



Report Committee of Adjustment

Filing Date: February 29, 2024

Hearing Date: April 23, 2024

File: A-2024-0064

**Owner/
Applicant:** **Metrus (Terra) Properties Inc.
Lakeshore Group (Michael Cidylo)**

Address: **26 Kenview Boulevard**

Ward: 8

Contact: Megan Fernandes, Assistant Development Planner

Recommendations:

That application A-2024-0064 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be generally limited to that shown on the sketch attached to the Notice of Decision or to that modified and approved as part of the future Site Plan Application review process;
 2. That the applicant apply for and obtain Site Plan Approval within 90 days of Committee's Decision or extended for an approved period of time by 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:

The applicant previously obtained approval of the Committee of Adjustment in 2012 to permit outside storage on the property through Minor Variance Application A12-152 (Appendix B).

The following conditions of approval were provided as part of application A12-152:

1. That approval be granted for a temporary period of two (2) years from the date of Committee's decision;

2. That outside storage shall generally be in accordance with the sketch attached to the Public Notice and with a height not to exceed 12ft for the westerly storage area and a height not to exceed 10ft for the easterly storage area. The applicant shall submit and implement a plan for appropriate screening within 120 days of Committee's decision, to satisfy the Commissioner of Planning, Design and Development.

As the previous approval has expired, the applicant is now seeking to permit the outside storage on the site as a permanent condition.

Existing Zoning:

The property is zoned 'Industrial 1 – Special Section 2616 (M2 – 2616)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit outside storage for an existing manufacturing building, whereas the by-law does not permit the use.

Current Situation:

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

The subject property is designated 'Industrial' in the Official Plan and 'Prestige Industrial' in the Airport Intermodal Area Secondary Plan (Area 4). The requested variance 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.

The general intent of the 'Industrial' Official Plan designation is to provide for a range of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. The subject lands are further designated as 'Prestige Industrial' in the Airport Intermodal Area Secondary Plan. The 'Prestige Industrial' designation allows for research and development facilities, warehousing, manufacturing, processing, assembly, packaging, repairing and fabricating provided that such uses operate within an enclosed building and have no outside storage. The property in question currently hosts manufacturing, distribution, and warehousing operations. It's typical and often essential for industrial activities to require outdoor storage. There are no sensitive land uses, such as residential areas, in close proximity. Outdoor storage has been in place since 2012 without adversely affecting the productivity or functionality of the neighboring employment areas.

A condition of approval is recommended that the applicant apply for and obtain Site Plan Approval within 90 days of Committee's Decision or extended for an approved period of time by the Director of Development Services. This condition is provided for staff to review the location of the outside storage and implement appropriate screening for the outside storage.

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

The subject property is zoned 'Industrial 1 – Special Section 2616 (M2 – 2616)', according to By-law 270-2004, as amended.

The variance is requested to permit outside storage for an existing manufacturing building, whereas the by-law does not permit the use. The intent of the Industrial One parent zone is to allow for industrial uses which occur within enclosed buildings and do not require outside storage of materials. The special section for this property imposes additional requirements for landscaped open space areas along Steeles Avenue West and Kenview Boulevard.

In this instance, the subject property currently operates as a manufacturing building and received previous approvals to permit the outside storage. The request for outside storage represents a component of the on-site operation. The applicant is proposing to continue to utilize the parking area located at the rear of the property for outside storage. The outside storage of racks and materials outdoors will have a minimal impact on the streetscape as it will be located towards the rear of the property, behind the existing building and away from Steeles Avenue. A condition of approval is recommended that the owner obtain site plan approval which will further address technical matters associated with the storage. Subject to the recommend 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 subject lands are located within a predominantly industrial and employment area of the City, and the surrounding land uses include vacant open space, a car rental service to the north, open space areas to the east , an industrial plaza to the south and additional industrial uses to the west. The requested variance to permit outside storage for an existing manufacturing building is considered to be desirable for the development of the lands as it is compatible with the surrounding industrial. While outside storage is not permitted, it is located in the rear yard and setback from the streetscape. Additionally, it is screened by surrounding industrial buildings and landscape buffers. A condition of approval is provided that the applicant apply for and obtain Site Plan Approval within 90 days of Committee's Decision or extended for an approved period of time by the Director of Development Services. The Site Plan Approval process will allow for a technical review of the storage areas, proposed screening and height restrictions as necessary. The requested variance is not anticipated to significantly impact the overall streetscape or the character of the area and is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed variance to permit outside storage considered to be minor in nature as the use will be located towards the rear of the property and will be screened by the existing building, effectively screening the outdoor storage from public view along Steeles Avenue East. Additionally, through adequate buffering, and surrounding land uses, the proposed outdoor storage use is not anticipated to generate negative impacts on-site or off-site. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Assistant Development Planner

Site Visit Photos (Appendix A)

