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September 13, 2022

Planner / Secretary-Treasurer
Committee of Adjustment
City of Guelph
Planning Services Division
City Hall
1 Carden Street
Guelph, ON N1H 3A1

Dear Sir / Madam:

**CONSENT APPLICATION
710 WOOLWICH STREET, GUELPH - APPLICATION SUBMISSION DETAILS AND
PLANNING JUSTIFICATION**

On behalf of our clients 2776563 Ontario Inc., owners of the above subject property, please accept this letter and the following supporting materials and fees as the application for a Consent for the property municipally addressed as 710 Woolwich Street, Guelph:

- One (1) original hard copy of the completed and signed Consent Application Form, including the Owners Authorization for Agent;
- Two (2) copies of the Severance Sketch prepared by Van Harten Surveying Inc.;
- One (1) cheque in the amount of \$2,507.00 made payable to the City of Guelph as part of the Consent Application fee for the creation of a new lot.

The purpose of the proposed applications is to subdivide the existing property (known as 710 Woolwich Street) into a severed and retained parcel and to permit the establishment of easements over the lands for the purposes of access and servicing.

The following sections of this submission provide an overview of the subject property and proposal details, as well as the applicable planning controls. Planning analysis is also provided to justify the proposed severance and minor variance.

1.0 BACKGROUND AND PROPOSAL DETAILS

The subject property is municipally addressed as 710 Woolwich Street in the City of Guelph, and legally identified as Part of Lot 19, Division A Guelph, as in CS71373, City of Guelph. The subject property has a lot area of 1.28 hectares and a lot frontage of 68.6 metres along Woolwich Street.

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Figure 1: Aerial Image of the Subject Property (source GRCA Mapping)

Our client intends to subdivide the property in order to facilitate the development of the property, to include a Beer Store on the Severed Portion and a 96 unit townhouse development on the Retained Portion. The Beer Store will be located on the severed Lot of 0.3 hectares, with a frontage of 49.7 meters along Woolwich Street. The retained lot will have a lot area of 0.98 hectares and a frontage of 18.9 metres.

As shown on the proposed Site Plan and Severance sketch, one driveway to the site is proposed off of Woolwich Street, which will be shared by both the commercial (Beer Store) use and residential users of the site. This driveway is proposed to be included within the Retained portion, subject to an easement in favour of the severed portion for the purposes of access/egress.

Beyond this easement, reciprocal easements are proposed for stormwater and servicing as stormwater will be managed comprehensively between the sites and due to the location of underground infrastructure which crosses the proposed lot lines. A copy of the proposed Engineering Drawings prepared by MTE Engineering are included showing the proposed location of servicing infrastructure for the development.

The following table provides an overview of the proposed lot area and lot frontage for both the proposed retained and severed lots. For detailed specifications of the proposed severance,

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please refer to the enclosed the Severance Sketch prepared by Van Harten Surveying (Figure 2).

	Retained Lot:	Severed Lot:	Total:
Lot Area:	1.11 hectares 0.98 + 0.13 hectares	0.3 hectares	1.41 hectares
Lot Frontage:	18.9 metres	49.7 metres	68.6 metres

