

January 9, 2024

File No. 173819

BY EMAIL

Committee of Adjustment
c/o Trista Di Lullo, Secretary-Treasurer
City Hall, 1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Di Lullo:

**Re: Minor Variance Application
280 Speedvale Avenue**

Aird & Berlis LLP represents Linamar Corporation, the registered owner of the property municipally known as 280 Speedvale Avenue in the City of Guelph (the "Site").

The Site is currently subject to Consent Application No.: B-1/23, which is scheduled to be heard on January 11, 2024.

The Site is approximately 3.19 hectares (7.88 acres), comprised of an approximate frontage of 203 metres and a depth of 156 metres. The Site includes one (1) existing low-rise industrial-style building, surface parking, and one (1) driveway entrance off Speedvale Avenue. The eastern portion of the Site, composed of approximately 53 metres of frontage, is currently undeveloped.

Background

On November 22, 2022, our office submitted a consent application to sever the vacant portion of the Site that is surplus to Linamar's needs and thereby create a future development opportunity as identified in Figure 1.

1. **Conveyed Lot – Part 1 as shown in yellow** - The Conveyed Lot, being Part 1 on the enclosed Surveyors Sketch, has an approximate frontage of 53 metres and depth of 156 metres with a total lot area of 8,455 square metres.
2. **Retained Lot – Part 2 as shown in green** - The Retained Lot, being Part 2 on the enclosed Surveyors Sketch, has an approximate frontage of 151 metres and a depth of 156 metres with a total lot area of 23,422 square metres.

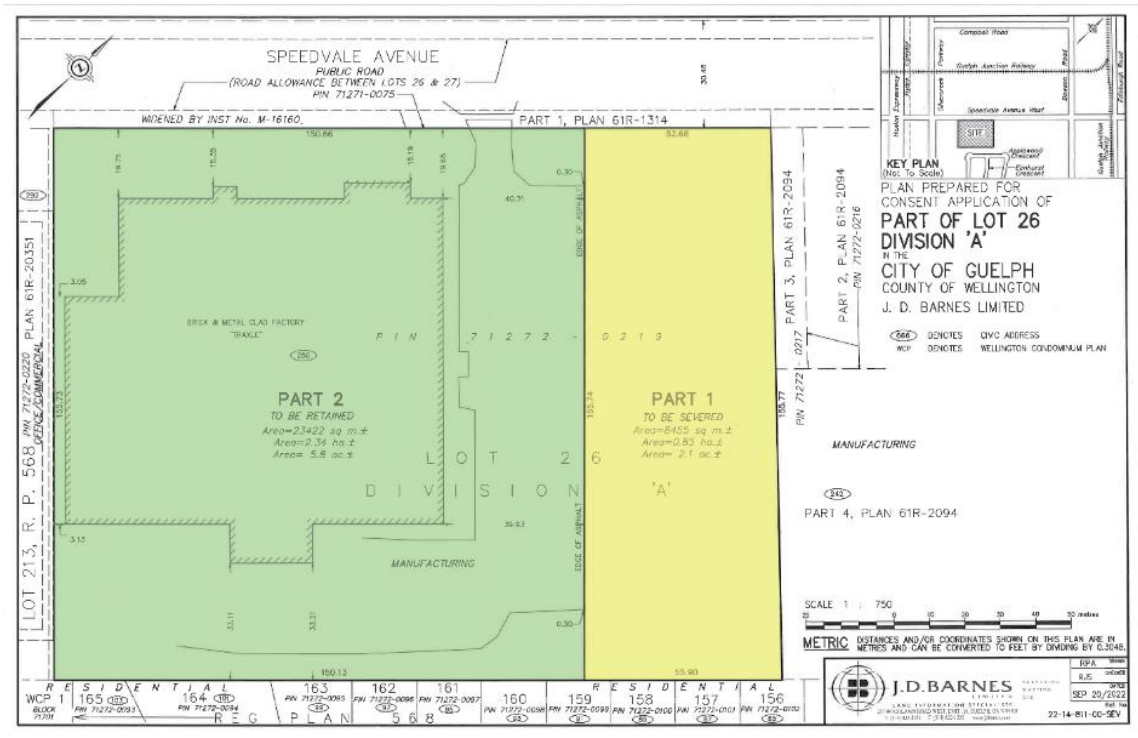


Figure 1. Surveyors Sketch

At the time of the application, there were no variances required to Zoning By-law 1995-14864, as amended. The application was deferred in January 2023 to allow our client time to address comments from Engineering staff that have now been resolved.

In April 2023, Council adopted Zoning By-law 2023-20790, which introduced a new provision requiring a 3 metre landscape buffer strip adjacent to interior side lot lines (Table 10.3.D). While Zoning By-law 2023-20790 remains under appeal, City staff have indicated that a variance is now required in order to comply with this provision.

Requested Variance

In consultation with Planning staff, our client has agreed to file this application for a variance to legalize the existing landscape buffer:

Variance: A 0.0 metre landscape buffer on the interior side lot line will be provided, whereas Zoning By-law 2023-20790 requires a 3.0 metre landscape buffer in this instance.

Our client has further agreed to a condition to its consent application whereby it agrees to obtain this variance prior to the issuance of the Certificate of Official.

The Requested Variance Meets the “4 Tests” under the Planning Act

The Site is designated Industrial under the Official Plan. Policy 9.5.2.11 permits a range of employment uses, including industrial uses (manufacturing, fabricating, etc.), warehousing and bulk storage, laboratories, repair and service operations, and complementary uses. An objective of the Official Plan is “to ensure sufficient serviced industrial land is available to attract a diversified range of industrial uses.”

The Site is zoned B.3 under Zoning By-law 1995-14864, as amended, and B under the new Zoning By-law 2023-20790. The purpose of the minor variance application is to legalize the existing condition of the Retained Lot and Conveyed Lot and maintain compliance with Zoning By-law 2023-20790. As noted above, no variance is required to comply with Zoning By-law 1995-14864. Creating an additional lot zoned for industrial purposes, rather than having surplus land associated with an existing industrial operation, fulfills the objective of Policy 9.5.2.11 and maintains the intent and purpose of the Official Plan policies.

The requested variance is minor as it seeks to recognize a long-established condition and there is no development or change in use proposed at this time. In addition, it is our opinion that the requested variance is desirable as it supports the creation of a new lot that will be subject to further comprehensive review and approvals in advance of any specific development occurring.

In summary, the minor variance maintains the intent of the Official Plan and Zoning By-law 2023-20790, is minor in nature and are desirable for the appropriate the Site.

Based on the foregoing, we respectfully submit that the proposed variance represents good planning and is in the public interest.

Should you require further information or clarification, please contact the undersigned or Andrew Everton, a land use planner in our office, at aeverton@airdberlis.com or 416.637.7570.

Yours truly,

AIRD & BERLIS LLP



Eileen Costello

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