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February 12, 2025  
Committee of Adjustment  
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**Committee of Adjustment**  
Received | Reçu le  
Project Number: P2224(03)  
**2025-02-13**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

**Attention: Secretary-Treasurer**

**Subject: Application for Minor Variance to Permit Larger Maximum Gross Floor Area of Automobile Service Station use at 1319 Johnston Rd**

On behalf of 2079 Artistic Place GP Inc, we are submitting the accompanying application and supporting documents to the Committee of Adjustment under Section 45(1) of the Planning Act to request a:

- Minor Variance

### Location of Project

The property is municipally known as 1319 Johnston Road and is located in the South Keys Neighbourhood in Ward 10 (Gloucester-Southgate). The property is legally described as parts 3-8 on Plan 4R-35581. The property is an irregular shaped block with a total area of 4.89 hectares and a frontage on Johnston Rd. **Figure 1** shows the location of the site.

Figure 1: Location of 1319 Johnston Rd



## Project Description

1319 Johnston is a light industrial parcel that was formerly the site of open storage yards for a landscaping company. The property was created through a consent to sever application in 2023 (D08-01-23/B-00116) and has recently been approved for a light industrial site plan (D07-12-24-0096). The approved site plan consists of eight (8) buildings with a total gross floor area of 14,484 m<sup>2</sup>, which will be developed over five phases.

The intention of the site plan is to develop the site with a variety of uses consistent with the existing light industrial zoning. The IL zone specifies that some permitted uses may not exceed a total floor area of 300m<sup>2</sup>. One of these uses is Automobile Service Station (defined below).

***Automobile service station means a place that:***

*(a) has one or more service bays or facilities for a mechanic to service and repair motor vehicles other than heavy vehicles, which may also retail fuel and other automotive products; or*

*(b) has one or more service bays which provide one or more single or specialized service product installation for motor vehicles other than heavy vehicles such as mufflers or oil changes; and*

*(c) may include sales of motor vehicles other than heavy vehicles in association with the automobile service station*

The developer of the site is seeking to include two businesses in phase 1 of the site plan that would be defined as Automobile Service Station: an automotive glass repair business of **305.1 m<sup>2</sup>** and a mechanic service business of **525.5 m<sup>2</sup>**. We are seeking a minor variance to permit the allowable gross floor area of an Automobile Service Station to be increased to **840 m<sup>2</sup>** total. Allowing this variance will facilitate the orderly development of the site and will have negligible impacts on the surrounding properties due to the surrounding pre-existing development. The proposed variance will only alter the internal uses, and no changes are proposed to the exterior.

## Site Context & Surrounding Area

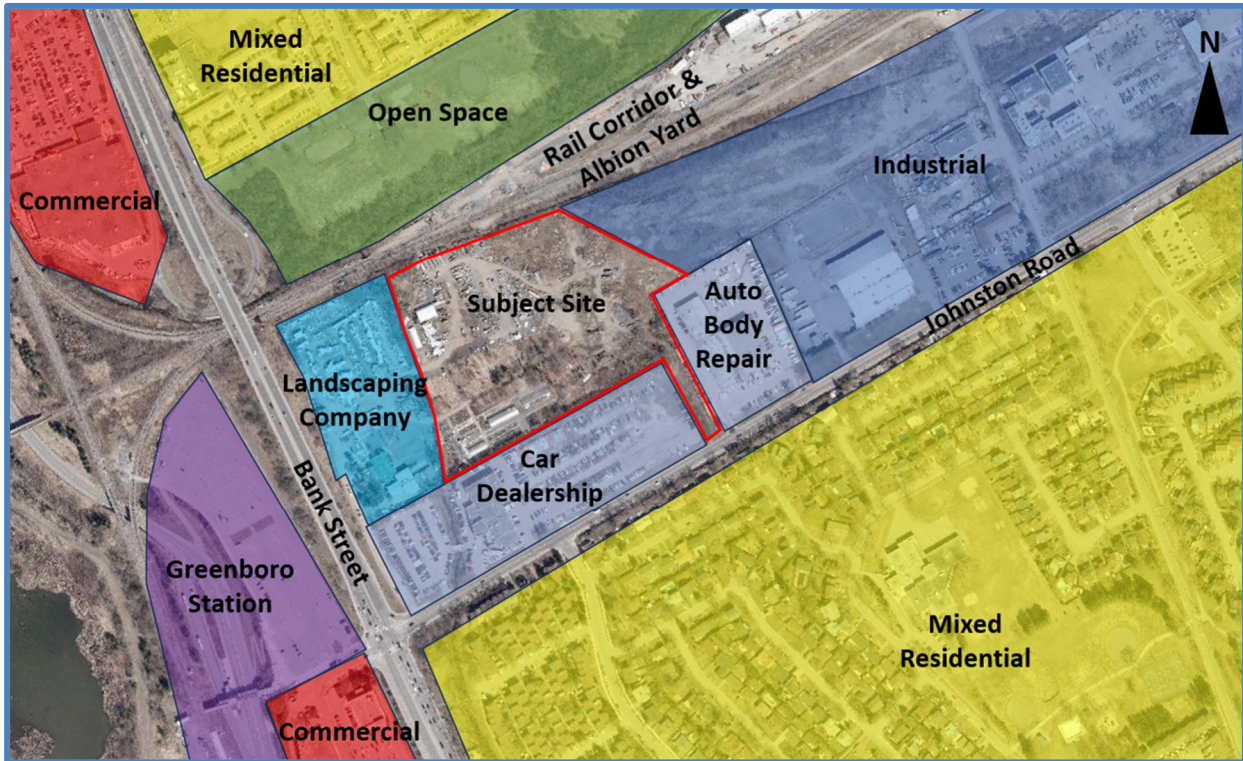
The site is a flag shaped property and has a long narrow passage which provides access to Johnston Road. Due to the shape of the property the proposed buildings will be set back more than 100 metres from Johnston Road

