



# PLANNING REPORT

Corporation of the Town of Erin  
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**DATE:** April 10, 2024

**TO:** Justin Grainger, Secretary Treasurer  
Town of Erin Committee of Adjustment

**FROM:** Elaine Leung, Senior Planner, Macaulay Shiomi Howson Ltd.

**SUBJECT:** MINOR VARIANCE APPLICATION A04-24  
(2046582 Ontario Inc.)  
11 Thompson Crescent  
Town of Erin, Ontario

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## Application

The applicants request relief from Zoning By-law 07-67, as amended, to permit an addition to an existing industrial building with a minimum rear yard setback of 2.19 m, whereas the Zoning By-law requires a minimum rear yard setback of 7.5 m. Additionally, the applicants request a maximum lot coverage of 42.1% whereas the By-law requires a maximum of 40%.

The applicants request approval of this application in order to obtain site plan approval and a building permit for the proposed industrial building addition.

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## Recommendation

It is Planning Staff's opinion that the variances are minor in nature, desirable for the appropriate development of the land, and meet the intent of Erin's Official Plan and Zoning By-law, and therefore recommends **Approval** of the proposed variances.

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## DISCUSSION

Our Discussion of this application relative to the four tests under the *Planning Act* is as follows:

Four Tests	Discussion
That the general intent and purpose of the <b>Official Plan</b> is maintained.	<ul style="list-style-type: none"><li>The property is designated as Industrial – Erin Urban Area on Schedule A2 – Land Use, in the Town of Erin Official Plan.</li><li>Lands within the Industrial designation may be</li></ul>

	<p>used for a variety of industrial uses including but not limited to, manufacturing, processing, fabricating, assembly, warehousing and repair establishment.</p> <ul style="list-style-type: none"> <li>• The property is currently occupied by a steel manufacturing industrial facility, a permitted use within the Industrial designation.</li> </ul> <ul style="list-style-type: none"> <li>• Town Planning staff are of the opinion that the proposed variances are in keeping with the general intent and purpose of the Town of Erin Official Plan.</li> </ul>
<p>That the general intent and purpose of the <b>Zoning By-law</b> is maintained.</p>	<ul style="list-style-type: none"> <li>• The property is zoned General Industrial (M2). The General provisions for the M2 Zone are the same provisions as the Industrial (M1) Zone.</li> <li>• The general intent and purpose of the Zoning By-law is to regulate land uses and regulations, as it relates to the placement of buildings and structures on land.</li> </ul> <p><b>Minimum Rear Yard</b></p> <ul style="list-style-type: none"> <li>• The variance is requested in order to permit a minimum rear yard setback of 2.19 m, whereas the bylaw requires a minimum rear yard setback of 7.5 m.</li> <li>• The proposed addition will be constructed along the rear (east side) and interior side yard (west side) of the existing industrial building. Staff note that the interior side yard setback will comply.</li> <li>• The proposed addition would enclose a portion of the building at the rear, which is currently unenclosed. Therefore, the proposed rear setback would be simply matching the existing setback already established.</li> <li>• It is noted that the rear of the existing building is not visible from the road frontage.</li> </ul> <p><b>Lot Coverage</b></p> <ul style="list-style-type: none"> <li>• The variance requested is to permit a maximum lot coverage of 42.1%, whereas the By-law states that the maximum lot coverage is 40%.</li> <li>• The proposed addition is due to the need for expansion of the existing building for increased production.</li> </ul> <ul style="list-style-type: none"> <li>• The existing industrial building has been operating from this location for a number of years. The use will continue, and intent of the established industrial building will remain unchanged.</li> <li>• The existing building meets all other zoning</li> </ul>

	<p>requirements.</p> <ul style="list-style-type: none"> <li>• The requested relief of 2.1% appears to be negligible.</li> <li>• Staff is of the opinion that the variances meet the intent of the Zoning By-law.</li> </ul>
<p>The variances are <b>desirable</b> for the appropriate development and use of the land, building, or structure.</p>	<ul style="list-style-type: none"> <li>• The purpose of the proposed variances is to allow for the addition to an existing industrial building. The subject property is located within an industrial subdivision, and will continue to be used for industrial purposes.</li> <li>• The proposed addition will not have a negative impact on surrounding properties, as many properties in this area already have industrial buildings in operation, and the addition will not prevent these uses from continuing.</li> <li>• The requested variance as it relates to the rear of the subject property, is not visible from the road frontage on the building, and will be consistent with the existing setback already established.</li> <li>• There is a small row of mature trees along the frontage of the property. This will assist in providing some visual screening of the addition along the side of the existing building.</li> <li>• The nature and function of the subject property will remain as industrial use.</li> <li>• Staff are of the opinion that the variances are appropriate and desirable. The intent and character of the industrial use will be maintained.</li> </ul>
<p>The variances are <b>minor</b> in nature.</p>	<ul style="list-style-type: none"> <li>• The subject property is located in an industrial park and surrounded by industrial buildings directly to the north, east and south.</li> <li>• The addition to the rear of the building is not visible from the road frontage.</li> <li>• It does not appear that it will negatively impact the adjacent neighbour to the east, which would be most affected by the reduced rear yard setback. The adjacent property appears to have outdoor storage which is focused towards the front of the property, away from the proposed addition. Therefore, it would appear that the proposed addition would have minimal impact on the neighbouring property.</li> <li>• The industrial use on the subject property remains unchanged.</li> <li>• Staff are of the opinion that the variances are considered minor in nature.</li> </ul>

**PUBLIC, AGENCY, & TOWN COMMENTS**

- No concerns with the proposed Minor Variance application.

#### County of Wellington Roads

- As of writing this report, no comments received.

#### Town of Erin – Engineering Peer Review

- The new addition is approximately 3 m from the south property line and 2 m from the east property line, both of which appear to cut off fire access around two sides of the building. This concern should be discussed with the Emergency Services/ Fire Department.
- The proposed addition should include a grading plan to show a swale along the property lines and how runoff is managed.
- The proposed addition should confirm the sanitary septic system is sized to accommodate any additional washroom/waste water facilities.
- The existing fire route should be extended to the rear of the property and include enough space to turn around a fire truck. 90m is typically the maximum distance fire trucks are willing to “drive in and back out” of a location.
- The “refuse area” may interfere with the fire truck turnaround space at the rear of the property.
- The Town should consider requiring a site plan for the works on this property, in which case the above comments would be captured during site plan review.

#### Town of Erin Building Services

- As of writing this report, no comments received.

#### Town of Erin Fire Services

- Erin Fire Services is satisfied with the access to two sides of the building provided there are no obstructions.
- A turnaround will be required given that Fire cannot drive all the way around the building.
- Maximum back up distance is 90m.

#### Canada Post

- Canada Post has no comments on this application.

#### Grand River Conservation Authority

- The subject property is located outside of the GRCA regulated area, and therefore there are no comments.

In conclusion, Planning Staff is of the opinion that the requested variances meet the four tests of the *Planning Act*. We trust that these comments will be of assistance to the Committee in their consideration of this matter.

Sincerely,

Elaine Leung  
Senior Planner, Consultant on behalf of the Town of Erin

Attachment A – Site Plan