

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-21/23
Location: 51 Woodlawn Road West
Hearing Date: April 13, 2023
Owner: Vesterra 51 Woodlawn Inc.
Agent: Scott Patterson, Patterson Planning Consultants Inc.
Official Plan Designation: Commercial Mixed-Use Centre
Zoning Designation: Specialized Highway Service Commercial (SC.2-3)

By-Law Requirements: The By-Law allows a variety of uses in the SC.2-3 Zone, but does not permit an animal care establishment. An animal care establishment is defined as a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are groomed and/or kept for a fee on a daily basis, excluding overnight boarding and outdoor facilities.

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

Staff Recommendation

Approval

Comments

Planning Services

The subject property is designated "Commercial Mixed-Use Centre" in the Official Plan. The "Commercial Mixed-Use Centre" land use designation permits a variety of commercial, retail, and service uses, and community services and facilities. Policy 9.4.3.(a) indicates that the intent of this designation is to create a well-defined focal point and to efficiently use the land base by grouping complementary uses in close proximity to one another, providing the opportunity to satisfy several shopping and service needs at one location. The proposed use is suited for the subject property as it can provide an additional service to those working in and around the existing Commercial Mixed-Use Centre. Policy 9.4.3.7 of the Official Plan outlines that buildings in the Commercial Mixed-Use Centre must respect the character of the existing area and neighbourhood. The proposed animal care establishment will not impact the form, function, or development of the existing

uses as no physical changes to the property will be made. Therefore, the requested variance is considered to meet the general intent and purpose of the Official Plan.

The subject property is zoned "Specialized Highway Service Commercial" (SC.2-3) according to Zoning By-law (1995)-14864, as amended. The "Specialized Highway Service Commercial" (SC.2-3) Zone was created to recognize existing uses when the 1995 Zoning By-law was approved and dates back to the current building's construction on the subject property. The applicant is requesting a variance to permit an animal care establishment, whereas Section 6.4.3.2.3.1 of the Zoning By-law does not permit the use. The standard SC.1 and SC.2 Zones permit animal care establishments. The proposed animal care establishment is in a commercial plaza and easily accessible by car and bus. The addition of an animal care establishment in this commercial plaza will contribute to the diversity of services available to neighbouring communities. The requested variance conforms to the general intent and purpose of the Zoning By-law.

The proposed animal care establishment is minor in nature as it will operate out of the site's established building and utilize infrastructure already in place. Parking can be accommodated on site with the existing spaces. Additionally, planning staff are of the opinion that the animal care establishment use is compatible with the current specialized uses of the subject property. The animal care establishment will increase the number of service and retail options offered on site and is not expected to disrupt the neighboring businesses. An outdoor animal run is not proposed. The requested variance is desirable for the appropriate development of the land.

The requested variance is considered to meet the general intent and purpose of the Official Plan, meet the general intent and purpose of the Zoning By-law, is considered to be desirable for the appropriate development of the land and is minor in nature.

Staff recommend approval of the application.

Engineering Services

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

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

Building Services

The subject property is in the Specialized Highway Service Commercial (SC.2-3) Zone. The applicant is requesting a variance to permit an animal care establishment as an additional permitted use on the subject property. The proposed use of an animal care establishment is not included in the list of permitted uses in the specialized zone but is permitted in the parent Highway Service Commercial Zone. The building contains multiple units therefore uses the commercial mall parking ratio that is calculated as 1 parking space per 16.5 m² of gross floor area of the total building. The application states the building has a total gross floor area of 616

square metres which requires 37 parking spaces, that can be accommodated on the property.

Building Services notes any construction or alterations of the building will require a building permit.

Building Services has no objection to the minor variance application and supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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