

DECISION AND ORDER

Decision Issue Date Tuesday, April 19, 2022

PROCEEDING COMMENCED UNDER Section 53, subsection 53(19), Section 45(12), subsection 45(1) of the Planning Act, R.S.O. 1990, c. P.13, as amended (the "Act")

Appellant(s): ONOFRIO NOCERA

Applicant(s): WEIR FOULDS LLP

Property Address/Description: 2095 CODLIN CRES

Committee of Adjustment File

Number(s): 20 124954 WET 01 MV

TLAB Case File Number(s): 20 194400 S45 01 TLAB

Hearing date: December 09, 2021

Deadline Date for Closing Submissions/Undertakings:

DECISION DELIVERED BY: S. Gopikrishna

REGISTERED PARTIES AND PARTICIPANTS

Appellant	ONOFRIO NOCERA
Appellant Legal Rep	SYLVAIN ROULEAU
Applicant	WEIR FOULDS LLP
Owner	STREETSVILLE ROAD SERVICES INC
Expert Witness	FRANCO ROMANO

INTRODUCTION AND BACKGROUND

Onorfio Nocera and Streetsville Road Services (the “Appellants”) operate an outdoor storage space (truck and trailer parking) at 2095 Codlin Crescent (the “Site”), located in Municipal Ward 01 (Etobicoke North) of the City of Toronto. The Site is zoned I.C1 under By-Law 517-2000, which does not allow truck and trailer parking, or associated uses. It is important to note that By-Law 569-2013 does not apply to this Site.

The Appellants have been using the Site to run their business since 2012. They have periodically applied to the to the Committee of Adjustment (COA) to request for relief from the Zoning By-Law for continued use of the existing use of outdoor storage (truck and trailer parking) at the Site. The COA decisions submitted by the Appellants to the TLAB demonstrate that relief was provided from the By-Law on a continuous basis, the most recent being an application which was heard and approve by the COA on August 27, 2020, with a condition that the Approval would expire on November 30, 2020. The Appellants appealed the decision made by the COA to the Toronto Local Appeal Body (TLAB), because they were not satisfied with the condition.

The TLAB scheduled a rehearing of this Appeal on December 9, 2021.

MATTERS IN ISSUE

To permit the existing use of outdoor storage (truck and trailer parking).

Section 2, By-law 517-2000

Truck and trailer parking is not a permitted use in an I.C1 Zone.

JURISDICTION

Provincial Policy – S. 3

A decision of the Toronto Local Appeal Body (‘TLAB’) must be consistent with the 2014 Provincial Policy Statement (‘PPS’) and conform to the Growth Plan for the Greater Golden Horseshoe for the subject area (‘Growth Plan’).

Variance – S. 45(1)

In considering the applications for variances from the Zoning By-laws, the TLAB Panel must be satisfied that the applications meet all of the four tests under s. 45(1) of the Act. The tests are whether the variances:

- maintain the general intent and purpose of the Official Plan;

- maintain the general intent and purpose of the Zoning By-laws;
- are desirable for the appropriate development or use of the land; and
- are minor.

EVIDENCE

At the Hearing held on December 9, 2021, the Appellants were represented by Mr. Sylvain Rouleau, a lawyer, and Mr. Franco Romano, a planner. It is important to note that there were no other Parties, or Participants involved in this matter.

Mr. Romano was sworn in, and recognized as an Expert Witness in the discipline of land use planning. The highlights of his evidence are as follows:

The Subject Site, No. 2095 Codlin Crescent, is located at the northwest edge of the City of Toronto, west of Highway No. 427 between Steeles Avenue West and Albion Road, located within the former municipality of Etobicoke. Codlin Crescent is a local road with a curvilinear orientation, connecting to two adjoining local roads which are similarly curvilinear, Alcide Street and Claireport Crescent. According to Mr. Romano, it emerged from the former alignment of Albion Road and Steeles Avenue which now wrap around the enclave. The Subject Site is located within this enclave which contains “a mixture of land uses”.

