

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Apr 11, 2017</u>	Folder #: <u>A-37/17</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?      Yes ☒      No ☐

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.*

### PROPERTY INFORMATION:

Address of Property: 144 Watson Road North, Guelph, ON

Legal description of property (registered plan number and lot number or other legal description):

PART OF LOT 5, CONCESSION 3, DIVISION 'C' (GEOGRAPHICAL TOWNSHIP OF GUELPH) CITY OF GUELPH COUNTY OF WELLINGTON

### OWNER(S) INFORMATION:

Name: HIP Watson Inc.

Mailing Address: 700 Rupert Street

City: Waterloo      Postal Code: N2V 2B5

Home Phone: N/A      Work Phone: 519-886-8855 ext. 102

Fax: N/A      Email: randy@hipdevelopments.com

### AGENT INFORMATION (If Any)

Company: GSP Group Inc.

Name: Hugh Handy/Sarah Code

Mailing Address: 72 Victoria Street South Suite 201

City: Kitchener      Postal Code: N2G 4Y9

Work Phone: 519-569-8883      Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_      Email: hhandy@gspgroup.ca

<b>Official Plan Designation:</b> Mixed Use Node	<b>Current Zoning Designation:</b> Specialized R.4B-17
--	--

**NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):**

1. To permit an angular plane to Watson Parkway North of 49 degrees whereas Section 4.16.1 of Zoning By-law (1995) - 14864 requires a minimum angular plane of 45 degrees.
2. To permit a minimum side yard setback (south) of 9.6 metres whereas Table 5.4.2 of Zoning By-law (1995) - 14864 requires a minimum side yard setback of 14.15 metres (1/2 the building height but not less than 3 metres).
3. To permit a maximum floor space index of 1.55 whereas Table 5.4.2 of Zoning By-law (1995) - 14864 requires a maximum floor space index of 1.5.
4. To permit 1.16 parking spaces per unit (155 spaces) whereas Section 5.4.3.2.17.1.1 of Zoning By-law (1995) - 14864 requires 1.2 spaces per unit (160 spaces).

**Why is it not possible to comply with the provision of the by-law? (your explanation)**

Please see attached cover letter.

**PROPERTY INFORMATION**

Date property was purchased:	December 1st, 2016	Date property was first built on:	Lot is Vacant
Date of proposed construction on property:	Fall 2017	Length of time the existing uses of the subject property have continued:	Lot is Vacant

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):**

The Property is currently vacant

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

Residential (Apartment Building)

**DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)**

Frontage: 83.7m

Depth: 100.545m

Area: 8,902.0 sq.m.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	N/A		Gross Floor Area:	13,662 square metres	
Height of building:	N/A		Height of building:	27.5m (8 Storeys)	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	N/A M		Front Yard Setback:	Watson Parkway 6.5 M	
Exterior Side Yard (corner lots only)	N/A M		Exterior Side Yard (corner lots only)	Watson Road North 15.4 M	
Side Yard Setback:	Left: N/A M	Right: N/A M	Side Yard Setback:	Left: <del>9.6</del> M	Right: 9.6 N/A M
Rear Yard Setback	N/A M		Rear Yard Setback	37.5 M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)	
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/> Private Road <input type="checkbox"/> Water <input type="checkbox"/> Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)	
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/> Storm Sewer <input checked="" type="checkbox"/>
If not available, by what means is it provided:	

### IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZC1313 Approved
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

**PERMISSION TO ENTER**

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

**POSTING OF ADVISORY SIGN**

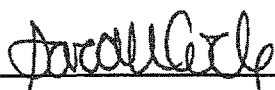
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

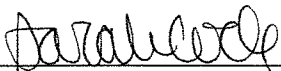


\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Sarah Cook, of the City/Town of  
Kitchener in County/Regional Municipality of Waterloo, solemnly  
 declare that all of the above statements contained in this application are true and I make this solemn  
 declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made  
 under oath and by virtue of the Canada Evidence Act.

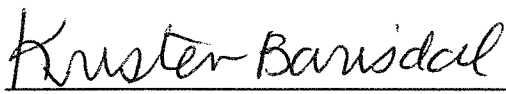
  
 Signature of Applicant or Authorized Agent

\_\_\_\_\_  
 Signature of Applicant or Authorized Agent

**NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A  
 Commissioner is available when submitting the application to Committee of Adjustment staff.**

Declared before me at the

City/Town of Kitchener in the County/Regional Municipality of  
Waterloo this 11 day of April, 2017.

  
 Commissioner of Oaths

Kristen Alexia Barisdal, a Commissioner, etc.,  
 Regional Municipality of Waterloo, for GSP Group Inc.  
 Expires February 22, 2019.

(official stamp of Commissioner of Oaths)

RECEIVED

APR 11 2017

Page 6

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

HIP Developments  
[Organization name / property owner's name(s)]

of 144 Watson Road North  
(Legal description and/or municipal address)

hereby authorize GSP Group  
(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 11<sup>th</sup> day of April 2017.

[Signature]  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



SHAPING GREAT COMMUNITIES

April 11, 2017

Secretary-Treasurer of the Committee of Adjustment  
Council Committee Coordinator  
City Clerk's Department, Corporate Services  
Guelph City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

File No: 16149  
**RECEIVED**  
**APR 12 2017**  
**CITY CLERK'S OFFICE**

Attn: Secretary-Treasurer of the Committee of Adjustment

To Whom It May Concern:

**Re: Minor Variance Application**  
**144 Watson Road North, Guelph**  
**HIP Developments**

On behalf of HIP Developments, GSP Group is pleased to submit the enclosed Minor Variance Application for the lands municipally known as 144 Watson Road North in the City of Guelph (herein referred to as the "Site").

