

Planning Justification Report

639 Eramosa Road

City of Guelph

July 15, 2022

Prepared For:

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Guelph ON



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1.0 Introduction

1.1. Background

2795318 Ontario Inc., owned by Dr. Michael Grabowski and Dr. Katelyn McGhie, is submitting an application for Official Plan and a Zoning By-law Amendment for the property located at 639 Eramosa Road in the City of Guelph. The applications are intended to allow the existing place of worship to be converted for use as a chiropractic office.

The property will be occupied by Guelph Chiropractic Health Centre, which is currently located at 150 Woolwich St. in Guelph. The health centre currently has 3 practitioners, with Dr. Grabowski practicing full time and Dr. McGhie part time (currently replaced by a locum due to a maternity leave) as well as a part time athletic therapist. The maximum number of practitioners occupying the clinic in the future would be 4.

The Official Plan and Zoning Amendment applications will also request "office" as a permitted use on the property to provide some limited flexibility for future occupancy.

1.2. Study Purpose

The purpose of the Planning Justification Report (PJR) is to provide background and support for the proposed Official Plan and zoning bylaw amendments. The PJR will review the project in the context of the site location and surrounding area, consider the project in terms of applicable Provincial and City policies and regulations, and evaluate the design compatibility of the proposal.

1.3. City Pre-Consultation

A formal pre-consultation meeting was held with City staff on June 9, 2021. The submissions being made in support of the amendments being applied for will address the matters set out on the Pre-Consultation Summary received from that meeting dated June 25, 2021.

2.0 Site Context

2.1. Site Description

The subject property, known locally as 639 Eramosa Road is located on the southeast side of Eramosa Road north of Victoria Road. The legal description of the site is Lots 4 and 5, and parts of Lots 3 and 6, Registered Plan 549, City of Guelph.

The site has a frontage on Eramosa Road of 46.8m. and a depth of 30.5m. The total site area is 1428m².

An aerial photograph of the subject property is shown as Figure 1.



Figure 1: Site Location

2.2. Existing Land Use

The subject property contains an existing building previously used as a place of worship by the Kingdom Hall of Jehovah's Witnesses and is currently being used for temporary office space.

2.3. Surrounding Land Uses

The lands are located within an area of primarily residential uses, and the surrounding properties contain single detached dwellings. Further to the south west of the property at the intersection of Victoria Road North and Eramosa Road, and to the northeast at the intersection of Eramosa Road and Speedvale Avenue West, there are various commercial uses.

3.0 Planning Policy and Regulatory Context

3.1. Provincial Policy Statement (PPS 2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act and the current version came into effect May 1, 2020. Section 3 requires that; "*decisions affecting planning matters shall be consistent with policy statements issued under the Act*".

3.1.1. Building Strong Healthy Communities

Section 1.1.1 of the PPS 2020 provides that:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;"*

Section 1.1.3 **Settlement Areas** provide policies directed to urban areas, including cities, and sets out policies promoting the use of land and resources wisely, efficient development patterns and effective use of infrastructure and public service facilities as follows:

"1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."

Section 1.3 **Employment** sets out the following policies:

"1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) ensuring the necessary infrastructure is provided to support current and projected needs."*

Section 1.6 **Infrastructure and Public Service Facilities** policies states:

"1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized;*

- b) *opportunities for adoptive re-use should be considered wherever feasible.”*

Section 1.7 **Long-Term Economic Prosperity** indicates that:

"1.7.1 Long-term economic prosperity should be supported by:

- a) *promoting opportunities for economic development and community investment-readiness;*
c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;"*

3.1.2. Summary of PPS (2020) Policies

The proposed Official Plan and Zoning Bylaw amendments for the subject property are consistent with the policies of the PPS 2020 on the following basis:

- they promote an efficient and cost effective form of development and land use pattern
- they provides a suitable site for economic activity which takes into account the needs of an existing business in the City
- the proposed use is appropriate for and effectively utilizes the available public infrastructure and is transit-supportive
- it provides for the effective redevelopment of a site no longer required for its previous use
- the development will contribute to the continual vitality and viability of a main transportation corridor

3.2. Growth Plan for the Greater Horseshoe (Growth Plan)

The Ministry of Public Infrastructure and Renewal released the Growth Plan for the Greater Golden Horseshoe to manage growth in Ontario under the Places to Grow Act, 2005. An amendment to the Growth Plan came into effect on August 28, 2020 and any decisions made after that date that affect a planning matter must conform to the Plan, as amended.

