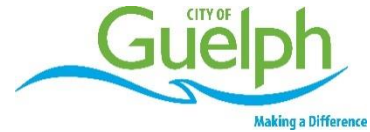


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-94/24
Location: 1030 Gordon Street
Hearing Date: December 12, 2024
Owner: MAR-COT Investments c/o Mario Cotorneo
Agent: Claudio Balbinot, Agora Research Group Inc.
Official Plan Designation: Mixed Office / Commercial
Zoning Designation: MOC(PA)(H12) (Mixed Office/Commercial, Parking Adjustment and Holding Provisions)

By-Law Requirements:

The property is located in the Mixed Office/Commercial (MOC)(PA)(H12) Zone with parking adjustment and holding provisions. A variance from Table 7.1 of Zoning Bylaw (2023)-20790, as amended, is being requested. The By-law requires that within the MOC Zone, medical clinic uses be permitted to a maximum of 400 square metres on a property.

Request: The applicant is seeking relief from the requirements of Zoning By-law (2023)- 20790, as amended, to permit a medical clinic use to a maximum of 1,682 square metres within the existing building.

Staff Recommendation

Approval

Comments

Planning Services

The subject property is designated as "Mixed Office / Commercial" in the City's Official Plan. The purpose of the Mixed Office / Commercial land use designation is (1) to allow for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings, (2) to ensure that a compatible transition in built form is provided between uses in this designation and surrounding residential properties, and (3) to allow for a range of compatible business uses adjacent to residential areas. The designation does not place a limit on the size of medical clinics in any way. As the proposed use is permitted, staff are satisfied that the proposed variance conforms with the intent of the Official Plan.

The subject property is also zoned "Mixed Office / Commercial" (MOC(PA)(H12)) according to Zoning By-law (2023)-20790. The purpose of this zone is to allow small-scale commercial, office, residential and mixed-use buildings within close proximity to residential areas, providing a transition in built form and allowing for a range of compatible businesses. The H12 holding provision indicates that the applicant must demonstrate that there are sufficient services on the site before new buildings or residential development takes place on the subject property. As no new construction is proposed, this holding provision would not impact the proposed application. Table 7.1 permits the medical clinic use on the site. However, Table 7.1 Additional Regulation 1 limits the Gross Floor Area (GFA) of the medical clinic use to a maximum of 400 square metres on a property. The applicant is requesting to remove the requirements set by the Table 7.1 Additional Regulation 1 in order to permit a proposed 1,682 square metres of medical clinic use. This will allow the entirety of the existing building to be used as a medical clinic use.

The intent of this provision is to increase the variety of services used to support the surrounding neighbourhood, and to ensure that adequate off-street parking could be provided for uses with high parking demand like medical offices. Staff note that most lands within the Mixed Office / Commercial zone have a much smaller lot size than the subject lands. Many of these lots are old residential dwellings that have been converted into office and commercial uses. The 400 square metre maximum in place for the medical clinic use and other permitted uses would help to ensure that these smaller lots would not be overdeveloped and have a negative impact on surrounding residential uses.

The 400 square metre maximum GFA for medical clinics represents roughly one-quarter of the site's existing GFA. However, given the size of the subject lands, the existing building, and the existing parking lot, the proposed variance ensures the adequate reservation of space for services essential to the surrounding neighbourhood without generating excessive noise or traffic in the area. As no new exterior construction is proposed and the existing parking area is sufficient to accommodate the medical clinic use, staff are satisfied that the proposed variance would not significantly impact the neighbouring residential properties and would meet the general intent of the Zoning By-law.

The proposed variance would allow for the existing structure to be renovated to accommodate demand for additional medical clinic uses within the existing underutilized building. It would also increase the ability for future tenancy of the property, as approximately 1,382 square metres of the building's 1,682 square metre GFA are currently left vacant. Additionally, the main entrance used to access both first floor and second floor units faces Gordon Street and away from neighbouring residential development. Therefore, impacts on nearby residential development would be negligible. For these reasons, staff are of the opinion that the proposed variance would be minor in nature and desirable for the appropriate development of the property.

In the opinion of planning staff, the requested variance meets the general intent of the Official Plan and Zoning By-law, are desirable for the appropriate development of the land, and are minor in nature.

Staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the requested variance. We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Mixed Office/Commercial (MOC)(PA)(H12) with a parking adjustment and holding provision. Permitted uses include a medical clinic, but the use is limited to 400 square metres on the property. The building historically has had multiple medical uses within it exceeding a floor area of 400 square metres.

The building area is 852 square metres. The parking requirement for a medical clinic with the PA suffix is a minimum of 3 spaces per 100 square metres of gross floor area and a maximum of 4 spaces per 100 square metres of gross floor area (36 spaces). The existing site parking can accommodate the medical clinic use in the entirety of the building.

A building permit is required prior to any renovations/construction, at which time requirements under the Ontario Building Code will be reviewed.

Building Services supports Planning and Engineering recommendations.

Comments from the Public

None

Contact Information

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