COMMITTEE OF ADJUSTMENT

Department of Planning and Building Services
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April 20, 2023

TO: Chairperson and Members of the Committee of Adjustment

SUBJECT: Minor Variance Application D13-02-2023
Beaverdams Road

PROPOSAL:

An application has been submitted for minor variance to permit a lot with reduced road frontage for industrial development.

1. To permit a reduction in lot frontage of 12 metres rather than the required 45 metres for an existing industrial lot.

Figure 1: Location Map

Site Description

The subject lands are located on the north side of Beaverdams Road east of Collier Road within the Delineated Built-Up Area and designated for General Industrial Uses. Adjacent land uses include a waste treatment facility, trucking logistics centre and asphalt and paving company. Beaverdams Road is a Regional Road and the lands are designated as Employment Area in the Region's Official Plan.

Background

The property is currently vacant and no development plans are proposed at the time of the application. The lot was created via consent on January 24th, 2022 and as a fulfillment of Condition 5 of that decision, a minor variance is being sought to recognize the reduced frontage for this flag-shaped industrial lot. The lot was created within the context of the Artisan Ridge community.

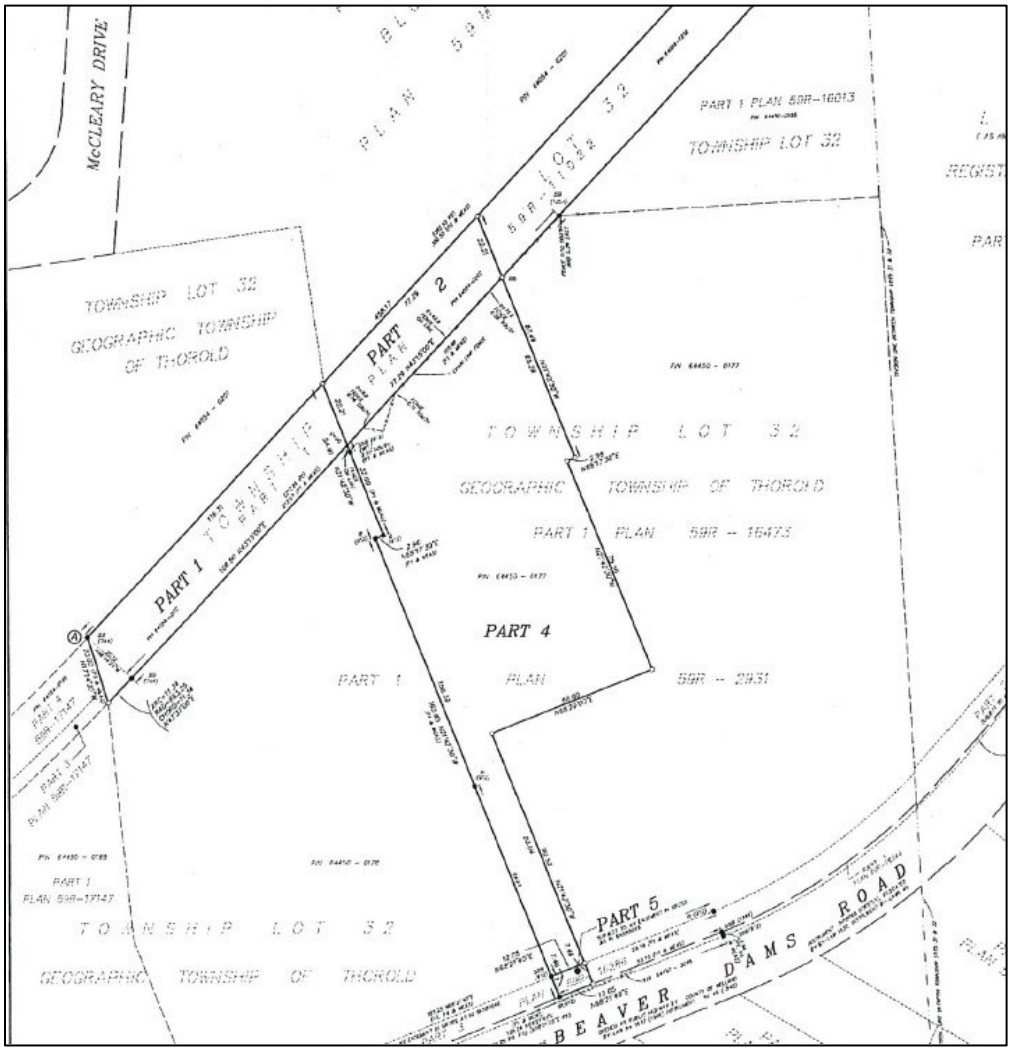

Figure 2: Severance Sketch

City of Thorold Official Plan

The subject property is designated as "General Industrial" within the City's Official Plan (OP). The purpose of the General Industrial designation is intended to accommodate a range of industrial uses including a range of uses from manufacturing; assembly; processing; fabrication; industrial storage, warehousing, and personal storage uses; to contractor's yards and construction uses; wholesaling establishments; as well as other uses permitted in the General Industrial designation.

