



Minor Variance Application MV-2025-012

Staff Report to Committee of Adjustment

Report Number: MV-2025-012
 Property Address: 1100 Gorham Street
 Made By: Cathy Humpage & Kimberely Perdue
 Department(s): Planning Services
 Author(s): Peterson Rissis, Junior Planner
 Report Published: March 21, 2025
 Meeting Date: March 26, 2025

Recommendations:

That Minor Variance Application MV-2025-012 **be approved**.

Condition of Approval:

- In addition to the uses permitted in the EM-15 zone, a standalone retail clothing store shall be permitted in Unit 14 and have a maximum gross floor area of 200 m².

Advisory Comments:

- That the variance pertains only to the requests as submitted with the application; and,
- Failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Application Information:

An application for Minor Variance has been submitted by the tenants of the above-noted property to request relief from Zoning By-law 2010-40, as amended, to permit a change of use. The tenant is proposing a retail store (clothing), whereas the by-law does not permit a retail store as a permitted use.

Zoning Item	Permitted Uses	Proposed Use
Section 8.1 exception 15	<ul style="list-style-type: none"> • Banquet facility • Commercial recreation centre • Domestic animal care facility • Drive-thru facility • Emergency Service Facility • Laundromat • Light manufacturing • Medical Office • Micro-industrial Use 	To permit a Retail Store within Unit 14, with a maximum floor area of 200 m ²

	<ul style="list-style-type: none"> • Motor Vehicle Service Shop • Motor Vehicle Rental Establishment • Motor Vehicle Sales Establishment • Personal Service Shop • Personal Wellness Establishment • Private Club • Restaurant • Service or Repair Shop • Sports Arena • Studio • Veterinary Clinic • Warehouse • Wholesale Operations <p>In addition to the uses permitted in the EM zone (Section 6.5.1), the following uses are permitted:</p> <ul style="list-style-type: none"> • Beer store • Liquor store • Car radio sales and installation store • Luxury bathroom and kitchen retail store and show room 	
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Area Context

The above-described property (herein referred to as the “subject land”) is located in an employment area on the southeast corner of Gorham Street and Leslie Street. The subject land is occupied by an existing plaza that consists of various employment uses and various small-scale retail uses. The surrounding neighbourhood predominately consists of mixed employment uses, retail, and service commercial uses.

Current Official Plan Designation and Zoning

Official Plan Designation: Business Park – Mixed Employment
 Residential Character Area: Not applicable
 Zoning By-law: By-law 2010-40, as amended
 Zoning Classification: Mixed Employment Site-Specific Exception 15

Discussion:

The applicant is proposing to permit a Retail Store within the existing plaza, to be wholly located in unit 14 of the plaza and would have an approximate gross floor area of 195 m². The current zoning permits a limited number of retail uses but does not allow for a Retail Store on the subject lands.

To authorize a variance, the Committee must be satisfied that the requested variance passes the four tests required by the *Planning Act*. In this regard, staff offer the following comments:

Test	Discussion
1. Conformity with the General Intent of the Official Plan	<ul style="list-style-type: none"> The Mixed Employment designation permits a variety of uses, including service commercial, professional offices, research and development facilities, and manufacturing within wholly enclosed businesses (Section 6.3.2.1). There are a number of other commercial retail establishments in the plaza that are permitted in the zoning by-law. The proposed retail store is not dissimilar from these other retail uses. This test is met.
2. Conformity with the General Intent of the Zoning By-law	<ul style="list-style-type: none"> The current zoning permits a limited number of retail uses, including a beer store, liquor store, car radio sales and installation, and a luxury bathroom and kitchen retail store. The intent of limiting the number of retail uses under this zoning is to ensure that the employment remains the predominate land use on the site and to prevent large scale redevelopment of employment lands for commercial uses. The proposed retail store maintains this intent and would not introduce a land use to the site that is incompatible with the current permitted retail uses. Employment uses would still remain the predominate land use on the site, with the proposed retail store being wholly located within a single unit with an approximate gross floor area of 195 m². This test is met.
3. Desirable Development of the Lot	<ul style="list-style-type: none"> The proposed variance would allow for a retail use that is similar to the retail uses that are currently permitted by the zoning. The proposed retail clothing store would be limited to a single unit within the building and the primary land use of the subject lands would remain mixed employment uses. This test is met.
4. Minor Nature of the Variance	<ul style="list-style-type: none"> The proposed variance is not anticipated to have a significant impact on the existing uses of the subject property, as the proposed retail store is limited to a single unit within the multi-use building and is not anticipated to generate significant traffic volume to the site. Additionally, no exterior changes are proposed to the site through this application. This test is met.

Other comments:

- i. **Tree Preservation:** No trees would be required to be removed or are anticipated to be impacted by this application.
- ii. **Heritage:** The property is not designated under the Ontario Heritage Act or on the municipal list of non-designated properties.

- iii. **Effect of Public Input:** One letter of support for the application was received.
- iv. **Commenting Agencies and Departments:** All comments received are as of the date of writing this report.

Commenting Agency/Dept.	Date Received	Comment
York Region	03/14/2025	No comments on the application
Engineering Services	03/14/2025	No objection to the application. Please be advised that the application will require a review by the Building Department.
Building Services	N/A	No comments received
Lake Simcoe Region Conservation Authority (LSRCA)	N/A	Not applicable
Metrolinx	N/A	Not applicable

Staff Recommendation(s):

That the application **be approved** as the relief as requested:

- (1) Meets the general intent and purpose of the Official Plan;
- (2) Meets the general intent and purpose of the Zoning By-law;
- (3) Is considered desirable for the appropriate development of the lot;
- (4) Is minor in nature

Attachments

None

Submitted By:

P. Rissis

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Report Contact

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