The site is within the Outer Urban transect and is designated as Industrial and Logistics. It is surrounded by uses consistent with the industrial and logistics designation.

- North - The Ottawa Central Railway corridor and Albion Rail Yard is directly to the north. Beyond the railway corridor is land zoned for community leisure, Ledbury Park
- East - Additional industrial lands containing open storage and addressed as 3196 Albion Rd are to the northeast. To the southeast is the Donnelly Fleet Repair and Collision Center which would be considered an Auto Body Shop and is approximately 3500m<sup>2</sup>.
- South - To the south is Southbank Dodge car dealership and Johnston Road. Beyond is the mixed residential neighbourhood of South Keys-Greenboro West.
- West - To the west are lands operated by a landscaping company with sales and open storage. Beyond is Bank Street, South Keys shopping mall, and Greenboro Station.

**Figure 2** shows the surrounding uses in relation to the site.

Figure 2: Uses Surrounding 1319 Johnston Road



## Supporting Information

### Zoning

1319 Johnston is zoned as IL – Light Industrial. As outlined in the zoning bylaw the purpose of the IL zone is to:

- (1) permit a wide range of low impact light industrial uses, as well as office and office-type uses in a campus-like industrial park setting, in accordance with the Employment Area designation of the Official Plan or, the General Urban Area designation where applicable
- (2) allow in certain Employment Areas or General Urban Areas, a variety of complementary uses such as recreational, health and fitness uses and service commercial (e.g. convenience store, personal service business, restaurant, automobile service station and gas bar), occupying small sites on individual pads or in groupings as part of a small plaza, to serve the employees of the Employment or General Urban Area, the general public in the immediate vicinity, and passing traffic;
- (3) prohibit retail uses in areas designated as Employment Area but allow limited sample and showroom space that is secondary and subordinate to the primary use of buildings for the manufacturing or warehousing of the product;
- (4) prohibit uses which are likely to generate noise, fumes, odours, or are hazardous or obnoxious; and
- (5) provide development standards that would ensure compatibility between uses and would minimize the negative impact of the uses on adjacent non-industrial areas.

A wide range of uses are permitted in the Light Industrial zone, including several uses that are limited in size through provisions in the zone:

### Section 203

(2) *The following uses are also permitted subject to:*

- (b) the cumulative total gross floor area for these uses not exceeding 2,999 m<sup>2</sup> ;*
- (c) each use not exceeding 300 square metres of gross floor area; and*

The intent of these size restrictions is to permit a variety of complementary small scale services to serve employees and the general public in the local area. In addition, the limited size reduces the potential for impacts on adjacent residential areas through uses that generate noise, fumes, odors, or are hazardous or obnoxious. Automobile Service Station is one of the uses subject to section 203(2).

### Minor Variance

The Application proposes the following variance:

1. **Permit that the maximum gross floor area of an Automobile Service Station be 840 square metres whereas the by-law permits the maximum gross floor area of an Automobile Service Station be 300 square metres**

