

Committee of Adjustment Members and City Staff

We are in receipt of the notice of Application A-10/23 to change the legal non-conforming use to permit additional uses.

My wife and I have owned the property at [REDACTED] Oriole Cres - property adjacent to 265 Edinburgh- since 1997 when we purchased it for my parents. Since their passing we have rented out the house and it contains a legal accessory apartment. It is our intent to move into this bungalow in our retirement years.

First, I would like to state that the owners and tenants of 265 Edinburgh Rd S have, for the most part, been good neighbours and we have few complaints other than snow being plowed into our driveway at times. I appreciate that the owners have invested in improvements to the building and parking lot in the past year.

I agree with city staff and request that this application be deferred until they can appropriately respond and do their due diligence on the requests for changes.

However, we will provide our concerns for staff now for consideration when reviewing this application.

In regards to the new uses, while I don't have significant concerns, I believe that some are too intensive for this site, particularly medical office and veterinary service. It is doubtful that there is adequate legal parking on site. I concur with engineering that the driveway on Edinburgh Rd presents a safety hazard. There was once a convenience store in the front unit. Drivers would regularly try to back out onto Edinburgh Rd where the site lines are problematic at this point. There is also an issue with cars parking over the sidewalk. Removing the pavement in front provides an opportunity to landscape this area. As the owner's planner has pointed out there is currently no 'natural features' on this property. It is 100% building and pavement.

I request that, if approved, the owner be required to provide a solid wood fence along their rear lot line that abuts our driveway at [REDACTED] Oriole Cres. There is no buffer or setback from the parking lot. I understand the fence would be lower along the southerly portion to address site line issues.

Any new site plan should include a location for waste. Previously the tenants used the regular city bins and put out their waste on the scheduled days. However the new Waste Management Master Plan has changed the policy for smaller commercial properties and as of March 1st commercial properties must deal with their garbage through private contractors, not through regular city residential pick up.

As you can see in the attached photos, storage of snow is also an issue, taking up many parking spaces on site.

Lastly, I would like to point out this property is deemed legal non conforming use. However, there has not been a tenant in either of the 2 units for over a year. This is contrary to the statements in GSP's letter. There are 2 units and both are vacant. You can also see this in the attached photos and I encourage staff to visit the site. I attend our property regularly and there is never anyone at 261 Edinburgh Rd S or any signage indicating an operating business. The telecommunications company moved out over a year ago. The zoning bylaw states in 1.4.1., that legal non conforming uses can only be

in effect "so long as it continues to be used for that purpose". Therefore, I question the legal non conforming status of this property due to the current long term vacancies.

Thank you for your attention to these concerns. I believe the potential change/addition of uses is an opportunity to address some of the other non conforming issues on this property.

Sincerely

Bob Downer, Owner [REDACTED] Oriole Cres.

[REDACTED] Martin Ave

Guelph, ON

[REDACTED]



FOR LEASE  
519-821-4610





