

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-1/23
Location: 280 Speedvale Avenue West
Hearing Date: January 11, 2024
(deferred from the January 12, 2023 hearing)
Owner: Linamar Corporation
Agent: Eileen Costello, Aird and Berlis LLP
Official Plan Designation: Industrial
Zoning Designation (1995)-14864: Industrial (B.3) Zone
Zoning Designation (2023)-20790: Industrial (B) Zone

Request: The applicant proposes to sever a parcel of land with frontage along Speedvale Avenue West of 52.68 metres and an area of 8,455 square metres. The retained parcel will have frontage along Speedvale Avenue West of 150.66 metres and an area of 23,422 square metres.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That prior to the issuance of the Certificate of Official, the applicant shall apply for a minor variance and receive approval for relief from Table 10.3 D of Zoning By-law (2023)-2079, as amended, where a 3 metre buffer is required adjacent to interior side and rear lot lines, or otherwise demonstrate compliance with the Zoning By-law.

Engineering Services

2. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a grading and drainage plan for the severed and retained lands that has been prepared in accordance with the City of Guelph's Development Engineering Manual.

3. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a stormwater management report for the severed and retained lands that has been prepared in accordance with the City of Guelph's Development Engineering Manual.
4. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a servicing plan that has been prepared in accordance with the City of Guelph's Development Engineering Manual.
5. That prior to the issuance of the Certificate of Official, the owner(s) shall submit environmental reports in accordance with Appendix A of City's Guidelines for Development of Contaminated or Potentially Contaminated Sites to the satisfaction of the General Manager/City Engineer.

Committee of Adjustment Administration

6. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
 7. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
 8. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).
 9. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
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Comments

Planning Services

The proposed consent to sever application would result in a vacant severed parcel with 52.68 metres of frontage on Speedvale Avenue and an area of 0.85 hectares. The retained lands would have 150.66 metres of frontage on Speedvale Avenue and

an area of 2.34 hectares. The proposed use of the severed lands has not been specified in the submitted application.

The subject lands are designated "Industrial" in the Official Plan. Permitted uses in the industrial designation includes warehousing, laboratories, and industrial uses that involve the manufacturing, fabricating, processing and packaging of goods.

Policy 9.5.2 of the Official Plan outlines several objectives of Industrial designated lands. These objectives include ensuring sufficient serviced industrial land is available to attract a diversified range of industrial uses (9.5.2 (a)) and ensuring the efficient use of existing industrial land and promoting redevelopment of underused sites (9.5.2(b)).

Policy 10.10.1 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject application:

- i. That all of the criteria for plans of subdivision are given due consideration.

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

- ii. That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.

A plan of subdivision is not necessary.

- iii. That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands. The proposed severance does not restrict or hinder the ultimate development of the retained or severed lands.

The proposed severance will optimize the existing uses on the site by creating a new industrial lot from an underutilized portion of the site.

- iv. That the application can be supported if it is reasonable and in the best interest of the community.

In the opinion of staff the proposed severance is reasonable and in the best interest of the community.

The subject property is zoned "Industrial" (B.3) according to Zoning By-law (1995)14864, as amended, and is zoned "Employment" (B) in the of Zoning By-law (2023)-2079, as amended, which permits manufacturing, warehouses and industrial uses. There are no changes proposed to the "retained" parcel and the existing building, parking supply and configuration will be maintained on the "retained" parcel.

Staff note that the proposed lot line would result in the retained lands not complying with Table 10.3 D of the 2023 Zoning By-law, which requires a 3 metre buffer strip between the parking existing parking area and the proposed lot line.

Planning staff are satisfied that the proposed severance meets the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the

Planning Act, and Planning staff recommend approval subject to the above noted conditions. Approval without the above noted condition would create a non-compliance situation on the retained lot. Alternatively, Planning staff can support a recommendation of deferral if the applicant requires additional time to remedy the above noted buffer requirement from the 2023 Zoning By-law.

Engineering Services

Engineering has reviewed the requested consent application and recommends the above noted conditions. Additional information will be received and reviewed through subsequent application(s) for development. We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Industrial (B.3) Zone under Zoning By-law (1995)-14864, as amended and Industrial (B) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The applicant is proposing to sever the lands which will create a 0.85ha vacant parcel. The retained 2.34 ha is a developed parcel. Both the severed and retained parcel meet the minimum lot frontage of 30 metres. There is no minimum required lot size, but required setbacks, buffer strips, landscaped open space and building heights are to be met when developing the severed lands.

The 2023 Comprehensive Zoning By-law requires a minimum 3 metre wide buffer strip adjacent to interior side and rear lot lines on B Zoned properties, which the retained parcel does not meet as the site sketch shows a setback of 0.3m to the edge of pavement. A minor variance application will be required or the severance line is to be modified to meet the 3 metre wide buffer requirement.

Note that a building permit will be required prior to any construction.

Building Services has no objection to the consent application, subject to the 3 metre wide buffer being met on the retained parcel and supports Planning's and Engineering's recommendations.

Comments from the Public

Yes (see attached)

Contact Information

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