The Site is approximately 0.89 hectares in size and is currently vacant. There is a Site Plan Application (SP16A055) currently being processed by the City of Guelph which proposes an 8 storey, 133 unit apartment building (herein referred to as the "Proposed Development"). A total of 157 parking spaces (both surface and underground). Three outdoor common amenity areas are proposed and will provide outdoor living space for future residents. Comments received by Staff are actively being addressed.

The Site is bound by Watson Road North to the north and east, Watson Parkway North to the west and vacant lands to the south. Commercial uses are contemplated for lands located to the south and a mix of uses are contemplated to the west (commercial and residential). The East Side Library is located adjacent the Site.

A Zoning By-law Amendment was approved for the Site in December 2014 (ZC1313). The Zone Change Application rezoned the Site from CC-15 (H) Zone and FL Zone to a specialized R.4B zone. The number of dwelling units has remained the same at 133 units. The Site was owned by others at the time of the Zone Change Application. HIP Developments has since acquired the Site. As a result of the site plan being completed, it has been identified that four (4) variances are required to permit the Proposed Development.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883  
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477  
gspgroup.ca



## Proposed Minor Variances

The Site is designated Mixed Use Node in the City of Guelph Official Plan. The Mixed Use Node permits a variety of land uses including medium and high density multiple residential and apartments. The maximum permitted density in the Mixed Use Node designation is 150 units per hectare. The Site is zoned High Density Apartment, site specific (R.4B-17) which permits apartment buildings. The R.4B Zone permits a maximum density of 150 units/hectare and a maximum building height of 10 storeys. The site specific regulations that apply to the property require a minimum of 1.2 parking spaces per dwelling unit and a minimum common amenity area of 6 square metres per dwelling unit.

There is a need for four (4) variances as it relates to the Proposed Development. The required variances are as follows:

1. To permit an angular plane to Watson Parkway North of 49° whereas Section 4.16.1 of Zoning By-law (1995) – 14864 requires a minimum angular plane of 45°.
2. To permit a minimum side yard setback (south) of 9.6 metres whereas Table 5.4.2 of Zoning By-law (1995) – 14864 requires a minimum side yard setback of 14.15 metres (1/2 the building height but not less than 3 metres).
3. To permit a maximum floor space index of 1.55 whereas Table 5.4.2 of Zoning By-law (1995) – 14864 requires a maximum floor space index of 1.5.
4. To permit 1.16 parking spaces per unit (155 spaces) whereas Section 5.4.3.2.17.1.1 of Zoning By-law (1995) – 14864 requires 1.2 spaces per unit (160 spaces).

## Tests of Minor Variance

Under Section 45 (1) of the Planning Act, there are four tests that a Minor Variance must meet:

1. *Do the Minor Variances maintain the general intent of the Official Plan?*

The Site is designated Mixed Use Node and are intended to be areas that serve both the needs of residents living and working in nearby neighbourhoods and employment districts and the wider City as a whole. Medium and high density multiple unit residential development and apartments are permitted in accordance with the policies of Section 7.2. The following residential policies are applicable to the Proposed Minor Variance Application:

- *7.2.7 Multiple unit residential buildings, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a development proposal for multiple unit housing:*



- a) *That the building form, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity;*

The Proposed Development is compatible with the surrounding neighbourhood. The Site is adjacent lands designated General Residential to the north, Mixed Use Node to the west and south and significant natural areas to the east. While there are existing low rise residential homes located adjacent to the north, an exterior side yard setback of 15.4 metres is proposed whereas a minimum side yard setback of 6.0 metres is required by the Zoning By-law. The proposed 8 storey building is set back a sufficient distance from the property line. In addition, the Watson Road North right-of-way is approximately 10 metres providing an additional buffer between the Proposed Development and the existing residential uses. It is our opinion that adequate separation is provided between the Proposed Development and existing residential.

The Proposed Development has been situated on the Site with the building massing closest to Watson Parkway North, an arterial road. Given that a maximum of 10 storeys is allowed on the Site, it is our opinion that the Proposed Development has been located appropriately on the Site. The siting of the building on the Site will create a desirable streetscape along Watson Parkway North. In addition, parking is proposed behind the building and as such, is screened from the street. Patios and outdoor amenity areas are proposed at the front and side of the building which will create an active streetscape along both Watson Parkway North and Watson Road.

- b) *That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;*

The East Side Library is located adjacent the Site. Commercial uses are proposed for the lands to the south which will provide shopping facilities for the residents of the Proposed Development. Joe Veroni Park is located within a 450 metre walk of the Site. O'Connor Lane Park is located within an 850 metre walk of the Site. A park is planned directly across from the Site at 11 Starwood Drive. The proximity to all of these parks provides for outdoor recreational opportunities for future residents above and beyond the outdoor amenity areas provided directly on the Site. Further, a proposed multi-use trail abuts the Site along Watson Road North which is identified as a "Secondary Route"

in the City of Guelph Trails Master Plan which identifies connections to the north, south and west providing access to nearby parks, schools and commercial uses.

