

# Committee of Adjustment Meeting Agenda

Thursday, February 11, 2021, 4:00 p.m.

Remote meeting live streamed  
on [guelph.ca/live](https://guelph.ca/live)

## Public hearing for applications under sections 45 and 53 of the Planning Act.

To contain the spread of COVID-19, Committee of Adjustment hearings are being held electronically and can be live streamed at [guelph.ca/live](https://guelph.ca/live).

To listen to the meeting over the phone, call 1-416-216-5643 and enter meeting code 179 411 5610.

The public is invited to comment by submitting written comments and/or speaking to an application listed on the agenda. Written comments can be submitted using the contact information listed below. Members of the public who wish to speak to an application are encouraged to contact Committee of Adjustment staff by noon on Thursday, February 11, 2021.

To contact Committee of Adjustment staff by email or phone:

[cofa@guelph.ca](mailto:cofa@guelph.ca) (attachments must not exceed 20 MB)

519-822-1260 extension 2524

TTY 519-826-9771

When we receive your request, we will send you confirmation and instructions for participating in the hearing. Instructions will also be provided during the hearing to ensure those watching are given the opportunity to speak.

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## 1. Call to Order

### 1.1. Opening Remarks

### 1.2. Disclosure of Pecuniary Interest and General Nature Thereof

### 1.3. Approval of Minutes

### 1.4. Requests for Withdrawal or Deferral

## 2. Current Applications

(Application order subject to change)

To be notified of any of the decisions of the City of Guelph Committee of Adjustment, you must submit a "Request for Written Decision" form.

### 2.1. A-13/21 106 Sunnylea Crescent

**Owner:** 2483847 Ontario Ltd.

**Agent:** Cynthia Zahoruk, Cynthia Zahoruk Architect Inc.

**Request:** Variances for reduced common amenity area, side yard setbacks and parking location for proposed residential apartment building

**2.2. A-14/21 18 Southampton Street**

**Owner:** James Bryson and Jennifer Vanderkooy

**Agent:** N/A

**Request:** Variance to permit reduced right side yard setback for proposed two-storey residential addition

**2.3. A-47/20 523 Kortright Road West**

**Owner:** George and Debbie Coutts

**Agent:** Phill McFadden, Sutcliffe Homes & Renovations

**Request:** Variances for reduced front yard setback for proposed residential building addition and projection for proposed open roofed porch

**2.4. B-1/21 42 and 46-48 Nottingham Street**

**Owner:** Domenico Romeo

**Agent:** Nancy Shoemaker, BSR&D Limited

**Request:** Consent for technical severance to re-establish original lot lines

**2.5. B-2/21 91 and 93 Grange Street**

**Owner:** Domenico Romeo

**Agent:** Nancy Shoemaker, BSR&D Limited

**Request:** Consent for technical severance to re-establish original lot lines

**2.6. B-3/21 B-4/21 29, 31, and 33 College Avenue West**

**Owner:** Domenico Romeo

**Agent:** Nancy Shoemaker, BSR&D Limited

**Request:** Consent for technical severance to re-establish original lot lines and create shared driveway easements

**2.7. B-5/21 A-15/21 18-20 Grove Street**

**Owner:** Kristopher Lawson and Alysha Maxwell

**Agent:** Jeff Buisman, Van Harten Surveying Inc.

**Request:** Consent to create new lot and related variances for driveway width and location of off-street parking

**3. Requests**

**3.1. Application Fee Refund Request for Files A-1/21 and A-2/21 (146 and 148 Starwood Drive)**

**4. Staff Announcements**

**5. Adjournment**

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## **Committee of Adjustment Minutes**

**Thursday, January 14, 2021, 4:00 p.m.  
Remote meeting live streamed  
on [guelph.ca/live](https://guelph.ca/live)**

Members Present	K. Ash, Chair D. Kendrick, Vice Chair M. Allison S. Dykstra D. Gundrum J. Smith
Members Absent	K. Meads
Staff Present	B. Bond, Zoning Inspector L. Cline, Council and Committee Coordinator J. da Silva, Council and Committee Assistant S. Daniel, Engineering Technologist T. Di Lullo, Secretary-Treasurer K. Patzer, Planner L. Sulatycki, Planner

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### **Call to Order**

Chair Ash called the meeting to order. (4:01 p.m.)

### **Opening Remarks**

Chair K. Ash explained the hearing procedures and Secretary-Treasurer T. Di Lullo conducted attendance by roll call and confirmed quorum.

The position of Chair was handed over to the Secretary-Treasurer for the purpose of conducting the annual election.

## **Election of Chair and Vice-chair**

Secretary-Treasurer T. Di Lullo called for nominations for the positions of Chair and Vice Chair of the Committee of Adjustment for 2021.

Member D. Gundrum nominated member K. Ash for the position of Chair. Member K. Ash accepted the nomination.

Member K. Ash nominated member D. Kendrick for the position of Vice Chair. Member D. Kendrick accepted the nomination.

Moved by D. Gundrum

Seconded by D. Kendrick

That in accordance with Section 44(7) of the Planning Act, R.S.O. 1990, c. P.13, K. Ash be elected the 2021 Chair for the City of Guelph Committee of Adjustment.

**Carried**

Moved by K. Ash

Seconded by D. Gundrum

That in accordance with Section 44(7) of the Planning Act, R.S.O. 1990, c. P.13, D. Kendrick be elected the 2021 Vice Chair for the City of Guelph Committee of Adjustment.

**Carried**

The position of Chair was handed over to Chair K. Ash.

## **Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

## **Approval of Minutes**

Moved by S. Dykstra

Seconded by J. Smith

That the minutes from the December 10, 2020 Regular Hearing of the Committee of Adjustment, be **approved** as circulated.

**Carried**



## **Requests for Withdrawal or Deferral**

Secretary-Treasurer T. Di Lullo indicated that file A-11/21 for 180 Dallan Drive was withdrawn by the applicant, and the applicant has submitted a refund request for the application fee (\$950.00).

## **Current Applications**

### **Cityview Subdivision**

Owner: 1266304 Ontario Inc.

Agent: C. Balluch, Fusion Homes

Locations: 73 Keating Street, 74 Silurian Drive, 78 Silurian Drive, 82 Silurian Drive, and 83 Silurian Drive

In Attendance: C. Balluch

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. C. Balluch, agent, responded that the sign was posted and comments were received.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

### **A-3/21 73 Keating Street**

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 73 Keating Street, to permit a maximum driveway width of 6 metres, when the By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres, be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangements with the ICI and Layouts Department of Alectra Utilities for the new service connection.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

**A-4/21 A-5/21 A-6/21 74, 78 and 82 Silurian Drive****A-4/21 74 Silurian Drive**

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 74 Silurian Drive, to permit a maximum driveway width of 6 metres, when the By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres, be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangements with the ICI and Layouts Department of Alectra Utilities for the new service connection.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions

related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

#### **A-5/21 78 Silurian Drive**

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 78 Silurian Drive, to permit a maximum driveway width of 6 metres, when the By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres, be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangements with the ICI and Layouts Department of Alectra Utilities for the new service connection.

#### **Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

#### **A-6/21 82 Silurian Drive**

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 82 Silurian Drive, to permit a maximum driveway width of 6 metres, when the By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres, be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangements with the ICI and Layouts Department of Alectra Utilities for the new service connection.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

**A-7/21 83 Silurian Drive**

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 83 Silurian Drive, to permit a maximum driveway width of 6.5 metres, when the By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres, be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangements with the ICI and Layouts Department of Alectra Utilities for the new service connection.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

**A-50/20 18 Central Street**

Owner: Anthony Lewis

Agent: N/A

Location: 18 Central Street

In Attendance: A. Lewis

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. A. Lewis, owner, responded that the sign was posted and comments were received.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Member J. Smith left the remote hearing. (4:30 p.m.)

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained,

and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by D. Gundrum

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, variances from the requirements of Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, for 18 Central Street, to permit:

- a. the proposed open, roofed porch to have a minimum setback of 1.52 metres from the front lot line, when the By-law requires that for an open, roofed porch not exceeding 1 storey in height, the minimum setback from the front lot line is 2 metres; and,
- b. the stairs associated with the proposed open, roofed porch to have a minimum setback of 0.09 metres from the front lot line, when the By-law requires that that the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line,

be **approved**, subject to the following condition:

1. That the Owner(s) agrees to install the proposed porch and stairs in accordance with the provided drawings. The proposed porch and stairs must not encroach within the sightline triangle nor the City's right-of-way.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

Member J. Smith rejoined the remote hearing. (4:32 p.m.)

## **A-8/21 1 Calgary Avenue**

Owner: Milan and Viera Svitek

Agent: N/A

Location: 1 Calgary Avenue

In Attendance: M. Svitek, PJ MacLean, and L. Brennan

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from K. Major and M. Major, residents on Ottawa Crescent, with no concerns to the application. Late correspondence from the owner was also received after the comment deadline. A copy of this correspondence was circulated to staff, committee members and the applicant.

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. M. Svitek, owner, responded that the sign was posted and comments were received.

PJ MacLean, resident on Ottawa Crescent, expressed concerns with the lack of visibility at the corner of Ottawa Crescent and Calgary Avenue due to the existing fence height.

L. Brennan, on behalf of the owners, addressed the correspondence received and provided history on the fence and the property. She also noted she has not had visibility issues at the corner of Ottawa Crescent and Calgary Avenue when visiting the property.

The following registered delegate did not speak:

K. Major

Chair K. Ash recommended that the condition be amended to include a specific date to provide proof that the fence is not located within the City's right-of-way. M. Svitek, owner, indicated agreement with the revised condition.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.20.9 of

Zoning By-law (1995)-14864, as amended, for 1 Calgary Avenue, to permit the existing fence in the front yard between 1.72 metres and 1.99 meters in height as shown on the sketch provided, when the By-law requires that, within any residential zone, any fence located in the front yard shall not exceed 0.8 metres in height, be **approved**, subject to the following condition:

1. That the fence shall not be located within the City's right-of-way.  
Proof of this shall be provided to staff prior to June 1, 2021.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

**A-9/21 107 Fountain Street East**

Owner: Paul E. Campbell

Agent: J. Cox, J. L. Cox Planning Consultants Inc.

Location: 107 Fountain Street East

In Attendance: J. Cox

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. J. Cox, agent, responded that the sign was posted and comments were received. He explained the purpose of the application and the need for the requested variances.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,



Moved by J. Smith

Seconded by M. Allison

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, variances from the requirements of Table 6.3.2.8 Row 2 and Section 6.3.2.5.2.1.6.5 of Zoning By-law (1995)-14864, as amended, for 107 Fountain Street East, to permit:

- a. a minimum left side yard setback of 0.97 metres, and a minimum right side yard setback of 0.6 metres, when the By-law requires a minimum side yard setback of 1.5 metres; and
- b. the required parking space to be located a minimum of 3.0 metres from the street line and to the rear of the of the front wall of the main dwelling, when the By-law requires that, for a single detached dwelling in a downtown zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

be **approved**, subject to the following conditions:

1. That the variances apply to the proposed dwelling in general accordance with the Public Notice sketch.
2. That prior to issuance of a building permit, the applicant make arrangements with the ICI and Layouts Department of Alectra Utilities if a service upgrade is required due to the changes.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

### **A-10/21 180 Dallan Drive**

Owner: Mahendranath and Vindhya Thimmanagari

Agent: N/A

Location: 180 Dallan Drive

In Attendance: M. Thimmanagari

Secretary-Treasurer T. Di Lullo indicated that the applicant for file A-10/21 180 Dallan Drive, M. Thimmanagari, withdrew his application for minor variance and submitted a fee refund request for the application fee in the amount of \$950. She also noted that staff comments regarding this request were provided in which staff recommends a partial refund of 75 percent of the application fee (\$712.50) be refunded to account for costs associated with staff time and circulation.

Moved by D. Kendrick

Seconded by J. Smith

That 75 percent (\$712.50) refund of the application fee for minor variance file A-10/21 (180 Dallan Drive) be **approved**.

**Carried**

### **A-11/21 137 Brant Avenue**

Owner: Nick and Sandra Papadedes

Agent: N/A

Location: 137 Brant Avenue

In Attendance: N. Papadedes

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. N. Papadedes, owner, responded that the sign was posted and comments were received.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Member S. Dykstra recommended that a condition be added to require a building permit to be obtained by a specific date.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained,

and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra

Seconded by D. Kendrick

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 137 Brant Avenue, to permit a minimum left side yard setback of 0.1 metres for the existing building addition to the existing dwelling, when the By-law requires a minimum side yard setback of 1.2 metres for a single detached dwelling of 1 to 2 storeys in an R.1C zone, be **approved**, subject to the following conditions:

1. That the side yard setback of 0.1 metres apply only to the existing building addition in general accordance with the public notice sketch.
2. That prior to the issuance of a building permit for the building, the owner provides written documentation to the satisfaction of the Chief Building Official or designate, including drawings, that no encroachment exists or provides a copy of an agreement between the two owners that has been executed recognizing the encroachment.
3. That prior to the issuance of a building permit, the owner confirms and provides written confirmation that an access agreement between 139 Brant Street and 137 Brant Street for the purposes of maintenance of the building at 137 Brant Street has been registered on title.
4. That a building permit for the existing building addition located on the left side of the existing single detached dwelling be obtained by September 1, 2021.

**Reasons:**

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the

Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

## **A-12/21 254 Edinburgh Road South**

Owner: Anna Favero

Agent: K. O'Dwyer, RS Landscape and Construction

Location: 254 Edinburgh Road South

In Attendance: K. O'Dwyer

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. K. O'Dwyer, agent, responded that the sign was posted and comments were received.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by D. Gundrum

Seconded by D. Kendrick

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.1.3.8.1 of Zoning By-law (1995)-14864, as amended, for 254 Edinburgh Road South, to permit a maximum of one (1) operator and seven (7) employees in the proposed personal service establishment (hair salon) within the existing building, when the By-law permits, in a personal service establishment, a maximum of one (1) operator and one (1) employee, be **approved**.

### **Reasons:**

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the

Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Carried**

### **Staff Announcements**

There were no announcements.

### **Adjournment**

Moved by S. Dykstra

Seconded by D. Kendrick

That this hearing of the Committee of Adjustment be adjourned. (5:45 p.m.)

**Carried**

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K. Ash, Chair

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T. Di Lullo, Secretary-Treasurer

# Committee of Adjustment Notice of Public Hearing



**An Application for Minor Variances has been filed with the Committee of Adjustment**

## Application Details

### Location:

106 Sunnylea Crescent

### Proposal:

The applicant is proposing to construct a 2-storey residential apartment building with a total of 6 units on the vacant property.

### By-Law Requirements:

The property is located in the Residential General Apartment (R.4A) Zone. Variances from Section 5.4.2.4.1, Table 5.4.2 Row 8, and Sections 5.4.2.1, 4.13.2.2 and 4.13.2.2.1 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum common amenity area of not less than 30 square metres per dwelling unit for each unit up to 20 [total of 180 square metres required];
- b) a minimum side yard setback equal to one-half the building height [7 metres] but not less than 3 metres [minimum side yard setback of 3.5 metres required];
- c) that for side yards in R.4A zones, where windows of a habitable room face on a side yard, such side yard shall have a minimum width of not less than 7.5 metres;
- d) that in a R.4 zone, every parking space shall be located in the side or rear yard provided that no parking space is located within 3 metres of any lot line; and
- e) that only visitor parking (not more than 25 percent of the minimum off-street parking required) may be located in the front yard or exterior side yard provided it is to the rear of the required front or exterior side yard.

### Request:

The applicant is seeking relief from the By-Law requirements to permit:

- a) a minimum common amenity area of 56 square metres;
- b) a minimum left and right side yard setback of 3 metres;
- c) the windows of a habitable room to face a side yard with a minimum width of 3 metres;
- d) parking spaces to be located in the front yard and to permit three (3) parking spaces to be located within 3 metres of a lot line; and
- e) visitor parking spaces to be located within the required front yard setback.

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## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**

Application Number: **A-13/21**

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If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

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## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## Additional Information

Agendas and comments related to this application will be available online at [guelph.ca/cofa](https://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## Notice of the Decision

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

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## Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated January 22, 2021.

