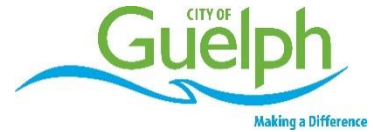


# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-54/23  
Location: 842 Woolwich Street  
Hearing Date: August 10, 2023  
Owner: Granite Holdings (816 Woolwich) Ltd.  
Agent: Emily Elliott, MHBC Planning  
Official Plan Designation: Commercial Mixed-use Centre  
Zoning Designation (1995)-14864: Specialized Community Shopping Centre (CC-29) Zone  
Zoning Designation (2023)-20790: Site-specific Commercial Mixed-use Centre (CMUC-5) Zone

### **Zoning By-Law (1995)-14864 Requirements:**

The By-law permits a real estate sales office as an occasional use on a construction site until such construction is completed or a final building inspection is conducted, whichever events occurs first.

### **Zoning By-Law (2023)-20790 Requirements:**

The By-law permits a real estate sales office on a construction site until such construction is completed or a final building inspection is conducted, whichever event occurs first.

### **Request:**

The applicant is seeking relief from the requirements of both By-Laws to permit a temporary real estate sales office to operate on the subject property, which is not part of an active construction site and is adjacent to a construction site, until such construction on the neighbouring site is completed or a final building inspection is conducted, whichever event occurs first.

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## Staff Recommendation

**Approval with Condition**

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## **Recommended Conditions**

### **Planning Services**

1. That the temporary real estate sales office be permitted for a maximum of five (5) years from the date of issuance of a building permit.
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## **Comments**

### **Planning Services**

The subject property is designated "Commercial Mixed-Use Centre" in the City of Guelph Official Plan. The Commercial Mixed-Use Centre land use designation permits a range of uses, including multiple unit residential uses. The approved development for the site conforms to the City of Guelph Official Plan and includes 200 stacked townhouse units and a five-storey apartment building on the northern portion of the site and retention of the existing curling club on the southern portion of the site. The proposed temporary real estate sales office (sales trailer) is complementary to the approved development and will facilitate sales of the approved units. The requested variance will not result in any changes to the approved development and/or the use of the subject property. The requested variances maintain the general intent and purpose of the Official Plan.

The subject property is zoned "Specialized Community Shopping Centre" (CC-29), according to Zoning By-law (1995)-14864, as amended. A variance from Section 4.21.5 of Zoning By-law (1995)-14864, as amended, is being requested. The By-law permits a real estate sales office as an occasional use on a construction site until such construction is completed or a final building inspection is conducted, whichever events occurs first. The property is also zoned "Site-specific Commercial Mixed-use Centre" (CMUC-5), according to Zoning By-law (2023)-20790, as amended. A variance from Section 4.18.2 of Zoning By-law (2023)-20790, as amended, is being requested. The applicant is seeking relief from the requirements of both Zoning By-laws to permit a temporary real estate sales office (sales trailer) to operate on the subject property, which is not part of an active construction site and is adjacent to a construction site, until such construction on the neighbouring site is completed or a final building inspection is conducted, whichever event occurs first. A 'construction site' is considered to be a site where a building permit has been issued. The intent of both Zoning By-laws is to allow a temporary real estate sales office to facilitate sales of the associated development. The proposed location of real estate sales office on the subject property, rather than the adjacent stacked townhouse property (824 Woolwich Street), is considered to maintain the general intent and purpose of both the 1995 and 2023 Zoning By-laws.

The purpose of the temporary real estate sales office is to facilitate the sales of the approved residential units. The Owner is proceeding with the construction of the development in stages, beginning with the stacked townhouse portion (824 Woolwich Street). Parking and access to the sales trailer are consistent with parking and access locations on the approved site plan. The requested variances are considered to be desirable for the appropriate development of the lands. The requested variances are also considered to be minor in nature. There will be no

changes to the approved development, the number of units, parking spaces or exterior appearances. In addition, a minor site plan application is required which will address the detailed design of the sales office, including the precise location and size of the sales trailer, the location of parking spaces, grading and landscaping. Staff are recommending a time limit of five (5) years for the temporary real estate sales office to ensure that it is an interim use of the property.

Staff recommend approval of the application subject to the above noted condition.

### **Engineering Services**

Engineering has no concerns with the requested variance seeking relief from both By-laws to permit a temporary real estate sales office to operate on the subject property, which is not part of an active construction site and is adjacent to a construction site, until such construction on the neighbouring site is completed or a final building inspection is conducted, whichever event occurs first.

Engineering will further review the proposed grading and drainage, stormwater management, and erosion and sediment control during the site plan application. Please note that all costs associated with construction of the temporary site shall be the responsibility of the developer.

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

### **Building Services**

The property is zoned Specialized Community Shopping Centre (CC-29) Zone under Zoning By-law (1995)-14864, as amended and Site-specific Commercial Mixed-use Centre (CMUC-5) Zone under council approved Comprehensive Zoning By-law (2023)-2079, as amended. Both zones permit an occasional use for the purpose of a real estate sales office on a construction site until such construction is completed or a final building inspection is conducted, whichever event occurs first.

Building has no objection to the application to permit the temporary real estate sales office to operate on the subject property, adjacent to the active construction site. Note that a building permit is required prior to the construction of the temporary sales office, at which time requirements under the Ontario Building Code will be reviewed.

Building supports Engineering and Planning 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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