



SHAPING GREAT COMMUNITIES

April 21, 2023

File No. 22279

City Hall
1 Carden Street
Guelph, ON
N1H 3A1

Attn: Committee of Adjustment

**Re: Minor Variance Application A-10/23
265 Edinburgh Road South**

Dear Committee Members:

On behalf of our client, Chester Carere Rental, GSP Group is pleased to submit a revised version of Minor Variance Application No. A-10/23, requesting permission under s. 45 (2)(a)(ii) of the *Planning Act* to use the Subject Property (known municipally as 265 Edinburgh Road South) for a purpose that is similar to the existing legal non-conforming use or more compatible than that use with the uses permitted by the Zoning By-law.

The Committee of Adjustment originally heard Application A-10/23 on Thursday, March 9, 2023. As noted in the Notice of Decision (dated March 15, 2023), the application was deferred to allow the applicant time to discuss concerns regarding proposed uses, parking, and access with City Staff and to make revisions to the application based on those discussions.

The original application, submitted on January 23, 2023, asked for permission to use the Subject Property for one of a suite of uses (Medical Office, Office, Service Establishment, Laboratory, Repair Service, Rental Outlet, or Veterinary Service), on the basis that the uses specified are either similar to the existing use of the Subject Property (as office, retail, and service commercial space for a telecommunications company) or more compatible with the uses permitted by the "C.1" ("Convenience Commercial") zoning.

A copy of the cover letter submitted as justification for the original application has been attached to this re-submission as an appendix, as has a copy of the original application form.

As you are aware, Guelph City Council very recently approved Comprehensive Zoning By-law No. (2023)-20790 to replace the previous Zoning By-law (No. 1995-14864). Zoning By-law No. 1995-14864 zoned the Subject Property as "C.1" ("Convenience Commercial"), which this justification letter continues to refer to as the "current" zoning of the Subject Property, as By-law No. 1995-14864

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
gspgroup.ca

was the zoning by-law that was in force and effect at the time the original application was made. Zoning By-law No. (2023)-20790 (generally referred to herein as the “new Zoning By-law”) places the Subject Property in the “Convenience Commercial (CC)” Zone, which permits “Convenience store”, “Day care centre”, “Food vehicle”, “Restaurant, take-out”, and “Service establishment” as uses, as well as “Live-work unit” and “Mixed-use building” (Section 8.2).

Amendments to Original Application

The applicant would like to make the following changes to the original application:

- On p. 1 of the application form, change the answer to the question “Was Planning Services staff consulted?” from “No” to “Yes”.
- On p. 9 of the application form, amend the response under “Proposed” (regarding the variance from Section 6.1.1 of the Zoning By-law) to read “Uses similar to existing use or more compatible with permitted uses (Medical Office, Office, Rental Outlet).”
- On p. 10 of the application form, change the response under “Gross floor area of main building (square metres)” from 298 to 290.

The revision to the gross floor area on p. 10 of the original application has been made to remove the stairwell at the rear of the building (approx. 4 m x 2 m), which was erroneously included in the original calculation of gross floor area.

Table 1 below presents an amended version of the table of potential uses that was included with the original application, identifying the revised list of potential uses for which the applicant is seeking permission from the Committee along with the potential impacts of each. (It is worth noting that the new Zoning By-law does not differentiate between “Medical Office” and “Medical Clinic” as By-law No. 1995-14864 did, on the basis of the number of practitioners. The revised application continues to use the term “Medical Office”, which By-law No. 1995-14864 defined as a place in which two or fewer practitioners provide consultative, diagnostic, and treatment services for humans, as that more accurately reflects the applicant’s intent for the Subject Property.)

Table 1 – Proposed Uses of Subject Property (Amended)

Proposed Use	Potential Impacts	Similar or More Compatible?
Medical Office	Traffic impacts from patients and employees, as well as from occasional deliveries.	More compatible with permitted uses.
Office	Traffic impacts from employees and clients, and possibly from occasional deliveries.	Similar to existing use.
Rental Outlet	Traffic impacts from customers, employees, and deliveries. Hours of operation could include evenings or weekends, depending on the specific nature of the items rented.	More compatible with permitted uses.

The applicant acknowledges that City Planning Staff have objected to the inclusion of “Medical Office” in the list of proposed uses for the Subject Property. We understand that Staff’s objection is based on two principal points of contention:

- that, as a “medical” use, the proposed “Medical Office” use is not similar to the existing commercial use and cannot be considered to be more compatible with the uses permitted by the current commercial zoning; and
- that the amount of parking required for a Medical Office is such that the use cannot be considered similar to the existing use or more compatible with the uses permitted by the Zoning By-law.

With due respect to City Staff, we maintain that the reasons given do not provide sufficient grounds to reject this application. The case law surrounding s. 45 (2)(a)(ii) of the *Planning Act* clearly establishes that “similar” and “more compatible” are to be assessed according to the impacts of the proposed use. With regard to parking, the siting of the existing building on the Subject Property can readily accommodate the parking required for a Medical Office (which is not the case for certain other uses already permitted by the “C.1” zoning).

“Medical” vs. “Commercial” Uses

The first reason given by City Planning Staff is that, as a “medical” use, a Medical Office is not considered a “commercial” land use and therefore cannot be considered similar to the existing use or more compatible with the commercial uses permitted by the Zoning By-law. This objection would be understandable if the term “medical use” referred to a use that offered overnight accommodation, such as a hospital or a “Medical Treatment Facility” (defined in Zoning By-law No. 1995-14864 as a place used to provide “in-patient and out-patient medical treatment and overnight accommodation and meals for 3 or more sick, injured or infirm persons”).

However, Staff’s objection on this particular point appears to rest on the belief that the application of the “Medical” descriptor transforms an “Office” use — defined in Zoning By-law No. 1995-14864 as “a Place in which a business is conducted or a profession is practiced” — from a commercial land use to a non-commercial one. It is true that the definition of “Office” in Zoning By-law No. 1995-14864 explicitly states that the term “does not include a Medical Clinic, Medical Office or Veterinary Service.” (Similarly, the new Zoning By-law excludes “a medical clinic, medical treatment facility or veterinary service” from its definition of “Office”.) Whatever the reason for making this distinction, it does not appear to be based on anything in the City of Guelph’s Official Plan, which does not define “Medical Uses” as separate from commercial uses.