## Contact Information

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

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

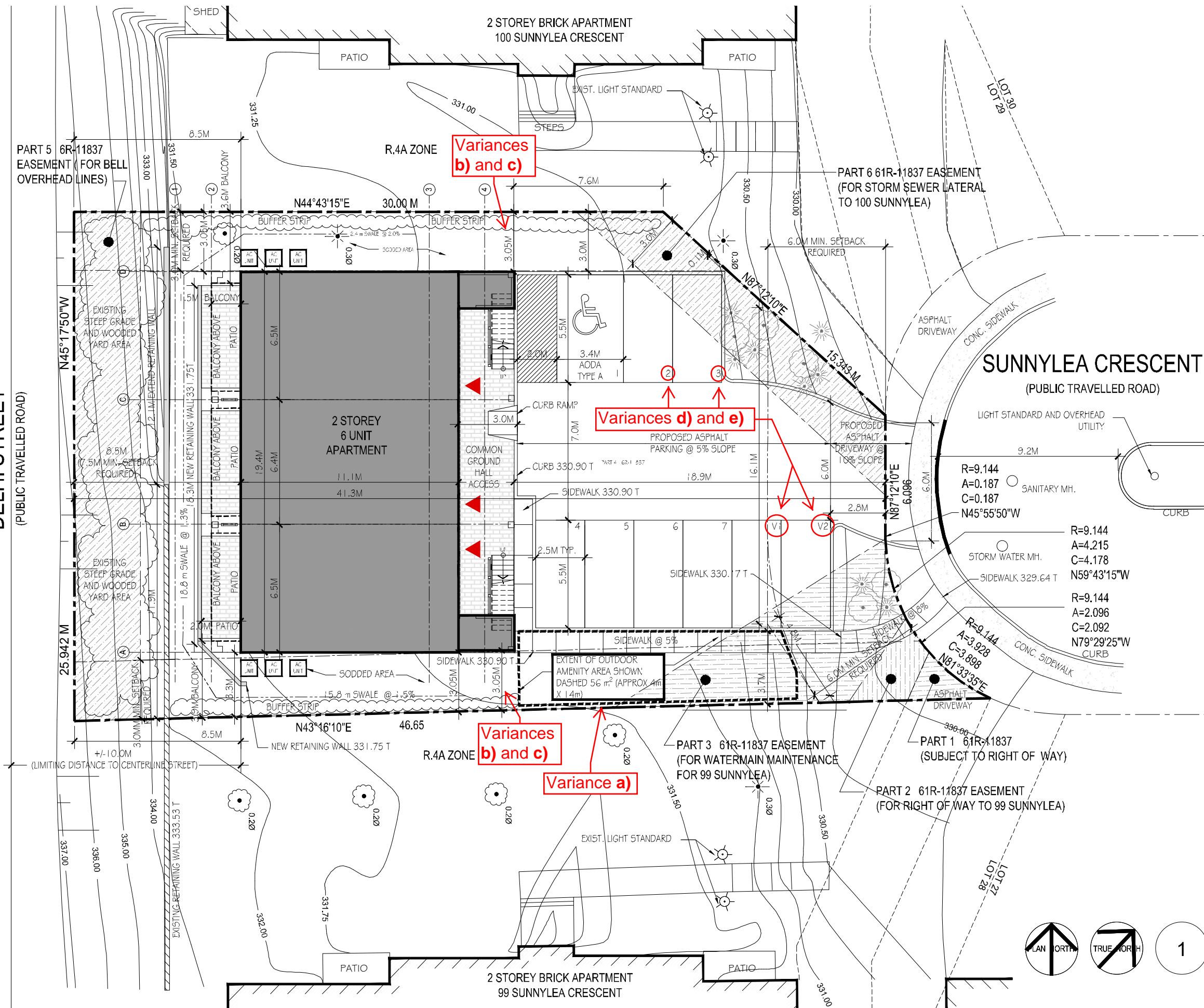
**TTY:** 519-826-9771

[guelph.ca/cofa](https://guelph.ca/cofa)





DELHI STREET  
(PUBLIC TRAVELLED ROAD)



CYNTHIA  
ZAHORUK  
ARCHITECTS

3077 NEW STREET,  
BURLINGTON, ON L7N1M6  
905.331.4480



ONTARIO ASSOCIATION  
OF ARCHITECTS

NOTES:

THE CONTRACTOR WILL CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE.

THE ARCHITECT NOTED ABOVE HAS EXERCISED RESPONSIBLE CONTROL WITH RESPECT TO DESIGN ACTIVITIES

SUNNYLEA  
APARTMENT  
COMMITTEE OF ADJUSTMENT REVIEW  
106 Sunnylea Crescent  
Guelph, Ontario

1 SITE PLAN  
SCALE: 1:200

SCALE:  
AS SHOWN  
DRAWN BY:  
KB/RL  
DATE:  
12/14/2020  
SHEET:  
A1.1

DEVELOPMENT STATISTICS				December 14, 2020			
Municipal Address	106 Sunnylea Crescent, Guelph, ON						
Legal Description	TBA						
Existing Zoning	R.4A						
Proposed Use	Residential Apartment Building – General Apartment Zone R4A						
Floor Area	Use						
Basement	Mechanical & Storage			TBA			
Ground Floor	Suites/Common Area	3 units		251.58 m²			
Second Floor	Suites/Common Area	3 units		248.68 m²			
	GFA TOTAL	6 units		500.48 m²			
Site Data	R.4A			Proposed		Compliance Yes/No	
Lot Area Minimum	650 m²			1004 m²		Yes	
Lot Frontage	15 m min.			20.9 m		Yes	
Lot Coverage	n/a			25.05% (251.58/1004)		n/a	
Building Area	n/a			216.36 m²		n/a	
Building Height	8 Storeys			2 Storey – 7 m		Yes	
Density	100 u/ha maximum			6 units = 59.7 u/ha		Yes	
Floor Space Index (FSI)	1:1			432.72/1004 = 0.43:1		Yes	
Yards & Setbacks	R.4A			Proposed			
Minimum Front Yard (Sunnylea)	6.0 m			18.9 m		Yes	
Rear Yard	8.36 m (20% of 41.5 m Lot Depth)			8.50 m		Yes	
Side Yard	3.5 m (½X 7 m Bldg Height)			3.05 m		No	
Side Yard to Habitable Room	7.5 m			3.05 m		No	
Balcony/Canopy Encroachment	1.8 m maximum			1.5 m		Yes	
COMMON AMENITY AREA	R.4A			Proposed			
	6 units x 30m2 = 180 m²			Exterior area = 56 m²		No	
PARKING	R.4A			Proposed			
Residential Parking Spaces	1.50 space for first 20 units (6 x 1.5) = 9 spaces			7 Spaces Residence		Yes	
	Visitor spaces 20% x req'd spaces = (9 x 20%) 2 Spaces			2 Spaces Visitors		Yes	
TOTAL	9 Spaces Required			9 Spaces		Yes	
Parking Stall Size	2.5m x 5.5m			2.5 m x 5.5 m		Yes	
Parking setback from Lot Line	3.0m			.01m		No	
Parking or Driveway clearance to window	3.0m			3.0m		Yes	
Landscaped Area							
Landscaped open space	20% of 1004 m²=200 m² min			434 m² =43%		Yes	
Buffer Strip	Required on North and South Sides			North and South Side		Yes	



CYNTHIA  
ZAHORUK  
ARCHITECTS

3077 NEW STREET,  
BURLINGTON, ON L7N1M6  
905.331.4480



ONTARIO ASSOCIATION  
OF ARCHITECTS

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THE ARCHITECT NOTED ABOVE HAS EXERCISED RESPONSIBLE CONTROL WITH RESPECT TO DESIGN ACTIVITIES

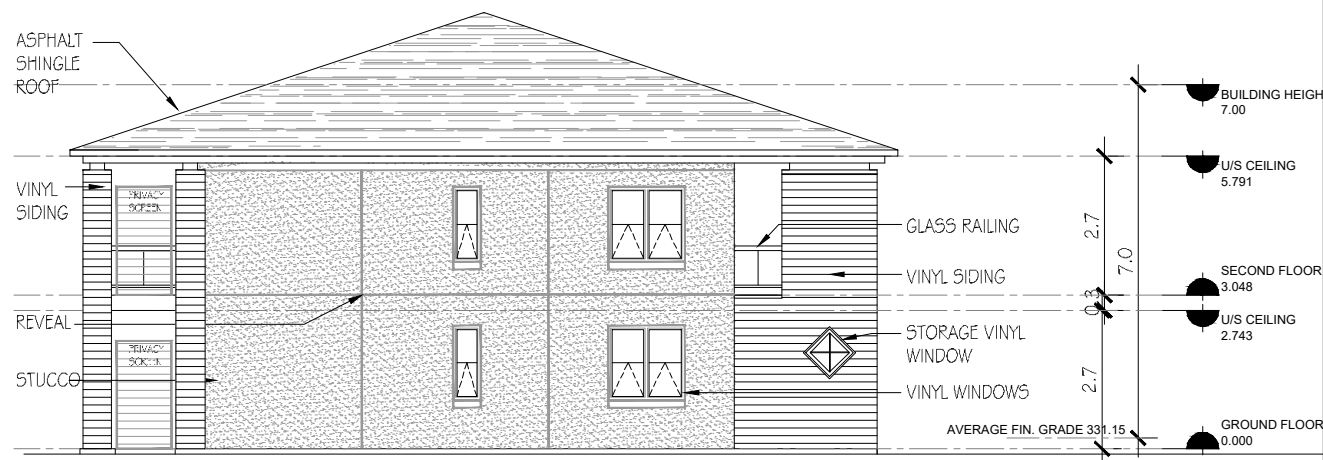
SUNNYLEA  
APARTMENT  
COMMITTEE OF ADJUSTMENT REVIEW  
106 Sunnylea Crescent  
Guelph, Ontario

SCALE:  
AS SHOWN  
DRAWN BY:  
KB/RL  
DATE:  
12/15/2020

SHEET:

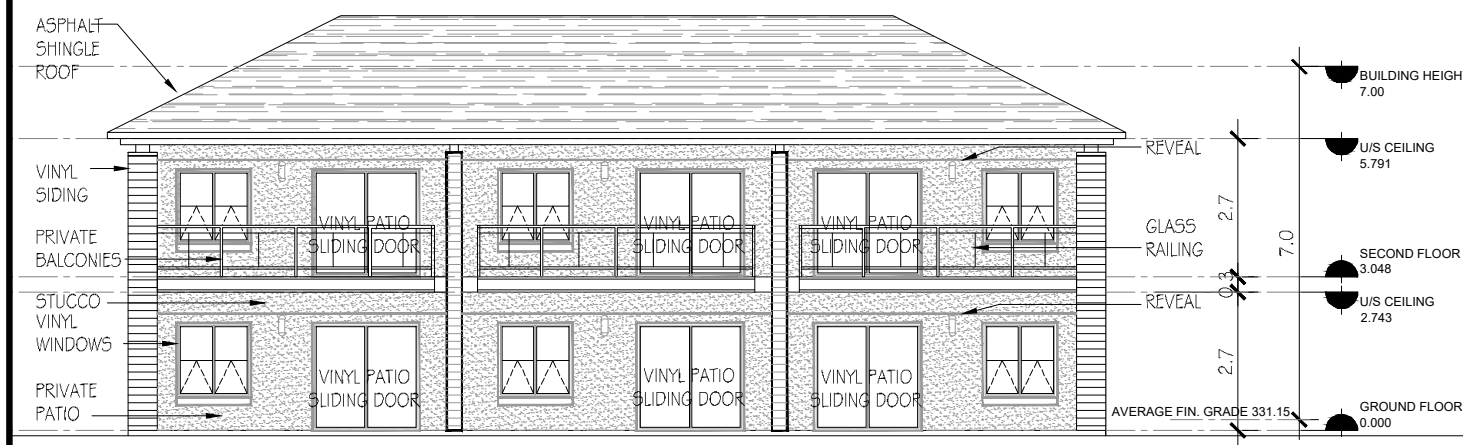
A1.2



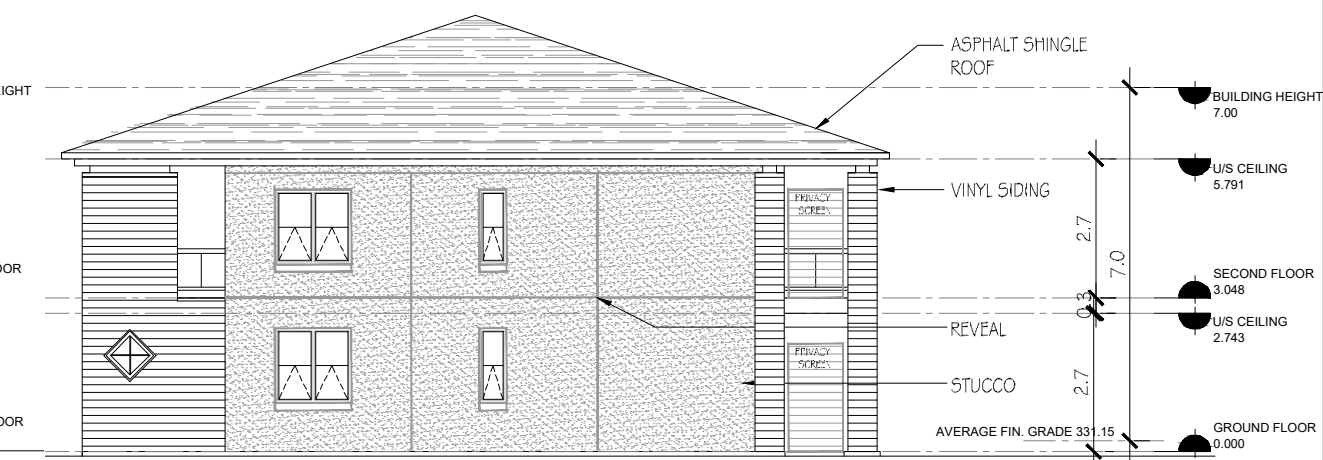


1 EAST ELEVATION (FRONT YARD)  
SCALE: 1:150

2 SOUTH ELEVATION (SIDE YARD)  
SCALE: 1:150



3 WEST ELEVATION (REAR YARD)  
SCALE: 1:150



4 NORTH ELEVATION (SIDE YARD)  
SCALE: 1:150



**CYNTHIA  
ZAHORUK  
ARCHITECTS**

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BURLINGTON, ON L7N1M6  
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**SUNNYLEA  
APARTMENT**

COMMITTEE OF ADJUSTMENT REVIEW  
106 Sunnylea Crescent  
Guelph, Ontario

SCALE:  
AS SHOWN  
DRAWN BY:  
KB/RL  
DATE:  
12/15/2020

SHEET:  
**A3.0**

# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Dec 18, 2020</b>	Folder #: <b>A-13/21</b>
	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: 106 Sunnylea Crescent, Guelph

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

See Attachment

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: 24 83847 Ontario Limited % John Cheung.  
Mailing Address: 76 Dawson Road  
City: Guelph Ont. Postal Code: N1H 1A8.  
Home Phone: cell Work Phone: 289-834-2086.  
Fax: \_\_\_\_\_ Email: john.cheung@bluevalleybuilding.com

### AGENT INFORMATION (If Any)

Company: Cynthia Zahoruk Architect Inc.  
Name: Cynthia Zahoruk  
Mailing Address: 3077 New Street  
City: Burlington, ON Postal Code: L7N 1M6.  
Work Phone: 905 331-4662 x22 Mobile Phone: 905 315 0215.  
Fax: \_\_\_\_\_ Email: cz@czarchitect.com

Official Plan Designation: <b>MEDIUM DENSITY RESIDENTIAL</b>	Current Zoning Designation: <b>R4A.</b>
--	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
See Attachment.

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

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	2017	Date property was first built on:	N/A
Date of proposed construction on property:	2021	Length of time the existing uses of the subject property have continued:	N/A
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Existing Vacant Land			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential Apartment Building			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: 29.9 m	Depth: 41.3 m	Area: 1004 m <sup>2</sup>

## 106 Sunnylea Crescent, Guelph – Variances requested

Nature and Extent of Relief applied for:

1. To permit the Common Outdoor amenity area to be reduced to 56m<sup>2</sup> whereas the Bylaw requires 180m<sup>2</sup>. ByLaw section 5.4.2.4.1

***This infill lot poses challenges in meeting all aspects of the zoning bylaw and still creating a feasible rental apartment project. Infill lots are typically in established neighborhoods within walking distance of parks and other amenities which helps to mitigate the lesser common amenity area provided on site.***

***Each apartment has private exterior patio (10m<sup>2</sup>) and balconies (8.0m<sup>2</sup>) for resident's enjoyment. We cannot include the large side yard area (18.0 m x 3.0) on the North side of the parking area as it does not meet the minimum dimension of 4.0m width required for a common Amenity area. This area is still usable for certain uses such as a dog walking area.***

***Similarly, a large part of the rear yard is constrained by a steep grade and is unusable except for landscape buffer and to provide privacy to the rear private exterior amenity area.***

***The design of the building also permits residents to use the common exterior walkways as a "front porch", although this area is also not permitted to be included in the calculation for Common Amenity area.***

2. To permit a side yard of 3.0m whereas the bylaw requires a side yard of 7.5m or ½ building height (7.0m / 2 = 3.5m). Applies to both Left and Right yards. By-Law section Table 5.4.2. Ro2 8 for General Apartment

***This infill lot poses challenges in meeting all aspects of the zoning bylaw and still creating a feasible rental apartment project. The reduced side yard will not impact the neighbor's enjoyment of their properties as the rooms with windows on these walls are bedrooms and bathrooms and typically will have privacy blinds.***

3. To permit the windows of a habitable room to face a side yard of 3.0m minimum width whereas the bylaw requires the minimum width of the side yard to be 7.5m. Applies to both Left and Right side yards. By-Law section 5.4.2.1.

***This infill lot poses challenges in meeting all aspects of the zoning bylaw and still creating a feasible rental apartment project. The windows facing the side yards are for bedrooms and bathrooms and typically these rooms have blinds for privacy and should not be impacted by a reduced side yard. All living room spaces face the rear yard.***

4. To permit parking spaces to be located in the front yard and to permit three (3) parking spaces to be located within 3 metres of a lot line. By law section 4.13.2.2.