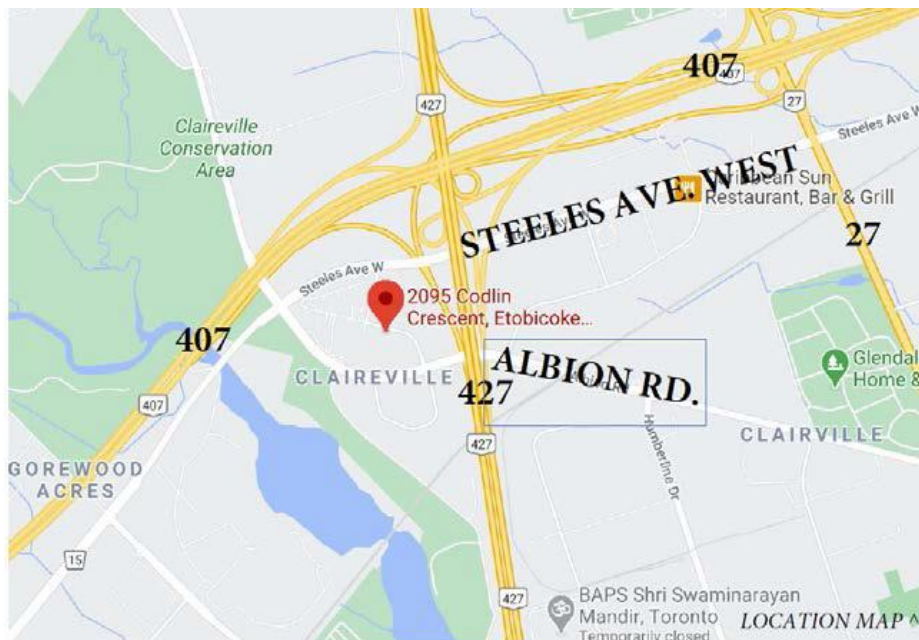


FIGURE 1- The location of the Site

Mr. Romano said that the Subject Site is “flag-shaped, extending southwards from Codlin Crescent, and extending to the west where it abuts the north side of Albion

Road". He explained that the Site "contains a two storey residential building dating to approximately 1854 facing Codlin Crescent, which is listed on the City's heritage register", before adding that the City's Heritage Department did not express any concerns regarding this proposal.

Mr. Romano described the land uses adjacent to the Subject Site, including Offices, Warehousing, other construction and fabricating related businesses, garden centre, truck driving school businesses, vehicle repair businesses and residential uses (which were emphasized as " limited to a few remaining occupancies", and have decreased over a period of time from 2000). According to Mr. Romano, "most of the remaining residential buildings exist in built form, but are not occupied for residential purposes. They are used for other purposes such as office, welding, construction et cetera". According to his information, "it appears that only up to approximately four of the thirteen single detached dwellings that are listed in Zoning By-law 517-2000 have not yet ceased to be residential single detached dwellings."

Mr. Romano then went on to discuss the challenges faced by the owners of the Site, which has resulted in their making a decision to relocate to a different address, including locations outside the 416 area.

He said that the proposal is to permit a truck and trailer/container/container parking facility to continue, namely a truck terminal with associated outdoor storage, till the owners can relocate their business. The current tenant has operated the current facility since 2012, having moved from their previous site at 2150 Codlin Crescent. In 2012, the current tenant leased the Subject Site from the previous owner. According to Mr. Romano, the current tenant is not the first to operate a truck and trailer/container parking facility from the Subject Site, because a similar use occupied the Subject Site prior to 2012, before relocating to a different address.

On the basis of a photo tour of the surrounding area, Mr. Romano emphasized that the Applicant's business is one of many truck/trailer and storage facilities, which is a common use in the enclave and surrounding area. He explained that the concentration of such businesses can be attributed to the proximity of land, railway yards and air transportation infrastructure, as well as the adjoining employment areas found within Toronto, Brampton, Vaughan and Mississauga, "all of which are located within a stone's throw away from each other, and the Subject Site". He described the truck and trailer/container parking facility, as being self-contained, employing fifty persons, and monitored on a 24-7 basis.

Mr. Romano added that his client was looking to move to a new intermodal hub, approved by the Federal Government in Milton, Ontario. He added that hub in question, approved by the Federal Government on January 21, 2021, is being established in Milton, with a construction completion timeframe of approximately 2.5 years.