Indeed, where the Official Plan does refer to “medically related offices,” it is to include them alongside other office-related commercial uses, as in Policy No. 9.4.2.10 (Community Mixed-use Centre: Permitted Uses), which lists “commercial, retail and service uses” (No. 10.i) as well as “small-scale professional and medically related offices” (No. 10.iii). Similarly, the permitted uses in “Mixed Use 1 Areas” in the Downtown Secondary Plan include “retail and service uses” (No. 11.1.7.3.2.a) along with “offices including medically related uses” (No. 11.1.7.3.2.d). The other three

mentions of “medically related uses” in the Downtown Secondary Plan are all likewise preceded by the word “including.”

Furthermore, neither Zoning By-law No. 1995-14864 nor the new Zoning By-law maintain a strict distinction between “medical uses” and office uses or commercial uses more generally. Section 6.2.1.1 of Zoning By-law No. 1995-14864 permits both “Medical Office” and “Office” as uses in the “Neighbourhood Shopping Centre (NC)” Zone, while Table 6.3.1.1 in that same By-law permits “Medical Office” in the same “Downtown” Zones in which an “Office” is permitted (the “D.1”, “D.2”, and “D.3” Zones). Both uses are also permitted in the “Office Residential (OR)” Zone (Section 6.5.1) and in the “Commercial-Residential (CR)” Zone (Section 6.6.1). The new Zoning By-law contains very similar provisions: any “Mixed-Use”, “Commercial”, or “Downtown” Zone in which an “Office” is a permitted use also permits a “Medical clinic” (see Tables 7.1, 8.1, and 9.1 in the new Zoning By-law). On top of this, the off-street parking requirements in Section 4.13 of By-law No. 1995-14864 list the minimum requirement for “Medical Office” (and “Medical Clinic”, for that matter) in Section 4.13.4.2 — under the heading, “Standard Commercial Use Ratios”. Table 5.3 in the new Zoning By-law reflects a similar categorization, with the parking requirement for “Medical clinic” and for “Office” both listed under “Commercial, service, retail and related land uses”.

All of this is to say that there does not appear to be any basis for City Staff’s distinction between “medical uses” and “commercial uses,” neither in policy nor in the Zoning By-law. However, even if we do grant this premise, it has little bearing on the application of s. 45 (2)(a)(ii) of the *Planning Act*. As noted in the Local Planning Appeal Tribunal’s decision in *Fraser v. South Bruce Peninsula (Town)* (“*Fraser v. South Bruce*”), there is “a line of reasoning, established by the legal jurisprudence around this section of the Act, that ‘similar’ and ‘more compatible’ are to be assessed according to the impacts, such as physical or social impacts, created by the proposed use as compared to the existing use” (at para. 30).¹ *Fraser v. South Bruce* also emphasizes the use of “or” in this section of the *Planning Act*: “the tests to meet are ‘similar’ or ‘more compatible.’ The Tribunal finds [...] that an application need not satisfy both tests, but must satisfy one “or” the other” (at para. 25; emphasis in original).

Thus, even if the Committee agrees with City Planning Staff that a “medical use” is not sufficiently similar to the existing commercial use to satisfy the first test under s. 45 (2)(a)(ii), there is still the second test of being more compatible with the uses permitted in the Zoning By-law, which is to be assessed separately from the test of similarity, and irrespective of the findings under that first test.

Parking Requirements & Anticipated Impacts

The justification letter that accompanied the original application to the Committee has already discussed the anticipated impacts of the proposed uses in great detail and compared them to the impacts that can reasonably be expected from uses already permitted by the “C.1” zoning of the

¹ LPAT Case No. PL180659 (Issue Date: January 15, 2019): *Fraser v. South Bruce Peninsula (Town)*, 2019 CanLII 3403 (ON LPAT), <https://canlii.ca/t/hx4xt>.

Subject Property. The anticipated impacts of the proposed “Medical Office”, “Office”, and “Rental Service” uses are also summarized in Table 1 on p. 2 of this letter.

City Planning Staff’s objection to the proposed “Medical Office” use is based in large part on the ability to provide sufficient on-site parking for the use, thereby suggesting that the main concern regarding impacts has to do with parking and with the traffic generated by the proposed use. However, the parking ratios set out in Zoning By-law No. 1995-14864 suggest that a Medical Office is expected to generate fewer vehicle trips than other commercial uses, especially those already permitted in the “C.1” zone — assuming, of course, that these ratios are based on anticipated vehicle trips, taking into account factors such as proximity to transit and active transportation facilities, as well as the desired mode share for non-automobile modes of travel (as expressed in Policy No. 5.1.1 of the City’s Official Plan).

This revised application includes an updated Minor Variance Sketch (see attached), which shows that the dimensions of the Subject Property and the placement of the existing building allow the site to accommodate 15 parking spaces (nine spaces in the rear yard and six angled spaces along the side of the building). According to Section 4.13.4.2 of Zoning By-law No. 1995-14864, a Medical Office is required to provide 7 parking spaces per practitioner. Thus, assuming that the existing building will accommodate the maximum two practitioners allowed for a Medical Office, then the Subject Property would be required to provide 14 parking spaces. As shown in the attached Minor Variance Sketch, the Subject Property can accommodate 15 parking spaces, one more than would be required for a Medical Office. Under the new Zoning By-law, a “Medical clinic” would be required to provide 5 parking spaces for each 100 m² of gross floor area (“GFA”). With a GFA of 290 m², the existing building would be required to provide 15 spaces for a medical clinic, which again the Subject Property is able to accommodate.

