

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-49/21
Location: 82 Woodlawn Road West
Hearing Date: October 14, 2021
Owner: Carbid Enterprises Limited
Agent: Julia Volkov, JV Training
Official Plan Designation: Service Commercial
Zoning Designation: Specialized Service Commercial 2 (SC.2-4) Zone

By-Law Requirements: The By-Law permits a variety of uses in the SC.2-4 Zone, but does not permit an animal boarding establishment. An animal boarding establishment is defined as a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are bred, raised, groomed, trained or kept for a fee on a temporary basis and may include overnight accommodation and outdoor facilities.

Request: The applicant is seeking relief from the By-Law requirements to permit an animal boarding establishment as an additional permitted use on the subject property.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That no overnight or continual 24-hour animal accommodations, including boarding is permitted.
 2. That no outdoor animal boarding establishment use or component is permitted.
 3. That prior to the issuance of any building permit(s) or business license, the applicant shall demarcate a minimum of 11 off-street parking spaces, including one (1) signed barrier-free parking space, to the satisfaction of the General Manager of Planning and Building Services.
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Comments

Planning Services

The applicant is proposing to establish a dog training and obedience facility on the subject lands at 82 Woodlawn Road West. Services would be offered in class sessions as well as one-on-one sessions with dogs and their handlers. The business would include an accessory retail storefront that occupies no more than 25% of the building's gross floor area. The applicant has indicated that all bookings are to be held during the daytime.

In reviewing the proposal, zoning staff have confirmed the use is considered to be an Animal Boarding Establishment, according to Zoning By-law (1995)-14864, as amended. The applicant has indicated that as part of the proposed animal boarding establishment, no overnight accommodations or outdoor programming proposed.

The subject lands contain an existing 181 square metre building. For service commercial uses in a building or mall of this area, 11 off-street parking spaces are required.

A minor variance to Section 6.4.3.2.4.1 of the Zoning By-law is required to permit an animal boarding establishment.

General Intent and Purpose of Official Plan:

The subject lands are designated 'Service Commercial' in the Official Plan. The "Service Commercial" land use designation permits a variety of service commercial uses as well as complementary uses such as commercial recreation or entertainment uses. Policy 9.4.5.1 indicates that the intent of this designation is to provide a location for highway-oriented and service commercial uses that do not normally locate within the downtown because of site area or highway exposure needs. Further, this policy describes service commercial uses as being a more intensive nature that may conflict with residential land uses. The purpose of the requested variance is to allow an animal boarding establishment as an additional permitted use on the subject property. The requested variance is considered to meet the general intent and purpose of the Official Plan.

The proposed use requires a large indoor site area and is not well suited to be in close proximity to residential areas. Further, dog training facilities in their operation are typically not well suited for downtown areas. Including the proposed use will contribute to a diversification of more service oriented uses, reducing the existing retail nature of this block. Service commercial areas are not intended to have a major retail focus.

Service commercial policies in the Official Plan permit complementary uses such as commercial recreation. The proposed dog obedience training use will function in a similar manner.

The use will have small related retail accessory component that is limited to less than 25% of GFA.

Planning staff are of the opinion that the proposed use meets the general intent and purpose of the Official Plan.

General Intent and Purpose of Zoning By-law:

The subject property is zoned "Specialized Service Commercial 2" (SC.2-4) according to Zoning By-law (1995)-14864, as amended. The "Specialized Service Commercial" (SC.2.-4) Zone was created to recognize existing uses when the 1995 Zoning By-law was approved and dating back to the current building's construction on the subject lands. The standard "Service Commercial 2" SC.2 zone does permit an animal boarding establishment. As such, a minor variance to Section 6.4.3.2.4.1 is required and being requested by the applicant.

The "Specialized Service Commercial 2" (SC.2-4) Zone permits a variety of uses that have a service and retail focus including the sale and display of electronics, furniture and other household furnishings, a food vehicle and accessory uses. Within a mall, a broader range of uses are permitted, including commercial entertainment, office, personal service establishment, public hall, recreation centre, vehicle specialty repair shop, among other uses.

As no outdoor dog training component or overnight accommodations are proposed by the applicant, Planning staff are of the opinion the use would function similar to animal care establishment. An animal care establishment is permitted in the parent SC.2 zone. The main difference between these uses is overnight and outdoor accommodations as well as breeding and raising of animals. All of these components of use do not form part of proposal. The only similarity identified in staff's review of the minor variance is training component.

The existing site plan layout has been reviewed by staff and 11 off-street parking spaces can be accommodated on the subject lands. In addition, while the adjacent properties are separately conveyable parcels, they are currently overseen by the same property manager who informally allows a shared parking area in the interior of the site. The applicant also indicated that the parking is not currently marked or striped. Demarcation of required parking, including the provision of designated barrier-free parking should be completed prior to the use commencing operations on the subject lands.

The requested variance is considered to meet the general intent and purpose of the Zoning By-law.

Minor in Nature:

Establishment of the proposed use results in no physical changes to the exterior building or site. The addition of the requested animal boarding establishment use would not substantially alter use of land. Other permitted uses in service commercial zoning are similar in nature (i.e. commercial entertainment, recreation centre, public hall, etc.).

As outlined by the applicant in the description of the business, no outdoor use or overnight boarding of animals is proposed. The subject lands with the requested

use is considered by Planning staff to be compatible with surrounding businesses, mainly due to its indoor only operation. It is noted that adjacent industrial zones to the north (B.3) and south (B.4) permit animal boarding establishments as of right within industrial malls.

While surrounding buildings share parking lot and driveway access, they are separated and operate independently. The closest building estimated to be 15 metres away.

The conditions recommended by Planning staff would ensure the proposed land use is minor in nature.

Desirable:

Further diversity of service related uses in the shared service commercial block. The requested use has specific indoor space requirements that are appropriate for a service commercial site. No sensitive land uses such as residential are within close proximity to the subject lands. The existing building the dog training facility will occupy is standalone with a dedicated parking area. No exterior physical changes to site are required to accommodate proposed use.

Planning staff are of the opinion the request is desirable for the appropriate development and use of the lands.

It is recommended the Committee approve the minor variance, subject to the conditions recommended above.

Engineering Services

Engineering has no concerns with the applicant's request of seeking relief from the By-Law requirements to permit an animal boarding establishment as an additional permitted use on the subject property.

We agree with recommendations made by the Planning and Building staff.

Building Services

Providing that the conditions recommended by Planning Staff are imposed, Building Services does not object to this application.

Comments from the Public

None

Contact Information

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