



Report Committee of Adjustment

Filing Date: September 8, 2021

Hearing Date: October 5, 2021

File: A-2021-0215

**Owner/
Applicant:** 2805939 Ontario Inc.

Address: 190 Bovaird Drive West

Ward: WARD 2

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0215 be deferred no later than the last meeting of March 2022.

Background:

The site is currently the subject of a Site Plan Control application (SPA-2021-0086) to construct two single-storey industrial buildings. The applicant has submitted a Minor Variance application seeking permission for allow reduced building setbacks and parking space requirement.

Existing Zoning:

The property is zoned 'Industrial One A (M1A-250)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variances:

1. To permit a front yard setback of 13.65 metres to Ironside Drive whereas the by-law requires a minimum setback of 22.0 metres;
2. To permit 339 parking spaces whereas the by-law requires a minimum of 408 parking spaces;
3. To permit two (2) transformers having setbacks of 17.43 metres and 12.0 metres to the front lot line whereas the by-law requires a minimum front yard setback of 22.0 metres.

Current Situation:

Staff recommend the deferral of the application to allow staff to work with the applicant to revise the site layout and get more information from the Region regarding acceptable landscaping encroachments.

Tree plantings are currently proposed along the frontage of Bovaird Drive which are also located within the Region's easement. Staff were recently made aware that trees are not permitted within the Region's easement on the subject property. Previous Regional Staff comments for the original submission of the site plan application (SPA-2021-0086), had identified encroachments into the easement and advised that the applicant could undertake an encroachment review with the Region and a potential encroachment agreement to resolve the matter.

The trees were a key component of the frontage of the proposed industrial buildings along Bovaird Drive that would also help screen visible parking. As a result of this, staff need further time to assess how this recent finding impacts the proposed site layout as well as clarify alternative options that can be located in the easement with the Region.

Deferring the application until March 2022 will allow staff more time to work with the applicant on a revised site plan and discuss with the Region regarding acceptable encroachments.

Respectfully Submitted,

François Hémon-Morneau

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