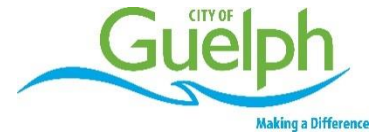


# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: B-9/20 and B-10/20  
Location: 24 Campbell Road  
Hearing Date: September 10, 2020  
Owner: 1998410 Ontario Inc.  
Agent: Jeff Buisman, Van Harten Surveying Inc.  
Official Plan Designation: Industrial  
Zoning: Industrial (B.4) Zone

**Request:** The applicant proposes the following:

### File B-9/20

Severance of a parcel of land to create a new irregular shaped lot with frontage along Dawson Road of 106 metres and an area of 1.6 hectares.

### File B-10/20

Severance of a parcel of land to create a new lot with frontage along Dawson Road of 75.5 metres and an area of 1.2 hectares.

The retained parcel is proposed to have frontage along Dawson Road of 58.7 metres and an area of 0.94 hectares.

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## Staff Recommendation

### Approval with Conditions

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## Recommended Conditions

### Files B-9/20 and B-10/20:

#### Planning Services

1. That prior to issuance of building permits and/or prior to undertaking activities which may injure or destroy regulated trees on the severed and retained parcels, the applicant shall submit a Tree Inventory and Preservation Plan (TIPP) for the entire proposed development area which shall be developed and carried out by an Arborist and in accordance with the Private Tree Protection By-law (2010-19058) and the City's Tree Technical Manual, to the satisfaction of the General Manager of Planning and Building Services. The applicant should

contact the City's Landscape Planner prior to hiring an Arborist, to determine the requirements of the TIPP.

### **Engineering Services**

2. That prior to any site alteration or grading and drainage works on the severed and retained parcels, the developer shall submit to the City a fully detailed site plan in accordance with section 41 of the Planning Act indicating the location of the building, driveway, septic system, well (if applicable), grading, drainage, stormwater management, groundwater recharge, traffic circulation and erosion and sediment controls on the said lands to the satisfaction of the General Manager of Planning and Building Services and General Manager/City Engineer.
3. That prior to the issuance of the Certificate of Official, the Owner shall enter into a development agreement with the City, registered on title, agreeing to satisfy the above-noted conditions.

### **Committee of Adjustment Administration**

4. 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.
  5. 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.
  6. 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](mailto:cofa@guelph.ca)).
  7. 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 subject property is designated "Industrial" in the Official Plan. This designation permits a range of industrial uses, including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials, warehousing and bulk storage of goods, laboratories, computer and data processing, research and development facilities, printing, publishing and broadcasting facilities, repair and servicing operations, transportation terminals, contractors' yards, and complementary uses.

The applicant is proposing to sever the vacant property and create two new lots and one retained lot. The three lots are proposed to be used for industrial purposes.

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:

- a) 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.

- b) 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 for the creation of two new industrial lots on an existing municipal road. The severances represent orderly development of the lands.

- c) That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.

The proposed severances will facilitate the ultimate development of the lands in accordance with the industrial land use designation.

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

The proposed severances are considered to be appropriate and are supportable.

The subject property is zoned 'Industrial' (B.4) according to Zoning By-law (1995)-14864, as amended. The proposed severances will create two new industrial lots with one retained industrial lot. The proposed "retained" and "severed" parcels will have lot frontages along Dawson Road that exceed the minimum 30 metre requirement of the Zoning By-law.

The subject property is more than 0.2 hectares in size, and therefore is regulated by the Private Tree Protection By-law (2010)-19058. In accordance with the By-law, a Tree Inventory and Preservation Plan (TIPP) is required prior to the issuance of building permits and/or prior to undertaking activities which may injure or destroy regulated trees. In accordance with the By-law, a Tree Inventory and Preservation Plan (TIPP) is required and staff have recommended a condition to this effect.

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 Ontario Planning Act. Staff recommend approval of the applications subject to the conditions noted above to both consent applications B-9/20 and B-10/20.

## **Engineering Services**

The applicant is proposing to sever two new industrial lots with one retained lot. The three lots are proposed to be used for trucking operations. Engineering has no concerns with the applications, subject the conditions noted above.

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

## **Building Services**

This property is located in the Industrial (B.4) Zone. The applicant is proposing to sever the vacant property and create two new industrial lots with one retained lot. The three lots are proposed to be used for trucking operations.

Building Services does not object to this application.

## **Hydro One Networks Inc.**

Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection in principle to the proposed severance, provided HONI's easement rights are protected and maintained (see attached).

## **Comments from the Public**

None

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## **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

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