



Report Committee of Adjustment

Filing Date: April 11th, 2022

Hearing Date: May 9th, 2023

File: A-2023-0096

Owner/

Applicant: ATLANTIC PACKAGING PRODUCTS LTD.

Address: 195 WAKLER DRIVE

Ward: WARD 8

Contact: Samantha Dela Pena, Assistant Development Planner

Recommendations:

That application A-2023-0096 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 applicant finalizes site plan approval under City File SPA-2022-0154, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of 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.

Background:

A Site Plan Application (City File SPA-2022-0154) for the subject lands was submitted on August 24th, 2022, and is currently under review. The site plan application proposes the development of a new high bay warehouse addition to the existing manufacturing facility in order to store finished products. The following minor variance application seeks to address reduced front yard setback and interior side yard setback requirements as a result of the proposed warehouse addition.

Existing Zoning:

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

Requested Variances:

The applicant is requesting the following variances:

1. To permit a 6.69m (21.95 ft) front yard setback to a proposed addition, whereas the By-law requires a minimum front yard setback of 9.0m (29.53 ft)
2. To permit a 0.97m (3.18 ft) interior side yard setback to a proposed addition, whereas the By-law requires a minimum interior side yard setback of 4.0m (13.12 ft).

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 'General Employment 1' in the Airport Intermodal Area Secondary Plan (Area 4).

The industrial policies of the Official Plan permit "the development of industrial manufacturing, distribution, mixed industrial/commercial, commercial self storage warehouses, data processing and related uses and limited office uses, and may also permit service and retail uses, open space and community service uses as practical and appropriate" (Section 4.4.2.1). As the existing warehouse is currently operated by Atlantic Packaging Products Ltd., a significant employment provider to the City of Brampton and the overall surrounding area, the proposed warehouse addition will ultimately assist in both the warehouse use and its employment function.

The requested variances are not considered to have significant impacts within the context of the Official Plan policies. 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

Variance 1 seeks to permit a 6.69m (21.95 ft) front yard setback to a proposed addition, whereas the By-law requires a minimum front yard setback of 9.0m (29.53 ft). The intent of the by-law in requiring a minimum front yard setback is to ensure that sufficient area is provided in the front yard for parking and landscaped area. While full front yard setbacks of the Zoning By-law are not maintained, as per review of the provided site plan, staff are of the opinion that a sufficient 6.69m (21.95 ft) front yard setback for landscaping is to be provided. Furthermore, any reductions in existing parking spaces as a result of the reduced front yard setback do not affect the minimum parking space requirements on the property being met. As such, staff have no concerns in regard to landscaping, drainage, and/or parking on the subject property.

Variance 2 seeks to permit a 0.97m (3.18 ft) interior side yard setback to a proposed addition, whereas the By-law requires a minimum interior side yard setback of 4.0m (13.12 ft). The intent of the by-law in regulating interior side yard setbacks is to ensure that sufficient space is maintained for drainage and access purposes. While full interior side yard setbacks of the Zoning By-law are not maintained, staff are of the opinion that sufficient space for drainage and access purposes is provided. As an interior side yard setback of 0.97m (3.18 ft) is proposed to abut existing landscaped

area located directly east of the proposed addition, staff have no concerns in regard to drainage on the property.

Subject to the recommended conditions of approval, the requested variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 seeks to permit reduced front yard and Variance 2 seeks to permit reduced interior side yard setbacks to a proposed addition. While full setback requirements of the Zoning By-law are not maintained, Staff are satisfied that sufficient front yard area for landscaping on the property is maintained. Furthermore, as per review of the site plan drawing provided by the applicant, as the reduced interior side yard setback is proposed to abut an existing landscaped area located to the east of the proposed addition, staff have no concerns in regard to drainage on the property. As such, the proposed addition maintains sufficient front and interior side yard landscaping and does not negatively impact the visual appearance of both the subject property and/or the overall streetscape.

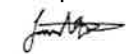
Subject to the recommended conditions of approval, the requested variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances seek to permit proposed site conditions for reduced front yard and interior side yard setbacks to a proposed addition. As the proposed addition and reduced setbacks directly abut sufficient landscaped areas, staff do not anticipate any negative impacts to the property and/or the overall streetscape. Furthermore, the requested variances only apply to setbacks from a proposed addition, which will ultimately be contemplated through site plan approval of application City File SPA-2022-0154. As such, the proposed setback reductions to the proposed addition are minor in nature, as they do not apply to the entirety of the building.

Subject to the recommended conditions of approval, the requested variance is considered minor in nature.

Respectfully Submitted,



Samantha Dela Pena, Assistant Development Planner