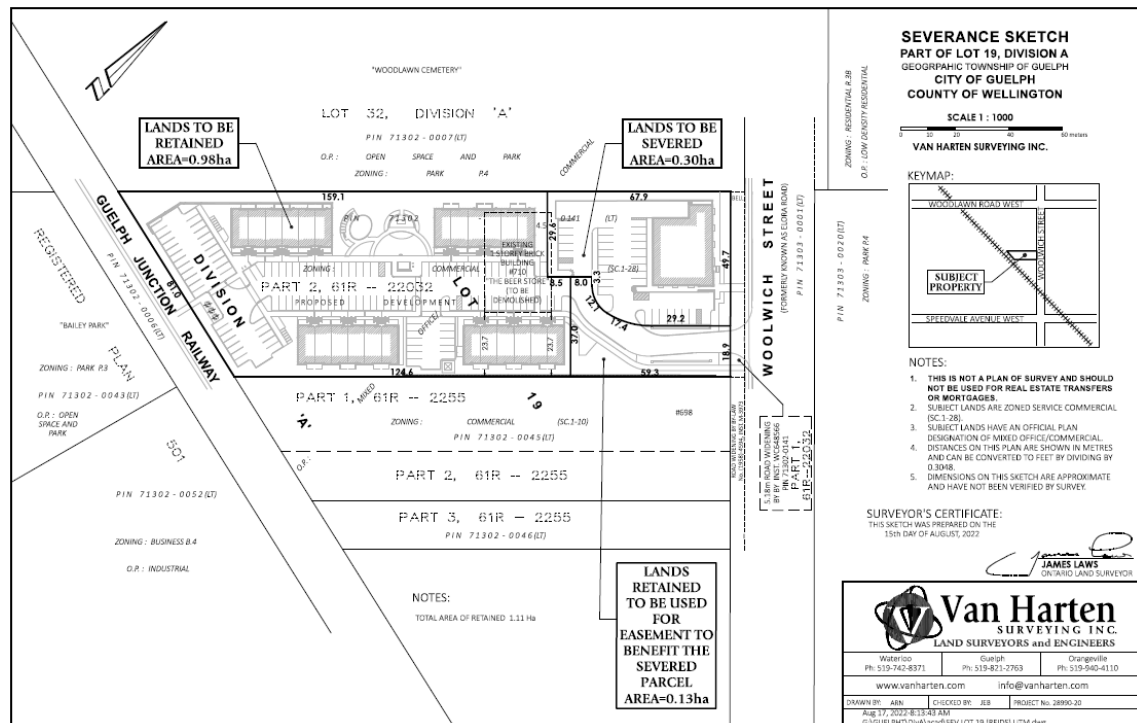


Figure 2: Proposed Severance Sketch – by MacDonald Tambllyn Lord Surveying

2.0 PLANNING CONTROLS AND JUSTIFICATION

The use and development of the subject property is guided by a land use planning framework comprised of Provincial legislation, plans and policy statements; the City of Guelph's Official Plan and Zoning By-Law. The following provides planning justification for the proposed consent with respect to applicable planning controls.

2.1 Planning Act

The Planning Act, R.S.O. 1990 sets out the legislative framework for land use planning in Ontario. In the case of this proposal, the Planning Act sets out policies relating to consents at the local level, as Sections 50, 51(24), and 53 all apply to the proposed severance.

Section 51(24) of the Planning Act establishes criteria for approval authorities to consider in exercising their decision-making authority on subdivision / severance applications. The criteria are as follows:

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(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*
- b) whether the proposed subdivision is premature or in the public interest;*
- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*
- d) the suitability of the land for the purposes for which it is to be subdivided; and (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*
- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- f) the dimensions and shapes of the proposed lots;*
- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*
- h) conservation of natural resources and flood control;*
- i) the adequacy of utilities and municipal services;*
- j) the adequacy of school sites;*
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.*

It is my opinion that the proposed severance satisfy these criteria as discussed in the following Table:

Criteria	Assessment
A	It is my opinion that the severance has regard for the matters of provincial interest as set out in the Planning Act. Of note, it is my opinion that the development represents the orderly development of communities, supports the provision of a range of housing options, represents transit oriented development, and is located within an appropriate location for growth and development as set out in the City of Guelph Official Plan.
B	It is my opinion that the development is not premature. The use of the site for mixed use purposes is contemplated by the Official Plan, and was subject to a site-specific zoning by-law amendment that obtained City Council approval.
C	It is my opinion that the plan conforms to the Official Plan as discussed later in this letter.

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D	It is my opinion that the Official Plan contemplates the development of the site for mixed use purposes. The proposed severance supports the development of the site in keeping with the purpose and intent of the Official Plan.
E	Not applicable.
F	It is my opinion that the lots are appropriately sized and shaped to facilitate the proposed development. The lots maintain the minimum lot with and area requirements of the Zoning By-Law.
G	The proposed restrictions include easements related to the shared use of the drive aisle to Woolwich Street and those related to stormwater and sanitary servicing of the site.
H	Not applicable.
I	Based on review and acceptance from municipal engineering staff, it is understood that sufficient servicing capacity exists to service the development.
J	No concerns have been received from either the public or catholic school boards with respect to the development.
K	Not applicable
L	Not applicable
M	Both the residential (retained) and commercial (severed) parcel have been subject to site plan review. The Beer Store portion of the site has received full site plan approval and the residential portion of the site is pending final approval.

