



Report Committee of Adjustment

Filing Date: January 30, 2024
Hearing Date: February 20, 2024

File: A-2024-0018

**Owner/
Applicant:** Mayfield Industrial GP inc., Mayfield Industrial LP
Gagnon Walker Domes LTD (Marc De Nardis)

Address: Inspire Boulevard & Dixie Road (0 Inspire Boulevard)

Ward: 9

Contact: François Hémon-Morneau, Principal Planner/ Supervisor

Recommendations:

That application A-2024-0018 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-2023-0110 and post any required financial securities and insurance 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.
-

Background:

The Minor Variance application is related to an existing Pre-Consultation file (PRE-2023-0041) and a Site Plan Approval file (SPA-2023-0110) currently deemed incomplete due to zoning non-compliance. The proposed development consists of six free standing multi-unit industrial/commercial buildings. A total of 92 units are proposed with 502 vehicular parking spaces on site. The buildings are to form a future Standard Plan of Condominium intended to facilitate the sale of units within the buildings to individual parties. Parking and landscape areas will form the common elements. A previous Minor Variance application (A-2023-0331) was approved at the November 14th Committee of Adjustment Hearing. The current Minor Variance application seeks to permit 1 variance related to the building height to facilitate the proposed development and processing of the related Site Plan application.

Existing Zoning:

The northern half of the lands fronting on Inspire Boulevard are zoned 'Service Commercial – Special Section 2259 (SC-2259)', the southern half of the lands fronting on Tasker Road are zoned 'Industrial One – Special Section 2262 according to By-law 270-2004, as amended. Staff note that the previously approved Minor Variance application (A-2023-0331) facilitated the addition of commercial uses over the industrial zoned lands and industrial uses over the commercial zoned lands.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a minimum building height of 1-storey whereas the by-law requires a minimum building height of 2-storeys.

Current Situation:

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

The subject lands are designated as 'Industrial' in the Official Plan and 'Prestige Industrial' while the northern half of the site is designated 'Special Policy Area 4' in the Countryside Villages Secondary Plan (Area 48a). The Council approved new Brampton Plan designates the property as 'Employment' as per Schedule 2 – Designations.

As provided in section 4.4.2.1 of the Official Plan, the 'Industrial' designations identified on Schedule "A" of this Plan shall provide for the development of industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing and related uses and limited office uses, and may also permit limited service and retail uses, open space, public and institutional use as practical and appropriate. Furthermore "The designation of non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base." (4.4.2).

The variance for building height has no impact within the policies of the 'Prestige Industrial' designation in the Countryside Villages Secondary Plan (Area 48a). Section 6.4.4 ii) of the 'Special Policy Area 4' designation impacting the northern half of the site speaks to building height.

6.4.4 To ensure functionality and land use compatibility and to create a link with and complement the character of the residential community east of Dixie Road, the development of non-industrial uses within Special Policy Area 4 shall be subject to the following policies:

- ii) A building massing of a minimum of 2 storeys will be encouraged.

The proposed buildings have been designed to appear as 2-storeys with an approximate 10.0 metre floor to ceiling height and 11.0 metres to the top of the parapet. Although the buildings fall short of the criteria outlined in the by-law, their height and massing will create the visual effect of a two-story structure. The requested variance to permit a minimum building height of 1 storey whereas 2 storeys are required is not in contravention of the Official Plan or Secondary Plan policies. The variance is considered to maintain the general intent and purpose of the Official Plan.

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

The northern half of the lands fronting on Inspire Boulevard are zoned 'Service Commercial – Special Section 2259 (SC-2259)', the southern half of the lands fronting on Tasker Road are zoned 'Industrial One – Special Section 2262 according to By-law 270-2004, as amended.

The variance is requested to permit a minimum building height of 1-storey whereas the by-law requires a minimum building height of 2-storeys. The intent of the by-law and special section in requiring a minimum building height is to ensure that buildings on the site uphold a certain aesthetic or character that does not pose negative visual impacts on the adjacent residential community.

According to the Zoning By-law, 'Building Height' "shall mean the vertical distance between the established grade, and: (a) in the case of a flat roof, the highest point of the roof surface". Furthermore, a 'Storey' "shall mean that portion of a building which is included between 1 floor level and the next higher floor level or the roof, and which has its floor level not less than two (2) metres below the line where the roof and outer wall meet".

The building elevation drawings depict a maximum building height of approximately 11.9 metres (39.04 feet). While the building is not two storeys, the floor plans and building elevations are designed to accommodate for future internal renovations to construct a mezzanine at the second level. There are no functional or aesthetic impacts deriving from the proposal considering the buildings will have the appearance of being two storey in height. 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 variance is requested to facilitate the development of six (6) mixed-use commercial/industrial buildings with approximately 92 units on the subject lands. The development will have the appearance of being two storeys in height despite not meeting the criteria outlined in the by-law.

Should the variance be approved, the development will be subject to further detailed and technical review through the associated Site Plan approval, and a condition of approval is recommended that the owner finalize Site Plan Approval under City File: SPA-2023-0110 and post any required financial securities and insurance to the satisfaction of the Director of Development Services.

Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The variance to permit a minimum building height is technical in nature and required to allow the orderly development of the lands for a mixed-use industrial/commercial building. The variance is not anticipated to negatively impact the functionality of the site or pose massing impacts to adjacent properties. Subject to the recommended conditions of approval, the variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Principal Planner/ Supervisor