A mixed use residential and commercial development is planned for the northwest corner of the Watson Parkway/Starwood intersection, and other commercial uses are contemplated for the Site to the south.

Bus stops are located on both sides of Watson Parkway North (Bus route 3B, 3A and 14) providing connections to the Downtown, the University, Woodlawn Road West (SmartCentres Guelph) among others.

- c) *That the vehicular traffic generated from the proposal can be accommodated with minimal impact on local residential streets and intersections and, in addition, vehicular circulation, access and parking facilities can be adequately provided; and*

As part of the previous Zoning By-law Amendment Application for the Site (File No. ZC1313), a Traffic Impact & Parking Study was completed which concluded that the site generated trips could adequately be accommodated by the adjacent roadways and intersections. The number of units has not changed from the concept submitted at the Zone Change in 2013. As such, it is our opinion that traffic generation has been adequately dealt with. One access to the Site is proposed off of Watson Road which provides access to surface parking and the underground parking structure.

- d) *That adequate municipal infrastructure, services and amenity areas for the residents can be provided.*

There are existing storm and sanitary sewers and water services within the Watson Road North and the Watson Parkway North right-of-way. There is sufficient capacity within the existing infrastructure to support the Proposed Development. Further, it is our opinion that sufficient services and amenity areas are provided within close proximity to service the Proposed Development. A total of 913.4 m<sup>2</sup> of common amenity area is proposed which is greater than the Zoning By-law requires.

It is our opinion that the proposed variances meet the intent of the Official Plan given that the proposed use is in keeping with the permitted uses of the Mixed Use Node designation which permits high density residential uses. The proposed density of 149.4

units/ha is in keeping with the permitted density of 150 units/ha outlined in Policy 7.2.43 of the Official Plan. The Proposed Development meets the intent of Policy 7.2.7 as the Proposed Development is compatible with the surrounding neighbourhood, sufficient setbacks have been provided to low rise residential, is served by outdoor amenity areas and future commercial uses. Adequate servicing and infrastructure is in place to service the Proposed Development. Vehicular circulation, garbage disposal, bicycle parking, snow storage and landscaped areas have been provided for on the Site realizing an efficient use of land. The intent of the Mixed Use Node is to provide a well-defined focal point and to efficiently use land by grouping complementary uses in close proximity to each other. It is our opinion that the Proposed Development will realize this objective whereby a residential building is proposed within proximity to commercial, recreational and institutional uses and will contribute to a complete neighbourhood.

2. *Do the Minor Variances maintain the general intent of the Zoning By-law?*

The proposed variances maintain the general intent of the Zoning By-law as an apartment building is a permitted use, it meets the maximum permitted density (150 units/hectare) and the minimum front yard, exterior side yard and rear yards are met, sufficient landscaped open space and common amenity area are accommodated.

**Variance # 1**

The request to increase the angular plane to 45° from the required 49° to Watson Parkway North meets the intent of the Zoning By-law as the purpose of this regulation is to regulate massing and building height so as to not create negative impacts on the road and the pedestrian environment. Given that this is an arterial road and sidewalks will be located on both sides of the street, it is our opinion that the building placement on the Site, as proposed is desirable and will create an attractive streetscape. By bringing the building closer to the street, this creates a more pedestrian friendly environment and allows for parking to be located at the rear of the building. It should be noted that the building is proposed to step back at the northwest corner, closest to the existing low rise residential. It would be our opinion that a 4° increase is minimal and does not create any unwanted negative impacts on Watson Parkway North. The intent of the zoning by-law is met as the maximum building height is met and the massing provides for a compatible development.

**Variance # 2**

The request to permit a minimum side yard setback (south) of 9.6 metres whereas a minimum side yard setback of 14.15 metres is required, in our opinion, is minor in nature. Given that the lands to the south are zoned Community Shopping Centre (CC-15 (H)), the Proposed Development will not create any negative impacts on these permitted uses as a result of the reduced setback. The CC-15 permits several

commercial and retail uses including a food store to a maximum gross leasable floor area of 9,308 square metres. It is our opinion that a reduced setback in this location is desirable and pulling the building closer to lands zoned commercial respects the existing low rise residential to the north. Further, a large landscaped area is still able to be provided for which provides for an adequate buffer and separation between the two uses. A fence is proposed along the southern property line to effectively screen and provide privacy for the units abutting this property line.

### **Variance # 3**

The request to permit a maximum floor space index of 1.55 whereas a maximum floor space index of 1.5 is required in our opinion meets the general intent of the Zoning By-law. The purpose of the maximum floor space index is to provide for an appropriate gross floor building area based on the size of the lot. An increase of 0.05 in building floor index in our opinion is minor and will not create any noticeable impacts.

### **Variance # 4**

The request to permit 1.16 parking spaces per unit (155 spaces) whereas 1.2 spaces per unit (160 spaces) are required, in our opinion is minor. Parking requirements are to ensure that adequate parking for residents and visitors is provided for. As more than 1 parking space per unit is being provided for, it is our opinion this is sufficient. The proximity to public transportation, commercial and recreational uses allows opportunities for future residents to live in the building without owning a car, decreasing the need for the number of parking spaces. A total of 146 bicycle parking spaces has been provided at a rate of 1/unit + 2 visitor/20 units which provides storage for those who prefer an alternate mode of transportation to a car.

### **3. *Is the Minor Variance desirable for the lands?***

In our opinion, the proposed variances are desirable for the lands and are minor in nature. The variances will permit a high quality, residential development in a desirable location that fits within the context of the surrounding neighbourhood. As the Proposed Development is surrounded by commercial lands to the south, conservation lands to the east and mixed use lands to the west, we believe that this is an excellent Site for the proposed residential apartment building. The Proposed Development will contribute to the mix of uses within the Mixed Use Node and will provide for an opportunity to reside in a high quality residential building within close proximity to amenities. The Site is adequately serviced and vehicular traffic and parking can be accommodated on Site.

4. *Is the application minor?*

The requested variances are minor in nature. The increase in angular plane by 4° is minor and as the required front yard setback and maximum height is maintained, it is our opinion that the intent of the zoning by-law is met with respect to appropriate building massing on the Site. The request to permit a minimum side yard setback (south) of 9.6 metres verses the required 14.15 is minor at a decrease of 4.55 metres. Appropriate landscaping and fencing is proposed to provide separation and privacy between the residential and future commercial uses. The increase in maximum floor space index does not create negative impacts on the surrounding properties and realizes an efficient and compact development, making good use of existing and future infrastructure and is minor at an increase of 0.05. The reduction in parking spaces from the required 160 to 155 is minor as this is a reduction of 5 spaces on the Site overall. Public and active transportation opportunities are available to residents that do not own a car.

If you have any questions or require additional information, please do not hesitate to contact myself or Sarah Code.

