



Report Committee of Adjustment

Filing Date: August 30, 2023

Hearing Date: October 3, 2023

File: A-2023-0268

**Owner/
Applicant:** 2599157 Ontario Inc.

Address: 3 Walker Drive

Ward: WARD 8

Contact: Charles Ng, Planner I

Recommendations:

That application A-2023-0268 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 SP18-095.000, 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.
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Background:

The applicant has submitted a Minor Variance Application to seek relief from building height and parking requirements. Staff notes that the variances requested are in support of Site Plan Application SP18-095.000, which contemplates the redevelopment of the subject property to include two (2) warehouses referred to as Building 'A' and Building 'B'.

Existing Zoning:

The subject property is zoned 'Industrial Three A – M3A' with Special Section '335' (M3A-355), according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. Building A: To permit a warehouse building having a building height of 14.4 metres, whereas the by-law permits, for lands located north of Steeles Avenue, no building or structure shall be higher than 9.0 metres above established grade if the building or structure is located within 178 metres east of the easterly limits of Torbram Road;
2. Building B: To permit a warehouse building having a building height of 11.0 metres, whereas the by-law permits, for lands located north of Steeles Avenue, no building or structure shall be higher than 9.0 metres above established grade if the building or structure is located within 178 metres east of the easterly limits of Torbram Road; and
3. To permit a total of 53 parking spaces, whereas the by-law requires a minimum 57 parking spaces.

Current Situation:

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

The subject property is designated 'Industrial' and 'Business Corridor' in the Official Plan, and further designated 'General Employment 1' in the Airport Intermodal Secondary Plan (Area 4). The 'Industrial' designation in the Official Plan permits industrial, manufacturing, distribution, mixed industrial/commercial, commercial self-storage warehouses, data processing, limited office uses, and may also permit limited service and retail uses, open space, public and institutional uses. The 'Business Corridor' designation in the Official Plan permits a broad range of uses as further defined in the Secondary Plan however, permitted uses generally includes a range of Prestige Industrial, Office, Mixed Commercial/Industrial, Highway Commercial, Service Commercial, Highway and Service Commercial and Business uses, as well as some ancillary uses. The 'General Employment 1' designation in the Secondary Plan permits a broad range of industrial uses, which includes warehousing and storage of goods.

The requested variances are intended to support the redevelopment of the subject property to include two (2) warehouse buildings that are 14.4 metres and 11.0 metres in height with parking provisions for 53 vehicles. The requested variances are not considered to have significant impacts within the context of the applicable planning policy framework.

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

Variances 1 and 2 are to permit a building height of 14.4 metres for warehouse Building 'A', and 11.0 metres for warehouse Building 'B' as part of Site Plan Application SP.18-095.000. The intent of the by-law in regulating building height is to ensure that the planned intent, size, scale, character and function of the subject property and the surrounding area is maintained. Building 'A' and 'B' represents an increase of 5.4 metres and 2.0 metres, respectively, above the permitted height of 9.0 metres, and is not anticipated to significantly affect the subject property or adjacent properties. Furthermore, the increased height is not anticipated to impact the planned intent and use of the subject property, or significantly impact the planned intent, character, and function of the surrounding industrial area.

Variance 3 is to permit a parking reduction from 57 parking spaces to 53 parking spaces. The intent of the by-law in regulating parking spaces is to ensure that an adequate and appropriate amount of parking is provided to meet the needs and function of the subject property's intended use. The proposed parking reduction by four (4) parking spaces is not anticipated to significantly affect the availability of parking spaces for the intended purpose and function of the proposed warehouses. Furthermore, the City's Traffic Services Department has reviewed the parking reduction and notes that there are no functional concerns with the requested variance.

Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The subject property is located within an established industrial area that is generally characterized by one-storey industrial buildings with large building footprints. The requested variances are not anticipated to significantly affect the subject property, adjacent properties, or prohibit the area from realizing industrial and employment uses. The proposed variances are generally aligned with the planned intent, character and function of the subject property and surrounding area. The requested variances are also generally aligned with the Official Plan and Zoning By-law.

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

4. Minor in Nature

The requested variances are to permit a building height of 14.4 metres for warehouse Building 'A', a building height of 11.0 metres for warehouse Building 'B', and 53 parking spaces. The requested variances represents an increase in building height by 5.4 metres for Building 'A', 2.0 metres for Building 'B', and a parking reduction by four (4) parking spaces from 57 to 53. The requested variances and are not anticipated to significantly affect the subject property, adjacent properties, or prevent the realization of the planned intent, character and function of the surrounding industrial area. Furthermore, the requested variances represent minor deviations from permitted allowances as per the by-law. The requested variances are generally aligned with the Official Plan and Zoning By-law.

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

Respectfully Submitted,

Charles Ng

Charles Ng, Planner I

Appendix A:

