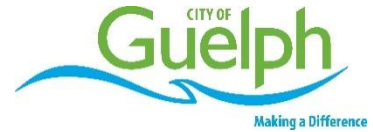


# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Number: A-62/23  
Location: 236 Gordon Street  
Hearing Date: September 14, 2023  
Owner: 236 Gordon Apartments Ltd.  
Agent: Moreton Properties Limited and Michael Serra, GSP Group Inc.  
Official Plan Designation: Low Density Residential  
Zoning Designation (1995)-14864: General Apartment (R.4A) Zone  
Zoning Designation (2023)-20790: High Density Residential 7 (RH.7) Zone

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

The By-law requires that for the first 20 dwelling units, a minimum of 1.5 parking spaces per dwelling unit is required, and for each dwelling unit in excess of 20, a minimum of 1.25 spaces per dwelling unit is required.

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

The By-law requires a minimum of 1.5 parking spaces per dwelling unit, for the first 20 dwelling units, and for each dwelling unit in excess of 20, a minimum of 1.25 spaces per dwelling unit is required. A minimum of 20 percent of the required parking spaces shall be for the use of visitor parking.

As the existing parking is legal non-complying and no changes are being made to the site, the additional unit will require an additional 2 parking spaces [total of 31 parking spaces required].

### Request:

The applicant is seeking relief from the requirements of both By-Laws to permit a minimum of 29 parking spaces for the existing apartment building located on the subject property.

---

## Staff Recommendation

### Approval

---

## **Comments**

### **Planning Services**

The subject property is designated as "Low Density Residential" in the Official Plan and is designated as "High Density Residential" through Official Plan Amendment 88, which is currently under appeal. The "Low Density Residential" land use designation applies to residential areas within built-up areas of the City and permits a broad range of housing types, including single detached dwellings, townhouses and apartments. The requested variances will facilitate the addition of a new residential unit to an existing 30-unit apartment building, while maintaining the existing 29 parking spaces. The requested variances are considered to meet the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Apartment" (R.4A) according to Zoning By-law (1995)-14864, as amended; and is zoned (RH.7) according to Zoning By-law (2023)-20790, as amended. A parking variance to both By-laws is required to permit an additional residential unit in an existing 30-unit apartment building while maintaining the existing 29 parking spaces. Section 4.14.4.3 of Zoning By-law (1995)-14864, as amended, requires a minimum of 1.5 spaces per unit for the first 20 units, and 1.25 parking spaces for each unit in excess of 20 units. Table 5.3 of Zoning By-law (2023)-20790, as amended, requires a minimum of 1.5 parking spaces per unit for the first 20 units, 1.25 parking spaces for each unit in excess of 20 units, and a minimum of 20% of parking spaces shall be for the use of visitor parking. As the existing 29 parking spaces are considered to be legal non-complying and no changes are being made to the site, the additional unit will require an additional 2 parking spaces (total of 31 parking spaces required).

The general intent and purpose of the Zoning By-law in requiring parking standards is to ensure that sufficient area and number of spaces are provided so that parking demand can be met on site and potential spillover of parking on adjacent streets does not occur. The applicant has advised that because the building provides units for mostly post-secondary students, parking supply has not been an issue on the site. The addition of one new residential dwelling unit without the addition of new parking is not expected to cause any impacts to the existing site given its proximity to the downtown and transit routes. The requested variances are considered to meet the general intent and purpose of both the 1995 Zoning By-law and the 2023 Comprehensive Zoning By-law.

The requested variances will facilitate one additional residential unit in an existing 30-unit apartment building with 29 parking spaces. No changes are proposed to the site layout or building footprint. The appearance of the subject property from the street will remain the same, having minimal impact on the streetscape and on neighbouring properties. Additionally, 31 parking spaces are required while the applicant is proposing 29, which is a deficiency of 2 spaces. The requested variances are desirable for the appropriate development of the land and are minor in nature.

The requested variances meet the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the appropriate development of the land and are minor in nature.

Staff recommend approval of the application.

### **Engineering Services**

Engineering has no concerns with the requested variance seeking relief from the requirements of Zoning By-law (1995)-14864, as amended, to permit reduced number of parking spaces for existing apartment building.

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

### **Building Services**

The subject property is zoned Residential Apartment (R.4A) under Zoning By-law (1995)-14864, as amended and High Density Residential 7 (RH.7) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The applicant is proposing to add one dwelling unit within the existing 30 dwelling unit apartment building. The property accommodates 29 existing parking spaces.

The building was built prior to Site Plan Approval. The 29 existing parking spaces are legal non-complying on the property. The additional unit would require an additional 2 parking spaces, which the property cannot accommodate and therefore is the variance request.

Building Services notes that a Building permit will be required for the construction of the new dwelling unit, at which time requirements under the Ontario Building Code will be reviewed.

Building Services has no concerns and supports Planning and Engineering recommendations.

### **Grand River Conservation Authority (GRCA)**

Please see attached correspondence from the Grand River Conservation Authority.

### **Comments from the Public**

None

---

### **Contact Information**

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

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

TTY: 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)