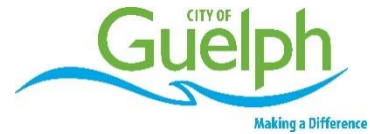


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-10/21 and B-11/21
Location: 816 Woolwich Street
Hearing Date: May 13, 2021
Owner: The Guelph Curling Club Ltd.
Agent: Dave Aston and Emily Elliott, MHBC Planning
Official Plan Designation: Commercial Mixed-use Centre
Zoning: Specialized Community Shopping Centre (CC-29)

Request: The applicant proposes the following as shown on the attached plans:

File B-10/21 – Proposed Parts 2 to 5 (severed Parcel B)

- a) Severance of a parcel of land (Parcel B, proposed Parts 2 to 5) to create a lot with frontage along Woolwich Street of 12.4 metres and an area of 21,735 square metres.
- b) Creation of a 1,423.2 square metre easement (proposed Part 3) over a portion of the proposed severed Parcel B for access in favour of the proposed retained Parcel A and proposed severed Parcel C.
- c) Creation of a 961.9 square metre easement (proposed Part 4) over a portion of the proposed severed Parcel B for access in favour of the proposed severed Parcel C.
- d) Creation of a 1,139.6 square metre easement (proposed Part 5) over a portion of the proposed severed Parcel B for access to a parking area in favour of the proposed severed Parcel C.

File B-11/21 – Proposed Part 6 (severed Parcel C)

- a) Severance of a parcel of land (Parcel C, proposed Part 6) to create a lot with frontage along Woolwich Street of 96.5 metres and an area of 4,792.6 square metres.

The retained Parcel A (proposed Part 1) is proposed to have a frontage along Woolwich Street of 67.1 metres and an area of 12,631 square metres

Staff Recommendation

Deferral

Comments

Planning Services

The subject lands are designated "Commercial Mixed-use Centre" in the Official Plan and are zoned "Specialized Community Shopping Centre" (CC-29), according to Zoning By-law (1995)-14864, as amended.

A Zoning By-law Amendment for the subject lands was recently approved on November 9, 2020 (By-law (2020)-20539). The Zoning By-law Amendment zoned the subject lands "Specialized Community Shopping Centre" (CC-29) to permit the development of 200 stacked townhouse units, a five-storey apartment building containing 48 units, a commercial building and maintain the existing Guelph Curling Club. A Site Plan Application has been submitted to the City and it is currently under review.

The purpose of the consent applications is to divide the subject lands into three parcels (one retained and two severed) and to establish appropriate easements. The three proposed parcels are as follows:

- Parcel A (retained) – contains the existing Guelph Curling Club building and a future one-storey mixed use building.
- Parcel B (severed) – to be developed with 200 stacked townhouse units.
- Parcel C (severed) – to be developed with a five-storey residential building containing 48 units.

The CC-29 Zone contains a "Severability Provision" at Section 6.2.3.2.29.3.6 which states that: "the Uses and regulations of the CC-29 Zone shall continue to apply collectively to the whole of the lands zoned as CC-29, despite any future severance or condo registration." The proposed "retained" and "severed" parcels comply with the zoning regulations of the CC-29 Zone.

The applicant has submitted two Consent applications as follows:

File B-10/21 – Proposed Parts 2 to 5 (severed Parcel B)

- a) Severance of a parcel of land (Parcel B, proposed Parts 2 to 5) to create a lot with frontage along Woolwich Street of 12.4 metres and an area of 21,735 square metres.
- b) Creation of a 1,423.2 square metre easement (proposed Part 3) over a portion of the proposed severed Parcel B for access in favour of the proposed retained Parcel A and proposed severed Parcel C.
- c) Creation of a 961.9 square metre easement (proposed Part 4) over a portion of the proposed severed Parcel B for access in favour of the proposed severed Parcel C.
- d) Creation of a 1,139.6 square metre easement (proposed Part 5) over a portion of the proposed severed Parcel B for access to a parking area in favour of the proposed severed Parcel C.

File B-11/21 – Proposed Part 6 (severed Parcel C)

- a) Severance of a parcel of land (Parcel C, proposed Part 6) to create a lot with frontage along Woolwich Street of 96.5 metres and an area of 4,792.6 square metres.

Policy 10.10.1.2 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to application **B-10/21 Proposed Parts 2 to 5 (severed Parcel B)**:

- a) **That all of the criteria for plans of subdivision or condominium are given due consideration.**

Staff have reviewed the criteria for plans of subdivision and are satisfied that the consent application conforms to the policies.

- b) **That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.**

A plan of subdivision is not necessary for the proposed severance and easements.

- c) **That the land parcels to be created by the consent will not restrict or hinder the ultimate development of the lands.**

The proposed severance and easements support the recently approved development proposal for the subject lands. The proposed severance and easements will facilitate the ultimate development of the lands.

- d) **That the application can be supported if it is reasonable and in the best interest of the community.**

The application is considered to be reasonable and is supportable.

Policy 10.10.1.2 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to application **B-11/21 – Proposed Part 6 (severed Parcel C)**:

- a) **That all of the criteria for plans of subdivision or condominium are given due consideration.**

Staff have reviewed the criteria for plans of subdivision and are satisfied that the consent application conforms to the policies.

- b) **That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.**

A plan of subdivision is not necessary for the proposed severance.

- c) **That the land parcels to be created by the consent will not restrict or hinder the ultimate development of the lands.**

The proposed severance supports the recently approved development proposal for the subject lands. The proposed severance will facilitate the ultimate development of the lands.

d) **That the application can be supported if it is reasonable and in the best interest of the community.**

The application is considered to be reasonable and is supportable.

Staff are satisfied that the proposed applications for severance and easements meet the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Ontario Planning Act. The proposed lots and associated easements represent orderly division of the subject lands. Planning does not have any concerns with the applications; however, Planning supports the comments provided by MTO.

Engineering Services

Engineering has no concerns with the requested consent applications. Engineering review for grading, servicing and stormwater is being completed under the site plan application (SP20-028). Engineering supports the comments provided by MTO.

We agree with recommendations made by the Planning and Building staff.

Building Services

This property is located in the Specialized Community Shopping Centre (CC-29) Zone. The property was recently subject to an application for a Zoning By-law amendment (file OZS19-002) and is currently subject to an application for Site Plan Approval (file SP20-028).

The applicant is proposing to create two new residential lots with one retained lot. The applicant is also proposing to create various easements for access and parking.

Building Services does not object to either applications.

Bell Canada

See attached correspondence received from Bell Canada. Please note that if consent approval is required for the requested easement, a separate consent application will be required.

Ministry of Transportation of Ontario (MTO)

The Ministry of Transportation (MTO) has reviewed the consent applications associated with the development proposal for the subject site in accordance with the *Public Transportation and Highway Improvement Act* and MTO Access Management Policies. MTO is requesting a deferral of the consent applications to allow MTO further time necessary to strategize on the best possible solution to establishing the permissible terms and conditions of the mutual use entrance that will support the proposed stages of construction and the resultant and various ownerships through buildout to occupancy. Please see attached correspondence.

Comments from the Public

None

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa