

TO: Niloo Hodjati, Secretary-Treasurer, Committee of Adjustment & Consent Official

FROM: Ruth Conard, Planner – Development Review

DATE: June 25, 2020

RE: Planning Recommendation for
Application D13VAR20.008H – Cambridge Aggregate
Municipally known as 0 Wallace Street
Town of Halton Hills (Acton)

APPLICATION

Requesting relief from Zoning By-law 2010-0050, as amended,

1. To permit the shortest lot line that abuts a street (Commerce Crescent) to be deemed the front lot line, whereas the Zoning By-law requires the longest lot line that abuts a street (Wallace Street) to be deemed as the front lot line.
2. To permit outdoor storage to be screened by an opaque fence with a minimum height of 1.8 m for the lot lines adjacent to an industrial lot.
3. To permit no screening of the outdoor storage for the lot line adjacent to the abutting Town owned lands to the north-west of the site.

To accommodate a proposed transportation terminal.

Proposal and Background

The Applicant is applying to permit Commerce Crescent to be defined as the front lot line, reduce the height of the fence required to the outdoor storage area from the adjacent industrial lots (3 & 211 Wallace St. and 285 Main St. N) and to eliminate the screening for the outdoor storage area required adjacent to the Town owned lands to the north-west of the site. These variances are requested to facilitate the construction of a new 1-storey (plus mezzanine) industrial building with associated outdoor storage (trucks) on an existing vacant lot.

The subject Minor Variance application is related to a Site Plan application (Town File No. D11SPA20.001) for the proposed building, which is currently under review.

POLICY CONTEXT

Town of Halton Hills Official Plan

The subject property is within the Urban Area of Acton and designated General Employment Area in the Town's Official Plan, which permits industrial uses, including those that have a significant outdoor storage component. The following policies apply to outdoor storage:

- a) not located in a front yard;
- b) clearly accessory to the main use on the property;
- c) is setback an appropriate distance from the side and rear lot lines, having regard to the nature of adjacent land uses; and,
- d) is completely enclosed and/or screened by landscaping, berming and/or fencing that functions year-round.

Town of Halton Hills Zoning By-Law

The subject property is zoned Employment One Exception 1 (EMP1(1)) under Zoning By-law 2010-0050, as amended , which permits transport terminals and accessory outdoor storage (trucks).

The following provisions apply to outdoor storage:

- a) Outdoor storage shall be permitted only in a rear or interior side yards and shall not be located any closer than 9.0 metres to any streetline;
- b) The height of stored materials shall not exceed 6.0 metres above the surface of the ground;
- c) Outdoor storage shall be screened by opaque fencing or a berm with a minimum height of 3.0 metres;
- d) Outdoor storage shall not be permitted within any yard abutting a Residential Zone boundary;
- e) Outdoor storage shall comply with the required setbacks for the main building in each zone;
- f) Outdoor storage shall not be permitted in any yard abutting a lot line that serves as a Residential Zone boundary in the Acton and Georgetown urban areas; and
- g) Outdoor storage shall not be permitted in any yard abutting Guelph Street, Maple Avenue, Mountainview Road or River Drive in Georgetown, notwithstanding sub-sections a) thru e) above.

Part 3 of the Zoning By-law entitled Definitions states that the front lot line of a through lot is the longest of the lot lines, which divides the lot from the public streets. A through lot is defined as a lot bounded on opposite sides by a public street.

COMMENTS

Internal Department and External Agency Comments

This application was circulated for review and comment to Town departments and external agencies. No objections were received; relevant comments regarding the Minor Variance application are as follows:

Planning

The following provides an evaluation of the proposal in relation to the proposed variances:

Variance #1:

To permit the shortest lot line that abuts a street (Commerce Crescent) to be deemed the front lot line, whereas the Zoning By-law requires the longest lot line that abuts a street (Wallace Street) to be deemed as the front lot line.

- Under the current definition, the proposed outdoor storage would be situated in the front yard as Wallace Street is technically considered the front lot line. As outdoor storage is prohibited in the front yard, the intent of this variance is to ensure outdoor storage is not located in the front yard of the property.
- Outdoor storage is not permitted within the front and exterior side yards because it cannot be screened from the street. Staff have no objections to the requested variance as a berm is being provided along Wallace Street (the current front lot line) for screening and the outdoor storage will be located behind the building proposed adjacent to Commerce Crescent (proposed front lot line)

Variance #2:

To permit outdoor storage to be screened by an opaque fence with a minimum height of 1.8 m for the lot lines adjacent to an industrial lot.

- The intent of screening outdoor storage (either through berm or fence) is to reduce visibility from adjacent properties and the public realm and, in some instances, to increase security measures on site.
- Staff does not object to the request to reduce the height of the fence proposed for the lot lines adjacent to the industrial lots given that the adjacent lots have some existing outdoor storage component themselves. The 1.8 metre tall fence should still provide some measure of security.

Variance #3:

To permit no screening of the outdoor storage for the lot line adjacent to the abutting Town owned lands to the north-west of the site.

- The applicant is proposing to reduce the screening adjacent to the Town owned lands from 3.0 metres to 0.0 metres. The Town owned lands contain a drainage ditch for the surrounding development.
- Staff has no objection to this variance given the applicant is proposing to maintain the existing natural tree area adjacent to the north-west lot line and also proposing a drainage swale adjacent to the north-west lot line creating further setbacks to the outdoor storage. In addition the majority of the outdoor storage is located in the rear yard of the subject property, minimizing any negative impacts on the vacant lot to the north-west (beyond the Town owned land).

Public Comments

No comments have been received from the public as of the date this report was prepared.

RECOMMENDATION

It is the opinion of Planning staff that the application for Minor Variance meets the four tests of a Minor Variance as outlined in the *Planning Act*. The application:

- 1) meets the intent and purpose of the Town of Halton Hills Official Plan;
- 2) meets the intent and purpose of the Town of Halton Hills Zoning By-law;
- 3) is considered to be desirable for the appropriate development or use of the property; and,
- 4) is considered to be minor in nature.

Planning staff has no objection to the approval of this application.

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review

Notes

Development Engineering

- The applicant will be required to complete the design and obtain permits to close and restore any current accesses that are on Wallace Street to the Town's satisfaction. This will be done through the Site Plan Application process.

Halton Hills Hydro

- Halton Hills Hydro must be contacted for an Electrical Service Layout if a new service or upgrade to an existing service is required; or metering changes.
- Location and method of servicing is at the sole discretion of Halton Hills Hydro. Customer should review our Conditions of Service prior to submitting an application.
- Please note that any costs due to changes required of Halton Hills Hydro's distribution system (i.e. moving poles to accommodate lane ways, driveways and parking lots, etc.) will be borne by the applicant.