

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-34/20
Location: 23 Garibaldi Street
Hearing Date: August 13, 2020
Owner: 2680579 Ontario Inc.
Agent: Jacob Goldfarb, Goldfarm Canada
Official Plan Designation: Low Density Residential
Zoning: Specialized Industrial (B.4-5) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit agriculture (vegetation based) on the property as a permitted use.

By-Law Requirements: The By-law permits a variety of uses in the B.4-5 Zone, but does not permit agriculture (vegetation based) as a permitted use.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the use be permitted for a period of three (3) years from the date of the Committee's final decision.
 2. That the use be limited in size to 210.5 square metres of the existing building.
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Comments

Planning Services

The subject property is designated "Low Density Residential" in the Official Plan. Non-residential uses are permitted in the "Low Density Residential" land use designation. Additionally, policy 9.5.2.10 of the Official Plan states that legally existing industrial establishments not located within areas designated Industrial on Schedule 2 of this Plan shall be recognized as legal conforming uses, subject to the zoning provisions in effect at the time of passing of this Plan. The applicant is proposing to use a vacant portion of an existing building for the production of microgreens and herbs.

The subject property is within the York Road/Elizabeth land use study area. The study is intended to develop a coordinated approach for land in this area to inform Guelph's Official Plan update and Growth Plan conformity exercise. The study was initiated earlier this year and will take a few years to complete. In the absence of a completed study with directions for future land uses within this area, staff are recommending a temporary approval for a period of three (3) years for this use. Staff consider a temporary approval for this site to be appropriate as the proposed use is within an existing industrial building.

The subject property is zoned "Specialized Industrial" (B.4-5) according to Zoning By-law (1995)-14864, as amended. The B.4-5 zone permits a variety of uses but does not permit an agriculture (vegetation based) use on the property. An agriculture (vegetation based) use is permitted in the parent B.4 zone as a temporary use. The use itself is somewhat similar to a manufacturing use (production of microgreens and herbs), and is compatible with other permitted uses in the B.4-5 zone. The requested variance is considered to meet the general intent and purpose of the Zoning By-law.

The proposed agriculture (vegetation based) use will occupy up to 210.5 square metres of an existing industrial building that is currently vacant. The use will be fully contained within the existing industrial building. The requested variance is considered to be desirable for the appropriate development of the land and is considered to be minor in nature.

Staff recommend approval of the variance, subject to the conditions noted above.

Engineering Services

Engineering has no concerns with the request of seeking relief from the Zoning By-law requirements to permit agriculture (vegetation based) on the property as a permitted use.

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

Building Services

This property is located in the Specialized Industrial (B.4-5) Zone. The applicant is proposing to use up to a 210.5 square metre portion of the existing 671.2 square metre building for the production of microgreens and herbs.

Building Services does not object to this application to permit agriculture (vegetation based) on the property as a permitted use.

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

Comments from the Public

Yes (See Attached)

Contact Information

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