

2023-12-08



**MINOR VARIANCE APPLICATION
COMMENTS TO THE COMMITTEE OF ADJUSTMENT
PANEL 2**

PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT DEPARTMENT

Site Address: 140 Lusk Street
Legal Description: Block 3, 4M-1634; Geographic Township of Nepean
File No.: D08-02-22/A-00283
Report Date: December 8, 2023
Hearing Date: December 12, 2023
Planner: Justin Grift
Official Plan Designation: Suburban Transect, Mixed Industrial Designation and is subject to Area Specific Policies, in particular Area 5: Barrhaven - Portion of Highway 416 Mixed Industrial and Industrial and Logistics Land
Zoning: IP[2265]H(12)

DEPARTMENT COMMENTS

The Planning, Real Estate and Economic Development Department **has no concerns with** the subject minor variance applications.

BACKGROUND

The Committee of Adjustment previously adjourned the subject application at the January 1, 2023 and September 5, 2023 hearings to allow the applicant time to revise the plans to address additional zoning deficiencies. The site is also the subject of a Site Plan Control application D07-12-22-0180.

DISCUSSION AND RATIONALE

The Official Plan designates the property Mixed Industrial in the Suburban Transect. The Official Plan provides policy direction to ensure Mixed Industrial Areas are preserved for low-impact industrial uses and employment uses. The property is also subject to area-specific policies i.e., Area 5, where hotels are a permitted use. Policy 5.2 of the Area 5 area-specific policies outlines maximum building heights for a portion of the Highway 416 lands designated Mixed Industrial. The maximum building height for the subject property is 12 metres.

The property is zoned Business Park Industrial Zone, Exception 2265 with a Maximum Height of 12 metres (IP [2265] H (12)). The purpose of the IP zone is to accommodate mixed office, light industrial, and complementary uses in business park settings and ensure compatibility between uses and adjacent non-industrial areas.

Staff has no concerns with minor variance a) to permit a reduction in loading spaces. Based on the gross floor area of the hotel, the Zoning By-law requires 2 loading spaces. The intent of the provision is to provide dedicated space on site for freight deliveries associated with a commercial and/or industrial use. As indicated in the application materials, the hotel's deliveries will be limited and made by a small delivery vehicle. In considering this operational context, staff is satisfied that the minor variance maintains the intent of the Zoning By-law. Staff note that the elimination of loading spaces on site, provide additional space for guest parking and soft landscaping.

Staff has no concerns with minor variance b) to permit a reduced parking aisle width of 6 metres along the western and southern portion of the parking lot. As shown on the site plan submitted with the application, the 6.0 metre drive aisles provide access to compact vehicle parking spaces which are smaller in length and width than standard parking spaces. The intent of the minimum 6.7 metre drive aisle width is to provide sufficient space to back out of parking stalls and for two vehicles to pass each other. Staff note that a 6.0 metre drive aisle is the standard requirement for residential buildings. The Transportation Project Manager reviewed the proposed reduction of aisle width during the Site Plan Control and did not have concerns regarding the circulation and layout of the parking area.

Staff is satisfied that both variance requests a) and b) meet the "four tests" outlined in Section 45 (1) of the Planning Act, R.S.O. 1990 c. P.13, as amended.

ADDITIONAL COMMENTS

Planning Forestry

The requested variances do not impact trees on or adjacent to this property. A full review of the Tree Conservation Report and Landscape Plan will be completed through the Site Plan Application process.

Transportation Engineering Services

Transportation Engineering Services provided comments on the Transportation Impact Assessment (TIA) Strategy through the ongoing Site Plan Control application.



Justin Grift
Planner I, Development Review, South
Planning, Real Estate and Economic
Development Department



Mélanie Gervais, RPP, MCIP
Planner III (A), Development Review, South
Planning, Real Estate and Economic
Development Department