***The narrow and irregular property limits development to parking in the front yard. The reduced dimension of 0.1m is for parking space #3 but also affects parking space #2 and #V2 to a lesser extent. All other parking spaces are compliant to this part of the Bylaw.***



## 106 Sunnylea Crescent, Guelph – Variances requested

5. To permit visitor parking spaces to be located within the required front yard setback. By law section 4.13.2.2.1.

***The narrow property limits development to parking in the front yard. The parking area in the front yard is not ideal however landscaping and fencing can aid to buffer the parking from adjacent properties.***

END

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:		Gross Floor Area:	500 m <sup>2</sup>
Height of building:		Height of building:	<del>11 m</del> 7 m
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b> N/A	
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; right: 0; bottom: 0; background: linear-gradient(to top right, transparent 49%, black 49%, black 51%, transparent 51%); background-size: 100% 100%;"></div> </div>	
N/A			
Width:		Width:	
Length:		Length:	
Driveway Width:		Driveway Width:	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b> N/A	
<b>Describe details, including height:</b>		<b>Describe details, including height:</b>	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:		Front Yard Setback:	18.9 M
Exterior Side Yard (corner lots only)		Exterior Side Yard (corner lots only)	N/A M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M 3.05 Right: M 3.05
Rear Yard Setback		Rear Yard Setback	8.5 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EXPIRED
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EXPIRED



**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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

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, Cynthia Zahoruk, of the City/Town of Burlington in County/Regional Municipality of Halton, 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

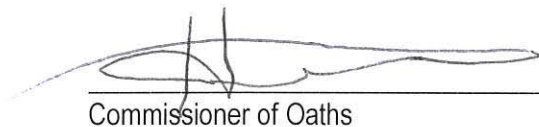
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

**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.**

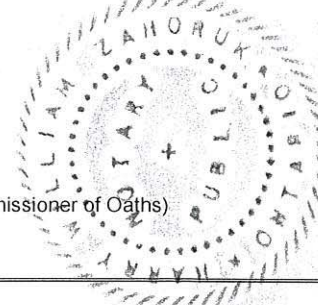
Declared before me at the

City/Town of Burlington in the County/Regional Municipality of

Halton this 15<sup>th</sup> day of December, 20 20.

  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

John Cheung of 248347 Ontario Limited  
 [Organization name / property owner's name(s)]

of 106 Sunnylea Crescent, Guelph  
 (Legal description and/or municipal address)

hereby authorize Cynthia Zecher Architect Inc.  
 (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 14<sup>th</sup> day of December 2020.

[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.



# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-6/12



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for easements and right-of-way over 106 Sunnylea Crescent, being,

- a) an easement over Part of Lot 29, Registered Plan 528 (Part 6 on a draft Reference Plan prepared by Black, Shoemaker, Robinson & Donaldson Ltd., project no. 00-3313-12, dated January 7, 2011), an easement with a width of 3.05 metres which runs along the right side lot line, for protection of an existing storm sewer lateral serving 100 Sunnylea Crescent,
- b) an easement over Part of Lot 28, Registered Plan 528 (Part 3 on a draft Reference Plan prepared by Black, Shoemaker, Robinson & Donaldson Ltd., project no. 00-3313-12, dated January 7, 2011), an easement with a width of 8.409 metres and an area of 48.2 square metres, for protection of an existing watermain serving 99 Sunnylea Crescent,
- c) a right-of-way over Part of Lot 28, Registered Plan 528 (Part 2 on a draft Reference Plan prepared by Black, Shoemaker, Robinson & Donaldson Ltd., project no. 00-3313-12, dated January 7, 2011), a right-way with a width along Sunnylea Crescent of 2.096 metres and an area of 8.5 square metres, to recognize an existing driveway serving 99 Sunnylea Crescent,

be approved, subject to the following conditions:

1. That prior to endorsation of the deeds, the servient tenement (106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528), being Part 3 on the site plan, grants an easement approximately 4.22-metres (13.85 feet) to approximately 8.409-metres (27.59 feet) wide by approximately 5.15-metres (16.90 feet) to approximately 15.00-metres (49.21 feet) long, along Sunnylea Crescent and along the left side lot line, registered on title, in favour of the dominant tenement (99 Sunnylea Crescent, Part of Lot 28, Registered Plan 528, for the protection of an existing 38mm water, 150 storm and 150 sanitary laterals.
2. That prior to endorsation of the deeds, the servient tenement (106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528), being Part 6 on the site plan, grants an easement approximately 3.05-metres (10.00 feet) wide by approximately 15.343-metres (50.34 feet) to approximately 21.37-metres (70.11 feet) long, along Sunnylea Crescent and the right side lot line, registered on title, in favour of the dominant tenement (100 Sunnylea Crescent, Part of Lot 29, Registered Plan 528, for the protection of an existing 150mm storm service lateral.
3. That prior to endorsation of the deeds, the servient tenement (106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528), being Part 2 on the site plan, grants a right-of-way approximately 2.096-metres (6.88 feet) to approximately 2.98-metres (9.78 feet) wide by approximately 2.69-metres (8.83 feet) to approximately 5.15-metres (16.90 feet) long, along Sunnylea Crescent and along the left side lot line, registered on title, in favour of the dominant tenement (99 Sunnylea Crescent, Part of Lot 28, Registered Plan 528, for the protection of an existing driveway.



# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-6/12



4. That prior to endorsonation of the deeds, the owner's solicitor of 106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528, certifies that the easement (Part 3) in favour of 99 Sunnylea Crescent, Part of Lot 28, Registered Plan 528, has been granted and registered on title.
5. That prior to endorsonation of the deeds, the owner's solicitor of 106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528, certifies that the easement (Part 6) in favour of 100 Sunnylea Crescent, Part of Lot 29, Registered Plan 528, has been granted and registered on title.
6. That prior to endorsonation of the deeds, the owner's solicitor of 106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528, certifies that the right-of-way (Part 2) in favour of 99 Sunnylea Crescent, Part of Lot 28, Registered Plan 528, has been granted and registered on title.
7. That prior to endorsonation of the deeds, the owner of 106 Sunnylea Crescent, Part of Lots 28 and 29, Registered Plan 528, shall have an Ontario Land Surveyor prepare a reference plan identifying the easements and right-of-way.
8. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to January 13, 2013.
9. 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 endorsement of the deed.
10. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
11. That 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 draft Reference Plan (version ACAD 2010) which can be forwarded by email ([cofa@guelph.ca](mailto:cofa@guelph.ca)) or supplied on a compact disk."

Members of Committee  
Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on January 10, 2012.

Dated: January 13, 2012

Signed:

Committee of Adjustment

The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is February 2, 2012.

T 519-837-5615  
F 519-822-4632  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)



# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-7/12



The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.4.2 Row 8 of Zoning By-law (1995)-14864, as amended, for 106 Sunnylea Crescent, to permit a 1.94 metre by 2.84 metre (6.36 foot by 9.31 foot) enclosed entry be situate 2.5 metres (8.2 feet) from the right side yard when the By-law requires a minimum side yard of 3 metres (9.84 feet), be approved, subject to the following conditions:

1. The Owner agrees to submit and receive approval from the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing to the satisfaction of the General Manager of Planning and Building and the General Manager/City Engineer, prior to the issuance of a building permit. Furthermore, the owner shall develop the said lands in accordance with the approved site plan.
2. That prior to issuance of a building permit, the owner make satisfactory arrangements with the Technical Services Department of Guelph Hydro Electric Systems Inc. for servicing the new building via a new underground service."

Members of Committee  
Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on January 10, 2012.

Dated: January 13, 2012

Signed:

Committee of Adjustment

The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is January 30, 2012.

T 519-837-5615  
F 519-822-4632  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)

# DECISION

**Application Number**  
**A-27/01**

**CITY OF GUELPH**  
**Committee of Adjustment**  
59 Carden Street  
Guelph, Ontario. N1H 3A1  
(519) 837-5615

The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.4.2. – Row 8 and Row 9 and Section 5.4.2.1. of Zoning By-law (1995)-14864, as amended, for 106 Sunnylea Crescent;

- a) to permit a minimum side yard of 3 metres (9.84 feet) when the By-law requires that the minimum side yard be equal to not half of the building height [4.039 metres (14.4 feet) but not less than 3 metres (9.84 feet);
- b) to permit a rear yard of 7.5 metres (24.6 feet) when the By-law requires that the minimum rear yard be equal to 20% of the lot depth [8.268 metres (27.12 feet) or one half of the building height whichever is greater, but in no case less than 7.5 metres (24.6 feet), and
- c) to permit the side yard to be 3 metres (9.84 feet) where that are windows of habitable rooms when the By-law requires that where windows of a habitable room face on a side yard, such side yard shall have a minimum width of not less than 7.5 metres (24.6 feet),

be approved."

**Members of Committee Concurring in this Decision**

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the Decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on April 10, 2001.

Signed: 

Dated on: April 13, 2001

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is April 30, 2001.

# Committee of Adjustment Notice of Public Hearing



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**An Application for a Minor Variance has been filed with the Committee of Adjustment**

## Application Details

### Location:

18 Southampton Street

### Proposal:

The applicant is proposing to remove the existing three season addition at the rear of the existing dwelling and construct a two-storey 29.7 square metre residential addition.

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum side yard setback of 1.5 metres for single detached dwellings of one to two storeys.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 0.91 metres for the proposed two-storey addition to the existing detached dwelling.

---

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**

Application Number: **A-14/21**

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If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

---

## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of



Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

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## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated January 22, 2021.

## **Contact Information**

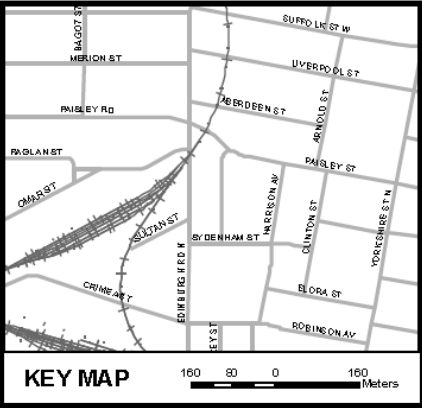
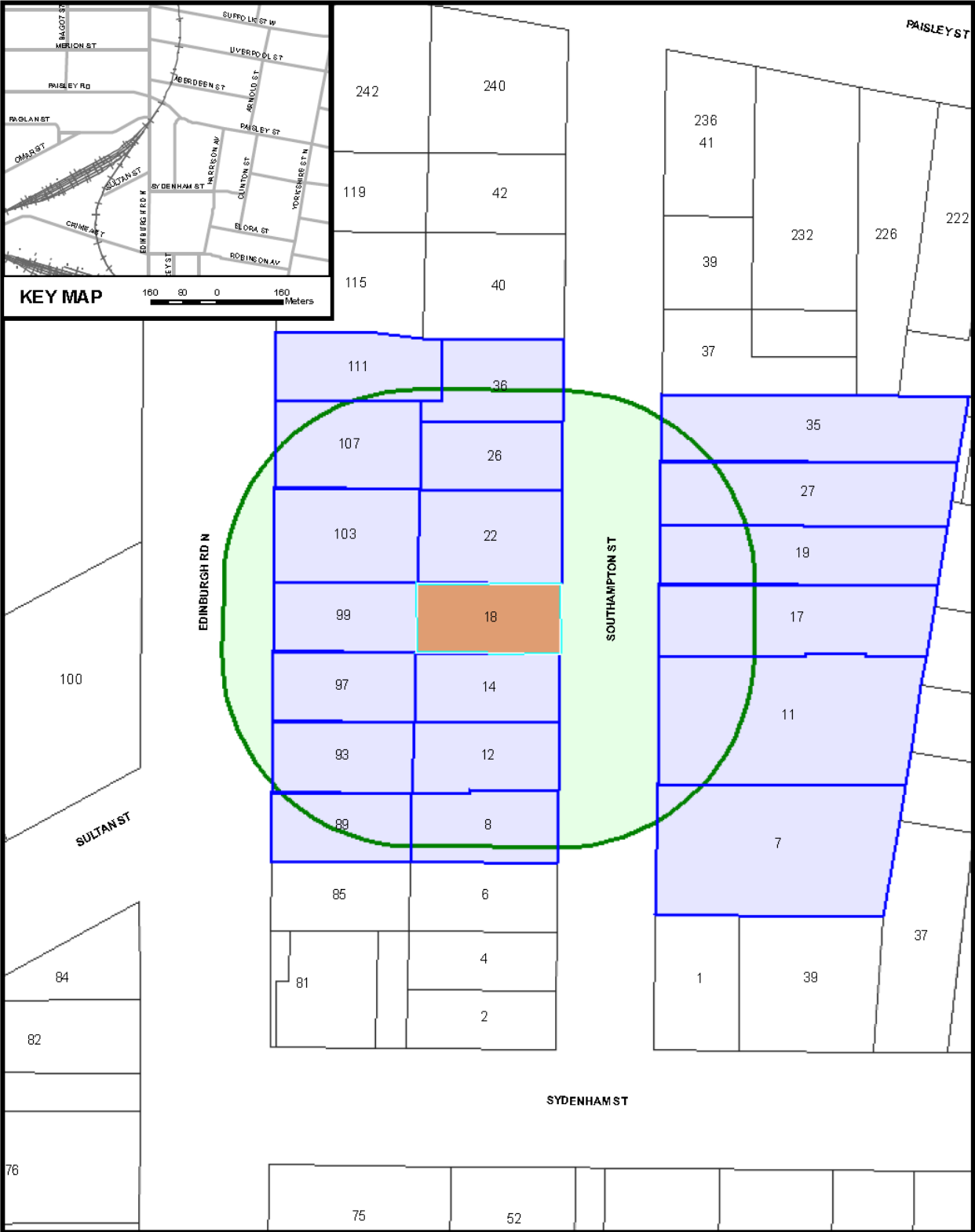
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

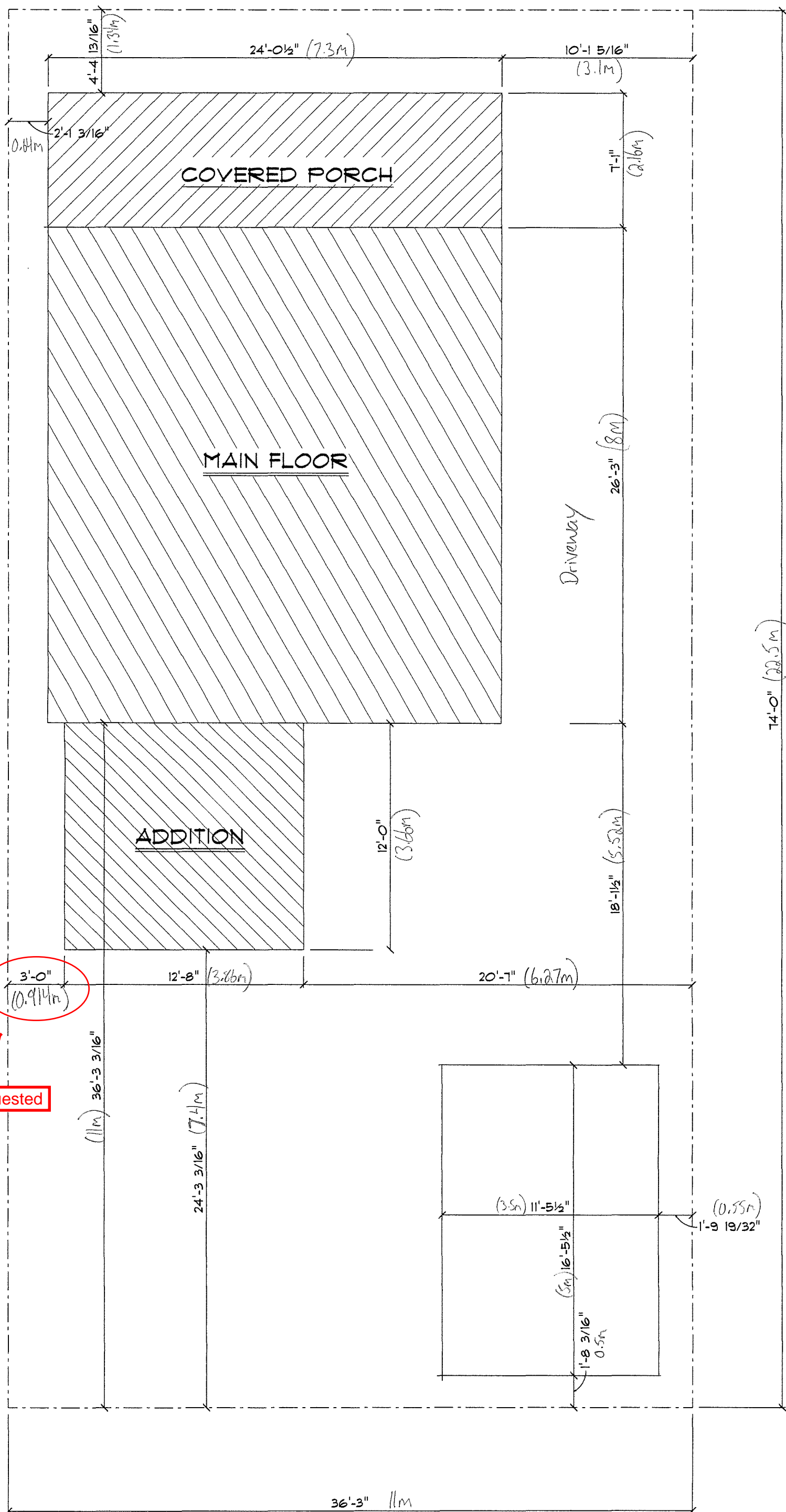
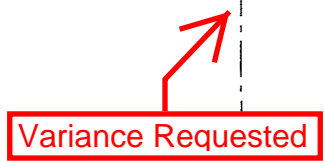
[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)

