



Report Committee of Adjustment

Filing Date: June 30, 2021
Hearing Date: August 3, 2021

File: A-2021-0143

**Owner/
Applicant:** Lamco Inc.

Address: 5 Dockstader Road

Ward: 9

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0143 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 the owner finalize site plan approval under City File SPA-2021-0012 and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and,
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The applicant has submitted a Minor Variance application to facilitate the construction of a Ford and Lincoln automotive retail facility with a showroom, sales offices, parts storage, and repair garage. An associated Site Plan application (SPA-2021-0029) is currently under review.

Existing Zoning:

The property is zoned 'Industrial One (M1-2262)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a building setback of 24.68m (80.97 ft.) from Dixie Road whereas the by-law requires a minimum setback of 20m (65.62 ft.);
2. To permit a setback of 26.90m (88.25 ft.) from Dockstader Road whereas the by-law requires a minimum setback of 8.0m (26.25 ft.);
3. To permit a 4.2m (13.78 ft.) wide landscaped open space strip along Dixie Road whereas the by-law requires a minimum 6.0m (19.68 ft.) wide landscaped open space strip along Dixie Road, except at approved intersections.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated "Industrial" in the Official Plan and "Prestige Industrial" in the Countryside Villages Secondary Plan (Area 48a). The proposed variances, which will facilitate the proposed development of an auto dealership, have no impact within the context of the policies of the Official Plan. The general intent and purpose of the Official Plan is maintained.

2. Maintains the General Intent and Purpose of the Zoning By-law

Variance 1 is requested to permit a building setback of 24.68m (80.97 ft.) from Dixie Road whereas the by-law requires a minimum setback of 20m (65.62 ft.). Variance 2 is requested to permit a setback of 26.90m (88.25 ft.) from Dockstader Road whereas the by-law requires a minimum setback of 8.0m (26.25 ft.). The intent of the By-law in regulating minimum building setbacks from roads is to ensure that the building is appropriately and uniformly positioned on the property in a manner that does not limit the functioning of the use on-site.

The proposed building contemplates a 4.68m (15.35 ft.) increase to the setback from Dixie Road and an 18.90m (62.00 ft.) increase to the setback from Dockstader Road. The auto dealership is proposed to have two separate drive throughs facing Dockstader Road which are anticipated to generate vehicle traffic. In order to mitigate potential vehicle traffic on Dockstader Road, the applicant has designed the building with increased setbacks from the road to facilitate a continuous flow of vehicles by providing space between the street and the entrance for cars to park and wait for the drive through. This setback reduces the potential for overflow of vehicles onto the road. Furthermore, the proposed increased setback from Dixie Road is required to ensure that the functioning of the site and the entrances to the site are positioned in a way that facilitate the orderly movement of vehicles. No negative on-site or off-site impacts are anticipated resulting from the variances. The variances will facilitate the orderly functioning of the future auto dealership. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

Variance 3 is requested to permit a 4.2m (13.78 ft.) wide landscaped open space strip along Dixie Road whereas the by-law requires a minimum 6.0m (19.68 ft.) wide landscaped open space strip along Dixie Road, except at approved intersections. The intent of the By-law in requiring a certain

width of landscaped open space is to provide for a visually pleasing streetscape and adequate amount of greenspace on site.

The reduction in the landscaping requirements still provides adequate perimeter landscaping that will not negatively impact the streetscape along Dixie Road. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances pertain to a Site Plan application that is currently under review by City staff. The requested variances would facilitate the efficient functioning and appropriate design of the proposed auto dealership. It is recommended that a condition be imposed limiting the extent of the variances to that shown on the sketch attached to the notice of decision, and that the applicant finalize site plan approval for the associated site plan application. Subject to the recommended conditions, the variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Subject to the recommended conditions, the proposed variances will facilitate the overall development of the site for an auto dealership. The variances are not anticipated to cause negative on-site or off-site impacts and will contribute to the well-functioning of the business. The variances are considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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