On the other hand, some of the uses permitted by the existing “C.1” zoning of the Subject Property require more parking spaces than the site is able to provide. A convenience store, for example, would be required to provide 18 parking spaces under the current Zoning By-law (at a ratio of 1 space per 16.5 m² of GFA), as would a personal service establishment. Meanwhile, a take-out restaurant on the Subject Property would be required to provide 33 spaces, or 1 space per 9 m² of GFA (although it is difficult to imagine 33 simultaneous customers at a take-out restaurant of this size). It is worth noting that, under the new Zoning By-law, the Subject Property would be able to provide parking for a convenience store or personal service establishment (12 spaces), although not for a take-out restaurant (which would still be required to provide parking spaces for 27 simultaneous customers). To aid in the comparison, **Table 2** on the following page identifies the required parking ratio for the uses permitted in the “C.1” Zone and for the proposed uses of the Subject Property (as set out both in Zoning By-law No. 1995-14864 and in the new Zoning By-law).

Again, assuming that the Zoning By-law’s parking ratios are based on the expected trip generation of each use, then it is clear that a Medical Office is expected to have less of an impact in terms of traffic than a Convenience Store, a Personal Service Establishment, or a Take-out Restaurant, which are all permitted by the existing “C.1” zoning. In terms of parking turn-over rates, it is reasonable to expect that customers of a convenience store or take-out restaurant would remain on-site for a much shorter period of time than would people visiting a medical office, meaning that the traffic associated

Table 2 – Required Parking for Permitted & Proposed Uses

Land Use	Required Parking Rate (Zoning By-law No. 1995-14864)	No. of Parking Spaces	Required Parking Rate (New Zoning By-law)	No. of Parking Spaces
Artisan Studio ^(a)	1 space per 33 m ² G.F.A.	9	3 spaces per 100 m ² of GFA	9
Convenience Store	1 space per 16.5 m ² G.F.A.	18	4 spaces per 100 m ² of GFA	12
Medical Office	7 spaces per practitioner	14	5 spaces per 100 m ² of GFA ^(b)	15
Office	1 space per 3 m ² G.F.A.	9	3 spaces per 100 m ² of GFA	9
Personal Service Establishment ^(c)	1 space per 16.5 m ² G.F.A.	18	4 spaces per 100 m ² of GFA	12
Rental Outlet	Rental of furniture and appliances: 1 space per 3 m ² G.F.A.	9	3 spaces per 100 m ² of GFA ^(d)	9
	Rental of electronic and A/V equipment: 1 space per 20 m ² G.F.A.	15		
Restaurant, Take-out	1 space per 9 m ² G.F.A.	33	9 spaces per 100 m ² of GFA	27

^(a)Permitted in the “C.1” Zone by Zoning By-law No. 1995-14864 but not permitted in the “CC” Zone by the new Zoning By-law.

^(b)Required parking rate for “Medical clinic” in Table 5.3 of the new Zoning By-law (“Medical office” not identified as a separate use).

^(c)Referred to as “Service establishment” in Table 5.3 of Zoning By-law No. (2023)-20790.

^(d)Required parking rate for “Retail establishment”, defined in Part B of the new Zoning By-law as a “premises which displays, sells or rents goods or materials” (“Rental outlet” is defined separately in Part B, but Table 5.3 does not list a required parking rate for this specific use).

with people arriving at and leaving a medical office can be expected to have less of a disruptive impact than traffic generated by turn-over at shorter-term uses already permitted by Zoning.

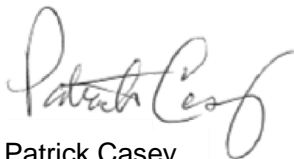
Taken together, the fact that a “Medical Office” requires less parking than many permitted uses, combined with the fact that the Subject Property can readily accommodate the parking required for this proposed use and the fact that parking turn-over rates would be significantly higher for certain permitted uses, should put to rest any concern that a Medical Office would somehow not be compatible with the uses already permitted by the Zoning By-law on the Subject Property.

For the reasons given above, we maintain, with all due respect, that the objections raised by City Staff do not provide sufficient grounds to reject this application, and that a Medical Office may, at the discretion of the Committee, be permitted on the Subject Property under s. 45 (2)(a)(ii) of the *Planning Act*. Neither the City of Guelph’s Official Plan nor the Zoning By-law provides any basis for treating an office used by a medical professional as a “non-commercial” land use, and, even if we were to grant the premise that a “medical office” cannot be considered similar to the existing office use on the Subject Property, the proposed use still meets the separate test of being “more compatible” with uses permitted by the Zoning By-law.

Finally, City Planning Staff have suggested that the decision to permit a “Medical Office” use on the Subject Property is beyond the scope of the Committee of Adjustment. In response, we respectfully submit that the wording used in s. 45 (2)(a)(ii) of the *Planning Act* clearly states that the decision as to whether a proposed use satisfies the test of being “similar” or “more compatible” is to be made “in the opinion of the committee,” and nothing in this section of the Act suggests that an application requesting such a determination somehow lies outside the purview of the Committee of Adjustment.

We therefore eagerly await the Committee’s decision on this matter.

Respectfully yours,
GSP Group Inc.



Patrick Casey
Planner

Attachments: Minor Variance Sketch
Schedule of Amendments to Original Application (No. A-10/23)
Appendix: Original Application & Cover Letter

Schedule of Amendments to Original Minor Variance Application (No. A-10/23)