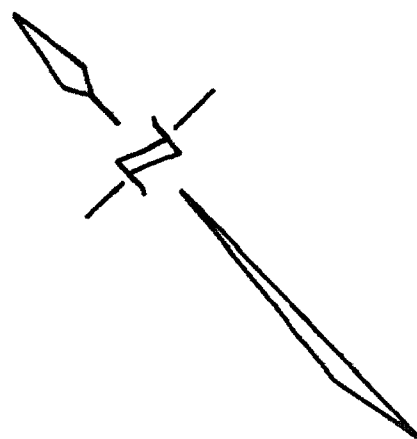


KEY MAP

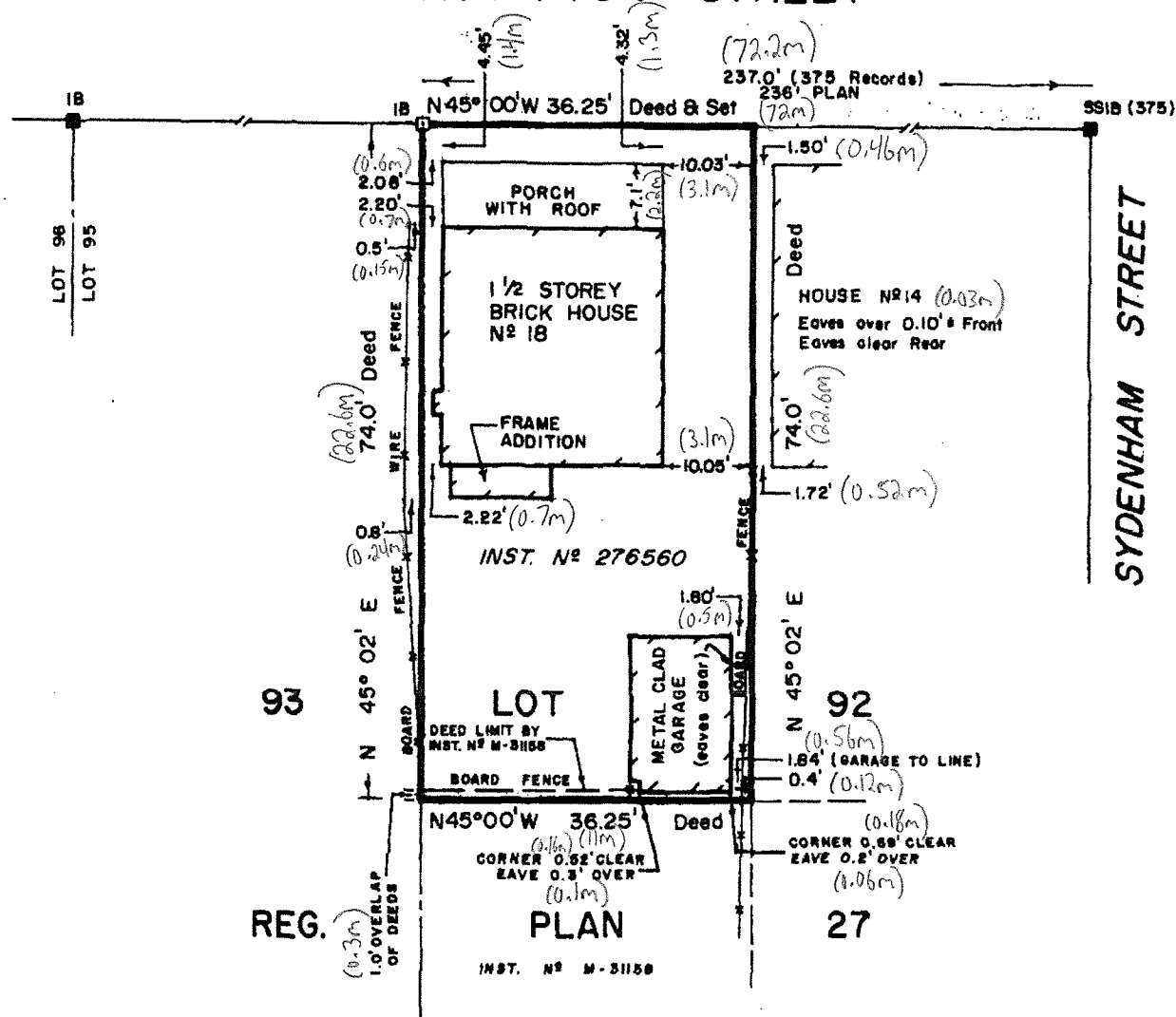
$$\frac{3}{16} = 1'$$


Residential 1.1

**BUILDING LOCATION SURVEY OF  
PART OF LOT 92  
REG. PLAN 27  
CITY OF GUELPH  
SCALE 1 INCH = 20 FEET  
R.L. SHOEMAKER O.L.S.  
1987**



**SOUTHAMPTON STREET**



**NOTE:**

BEARINGS ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF SOUTHAMPTON STREET, AS SHOWN ON REG. PLAN 27, AS BEING N 45° W.

- 375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.
- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 6th DAY OF JANUARY, 1986.

NO PERSON MAY COPY, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED.

© **BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**

ONTARIO LAND SURVEYORS

351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

DATE: JANUARY 8, 1987

SCALE: 1 INCH = 20 FEET

CD

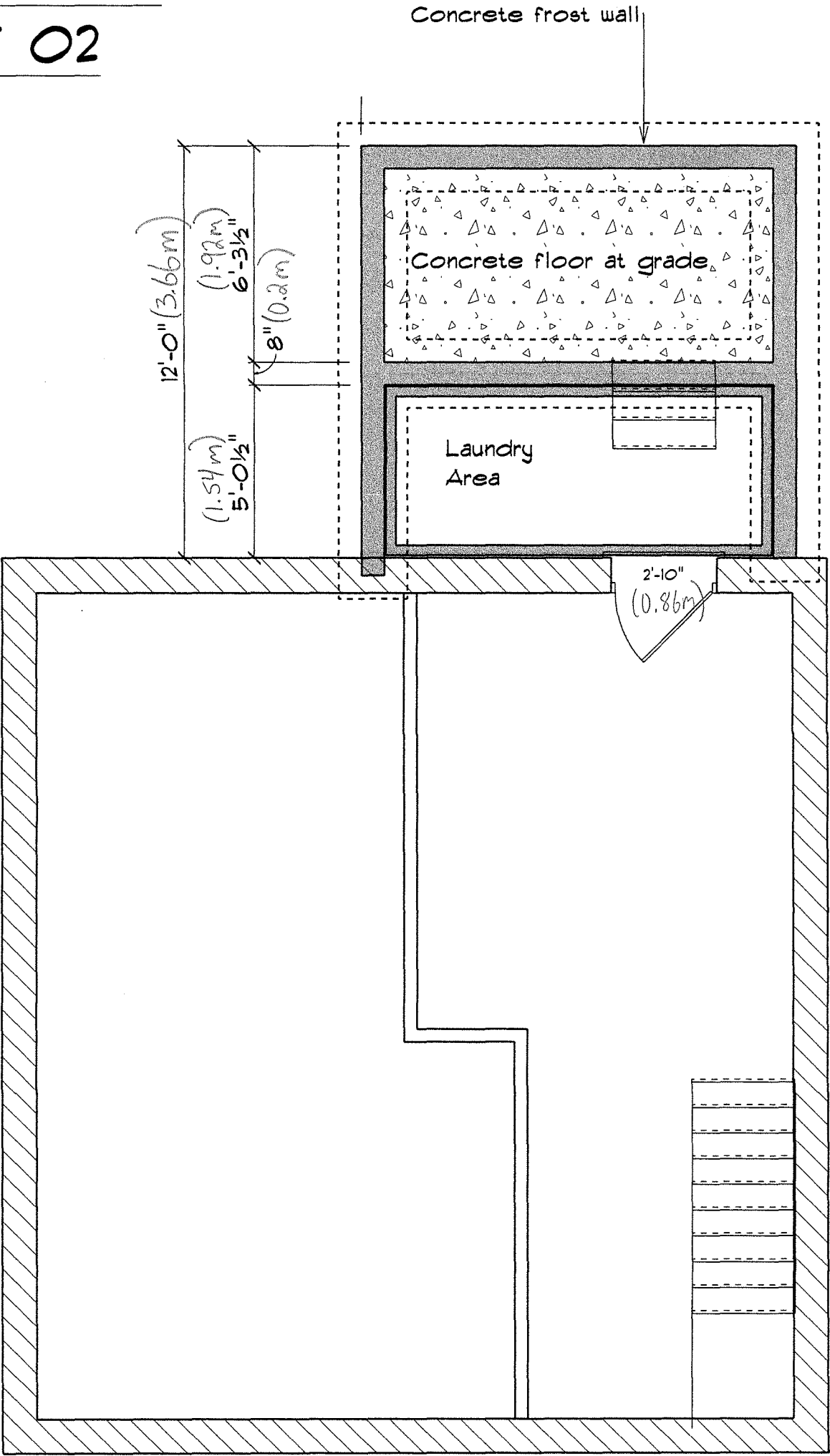
PER:

ONTARIO LAND SURVEYOR

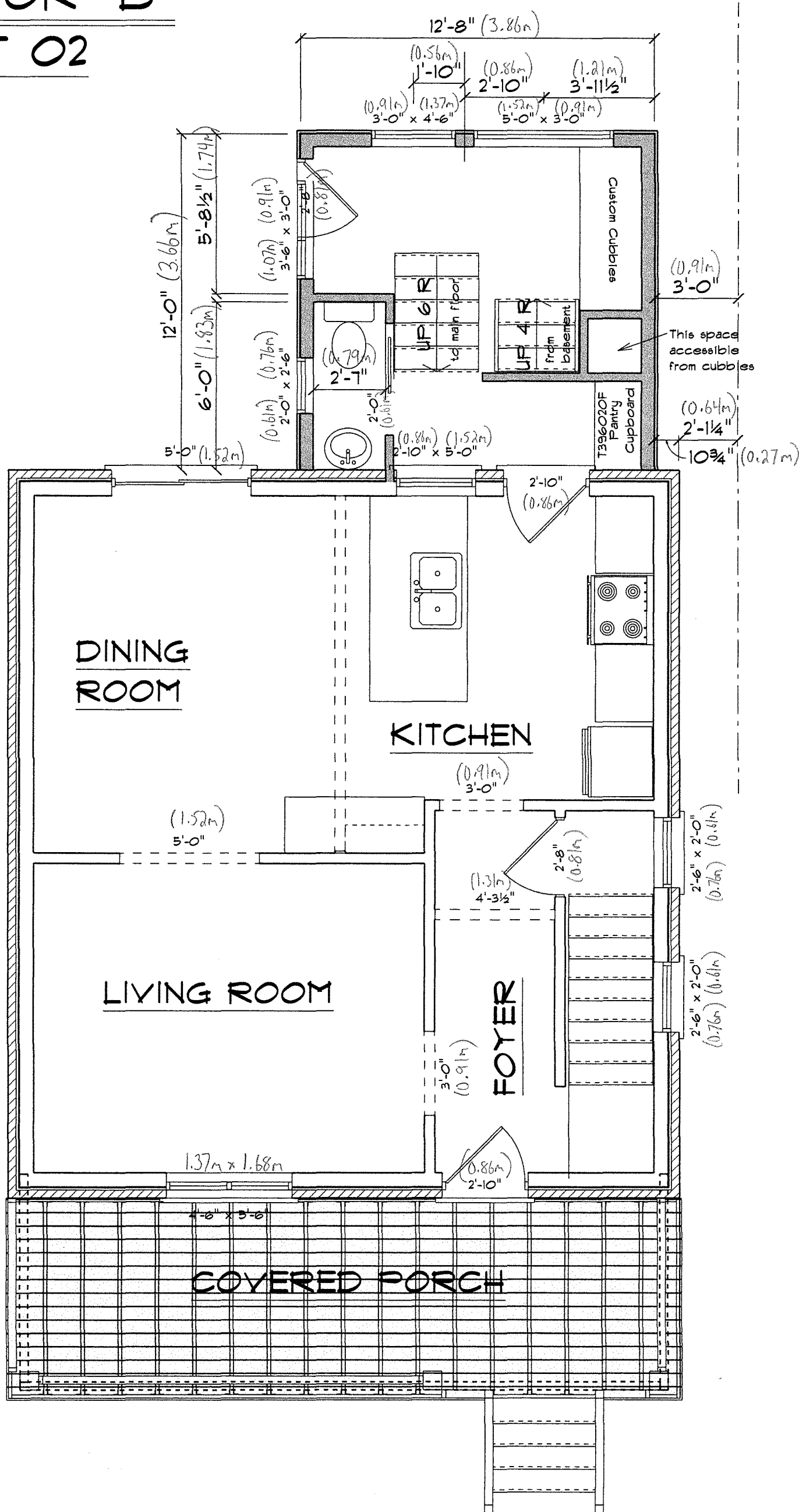
PROJECT  
87-4091

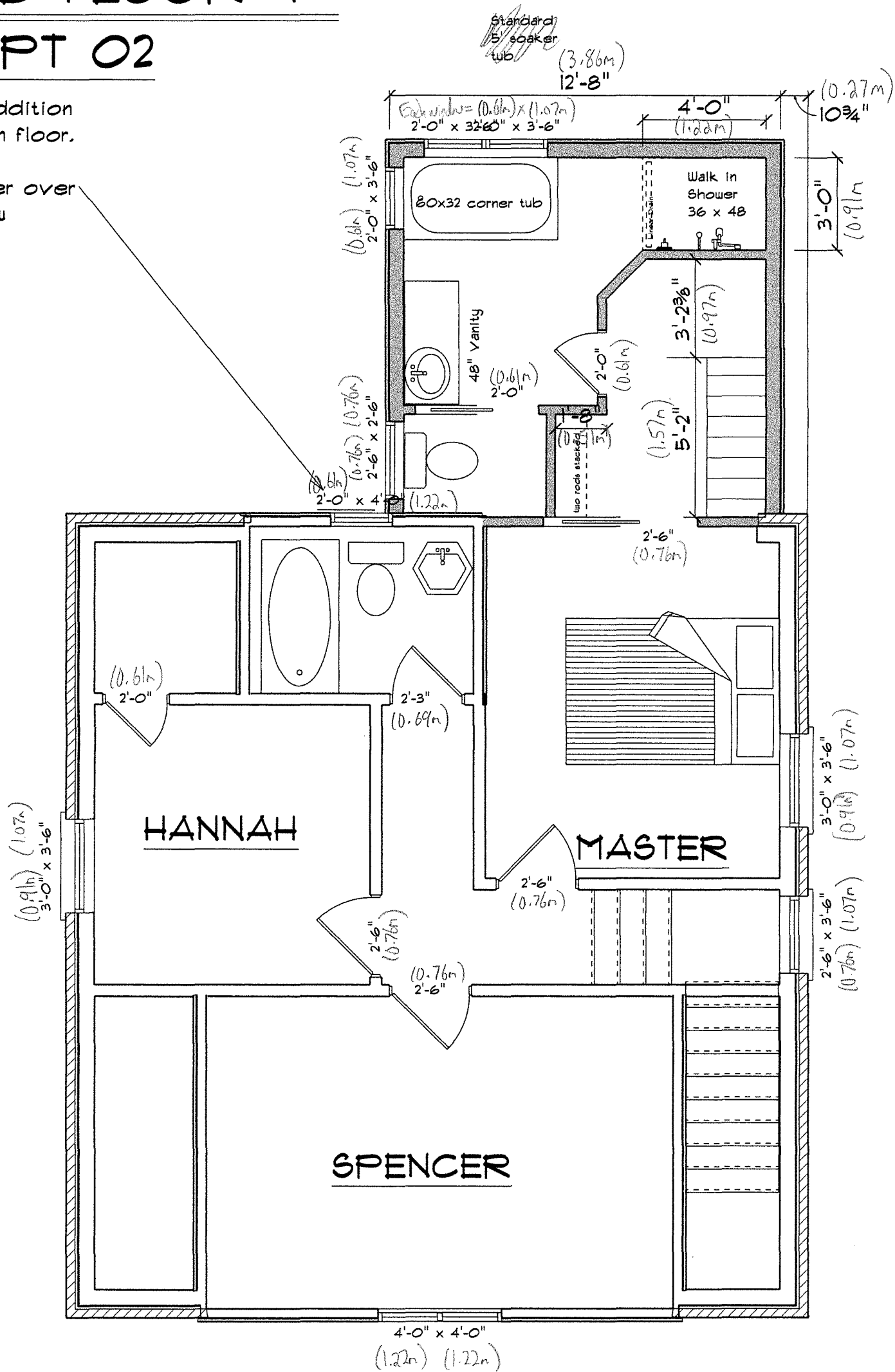
SEAL

BASEMENT "A"  
CONCEPT 02



SOUTHAMPTON STREET







DESIGNS BY:  
*Mark Hofstee*

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5 of the Ontario Building Code

BCIN: 25513

IMPORTANT NOTICE:  
These designs are strictly for use by Rammik Construction Inc. and may NOT be used for construction by any company other than Rammik Construction Inc.

Rammik Project #

Client Info:

Jen and James  
BRYSON  
18 Southampton Street  
Guelph, Ontario  
N1H 5M4

DATE of PRINTING:  
December 3, 202

SCALE: 1/4" = 1'  
Unless otherwise noted  
All dimensions approximate  
and to be site verified

Page of

RIGHT ELEVATION  
CONCEPT 02







DESIGNS BY:  
*Mark Hofstee*

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5 of the Ontario Building Code

BCIN: 25513

IMPORTANT NOTICE:  
These designs are strictly for use by Rammik Construction Inc. and may NOT be used for construction by any company other than Rammik Construction Inc.

