

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-45/21
Location: 30 Hanlon Creek Boulevard
Hearing Date: August 12, 2021
Owner: Guelph Land Holdings Inc.
Agent: Dominic Natale, Cooper Construction Limited
Official Plan Designation: Industrial
Zoning Designation: Specialized Industrial (B.2-8 and B.2-9) Zones.

By-Law Requirements: The By-law requires that despite Sections 4.13 and 7.3.2.6.4.2, the minimum off-street parking required shall be 1 parking space per 23 square metres of gross floor area.

Request: The applicant is seeking relief from the By-Law requirements to permit the minimum off-street parking required to be 1 parking space per 23 square metres of gross floor area for only the additional permitted uses listed in Section 7.3.2.8.1 of the Zoning By-law, despite Sections 4.13 and 7.3.2.6.4.2 of the By-law.

Staff Recommendation

Approval

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Industrial" in the Official Plan. This designation permits industrial uses including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials, warehousing and bulk storage of goods. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is dual zoned "Specialized Industrial" (B.2-8 and B.2-9) according to Zoning By-law (1995)-14864, as amended. The specialized zones permit all uses in the B.2 zone including a warehouse, industrial mall, trucking

operation, towing establishment and research establishment, where accessory uses such as an office is permitted provided that such use is subordinate, incidental and exclusively devoted to a permitted use. The specialized B.2-8 Zone permits additional uses such as a bake shop, convenience store, courier service, day care centre, florist, financial establishment, office, office supply, personal service establishment, postal service, recreation centre, rental outlet, restaurant, restaurant (take-out) and tavern. The B.2-8 Zone, Section 7.3.2.8.2.1, also has a specialized off-street parking ratio:

“Despite Sections 4.13 and 7.3.2.6.4.2 of the By-law, the minimum off-street parking required shall be 1 Parking Space per 23 square metres of Gross Floor Area.”

The zoning regulation is written in such a way that all B.2 Zone permitted uses, not just the additional permitted uses within the B.2-8 Zone, require the specialized off-street parking regulation of 1 parking space per 23 square metres of Gross Floor Area (GFA). The applicant is requesting to amend the zoning regulation so that only the additional permitted uses require the specialized parking regulation and all other permitted uses are subject to the required parking rates under sections 7.3.2.6.4.2. and 4.13 of the Zoning By-law.

The property is undergoing application SP21-011 for Site Plan Approval to permit an industrial mall. Amending and clarifying the zoning regulation will provide the proper amount of parking in relation to permitted uses. When the specialized off-street parking ratio under the B.2-8 zone together with the industrial mall off-street parking ratio under the B.2-9 zone are used to calculate the required parking for the proposed industrial mall site plan, 346 parking spaces are to be provided for the site. When using the industrial mall parking requirement for the entire property, 155 off-street parking spaces are to be provided. 155 off-street parking spaces meets the required amount of off-street parking spaces for the proposed 19,216.32 square metre industrial mall use. The industrial mall off-street parking regulation under Sections 7.3.2.6.4.2 and 4.13 of the Zoning By-law is as follows:

- a) 1 Parking Space per 50 square metres up to 1,000 square metres of GFA;
- b) 1 Parking Space per 100 square metres between 1,000 square metres and 5,000 square metres of GFA; and
- c) 1 Parking Space per 150 square metres over 5,000 square metres of GFA.

The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the development of the land and is considered to be minor in nature.

Planning staff recommend approval of the variance.

Engineering Services

Engineering review is being completed under the site plan application (SP21-011); therefore, Engineering has no concerns with the requested variance.

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

Building Services

The property is located in the Specialized Industrial B.2-8 and B.2-9 Zones. The applicant is seeking relief from the By-law requirements to permit the required parking spaces to be calculated using Industrial use regulations for the proposed industrial mall. The specialized zoning contains a different parking calculation for other uses; however, these uses are not being proposed at present.

Building Services does not object to this application.

Comments from the Public

None

Contact Information

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