Yours truly,  
**GSP Group**



Hugh Handy, MCIP, RPP  
Senior Associate



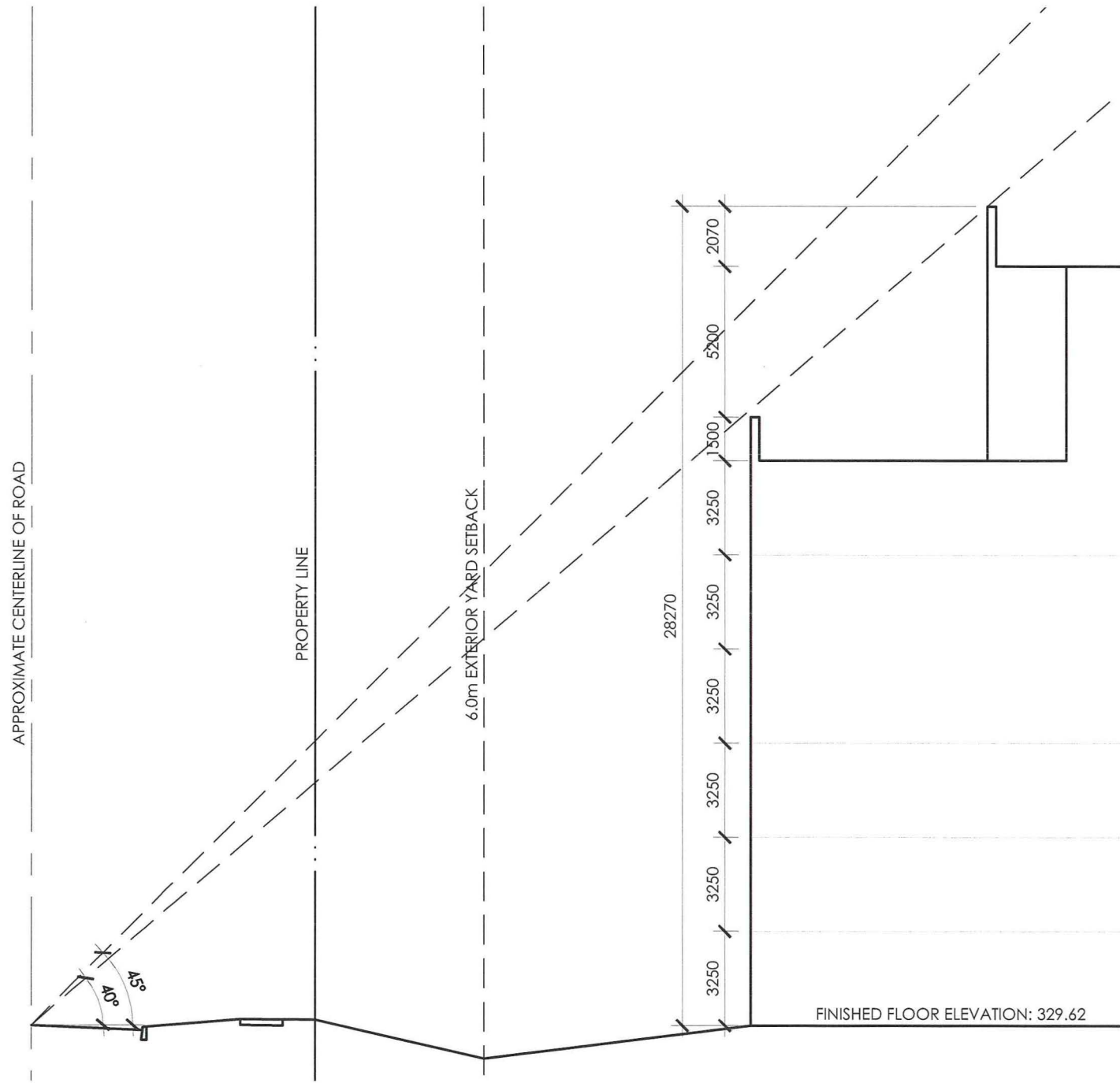




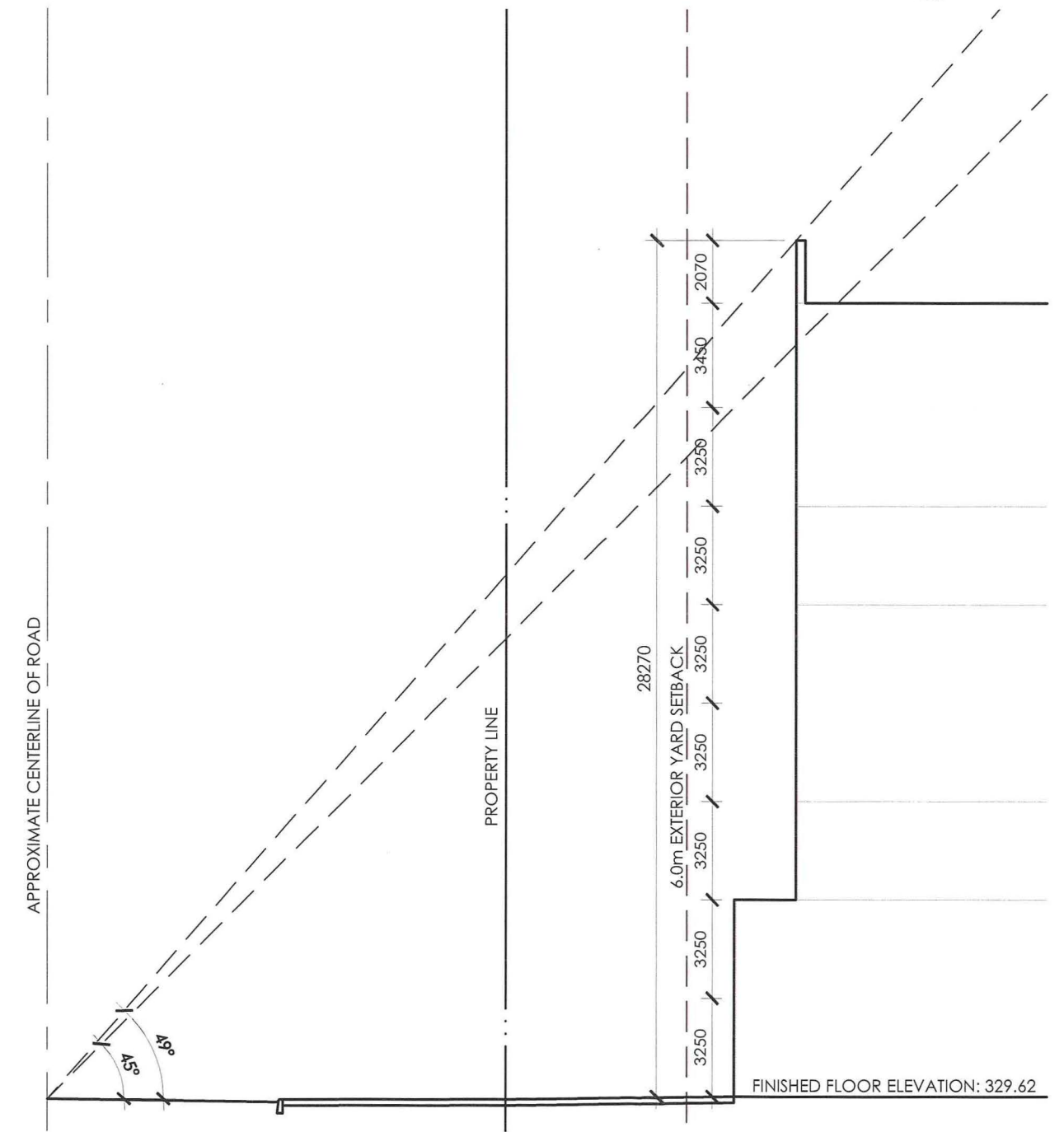
Specialized R.4B-17 (High Density Residential Apartment) Zone		Zoning Bylaw (1995)-14864 & Zoning By-law (2016)-20	
Regulations	Required	Provided	Conforms
Maximum Density (Official Plan & Zoning)	150 units/ha	149.4 Units/ha	Yes
Maximum Floor Space Index (Zoning)	Table 5.4.2 Maximum Floor Space Index 1.5 (Excludes underground or covered parking structure and floor space located in the basement)	1.53	No
Minimum Lot Area	650 sq.m.	8,902.0 sq.m.	Yes
Minimum Lot Frontage	15m	83.7m	Yes
Minimum Front and Exterior Side Yard	6.0m	Front Yard (Watson pkwy): 6.5m Exterior Side Yard: 15.4m	Yes
Minimum Rear Yard (East)	20% of the Lot Depth or 1/2 the Building Height, whichever is greater, but in no case less than 7.5m = (20% of lot depth = 20.1m)	37.5m	Yes
Minimum Side Yard (South)	1/2 building height but not less than 3m = (1/2 Building Height 28.3m = 14.15m setback)	9.6m	No
Maximum Building Height	10 Storeys and in accordance with Sections 4.16, 4.18, 5.4.2.5. and Defined Area Map	8 Storeys (27.5m) Overall (Does not meet the angular plane along Watson Parkway North - 49 degrees)	No
Minimum Common Amenity Area	Minimum Common Amenity Area 6 sq.m. per Dwelling Unit, aggregated into areas of not less than 50 sq.m. (6 sq.m. * 133 units) = 798.0 sq.m.	Interior: 241.4 sq.m. 7th Floor Terrace: 194.7 sq.m. Exterior: 477.3 sq.m. Total Common Amenity: 913.4 sq.m.	Yes
Minimum Landscaped Open Space	Table 5.4.2 Minimum Landscape Open Space 40%	44%	Yes
Off-Street Parking - Residential	1.2 per unit (133 Units * 1.2) = 160	Surface Parking: 110 Underground Parking: 47 Total Parking Provided: 157 spaces	No
Accessible Parking	Total Required Accessible Parking (134-166 spaces) = 6 spaces	6 Spaces	Yes
Parking Dimensions	2.5m x 5.5m (exterior) Type A 3.4m x 5.5m & Type B 2.4m x 5.5m (barrier free)	2.5m x 5.5m (exterior) Type A 3.4m x 5.5m & Type B 2.4m x 5.5m (barrier free)	Yes
Minimum Buffer Strips	Section 5.4. Minimum Buffer Strip Width from the Interior Side Lot Line shall be 3m	Side Yard: 3m Rear Yard: 3m	Yes
Garbage, Refuse Storage and Composters	Within main building or any accessory building	Within Main Building	Yes
Angular Plane from Watson Road North	Section 4.16.2 45 degrees Maximum	40 degrees	Yes
Angular Plane from Watson Parkway	Section 4.16.2 45 degrees Maximum	49 degrees	No
Bike Parking	Short Term: 1/unit + 2 visitor/20 units = 146	Ground Floor Bike Parking: 86 Underground Bike Parking: 46 Exterior Bike Parking: 14 Total Bike Parking Provided: 146 Spaces	Yes







01 WATSON ROAD NORTH ANGULAR PLANE  
EP-3 1:100



02 WATSON PARKWAY NORTH ANGULAR PLANE  
EP-3 1:100





RECEIVED  
MAY 23 2017  
CITY CLERK'S OFFICE

SHAPING GREAT COMMUNITIES

May 23, 2017

Project No: 16149

Secretary-Treasurer of the Committee of Adjustment  
City Clerk's Department, Corporate Services  
Guelph City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

Attn: Trista Di Lullo, ACST(A), BA (Hons.), Secretary-Treasurer, Committee of Adjustment

Dear Ms. Di Lullo:

**Re: Minor Variance Application A-37/17**  
**HIP Watson Inc. - 144 Watson Road North, Guelph**

---

The above-noted application was deferred at our request and granted by the Committee of Adjustment at their meeting on May 11, 2017.

This request was to allow time for discussions between HIP Developments and Choice Properties. Those discussions are ongoing and we hope to have a resolution shortly.

Accordingly, we are requesting this item be placed on the special meeting of the Committee of Adjustment schedule for the June 22, 2017 meeting. I have attached a cheque in the amount of \$1,287.00 (Special Hearing fee of \$1,044.00 and deferral fee of \$243.00) to process our request.

If you have any questions in the meantime, please do not hesitate to contact myself or Sarah Code in our Kitchener office.

Yours very truly,  
**GSP Group Inc.**

A handwritten signature in blue ink that reads "Hugh Handy".

Hugh Handy, MCIP, RPP  
Senior Associate

cc Scott Higgins, HIP Developments

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>May 19, 2017</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-44/17</u>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?      Yes ☐      No ☒

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.*

### PROPERTY INFORMATION:

Address of Property: 190 Hanlon Creek Blvd. (Hanlon Creek Blvd. & Laird Rd.)

Legal description of property (registered plan number and lot number or other legal description):

PT BLOCK 36, PLAN 61M169, PTS 2 & 3, 61R20338 SUBJECT TO AN EASEMENT OVER PT 2, 61R20338 IN FAVOUR OF PT BLOCK 36, PLAN 61M169, PT 1, 61R20338 AS IN WC420888 CITY OF GUELPH

### OWNER(S) INFORMATION:

Name:	<u>1651807 Ontario Inc.</u>		
Mailing Address:	<u>c/o Avison Young Commercial Real Estate, ATTN: Ray Robinson, 231 Shearson Cres., Suite 210</u>		
City:	<u>Cambridge, ON</u>	Postal Code:	<u>N1T 1J5</u>
Home Phone:		Work Phone:	<u>226-366-9090</u>
Fax:		Email:	<u>ray.robinson@avisonyoung.com</u>

### AGENT INFORMATION (If Any)

Company:	<u>The Guelph Humane Society Incorporated</u>		
Name:	<u>c/o Adrienne McBride, Executive Director</u>		
Mailing Address:	<u>500 Wellington Street West, PO Box 684</u>		
City:	<u>Guelph, ON</u>	Postal Code:	<u>N1H 6L3</u>
Work Phone:	<u>519-824-3091</u>	Mobile Phone:	<u>647-984-5493</u>
Fax:	<u>519-824-3075</u>	Email:	<u>ED@guelphhumane.ca</u>

Official Plan Designation: Corporate Business Park

Current Zoning Designation: B.5

**NATURE AND EXTENT OF RELIEF APPLIED FOR** (variances required):

To permit the operation of the Guelph Humane Society, together with accessory uses and structures, at 190 Hanlon Creek Blvd., Guelph, with approximately 30 parking spaces in the B.5 zoning.

