



SHAPING GREAT COMMUNITIES

June 4, 2021

File No. 21002

Planning and Building Services
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

(via e-mail)

Attn: Lindsay Sulatycki, MCIP, RPP
Senior Development Planner

**Re: Application for Minor Variance
Jimsgate Inc. (Gregory Irons)
110 Stevenson Street South, City of Guelph**

Dear Ms. Sulatycki,

1.0 Background

On behalf of Jimsgate Inc. (Gregory Irons), GSP Group is pleased to submit this Application for Minor Variance for the land municipally known as 110 Stevenson Street South, Guelph ("Site"). The Site is located on the east side of Stevenson Street South, north of the Guelph Junction Railway.

The property abuts the Guelph Sikh Society to the north, with residential/commercial uses beyond, and a marshall yard to the east, with commercial/industrial uses beyond. Directly opposite Stevenson Street South lies a predominantly low-density residential neighbourhood with single detached dwellings fronting onto Stevenson Street South.

The Site is current vacant of buildings and/or structures and is within the regulated area of the Grand River Conservation Authority ("GRCA") associated with the floodplain regulation limit.

2.0 Purpose of the Application

The purpose of the Minor Variance application is to request relief from Section 7.1.3 of the Zoning By-Law to permit a "storage facility" as a permitted use within the 'B.4' zone.

For the purposes of this application, a storage facility is defined in the Zoning By-Law as, "*a place where, for a fee, articles, goods or materials are stored, but does not include a warehouse*".

It is the intent of our client to develop the property with a "storage facility" once the use has been established through this Minor Variance application, provided there is support by the Committee of Adjustment. The proposed development will be subject to Site Plan Control.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9
162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9
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3.0 Minor Variance

An analysis of the proposed Minor Variance in the context of Section 45(1) of the *Planning Act, R.S.O. 1990*, has been provided below:

i. Intent and Purpose of the Official Plan

The Site is designated 'Mixed Business' according to *Schedule 2: Land Use Plan* and a portion of the site is within the 'Two-Zone Fringe' according to *Schedule 3: Development Constraints*, as contained within the City of Guelph Official Plan. Stevenson Street South is identified as an 'Arterial Road' (*Schedule 5: Road & Rail Network*).

Section 9.5.5 of the Official Plan provides the policy framework for lands designated as 'Mixed Business' which establishes that uses permitted in the industrial designation include office, convenience commercial, and institutional (9.5.5.5). Further, the Official Plan establishes that the 'Mixed Business' designation is intended to provide areas where a mix of business land uses can be provided, and that the specific uses permitted will be defined in the City's Zoning By-Law (9.5.5.6).

For development of land within the 'Mixed Business' designation, the Official Plan establishes that a land use compatibility analysis is required where industrial and sensitive land uses are proposed (9.5.5.1), off-site parking requirements are to be met (9.5.5.2), streetscape improvements are to be provided in accordance with the Urban Design Policies (9.5.5.3), and conditions may be imposed on site plan approvals for landscape buffers, screening of outdoor storage, parking, loading, and refuge areas (9.5.5.4).

It is noted that the 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 the 'Mixed Business' designation and encourage small and medium sized entrepreneurial and incubator enterprises in the area. It is anticipated that the final land use study and urban design concept plan will be completed in late 2021.

The use of the Site 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 (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 and matters related to built form, parking, and landscaping can be detailed through the Site Plan Control process.

ii. Intent and Purpose of the Zoning By-Law

The Site is currently zoned 'Industrial (B.4) Zone' according to the City of Guelph Zoning By-Law No. (1995)-14864. The 'B4' zone permits a variety of uses associated with industrial activities, including (1.3.1):

- | | | | |
|----------------------|--------------------------|------------------------|-----------------------|
| • Catering Service | • Cleaning Establishment | • Contractor's Yard | • Food Vehicle |
| • Manufacturing | • Repair Service | • Towing Establishment | • Tradesperson's Shop |
| • Trucking Operation | • Veterinary Services | • Warehouse | |

Accessory uses are permitted such as offices, factory sales outlets, fleet servicing areas, and other uses that are subordinate, incidental, and exclusively devoted to a permitted use (7.1.3.1).

In addition to the permitted uses identified in Section 7.3.1, additional uses such as display and retail sales of appliances and furniture, industrial or construction equipment rental or sales firm, and vehicle repair shops are permitted (7.1.3.1).

The proposed "storage facility" use aligns with the permitted uses of the 'B.4' zone as the proposed use is considered a light industrial use and can be considered more compatible with the surrounding residential uses than some uses currently permitted for the Site, such as manufacturing, warehousing, vehicle repair shops, contractor's yard, or towing establishment uses. In light of the foregoing, it is our opinion that the proposed development aligns with the general intent and purpose of the Zoning By-Law.

iii. Desirable Development/Use

A storage facility is a desirable use for the Site as the property abuts the Guelph Junction Railway to the south and a marshalling 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.

Further, any development on the Site will be subject to a Site Plan Control application being submitted to, and approved by, the City of Guelph. Through Site Plan Control, matters related to landscaping, lighting, grading and servicing, and streetscape design will be addressed to ensure a compatible and appropriate built form for the Site.

iv. Minor in Nature

Section 7.3.4 of the Zoning By-Law contains site-specific 'B.4' zones which includes several precedent properties with similar permitted uses, including:

- | | |
|----------------------------------|-----------------------------------|
| • 'B.4-1' (66 Duke Street) | Storage; Warehouse |
| • 'B.4-15' (151 Cardigan Street) | Warehouse; Storage; Manufacturing |
| • 'B.4-15' (60 Cardigan Street) | Warehouse; Storage Facility |

It is our opinion that the use of the Site for a storage facility use is minor in nature as there are existing properties within the 'B.4' zone that permit a "storage" or "storage facility" use which have been determined by the Council of the City of Guelph to be appropriate within the 'B.4' zone.

As the proposed use aligns with uses currently permitted on noted site-specific 'B.4' properties and will provide for better compatibility to the surrounding neighbourhood than some uses currently permitted in the Zoning By-Law (such as a manufacturing, warehouse), it is our opinion that the application is minor in nature and can be considered an appropriate use for the Site.

4.0 Conclusion

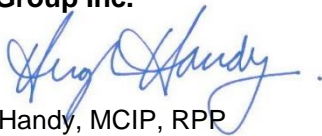
In our opinion, the proposed Minor Variance is appropriate and should be approved as it meets the four tests of a Minor Variance as set out in Section 45(1) of the *Planning Act, R.S.O. 1990*, as:

- The variance aligns with the general intent and purpose of the existing and proposed 'Mixed Business' designation policies of the City of Guelph Official Plan;
- The proposed use aligns with the general intent and purpose of the 'B.4' regulations of the City of Guelph Zoning By-Law No. (1995)-14864;
- Use of the Site as a "storage facility" is appropriate and desirable for the development of the land as it provides for a compatible use adjacent to the rail line and within proximity to institutional/residential land uses; and,
- Permitting a "storage facility" is minor in nature as it is similar to uses currently permitted in the 'B.4' zone.

We trust this provides you with adequate information to process the Minor Variance to permit a 'storage facility' as a permitted use on the Site. If you have any questions, please do not hesitate to contact myself or Amanda Stellings of this office.

Sincerely,

GSP Group Inc.



Hugh Handy, MCIP, RPP
Senior Associate

/ enclosures

cc: Gregory Irons, Jimsgate Inc.