

Staff Report



To	City Council
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, December 6, 2022
Subject	Decision Report 639 Eramosa Road Proposed Official Plan and Zoning By-law Amendments File: OZS22-014 Ward 2

Recommendation

1. That the application by Van Harten Surveying Inc. on behalf of the owner 2795318 Ontario Inc., on the property municipally known as 639 Eramosa Road, and legally described as all of Lots 4 and 5, and Part of Lots 3 and 6, Registered Plan 549, City of Guelph for approval of an Official Plan Amendment to change the land use designation from the "Low Density Residential" land use designation to the "Mixed Office/Commercial" land use designation to permit the redevelopment of the property into a medical clinic (chiropractic clinic), be approved in accordance with Attachment-3 of Infrastructure, Development and Enterprise Report 2022-339, dated December 6, 2022.
 2. That the application by Van Harten Surveying Inc. on behalf of the owner 2795318 Ontario Inc., on the property municipally known as 639 Eramosa Road, and legally described as all of Lots 4 and 5, and Part of Lots 3 and 6, Registered Plan 549, City of Guelph for approval of a Zoning By-law Amendment to change the zoning from the "Educational, Spiritual and Other Services" (I.1) Zone to a "Specialized Office Residential" (OR-?) Zone, to permit the redevelopment of the property into a medical clinic (chiropractic clinic), be approved in accordance with Attachment-4 of Infrastructure, Development and Enterprise Report 2022-339, dated December 6, 2022.
 3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 639 Eramosa Road.
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Executive Summary

Purpose of Report

This report provides a staff recommendation to approve an Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of the property into a medical clinic (chiropractic clinic).

Key Findings

Planning staff support the proposed Official Plan Amendment and Zoning By-law Amendment subject to the recommended Official Plan Amendment in Attachment-3 and the recommended zoning regulations and conditions in Attachment-4.

Strategic Plan Alignment

The recommended Official Plan Amendment and Zoning By-law Amendment aligns with the priority of 'Sustaining our Future'. The proposed development applications are in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposal is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment-10.

Financial Implications

Estimated Development Charges: \$57,400 (based on 2022 non-residential rates of \$151.10/square metre of Gross Floor Area).

Estimated Annual Taxes: \$22,500 (estimate only and actual number may vary).

Report

Background

Applications for Official Plan and Zoning By-law Amendments have been received for the subject property from Van Harten Surveying Inc., on behalf of the owner 2795318 Ontario Inc., owned by Dr. Michael Grabowski and Dr. Katelyn McGhie to permit the redevelopment of the property into a medical clinic (chiropractic clinic). The applications were received by the City on July 15, 2022 and deemed to be complete on August 12, 2022. The Statutory Public Meeting was held on September 12, 2022.

Location

The subject property is located on the south side of Eramosa Road, between Victoria Road North and Speedvale Avenue East (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The subject property is approximately 1,428 square metres in size with approximately 46 metres of frontage along Eramosa Road. The subject property is currently developed with an existing building and paved parking lot, previously used as a place of worship.

Surrounding land uses include:

- To the north: Eramosa Road, beyond which are lands zoned and developed as single detached residential dwellings;
- To the south: single detached residential dwellings;

- To the east: single detached residential dwellings; and,
- To the west: single detached residential dwellings.

Existing Official Plan Land Use Designations and Policies

The subject property is designated as "Low Density Residential" in the Official Plan. Permissible uses within this land use designation include single and semi-detached dwellings and multiple unit residential buildings, such as townhouses and apartments. The "Low Density Residential" land use designation permits a maximum building height of three (3) storeys and a maximum density of 35 units per hectare. Within the residential land use designations, a variety of small-scale non-residential uses are permitted that are complementary to and serve the needs of the residential neighbourhoods. Such non-residential uses include: schools, places of worship, child care centres and convenience commercial uses.

Details of the existing land use designation and policies are included in Attachment-5.

Proposed Official Plan Amendment

The applicant is requesting to change the land use designation from "Low Density Residential" to "Mixed Office/Commercial". Small-scale office uses are permitted in the Mixed Office/Commercial land use designation and includes medical offices.

The recommended Official Plan Amendment is included in Attachment-3.

Existing Zoning

The subject property is currently zoned "Educational, Spiritual and Other Services" (I.1), according to Zoning By-law (1995)-14864, as amended.

Details of the existing zoning are provided in Attachment-6.

Proposed Zoning By-law Amendment

Original Proposal

The purpose of the Zoning By-law Amendment application is to change the zoning from the "Educational, Spiritual and Other Services" (I.1) Zone to a "Specialized Office Residential" (OR-?) Zone to permit a medical clinic.