**Why is it not possible to comply with the provision of the by-law? (your explanation)**

There are no provisions under current Zoning By-laws for the City of Guelph that allow for the operation of a humane society, and therefore, a minor variance to the B.5 zoning is sought.

**PROPERTY INFORMATION**

Date property was purchased:	April 12, 2016 (under conditional offer)	Date property was first built on:	N/A - vacant land
Date of proposed construction on property:	TBD	Length of time the existing uses of the subject property have continued:	

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):**

B.5 vacant land

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

Operation of humane society, together with accessory uses including animal control services

**DIMENSIONS OF PROPERTY:** (please refer to your survey plan or site plan)

Frontage:138.977m

Depth:128.071m

Area:11,102m<sup>2</sup>**PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)**

EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	N/A - vacant land		Gross Floor Area:	±1,200 m <sup>2</sup>	
Height of building:			Height of building:	1 storey	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable) - loading zone</b>		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:	10m	
Length:			Length:	12m	
Driveway Width:			Driveway Width:	7.5m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck) none</b>		
Describe details, including height:			Describe details, including height:		

**LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND**

EXISTING			PROPOSED		
Front Yard Setback:	N/A - vacant land		Front Yard Setback:	15.6M	
Exterior Side Yard (corner lots only)			Exterior Side Yard (corner lots only)	16.4M	
Side Yard Setback:	Left: M	Right: M	Side Yard Setback:	Left: M	Right: M 27.0
Rear Yard Setback			Rear Yard Setback	60.0M	

**TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)**
 Provincial Highway ☐    Municipal Road ☒    Private Road ☐    Water ☐    Other (Specify)
**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**Water ☒Sanitary Sewer ☒Storm Sewer ☒

If not available, by what means is it provided:

**IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?**

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Consent

X
X


Previous Minor Variance Application


**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

**PERMISSION TO ENTER**

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

**POSTING OF ADVISORY SIGN**

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Adrienne McBride, Executive Director of  
the Guelph Humane Society Incorporated, of the City/Town of  
Guelph in County/Regional Municipality of Wellington, solemnly

declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

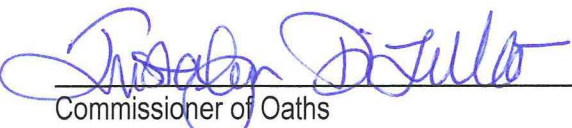
  
 Signature of Applicant or Authorized Agent

\_\_\_\_\_  
 Signature of Applicant or Authorized Agent

**NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.**

Declared before me at the

City/Town of Guelph in the County/Regional Municipality of  
Wellington this 19th day of May, 2017.

  
 Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
 A Commissioner, etc., Province of Ontario, for  
 The Corporation of the City of Guelph,  
 Expires January 8, 2019.

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

1651807 Ontario Inc.  
[Organization name / property owner's name(s)]

of 190 Hanlon Creek Blvd.  
(Legal description and/or municipal address)

hereby authorize The Guelph Humane Society Incorporated  
(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 18th day of May 2017

x [Signature]  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



May 19, 2017

Committee of Adjustments  
City of Guelph  
HAND DELIVERED

RECEIVED  
MAY 19 2017  
CITY CLERK'S OFFICE

Dear Members,

**RE: Minor Variance Application – 190 Hanlon Creek Blvd.**

---

Along with our completed application form, we wanted to provide a brief explanation for the rationale for asking for this minor variance allowing the property to be used by the Guelph Humane Society (GHS).

The Guelph Humane Society is one of the oldest social service agencies in the County of Wellington, which currently employs over 25 staff, and has over 200 active volunteers from our community. Incorporated in 1893, the Society has been actively engaged in animal welfare locally, provincially, and nationally for almost 125 years. Throughout its history, the Society has been recognized as a leader in promoting animal welfare, humane values education of children and youth, and innovative shelter initiatives. We have an ongoing contract with the City to provide animal control services on their behalf; this contract requires GHS to locate within the city boundaries. In addition, we also provide animal control services to the Township of Centre Wellington and Guelph-Eramosa Township, as well as pound services for Puslinch Township. We investigate cases of animal cruelty, and provide support and education to pet owners throughout the County of Wellington.

The shelter has called 500 Wellington Street West home for almost forty-five years now; the current facility is on municipal land shared with the city's wastewater treatment plant. GHS has been given notice that the space it occupies will be needed by the City for the expansion of the wastewater infrastructure and GHS will need to relocate to a new location.