Mr. Romano spoke about how the proposal aligned with higher level Provincial Policies, including the Provincial Policy Statement (PPS, 2020) and Growth Plan for the Greater Golden Horseshoe (Growth Plan, 2019). He explained how the proposal conforms to

these higher level Provincial Policies by virtue of not being a conversion, nor a sensitive use, while maintaining a compatible land use character with the area, and representing an acceptable employment use will continue a compatible land use. On the basis of this evidence, Mr. Romano concluded that the proposal satisfies the higher level Provincial Policies.

Speaking next to the relationship between the OP and the proposal, Mr. Romano said that the Site is located in the Core Employment Areas, subject to Site Area Specific Policy 1(SASP 1), which permits *“a limited range of industrial uses compatible with existing residential uses...Vehicle body shops, recycling facilities, truck terminals and driving schools, and other incompatible land uses will not be permitted until the majority of existing residential land uses cease to exist....Outdoor storage uses will not be permitted except for outdoor storage uses established prior to December 16, 1999.”* Mr. Romano said that SASP 1 is a carry-over from Etobicoke Official Plan Amendment No. 76-99, which was adopted by City of Toronto Council at its meeting of December 14, 15 and 16, 1999.

Mr. Romano asserted that the proposed use is a compatible employment use, for this Site, given SASP 1 permits truck and trailer/container facility, once the “residential uses” have ceased, and reiterated how there were only four dwellings that were being used for residential purposes within the SASP. He discussed the importance of a “just in time” methodology favoured by manufacturers, where raw material would be transported to the factory “just in time” for the assembly line to convert it into manufactured goods, preventing the need for inventory management. Specifically alluding to the impact of COVID-19 on this business, he said that the truck and trailer/container parking facility has been experiencing a growth in the temporary storage of trailers/containers since the pandemic commenced, which has resulted in “abundant supply” of trucks, in contrast to the pre-COVID conditions, where there were few trucks, “as could be seen from Google Street View images”. Mr. Romano added that “the intention is to limit on Site storage because the tenant’s business model is premised upon the transport business, with storage being the secondary use”.

In response to a specific question from me about the interpretation of the expression “residential uses have ceased”, Mr. Romano stated that if the houses were no longer being used as “residences”, then the residential uses “had effectively ceased”. However, Mr. Rouleau, while answering the same question in his submissions, stated that the expression “effectively ceased” could have a “legal” and “planning” component, but he had no authorities that spoke to the “legal” component of the expression- he did add that the planning explanation should be adequate for the approval.

Mr. Romano then followed up with a description of the challenges posed by SASPs, in terms of planning analysis. He said that the SASPs have not been updated to conform to OPA 231, nor its predecessor Toronto Official Plan employment policies. Further, SASP 1 has not been updated to conform to any Provincial Policy Statement since 1999 (namely the 2005, 2014 or 2020 PPS) or any Growth Plan (2005, 2017 or 2019). Mr. Romano described the SASPs permitting the development of a limited range of low

impact industrial uses that are compatible with the existing residential land uses in the area. The land use policies applying to the area would allow the owners of existing dwellings to conduct home occupation businesses, subject to the limitations set out in the implementing by-law.

Mr. Romano reiterated that SASP 1 is the same as the former Official Plan 76-99 of the City of Etobicoke, which aimed to re-designate the lands from Parkway Belt West to Industrial uses, in order to permit the development of a limited range of low impact industrial uses that are compatible with the existing residential land uses in the area, which were formerly a part of the Clairville community. He said that land use policies applying to the area would allow the owners of existing dwellings to conduct home occupation businesses, subject to the limitations set out in the implementing by-law. Once the majority of existing residential land uses cease to exist, the City would “revisit the issue of appropriate land uses in the area”.

Mr. Romano opined that “SASP 1 (as well as the implementing zoning by-law) is outdated and should be reviewed in order to bring the employment policies and zoning by-law up to date with the most recent employment land use planning framework”.

On the basis of this evidence, Mr. Romano concluded that the proposal satisfied the intent and purpose of the Official Plan.

The subject property is not governed by the City of Toronto Harmonized Zoning By-law (By-law 569- 2013), largely as a result of continuing appeals and refinements of the Official Plan’s *Employment Land Policies*.

