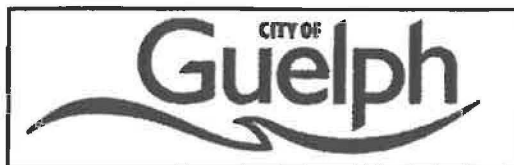


COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 9, 2021	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-20/21

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes ☒ No ☐
Site Plan Meeting on March 11, 2020

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: 101 Cooper Drive, City of Guelph

Legal description of property (registered plan number and lot number or other legal description):

Part of Block 5, Registered Plan 61M-176, Parts 1,2 and 3 of Reference Plan 61R-21505,
City of Guelph, County of Wellington

REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name:	Shawn Fitzgerald CSCMP (CPP), CPSM Vice President, Enterprise Procurement & Workplace Services at The Co-operators 10952893 CANADA INC.		
Mailing Address:	130 Macdonell Street		
City:	Guelph, Ontario	Postal Code:	N1H 6P8
Home Phone:		Work Phone:	1-800-265-2662
Fax:	(519) 823-6944	Email:	shawn_fitzgerald@cooperators.ca

AGENT INFORMATION (If Any)

Company: Astrid J. Clos Planning

Name: Astrid Clos, MCIP, RPP

Mailing Address: 423 Woolwich Street, Suite 201

City: Guelph

Postal Code N1H 3X3

Work Phone: (519) 836-7526

Mobile Phone:

Fax:

Email: astrid.clos@ajcplanning.ca

Official Plan Designation:

Industrial and Corporate Business Park

Current Zoning:

Specialized Industrial B.2-6 and B5 Zones

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):**Minor Variance 1**

That loading spaces be permitted within an Exterior Side Yard where Section 7.4.4.3 of the Zoning By-law does not permit Loading Spaces to be located within an Exterior Side Yard in the B.5 Zone.

While the zoning by-law does not permit a loading space to be located within an Exterior Side Yard, section 7.4.4.3 of the zoning by-law does include a regulation related to providing a *"landscaped strip consisting of trees, shrubbery and/or berms shall screen the Loading Space so that it is not visible from any public Street."* In this case, the proposed Site Plan and Building Elevation have been provided to illustrate that while the loading space is located in an Exterior Side Yard, the building/loading space will be located at a lower elevation than the abutting Hanlon Expressway and Cooper Drive. In addition, landscaping and a berm are being provided to further screen the Loading Space from the abutting public streets. The subject property has abutting streets on three sides. ie. Hanlon Expressway, Cooper Drive and Quarterman Road. The proposed Loading Space access from Cooper Drive is located at the stub end of Cooper Drive where it will not interfere with other traffic to the front door of the proposed

Co-operators head office. The only side yard available on the site to provide a Loading Space in compliance with the zoning by-law, would require pulling trucks deep into the site from Quarterman Road and would interfere with the amenity space function proposed for Co-operators employees on this side of the building. The proposed minor variance is in keeping with the general intent of the Official Plan and Zoning By-law, is minor and represents desirable development of the site.

"7.4.4.3. Off-Street Loading Space Requirements – B.5 Zones No Loading Spaces shall be located in the Front Yard or Exterior Side Yard or any Yard between a Lot Line abutting Hanlon Road or Hanlon Parkway and the nearest wall of the Main Building on the same Lot. A landscaped strip consisting of trees, shrubbery and/or berms shall screen the Loading Space so that it is not visible from any public Street."

Minor Variance 2

That parking accessory to an office use be added to section 7.3.2.6.2 within B.2-6 Zone where section 7.3.2.6.1 of the Zoning By-law does not permit an office use.

The subject property is included within two zones; Specialized Industrial B.2-6 and B.5. A freestanding office is a permitted use within the B.5 Zone. The proposed office building is located within the B.5 Zone.

The B.2-6 Zone does not permit a freestanding office. Parking related to an office permitted in the B.5 Zone is proposed to be located within the B.2-6 Zone.

The proposed minor variance is not to permit an Office use within the B.2-6 Zone, but just to permit the accessory parking of vehicles for an Office use.

The proposed parking access and configuration has been reviewed by City staff through the Site Plan process. Whether the parking is permitted for a use that is permitted in the B.2-6 Zone or for a use permitted within the abutting B.5 Zone, the effect on the site of providing a parking area is the same. In the fullness of time if the full extent of the parking is not required for the office use, approval of this minor variance would not interfere with a use permitted in the B.2-6 Zone being implemented. (possibly with a future severance application)

The proposed minor variance is in keeping with the general intent of the Official Plan and Zoning By-law, is minor and represents desirable development of the site.

Why is it not possible to comply with the provision of the by-law? (your explanation)

The only side yard available on the site to provide a Loading Space in compliance with the zoning by-law, would require pulling trucks deep into the site from Quarterman Road and would interfere with the amenity space function proposed for Co-operators employees on this side of the building.

The Co-operators head office has a high density of employees requiring that the proposed parking be provided.

PROPERTY INFORMATION

Date property was purchased:	2019	Date property was first built on:	vacant
Date of proposed construction on property:	Upon issuance of a Building Permit.	Length of time the existing uses of the subject property have continued:	unknown

EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Vacant block within the Hanlon Creek Business Park.

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Office with a gross floor area to be provided in phases:
Phase 1 - 21,081 m² Phase 2 - 5,574 m²

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan) Please see the plan provided.

Frontage: 250 m (Quarterman Road) Depth: (irregular) Area: 78,211 m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)

EXISTING (DWELLINGS & BUILDINGS) N/A			PROPOSED (Please refer to the Site Plan provided)		
Main Building			Main Building		
Gross Floor Area:			Gross Floor Area:	Phase 1 - 21,081 m² Phase 2 – 5,574 m²	
Height of building:			Height of building:	3 storeys	
Garage/Carport (if applicable)			Garage/Carport (if applicable) N/A		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND

EXISTING N/A			PROPOSED (Please refer to the Site Plan provided)		
Front Yard Setback:		M	Front Yard Setback:	237.95 m	
Exterior Side Yard (corner lots only)		M	Exterior Side Yard (corner lots only)	30.79 m	
Side Yard Setback:	Left: M	Right: M	Side Yard Setback:	Left: M	Right: 56.43 m
Rear Yard Setback		M	Rear Yard Setback	24.15 m	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway ☐ Municipal Road ☒ Private Road ☐ Water ☐ Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)Water ☒Sanitary Sewer ☒Storm Sewer ☒

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP19-039
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not yet submitted.
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

e-Signed by Shawn Fitzgerald
on 2020-03-19 16:18:25 EDT

2020-03-19

Shawn Fitzgerald, 10952893 CANADA INC.
Signature of Owner

Date

AFFIDAVIT

I, Astrid Clos, Astrid J. Clos Planning Consultants, of the City of Guelph in County of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Astrid Clos, Astrid J. Clos Planning Consultants
Signature of Agent

MARCH 19, 2020

Date

NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

City of Guelph in the County of Wellington this 19TH day of MARCH, 2020.

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021.



Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I, the undersigned, being the registered property owner(s) of 101 Cooper Drive, Guelph hereby authorize
(municipal address)

Astrid Clos, Astrid J. Clos Planning Consultants as my agent for the purpose of submitting an application
(Authorized agent's name)

to the Committee of Adjustment and acting on our behalf in relation to the application.

e-Signed by Shawn Fitzgerald
on 2020-03-19 16:18:25 EDT

2020-03-19

Shawn Fitzgerald, 10952893 CANADA INC.
Signature of the property owner

Date

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.