

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** September 06, 2024  
**Name of Owner:** Leonard Wess – Consolidated Fastfrate (Ontario) Holdings Inc.  
**Location:** 9701 Highway 50  
**File No.(s):** A098/24

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**Proposed Variances (By-law 001-2021)**

1. To permit storage of intermodal containers as an accessory use subject to the attached sketch with a maximum height of three containers.
2. To permit the surface area of loading spaces and related driveways, parking spaces and maneuvering area to be gravel.
3. The leaving, placing, or parking of intermodal containers accessory to a Transportation Terminal shall not be considered Outside Storage.
4. The requirements of section (4.9.2.a) shall not apply.

**By-Law Requirements (By-law 001-2021):**

1. The use of intermodal containers is not permitted.
2. In any employment zone, a parking area, any driveway or aisle providing access to a parking area and any loading space and associated maneuvering area shall be located on a stable surface and treated with a hard surface dustless material, such as asphalt, concrete, permeable paving surface, or a similar material.
3. Outside Storage: Means an open area of land used for the storage of materials, equipment, intermodal containers, or finished goods which are associated with the principal use of the lot and may include the temporary parking of commercial vehicles.
4. An intermodal container shall be considered an accessory structure and subject to the maximum lot coverage requirements, locational and setback requirements for accessory structures as set out in this By-law.

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "General Employment"

**Comments:**Application History:

The Subject Lands contain a transportation terminal building abutting the CPKC Vaughan Intermodal Facility. The Applicant submitted a revised Site Development Application (DA.22.030) to facilitate the development of an 18,498 m<sup>2</sup> accessory storage area for stacked intermodal containers and a 12,852 m<sup>2</sup> area for temporary trailer parking and storage on the southwest portion of the Subject Lands. The intermodal containers are proposed to be stacked a maximum of three (3) containers high and shall not exceed 7.8 m in height. The containers will be located east of the trailer parking area and will be visually separated from Highway 50 by the existing 3.0 m high berm and proposed additional plantings. The trailer parking area, located west of the shipping (intermodal) containers, will contain 190 trailer parking spaces.

Minor Variance Application, file A098/24 has been submitted to facilitate the development and permission of the proposed stacked intermodal container storage area accessory to the transportation terminal use.

Analysis:

The Development Planning Department has no objection to Variances 1, 3, and 4 to permit the storage of intermodal containers on south-western portion of the Subject Lands as an accessory use to the transportation terminal use. The intermodal containers are proposed to be located within a 51 m x 358 m area and stacked up to 3 units or 7.7

m high. The intermodal container storage will comprise approximately 30% of the intermodal container storage and trailer parking and storage area at the southwest corner of the Subject Lands. The intermodal container storage will be located internal to the lot, behind the proposed trailer parking and storage area proposed near Highway 50 on western side of the Subject Lands. The use of intermodal containers is not permitted in the Zoning By-law (Variance 1) and they are defined as outside storage (Variance 3). Variance 4 is to consider the intermodal containers (use) as a permanent structure rather than a mobile container and exempt the proposal from section 4.9.2.a of the Zoning By-law. The intermodal container storage space will exclusively be used for the storage of the containers. No other materials or equipment will be stored on site. The storage of intermodal containers is necessary for the operation of the business on the Subject Lands and the nature of the business is such that while the individual containers within the storage area will change, the overall size of the storage area will remain the same, providing a level of permanency similar to that of a structure. There is an existing landscape berm (approximately 2 m in height) that spans the entire western portion of the Subject Lands as well as almost 50 percent of the southwestern area where development is proposed. This landscape berm, in tandem with the proposed planting materials/trees/shrubs along the entire western lot line and most of the southern lot line where the proposed intermodal container storage area and truck parking storage area are proposed, will help alleviate any perceived adverse use or massing impacts anticipated to the existing street network of Highway 50 or to the neighbouring property to the south (9601 Highway 50). Urban Design Staff have also reviewed the proposal through this Minor Variance Application and the Site Plan Application processes and do not have any concerns regarding the proposal.

The Development Planning Department has no objection to Variance 2. Road access to this portion of the site is proposed off an east/west private road that provides access to Highway 50. The proposed truck access drive aisle and the entire intermodal container storage and truck parking/storage areas are proposed to have a gravel surface (Variance 2) and will be used solely for those purposes. As such, minimal travel will take place on this gravel surface. More forward, Transportation Engineering staff have reviewed the proposal and do not object to the gravel surface.

Accordingly, the Development Planning Department supports the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends approval of the application with the following condition of approval:

**Condition of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That all comments on Site Development Application File DA.22.030 be addressed to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Nicholas Del Prete, Planner  
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