The Growth Plan provides an overall growth strategy for the Greater Golden Horseshoe region the complements the Provincial Policy Statement and is implemented by municipal planning documents. The key elements of the Growth Plan are guiding principles of building compact, vibrant and complete communities; planning and managing growth to support a strong, competitive economy; and optimizing the use of existing or planned infrastructure to support growth in a compact and efficient form. As such, these policies are primarily directed at urban centres or settlement areas.

3.2.1 Guiding Principles

The guiding principles of the Growth Plan, as set out in Section 1.2.1 of the Plan:

"The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested based on the following principles:

- *Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*
- *Improve the integration of land use planning with planning and investment in infrastructure and public service facilities..."*

3.2.2 Policies for Where and How to Grow

Section 2.2.4 of the Growth Plan sets out policies for managing growth which include:

- "4 Applying the policies of this Plan will support the achievement of complete communities that:*
- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;"*

3.2.3 Employment

Section 2.2.5 of the Growth Plan states that:

"3. Retail and office uses will be directed to locations that support active transportation and have existing or planned transit."

3.2.4 Summary of Growth Plan Policies

The proposal to convert the existing building for another use on the subject property conforms to the Growth Plan policies on the following basis:

- the Growth Plan policies are intended to be supportive of new economic opportunities
- the policies permit a diverse mix of land uses including employment uses
- office uses will be directed to locations that have access to the existing transit system

3.3. City of Guelph Official Plan (March 2018 Consolidation)

The City of Guelph Official Plan was originally adopted by Council on November 1, 1994 and has subsequently been amended several times.

3.3.1. Applicable Designations

The site is located within the Settlement Area Boundary and Built-Up Area as identified in the Official Plan on Schedule 1: Growth Plan Elements. Schedule 2: Land Use Plan designates the site as Low Density Residential.

3.3.2. Strategic Directions

Section 2 of the Official Plan sets out strategic directions for the future use of the City. The strategic goals include:

1. Planning a Complete and Healthy Community

- "e) Encourage steady and diverse economic growth while striving to achieve a balanced tax assessment ratio and a wide range of employment opportunities.*
- f) Ensure an appropriate range and mix of employment opportunities, local services, community infrastructure, housing including affordable housing and other land uses are provided to meet current and projected needs to the year 2031."*

6. Urban Design

- "d) Encourage intensification and redevelopment of existing urban areas that is compatible with existing built form."*

It is noted that Section 12 Glossary of the Official Plan defines “redevelopment” as:

*“Redevelopment means:
the creation of new units, uses or lots on previously developed land in existing communities including brownfield and greyfield sites.*

3.3.3. Low Density Residential Designation

As noted in Section 3.3.1 of this report, the lands are currently designated Low Density Residential in the Official Plan. This designation permitted the previous use of the property as a place of worship, but the permitted uses do not include medical offices or clinics. Pre-consultation with City Staff determined that an Official Plan Amendment would be required to permit the conversion for such use and staff recommended redesignation to the Mixed Office Commercial designation.

3.3.4. Mixed Office/Commercial Designation (MOC)

The Official Plan policies for the Mixed Office/Commercial designation include the following objectives:

“Objectives

- a) *To allow for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings.*
- b) *To ensure that a compatible transition in built-form is provided between uses in this designation and surrounding residential properties.*
- c) *To allow for a range of compatible business uses adjacent to residential areas.*
- d) *To promote the continued use, revitalization and intensification of these areas for a mix of uses.”*

The permitted uses of the designation as set out in Section 9.4.6.6 of the Official Plan includes:

“Permitted Uses

- 6. *The following uses may be permitted within the Mixed Office/Commercial designation subject to the applicable provisions of this Plan:*
 - i) *convenience commercial and small-scale retail commercial;*
 - ii) *small-scale office;*
 - iii) *personal service; and*
 - iv) *detached, semi-detached, townhouses and apartments.”*

It is noted the proposed conversion of the existing building to a medical clinic or office use is consistent with a "small-scale office" as permitted in the MOC designation. No new development is proposed on the site and the existing building will be converted without external renovations.

