

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

**FROM:** John McMulkin, Planner – Development Review

**DATE:** June 25, 2020

**RE:** Planning Recommendation for  
Application D13VAR20.009H – HHIDGP  
Municipally known as 6 Cleve Court  
Town of Halton Hills (Premier Gateway)

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## **APPLICATION**

Requesting relief from Zoning By-law 57-91, as amended,

1. To increase the height of the 2 buildings to the top of the parapet from the maximum 10.6 m to permit a height of 14 m.
2. To decrease the lot frontage on an accessible public road from the minimum 45 m to permit a lot frontage of 28 m.

To accommodate proposed warehouse and accessory office uses.

## **Proposal and Background**

The Applicant is applying to increase the maximum building height requirement and reduce the minimum lot frontage requirement in order to facilitate the construction of 2 new industrial warehouse buildings at the rear of the property (Buildings “B1” and “B2”). The proposal includes an extension of Cleve Court and a watercourse bridge connecting the north and south portions of the property. The proposal is currently under staff review through Site Plan Application D11SPA19.009.

The Committee of Adjustment previously considered a Minor Variance Application (File No. D13VAR20.002H) for this project at its March 4, 2020, meeting, where it approved the following zoning relief:

- a maximum building height of 11.8 metres for Buildings B1 and B2;
- a reduced lot frontage of 38.0 metres;
- a reduced parking requirement of 0.48 spaces per 100 sq. m of gross floor area; and
- an increase in the number of commercial waiting spaces of 26% of the provided loading spaces.

The subject application is now seeking to further amend the variances pertaining to building height and lot frontage, as follows:

- reduce the minimum lot frontage requirement (from the previously approved 38.0 metres) to permit a 28.0 metre frontage. The further reduction has been deemed necessary as a result of natural hazard land dedication requirements; and
- increase the maximum building height requirement (from the previously approved 11.8 metres) to permit a height of 14.0 metres. This request is to respond to the operational needs of their prospective tenants and urban design comments provided by the Town through the review of the Site Plan Application.

## **POLICY CONTEXT**

### **Town of Halton Hills Official Plan**

The subject property is designated “Prestige Industrial Area” and “Greenlands” in the Town’s Official Plan. The buildings are proposed within the “Prestige Industrial Area” designation, which permits warehouse and accessory office uses. The maximum building height within the Prestige Industrial Area designation shall be no more than 2 storeys. The Town’s Official Plan does not specifically identify minimum lot frontage requirements.

### **Town of Halton Hills Zoning By-Law**

The subject property is zoned “401 Corridor Prestige Industrial Holding (M7(H))” and “Conservation Special (O3-1)” in Zoning By-law 57-91, as amended by Zoning By-law 00-138. The buildings are proposed within the “M7(H)” zone, which permits warehouse and accessory office uses.

By-law 00-138 permits a maximum building height of 10.6 metres and requires a minimum lot frontage of 45.0 metres. Through Minor Variance application (File No. D13VAR20.002H) a maximum building height of 11.8 metres and minimum lot frontage of 38.0 metres was approved for the subject site.

## **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:

### *Maximum Building Height*

The intent of the maximum building height requirement is to ensure that the building does not create visual impacts for surrounding properties, exceed the maximum of 2 storeys in height stipulated in the Official Plan, and reflects market demands for the proposed uses. A further variance to this requirement is being requested by the Applicant to respond to the operational needs of their prospective tenants and the urban design comments provided by the Town indicating that the rooftop mechanical equipment shall be screened by a building parapet.

### *Minimum Lot Frontage*

The need for the previously approved lot frontage variance (38.0 m) resulted from the northern portion of the property being separated from the remainder of the site through the dedication of the extension of Cleve Court to the Town as a municipal road. Once the extension of Cleve Court is dedicated to the Town, the ownership of the north and south parcels will be fractured, thereby creating a natural severance. The need for a further variance (28.0 m) results from Conservation Halton policy requirements that lands containing natural features (the portion of Mansewood Creek that exists on site) and their associated hazards (e.g. flooding, erosion) shall be dedicated to the municipality.

The intent of the minimum lot frontage requirement is to ensure that the lot is of sufficient width to accommodate pedestrian and vehicular access, municipal services, utilities, and landscaping.

Given the extent of the relief requested, the proximity of the site to surrounding development and that the variances are sought to respond to comments from staff and the operational needs of tenants, staff views the intent of the maximum building height and minimum lot frontage requirements to be maintained.

### **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,

A handwritten signature in black ink, appearing to read 'Jeff Markowiak', is positioned below the text 'Reviewed and Approved by,'.

**Jeff Markowiak, Director of Development Review**

## **Notes**

### Development Engineering

- The required amount of land to be dedicated to the Town to accommodate the natural feature (Mansewood Creek) and its associated hazards (e.g. flooding, erosion) may slightly reduce depending on the size of the culvert structure proposed over the creek crossing (which is still to be approved by the Town and Conservation Halton). While the minimum lot frontage will not be impacted given it is measured from a point farther south from where the culvert structure is required, the Owner is advised that approval of this Minor Variance Application does not imply approval of the amount of land to be dedicated to the Town.

### Conservation Halton

- Prior to the initiation of works, a Permit must be obtained from Conservation Halton for the proposed development.

### 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.
- 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.