Comprehensive Zoning By-law 60-2019

The subject property is zoned General Industrial (M2) under Comprehensive Zoning By-law 60-2019. The permitted uses include a variety of industrial uses such as light and heavy industrial uses including but not limited to manufacturing, outside storage, research and development uses, self-storage, accessory office uses, warehousing, vehicle equipment repair, and heavy industrial uses.

The subject lands area currently vacant but are intended for industrial uses in the future, however, these are not known at this time. A minimum lot frontage of 45m is required for the M2 zone and therefore a minor variance is required for the reduced frontage associated with the flag-shaped lot.

PLANNING REVIEW:

When considering a minor variance application the following four tests under Section 45(1) of the Planning Act must be considered.

1. Is the general intent and purpose of the Official Plan maintained?

The subject lands are designated "General Industrial" which permits a variety of industrial uses that require larger land area for storage or manufacturing. The purpose of the General Industrial designation is to identify employment lands where the City wishes to accommodate a wide range of industrial uses including manufacturing, processing as well as industrial trades and services. The City encourages intensification and/or the redevelopment of under-utilized lands located within the General Industrial designation for new employment uses through building expansion, conversion or reuse of existing buildings and infilling. The subject lands are currently vacant and are intended for industrial uses in the future

The flag-shaped lot was created with the intention to permit industrial uses that would be setback and further removed from view at Beaverdams Road. This is due to a large Storm Water Management pond being proposed along the frontage of the site. With this intent, the frontage of the lot was reduced from the 45m currently required in the M2 zone. Therefore a minor variance was required as a condition of consent granted in January 2022. The intended industrial use is consistent with the "General Industrial" land use designation and therefore meets the general intent and purpose of the City of Thorold Official Plan.

2. Is the general intent and purpose of the Zoning By-law maintained?

The subject lands are currently zoned General Industrial (M2) in the Comprehensive Zoning By-law 60-2019 which permits a variety of industrial uses including light and heavy industrial uses that require larger land area for storage or manufacturing. The site has an area of 0.975 hectares (2.41 acres) and proposes a frontage of 12.05m. Section 8.3 establishes performance standards for the industrial zones including the M2 zone. In this

case, the minimum lot frontage of 45m cannot be achieved, due to the irregular shape of the subject lands (flag-shaped lot). As a condition of the severance granted in January 2022, a minor variance is required to permit the reduction in lot frontage from 45m to 12.05m. This is a unique condition where the frontage along Beaverdams Road will be lined with a future stormwater management facility, which necessitated the access to the lands be narrowed to the 12.05m, to accommodate going around the stormwater management facility.

The future intended uses will be industrial, which as a result of the location of the SWM facility will be well removed from the street therefore having little impact on surrounding areas. The industrial zone permits a variety of uses, although the specific use not known as this time, industrial uses will be implemented at the time of development. Additionally, the variance will fulfill a condition of the severance that was granted in January of 2022 when the irregular shaped lot was created. As there are no anticipated impacts on adjacent lands, and the variance will implement a consent condition to permit the future use of the lands for industrial purposes, consistent with the M2 zone, the general intent of the Zoning By-law 60-2019 has been maintained.

3. Are the variances appropriate for the development of the land?

The subject lands will continue to be sufficiently sized for future industrial uses as the lot has an area of 0.975 hectares (2.41 acres). Any future development will also be screened from immediate view from Beaverdams Road, which means there will be little to no impact of this proposed industrial uses on adjacent lands. The subject lands are in an area intended for industrial uses and the proposed variance facilitates the development of the subject lands for this use and is therefore appropriate for the development of the lands.

4. Are the variances minor?

The proposed reduction in frontage will fulfill a condition of consent, and will have little to no impact on surrounding land uses and is therefore considered minor. The lands will continue to be suitably sized to permit future industrial land uses in an area surrounded by other similar industrial uses.

COMMENTS:

The application was circulated in accordance with the requirements of the Planning Act to property owners within 60 metres of the subject lands. The application was also circulated to internal departments and external agencies for comments, which are summarized below.

INTER-DEPARTMENTAL/AGENCY	COMMENTS
Building Department	No comments or concerns
Engineering Department	No comments or concerns

INTER-DEPARTMENTAL/AGENCY	COMMENTS
Tax Department	No comments or concerns
Bell Canada	No comments or concerns
Cogeco	No comments or concerns
Hydro One	No comments or concerns
MTO	No comments or concerns
Niagara Region	No comments or concerns

CONCLUSION:

It is the recommendation of Planning staff that the minor variance applications D13-02-2023 for lands addressed as Beaverdams Road in the City of Thorold be **approved.**

1) The application is consistent with or conforms to provincial, regional, and local policies, as applicable.

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