

**Filing Date:** February 12, 2021

**Hearing Date:** March 9, 2021

**File:** A-2021-0032

**Owner/  
Applicant:** PD COMMERCIAL MAYFIELD ROAD INC

**Address:** 1455, 1465 AND 1475 Mayfield Road

**Ward:** 6

**Contact:** Shelby Swinfield, Planner I

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**Recommendations:**

That application A-2021-0032 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

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**Background:**

Existing Zoning:

The property is zoned "Highway Commercial One – Special Section 2235 (HC1-2235)" according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit an office, including the office of a physician, dentist or drugless practitioner whereas the by-law does not permit office uses.

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the Official Plan and "Motor Vehicle

Commercial" in the Mount Pleasant Secondary Plan (Area 51). The intent of the Motor Vehicle Commercial designation is to provide services to the travelling public. The requested variance to permit office uses on the property contributes positively to that objective. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Highway Commercial One – Special Section 2235 (HC1-2235)" according to By-law 270-2004, as amended.

Variance 1 is to permit an office, including the office of a physician, dentist or drugless practitioner whereas the by-law does not permit office uses. The intent of the by-law in regulating the permitted uses on a property is to ensure that the uses can be appropriately regulated by the provisions of the existing zoning by-law. In the case of the subject property it will be developed as a commercial plaza with multiple commercial units. The requested uses are considered to be able to be appropriately regulated within the context of the existing zoning and are not considered to conflict with the permitted uses on site. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to facilitate office uses on the commercial property, including the office of a physician, dentist or drugless practitioner (e.g. physiotherapist). The proposed uses are considered to be complimentary to the overall commercial development and will assist in providing services to the surrounding residential area. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance proposes to allow office uses on the property, including the office of a physician, dentist or drugless practitioner. The uses are considered to be complimentary to the overall commercial development and are not anticipated to negatively impact the overall character of the development, while providing a necessary service to the surrounding area. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

*Shelby Swinfield*

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