



Report Committee of Adjustment

Filing Date: November 29, 2022

Hearing Date: January 3, 2023

File: A-2022-0387

**Owner/
Applicant:** PEEL CONCOMINIUM CORPORATION 344 / MAINLINE PLANNING SERVICES

Address: 50 & 70 Delta Park Boulevard

Ward: WARD 8

Contact: Megan Fernandes, Planning Technician

Recommendations:

That application A-2022-0387 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 the owner finalize Site Plan Approval under City File SPA-2022-0165, execute a site plan agreement, and posting 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.
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Background:

Existing Zoning:

The property is zoned 'Industrial Four – Special Section 1557 (M4-1557)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To provide 16% of landscaped open space within the required side yard along the north property line and 24% along the south property line from the required front yard to the rear wall of the

rear most building whereas the by-law requires 50% of the required front yard from the required front yard to the rear most building to be landscaped open space;

2. To permit an aisle leading to parking spaces with a width of 6.1m (20 ft.) whereas the by-law requires an aisle leading to parking spaces with a minimum width of 6.6m (21.65 ft.).

Current Situation:

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

The subject property is designated as Industrial in the Official Plan and General Employment 1 in the Airport Intermodal Secondary Plan (Area 4). The variances are requested to facilitate increased parking at the property. Subject to the recommended conditions of approval, the requested 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

Variance 1 is requested to provide 16% of landscaped open space within the required side yard along the north property line and 24% along the south property line from the required front yard to the rear wall of the rear most building whereas the by-law requires 50% of the required front yard from the required front yard to the rear most building to be landscaped open space. The intent of the Zoning By-law in requiring a certain minimum percentage of landscaped open space is to ensure that the property has an adequate amount of open/green space at the front and that the area has a consistent streetscape to maintain an attractive aesthetic character for the area.

The reduction in landscaped open space is requested to facilitate the expansion of the existing parking lot to accommodate 67 additional parking spaces. The proposed additional parking will be located along the required side yard along the northern property line and along the south property line from the required front yard to the rear wall of the rear most building. The subject property is located within an industrial area of the City and the development is subject to an ongoing Site Plan application review (SPA-2022-0165). Through the Site Plan application review the applicant has provided a Landscape Plan and costing estimate. Although reductions to landscaping are requested, staff do not anticipate a decline in the aesthetic character of the property or industrial area as a whole. Variance 1 is considered to maintain the general intent and purpose of the Zoning By-law.

Variance 2 is requested to permit a drive aisle width of 6.1 metres (20.01 feet.) whereas the by-law requires a minimum drive aisle width of 6.6m (21.65 ft.) leading to parking spaces. The intent of the by-law in regulating the minimum required drive aisle is to ensure that there is sufficient space to maneuver a vehicle.

The variance relates to a 0.5m (1.64 ft.) reduction in drive aisle width leading to parking spaces. The proposed reduction is not anticipated to negatively impact maneuverability for that area of the site. At this time, staff do not have any concerns relating to the reduction in drive aisle width. The development is also proceeding through an associated site plan application which will ensure other staff comments are addressed through the site plan review process. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2022-0165, and post any required financial

securities. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to provide a reduction in landscaping on the property. Development Planning and Open Space Development staff have reviewed the requested variances and have no objections to the request. A landscape plan has been provided through the Site Plan application to ensure the proposed development satisfies City requirements. Variance 2 requests a reduction to the minimum drive aisle width. The proposed reduction is nominal in nature and is not anticipated to have any functional impacts on the site. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2022-0165, execute a site plan agreement, and posting any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, the variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The variances will facilitate the expansion of the existing parking lot to accommodate an additional 67 parking spaces. The variances are not anticipated to generate negative on-site or off-site impacts. Subject to the recommended conditions of approval, the requested variances are considered minor in nature.

Respectfully Submitted,

Megan Fernandes

Megan Fernandes, Planning Technician