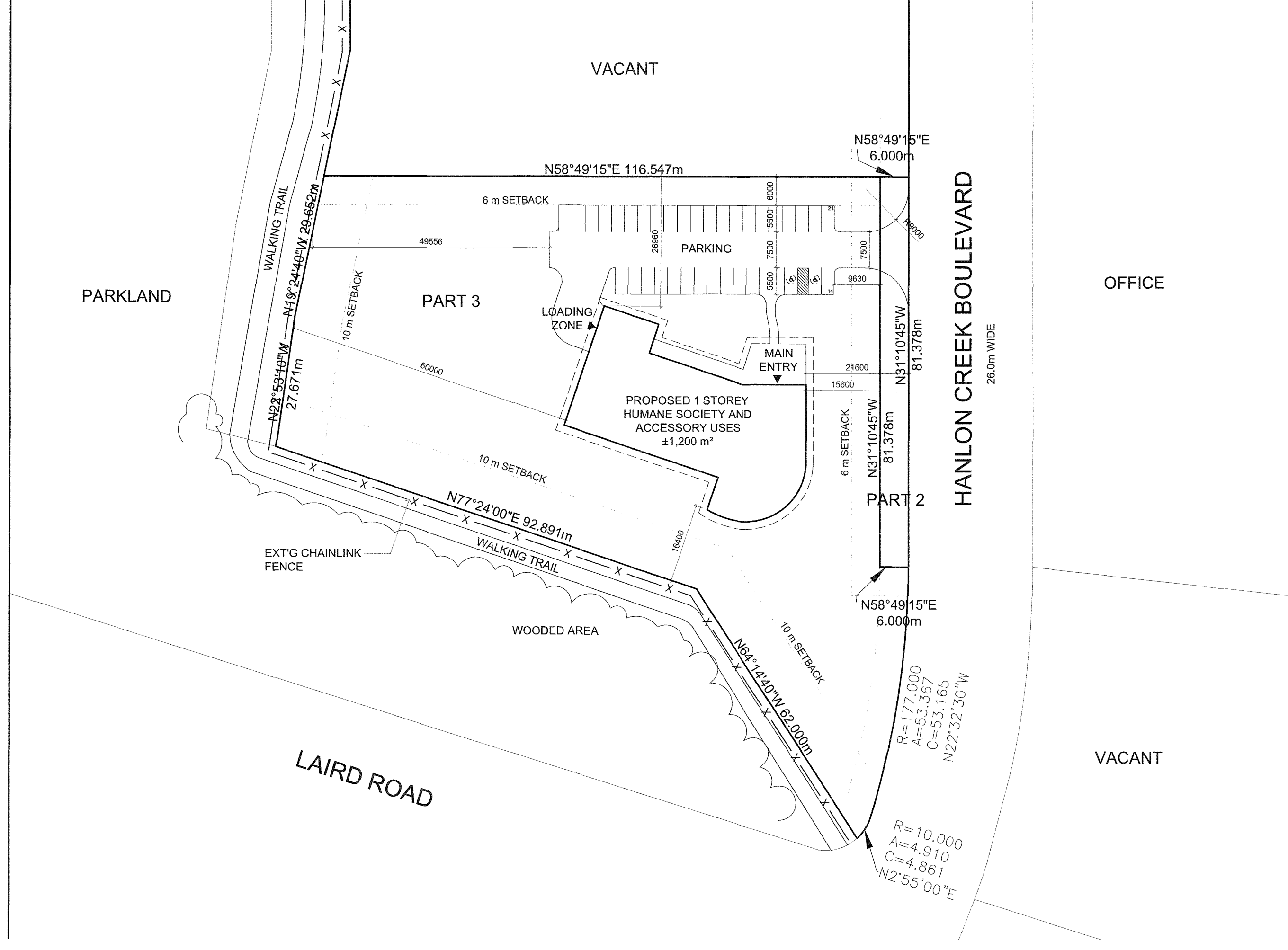
On the wish list for relocation is a site that improves the visibility of the shelter, has proximity to green space for dog walking, is within the city limits, and has enough land to allow for a larger physical space and expanded programming. Another consideration for the new facility is improved accessibility for persons with disabilities, which the current building cannot accommodate. With the help of Avison Young Commercial Real Estate, we have completed an extensive search of sites throughout the City. There are limited options that are within the city limits that meet our criteria, are reasonably affordable and are not located within proximity to residential areas. 190 Hanlon Creek Blvd. meets our criteria, and would allow GHS to build a modern facility to support the City of Guelph. We hope the Committee of Adjustment agrees that this is a suitable use for the property. Please let us know if you require any clarification of this application.

Sincerely,

**Adrienne McBride, (Hons.) B.A.A., LL.B.**  
**Executive Director**  
ED@guelphhumane.ca

**The Guelph Humane Society Incorporated**  
**Registration Number: 11923 6305 RR0001**  
www.guelph-humane.on.ca

Phone: 519-824-3091 Fax: 519-824-3075  
500 Wellington Street West, P.O. Box 684, Guelph, Ontario N1H 6L3



NORTH

BOUNDARY INFORMATION  
TAKEN FROM SURVEY PLAN OF  
ALL OF BLOCK 36, REGISTERED  
PLAN 61M-169, PREPARED BY  
VAN HARTEN SURVEYING INC.  
PROJECT No. 20167-11, DATED  
MAY 2, 2014

SITE AREA	
PART 2	488m <sup>2</sup>
PART 3	10,614m <sup>2</sup>
TOTAL AREA 11,102m <sup>2</sup>	
PROPOSED BUILDING AREA ±1,200m <sup>2</sup>	
PROPOSED PARKING TOTAL:	33 + 2 BF 35

1	MAY 19/17	ISSUED FOR MINOR VARIANCE APPLICATION
NO.	DATE	REVISION

J.DAVID McAULEY  
ARCHITECT INC.

360 WOOLWICH ST.  
GUELPH ON N1H 3W6  
P: (519) 823-2441  
E: office@jdm-arch.com

PROJECT  
NEW  
GUELPH HUMANE  
SOCIETY  
190 HANLON CREEK BLVD. GUELPH, ON

DRAWING NAME  
SITE PLAN

PLOT DATE May. 19/17	DRAWN BY DG
SCALE 1:750	PM DG
FILE 1508 - SITE PLAN.DWG	PROJECT NO. 1508-2017

DRAWING NO.  
A0

LAST SAVED: May, 19/17 - 11:42:35 AM