Rammik Project #

Client Info:

Jen and James  
BRYSON  
18 Southampton Street  
Guelph, Ontario  
N1H 5M4

DATE of PRINTING:  
December 3, 2020


SCALE: 1/4" = 1'  
Unless otherwise noted  
All dimensions approximate  
and to be site verified

Page of

# REAR ELEVATION

## CONCEPT 02

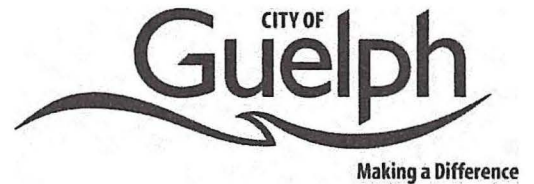


<div><p><b>RAMMIK</b> RENOVATIONS &amp; RESTORATIONS</p></div>	DESIGNS BY: <b>Mark Hofstee</b>  I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under sub-section 3.2.5 of the Ontario Building Code  BCIN: 25513	IMPORTANT NOTICE: These designs are strictly for use by Rammik Construction Inc. and may NOT be used for construction by any company other than Rammik Construction Inc.	Client Info:  Jen and James BRYSON 18 Southampton Street Guelph, Ontario N1H 5M4	DATE of PRINTING: December 3, 2020
		Rammik Project #		SCALE: 1/4" = 1' Unless otherwise noted All dimensions approximate and to be site verified
				Page    of

LEFT ELEVATION  
CONCEPT 02



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Jan 12, 2021</b>	Folder #: <b>A-14/21</b>
	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: 18 Southampton Street

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

Part Lot 92 Plan 27

### OWNER(S) INFORMATION:

Name: James Bryson + Jennifer Vanderkooy

Mailing Address: 18 Southampton St.

City: Guelph Postal Code: N1H 5N4

Home Phone: (519) 716-1756 Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: jamesbryson3@gmail.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Official Plan Designation: *Low Density Residential*Current Zoning Designation: *R1B*

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

*A variance to Table S.1.2 Row 7 to permit a right side yard setback of 0.91 m instead of 1.5m.*

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

*Our current house is 0.6 m from the property line with a 3 season addition at the back that is 0.85 m from the property line. We plan to remove the 3 season addition and build a 2 story addition 0.91 m from the property line.*

*Without the variance it will be difficult to plan addition to use current driveway from our kitchen. Exterior wall would be built in that driveway.*

*We are also trying to maximize our space both inside the addition and on our property (backyard).*

## PROPERTY INFORMATION

Date property was purchased:

*Dec 19 2014*

Date property was first built on:

*1919*

Date of proposed construction on property:

*Starting April 2021*

Length of time the existing uses of the subject property have continued:

*101 years*

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

*Residential - single family*

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

*Residential - single family.*

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

Frontage:

*11 m*

Depth:

*22.5 m*

Area:

*247.5 m<sup>2</sup>*



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u> addition = $14.86 \text{ m}^2 / \text{floor} = 29.72 \text{ m}^2$		
Gross Floor Area:	$58 \text{ m}^2 (\text{main}) + 46.45 \text{ m}^2 (\text{porch}) = 104.45 \text{ m}^2$		Gross Floor Area:	Total house after = $134.17 \text{ m}^2$	
Height of building:	2 story		Height of building:	2 story	
Garage/Carport (if applicable)			Garage/Carport (if applicable) stays the same		
Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>			Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		
Width:	3.5 m		Width:	3.5 m	
Length:	5 m		Length:	5 m	
Driveway Width:	3.1 m		Driveway Width:	3.1 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Deck $4.88 \text{ m} \times 3.05 \text{ m} = 14.88 \text{ m}^2$			Describe details, including height: Deck removed		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND						
EXISTING			PROPOSED			
Front Yard Setback:	1.3		M	Front Yard Setback:	1.3 M	
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 0.5	M	Right: 0.6	M	Side Yard Setback:	Left: 0.5 M Right: 0.6 M
Rear Yard Setback			0.16	M	Rear Yard Setback	0.16 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 type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input 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



**REMOTE AFFIDAVIT OR SWORN DECLARATION**

I/We, James Bryson, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in 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

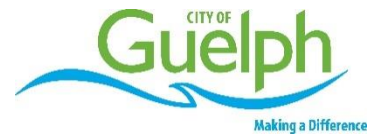
Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of January, 2021, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.

  
\_\_\_\_\_  
Commissioner of Oaths

JUAN ANTONIO da SILVA  
A Commissioner etc. Province of Ontario for  
The Corporation of the City of Guelph  
Expires July 19, 2022  
(official stamp of Commissioner of Oaths)

# Committee of Adjustment Notice of Public Hearing



**An Application for Minor Variances has been filed with the Committee of Adjustment**

## Application Details

### Location:

523 Kortright Road West

### Proposal:

The applicant is proposing to construct a two-storey residential building addition with a floor area of 95.7 square metres. The proposed addition will be located in the front yard (facing Scottsdale Drive) and is proposed to be used as an accessory apartment.

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Row 6 and Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum front yard setback of 6 metres; and
- b) that for an open, roofed porch not exceeding one (1) storey in height the maximum projection into the required front yard is 2.4 metres.

### Request:

The applicant is seeking relief from the By-Law requirements to permit:

- a) a minimum front yard setback of 3.25 metres; and
- b) a proposed open, roofed porch of one (1) storey in height to project a maximum of 3.63 metres into the required front yard.

---

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date:	<b>Thursday, February 11, 2021</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Remote Committee of Adjustment hearing live streamed at <a href="https://guelph.ca/live">guelph.ca/live</a></b>
Application Number:	<b>A-47/20</b>

---

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

---

## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing.



Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

### **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

### **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

---

### **Notice Details**

Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated January 22, 2021.

### **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)



SCOTSDALE DRIVE

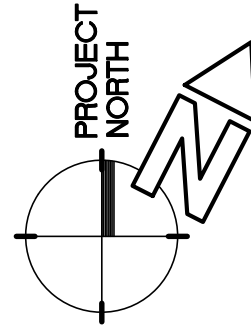
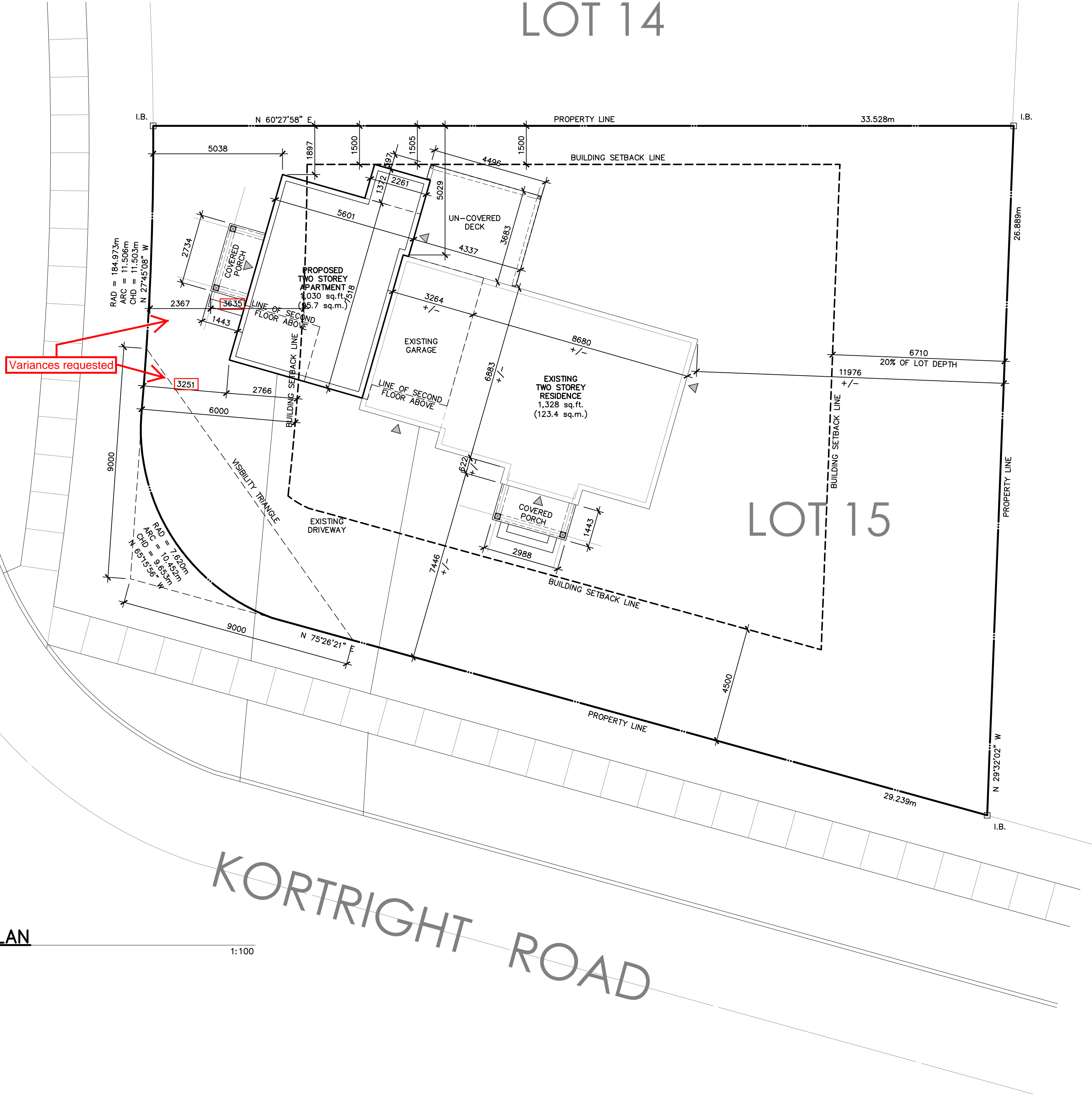
01  
SP.01 SITE PLAN

1:100

KORTRIGHT ROAD

LOT 14

LOT 15

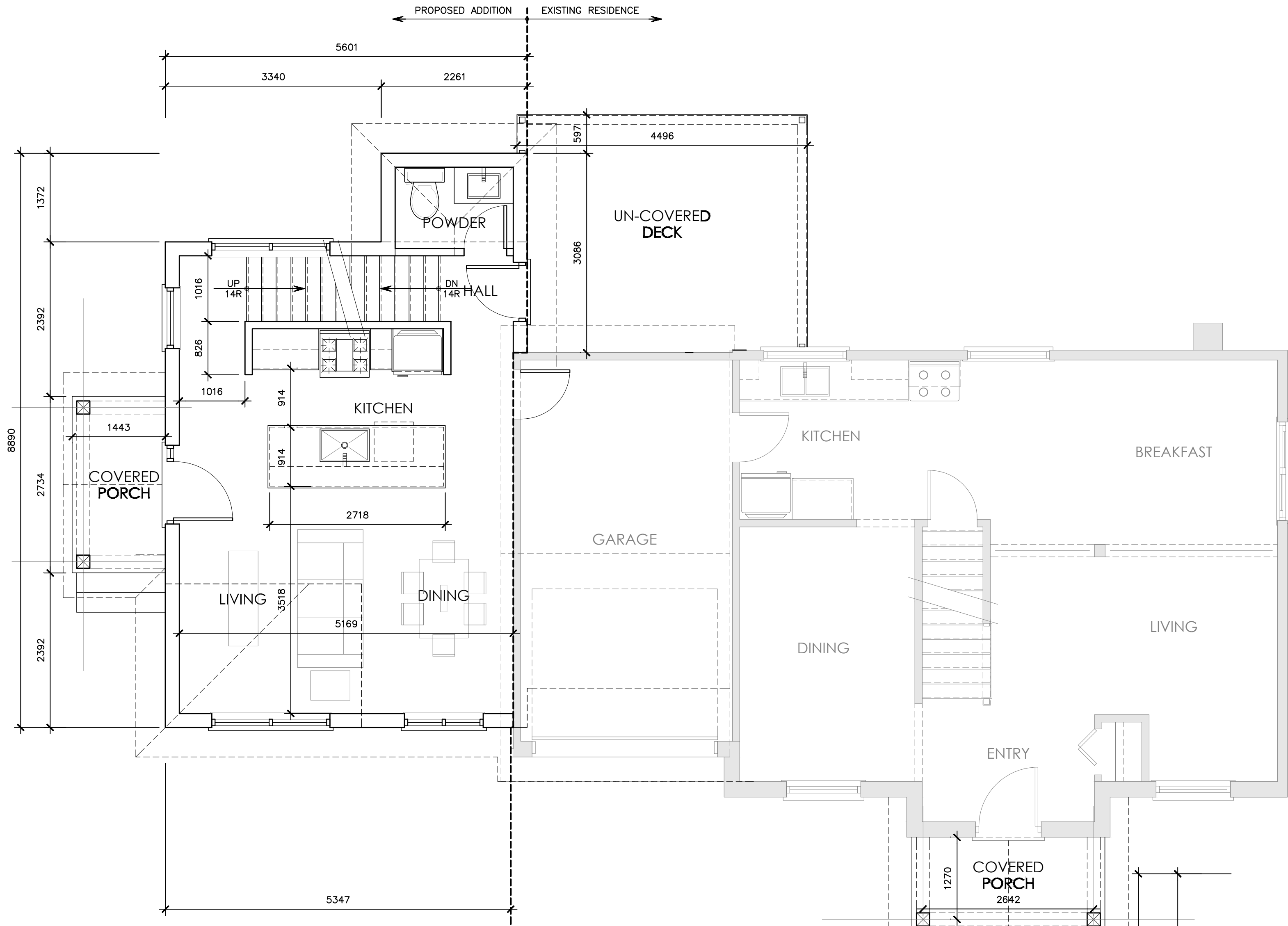


DATE	REVISIONS	No.
2020.12.10	ISSUED FOR MINOR VARIANCE	04
2020.10.28	RE-ISSUED FOR MINOR VARIANCE	03
2020.09.15	RE-ISSUED FOR MINOR VARIANCE	02
2020.09.10	ISSUED FOR MINOR VARIANCE	01

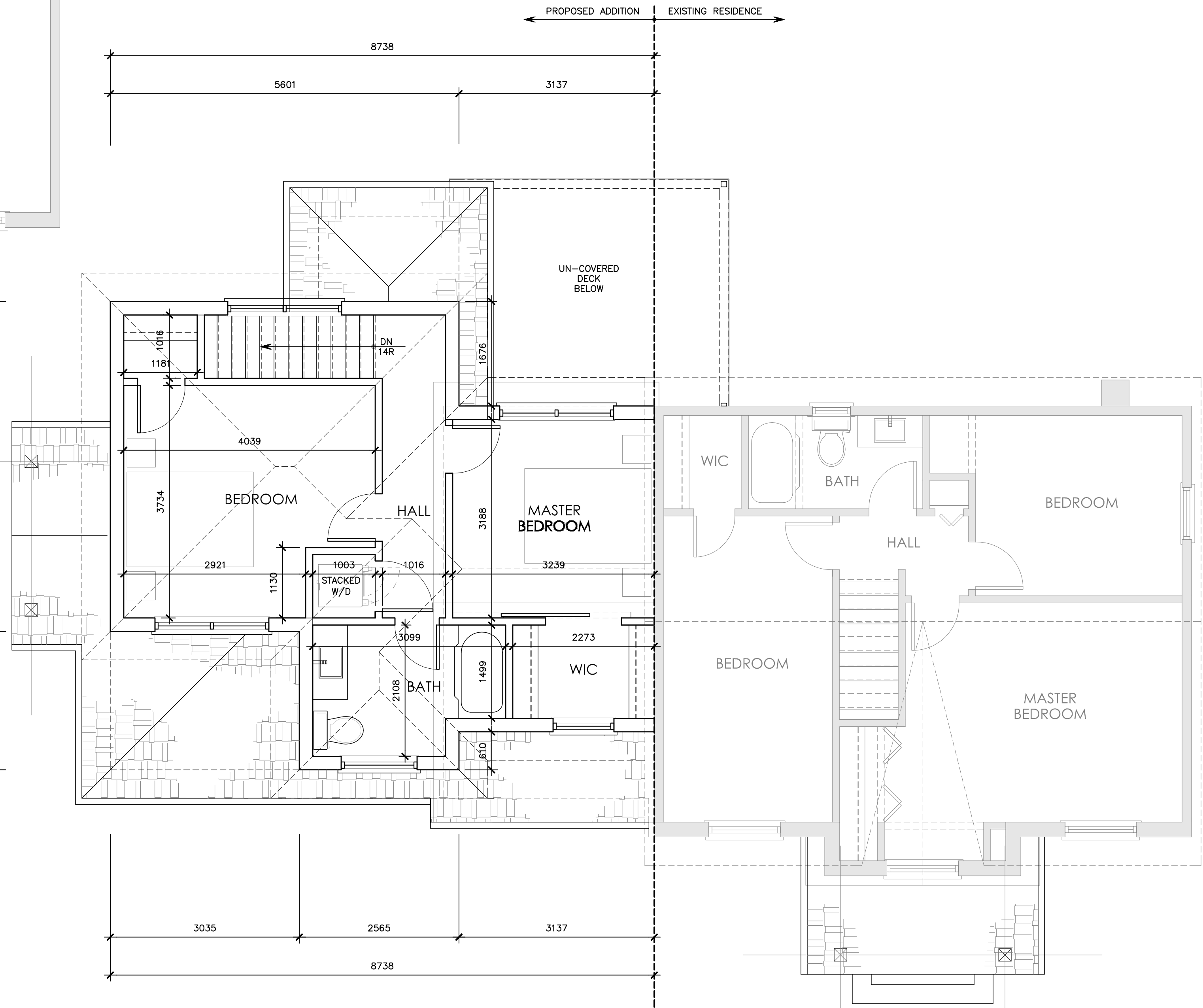
CLIENT

PROJECT NAME	PROPOSED ADDITION
DRAWING TITLE	SITE PLAN

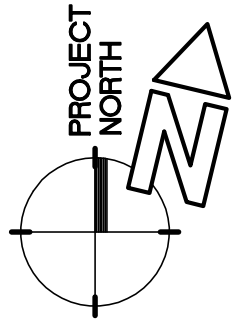
SHEET NUMBER	SP.01
SCALE	SCALE
DRAWN BY	DRNBY
PROJECT No.	PROJ
DATE	DATE



01  
A1.1 **GROUND FLOOR PLAN**  
EXISTING (MAIN DWELLING) = 664 SQ.FT.  
PROPOSED (APARTMENT) = 473 SQ.FT.  
TOTAL = 1,137 SQ.FT.