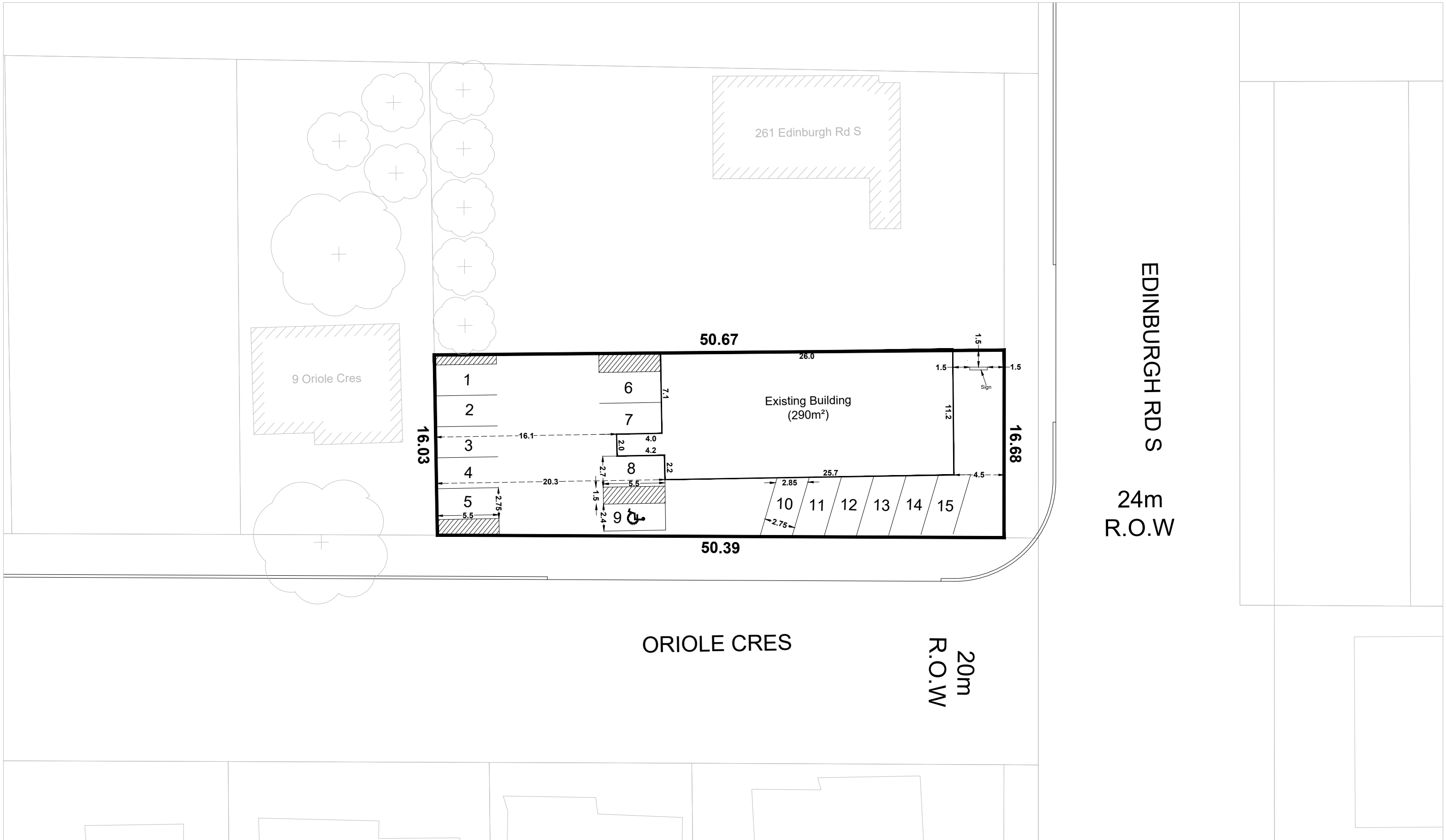
The applicant wishes to amend Minor Variance Application No. A-10/23, as originally submitted to the City of Guelph Committee of Adjustment on January 23, 2023, attached hereto as "Appendix 'A'", according to the following:

1. On page 1 of the original application as attached hereto, change the answer to the question "Was Planning Services staff consulted?" from "No" to "Yes".
2. On page 9 of the original application as attached hereto, amend the response appearing under the heading "Proposed" by striking out "Laboratory," and "Repair Service, Service Establishment, Veterinary Service", such that the amended response reads as follows: "Uses similar to existing use or more compatible with permitted uses (Medical Office, Office, Rental Outlet)."
3. On page 10 of the original application as attached hereto, change the response appearing under the heading "Gross floor area of main building (square metres)" from "298" to "290".
4. Amend the "Sworn Declaration" appearing on page 13 of the original application as attached hereto by changing the date from "1/23/2023" to "4/21/2023".
5. Amend the "Appointment and Authorization" appearing on page 13 of the original application as attached hereto by changing the date from "1/23/2023" to "4/21/2023".

Appendix:
Original Minor Variance Application (No. A-10/23)
&
Cover Letter

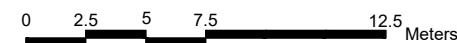
This appendix contains:

- (A) the original application form for Minor Variance Application No. A-10/23, as submitted to the City of Guelph Committee of Adjustment on January 23, 2023, and referred to in the Schedule of Amendments above; and
- (B) the cover letter (dated January 12, 2023) submitted with the original Minor Variance Application in support of, and as justification for, the requested variance.



Minor Variance Sketch
265 Edinburgh Road S, Guelph

 Site Area - 826m²



NOTE: Concept for discussion purposes only
 Scale 1:800 | April 17, 2023 | Project No.: 22279 | Drawn By: EF



GSP
 group

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

It is **highly recommended** that a [Preliminary Zoning Review](#) and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

[Preliminary Zoning Review form](#)

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

I agree

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide their consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *	Phone *	Extension	Email *
<input type="text" value="Chester Peter Carere"/>	<input type="text" value="(519) 821-4610"/>	<input type="text" value="151"/>	<input type="text" value="inam@citechnologies.com"/>

Mailing address

Unit	Street address *	City *	Postal code *
<input type="text" value="401"/>	<input type="text" value="147 Wyndham Street North"/>	<input type="text" value="Guelph"/>	<input type="text" value="N1H 4E9"/>

Is there an authorized agent? *

- Yes
- No

Agent information

Organization/company name

GSP Group Inc.

Name *

Patrick Casey

Phone *

(226) 499-6769

Email

pcasey@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria Street
South, Suite 201

City *

Kitchener

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

C.1 (Convenience Commercial)

Date property was purchased *

12/31/1973 

Is a building or structure proposed? *

Yes No

Is this a vacant lot? *

Yes No

Is this a corner lot? *

Yes No

Length of time existing uses have continued *

At least 28 years (before 1995).

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

16.68

Area (metres squared) *

826

Depth (metres) *

50.67

Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

Proposed *

Required *

Section 6.1.1

Uses similar to existing use or more compatible with permitted uses (Laboratory, Medical Office, Office, Rental Outlet, Repair Service, Service Establishment, Veterinary Service).

(Permitted uses.)