Speaking to the pertinent Zoning, Mr. Romano reiterated that the Site, and its surroundings are classified as Subject Site Class 1 Industrial (I.C1), as amended by Zoning By-law 517-2000. He said that the intention of the By-Law is “to accommodate a variety of non-residential land uses which are compatible and complementary to the enclave, as well as to recognize limited detached residential as they existed in 2000 with no additions either in quantity or built form”. The I.C1 zoning permits a limited range of employment uses which does not include a truck and trailer/container parking facility, or outdoor storage associated with the permitted range of employment uses. He provided a schedule of the thirteen single detached dwellings which existed at the time the By-law was approved, and could house individuals. He reiterated that only four houses were presently used for residential uses, and said that SASP1 specifically prohibited the residential uses from expanding.

In explaining the importance of SASP1 to the Official Plan, and the Zoning By-Law, Mr. Romano emphasized that “truck terminals” are contemplated as a permitted use when “the majority of existing residential uses cease to exist”.

The geographic extent of SASP 1 is illustrated below, and the accompanying text is recited:

1. South of Steeles Avenue, West of Alcide Street

- a) A limited range of industrial uses compatible with existing residential uses are permitted.
- b) Vehicle body shops, recycling facilities, truck terminals and driving schools, and other incompatible land uses will not be permitted until the majority of existing residential land uses cease to exist. However, truck driving school classrooms may be permitted, provided that the storage, parking and maintenance of trucks, trailers and/or training vehicles are located off-site.
- c) Outdoor storage uses will not be permitted except for outdoor storage uses established prior to December 16, 1999.
- d) A limited range of live/work uses may be permitted in conjunction with existing residential uses.
- e) No expansion of the existing houses is permitted.

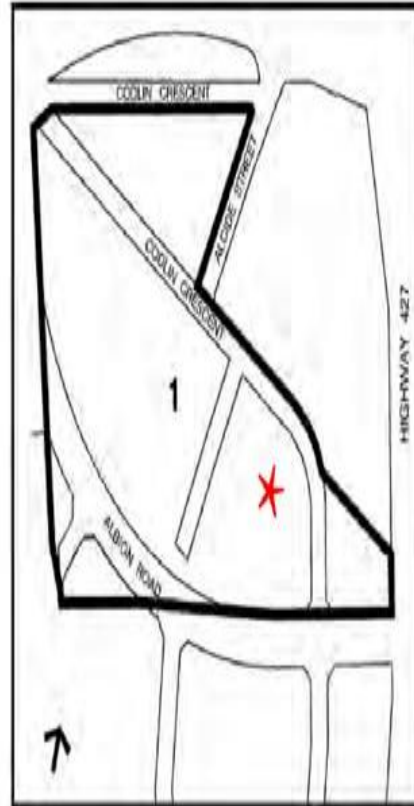


FIGURE 2- SASP 1- MAP AND DESCRIPTION

Mr. Romano pointed out that since the residential uses that formerly existed within SASP1 have largely been eliminated, the “prohibition on the listed incompatible land uses should no longer be considered to be in effect”. Mr. Romano noted that “truck terminal” is defined by the Etobicoke Zoning Code as ‘a building or place where commercial trucks are rented, leased, kept for hire or stored or parked for remuneration, or from which commercial trucks being stored or parked on the property are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse’.

On the basis of this evidence, Mr. Romano concluded that the proposal satisfied the second test, namely the intent and purpose of the By-Law 517-2000.

Mr. Romano referred to how the photographic evidence presented earlier in this Hearing demonstrated how such storage facilities are common in the immediate proximity of the Subject Site, including other businesses “which operate no differently”, utilize parking trucks and shipping containers on site. He explained why such businesses are common in the surrounding area, because of the latter’s proximity of highway, air transportation and rail yard infrastructure, combined with the adjoining employment areas in the surrounding municipalities, which make this a highly accessible place for the location of trucks, trailers and shipping containers. He discussed a number of COA decisions, including a few in the immediate vicinity of the Site, where relief was provided from the intended use of the lands.

Mr. Romano advised that travel restrictions, as a result of COVID 19 pandemic, have resulted in an increased need for storage of containers and equipment. He advised that shipping containers “are having to be stored for longer periods of time because there is difficulty returning the containers to their originators”. He stated that the intention is to limit onsite storage and that the business’s primary intent is the transport business, with storage being secondary.