3.3.5. Transportation Policies

The subject property fronts on Eramosa Road which is designated on Schedule 5 Road and Rail Network of the Official Plan as an arterial road. Section 5.7.2 sets out the policies for arterial roads which in part state:

- “2. *Arterial roads are designed for medium speed, having capacity for 2 to 6 lanes, usually undivided, with access generally restricted, wherever possible, to at-grade road intersections with other arterial and collector roads.*
- 3. *Arterial roads are meant to accommodate a high level of transit service.*

6. *The desirable right-of-way width shall range from 26 metres to 36 metres with additional widths as required at intersections and to incorporate on-street parking or transit priority measures.”*

The subject lands have existing access from Eramosa Road and no alternative for other access. It is also noted that adjacent residential properties also have direct driveway access to Eramosa Road in this area.

Table 5.1 of the Official Plan indicates that the ultimate right-of-way for Eramosa Road is 30 m. Based on available servicing information the current right-of-way for Eramosa Road in this location, from centre line to the subject property line is 50 feet or 15.24 m. which is greater than half of a 30 m. right-of-way. It is noted that this includes a previous widening of 17 ft. or 5.18 m., which is shown on the site plan. No additional widening is required to meet the Official Plan policy requirements.

3.3.6. Summary of Relevant Official Plan Policies

The proposed redevelopment of the subject property conforms to the City of Guelph Official Plan on the following basis:

- the proposal adds to the range and mix of employment opportunities and local services
- the applications provide for the redevelopment through the conversion of use of an under-utilized property
- the proposed mixed office/residential designation provides for small-scale offices and the proposed chiropractic office is consistent with that
- the adjacent side of Eramosa Road has already been widened to achieve the desired right-of-way set out in the Official Plan

3.4. Zoning Bylaw

3.4.1. Background

The City of Guelph's comprehensive zoning bylaw is Zoning Bylaw (1995)-14864 adopted by City Council on June 19, 1995. The subject lands are currently zoned I.1 (Institutional) which does not permit a medical office. City staff have recommended a zoning amendment to a proposed OR (Office Residential) zone.

3.4.2. OR Zoning Compliance

The proposed Office-Residential zone permits a medical office as set out in Section 6.5.1 of the By-law. The definitions from the Zoning Bylaw for medical office and medical clinic are set out below:

*“Medical Clinic” means a **Place** where 3 or more medical practitioners are located and provide medical, dental, chiropractic, optic or other human health treatment on*

*an out-patient basis and which may include an accessory administrative office, laboratory, dispensary or other similar Use, but does not include a **Medical Treatment Facility** or other facility in which is provided overnight patient accommodation;"*

*"**Medical Office**" means a **Place** in which 2 or fewer practitioners provide consultative, diagnostic and treatment services for humans."*

Given that up to four full time (4) practitioners may operate on site the proposed use would be defined as a medical clinic. Based on a maximum of 4 full time practitioners on-site, the following table sets out the proposal's compliance with the regulations of the OR zone. It is noted that the required parking is based on the current zoning requirement for a medical clinic.

Proposed Zoning: Office Residential		
Regulation	Required	Proposed
Minimum Lot Area	370 m ²	1428 m ²
Minimum Lot Frontage	12 m.	46.8 m.
Minimum Front Yard	3 m.	5.3 m.
Maximum Front Yard	7.5 m.	5.3 m.
Minimum Interior Side Yard	1.5 m.	11.8 m.
Minimum Rear Yard	10 m.	12.0 m.
Maximum Building Height	3 storeys	1 storey
Medical Clinic Parking based on Floor area	25	22
Medical Clinic Parking based on 4 Practitioners	24	22

The only zoning criteria which is not met is parking, although the site is only deficient by 2-3 spaces. It is noted that office hours for the practitioners are typically staggered or on a part time basis which requires less parking. It is also noted that a buffer strip is required where any OR Zone abuts a Residential zone, and that the adjacent properties are zoned R.1B. Buffering of the site from adjacent properties is further discussed in Section 4 of this report.