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

Please see the letter that accompanies this application.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- Official Plan Amendment
- Zoning Bylaw Amendment
- Plan of Subdivision
- Site Plan
- Building Permit
- Consent
- Previous Minor Variance Application



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Existing buildings and structures

Main building (dwelling and building)

Gross floor area of main building (square metres) *

Number of stories of main building *

Height of the main building (metres) *

Width of the main building (metres) *

Length of the main building (metres) *

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Existing

Front setback (metres) *

Rear setback (metres) *

Exterior setback (metres) *

Interior setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Name *

Date *

Street address *

City *

Province *

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Date *

Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$428.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2023 User Fee Guide](#)

I have read and understood the statements above. *

I agree

What email address would you like us to contact you with? *

pcasey@gspgroup.ca

Office use only

File number

Address

265 Edinburgh Road South
Guelph, Ontario
N1G 2J6

Comments from staff



SHAPING GREAT COMMUNITIES

January 12, 2023

File No. 22279

City Hall
1 Carden Street
Guelph, ON
N1H 3A1

Attn: Committee of Adjustment

**Re: 265 Edinburgh Road South, City of Guelph
Application under subs. 45 (2) of *Planning Act***

Dear Committee Members:

GSP Group is pleased to submit this application on behalf of our client, I.T. Enterprises Inc., the legal owners of the property known by the municipal address of 265 Edinburgh Road South in the City of Guelph and described legally as Registered Plan 434, Lot 2 (the "Subject Property"). The application asks the Committee of Adjustment for permission under s. 45 (2)(a)(ii) of the *Planning Act* to use the Subject Property for a purpose that is similar to or more compatible than the existing legal non-conforming use.

The Subject Property contains a single one-storey commercial building that is used as office, retail, and service commercial space for a telecommunications company. The building is occupied on a rental basis by a single tenant, the aforementioned telecommunications company, whose tenancy began in 1997. At present, the building contains a single commercial unit, although it has the potential to provide more than one unit for commercial tenants should the demand arise. The building was built in 1962 and has been occupied for a variety of commercial uses since it was constructed. Both the building and the existing use pre-date the City of Guelph's current in-force Zoning By-law, No. 1995-14864, which places the Subject Property in the "C.1" ("Convenience Commercial") zone.

The applicant is asking the Committee of Adjustment to permit the Subject Property to be used for a purpose that can be categorized as one of the following: Medical Office, Office, Service Establishment, Laboratory, Repair Service, Rental Outlet, or Veterinary Service. The range of proposed uses is purposefully broad and is meant to provide for some flexibility in the identification of prospective tenants for the Subject Property. As this letter establishes, all of the proposed uses satisfy the test set out in s. 45 (2)(a)(ii) in the *Planning Act* and may therefore be permitted as uses that are similar to the existing use or more compatible than the existing use with the uses that are permitted by the Zoning By-law.

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Subject Property

The Subject Property, known by the municipal address of 265 Edinburgh Road South, is a rectangular parcel of land with an area of approximately 826 m² situated on the westerly corner of the T-shaped intersection where Oriole Crescent meets Edinburgh Road South. The front lot line, along Edinburgh Road South, is approximately 16.7 metres long, while the exterior side lot line along Oriole Crescent is approximately 50.4 metres long. (As shown on the Site Plan Drawing attached to this letter, the parcel is not perfectly rectangular: the rear lot line is slightly shorter than the front lot line, and the interior side lot line slightly longer than the exterior side lot line.)

Edinburgh Road South is identified as an Arterial Road on Schedule 5 to the City of Guelph's Official Plan. The segment abutting the Subject Property has a right-of-way width of about 24 metres and features four traffic lanes as well as sidewalks on both sides of the street. Oriole Crescent is a Local Street that begins at Edinburgh Road South and ends in a cul-de-sac approximately 160 metres southwest of Edinburgh Road. The travelled portion of Oriole Crescent is approximately 9 metres wide and consists of two traffic lanes with no sidewalks. The entire right-of-way of Oriole Crescent is about 20 metres wide.

The existing building on the Subject Property is a one-storey, four-metre-tall brick building with a flat roof, divided into two commercial units. The main portion of the building is approximately 11 metres wide and approximately 26 metres long. There is a small, two-metre-wide entranceway that extends approximately 4 metres from the rear face of the building, as well as an entrance at the front of the building. The building has a total floor area of approximately 298 m². The remainder of the Subject Property is occupied by a paved area that serves primarily as a parking area, consisting of 20 spaces. Access to this parking area is provided in the form of two curb cuts, one along Oriole Crescent and the other along Edinburgh Road South; the latter curb cut extends beyond the Subject Property to provide access to the driveway on the neighbouring property at 261 Edinburgh Road South.

The attached Site Plan Drawing provides the following information, in accordance with the City of Guelph's requirements for an application for a minor variance:

- the boundaries and accurate dimensions of the Subject Property;
- the size and location of the existing building on the Subject Property, as measured from the front, rear, and side lot lines;
- the locations of the two curb cuts that provide driveway access to the Subject Property, as well as the approximate locations of the parking spaces on the Subject Property;
- the locations, widths, and names of the two public travelled roads that abut the Subject Property; and
- the locations of natural and artificial features on the Subject Property and on the two properties that abut it.

The abutting property at 261 Edinburgh Road South is located in the same "C.1" zone as the Subject Property and contains a former residence that has been converted into a denture clinic. The abutting property southeast of the Subject Property, known by the address 9 Oriole Crescent, is zoned "R1.B"

("Residential Single Detached") and contains a small detached dwelling. The locations of the buildings on these two abutting properties are identified on the attached Site Plan Drawing.

The natural features shown on the Site Plan Drawing consist of a row of trees along the rear lot line of 261 Edinburgh Road South and two trees on the property at 9 Oriole Crescent (one in the rear yard and the other in the front). According to the City's online Street Tree Ownership map, the tree in front of the dwelling at 9 Oriole Crescent is owned by the City. There are no easements affecting the Subject Property.