02  
A1.1 **SECOND FLOOR PLAN**  
EXISTING (MAIN DWELLING) = 664 SQ.FT.  
PROPOSED (APARTMENT) = 557 SQ.FT.  
TOTAL = 1,221 SQ.FT.



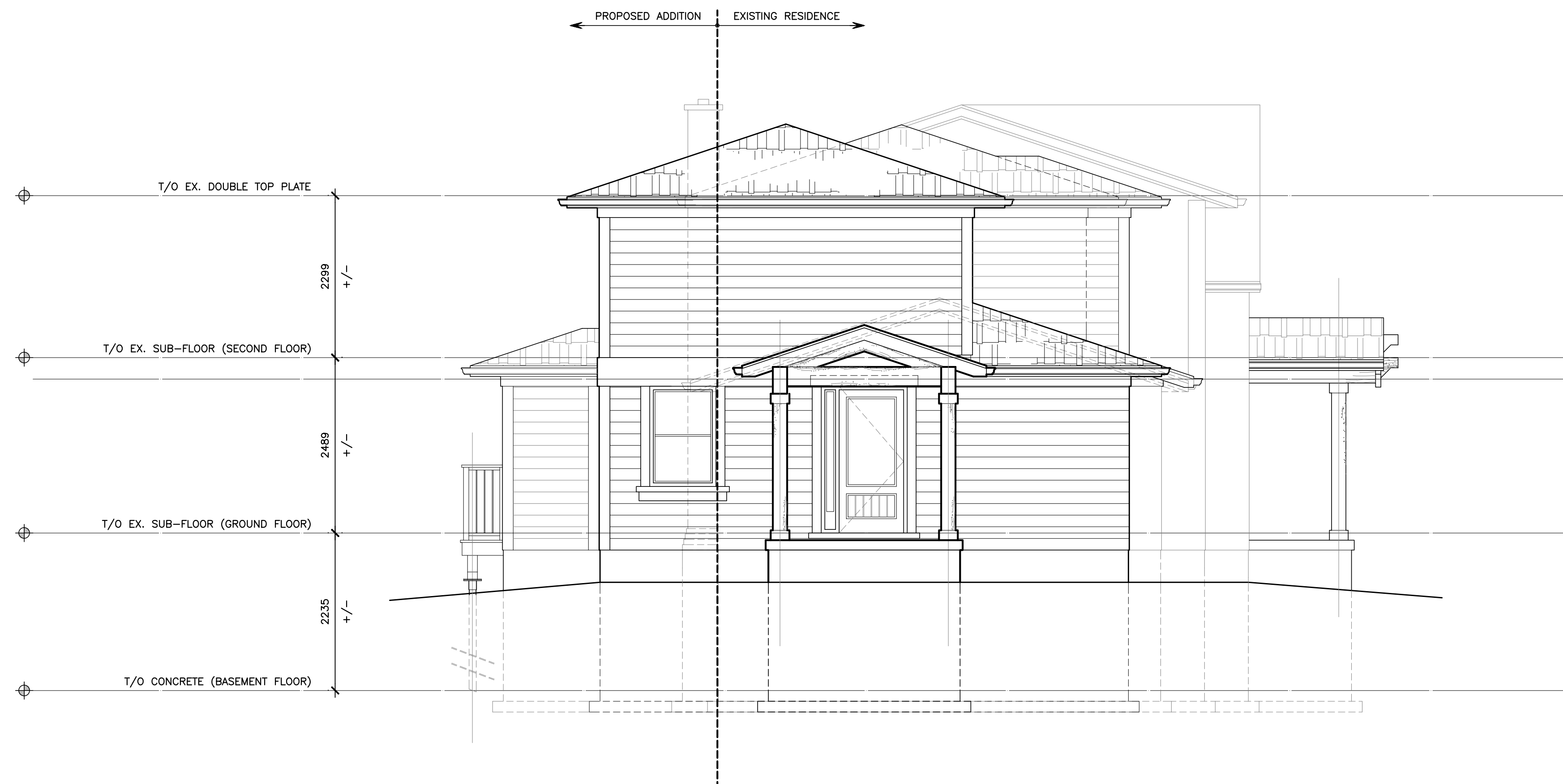
			01	ISSUED FOR MINOR VARIANCE
			02	DESIGN REVISIONS
			01	ISSUED FOR MINOR VARIANCE
			01	REVISIONS
			DATE	No.

PROJECT NAME	PROPOSED ADDITION
	523 CORTRIGHT ROAD WEST
	GUELPH, ON
DRAWING TITLE	GROUND FLOOR PLAN

SHEET NUMBER	A1.1
DRAWN BY	
PROJECT No.	
DATE	



01 SOUTH ELEVATION  
A2.1 1/4"=1'-0"



02 WEST ELEVATION  
A2.1 1/4"=1'-0"

PROJECT NAME	DATE	REVISIONS	No.
PROPOSED ADDITION	2020.12.10	ISSUED FOR MINOR VARIANCE	01
523 COPYRIGHT ROAD WEST GALILEO, ON	2020.10.28	DESIGN REVISIONS	02
	2020.09.10	ISSUED FOR MINOR VARIANCE	01
	DATE	REVISIONS	No.

PROJECT NAME	PROPOSED ADDITION
	523 COPYRIGHT ROAD WEST GALILEO, ON
DRAWING TITLE	ELEVATIONS

SHEET NUMBER	A2.1
DRAWN BY	PROJECT No.
	DATE



# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Jan 12, 2021	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A-47120

## 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: 523 Kortright Road West. Guelph, On N1G 3R5

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

Lot 15, Plan 691 - Corner of Scottsdale and Kortright

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: George Edward Coutts and Debbie Jane Coutts

Mailing Address: 523 Kortright Road West

City: Guelph

Postal Code: N1G 3R5

Home Phone: 519 994 2414

Work Phone:

Fax:

Email: g\_coutts@hotmail.com

### AGENT INFORMATION (If Any)

Company: Sutcliffe Homes & Renovations

Name: Phill McFadden

Mailing Address: 930 Woodlawn Road West. Unit 2-3

City: Guelph

Postal Code: N1K 1T2

Work Phone: 519-822-1708

Mobile Phone: 519-993-4565

Fax:

Email: pmcfadden@sutcliffehomes.ca

<b>Official Plan Designation:</b> Low Density Residential	<b>Current Zoning Designation:</b> R.1B
---	---

<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required):
A variance to Table 5.1.2, Row 6 to permit a front yard setback of 3.25m from required 6m
A variance to Section 4.15.1.5 to allow for an accessory apartment to be 95.7 m.sq instead of 80 m.sq.
A variance to Table 4.7, Row 3 to permit a covered front porch to project 3.63 m into the front yard instead of 2.4 m

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
All requested variances are due to creating a reasonable size in-law suite, while maintaining off street parking. Tie in to existing utilities and sanitary, is also most reasonable at this side of property.

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	Oct 3,1988	Date property was first built on:	1980
Date of proposed construction on property:	November 2020	Length of time the existing uses of the subject property have continued:	Since Construction
<b>EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):</b>			
Residential			
<b>PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):</b>			
Residential			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: 17.7m	Depth: 33.52m	Area: 801.32 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:	1,328 sq. ft. / 123.3 sq. m.		Gross Floor Area:	2,387 sq. ft. / 221.8 sq. m.	
Height of building:	19.9 ft. / 6m		Height of building:	19.9 ft. / 6m	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:	3.3m		Width:	3.3m	
Length:	6.2m		Length:	6.2m	
Driveway Width:	5.7m		Driveway Width:	5.7m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b> N/A			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b> Attached Deck		
Describe details, including height:			Describe details, including height: An attach deck is proposed, to be build 24" above grade.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	8.41	M	Front Yard Setback:	3.25	M
Exterior Side Yard (corner lots only)	7.44	M	Exterior Side Yard (corner lots only)	7.44	M
Side Yard Setback:	Left: 5.02 M	Right: M	Side Yard Setback:	Left: 1.50 M	Right: M
Rear Yard Setback	11.9	M	Rear Yard Setback	11.9	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 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	<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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

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.

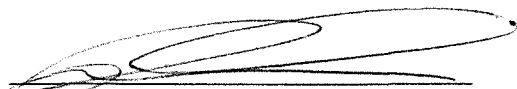
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

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

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

**AFFIDAVIT**

I/We, Phil McEadden c/o Sutcliffe Homes, 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~~ via video conference call in the

City/Town of Guelph in the County Regional Municipality of

Wellington this 21 day of September, 2020.

  
 Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL  
 A Commissioner etc. Province of Ontario for  
 The Corporation of the City of Guelph  
 Expires July 19, 2022

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

George and Debbie Coutts

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

of 523 Kortright Road West, Guelph ON

(Legal description and/or municipal address)

hereby authorize

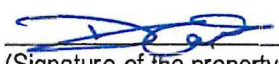
Phill McFadden c/o Sutcliffe Homes Inc.

(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 9th day of September 2020.

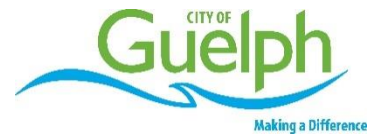
  
(Signature of the property owner)

  
(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.

# Committee of Adjustment Notice of Public Hearing



**An Application for Consent [Technical Severance] has been filed with the Committee of Adjustment**

## Application Details

### Location:

42 and 46-48 Nottingham Street

### Proposal:

The applicant is proposing to re-establish the original lot lines. The abutting properties known as 42 Nottingham Street and 46-48 Nottingham Street formerly existed as separate properties and have merged under one title due to common ownership. Consent approval is required to separate the properties. The applicant is proposing to maintain the existing buildings and no new construction is proposed.

### By-Law Requirements:

The properties are located in the Residential Single Detached (R.1B) Zone.

### Request:

The applicant proposes to sever a parcel of land (46-48 Nottingham Street) to create a lot with frontage along Nottingham Street of 19.25 metres and an area of 562 square metres. The retained parcel (42 Nottingham Street) will have frontage along Nottingham Street of 8.76 metres and an area of 295 square metres.

---

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**  
Time: **4:00 p.m.**  
Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**  
Application Number: **B-1/21**

---

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

---

## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning

proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

---

## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated this January 22, 2021.

## **Contact Information**

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

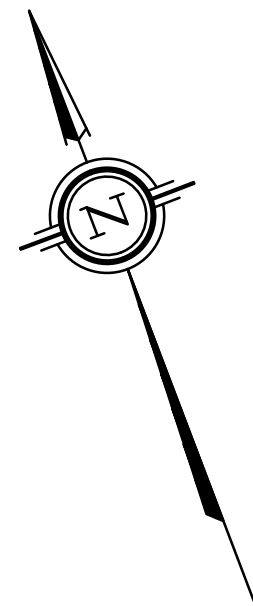
519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)

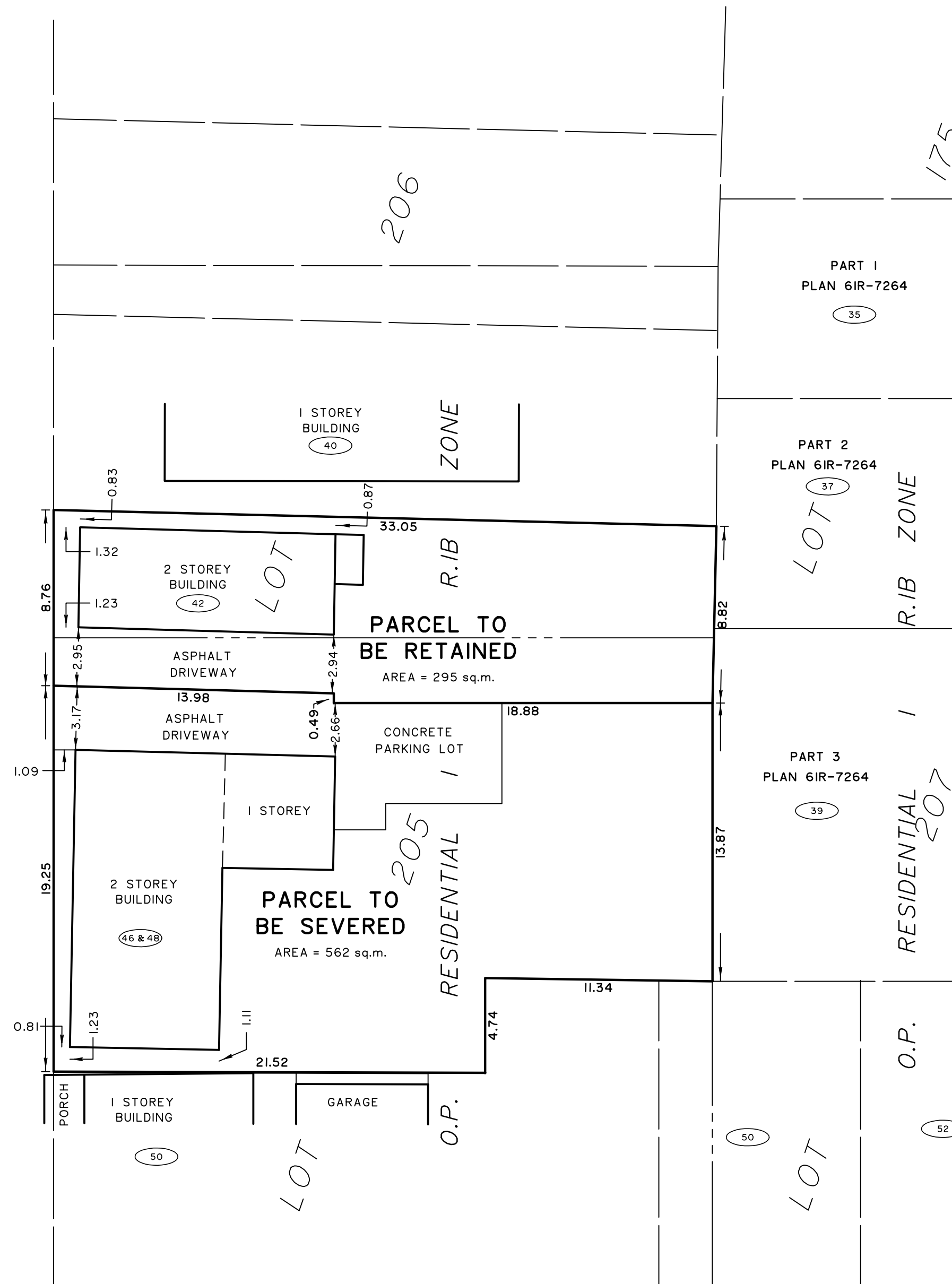




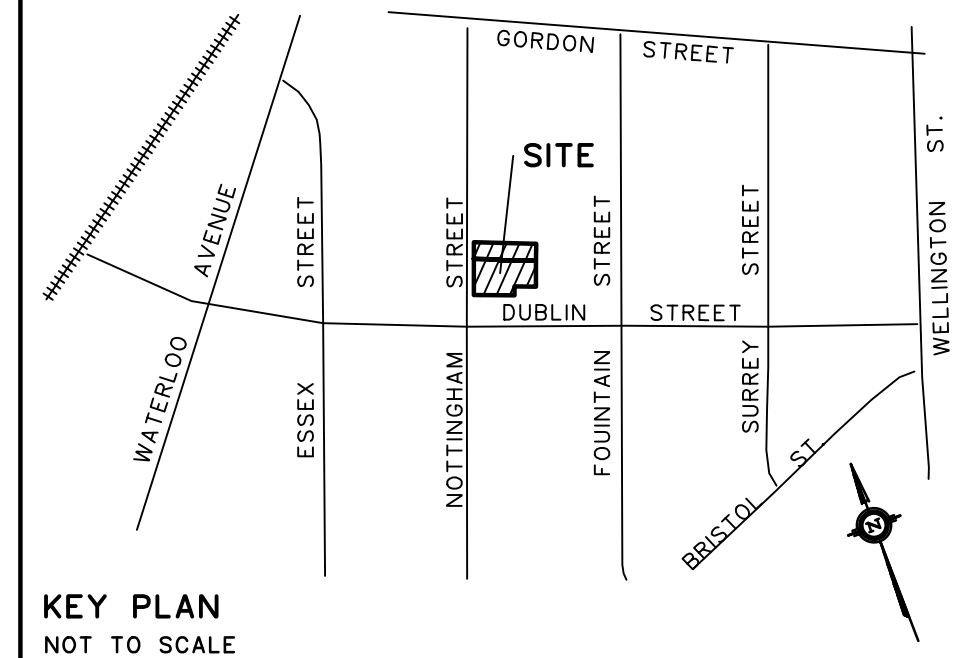
NOTTINGHAM

(BY REG'D PLAN 8)

30.17 metres WIDE)



DUBLIN (DEVONSHIRE STREET BY REG'D PLAN 8) STREET



PREPARED FOR CONSENT APPLICATION  
CITY OF GUELPH  
COUNTY OF WELLINGTON

0 5 10 15 METRES


**CAUTION:** THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

I. BOUNDARY INFORMATION AND AREAS SHOWN ON THIS PLAN HAVE BEEN COMPILED FROM A COMBINATION OF REGISTRY OFFICE RECORDS AND OLD SURVEYS AND IS SUBJECT TO VERIFICATION BY A COMPLETE UP-TO-DATE FIELD SURVEY.

