

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number:	A-81/23
Location:	145 Speedvale Avenue West
Hearing Date:	December 14, 2023
Owner:	145 Guelph Inc.
Agent:	Joe Lakatos, AJ Lakatos Planning Consultant
Official Plan Designation:	Neighbourhood Commercial Centre
Zoning Designation (1995)-14864:	Specialized Neighbourhood Shopping Centre (NC-13) Zone
Zoning Designation (2023)-20790:	Site-specific Neighbourhood Commercial Centre (NCC-17(H-12)) Zone with a Holding Provision

Zoning By-Law (1995)-14864 Requirements:

The property is located in the Specialized Neighbourhood Shopping Centre (NC-13) Zone of Zoning By-law (1995)-14864, as amended.

Zoning By-Law (2023)-20790 Requirements:

A variance from Table 7.8 of Zoning By-law (2023)-20790, as amended, is being requested. The By-law requires a minimum building height of 7.5 metres for building located within 15 metres of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan.

Request:

The applicant is seeking relief from the requirements of Zoning By-law (2023)-20790, as amended, to permit a minimum building height of 5.2 metres for the proposed new building containing a convenience store and automatic car wash.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That the reduced minimum height of 5.2 metres apply only to the structures shown on the public notice sketch.
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Comments

Planning Services

The subject lands are designated as "Neighbourhood Commercial Centre" in the Official Plan. The "Neighbourhood Commercial Centre" land use designation permits local convenience and neighbourhood commercial uses. Policy 9.4.5 of the Official Plan provides several objectives to be achieved in the Neighbourhood Commercial Centre designations in the City, one of which states that Neighbourhood Commercial Centres will be designed in a manner that is compatible with the building design and use of surrounding properties (Policy 9.4.5.10.iii)). Staff are satisfied that the proposal conforms with the general intent and purpose of the Official Plan.

The subject lands are zoned "Specialized Neighbourhood Shopping Centre" (NC-13) according to Zoning By-law (1995)-14864, as amended; and are zoned "Specialized Neighbourhood Commercial Centre" (NCC-17) in the Comprehensive Zoning By-law passed by Council on April 18, 2023. An Amendment to the 1995 Zoning By-law was introduced and passed to rezone the lands from "Specialized Convenience Commercial" (C.1-17) zone to the new "Specialized Neighbourhood Shopping Centre" (NC-13) zone to permit the convenience store and car wash – automatic, uses in February 2023. The requested variances will permit the construction of a convenience store and automatic car wash on the subject lands.

The proposed building has a non-complying height of 5.2 metres. A variance from Table 7.8 of Zoning By-law (2023)-20790, as amended, is being requested. The By-law requires a minimum building height of 7.5 metres for a building located within 15 metres of an existing and proposed arterial and/or collector road, as identified in the City's Official Plan. The requested variance would address the minimum height requirements for the proposed convenience store and automatic car wash. No variances to the 1995 Zoning By-law are required.

The general intent and purpose of the Zoning By-law related to minimum heights for buildings and structures in close proximity to arterial and collector roads is to ensure that streetscape design and urban form are compatible with surrounding properties, upon arterial and collector roads. The elevation drawings of the proposed convenience store and car wash show a maximum height of 6.15 metres, and 5.2 metres at the midpoint of the pitched roof. Additionally, the convenience store proposed is a standard height and consistent with structures at other Vehicle Service Stations. The proposed development is also very similar in height to the existing convenience and vehicle gas bar and would have little additional impact on neighbouring residential properties. The requested variance is considered to meet the general intent and purpose of the Zoning By-law.

The requested variance would permit the construction of a convenience store and automatic car wash in line with the Zoning By-law Amendment approved in February 2023. The proposal would have little impact on the streetscape and neighbouring properties. Staff are satisfied that the proposal is minor in nature and is desirable for the development of the land.

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 subject to the recommended condition.

Engineering Services

Engineering has reviewed this site through a Site Plan Pre-Consultation and will continue to review through a subsequent Site Plan submission.

We have no concerns with the requested variances. We agree with the recommendations made by Planning and Building staff.

Building Services

The property has an active Site Plan Approval application to redevelop the existing vehicle gas bar to a new building that contains a convenience store and automatic car wash.

A building permit is required prior to any demolition and construction, at which time requirements under the Ontario Building Code will be reviewed.

Building Services has no concerns with the application to permit a minimum building height of 7.5 metres and supports Planning's recommendation.

Comments from the Public

None

Contact Information

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