



## Report Committee of Adjustment

**Filing Date:** October 6, 2023  
**Hearing Date:** October 24, 2023  
**File:** A-2023-0299  
**Owner/  
Applicant:** 742634 Ontario Inc. c.o.b. as Main Street Centre  
**Address:** 2 Fisherman Drive  
**Ward:** WARD 2  
**Contact:** Satwant Hothi, Planner I, Development

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### **Recommendations:**

That application A-2023-0299 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 proposed office of a health care practitioner (Dentist) use be limited to Unit #14;
  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:**

#### Existing Zoning:

The property is zoned 'Highway Commercial One - Special Section 360 (HC1-360)', according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit an office of a health care practitioner (Dentist) as a permitted use whereas the by-law does not permit an office of a health care practitioner as a permitted use.

## **Current Situation:**

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

The property is designated 'Industrial' in the Official Plan and 'General Employment 2' in the Snelgrove Heart Lake Secondary Plan (Area 1). The intent of the General Employment 2 designation is to provide a broad range of industrial uses and ancillary uses without negatively impacting the viability of employment lands or employment operations. The subject site is found to be predominately office uses and the requested variance positively contributes to the site in this context. Furthermore, the property serves as the 'gateway' to the industrial uses, located directly to the west of the subject site and residential uses to the east and thus the requested variance are found to serve the residents and employees positively. The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent and purpose of the Official Plan.

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

The property is zoned "Highway Commercial One – Special Section 360" according to By-law 270-2004, as amended.

Variance 1 is requested to permit an office for a health care practitioner (Dentist) whereas the by-law does not allow an office of a health care practitioner as a permitted use. The intent of the by-law in providing a list of permitted uses is to ensure compatibility with other uses permitted on site. The permitted uses in 'HC1 – 360' are supporting services to the residential and industrial community and those passing through the area. The requested variance to allow for a dentist office is found to be compatible with existing uses on site and abutting industrial and residential lands. The dental office is found to serve the community fabric in a positive manner and subject to the recommended conditions of approval, the request variance maintains the general intent of the by-law.

### **3. Desirable for the Appropriate Development of the Land**

The requested variances are required to permit an office of a health care practitioner (dentist). Permitting an office of health care practitioner will not alter the character of the area or create any adverse impacts on existing uses. The purposes Dentist Office is found to contribute to the fabric of the employment and residential lands abutting the subject property.

Subject to the recommended conditions, the requested variance is considered to be desirable for the appropriate development of the land.

### **4. Minor in Nature**

The requested variance to permit an office of a health care practitioner (Dentist) use within the 'Highway Commercial Two (HC1-360) zone is considered consistent with the general intent and the purpose of the Official Plan, Secondary Plan and Zoning By-law. The use will function in a manner that is compatible with the existing uses on the site. Furthermore, no exterior modifications to the existing

building and unit is proposed thus limiting any negative impacts on the site. Subject to the recommended conditions, the variance is deemed minor in nature.

Respectfully Submitted,

*S. Hothi*

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Satwant Hothi  
Planner I, Development