The parking area surrounding the building on the Subject Property provides a total of 20 parking spaces: two along the front face of the building, eight along the exterior side face of the building, six along the rear lot line, two along the rear building face between the rear entryway and the interior side lot line, and two more between the entryway and the exterior side lot line. One of the parking spaces directly behind the building is occupied by a metal storage container.

The property directly opposite to the Subject Property across Edinburgh Road South (260 Edinburgh Road South), which is similarly zoned "C.1", contains a retail commercial use within a converted one-storey dwelling that has since been expanded. The properties along Oriole Crescent beyond the Subject Property are all occupied by detached dwellings and zoned "R.1B". This includes No. 2 Oriole Crescent, a corner lot with frontage on Edinburgh Road South, as well as No. 4 Oriole Crescent, both of which are located directly opposite the Subject Property across Oriole Crescent.

Application to the Committee of Adjustment

The present application is being made under s. 45 (2)(a)(ii) of the *Planning Act* (R.S.O. 1990, c. P.13, as amended), which authorizes the Committee of Adjustment to permit a land use that is similar to an existing legal non-conforming use or that is "more compatible" with the uses permitted by the Zoning By-law than the existing legal non-conforming use is. Subsection 45 (2) of the *Planning Act* reads:

Other powers

- (2) In addition to its powers under subsection (1), the committee, upon any such application,
 - (a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit,
 - (i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed, or
 - (ii) the use of such land, building or structure for a purpose that, in the opinion of the committee, is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the

purpose for which it was used on the day the by-law was passed, if the use for a purpose prohibited by the by-law or another use for a purpose previously permitted by the committee continued until the date of the application to the committee; or

- (b) where the uses of land, buildings or structures permitted in the by-law are defined in general terms, may permit the use of any land, building or structure for any purpose that, in the opinion of the committee, conforms with the uses permitted in the by-law.

As explained in the Local Planning Appeal Tribunal's decision in *Fraser v. South Bruce Peninsula (Town)* ("*South Bruce Peninsula*"), issued on January 15, 2019,¹ this subsection of the *Planning Act* imposes two "preconditions" for an application under s. 45 (2)(a)(ii): the property must contain a legal non-conforming ("LNC") use, as required by clause (a), and that LNC use must have continued to the day on which the application was made, as required by subclause (ii) (*South Bruce Peninsula*, at para. 20). If those preconditions are satisfied, the application must meet the test set out in subclause (a)(ii): that the proposed use must be similar in purpose to the LNC use, or that it must be more compatible with the uses permitted by the Zoning By-law than the original LNC use is. *South Bruce Peninsula* establishes (at para. 25) that an application does not need to satisfy both of these tests (i.e., "similar" or "more compatible"), but it must satisfy one or the other.

The City of Guelph's Zoning By-law No. 1995-14864 was passed on June 19, 1995. The Subject Property was transferred into its present ownership in 1997, at which time the building on the property as it exists today was already well established, as was the use of that building for commercial offices, sales, and service. The current tenant has occupied the building since 1997 and has continued the same combination of office, sales, and service commercial uses from that time. The change in ownership does not affect the status of the use as legal non-conforming, as the Ontario Superior Court of Justice has recently affirmed in *Forbes v. Caledon (Town of)*: "A legal non-conforming use runs with the land and not with the owner, and thus a legal non-conforming use may be continued from owner to successors" (at para. 11).² By similar reasoning, it seems logical to conclude that a legal non-conforming use may also be continued from owner to tenant, or from one tenant to another.

The applicant intends for the Subject Property to continue to be occupied on a rental basis, and, in order to maintain flexibility with respect to prospective tenants, is asking the Committee of Adjustment to permit a range of potential uses, each of which is either similar to the existing use or more compatible with the uses permitted by the "C.1" zoning. Nothing in the wording of s. 45 (2)(a)(ii) of the *Planning Act* prevents the Committee of Adjustment from doing so, provided that the test of "similar or more compatible" is satisfied for any potential uses thereby permitted. Furthermore, this application should not be considered "premature" simply because a specific tenant has not yet been identified: indeed, it is reasonable for prospective tenants to have some assurance that their use of the Subject Property will be permitted before signing any sort of lease agreement.

¹ LPAT Case No. PL180659 (Issue Date: January 15, 2019): *Fraser v South Bruce Peninsula (Town)*, 2019 CanLII 3403 (ON LPAT), <https://canlii.ca/t/hx4xt>.

² *Forbes v. Caledon (Town of)*, 2021 ONSC 1442, <https://canlii.ca/t/jdh4d>.

Existing Use of Subject Property

The basis for the protection of lawfully existing land uses is provided by the concept of “acquired rights,” which the Supreme Court of Canada addresses in *Saint-Romuald (City) v. Olivier* (“*Saint-Romuald*”).³ In setting out the Court’s approach towards the issue of limitations on a landowner’s acquired rights, Binnie J. writes (at para. 39.1) that “[I]t is firstly necessary to characterize the purpose of the pre-existing use” (emphasis in original), which “is a function of the activities actually carried on at the site prior to the new by-law restrictions” (at para. 39.1): “The resulting characterization of the acquired right (or legal non-conforming use) should not be so general as to liberate the owner from the constraints of what he actually did” — presumably referring to the constraints imposed by the nature of the pre-existing legal non-conforming use — “and not be so narrow as to rob him of some flexibility in the reasonable evolution of prior activities” (at para. 39.6).

With this in mind, we can characterize the applicant’s existing use of the Subject Property as providing tenants with office space for the day-to-day functioning of a commercial enterprise, whose operations on the site include offering sales and service to a customer base consisting primarily of business customers. This characterization is narrow enough to establish reasonable constraints on the types of activity that may be considered “legal non-conforming” uses, while nonetheless providing the landowner with flexibility with regard to the “reasonable evolution” of the use. In this case, “reasonable evolution” includes to the occasional need to change tenants, so long as the new tenant continues the same legal non-conforming use (or uses the property for a purpose that is either permitted by the Zoning By-law or permitted by the Committee of Adjustment under subs. 45 (2) of the *Planning Act*).