Speaking to the next of minor, Mr. Romano said that there were no demonstrable adverse impacts resulting from this business, notwithstanding its existence at the Site for many years. He emphasized that the COA had granted relief from the same By-Law for many years, so that the business could operate from the Site- he also described the business as part of a “cluster” of similar operations, whose collective capacity depended on individual components, such that the cluster could serve transportation needs in the GTA, and the Province of Ontario.

Based on this evidence, Mr. Romano concluded that the proposal satisfied the test of minor.

Lastly, Mr. Romano spoke to the test of appropriate development- he asserted that the proposal represents a “context suitable employment land use, similar to other uses in the area, compatible with all uses, generally contemplated by the land use planning instruments within this area”. He said that the proposal appropriately implements the very evolution envisioned by the Official Plan for this area, from a residential area into an industrial area- the methodology being relief from the Zoning By-law. In response to a question from me about the value- add of this business, as well as how it aligned with public interest, Mr. Romano spoke briefly to how this proposal contributed to a “clustering” of similar businesses, which increased the overall capacity of a group of businesses, all of which are involved in transportation/storage. Based on this analysis, Mr. Romano concluded that the proposal satisfied the test of appropriate development.

He concluded by recommending that the Appeal be allowed, and the variance be approved. He recommended the following condition be imposed on the approval.

1. The approval shall be valid for a time period not to exceed the conclusion of the City's Phase 2 Zoning Conformity for Official Plan Employment Areas as it applies to the Subject Site.

The reason provided for the time period was that it was unclear when the City would commence its rezoning exercise, wherein the Zoning would be revised to bring the Site into "2021" (when the Hearing was completed). It was reiterated the pertinent "SASP had not brought the Site into 2005", while the applicable Zoning "hadn't brought the Site into 2013". Given the planning rationale, Mr. Romano opined that the Site should be allowed to continue till the City's Rezoning Exercise is commenced, even if the present business relocated to a different location.

I thanked Mr. Romano and Mr. Rouleau for their evidence, and submissions respectively, and stated that I would issue a Decision as soon as possible.

ANALYSIS, FINDINGS, REASONS

When considering the tests under Section 45.1 of the Planning Act, it is important to acknowledge the challenges faced by the Appellants in satisfying the intent and purpose of SASP 1, which is applicable to this Site- the impression I got from the Appellants is that SASP 1 is an anachronism, by virtue of not being consistent with the Growth Plan as a result of preceding the latter by five years, and not consistent with the Core Employment Policies by virtue of preceding it by close to two decades. Notwithstanding these challenges, the Appellants agreed that SASP 1 "is in place", and has to be complied with, notwithstanding the various challenge, discussed by way of evidence.

I find that the variance satisfies the intent and purpose of the *Core Employment Areas*, because it corresponds to the "*manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information and technology facilities, and vertical agriculture.*" uses stated in Policy 4.6.1 of the OP.

The more restrictive policy is the Specific Area Policy which applies to this area (SASP1), which prohibits "incompatible" uses, such as vehicle body shops, recycling facilities, truck terminals and driving facilities until "such time as the majority of existing residential uses cease to exist". I agree with the Appellant's evidence that this condition is met –all intents and purposes, very few of the remaining dwellings are occupied for residential purposes. Since the evidence identified 9 of out 13 addresses within the SASP that have no residents, I agree that the majority of houses are no longer residential in nature.

However, the SASP also prohibits outdoor storage uses, unless it can be established that the use was established prior to 1999. I note that the Appellant moved to the Site in 2012. In response to specific question from me regarding how the Site was

used prior to 1999, the Applicants asserted that a similar business used to operate from the same Site before this business, which they interpret to mean that such outdoor storages existed before 1999- I am prepared to accept this assertion at face value, even if the evidence does not explicitly demonstrate that outdoor storage uses were established prior to 1999.

