

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: B-2/23  
Location: 900 Southgate Drive  
Hearing Date: March 9, 2023  
Owner: Denso Manufacturing Canada, Inc.  
Agent: Jeff Buisman, Van Harten Surveying Inc.  
Official Plan Designation: Industrial  
Zoning Designation: Specialized Industrial (B.1-2) Zone

**Request:** The applicant is requesting permission to sever a parcel of land with frontage along Clair Road West of 199.1 metres and an area of 25,000 square metres. The retained parcel is proposed to have frontage along Southgate Drive of 408.5 metres and an area of 150,000 square metres.

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## Staff Recommendation

### Approval with Conditions

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## Recommended Conditions

### Committee of Adjustment Administration

1. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
2. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
3. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited

Reference Plan (version ACAD 2010) which can be forwarded by email ([cofa@guelph.ca](mailto:cofa@guelph.ca)).

4. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
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## Comments

### Planning Services

The subject lands are designated "Industrial" in the Official Plan. Permitted uses in the "Industrial" land use designation include warehousing, laboratories, contractor's yards, and industrial uses that consist of the manufacturing fabricating, processing, assembly, and packaging of goods, foods, and raw materials.

The proposed severance will create a new industrial lot. The existing industrial building on the retained lands is proposed to remain.

Policy 10.10.1 of the Official Plan outlines criteria to be considered when reviewing an application for Consent. Below is an evaluation of these policies as it relates to the subject application:

**i. That all of the criteria for plans of subdivision are given due consideration.**

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

**ii. That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.**

A plan of subdivision is not necessary.

**iii. That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.**

The proposed severance will create one new industrial lot that will be developed for industrial uses in accordance with the "Industrial" land use designation of the Official Plan. The proposed severance will facilitate the redevelopment of an underutilized portion of the property.

**iv. That the application can be supported if it is reasonable and in the best interest of the community.**

The application is reasonable and supportable.

The subject lands are zoned "Specialized Industrial" (B.1-2) according to Zoning By-law (1995)-14864, as amended. The "retained" and "severed" parcels conform with the applicable Zoning By-law requirements. There are currently no existing or proposed structures to evaluate under the Zoning By-law on the proposed severed property. Furthermore, the applicant proposes no changes to the retained parcel, existing structure, parking supply and configuration.

For the applicant's information, the subject lands are located within the Hanlon Creek Subwatershed, which has natural heritage features and functions supported by groundwater. The Hanlon Creek Subwatershed Study recommends using infiltrative BMPs to maintain the pre-development hydrologic regime to the degree possible. As such, as part of a future Site Plan application, the Storm Water Management Plan will need to demonstrate that the pre. vs. post-development infiltration volumes are maintained to the degree possible.

The site is over 0.2 hectares (0.5 acres) in size and therefore is regulated under the City's Private Tree By-law. In accordance with the City's Urban Forest Management Plan and City Urban Forest Policies within the Official Plan, the development should seek opportunities to retain existing trees. A Tree Inventory and Preservation Plan, undertaken by a qualified arborist, in accordance with the requirements of the City's Tree Technical Manual will be required prior to any works on site or development approvals (ie. Site Plan Approval). Please be aware that where preservation is not possible, as agreed to by the City, compensation is required either in the form of Cash in lieu or Replacement Trees, or a combination of the two at the discretion of City staff. Cash in Lieu rates are set out in the Private Tree By-law, while Replacement Tree rates are set out in the Tree Technical Manual (TTM).

Planning staff are satisfied that the proposed severance meets the Consent policies of the Official Plan and subdivision criteria as outlined in Section 51(24) of the Planning Act and recommend approval of the application. Staff are not recommending any conditions as any future development is subject to Site Plan Approval under Section 41 of the Planning Act.

### **Engineering Services**

The subject property is located within the Hanlon Creek Subwatershed Study. We understand that this property will be subject to site plan application. As such, Storm Water Management, and other engineering reviews such as grading, and servicing will be reviewed at the site plan stage.

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

### **Building Services**

The subject property is in a specialized Industrial (B.1-2) Zone which permits a variety of industrial uses. The specialized zone exempts the lands from the minimum required building sizes in the B.1 Zone.

The applicant is proposing to sever an irregular shaped parcel. There is no minimum lot size in the B.1 zone. The proposal meets the minimum frontage requirement of 30 metres. The applicant shall be aware of zoning regulation 7.3.1

Minimum Side and Rear Yards, as the property abuts a Park Zone. The minimum side yard when any Industrial Zone abuts a Residential, Urban Reserve, Wetland or Park Zone shall be 10 metres or one-half the Building Height, whichever is greater. The proposed site plan sketch shows a minimum 7 metre side yard setback to the adjacent Park Zone. Any development of the lands will be subject to Site Plan Approval where zoning regulations will be reviewed.

Note that a building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Building Services supports Planning and Engineering recommendations.

## **Comments from the Public**

None

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## **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

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