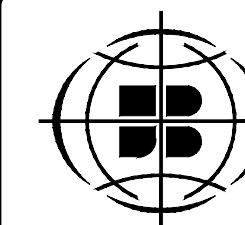
RETAINED PARCEL: RESIDENTIAL I  
SEVERED PARCEL: RESIDENTIAL I

RETAINED PARCEL: R.IB ZONE  
SEVERED PARCEL: R.IB ZONE

5674 DENOTES MUNICIPAL ADDRESS

  
KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

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BSR&amp;D

**ONTARIO LAND SURVEYORS  
URBAN & RURAL PLANNERS**  
A wholly owned subsidiary of J.D. Barnes Ltd.

SURVEYING  
MAPPING  
GIS

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1  
T: (519) 822-4031 F: (519) 822-1220 [www.jdbarnes.com](http://www.jdbarnes.com)

DRAWN BY:

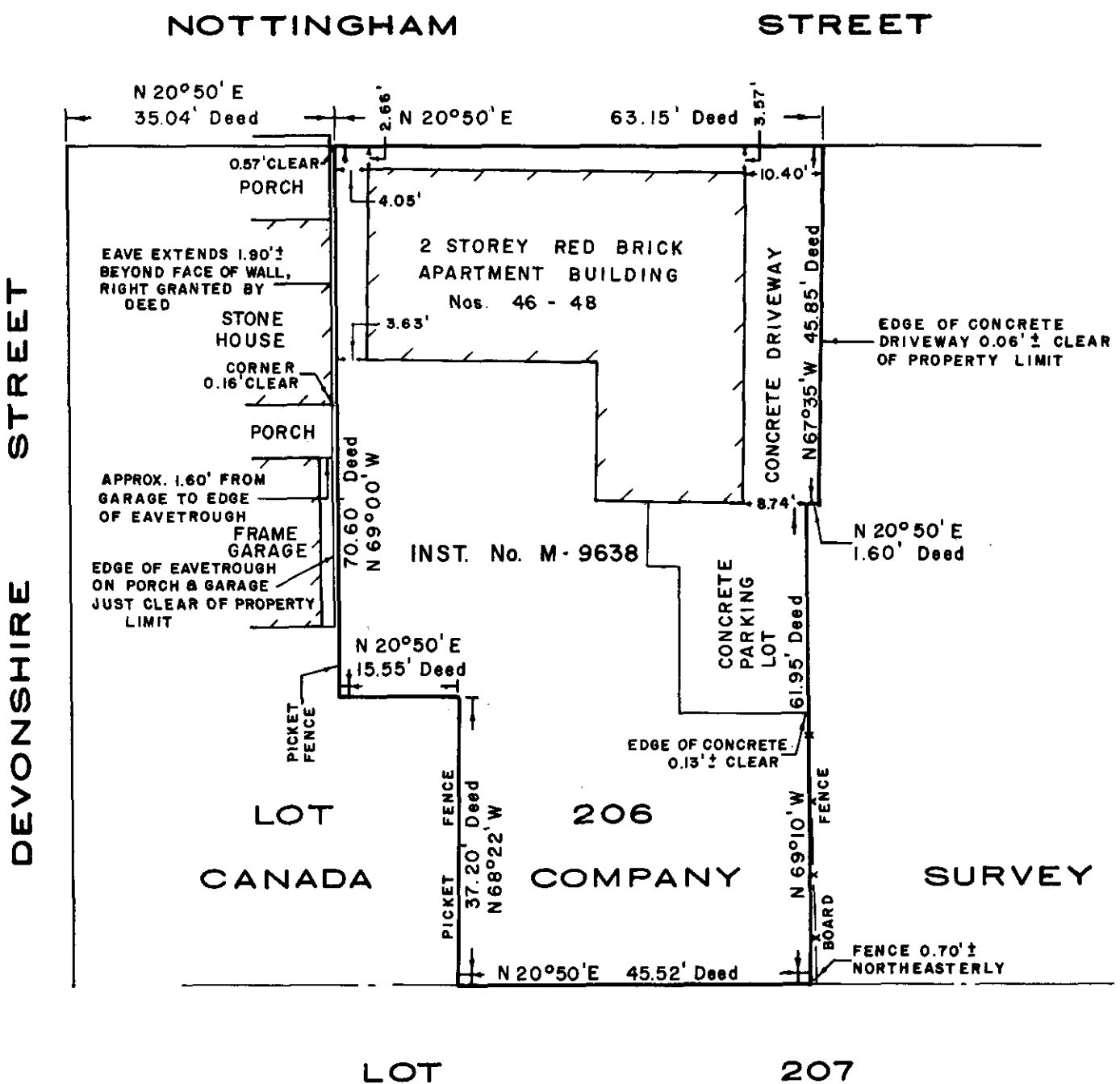
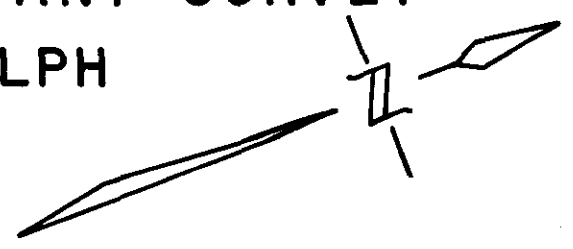
CHECKED BY:	K
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REFERENCE NO.:	17-14-293-00-A
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FILE: G:\17-14-293\00\Drawing\171429300A.dwg

DATED: DECEMBER 7, 2020

# PLAN OF BUILDING LOCATION ON PART OF LOT 206, CANADA COMPANY SURVEY CITY OF GUELPH



TO HAVE AND TO HOLD unto the said City of Guelph, its heirs and assigns forever, all that certain lot or parcel of land in the City of Guelph, Ontario, Canada, being more particularly described as follows:

TO HAVE AND TO HOLD unto the said City of Guelph, its heirs and assigns forever, all that certain lot or parcel of land in the City of Guelph, Ontario, Canada, being more particularly described as follows:

BY AND FOR THE SAID CITY OF GUELPH, IN WITNESS WHEREOF, the Mayor and Council have caused this Plan to be signed and sealed with the Seal of the City of Guelph, this 8th day of February, 1978.

DATE **FEBRUARY 8, 1978**  
 BY **BRAIDA & VALERIOTE**  
*S. U. Black*  
 OREGON LAND SURVEYOR

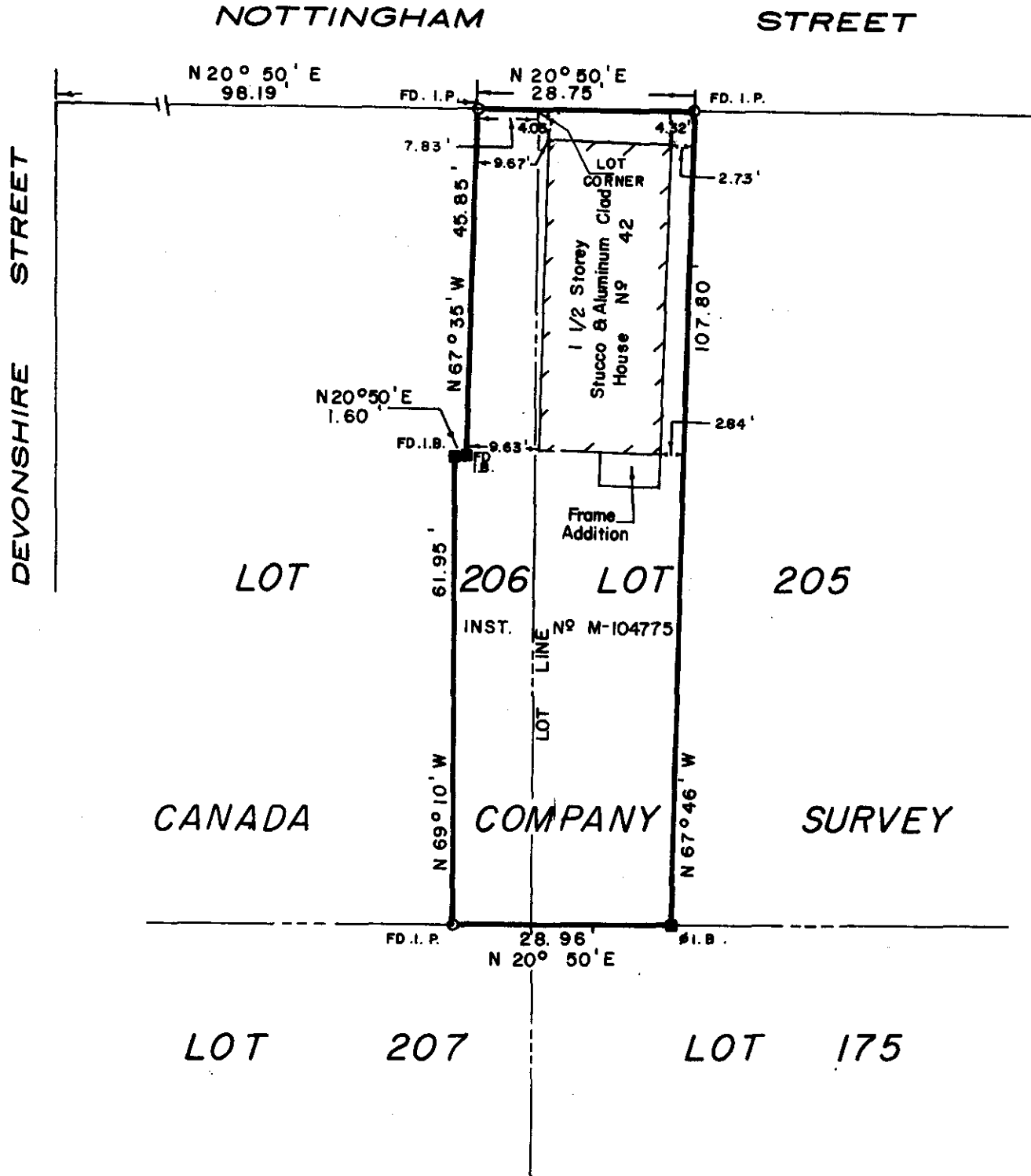
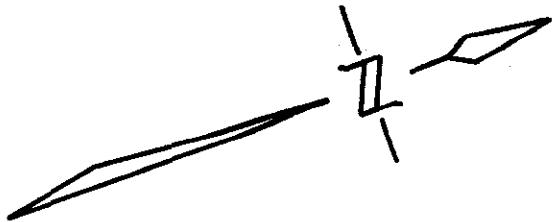
PROJECT **78-6900**

DRAWN BY **K. H.**

SCALE **1 INCH = 20 FEET**



PLAN OF BUILDING LOCATION  
ON PART OF LOTS 205 & 206  
CANADA COMPANY SURVEY  
CITY OF GUELPH



SURVEYOR'S CERTIFICATE  
I HEREBY CERTIFY THAT:  
1. I HAVE SURVEYED THE PROPERTY SHOWN ON THIS PLAN.  
2. THE IMPROVEMENTS SITUATE THEREON ARE AS SHOWN

CAUTION  
THIS PLAN IS FOR BUILDING LOCATION ONLY AND IS NOT A PLAN OF SURVEY WITHIN THE MEANING OF THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS THEREUNDER.

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED			
ONTARIO LAND SURVEYORS			
351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031			
DATE:	NOVEMBER 20, 1978	SCALE:	1 INCH = 20 FEET
FOR:	DOMENIC ROMEO	DRAWN BY: L.B.	
PER:	<i>Black</i>		PROJECT
	ONTARIO LAND SURVEYOR		78 - 7574

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 15, 2020</u>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-3123</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 53 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: 42 and 46-48 Nottingham Street

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

Part of Lots 205 & 206, Canada Company Survey (Plan 8)

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?

☒ No ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges:

☒ No ☐ Yes

If yes, explain:

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: Domenico Romeo

Mailing Address: 91 Grange Street

City: Guelph Postal Code: N1E 2V3

Home Phone: \_\_\_\_\_ Work Phone: 519-362-7700

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_ Work Phone: 519-822-4031

Fax: \_\_\_\_\_ Email: nancy@bsrd.com

**PURPOSE OF APPLICATION (please check appropriate space):**

- ☐ Creation of a New Lot
 ☐ Easement
 ☐ Right-of-Way  
☐ Charge / Discharge
 ☒ Correction of Title
 ☐ Lease  
☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)
 ☐ Other: Explain

Technical severance

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Unknown

DESCRIPTION OF LAND INTENDED TO BE SEVERED			46 & 48 Nottingham Street	
Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use:	Proposed Use:
19.25	32.86	562.00	Residential	Same
Existing Buildings/Structures: Two storey residential dwelling			Proposed Buildings / Structures: Same	
Use of Existing Buildings/Structures (specify): 4 residential units			Proposed Use of Buildings/Structures (specify): Same	
DESCRIPTION OF LAND INTENDED TO BE RETAINED			42 Nottingham Street	
Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use:	Proposed Use:
8.76	32.95	295.00	Residential	Same
Existing Buildings/Structures: Two storey residential dwelling			Proposed Buildings / Structures:	
Use of Existing Buildings/Structures (specify): 2 residential units			Proposed Use of Buildings/Structures (specify): Same	

TYPE OF ACCESS TO THE RETAINED LANDS	TYPE OF ACCESS TO THE SEVERED LANDS
<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)

TYPE OF WATER SUPPLY TO THE RETAINED LANDS	TYPE OF WATER SUPPLY TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS	TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

**LAND USE**

**What is the current official plan designation of the subject lands:**  
Low Density Residential

---

**Does the proposal conform with the City of Guelph Official Plan?**                      ☒ YES                      ☐ NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:  
Detached residential dwellings are recognized as a permitted use within the Low Density Residential designation.

---

If no, has an application for an Official Plan Amendment been submitted?                      ☐ YES                      ☐ NO

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**What is the current zoning designation of the subject lands:**  
Single Detached residential (R.1B)

---

**Does the proposal for the subject lands conform to the existing zoning?**                      ☐ YES                      ☒ NO

If no, has an application for a minor variance or rezoning been submitted? (Technical severance, Legal Non-Conforming)                      ☐ YES                      ☒ NO

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**PROVINCIAL POLICY**

**Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*?**                      ☒ YES                      ☐ NO

Provide explanation:  
Settlement areas shall be the focus of growth and development. This application does not offend any of the policies in the 2020 PPS

---

**Does this application conform to the Growth Plan for the Greater Golden Horseshoe?**                      ☒ YES                      ☐ NO

Provide explanation:  
This property is located within the delineated built boundary of the City of Guelph with existing municipal water and wastewater systems and can support the achievement of complete communities

---

**Is the subject land within an area of land designated under any other provincial plan or plans?**                      ☐ YES                      ☒ NO

If yes, indicate which plan(s) and provide explanation:  
 \_\_\_\_\_  
 \_\_\_\_\_

### **HISTORY OF SUBJECT LAND**

**Has the subject land ever been the subject of:**

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

b) An application for Consent under section 53 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

Is this application a resubmission of a previous application? ☐ YES ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

---



---

Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

---



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### **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"/>	_____
Minor Variance	<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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

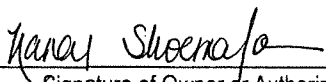
**POSTING OF ADVISORY SIGN**

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.

Each sign must be posted a minimum of fourteen (14) 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 (14) 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, Nancy Shoemaker, 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.

Nancy Shoemaker  
 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 \_\_\_\_\_ of Guelph in the County/~~Regional Municipality~~ of \_\_\_\_\_  
 (city or town)  
Wellington this 15<sup>th</sup> day of December, 20 20.

Kerry F. Hillis  
 Commissioner of Oaths

Kerry Francis Hillis, a Commissioner, etc.,  
 Province of Ontario, for Black, Shoemaker,  
 Robinson & Donaldson Limited  
 Expires March 28, 2022

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

John Romeo and Nancy Huck as Power of Attorney for Dominico Romeo

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

being the registered property owner(s) of

42 and 46-48 Nottingham Street

(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited

(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 \_\_\_\_\_ day of December 20 20.



(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.



December 15, 2020

Project: 17-14-293

Mrs. Trista Di Lullo  
Secretary-Treasurer  
Guelph Committee of Adjustment  
1 Carden Street  
GUELPH, Ontario N1H 3A1

Dear Mrs. Di Lullo:

**Re: Application for Consent (Correction of Title)  
42 and 46-48 Nottingham Street  
Part of Lots 205 & 206, Registered Plan 8  
Owner: Domenico Romeo**

---

Please find enclosed a completed "Application for Consent" for the above-noted property and a cheque in the amount of \$1,896.00.00 payable to the City of Guelph to cover the City's processing fees. We have not included a cheque for the Grand River Conservation Authority as the properties are not within their Regulated Area.

Also attached is a sketch to illustrate the parcels of land affected by this application and survey plans of each property as the existed upon purchase.

As noted in discussions with City staff, the purpose of this application is to correct the merging of the title of these two properties. The property identified as 46-48 Nottingham Street was acquired by Domenico Romeo and Rosa Romeo in 1959. With the passing of Rosa, the property is now in Domenico Romeo's name only by way of Instrument # LT16671. In 1978, Rosa Romeo acquired 42 Nottingham Street. With her passing, the land was transferred to Domenico Romeo in 2016 by way of Instrument # WC465620. Unfortunately, since these properties were parts of a number of lots, the title has subsequently merged. The owner wishes to complete his estate planning and ensure these properties can be maintained as separated properties. Therefore a technical severance is required.