Based on our review and interpretation, it is our opinion that the proposed severance has consideration for these applicable sections and conforms to these Planning Act.

2.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is understood that policies within the PPS encourage settlement areas to focus of growth and development while making efficient use of land and infrastructure.

The subject property is located within the existing settlement area where development is strongly encouraged. It is our opinion that the proposed severance will contribute to growth and development of the settlement area, making efficient use of existing lands and infrastructure while providing a higher density and broader range of housing. Therefore, it is our opinion that the proposal conforms to the PPS.

2.3 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) sets out a long-term plan for growth and development within the Greater Golden Horseshoe area of Ontario. According to Section 2.2 of the Growth Plan, it is understood growth will be directed to settlement areas, where municipal infrastructure is available and complete communities can be supported. The Growth Plan also promotes intensification and infill development within the existing built boundary.

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The subject property is currently located within the 'Built-Up Area' according to Schedule 4 of the Growth Plan. It is our opinion that the proposed severance conforms to the Growth Plan policies, as it encourages mixed uses and intensification of under utilized lands.

2.4 City of Guelph Official Plan

The subject property is currently designated 'Mixed Use / Office Commercial' according to Schedule 2 (Land Use Plan) of the City's Official Plan (Figure 3).

Section 9.4.7 of the Official Plan states that Mixed Office / Commercial designated areas should:

- 'a) allow for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings.*
- b) ensure that a compatible transition in built-form is provided between uses in this designation and surrounding residential properties.*
- c) allow for a range of compatible business uses adjacent to residential areas.*
- d) promote the continued use, revitalization and intensification of these areas for a mix of uses.'*

Permitted uses include convenience commercial and small-scale retail commercial and townhouses and apartments.

It is our opinion that the development conforms to the Official Plan as it represents a mixed use development in keeping with the 'Mixed Use / Office Commercial' policies of the Official Plan.

Based on the above, it is our opinion that the proposed severance meets the intent of the Official Plan and is compatible with the existing neighbourhood. The proposed retained lot can accommodate multiple residential dwellings that are in keeping with the density, mass, scale, built form and/or character of the surrounding lands and in compliance with applicable Official Plan policy.