The applicant requested the following specialized regulations as part of the original proposal:

- To allow a medical clinic as a permitted use, whereas the Office Residential Zone allows for a medical office, but not a medical clinic; and,
- To allow for a minimum of 22 parking spaces, whereas Section 4.13.4.2 of the Zoning By-law requires 25 parking spaces for the proposed medical clinic (6 parking spaces per practitioner (6x4=24) or 1 space per 15.5 square metres of Gross Floor Area (380 square metres/15.5 = 25), whichever is greater.

Current Conceptual Site Plan

The applicant has submitted a revised conceptual site plan and is requesting one additional specialized regulation as follows:

- To permit a parking space in the front yard, whereas Section 6.5.2.2 of the Zoning By-law does not permit off-street parking in the front yard in the Office Residential Zone.

Staff are recommending that the number of parking spaces be reduced to 18 spaces to address comments received from Traffic staff and staff are also recommending a landscaped strip of land a minimum of 3 metres be maintained adjacent to the street line.

A detailed review of the required site-specific zoning regulations listed above is provided in the staff review and planning analysis in Attachment-10. The current conceptual site plan is included in Attachment-9.

Proposed Development

The applicant is proposing to convert the existing building into a medical clinic. The existing building will be converted without external renovations or additions and no changes to existing site grading or services are proposed. The following changes are proposed to the property:

- existing parking spaces abutting both the Eramosa Road right-of-way and the sidewalk in front of the property are proposed to be removed and landscaped;
- the remaining parking spaces will be reconfigured to address the City's current Site Plan Guidelines; and,
- the property is buffered from the adjacent residential uses with existing board fences on the rear portions of the side lot lines. The rear lot line is currently buffered by an existing chain link fence and a hedgerow which is located on the adjacent property. A new solid wood fence is proposed to replace the existing chain link fence to provide enhanced screening.

The current conceptual site plan is included in Attachment-9.

Staff Review/Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment-10. The analysis addresses relevant planning considerations. Final comments on the revised proposal from agencies and internal City departments are included in Attachment-12. The staff review and planning analysis addresses the following:

- Evaluation of the proposal for conformity and consistency with Provincial policy and legislation, including the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal's conformity with the Official Plan, including the proposed Official Plan Amendment;
- Review of the proposed zoning, including the need for any specialized zoning regulations;
- Review of the proposal's land use compatibility with adjacent and established land uses;
- Review of the overall layout, built form, parking and pedestrian connections,
- Review of site servicing and grading;
- Review how the proposed development addresses applicable sections of the Community Energy Initiative update;
- Review of supporting documents submitted in support of the applications; and,

- Address all comments and issues raised during the review of the applications.

Financial Implications

Estimated Development Charges: \$57,400 (based on 2022 non-residential rates of \$151.10/square metre of Gross Floor Area). Since this property was previously used as a place of worship, no Development Charges would have been charged previously and are payable for a new use.

Estimated Annual Taxes: \$22,500 (estimate only and actual number may vary).

Additionally, there may be legislative changes that limit the ability to levy some or all of these charges.

Staff Recommendation

Planning staff are satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Official Plan Amendment and Zoning By-law Amendment conform to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Official Plan Amendment as proposed in Attachment-3 and the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment-4.

The applicant has made minor modifications to the proposal, which has resulted in an additional specialized zoning regulation. Staff are also recommending an additional specialized regulation for the proposed redevelopment. An analysis of the specialized zoning regulations is provided in the Staff Review and Planning Analysis in Attachment-10. These changes are considered to be minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Consultations

A combined Notice of Complete Application and Notice of Public Meeting was mailed on August 18, 2022 to local boards and agencies, City service areas and property owners within 120 metres of the subject property. The Notice of Public Meeting was also advertised in the Guelph Tribune on August 18, 2022. Notice of the applications has also been provided by signage on the subject property and all supporting documents submitted with the applications have been posted on the City's website.

The Notice of Decision Meeting was mailed/emailed on November 21, 2022 to interested parties who provided comments on the applications or requested to receive further notice. The public notification summary is included in Attachment-13.

Attachments

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Official Plan Amendment No. 85

Attachment-4 Recommended Zoning Regulations and Conditions

Attachment-5 Existing Official Plan Land Use Designations and Policies

Attachment-6 Existing Zoning

Attachment-7 Proposed Zoning

Attachment-8 Original Conceptual Site Plan

Attachment-9 Current Conceptual Site Plan

Attachment-10 Staff Review and Planning Analysis

Attachment-11 Community Energy Initiative Commitment

Attachment-12 Departmental and Agency Comments

Attachment-13 Public Notification Summary

Departmental Approval

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