The sentence “**Vehicle Body Shops, Recycling Facilities, Truck Facilities, Driving Schools, and other incompatible uses will not be permitted, until the majority of the residential uses cease to exist.**”, which appears in the SASP, is crucial for two different reasons- the first is that it states that the basket of incompatible uses, exemplified by truck facilities, vehicle body shops, and recycling facilities, will not be permitted until the majority of the residential uses cease to exist, and the second is its relevance to satisfying the intent and purpose of the By-Law. In response to a question from me about whether the expression “cease to exist” had a legal interpretation, the answer that was given to me focused on the “planning” aspect, as opposed to the legal aspect- with respect to the question regarding authorities from me, the specific answer given was “none that I have today”. While I am satisfied that the “cease to exist” component is fulfilled by the planning evidence, I find that the explanation about the legal interpretation isn’t compelling, because a fulsome explanation was not provided; I am not sure about whether the expression “I have no authorities” is to be construed as there are no authorities to interpret the expression “cease to exist”, or whether Counsel did not want to bring forward authorities on this occasion.

I find that fulsome explanations by Appellants make for more informed Decisions by Adjudicators.

Returning to the expression “**Vehicle Body Shops, Recycling Facilities, Truck Facilities, Driving Schools, and other incompatible uses will not be permitted**”, which appears in SASP 1, I find that that the proposal’s ability to fulfill the intent and purpose of Zoning By-law, hinges on the Appellant’s equating the activities that are presently being carried out at the Site with a “**truck terminal**” on the basis of the definition provided in the Etobicoke Zoning Code, which is as follows: “**A building or place where commercial trucks are rented, leased, kept for hire or stored or parked for remuneration, or from which commercial trucks being stored or parked on the property are dispatched for hire as common carriers, or which is a bonded or sufferance warehouse**”.

It is important to note that a significant corpus of evidence provided by the Appellants focused specifically on “storage containers”, as opposed to the trucks is the focus of the aforementioned definition, though I understand that the storage/container component seems to have become more prominent than the transportation component, as a result of COVID-19, though transportation was at the heart of the business-model, as stated by way of evidence. Unlike the expression “Truck Terminal”, which is defined in the Etobicoke Zoning Code, there is no definition provided in the Zoning Code for the expressions “Storage Container” or “Storage Container Terminal”, that would help establish an equivalence, or lack thereof, between the purpose of “trucks” and “storage containers”.

The advantage of the storage container, as I understood from the description provided by way of evidence, is that it allows for the transportation of manufactured goods or raw materials from one facility to the factory, where the product in question is being assembled, on a “just in time” basis- the “just in time” approach eliminates the need for local storage, or inventory. The advantage of these storage containers (which the Witness specifically referred to as “containerization”), as I understood, is that it combined the traditional functions of a warehouse (i.e. storage), and the truck (i.e. transportation). In other words, a storage container is more versatile than a truck, because it performs the dual functions of storage and transportation. More importantly, from the perspective of fulfilling the intent and purpose of the By-Law, a storage container, serves a different purpose than a truck, whose role is restricted to transportation, without reference to the storage component.

However, I acknowledge that the concept of a storage container, as described to me at the Hearing, may not have been contemplated by the Zoning Code in question, which may have predated the predominance of storage containers. Secondly, I also note that the storage aspect of the proposal may have become more prominent, when compared to the transportation aspect, only after the advent of COVID-19- it is possible that the uses at the Site may have aligned better with the intent and purpose of the By-Law, before the advent of COVID-19, than at the time this Appeal was heard.

In the absence of precise information about their equivalence, I find that I again have to make an assumption that a Storage Container, has the same purpose as a Truck, to make a finding that the Site satisfies the clause “***Vehicle Body Shops, Recycling Facilities, Truck Facilities, Driving Schools, and other incompatible uses will not be permitted, until the majority of the residential uses cease to exist***” in SASP 1, and consequently satisfies the intent and purpose of the more restrictive component of the Official Plan . The same assumption also helps me make a finding that the proposal is consistent with the intent and purpose of Zoning By-law 517-2000, though Storage Containers, and Trucks ostensibly serve different purposes.

It is important for me to pause at this stage, and emphasize that the findings about the proposal’s being consistent with the intent and purpose of the Official Plan, as well as the intent and purpose of the Zoning By-law, reached above, require assumptions, which are *prima facie* reasonable, but are unverifiable on the basis of the evidence and submissions.

