



Report Committee of Adjustment

Filing Date: April 28, 2023
Hearing Date: May 30, 2023

File: A-2023-0114

**Owner/
Applicant:** DICOM REAL ESTATE HOLDINGS

Address: 0 Clipper Court

Ward: WARD 3

Contact: Simran Sandhu, Planner I

Recommendations:

That application A-2023-0114 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 site plan approval under City File SPA-2022-0221, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
 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 (M1-2681)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a temporary gravel parking lot associated with a business operating from a building at 300 Biscayne Crescent for a period of three (3) years whereas the by-law only permits parking associated with a business operating on the same lot.

Current Situation:

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

The property is designated 'Industrial' in the Official Plan and 'Prestige Employment' in the Highway 410 and Steeles Secondary Plan (Area 5). The Secondary Plan policies for Prestige Employment designations note that:

Outdoor storage is not permitted in the Prestige Employment designation.

In the case of the subject property, the proposed parking lot is to be used for customers and employees relief parking and to only be used for a temporary period of three years. The proposed parking lot is contemplated to be an accessory use associated with business operating from another building on a different lot.

The requested variance is considered to maintain the general intent and purpose of the Official Plan and Secondary Plan.

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

The variance is requested to permit a temporary gravel parking lot associated with a business operating from a building at 300 Biscayne Crescent for a period of three (3) years whereas the by-law only permits parking associated with a business operating on the same lot. The intent of the by-law in only permitting parking on the same lot or parcel as the building or use for which they are required or intended is to ensure that the use does not undermine the long-term development potential for the property and does not negatively impact on-site functions.

The subject property is intended to be used as relief parking for customers and employees associated with business operations from a building located on the abutting lands at 300 Biscayne Crescent. The proposed use does not undermine the long-term development potential of the property and does not negatively impact the on-site functions as the site is currently vacant and the use is only to be permitted for a temporary period of three years. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to permit a parking lot for customer and employee parking associated with a business operated from a building located at 300 Biscayne Crescent. The request is to allow the business operating from the abutting property to use the subject property as relief parking for customers and employees of the business. The parking lot is only intended for a temporary use of three years and is not anticipated to negatively impact the surrounding area. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2022-0221, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the

Director of Development Services. Subject to the recommended conditions of approval, the requested variances are desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances are intended to facilitate a temporary parking lot for a period of three years for a business operating out of 300 Biscayne Crescent. This variance is not anticipated to create any negative impacts on the adjacent properties or the vacant subject property. The proposed use does not undermine the long-term development potential for the property and is limited to a three year approval. The variance is deemed minor in nature.

Respectfully Submitted,



Simran Sandhu, Planner I