

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/031/2022

RELATED FILE: B22/01(1623) AND CAV A/032/2022

DATE OF MEETING: BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON TUESDAY, MAY 03RD, 2022 AT 7:00 P.M.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
GENDRON ACIER MICHEL GENDRON 2270 GARNEAU RUE LONGUEUIL QC J4G 1E7	WILLIAM OUGHTRED W.E. OUGHTRED & ASSOCIATES INC. 2140 WINSTON PARK DR UNIT 28 OAKVILLE ON, L6H 5V5	1281 SPEERS RD CON 3 SDS PT LOT 23 RP 20R6381 PART 1

OFFICIAL PLAN DESIGNATION: INDUSTRIAL
WARD: 2

ZONING: E3 SP: 250
DISTRICT: WEST

APPLICATION:

Under Section 45(1) of the Planning Act, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the existing landscaping to remain on the severed lands of Consent application B22/01 proposing the following variance:

No.	Zoning By-law Regulation	Variance Request
1	<p>Section 15.250.2 b) All lands subject to this Special Provision shall be considered one <i>lot</i> for the purpose of applying the standards of this By-law.</p> <p>Table 10.3 (Row 14) The minimum <i>landscaping coverage</i> shall be 10% (2093.8 sqm.); (Total lot area for all lands within sp: 250 is 2.0938 ha).</p>	To permit the minimum <i>landscaping coverage</i> for the severed lands only to be 4.9% (255.5 sqm.); (Lot area of severed lands is 0.5162ha).

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

(Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Long Range and Heritage Planning, Urban Design and Development Engineering)

CAV A/031/2022 - 1281 Speers Rd (West District) (OP Designation: Industrial)

The subject property is located along Speers Road abutting the Canadian National Railway. The subject property is also subject to a concurrent consent application (B22/01 (1623)).

The proposed consent would have the effect of re-establishing the lot line dividing 1281 Speers and 1291 Speers which was merged on title due to common ownership. As a result, a separate lot for 1281 Speers Road and 1291 Speers Road would be created, as it existed prior to merging on title. Both the severed and retained lands are occupied by one industrial building

each, and function separately from each other with their own driveways and access from Speers Road. No changes to the two industrial buildings or site layout are proposed as part of the consent application. To facilitate the consent, the proposed variance is required to recognize the existing condition on the subject property.

The subject property is designated 'Industrial' under the Livable Oakville Plan. Industrial areas are intended to provide for heavy industrial operations and are limited to well screened, highly accessible locations. Permitted uses include light industrial, heavy industrial operations such as manufacturing, assembling, processing, fabricating, refining, repairing, warehousing, and wholesaling. Outdoor storage is also permitted. The subject property is also part of the Speers Road Corridor Special Policy Area which is defined by land along Speers Road, located south of the railway tracks and north of the Residential Areas between Bronte Creek and the Kerr Village Growth Area. Within the Speers Road Corridor, the subject property is located in the East of Third Line to Fourth Line District. This district is planned to contain a mix of employment uses, including service and arterial commercial uses, and is expected to maintain a larger industrial presence on the north side of Speers Road. The area will provide for modest intensification opportunities, with an increased focus on pedestrian facilities.

Variance #1 – Landscaping Coverage (Supported)

The applicant is seeking relief from Zoning By-law 2014-04, as amended, to permit a minimum landscape coverage of 4.9% when a minimum of 10% is required. The intent of regulating landscape coverage in employment areas is to provide viable areas for planting and landscaping, stormwater management features and infiltration, and achieve tree canopy cover targets together with other goals, objectives and policies related to the design of the site, such as screening surface parking areas with landscaping.

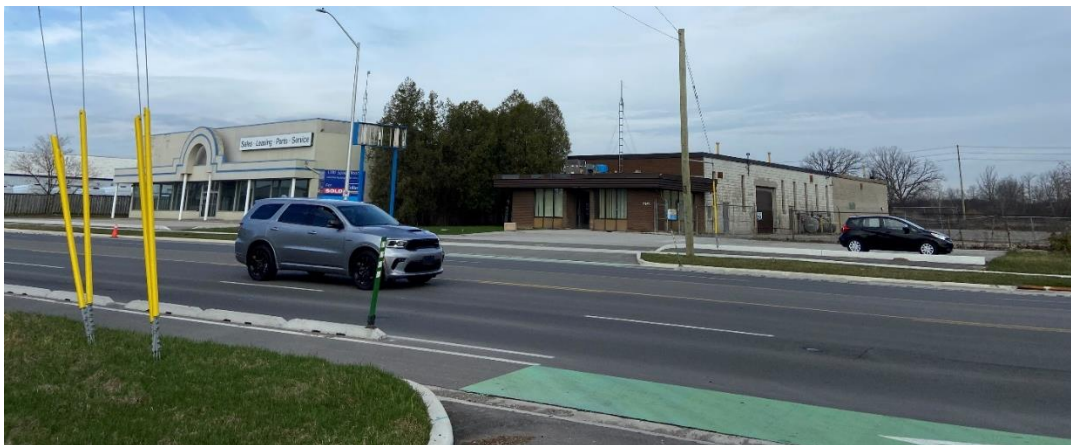
In this instance, the variance is triggered by the consent application which proposes to recreate the lot line dividing 1281 and 1291 Speers Rd and would recognize the existing condition (no changes to the buildings or site layout proposed). Given that the requested variance is intended to recognize the existing condition, it will not have an impact on adjacent properties or the surrounding area and is minor in nature. The Livable Oakville Official Plan provides clear direction to support the continuation of industrial uses within the East of Third Line to Fourth Line District of the Speers Road Corridor Special Policy Area. Facilitating the continued use of the subject property meets the intent of the Official Plan. The portion of existing landscaping contains mature trees which assists in meeting the intent of the zoning by-law.

Future redevelopment of the site will be subject to site plan control, which will evaluate the placement of any proposed buildings and parking areas, as well as grading, drainage, landscaping, tree protection, urban design, etc.

Aerial View of subject property:



Subject property:



Subject property:



Conclusion:

In summary, based on the application as submitted, Staff are of the opinion that the application satisfies the applicable tests under the *Planning Act*.

Fire: Comments not received.

Transit : No comments.

Halton Region: As per the consent comments.

Bell Canada: Comments not received.

Letter(s) in support – None.

Letter(s) in opposition – None.

General notes for all applications:

Note: *The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments / authorities (e.g. Engineering and Construction, Building Services, Conservation Halton, etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.



Jasmina Radomirovic
Assistant Secretary-Treasurer
Committee of Adjustment