3.4.3. Comprehensive Zoning By-law Review

It is noted that City staff are in the process of drafting a new comprehensive zoning by-law for the City, and a draft of the proposed new by-law is now available. The draft by-law proposes to zone the subject property as NI (Neighbourhood Institutional) which is consistent with the current zoning on the property.

The proposed new by-law also proposes a new MOC (Mixed Office Commercial) zone which will permit a medical clinic. The table below sets out the compliance with the proposed MOC zone.

Zoning: Mixed Office Commercial MOC		
Regulation	Required	Proposed
Minimum Lot Area	370 m ²	1428 m ²
Minimum Lot Frontage	12 m.	46.8 m.
Minimum Front Yard	6 m.	5.3 m.
Maximum Front Yard	7.5 m.	5.3 m.
Minimum Interior Side Yard	3.0 m.	11.8 m.
Minimum Rear Yard	10 m.	12.0 m.
Buffer Strip	3 m.	0.5m.
Maximum Building Height	4 storeys	1 storey
Medical Clinic Parking	19	22

It is noted that the proposed new MOC zone in the new comprehensive zoning by-law will reduce the parking requirement for the site, and the site would comply with the new requirement. The minimum front yard setback is slightly less than would be required and the proposed requirement for a 3m buffer strip is not met, but the locations of the building and parking area are already existing on the property.

4.0 The Site Plan

The proposed site plan for the property is attached as Figure 2. It is important to note that the site plan is based on the existing configuration of the building and parking area on the property. On this basis, the following is noted:

- the existing building is being reutilized and no external modifications of the building are proposed
- no changes in existing site grading or services are proposed
- existing parking spaces abutting both the Eramosa Road right-of-way and the sidewalk in front of the property are proposed to be removed and landscaped based on the landscape plan submitted with the zoning amendment application and referenced in Section 5 of this report
- the remaining parking spaces have been reconfigured to address the City’s current Site Plan Guidelines
- the property is buffered from the adjacent residential uses with existing board fences on the rear portions of the side lot lines which are located approximately on the lot lines and in good repair. The rear lot line is currently buffered by an existing chain link fence and a hedgerow which is located on the adjacent property. A new solid wood fence is proposed to replace the existing chain link fence to provide enhanced screening. There is currently a 0.5 m. buffer from the property line to the existing asphalt parking area provided.

- waste disposal is proposed to be by curbside bin pick up. The proposed uses do not generate significant amounts of waste.

