage of licensed buses is not a permitted use on the property.

A previous Temporary Use Zoning By-law Amendment was approved (File No. ZA 15 131193) to permit outdoor storage of licensed charter buses at 332 John Street. The owner is asking to extend permission to continue the outdoor storage at 332 John Street, and expand the outdoor storage area of automobiles and licensed charter buses on a temporary basis to include 338 John Street.

OPTIONS/ DISCUSSION:

No issues have been raised to date. Any issues identified through the circulation and detailed review of the proposal will be addressed in a final staff report to be presented to Committee at a later date, if required.

The previous Temporary Use By-law included the following special provisions:

- a) business offices shall only locate within buildings existing on the date of the passing of the By-law;
- b) additions to existing buildings are not permitted;
- c) construction of new buildings is not permitted; and,

d) the installation of additional impermeable surface material is not permitted;

These provisions should continue to apply to a temporary use by-law on the subject properties if approved.

FINANCIAL CONSIDERATIONS

Not applicable.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The applications were reviewed in the context of the City's strategic priorities of Growth Management and Municipal Services.

BUSINESS UNITS CONSULTED AND AFFECTED:

The application has been circulated to various City departments and external agencies and is currently under review.

RECOMMENDED BY:

Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager

Arvin Prasad, M.C.I.P., R.P.P.
Commissioner of Development
Services

ATTACHMENTS:

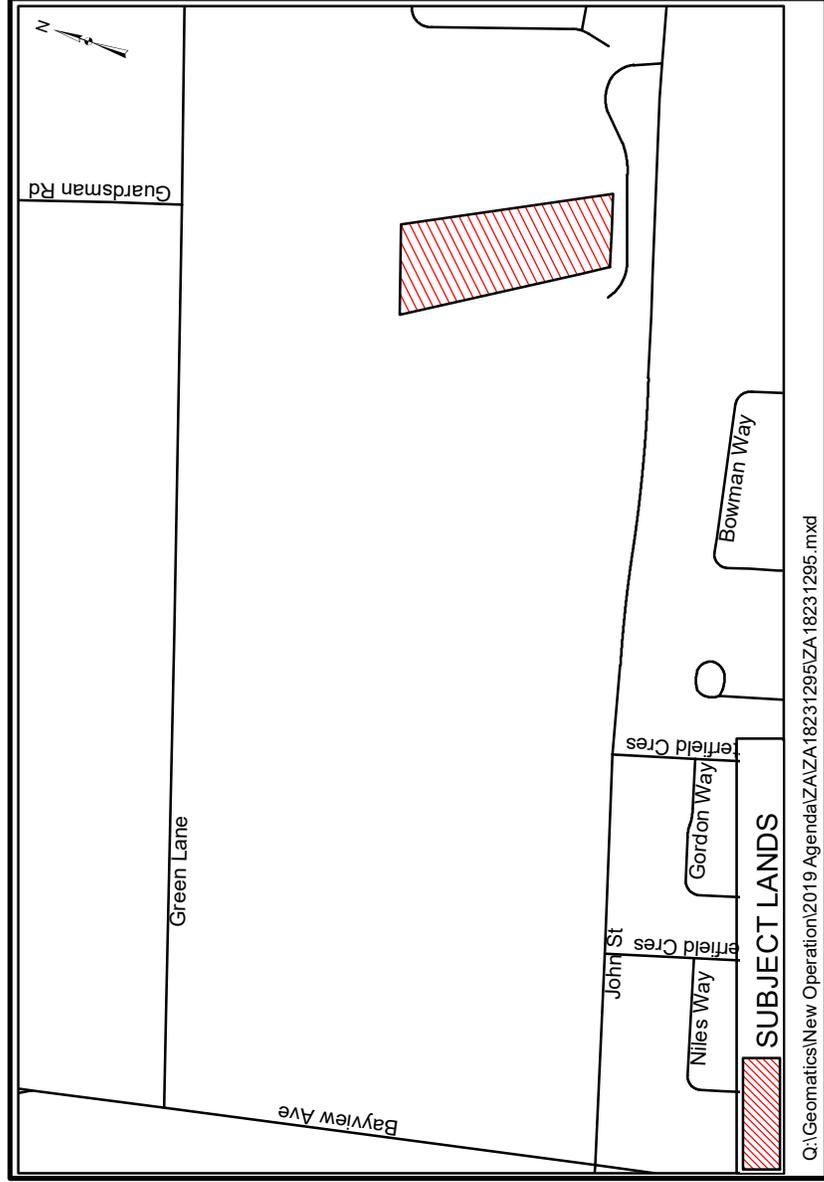
Figure 1: Location Map
Figure 2: Aerial Photo
Figure 3: Area Context/Zoning
Figure 4: Site Plan

OWNER:

Can-Am Express Inc.
C/O Yefim (Jeff) Ostrirov
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APPLICANT:

Haley Planning and Development
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AIR PHOTO (2018)

APPLICANT: Can. Am Express and Jeff Ostirov
 332 & 338 John St. Thornhill

FILE No. ZA 18231295 (RC)

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Subject Lands





SITE PLAN

APPLICANT: Can. Am Express and Jeff Ostrirov
332 & 338 John St. Thornhill

FILE No. ZA 18231295 (RC)

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DATE: 28/03/2019

