

Filing Date: February 8, 2021

Hearing Date: March 9, 2021

File: B-2021-0003 & A-2021-0015

**Owner/
Applicant:** FORESTSIDE ESTATES INC

Address: 4298 QUEEN STREET EAST

Ward: 8

Contact: Shelby Swinfield, Planner I

Recommendations:

That application B-2021-0003 is supportable, subject to the following conditions being imposed:

1. The Secretary-Treasurer shall have been satisfied that the following conditions have been fulfilled within one year of the mailing date noted below and the Secretary-Treasurer's Certificate under the Planning Act shall be given:
2. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
3. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and; the required number of prints of the resultant deposited reference plan(s) shall be received;
4. That associated application A-2021-0015 be approved; and
5. That arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.

AND That application A-2021-0015 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;

2. That related application B-2021-0003 be approved;
 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:

- **Official Plan:** The subject property is designated 'Business Corridor' in the Official Plan;
- **Secondary Plan:** The subject property is designated "Mixed Commercial Industrial" in the Bram East Secondary Plan (Area 41); and
- **Zoning By-law:** The subject property is zoned "Industrial Four – Special Section 1751 (M4-1751)" according to By-Law 270-2004, as amended.

Minor Variance Application

Requested Variances:

The applicant is requesting the following variances:

1. To permit a lot width of 119 metres whereas the by-law requires a minimum lot width of 194 metres;
2. To permit a lot area of 0.63 hectares whereas the by-law requires a minimum lot area of 1.47 hectares;
3. To permit a lot depth of 47 metres whereas the by-law requires a minimum lot depth of 151 metres.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated 'Business Corridor' in the Official Plan and designated "Mixed Commercial Industrial" in the Bram East Secondary Plan (Area 41). The requested variances will allow the continued operation of the existing industrial use on the severed lands while the retained lands are developed comprehensively. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The subject property is zoned "Industrial Four – Special Section 1751 (M4-1751)" according to By-Law 270-2004, as amended. The requested variances are intended to facilitate the severance of lands currently being used for industrial purposes from the remainder of the lands which are vacant and proposed to be redeveloped.

Variance 1 is to permit a lot width of 119 metres whereas the by-law requires a minimum lot width of 194 metres. Variance 2 is to permit a lot area of 0.63 hectares whereas the by-law requires a minimum lot area of 1.47 hectares. Variance 3 is to permit a lot depth of 47 metres whereas the by-law requires a minimum lot depth of 151 metres.

The intent of the by-law in requiring a minimum lot width, area and depth in industrial areas is to ensure that the property is appropriately sized for its industrial user, which tend to be larger scale.

In the case of the subject property, the proposed reduced width, area and depth will still allow sufficient space for industrial users on site. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are required in conjunction with a proposed severance that will allow the existing industrial operation on the severed lands to continue while the retained lands are redeveloped with a draft plan of subdivision. The requested reductions in lot standards are not anticipated to negatively impact the ability of the lot to function for industrial purposes. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances proposed to reduce the required lot width, area, and depth for an industrial property. The lot standards for this zone are generous and intended to allow for large scale industrial users. The proposed reductions will not inhibit the ability of the property to function for an industrial user. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Consent Application

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent application is considered to represent proper and orderly planning and can be supported from a land use perspective.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I

SCHEDULE "A"

**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE
PLANNING ACT**

CRITERIA TO BE CONSIDERED	ANALYSIS
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed severance is not considered to have significant impacts on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed severance is not considered to be premature or contrary to public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed severance will facilitate the development of the retained lands in accordance with a forthcoming development application.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	There are no concerns about the suitability of the land for the purposes of the severance.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed severance does not present any concern with regard to the adequacy of the roadway network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed lots are appropriate in size and shape for their purpose.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regard to restrictions on the lands included in the lands to be subdivided.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal

	services. A condition of approval is recommended that arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements.
j) <i>The adequacy of school sites;</i>	The proposed severance does not present concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	The proposed severance does not include the conveyance of land for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed severance has no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	There are no concerns related to the design of the proposal and matters of Site Plan Control as the severed lands have an existing structure and the retained lands will be developed with a draft plan of subdivision.