According to *South Bruce Peninsula*, there is “a line of reasoning, established by the legal jurisprudence around this section of the Act, that ‘similar’ and ‘more compatible’ are to be assessed according to the impacts, such as physical or social impacts, created by the proposed use as compared to the existing use” (at para. 30). In sum: “A new use may be permitted only where it results in similar or more compatible impacts in comparison to the existing use” (at para. 33). As mentioned in the previous paragraph, the current tenant of the Subject Property uses the building as office space, as well as for sales and service. Operations take place indoors during normal business hours, and thus the impacts of the current use are primarily related to traffic generated by employees and customers and by suppliers making deliveries.

Therefore, in order to meet the test of being either “similar” or “more compatible,” any new use of the Subject Property must have impacts from traffic and hours of operation that are similar to the existing combination of office, sales, and service uses on the site or that are more compatible with the impacts that can be reasonably expected from the uses permitted by the Zoning By-law.

³ *Saint-Romuald (City) v. Olivier*, 2001 SCC 57 (CanLII), [2001] 2 SCR 898, <https://canlii.ca/t/51z2>.

Uses Permitted by Zoning

According to Section 6.1.1 of Zoning By-law No. 1995-14864, the commercial uses permitted by the current “C.1” zoning of the Subject Property include an artisan studio, a convenience store, a food vehicle, a personal service establishment, and a take-out restaurant. The “C.1” zone also permits a day-care centre and a group home (both of which uses involve something of an “institutional” component), as well as dwelling units in the same building as a permitted commercial use, accessory uses, and “occasional” uses. Table 1 on p. 7 below provides an overview of how these permitted uses are defined in Section 3 of the Zoning By-law, along with a summary of the potential impacts associated with each permitted use. (The table focuses on primary permitted uses and does not include dwelling units, accessory uses, and occasional uses.)

All six uses listed in Table 1 are expected to have some sort of impact resulting from traffic, the greatest of which can be expected from a convenience store, a personal service establishment, or a take-out restaurant, all of which can expect frequent visits from customers throughout the day. Certain uses can also reasonably be expected to have hours of operation that extend beyond the normal business hours of the current use of the Subject Property, particularly in the case of a convenience store or a take-out restaurant, which often operate late into the night and on weekends.

Indeed, most of the permitted commercial uses listed in the table above can reasonably be expected to have greater impacts on surrounding land uses than the impacts from the current use of the Subject Property. It is important to emphasize here that the test for “compatibility” set out in s. 45 (2)(a)(ii) states that the proposed use must be “more compatible *with the uses permitted by the by-law* than the purpose for which it was used on the day the by-law was passed” (emphasis added). Being compatible with the uses permitted by the Zoning By-law means that the proposed use must not prevent adjacent or nearby properties in the same zone from being used for a permitted use — for instance, introducing a use with fewer impacts, such as a residential use, into a commercial zone would introduce a sensitive receptor that could interfere with the ability of adjacent permitted uses to operate effectively. Those adjacent uses have a right to expect that their on-site operations, as permitted by the Zoning By-law, will not lead to nuisance complaints from the owners of neighbouring sensitive land uses. In other words, “more compatible” does not necessarily mean “less impactful.”

This is not to say that potential impacts on permitted uses on other adjacent zones should be ignored. However, it is reasonable to presume that the potential for such impacts has been addressed through the initial establishment of zones in the Zoning By-law — that, for example, the by-law already incorporates adequate measures to ensure that a permitted use in the “C.1” zone will not unduly impact a more sensitive permitted use in an abutting “R.1B” zone. The fact that the test set out in s. 45 (2)(a)(ii) refers to compatibility with permitted uses in the same zone and not with uses permitted in abutting zones would seem to support this supposition.

Table 1 – Definitions & Potential Impacts of Permitted Uses

Permitted Use	Definition	Potential Impacts
Artisan Studio	A place used as the workplace of a photographer, artist, craftsperson, sculptor or potter (not including a repair service or a manufacturing use).	Potential noise impacts from on-site operations. Traffic impacts from delivery of raw materials and from customers, if the use includes accessory retail. Potential for odour impacts, depending on the nature of the specific use.
Convenience Store	A retail establishment with a maximum gross floor area of 400 m ² that is used for retailing daily household or grocery needs of neighbourhood consumers; includes a variety store, confectionery, pharmacy or tobacco shop, (but not a supermarket, hardware store, or the like).	Traffic impacts from flow of customers and delivery of goods. Likely impacts from extended hours of operation, which could include impacts from outdoor illumination. Potential security concerns.
Day-Care Centre	A place in which temporary care or guidance is provided for more than five children who are not of common parentage, for a continuous period not exceeding 24 hours.	Traffic impacts, especially associated with drop-off and pick-up times at start and end of weekdays. Noise impacts from outdoor play areas.
Group Home	A place used for specialized or group accommodation for 4 to 8 residents under 24-hour supervision consistent with the requirements of its residents.	Traffic impacts from employees, including those working overnight and weekend shifts. Possible noise impacts from outdoor amenity areas. Potential security considerations, depending on the specific needs of the group home's residents.
Personal Service Establishment	A place where persons are employed in furnishing services and administering to the individual and personal needs of persons (including a barber, hairdresser, beautician, aesthetician, tailor, dressmaker, shoemaker, or tanning salon).	Traffic impacts from flow of customers, from employees, and from delivery of goods. Potential impacts from hours of operation if evening or weekend service is offered.
Restaurant (Take-out)	A restaurant that provides less than 10% of its gross floor area for the consumption of food by patrons using the restaurant. (Restaurant: a place in which food is prepared and offered for retail sale to the public.)	Traffic impacts from flow of customers, from employees, and from delivery of goods. Potential impacts from hours of operation if late-night or weekend service is offered. Odours from on-site operations or waste materials may be noticeable at times.

