

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-39/20
Location: 42 Arrow Road
Hearing Date: December 10, 2020
(Deferred at the September 10, 2020 hearing)
Owner: Connect Tech Inc.
Agent: Jim Fryett, Fryett Turner Architects Inc.
Official Plan Designation: Industrial
Zoning: Industrial (B.4)

Request: The applicant is seeking relief from the By-Law requirements to permit:
a) a minimum right side yard setback of 2.5 metres for the existing addition to the existing industrial building; and
b) a minimum rear yard setback of 3.5 metres for the existing addition to the existing industrial building.

By-Law Requirements: The By-Law requires:
a) a minimum side yard setback of one-half the building height [8.2 metres] to a maximum of 9 metres, but not less than 3 metres [4.1 metres would be required]; and
b) a minimum rear yard setback of 6 metres.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That the applicant submits the As-Built Site Plan and Grading and Drainage Plan for approved Site Plan SP14B028 to the Site Plan Coordinator in the Planning Department within 3 months of the Committee's final decision.
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Comments

Planning Services

The subject property is designated "Industrial" in the Official Plan. The "Industrial" land use designation permits a range of uses including manufacturing, warehousing, computer and data processing and research and development facilities. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Industrial" (B.4) according to Zoning By-law (1995)-14864, as amended. Site Plan file No. SP14B028 was approved December 20, 2014 for an addition to the existing industrial building located on the site. A minor variance application (file A-5/14) was required for the Site Plan Approval to permit an interior side yard setback of 3.0 metres and a rear yard setback of 3.0 metres for the addition. The intent of the Zoning By-law requiring side and rear yard setbacks is to ensure adequate distance between buildings for maintenance and storm water management from the property lines.

After the development of the site, a subsequent minor variance application (file A-39/16) was required and approved after it was found the addition was constructed with a 2.5 metre interior side yard setback. Site Plan Approval was a condition of the variance to recognize the existing 2.5 metre setback and to address concerns with the grading and drainage as a result of the as-built site condition. The minor variance lapsed as the condition to obtain Site Plan Approval within one year from the date of the Committee's final decision was not fulfilled.

The applicant has now applied again to recognize the existing 3 metre rear yard setback as well since the original 2014 minor variance become null and void due to a condition of the variance was not met.

The applicant has since resolved the drainage concerns on the property by remedying the existing swale in consultation with City Engineering staff. For this reason, Planning will not require any Site Plan Amendment application, but will require the As-Built drawings be submitted to the Site Plan Coordinator.

The requested variances are considered to meet the general intent of the Official Plan, meet the general intent of the Zoning By-law, are considered to be desirable for the appropriate development of the land and are considered to be minor in nature. Staff therefore recommend approval of the application subject to the above noted condition.

Engineering Services

Engineering approved a grading and drainage plan under site plan application SP14-B028. Staff conducted a visit. It appears that the swale on the south side of the addition that runs parallel with the adjoining property terminates at the Rain Water Leader discharge pipe located closest to the parking lot. The swale was raised at this location and preventing runoff from draining to the drainage ditch as per the approved drawings.

In August of 2020, GM Blue Plan has completed a remedial work sketch. The work was completed in early October (see attached sketch). GM Blue Plan has demonstrated that positive drainage is occurring. Further, GM Blue Plan has certified the work.

Engineering has no concerns with the requested variances.

We agree with recommendations made by the Planning and Building staff.

Building Services

This property is located in the Industrial (B.4) Zone. The applicant is proposing to maintain the existing industrial building addition located in the rear yard and interior side yard of the property. Variances from Table 7.3 Rows 4 and 5 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services does not object to these variances to permit a minimum right side yard setback of 2.5 metres and a 3.5 metres setback for the existing addition.

Comments from the Public

Yes (See Attached)

Contact Information

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