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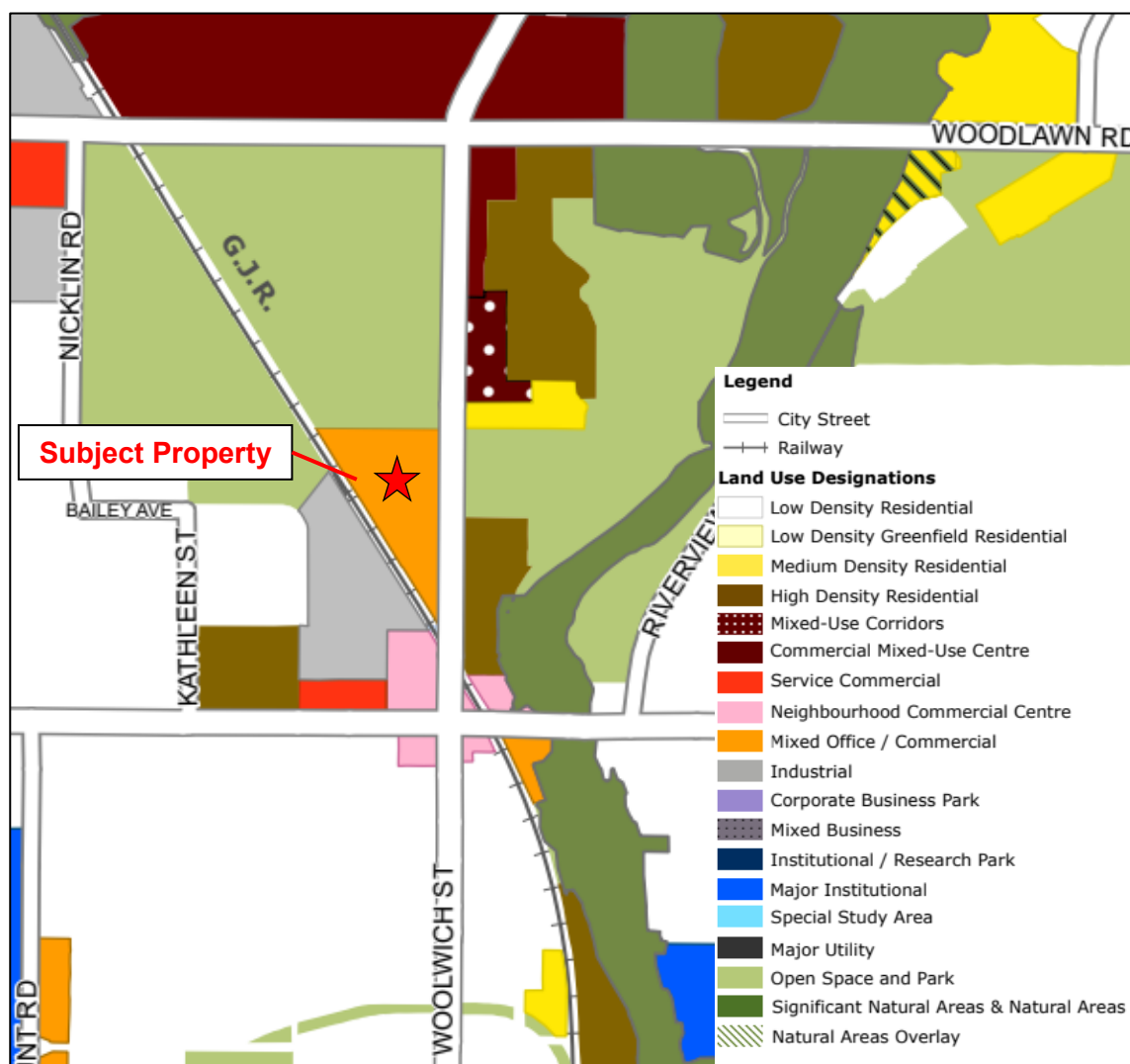


Figure 3: City of Guelph Official Plan, Schedule 2 (Land Use Plan)

2.6 City of Guelph Zoning By-law

The subject property was recently subject to a site-specific Zoning By-Law Amendment to allow for the residential uses proposed Zone Change Application OZS21-010 to 'SC.1-57' (Specialized Service Commercial Zone), which was approved by Council in May 2022.

The following table provides a conformity analysis of the proposed retained and severed lots in accordance with the lot size and area requirements set out in the site-specific zoning.

Retained Lot

Regulation	Requirement	Provided
Permitted Use	Apartment Building, Townhouse, Stacked	Stacked Townhouse

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	Townhouse, Multiple Attached Dwelling	
Minimum Lot Frontage	18 m	18.9 m
Minimum Lot Area	1,000 sq. m	11,100 sq m

*Detailed plans of the future residential development are going through the Approval Process

Severed Lot

Regulation	Requirement	Provided
Permitted Use	Convenience Store, Liquor Store	Beer Store
Minimum Lot Frontage	18.0 m	49.7 m
Minimum Lot Area	550m ²	3,000 sq. m

Based on the foregoing, it is my opinion that both the severed and retained lots conform to the lot size and frontage requirements of the Zoning By-Law.

3.0 CONCLUSION

We trust that this letter provides you with an understanding of the proposed Consent Application.

It is our opinion that the proposed severance is consistent with Provincial legislation, plans and policies, and meets the general intent of the City of Guelph Official Plan and Zoning By-law. It is also our opinion that the proposed new lot and development is in keeping with the size, scale, and character of the surrounding neighbourhood and represents good planning.

Should you require anything further to assist in your review of these applications and supporting material, please do not hesitate to contact the undersigned.

Yours truly,

IBI GROUP

Dave Galbriath, MCIP, RPP
Associate - Manager, Planning

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