

March 9, 2021

Juan da Silva
City Clerk's Office
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Mr. da Silva,

**RE: Minor Variance Application, 144 Watson Road N, Guelph ON
OUR FILE 10139AR**

I am writing on behalf of our client, Watson Park Apartments Limited (c/o Realstar Management), with respect to the above referenced property. The property consists of one residential apartment building located on 144 Watson Road. The lands are designated '*Community Mixed Use Centre*' in the City of Guelph Official Plan and are zoned as '*Specialized Residential Zone*' (R.4B) in the City of Guelph Comprehensive Zoning By-law (1995) – 14864.

The enclosed Minor Variance application has been submitted in order to seek permission for the reduction of visitor parking spaces in order to increase the amount of tenant parking spaces. Specifically the Minor Variance application is being submitted to seek relief from Zoning By-law regulation 4.13.6 which permits a minimum visitor parking requirement of 20% of the total required number of parking spaces.

PROPOSED VARIANCE:

The enclosed application requests relief from Section 4.13.6 of the Zoning By-law to reduce the amount of parking required for visitors, from 20% to 15% of the calculated total. This will reduce the total visitor parking from 32 stalls to 24 stalls. The existing development includes 133 residential units with a total of 160 parking spaces, 32 of which are visitor spaces. The development meets the minimum requirements for parking.

In our opinion, the proposed variance satisfies the criteria of Section 45(1) of the Planning Act in that:

- The variance is minor;
- The variance is desirable for the appropriate use of the land, building or structure; and,
- The general intent and purpose of the City's Official Plan and Zoning By-law is maintained.

The following is a summary of our analysis:

The Variance is Minor:

The variance requests permission for a reduction in the required number of visitor parking spaces from 20% of the calculated total to 15%. No additional floor area is being added to the development and no parking will be removed as part of this application. The request would result in a reallocation of existing parking stalls. The Committee of Adjustment has previously approved a reduced visitor parking rate of 15% for other developments within the City by way of variance.

The Variance is Desirable for the Appropriate Use of the Land, Building or Structure:

There will be no change to the building or site layout as a result of the proposed variance. The existing development is a purpose built residential apartment building. Increasing the tenant parking by reducing visitor parking remains appropriate for the higher density residential land-use. Through leasing units within this building the Owner has identified a need for additional tenant parking.

In reviewing the appropriateness of the minor variance request we reviewed zoning by-laws for other municipalities and confirm that both the City of Waterloo and City of Kitchener have moved towards a visitor parking rate of 10%, less than the variance being requested in this instance.

The General Intent and Purpose of the Town's Official Plan is Maintained:

The subject lands are designated in the City of Guelph Official Plan as as being within a *Community Mixed Use Centre*. It is the intent that Community Mixed Use Centre's facilitate a variety of high density residential and employment uses with a range of commercial uses.

According to section 9.4 of The Official Plan, *Community Mixed Use Centre's* are to provide a mix of residential, commercial, and office space that support live/work opportunities.

The use of the property is not proposed to change and the lands will continue to provide housing units within a high density development, contributing to the overall range of housing types within the area. The property will continue to conform to the requirements set out in the Official Plan, providing high density residential use with 133 residential units, and supports the vision of walkability and live/work opportunities.

The General Intent and Purpose of the Town's Zoning By-law is Maintained:

The objective of the parking standards of the Zoning By-law is to ensure that sufficient area and spaces are provided such that parking demand generated on site can be met.

The subject lands are zoned R.4B-17, which is a specialized R.4B zone containing site specific regulations, including a reduced parking rate. Under the current site-specific zoning, a minimum of 1.2 parking spaces per dwelling unit is required. Based on the total unit count of 133 units, there is a requirement of 160 spaces. We confirm that the parking meets the minimum parking requirement without any surplus parking.

The Zoning By-law requires a minimum of 20% of the calculated total required parking spaces shall be provided for the use of visitors. The spaces are to be located above grade and clearly identified as being reserved for the exclusive use of visitors. Based on the total parking requirement of 160 spaces, a total of

32 visitor spaces are required. We confirm that the current parking meets the minimum visitor parking requirement without any surplus parking.

The current owner has identified a need for increased tenant parking. By reducing the minimum requirement for visitor parking we are able to accommodate this need without sacrificing outdoor amenity or landscape area on the site. We note that the visitor parking requested is a minimum requirement only. Should, over time, there be less of a demand for parking by tenants, the amount of visitor parking provided can always be increased. However, based on our experience with other similar developments, and our client's experience managing several rental properties, it is our opinion that 15% will be sufficient for visitor parking over the long term.

In our opinion the Variance maintains the intent of the Zoning By-law which is to provide sufficient on-site parking for the intended use. Once again, the total parking on the site will not be reduced as a result of this application, some of the existing parking will just be reallocated from visitor to resident. In our opinion, the visitor parking reduction is minor. No new residential floor area is being added and no new units will be created within the existing building. The application ensures the efficient use of the property and building. Without the reduction in visitor parking, there is potential of spillover parking on adjacent streets by residents which would have more of an impact than any potential short-term on street parking by visitors.

In our opinion the proposed variance is appropriate and meets the criteria of Section 45(1) of the Planning Act.

We kindly ask that you process our application such that it can be considered at the April 8 Committee of Adjustment hearing. In support of our application, please find enclosed the following

1. One (1) original signed application, witnessed by a Commissioner of Oaths plus two (2) copies of the completed application form;
2. Two (2) copies of the current site plan showing existing visitor parking; and
3. One (1) cheque in the amount of \$1,093 made payable to the City of Guelph.

I trust the enclosed satisfies your requirements to process this application. If you have any questions or require anything further, please do not hesitate to call.

Yours truly,

MHBC



Andrea Sinclair, MUDS, BES, MCIP, RPP



Gillian Smith, MSc

Cc. *Jonathan Masse*