

April 3, 2025

Project: 22-14-777

Ms. Amanda Roger
Secretary-Treasurer
Committee of Adjustment
Township of Guelph/Eramosa
8348 Wellington Road 124
Rockwood, Ontario N0B 2K0

Dear Ms. Roger:

Re: Application for Minor Variance
5070R Whitelaw Road
Owner: Woodland Properties (Guelph) Ltd.

A completed on-line "Application for Minor Variance" for the above-noted property has been submitted to the Township. Also with this cover letter, please find the proposed site plan, building floor plan and building elevations. The purpose of this application is to apply for a "Minor Variance."

The subject lands are currently zoned Rural Industrial MI and designated Rural Employment Area in the Wellington County Official Plan.

The owner of this property is proposing to construct a new building that will accommodate Ted's Tire. This business will operate primarily as a warehouse for new and used tires but will also include a small proponent of retail sales related to the tire operation. In addition, the business will provide limited services including alignments, suspension, brakes, oil changes / fluid flushes, battery testing and replacement, wiper blades and filters. These additional services are largely maintenance related as opposed to major repair.

According to the uses permitted under the Rural Industrial (M1) Zone, this proposed operation exceeds the list of uses currently allowed within this zone and therefore a "Minor Variance" will be required.

The four tests for a minor variance include:

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance is minor in nature.
4. The variance represents desirable and appropriate development.

Official Plan

The property is currently designated Rural Employment Area.

According to Section 6.8.1 of the County's Official Plan, Rural Employment Areas are lands set aside for industrial and limited commercial uses. Rural employment areas will be used by "dry" industrial and limited commercial uses which do not use significant amounts of water in their operation and which do not produce

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significant amounts of effluent, consistent with rural servicing levels which rely on private water and sewage systems. Rural Employment Areas are expected to provide diversity to Wellington's land supply for business.

Section 6.8.2 of the Official Plan notes Permitted may include manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials. Accessory uses including the retail sale of products produced on-site may be allowed. Such commercial uses will be service focused with limited accessory retail and may include business or professional offices, farm machinery sales, farm supplies, farm produce sales, small scale motels or inns, small scale restaurants and automobile sales and services.

In terms of land use compatibility, Section 6.8.3 notes that existing and proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses. The Zoning By-law may also limit the location and size of commercial uses.

As noted above, within this designation the storage of materials is recognized as a permitted use as well as limited retail and automobile sales and services. The sales of tires and related accessories and the services component associated with this business includes only 14% of the total floor area on the building.

In my opinion, this variance will meet the general intent of the Official Plan.

Zoning By-law

The subject lands are zoned Industrial (M1). According to Section 14.1 of the Township's Zoning By-law the following uses (among others) are permitted:

Industrial Use

Accessory Retail Store, Wholesale Outlet, Showroom, Office, facilities for employees including Recreational Uses, a Child Care Centre, and a Restaurant.

Accessory Use

Automobile Body/Repair Shop

A major part of this operation is the storage of tires which is a recognized industrial use. The by-law also permits an automobile body/repair shop which allows for major mechanical work and the minor aspects of automobile service and maintenance being proposed with this application should be covered by this by the automobile body/repair shop definition. The retail and office space associated with the business represents less than 6% of the overall floor area of the site development and should be considered a minor accessory use within the overall operation of the business.

In my opinion, this use variance maintains the general intent and purpose of the by-law.

Minor in Nature

The additional uses proposed will be limited in scope and will not negatively impact neighbouring properties or affect the context of the property in terms of existing industrial uses.

Represents Desirable and Appropriate Development

The variance would allow for the development of an additional rural employment opportunity which is in keeping with the Official Plan and Zoning regulations for the subject property.

The proposed additional uses within this business operation will not exceed 14% of the overall operation.

In my opinion, the variance should be considered desirable and appropriate for the property.

Should you require any additional information in support of this application, please call me.

Yours truly

J.D. BARNES LIMITED

(Formerly Black, Shoemaker, Robinson & Donaldson Limited)

A handwritten signature in black ink, appearing to read "Nancy Shoemaker", with a stylized flourish at the end.

Nancy Shoemaker, BAA, RPP

Attachments

Copy: Woodland Properties (Guelph) Ltd.

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