

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-39/21
Location: 110 Stevenson Street South
Hearing Date: July 8, 2021
Owner: Jimsgate Inc.
Agent: Hugh Handy, GSP Group
Official Plan Designation: Mixed Business
Zoning: Industrial (B.4) Zone

By-Law Requirements: The By-law permits a variety of uses in the B.4 Zone, but does not permit a storage facility. A storage facility is defined as a place where, for a fee, articles, goods, or materials are stored, but does not include a warehouse

Request: The applicant is seeking relief from the By-Law requirements to permit a storage facility as an additional permitted use on the subject property.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That prior to the approval of a site plan application, the applicant shall provide a scoped Environmental Impact Study (EIS) for approval that is based on an approved Terms of Reference and prepared by a qualified professional to the satisfaction of the General Manager of Planning and Building Services. The scope of the EIS shall include a Tree Inventory and Preservation Plan that addresses the requirements of the Private Tree By-law.

Alectra Utilities

2. That prior to issuance of a building permit, the applicant makes arrangement for provision of hydro servicing to the severed parcel, satisfactory to the ICI and Layouts Department of Alectra Utilities. The servicing costs would be at the applicant's expense.
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Comments

Planning Services

The subject property is designated "Mixed Business" in the City's Official Plan. Permitted uses in the "Mixed Business" land use designation include: uses permitted in the Industrial designation, office, convenience commercial and institutional uses. A storage facility is considered to be similar in function to the permitted warehousing use in the Industrial land use designation. A portion of the subject lands is also identified on Schedule 3 of the Official Plan (Development Constraints) as being within the Two-Zone Fringe. The flood fringe policies allow for development subject to flood proofing requirements.

For the Committee's information, Council of the City of Guelph approved a land use study for the York Road/ Elizabeth Street area on May 10, 2021 as part of a City-initiated land use study and urban design concept plan for the area. The land use study recommends modifications to the existing "Mixed Business" policy framework to increase the flexibility of land uses permitted in this designation and encourage small and medium sized entrepreneurial and incubator enterprises in the area. The use of the property as a "storage facility" aligns with the current and proposed Official Plan objectives for the 'Mixed Business' designation to provide flexible land uses that promote reinvestment, intensification, and efficient use of existing business land, and further, to provide opportunities for smaller-scale land uses that support the needs of business, employment, and neighbourhood residents (OP policies 9.5.5(a), 9.5.5(b), 9.5.5(c)). The proposed storage facility will support businesses and residents in the area by providing off-site storage options. The proposed use is considered compatible with surrounding industrial/institutional/residential land uses. The requested variance meets the general intent and purpose of the Official Plan.

The property is currently zoned "Industrial" (B.4), according to Zoning By-law (1995)-14864, as amended. The By-law permits a variety of uses in the B.4 Zone including: catering service, cleaning establishment, contractor's yard, manufacturing, warehouse and accessory uses, but does not permit a storage facility. A variance from Section 7.1.3 of Zoning By-law (1995)-14864, as amended, is being requested to permit a storage facility. A storage facility is defined as a place where, for a fee, articles, goods, or materials are stored, but does not include a warehouse. The proposed storage facility use is similar and compatible with the permitted uses of the B.4 Zone. The requested variance meets the general intent and purpose of the Zoning By-law.

The proposed storage facility is subject to site plan approval under Section 41 of the Planning Act. The applicant has included a conceptual site plan of the proposed storage facility and will be submitting a site plan application if the requested use variance is approved. The applicant is aware that further variances may be required related to setbacks or parking. A storage facility is a desirable use for the property as the property is within close proximity to both the Guelph Junction Railway (to the south) and a railway yard (to the east), which create limitations for the types of compatible uses that could be accommodated on the property. Further, the use of the land for a storage facility is not anticipated to generate high volumes of traffic

or excessive noise/dust/vibration and is compatible with the surrounding residential uses. The requested variance is considered to be both desirable for the appropriate development of the lands and minor in nature.

Based on aerial imagery, it appears that the treed area adjacent to the site may be an Unmapped Natural Area of the City's Natural Heritage System (NHS). Further, a portion of this potentially Unmapped Natural Area may extend onto the subject property. In order to determine which NHS policies apply, if any, an Environmental Impact Study (EIS) is typically required. Further, where development or site alteration is proposed within or adjacent to the NHS, or may negatively impact its related ecological or hydrological functions, the proponent is responsible to prepare an EIS in accordance with the provisions of the Official Plan. The subject property is more than 0.2 hectares in size and therefore is regulated by the Private Tree Protection By-law (2010)-19058. In accordance with the By-law, a Tree Inventory and Preservation Plan (TIPP) is to be undertaken by an arborist prior to the injury or destruction of any regulated trees. Staff are recommending a condition that will address both of these items.

Staff recommend approval of the variance subject to the condition noted above.

Engineering Services

Engineering has no concerns with the applicant's request of seeking relief from the By-Law requirements to permit a storage facility as an additional permitted use on the subject property.

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

Building Services

The property is located in the Industrial (B.4) Zone. The applicant is proposing to construct a three-storey storage facility with a gross floor area of 8,700 square metres. A variance from Section 7.1.3 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application.

Alectra Utilities

Alectra Utilities has reviewed this application scheduled for the July 8, 2021 hearing and wishes to submit the condition noted above for the Committee's consideration (see attached). This condition is included to ensure adequate arrangements have been made to service the service the new site and appropriate financial securities are in place.

Grand River Conservation Authority (GRCA)

The Grand River Conservation Authority (GRCA) has no objection to the minor variance application. Please see attached report.

Comments from the Public

None

Contact Information

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