### Four Tests of Minor Variance

#### Is the proposed minor variance minor?

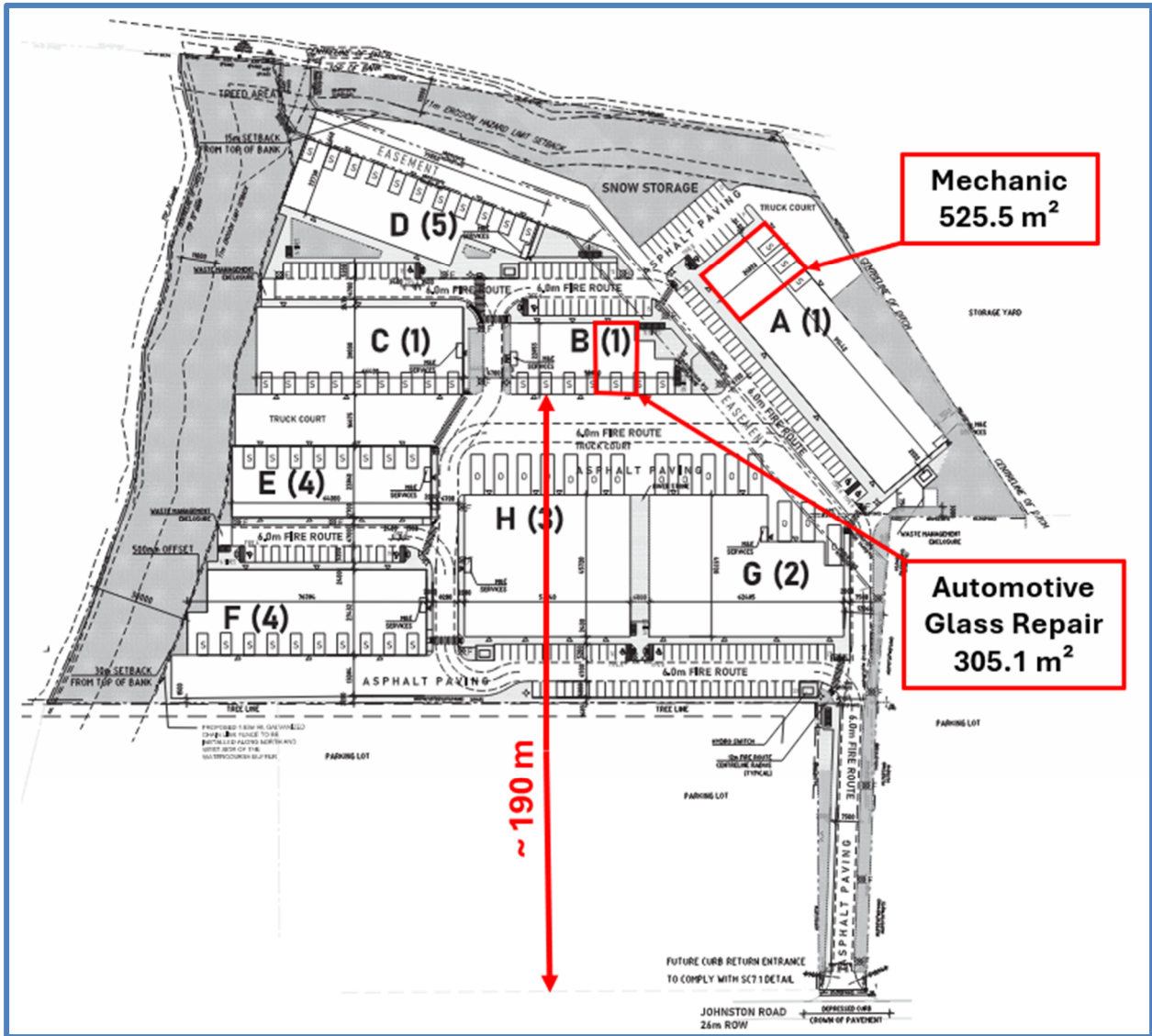
The requested variance is minor in nature due to the limited impact it will have on surrounding properties. Due to the shape of the site, setbacks in excess of 100 metres from Johnston Road provide ample distance to mitigate any additional generation of noise, fumes or odors (see **Figure 3**). Additionally, the surrounding uses further mitigate any potential impacts, with a train yard to the north, additional industrial lands to the east and west, and a large automotive body shop to the south.

The Automotive Service Stations use will not be a major use within the site, making up only **830.6 m<sup>2</sup>** of the total 14,484 m<sup>2</sup> gross floor area. The remaining uses are intended to be a mix of uses permitted in the Light Industrial zone.

This property is constrained by its limited access to Johnston Road, which required eight buildings be developed on a single parcel of land. If each building was individually sited on its own property, each would be permitted to have an automobile service station use of 300m<sup>2</sup> (2400m<sup>2</sup> total). The requested variance is far smaller than this theoretical situation and would have less of an impact than what would be permitted if the property had a different shape.

The requested variance will not have an impact on the character of the neighbourhood or the visual appeal to surrounding neighbours due to the large setbacks and surrounding uses. There are no anticipated adverse impacts to neighbouring properties that would result from the proposed variance.

Figure 3: Proposed Automotive Service Station use on 1319 Johnston Road



**Are the requested variances desirable for the appropriate development or use of the land, building, or structure?**

The requested variance is desirable because it allows for the orderly development of the property in an economically reasonable manner. The Automotive Service Station use is an appropriate use for this site and is not the primary occupant, with the proposed use only being **5.7%** of the total floor area of the development. The mechanic service and automotive glass repair businesses would add to the local service mix and provide jobs and services to the local area. Additionally, due to the shape of the subject site, these uses can be included in the area without being on Johnston Road, where they would be close to the nearby residential area.

### **Does the application conform to the general intent and purpose of the Zoning By-law?**

The intent of the Zoning By-law is to prevent adverse impacts on adjacent lands as well as “*permit a wide range of low impact light industrial uses*” including “*a variety of complementary uses such as... automobile service station... to serve the employees of the Employment... Area, the general public in the immediate vicinity, and passing traffic*”. These uses are limited in size to minimize their potential impacts, however that does not allow for consideration of lot size and shape. In this case, the proposed Automobile Service Station use would only be a minor occupant on the site, compared to the total gross floor area of the site plan.

As per section 203 (2)b of the zoning bylaw, the cumulative area of all uses that are conditionally permitted may not exceed 2,999m<sup>2</sup>. The proposed Automotive Service Station and remaining uses proposed in Phase 1 will not exceed the maximum stated in this provision.

The requested variance will support this development without causing impacts to surrounding uses. There will be no perceptible difference experienced by the residents of the neighbourhood to the south.

### **Does the application conform to the general intent and purpose of the Official Plan?**

The requested variance conforms with the general intent and purpose of the Official Plan. 1319 Johnston is located within the Outer Urban Transect and is designated as Industrial and Logistics. This designation is characterised by uses that “*cannot fully integrate with sensitive land uses and are not suited or are priced out of other designations... These uses may impact other surrounding uses due to emissions, such as odours, dust, smoke, heavy equipment movement, light or noise*”. The Industrial and Logistics designation permits Automotive Service Stations as a primary use in section 6.4.1

#### **6.4.1**

2) *The following uses are permitted in the Industrial and Logistics designation as shown on Schedules B1 through to B8:*

c) *Auto service and body shops, heavy equipment and vehicle sales and service;*

The built form and site design of the industrial site plan and lot are consistent and fit well into the Industrial and Logistics context. Further, the proposed variance will not alter the massing and scale of the building and will have no impact on the streetscape. Any emissions of odors, fumes or noise will be mitigated by setbacks greater than 100 metres from Johnston Road and the surrounding uses of adjacent properties. Therefore, the general intent and purpose of the Official Plan are maintained.

### **Consultation**

Consultation with development review staff was undertaken in January 2025 (Elizabeth King, Planner I, Development Review All Wards).

Consultation with Hayley Murry, Planning Forester, indicated that no TIR was required to be prepared for this application however she requested that we provide a copy of the Tree Conservation Report that was previously submitted and reviewed through the Site Plan Control application.

## Special Request

Elevations are a mandatory submission requirement of a minor variance application and are included with this submission. However we note that the requested minor variance is internal to the proposed buildings only and has no implications related to the building exterior.

The provided elevations were reviewed and approved through the approved site plan control application (D07-12-24-0096). The site is an industrial condominium and needs the flexibility to adjust the location of doors, windows and loading bays to suit tenant needs as the building permit application is being prepared. The approved Delegated Authority Report includes a condition that these elements may be revised without a site plan revision. We respectfully request that, if approved, the minor variance is not tied to the submitted elevations but instead be tied to the site plan approval.

Consultation with Michel Bellamare, Committee of Adjustment Secretary-Treasurer, in January 2025, indicated that this request should be made directly to the committee.

## Supporting Documents

- Registered Plan 4R-35581, prepared by Stantec Geomatics Ltd, dated June 21, 2023.
- Approved Site Plan prepared by Allan Stone Architects Ltd, dated Oct 28, 2024.
- Approved Elevation Drawings for Buildings A & B prepared by IDEA, dated October 28, 2024
- Committee of Adjustment Minor Variance Application Form
- Tree Conservation Report prepared by CSW Landscape Architects Ltd, dated October 7, 2024.
- Record of communication with Michel Bellamare, Committee of Adjustment Secretary-Treasurer, regarding request to tie approval to site plan approval.

## Summary

The proposed variance at 1319 Johnston Road maintains the intent and purpose of the City of Ottawa Official Plan (2022) and the Zoning By-law 2008-250 by providing complementary small scale commercial services on a large light industrial site. The proposed variance is minor in nature and will not cause any adverse impact on surrounding properties.

Yours truly,  
**JFSA Canada Inc.**



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