

TITLE: CONDITIONAL USE 1400 17th STREET EAST OWNER: KOCH FERTILIZER CANADA ULC APPLICANT: STEVEN FARMANER		
MEETING DATE: May 15, 2019		Page 1 of 3
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings	
PRESENTER: Sonikile Tembo, Community Planner	MANAGER: Ryan Nickel, Chief Planner	

RECOMMENDATIONS:

That Conditional Use Application C-02-19-B to allow for a temporary two-storey office building be approved at 1400 17th Street East (W ½ 18-10-18 WPM, Parcel B, Plan 38228 BLTO) in accordance with the letter of intent “Attachment A-1” and the site plan “Attachment B-2”, subject to the approval for the two-storey office building being valid for up to two (2) years from the date of approval.

BACKGROUND:

Request

The applicant, Steven Farmaner, is applying to allow for a temporary two-storey office building at 1400 17th Street East, to accommodate staffing needs until a permanent facility is constructed to the north of the subject site.

Conditional use approval is required to address temporary buildings as they are not listed in the Zoning By-law, and in accordance with Subsection 7(b), uses which are not listed in the Zoning By-law are subject to conditional use approval.

Development Context

The site is located to the east of 17th Street East and north of Richmond Avenue, and is surrounded by predominantly vacant industrial lots to the north, east, and south with developed industrial uses zoned Industrial General (IG) to the west. 17th Street East provides primary access to the site with railway access originating from the Canadian National railway located to the west of the site.

History

The owner applied for a similar conditional use in 2014 and got approval for the temporal two-storey office building for 5 years. The conditional use order expires on July 21, 2019. They have submitted a development permit application for a new administration building on 701 17th Street East. Until that building is functional, they continue to need this temporary structure.

ANALYSIS:

Approval of this two-storey office building will allow for the continued use of the building until the new administration building is complete, at which time, the temporary office building will be demolished or removed from site.

Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:***1. Will be compatible with the general nature of the surrounding area;***

The manufacturing plant has a mixture of indoor and outdoor industrial operations. The proposed building is an extension of the existing industrial use to assist with maintenance cycles and support work such as vessel maintenance, exchanger cleaning and equipment inspections and repairs. These repairs are necessary for continued operations of their facilities and general safety of the site. The building is intended to support the existing industrial operations of the plant.

2. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;

The proposed temporary two-storey office trailer will be located in the middle of the site which will be surrounded by the existing buildings and structures onsite. Due to the proposed location of this two-storey structure, it will not be visible from adjacent properties. Because of the size and scope of the existing operation, the building will not generate an adverse effect on adjacent lands. This structure will not expand industrial operations onsite, but will accommodate workers that provide maintenance services to existing facilities.

3. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law

The intent of the provisions regarding Temporary Buildings under Section 21 of the Zoning By-law is to accommodate temporary buildings on a site in connection with construction and development on a site. Although this building is not required for construction, it is required for ongoing maintenance and operations of the plant. The size of the site and the proposed location of the temporary structure is required to stay within all relevant setbacks set forth in the Zoning By-law.

Commenting Agencies

All comments have been addressed and summarized below.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 169 of The Planning Act, notice of Public Hearing regarding this application was sent to owners of property within 100 metres (328 feet) of the subject site and notice posters were posted on the site.

Public Outreach

In accordance with Section 13 of the Zoning By-law, no public outreach was required since the application does not result in the increase of intensity or density of use on the site. As of the writing of this report, the Planning and Buildings Department has not received representation in favour of or in opposition to this application.