



Report Committee of Adjustment

Filing Date: December 20, 2023
Hearing Date: January 23, 2024
File: A-2023-0383
**Owner/
Applicant:** SHARON MAYNE DEVINE
Address: 60 WEST DRIVE
Ward: WARD 3
Contact: Satwant Hothi, Planner I, Development

Recommendations:

That application A-2023-0383 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 shall obtain a building permit for the creation of new sleeping areas within 60 days of the final date of the Committee's decision, or within an extended period of time at the discretion of the Chief Building Official; 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:

The subject building was constructed in 1985, and intended to be used for offices associated with a research laboratory. In 2002, a minor variance application (A02-222) was approved to permit 80% of the total gross floor area of the building to be used for an office use as the principal use. At that time, the proposed expansion of office space did not comply with the Zoning By-law. The variance was granted subject to the condition that the office use operate only in association with the research and development facility on the site.

In October 2007, Council approved an amendment to the Secondary Plan that permitted office uses on the site that were not associated with a principal use provided that the office uses were located on the second floor of the building. Any offices on the first floor of the building would be required to be

associated with the research and development facility. The amendment did not permit medical offices or offices for drugless practitioners.

In 2010, a minor variance application was approved to permit: medical offices or offices of a drugless practitioner as a permitted use (only in conjunction with a non-profit organization); offices to be located anywhere in the building; and office uses to a maximum gross floor area (gfa) of 4,275 square metres (46,015 square feet); whereas the bylaw previously restricted the gfa to 1,858 square metre (20,000 square feet).

In 2012, a minor variance application was approved to permit eight (8) short stay crisis support program beds in conjunction with a non-for-profit organization. The requested variance is to permit an additional four (4) short stay crisis units for a total twelve (12) units.

Existing Zoning:

The property is zoned 'Industrial Two, Special Section 1395 (M2-1395)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variance:

1. To permit four (4) additional short term crisis units for a total of twelve (12) units for the Short Stay program, whereas the by-law does not permit a short term crisis unit.

Current Situation:

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

The subject property is designated "Industrial" in the Official Plan and "Industrial Special Study Area 1" in the Bramalea West Industrial Secondary Plan. This application is to permit an additional four (4) short stay crisis units within the existing Short Term Crisis unit program. The Honourable William G. Davis Centre for Families will continue to operate these beds in conjunction with the other supportive services operating within this building. The requested variance is not considered to have a significant impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approvals, the requested variance is considered to maintain the general intent of the Official Plan.

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

The property is zoned 'Industrial Two, Special Section 1395 (M2-1395)', according to By-law 270-2004, as amended.

The variance is requested to permit four (4) additional short term crisis units for total of twelve (12) units for the Short Stay program, whereas the by-law does not permit a short term crisis unit. Previously approved decisions of the Committee of Adjustment permit short term crisis units as a permitted use in conjunction with a non-for-profit organization. The additional four (4) short term crisis units will be located within the existing short term crisis unit program and do not constitute as dwellings units under the Zoning by-law as they will not contain either a kitchen or sanitary facilities. Subject to the

recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 relates to the expansion of a previously approved Short Term Crisis program to allow for an additional four (4) units resulting a total of twelve (12) short term crisis units. The Center houses 18 agencies, providing a range of services including support for seniors, at-risk youth, individuals with physical and developmental challenges, individuals experiencing addictions and, individuals experiencing mental health struggles. The short term stay program has been operating at the building for 11 years and an additional 4 units will assist with the delivery of services. The proposed additional units will be located in existing office and multi-purpose spaces in the existing building. A condition of approval is recommended that owner obtain a building permit within sixty (60) days from the decision of approval for the additional sleeping units, the variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The accessory nature of the use, previously approved decisions of the Committee of Adjustment, its connection to the not-for-profit organizations operating within the building and the recommended conditions make this requested variance minor in nature.

Respectfully Submitted,

S. Hothi

Satwant Hothi
Planner I, Development