The test of minor concentrates on how the Site impacts its neighbours. I am in agreement with the Appellants that there is no demonstrable negative impact resulting from the Site on its neighbours, on the basis of the track record of the business, which has been at the same location for close to a decade. The Appellants carefully documented existing uses, similar to the Site, (e.g. 2099 Codlin Crescent, 2154 Codlin Crescent) within the boundary of SASP1, and have provided evidence to show that similar uses are not merely common in this area, but constitute the “prevailing” type, to use the phraseology of the Appellant’s Witness. On the basis of this evidence, I make the finding that the proposal satisfies the test of minor.

In response to a question from me about the “value add” of this Site in an area where similar businesses abound , the Appellants talked about the importance of “clustering” of similar businesses, and the cumulative impact of a clustering process- I understood that far from a negative impact, the continued presence of this business contributes to the enrichment, and overall capacity of a “cluster” of similar businesses to have greater impact, allowing for streamlined transportation of raw material, and finished goods , within the Greater Toronto Area, and the Province of Ontario. On the basis of the evidence that this business contributes to a “clustering” of similar businesses, I find that the proposal satisfies the test of appropriate development.

As a result, I find that the Appeal satisfies all the 4 tests under Section 45.1, provided I can make the assumption about the equivalence of “trucks” and “storage containers” in the context of the evidence about the Truck Terminals, and explanation provided about the expression “cease to exist” in the context of SASP 1. In other words, the approval of the variance is contingent on the two assumptions listed in this discussion.

I believe that the comprehensiveness of the evidence should be such that assumptions don’t have to be made by the Adjudicator for the purposes of making findings. However, I find that the following reasons, stated below, allow for an exception to be made:

- From a planning perspective, what is evident is that not only are there no unacceptable adverse impacts resulting from the continuation of the business at this Site, the presence of this business helps build the capacity of a “cluster of similar businesses”. I find that this feature of the application to be a very powerful, and compelling argument that helps overcome any of the stated reservations about approving the variances, on the basis of untested assumptions.
- While not a planning reason, I cannot, even for a moment, set aside the important fact that this business allows for 50 individuals to be gainfully employed. Given the economic environment at the time this Decision is being written, where the economy is still limping back to normalcy from the debilitating impact of COVID-19, I believe that it would be in the public interest to facilitate the continued employment of these individuals, which requires the business to continue unabated, which in turn requires the requested variance to be approved.

I have decided to place greater weight on the features of the proposal mentioned above, rather than the appropriateness of the assumptions listed earlier in this Section for the approval of the variance- as a result of this approach, I find that the requested variance recited below, can be approved.

To permit the existing use of outdoor storage (truck and trailer parking).

Section 2, By-law 517-2000

Truck and trailer parking is not a permitted use in an I.C1 Zone.

In terms of whether the variance should be approved temporarily, or permanently, I find that the external conditions that existed at the time the Appeal was heard (December 2021), as well as when this Decision is being written (April 2022), are written in the context of a unique situation, where the secondary purpose of storage has become more prominent than the intended primary purpose of the business, which is transportation, which would be consistent with the intent of the OP and the Zoning By-law. I find that it would be appropriate to revisit the Decision after a year, at which point in time, the Committee of Adjustment can make a decision on the continuation, or cessation of the use variance approved through this Decision.

As a result of the discussion above, I find that the requested variance may be approved for one year (1 year), from the date of the release of this Decision.

DECISION AND ORDER

1. The Appeal respecting 2095 Codlin Crescent is allowed, and the following variance is approved, subject to the condition stated in (2) below:

To permit the existing use of outdoor storage (truck and trailer parking). A previous Committee of Adjustment application (A0230/19EYK) approved the use of outdoor storage (truck and trailer parking) for a one year term which expired on May 31, 2020

Section 2, By-law 517-2000

Truck and trailer parking is not a permitted use in an I.C1 Zone.

2. The Approval of the above variance is valid for a one year (1 year) period, starting from the date on which this Decision is issued.
3. No other variance is approved.

So orders the Toronto Local Appeal Body

X

A handwritten signature in black ink, appearing to read 'S. Gopikrishna', written on a light-colored background.

S. Gopikrishna
Panel Chair, Toronto Local Appeal Body