



Report Committee of Adjustment

Filing Date: May 1, 2023
Hearing Date: May 30, 2023

File: A-2023-0122

**Owner/
Applicant:** 1382506 B C LTD

Address: 33 West Drive

Ward: 3

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2023-0122 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the owner finalize Limited Site Plan approval under City File SPA-2023-0022 to the satisfaction of the Director of Development Services;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Industrial One A – Special Section 595 (M1A-595)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a fence in the front yard whereas the by-law does not permit a fence in the front yard of any lot in an industrial zone.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated as 'Business Corridor' in the Official Plan and 'Mixed Employment Commercial' in the Highway 410 and Steeles Secondary Plan (Area 5). The requested variance to permit a proposed fence extending beyond the main wall of the building into the front yard of the property has no impact within the context of the policies of the Official Plan and Secondary Plan, and maintains the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The variance is requested to permit a fence in the front yard whereas the by-law does not permit a fence in a front yard in an Industrial Zone. The intent of the Zoning By-law is to maintain a desirable streetscape in an industrial area. Permitting a fence in a portion of the property's front yard is not expected to alter the character of the street in this area. Staff have no concerns with regards to the potential visual impact on the streetscape. The purpose of the proposed fence is to ensure that the parking area is adequately fenced to maintain the safety and security of the existing business. Subject to the recommended conditions of approval, the variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The proposed fence in the front yard is intended to provide the owner with security. The proposed fence in the front yard is not anticipated to negatively impact the streetscape or alter the character of the business area as the principle building will maintain its visibility along the streetscape. The proposed fence is sufficiently setback from West Drive, and additionally, will be screened by the existing landscaping. The overall development is currently under review through the Limited Site Plan process. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2023-0022, to the satisfaction of the Director of Development Services. The variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to allow a fence to be located in the front yard of this industrial property is not expected to generate significant negative visual impacts or alter the character of the property. The addition of the fence including a gate in the front yard is intended to assist the owner in providing a security feature for the business. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician

Appendix A – Site Visit Photos