The sensitive uses to consider in this case consist of the residential uses along Oriole Crescent to the southwest of the Subject Property. As mentioned above, Oriole Crescent is a cul-de-sac that extends approximately 160 metres from Edinburgh Road South, which is classified as an “Arterial Road” in the City of Guelph’s Official Plan. According to Section 5.7.2 of the Official Plan, Arterial Roads “are intended to move moderate to large volumes of traffic” (Policy No. 5.7.2.1) and are “designed for medium speed” (No. 5.7.2.2). Thus, their proximity to Edinburgh Road South means that it is not possible to entirely insulate the residential uses along Oriole Crescent from traffic impacts, including traffic-generated noise. On the other hand, the fact that the Subject Property is situated at the intersection of Edinburgh Road and Oriole Crescent, combined with the fact that Oriole Crescent is a cul-de-sac, means that commercial uses of the Subject Property will generate minimal impacts from traffic on those more “interior” properties.

Thus, in determining whether a proposed use can be permitted under s. 45 (2)(a)(ii), the tests to consider are the following:

- Does the proposed use maintain the overall commercial nature of the use of the Subject Property?
- Will the impacts of the proposed use either be similar to those generated by the existing use of the Subject Property or be more compatible with the commercial uses permitted by the “C.1” zoning? In this case, “more compatible” means that the potential impacts can be greater than those generated by the existing use, so long as they do not exceed impacts that can be reasonably be expected from a use that is permitted “as-of-right.”

Proposed Uses of Subject Property

The applicant is seeking permission to change the existing use of the property to one or more of the following uses:

- an office for two or fewer medical or other health-care practitioners (such as a physician, dentist, physiotherapist, optometrist, audiologist, etc.), which according to the definitions in the City of Guelph’s Zoning By-law would constitute a “Medical Office”;
- a “Veterinary Service” for the provision of medical and/or surgical treatment of domesticated animals by a licensed veterinarian;
- an outlet for the sale or rental of small medical equipment (such as at-home respiratory care, sleep therapy/CPAP, at-home monitoring devices, etc.), which would constitute a “Rental Outlet”;
- an outlet for the sale or repair of small appliances, electronics, or other similar equipment (e.g., hearing aids or eye-wear), which would constitute a “Repair Service”;
- a medical laboratory providing diagnostic testing and similar services, which would constitute a “Laboratory”;
- an “Office” for the provision of business or professional services; or
- a “Service Establishment” that provides any of a variety of services, such as property maintenance, cleaning services, pet grooming, or the cleaning and maintenance of personal articles and household items.

Table 2 – Expected Impacts from Proposed Uses

Proposed Use	Definition	Potential Impacts	Similar or More Compatible?
Laboratory	A building, or part thereof, used for scientific, medical and/or dental testing, experimentation and/or research.	Traffic impacts from employees and deliveries of specimens. Possible traffic from patients if on-site testing services are offered.	Similar to existing use.
Medical Office	A place in which two or fewer medical practitioners provide consultative, diagnostic, and treatment services for humans.	Traffic impacts from patients and employees, as well as from occasional deliveries.	More compatible with permitted uses.
Office	A place in which a business is conducted or a profession is practiced, including associated clerical, administrative, consulting, advisory, or training services.	Traffic impacts from employees and clients, and possibly from occasional deliveries.	Similar to existing use.
Rental Outlet	A place used for the rental of tools, appliances, office machines, or the like.	Traffic impacts from customers, employees, and deliveries. Hours of operation could include evenings or weekends, depending on the specific nature of the items rented.	More compatible with permitted uses.
Repair Service	A place in which the maintenance or repair of goods or equipment is conducted.	Traffic impacts for customers and employees, as well as from occasional deliveries. Hours of operation could include evenings or weekends.	More compatible with permitted uses.
Service Establishment	A place providing services related to the grooming of persons; a place providing the cleaning, maintenance, and repair of personal articles and accessories, small appliances or electronics; or a place providing services related to the maintenance of a residence or business.	Traffic impacts from customers, employees, and deliveries. Hours of operation could include evenings or weekends, depending on the nature of the service provided.	More compatible with permitted uses.
Veterinary Service	A building, or part thereof, where domesticated animals, excluding livestock, are given medical and/or surgical treatment, grooming, or care by a veterinarian licensed by the Province of Ontario.	Traffic impacts from customers and employees, as well as from occasional deliveries.	More compatible with permitted uses.

Table 2 above presents the potential impacts that each of the uses listed above can reasonably be expected to have. All of the uses listed in the table can be expected to generate some impacts from traffic that are similar to the impacts generated by the existing use of the Subject Property. Some of the uses (namely, a rental outlet, repair service, or service establishment) could have hours of operation that extend beyond the standard business hours during which the existing use operates (i.e., 9 a.m. to 5 p.m. on weekdays), depending on the specific nature of the use. These extended hours would in turn mean additional traffic impacts during those hours. However, none of the uses would have operating hours in excess of what could reasonably be expected from a permitted use, such as a convenience store or a take-out restaurant.

As shown in Table 2, the proposed Laboratory and Office uses would have impacts that are very similar to the impacts of the existing combination of office space, sales and service commercial uses. A Medical Office or Veterinary Service could reasonably be expected to generate slightly more traffic than the existing use, depending on the number of patients, but such impacts would be compatible with those that can be expected from a personal service establishment, which is a permitted use. Similarly, the other three uses (Rental Outlet, Repair Service, and Service Establishment) can all be expected to generate traffic levels similar to those generated by a personal service establishment. These uses can therefore also be considered as “more compatible” with the uses permitted by the Zoning By-law than the existing use of the Subject Property.

Although the applicant’s request to permit a range of potential uses may be atypical for an application of this nature, each of the proposed uses can be permitted under s. 45 (2)(a)(ii) of the *Planning Act*: the proposed “Laboratory” and “Office” uses are similar to the existing legal non-conforming use of the Subject Property, while the proposed “Medical Office”, “Rental Outlet”, “Repair Service”, “Service Establishment”, and “Veterinary Service” uses are all more compatible with the uses permitted by the Zoning By-law in the “C.1” zone. In this case, “more compatible” does not necessarily mean “less impactful” than the existing use, but rather that the proposed use will have impacts similar to what would be expected from a permitted use, thereby allowing adjacent permitted uses in the same zone to continue operating while avoiding the imposition of undue impacts on neighbouring residential properties.

Please do not hesitate to contact me should any further information or materials be required in order for this application to the Committee of Adjustment to be considered complete.

Sincerely,
GSP Group Inc.



Patrick Casey, Planner