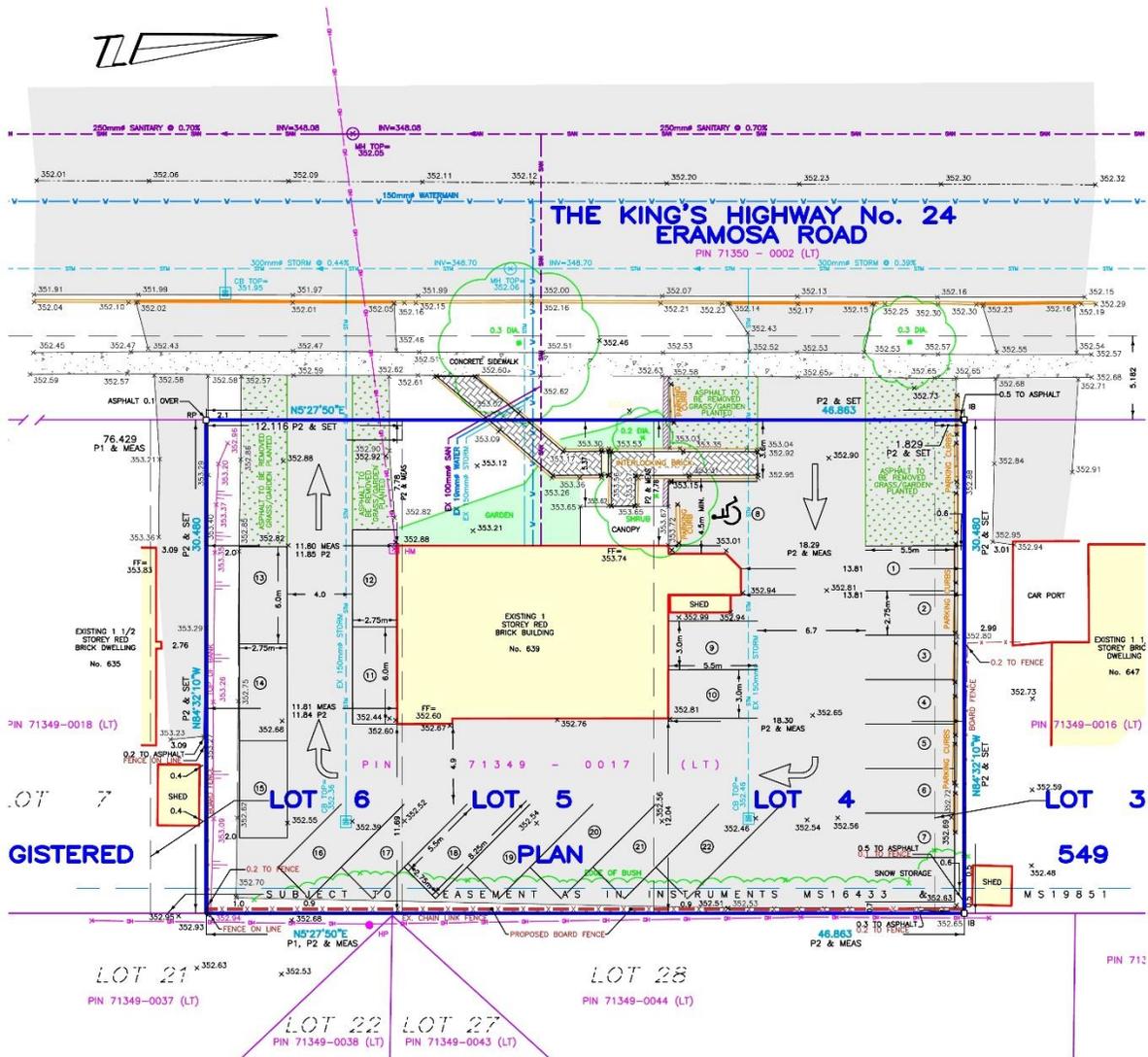


Figure 2: Site Plan

5.0 Supporting Documentation

5.1 Servicing Brief

A Servicing Brief dated February 24, 2022 has been prepared by Van Harten Surveying Inc. and submitted with the applications. The servicing brief concludes:

"It has been determined that municipal servicing exists for the property and is suitable for the proposed development."

5.2 Landscaping Plan

A Landscape Plan dated April 5, 2022 has been prepared by Aboud and Associates Inc. and submitted with the application. Notable features of the landscape plan include:

- topsoil and sod are proposed adjacent to Eramosa Road where existing asphalt is to be removed
- low growing shrubs are proposed to screen parking from Eramosa Road
- the existing chain link fence at the rear lot line is to be upgraded to a 1.8m high solid wood fence to provide enhanced screening and mitigate headlight trespass
- all existing trees, shrubs and turf are to be preserved

6.0 Conclusions

The conclusions of this Planning Justification Report (PJR) are:

- i) The proposed Official Plan and zoning amendments are consistent with the PPS 2020 and also not in conflict with the Growth Plan.
- ii) The proposed Official Plan amendment to a Mixed Office/Commercial designation conforms to the policies set out in the Official Plan for that designation as referenced in Section 3.3.6 of this report.
- iii) The proposed zoning by-law amendment to an OR zone meets the current requirements for that zone. The application is also generally consistent with the criteria for the proposed MOC zone in the new draft comprehensive zoning by-law, except that the existing front yard is slightly less than is proposed to be required and a lesser buffer strip also exists.
- iv) No significant on-site changes are proposed to the building or parking area, other than the removal of the parking spaces adjacent to Eramosa Road and enhanced landscaping is proposed in the front portion of the property.
- v) No grading or servicing changes are proposed or required for the change in use.

In summary, it is my opinion that the proposed development and effective adaptation of the existing building on the property and is appropriate for the site; and that the subject zoning bylaw amendment application represents good planning.

Respectfully submitted

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