

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-5/24
Location: 23-25 Gordon Street
Hearing Date: January 11, 2024
Owner: Stepping Stone
Agent: Lloyd Grinham, Grinham Architects
Official Plan Designation: Mixed Use 2
Zoning Designation (1995)-14864: Specialized Downtown 1 (D.1-20) Zone
Zoning Designation (2023)-20790: Site-specific Downtown 1 (D.1-18) Zone

Zoning By-Law (1995)-14864 Requirements:

The property is located in the Specialized Downtown 1 (D.1-20) Zone. A variance from Section 4.29.1 of Zoning By-law (1995)-14864, as amended, is being requested. The By-law requires that the maximum occupancy for an emergency shelter shall be limited to a maximum of 16 beds.

Zoning By-Law (2023)-20790 Requirements:

The property is also located in the Site-specific Downtown 1 (D.1-18) Zone. A variance from Table 5.4 Row 7 of Zoning By-law (2023)-20790, as amended, is being requested. The By-law requires that the minimum number of required off-street parking spaces be 1.5 per 100 metres square of gross floor area [22 spaces] for a community use.

Request:

The applicant is seeking relief from the requirements of Zoning By-law (1995)-14864, as amended, to permit a maximum of 75 beds in the existing emergency shelter.

The applicant is also seeking relief from the requirements of Zoning By-law (2023)-20790, as amended, to permit a minimum of 17 off-street parking spaces.

Staff Recommendation

Approval

Comments

Planning Services

The subject property is designated as "Mixed Use 1" in the Downtown Secondary Plan. The Downtown Secondary Plan has updated policies for the Downtown area in the Official Plan. The "Mixed Use 1" land use designation permits a broad range of uses in a mix of highly compact development forms. An emergency shelter use already exists on the subject property in the existing two storey structure fronting onto Gordon Street. The applicant is proposing to construct a third storey to facilitate the construction of an enlarged emergency shelter with 75 beds and 17 off-street parking spaces. The Mixed Use 1 designation permits the emergency shelter use and would permit a third storey on the existing two storey structure. For these reasons the requested variances are considered to meet the general intent and purpose of the Downtown Secondary Plan.

The subject property is designated as "Specialized Downtown 1" (D.1-20) according to Zoning By-law (1995)-14864, as amended; and is zoned "Site-Specific Downtown 1" (D.1-18) according to Zoning By-law (2023)-20790, as amended. A variance to the 1995 Zoning By-law to permit up to 75 beds for an emergency shelter, whereas the number of beds is capped at 16 as per section 4.29.1 of the 1995 Zoning By-law. A variance to the 2023 Zoning By-law to reduce the minimum number of required off-street parking spaces from 22 space to 17 spaces for the proposed emergency shelter use is also requested. Staff note that no variance for the maximum number of beds in an emergency shelter is required in the 2023 Zoning By-law, and no variance for the minimum parking requirements is required in the 1995 Zoning By-law.

Number of beds in an emergency shelter

The general intent and purpose of the Zoning By-law related to the number of beds for an emergency shelter is to ensure that the concentration of emergency shelter beds does not have significant adverse impact on those using the emergency shelter or those living in the surrounding area. The subject lands are in a highly accessible downtown location within proximity to other services, shops and transit options. This makes it an ideal location for an emergency shelter within the Guelph area. For this reason staff are of the opinion that the proposed number of beds meets the intent of the 1995 Zoning By-law.

Parking

The general intent and purpose of the Zoning By-law related to minimum parking requirements is to ensure that there is adequate off-street parking for both employees and users of the emergency shelter. Due to the nature of the emergency shelter use, parking demand is often much lower than the ratio of 1 parking space per four beds as required in the 2023 Zoning By-law.

Given its location in Downtown Guelph, the subject lands are within proximity of several municipal parking lots and street parking to satisfy any excess parking demand for the emergency shelter. Staff note that the 1995 Zoning By-law exempts emergency shelters located in downtown zones from minimum parking

requirements for this reason. For these reasons staff are satisfied that the proposed reduction in minimum parking requirements conforms with the general intent of the 2023 Zoning By-law.

The proposed development would provide much needed emergency shelter beds, and would be adequately served by the services, shops, parking and public transportation options found in the Downtown Guelph area. Staff are of the opinion that the proposal is desirable for the development of the lands and minor in nature.

Staff note that comments were received from Metrolinx requesting an environmental easement for operational emissions. As the subject lands are approximately 130 metres from the Metrolinx right-of-way, staff do not consider Metrolinx's proposed condition to be necessary for this minor variance application.

The requested variances are considered to meet the general intent and purpose of the Downtown Secondary Plan, the general intent and purpose of both Zoning By-laws, are minor in nature, and are desirable for the appropriate development of the lands.

Staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the requested variance. We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Specialized Downtown 1 (D.1-20) under Zoning By-law (1995)-14864, as amended and Site-specific Downtown 1 (D.1-18) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. Both zones permit an Emergency Shelter. The applicant is proposing a third storey on the existing building. The 1995 Zoning By-law limits the number of beds for the Emergency Shelter use but does not require parking in the Downtown 1 Zone. The 2023 Comprehensive Zoning By-law does not limit the number of beds but has a parking requirement for the use in the Downtown 1 Zone.

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

Building Services has no objection to the application and supports Planning and Engineering recommendations.

Metrolinx

See attached correspondence from Metrolinx.

Comments from the Public

Yes (see attached)

Contact Information

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