


TITLE: VARIANCE 1031 COLLEGE AVENUE OWNER: SELESHE KEBEDE MULAW AND ETAGEGNEHU DANIAL MULAW APPLICANT: SAMSON ENGINEERING INC.		
MEETING DATE: December 18, 2019		Page 1 of 2
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Sonikile Tembo	MANAGER: Ryan Nickel	

RECOMMENDATIONS:

That Variance Application V-15-19-B to vary section 29 (b) of the Zoning Bylaw to allow the site to be used as a gravel parking lot as a temporary use for a maximum of two years in the Commercial General Zone be approved at 1031 College Avenue (Lots 21 and 22 Block 38 Plan 16 BLTO In NW 1/4 14-10-19 WPM) in accordance with the letter of intent “Attachment A-2” and the site plan “Attachment B-4”.

BACKGROUND:

Request

The applicant, Samson Engineering Inc., on behalf of the property owners, Seleshe Kedebe Mulaw and Etagegnehu Danial Mulaw, is applying to vary Section 29 (b) of the Zoning By-law No. 7124 to allow the site to be used as a gravel parking lot as a temporary use for a maximum of two years for property located at 1031 College Avenue in the Commercial General Zone. Approval of this application will allow for gravel parking lot at this address.

Development Context

The site is currently vacant and is located on the northwest corner of College Avenue and 10th Street. Uses surrounding the site include commercial along 10th Street and some residential further west and east of College Avenue. 10th Street and College Avenue both provide access to the site.

History

The site was used as an automobile dealership until 2009 when the building was demolished. The site has since been vacant.

ANALYSIS:

The applicant would like to use the current site as gravel parking for display and sell of used cars. This use is temporary as the owner finds a buyer for the property. The request is until the property sells, or for two years, whichever is less, within which he can rent the property to a third party to display and sell cars. This requires a variance because only a paved parking lot would be permitted on this site.

Consistency with Part 6, Section 97(1)(b) of The Planning Act and Demonstration that the Variance:

1. Will be compatible with the general nature of the surrounding area;

The site has sat vacant for more than 10 years and the proposed use will be compatible with the surrounding area since there are some surrounding sites that have parking facing 10th Street such as 863 10th street and 613 10th Street. This site use and orientation is not ideal but provides temporary use on an underused property.

2. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;

The proposed parking layout is restricted to the existing site and includes bumper guards and buffers to ensure the vehicles are parked with adequate spacing and not encroaching onto the right of way. This proposal will not be detrimental to the health and general welfare of the people in the area.

3. Is the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and

There is no injurious effect on the applicant's property. However, there is an opportunity to use a vacant underused property for some revenue in the short term. This use is not the most appropriate for the site, hence its temporary nature.

4. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law

The application is otherwise consistent with the zoning bylaw, with some minor exceptions such as the requirement for landscaping between parking and the street, and the requirement to upgrade the boulevard, which are not being required since this is a temporary use.

Commenting Agencies

All comments have been addressed and summarized below.

Engineering

- Engineering requires an updated site plan showing the accurate width of the site, as well

as a reconfiguration of the site to maintain the minimum 6.1m aisle requirement for 90 degree parking. Otherwise, stalls 1 to 6 can be changed to 75 degree angled parking and have a 5.5m aisle; this option will likely lose one stall

- Access to the back lane along westerly site line shall be single direction only. This shall be indicated with wayfinding signage located at all the entrances to the right of way (College Avenue and the back lane)
- Due to the temporary nature of the use, engineering will not require the upgrade of the boulevard along College Avenue. Barrier parking stall stops to be used at each stall fronting College Avenue as per submitted site plan

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 169 of The Planning Act, notice of this Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject site and notice posters were posted on the site.

Public Outreach

In accordance with Section 13 of the Zoning By-law, no additional public outreach effort is required, as the variance to the Zoning By-law is only resulting in the increase of intensity of the site temporarily. As of the writing of this report and distribution of public hearing notification to residents, the Planning & Buildings Department has not received any representation in opposition or in favour of this application.