



Report Committee of Adjustment

Filing Date: November 29th 2022
Hearing Date: January 3rd 2023

File: A-2022-0388

**Owner/
Applicant:** METRUS (TERRA) PROPERTIES INC. / BALDASSARRA ARCHITECTS

Address: 18 Kenview Boulevard

Ward: WARD 8

Contact: Chinoye Sunny, Planner I

Recommendations:

That application A-2022-0388 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; and
2. 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 submitted to facilitate the future development of an 11,029.85 sq. m (118,724 sq. ft) industrial warehouse building related to an ongoing Site Plan Approval application (SPA-2022-0058). The applicant was previously approved for 9 variances at the September 13th, 2022 Committee of Adjustment hearing (refer to file No. A-2022-0212). The applicant is seeking an additional Minor Variance to permit a reduced lot area.

Existing Zoning:

The property is zoned 'Industrial One (M1-2616)', according to By-law 270-2004, as amended.

Requested Variances:

The applicants are requesting the following variance(s):

1. To permit a lot area of 2.14 hectares whereas the by-law requires a minimum lot area of 3.8 hectares.

Current Situation:

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

The property is designated 'Industrial' in the Official Plan and is further designated 'Highway Commercial' and 'Prestige Employment' in the Airport Intermodal Secondary Plan (Area 4).

The 'Industrial' Official Plan designation is intended to provide for the development of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. The future development of the subject property will be for industrial uses, as such the requested variance will be consistent with the policies of the Official Plan.

The majority of the property is designated 'Prestige Employment' in the Secondary Plan. As per Section 1.4.1 of the Secondary Plan the 'Prestige Employment' designation is intended for employment uses including but not limited to: warehousing, manufacturing, packaging, and processing. The northwestern corner of the property located at the intersection of Steeles Avenue West and Castlevue Drive is designated 'Highway Commercial' in the Secondary Plan. As per Section 2.4.1 of the Secondary Plan the 'Highway Commercial' designation is intended for purposes that are primarily oriented to the travelling public, such as service station, gas bars, vehicle washing establishments, and convenience commercial uses.

The requested variance is to permit a reduced lot area on the subject property. Despite the reduced lot area, the property is not anticipated to be negatively impacted and the industrial character and use of the lands will be maintained. Subject to the recommended conditions of approval, the requested variances are 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 property is zoned 'Highway Commercial Two (HC2-2686)' & 'Industrial One (M1-2616)', according to By-law 270-2004, as amended.

The requested variance is to permit a lot area of 2.14 hectares whereas the by-law requires a minimum lot area of 3.8 hectares. The intent of the by-law in requiring a minimum lot area is to ensure that a certain character is maintained for the property. The proposed variance is meant to facilitate the construction of a new industrial warehouse building on the subject property. Although the lot area is smaller than the required minimum lot area as per the City's by-law, the proposed use of the property will maintain the existing character of the area. The proposed variance is not anticipated to negatively impact drainage, access to the property and the overall streetscape will be maintained. The proposed new industrial warehouse will continue to maintain the Industrial character of the neighbourhood and does not negatively impact the aesthetic quality of the property. As such, the general intent and purpose of the Zoning By-law is maintained.

3. Desirable for the Appropriate Development of the Land

The requested variance is to permit a lot area of 2.14 hectares whereas the by-law requires a minimum lot area of 3.8 hectares. The proposed variance is related to an existing Site Plan Approval application (SPA-2022-0058) to facilitate the future development of an industrial warehouse building. Staff do not anticipate any negative impacts to drainage or access to portions based on the requested variance. Furthermore, the reduced lot area will still allow for the development of the new industrial warehouse which is not out of character for the neighbourhood. 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 variance is to permit a lot area of 2.14 hectares whereas the by-law requires a minimum lot area of 3.8 hectares. The proposed variance is related to an existing Site Plan Approval application (SPA-2022-0058) to facilitate the future development of an industrial warehouse building. The requested variance is not considered to impact access to the property, drainage, or be out of character for the neighbourhood. Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,



Chinoye Sunny, Planner I