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

Yours very truly

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**

**Nancy Shoemaker, B.A.A., R.P.P.**

Attachments

Copy: John Romeo  
Jim Moon, Moon Law

**Surveying | Mapping | GIS**  
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1  
T: [519] 822-4031 | F: [519] 822-1220  
[www.jdbarnes.com](http://www.jdbarnes.com)

# Committee of Adjustment Notice of Public Hearing



**An Application for Consent [Technical Severance] has been filed with the Committee of Adjustment**

## Application Details

### Location:

91 and 93 Grange Street

### Proposal:

The applicant is proposing to re-establish the original lot lines. The abutting properties known as 91 Grange Street and 93 Grange Street formerly existed as separate properties and have merged under one title due to common ownership. Consent approval is required to separate the properties. The applicant is proposing to maintain the existing buildings and no new construction is proposed.

### By-Law Requirements:

The severed parcel (93 Grange Street) is located in the Specialized Residential Single Detached (R.1B-22) Zone. The retained parcel (91 Grange Street) is located in the Residential Single Detached (R.1B) Zone.

### Request:

The applicant proposes to sever a parcel of land (93 Grange Street) to create a lot with frontage along Grange Street of 20.37 metres and an area of 1,235 square metres. The retained parcel (91 Grange Street) will have frontage along Grange Street of 18.04 metres and an area of 729 square metres.

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**  
Time: **4:00 p.m.**  
Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**  
Application Number: **B-2/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet.

Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

---

## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated this January 22, 2021.

## **Contact Information**

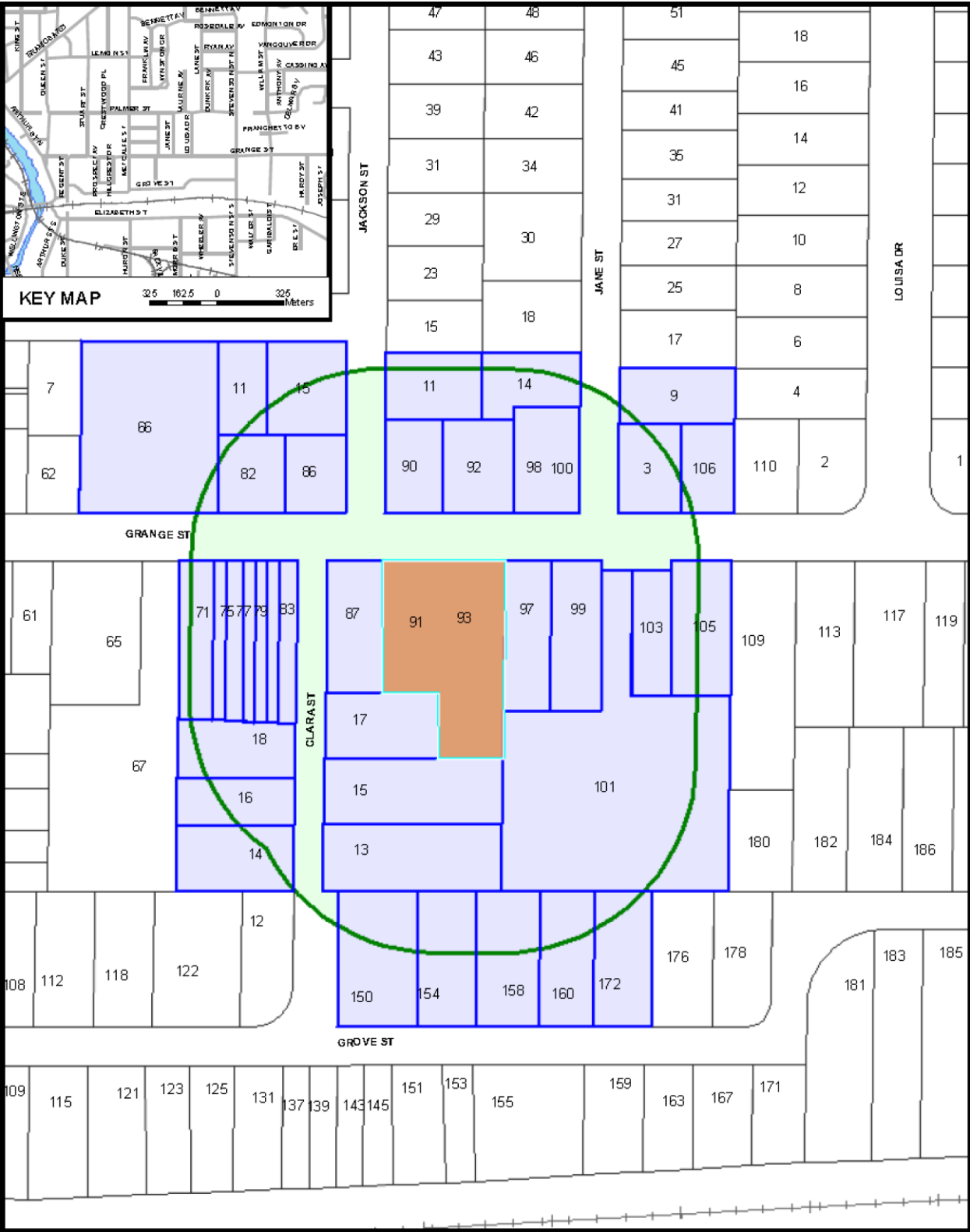
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)



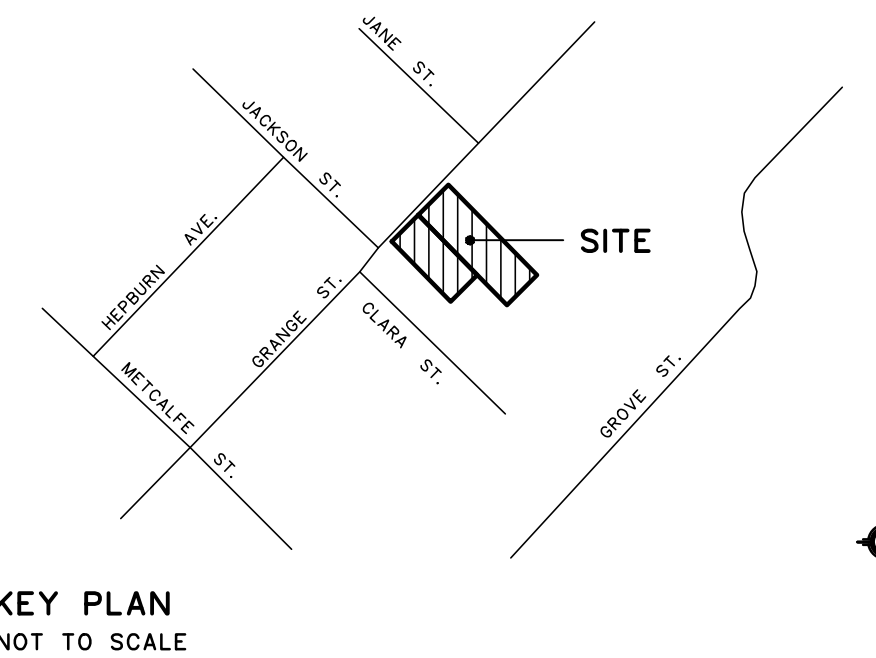
Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: Date: January-20-21

91 Grange Street (B-2/21)  
60m Circulation Area



The City of Guelph, its employees and agents, do not undertake to guarantee the reliability of the contents of this digital or hardcopy map. This map will not be liable for any claims for damages or loss arising from their application or interpretation, for any purpose, for and intended to replace a survey or for any other legal description. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-825-2266.





**KEY PLAN**  
NOT TO SCALE

PREPARED FOR CONSENT APPLICATION  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE 1 : 250




**CAUTION:** THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

I. BOUNDARY INFORMATION AND AREAS SHOWN ON THIS PLAN HAVE BEEN COMPILED FROM A COMBINATION OF REGISTRY OFFICE RECORDS AND OLD SURVEYS AND IS SUBJECT TO VERIFICATION BY A COMPLETE UP-TO-DATE FIELD SURVEY.

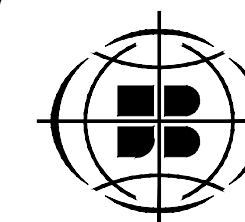
RETAINED PARCEL: LOW DENSITY RESIDENTIAL  
SEVERED PARCEL: LOW DENSITY RESIDENTIAL

RETAINED PARCEL: R.IB ZONE  
SEVERED PARCEL: R.IB-22 ZONE

5674 DENOTES MUNICIPAL ADDRESS

  
LEO LIU  
ONTARIO LAND SURVEYOR

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BSR&D

**ONTARIO LAND SURVEYORS  
URBAN & RURAL PLANNERS**  
A wholly owned subsidiary of J.D. Barnes Ltd.

SURVEYING  
MAPPING  
GIS

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1  
T: (519) 822-4031 F: (519) 822-1220 [www.jdbarnes.com](http://www.jdbarnes.com)

<div> <div> DRAWN BY: </div> </div>
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CHECKED BY:	LL
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REFERENCE NO.:	17-14-292-00-A
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FILE: G:\17-14-292\00\Drawing\171429200A.dwg

DATED: DECEMBER 2, 2020

GRANGE

(15.24 Metres Wide)

STREET

(Dedicated by Reg'd Plan 296)

SURVEYOR'S REAL PROPERTY REPORT, PART 1

PLAN OF LOT 12  
REGISTERED PLAN 298

CITY OF GUELPH  
COUNTY OF WELLINGTON

IAN D. ROBINSON

ONTARIO LAND SURVEYOR

SCALE 1 : 250



METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES AND LEGEND :

1. BEARINGS ARE REFERRED TO THE SOUTHEAST LIMIT IF GRANGE STREET HAVING A COURSE OF N 45°00'00" E, AS SHOWN ON REGISTERED PLAN 298
2. UNLESS OTHERWISE NOTED ALL BUILDING TIES SHOWN HEREON ARE PERPENDICULAR TO PROPERTY LINES.
3. PROPERTY LINES ARE UNFENCED UNLESS OTHERWISE NOTED.

- DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
- DENOTES SURVEY MONUMENT SET
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- CC DENOTES CUT CROSS
- 375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD., O.L.S.
- P1 DENOTES REGISTERED PLAN 298

AS SHOWN  
ON - original under seal

PART 2

THIS PLAN MUST BE READ IN  
CONJUNCTION WITH SURVEY  
REPORT DATED JUNE 2, 1998

THIS REPORT WAS PREPARED FOR  
DOMINIC ROMEO  
AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR USE  
BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  2. THE SURVEY WAS COMPLETED ON 14th DAY OF MAY, 1998.

JUNE 2, 1998

IAN D. ROBINSON  
ONTARIO LAND SURVEYOR

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SHOEMAKER, ROBINSON & DONALDSON LIMITED IS STRICTLY PROHIBITED

BLACK, SHOEMAKER, ROBINSON & DONALDSON  
LIMITED

BSR&D

Ontario Land Surveyors  
Urban and Rural Planners

351 Speedvale Avenue West  
Guelph, Ontario N1H 1G6  
FAX: (519) 822-1220  
TEL: (519) 822-4031

DATE: JUNE 2, 1998  
DRAWN BY: HNK

PROJECT No:  
98 - 1449-2

CLARA STREET

LOT 13

258732

INST.

N44°28'00"W

LOT 12

INST. M-130445

N45°00'00"E 18.044

INST. 199590

LOT 14

14

M-105846

INST.

PLAN 11

LOT 11

LOT LINE

LOT LINE

298

N 45°00'00" E

IB# 0.01 SE  
0.03 NE

SIB

20.117 P1  
(BSR&D & SET)  
20.373

17.90 P1  
(BSR&D & MEAS.)  
18.044

REFERENCE BEARING  
N45°00'00"E

17.90 P1  
(BSR&D & MEAS.)  
18.044

N45°00'00"E

WEST ANGLE  
LOT 12

40.234 P1  
40.416 (BSR&D & SET)

12.22

ASPHALT DRIVE

CONCRETE PORCH

1 1/2 STOREY  
BRICK  
DWELLING  
No. 91

1 STOREY

WOOD DECK

BASEMENT WALKOUT

Chimney

0.21

0.39

0.30

0.92

1.12

0.72

0.182NW

BOARD FENCE

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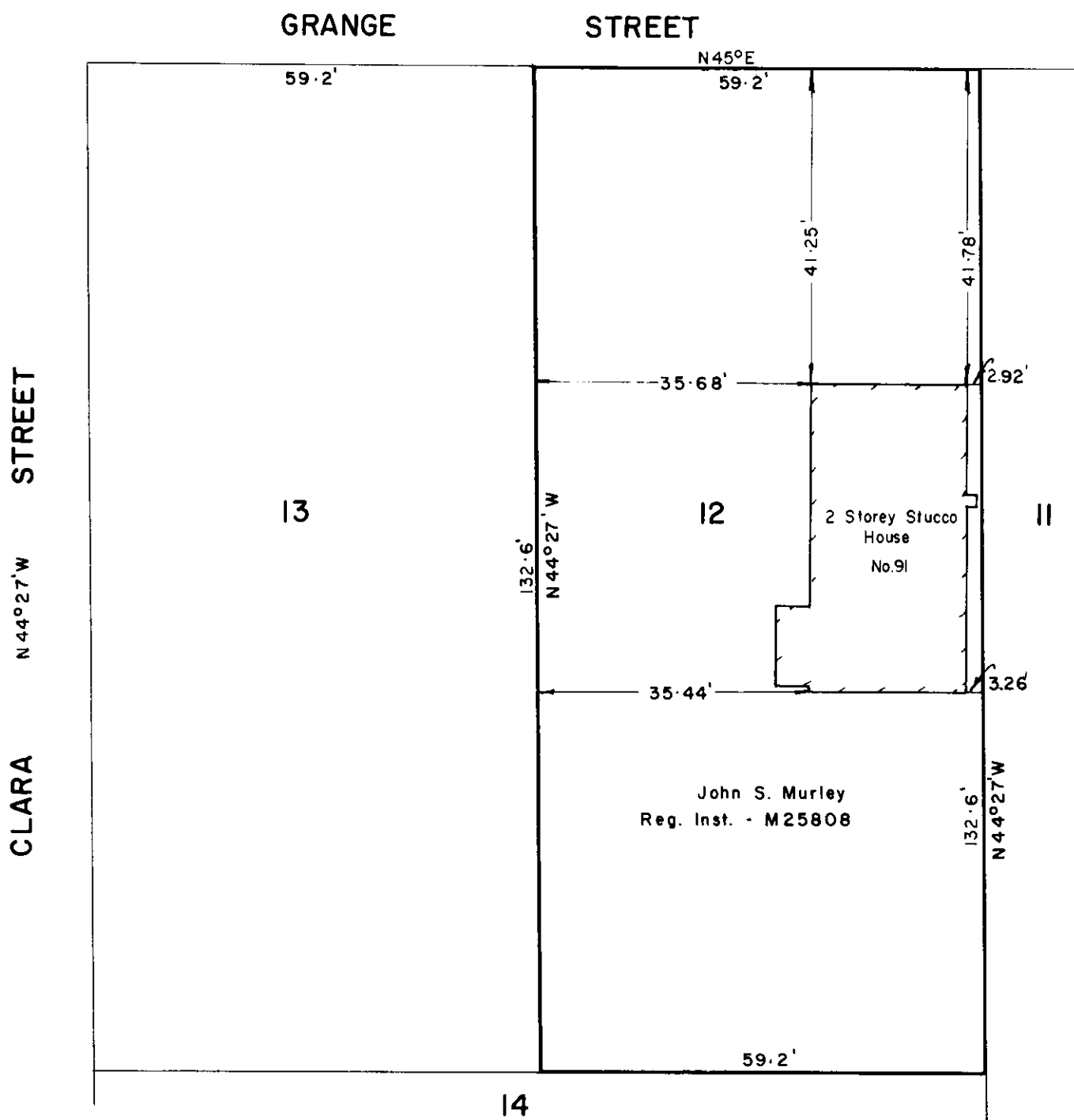
0.08 West of Sideline

0.08 West of Sideline

0.08 West of Sideline

0.08 West of Sideline

EY  
 AN 298  
 PH



I hereby certify that I have surveyed the property shown on this plan and that I find the improvements situate thereon to be as shown and that they do not encroach or overlap on the properties lying adjacent thereto.

PER: W. F. Robinson  
ONTARIO LAND SURVEYOR

PROJECT  
473 - 65

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 15, 2020</u>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-2121</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 53 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: 91 and 93 Grange Street

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

Lot 12 and Part of Lot 11, Registered Plan 298

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? ☒ No ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: ☒ No ☐ Yes

If yes, explain:

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: Dominic Romeo

Mailing Address: 91 Grange Street

City: Guelph

Postal Code: N1E 2V3

Home Phone: \_\_\_\_\_

Work Phone: 519-362-7700

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph

Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_

Work Phone: 519-822-4031

Fax: \_\_\_\_\_

Email: nancy@bsrd.com

**PURPOSE OF APPLICATION (please check appropriate space):**

- ☐ Creation of a New Lot                      ☐ Easement                      ☐ Right-of-Way  
☐ Charge / Discharge                      ☒ Correction of Title                      ☐ Lease  
☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)                      ☐ Other: Explain

Technical severance

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Unknown

DESCRIPTION OF LAND INTENDED TO BE SEVERED			93 Grange Street	
Frontage / Width: (m) 20.37	Depth (m) 60.63	Area: (m <sup>2</sup> ) 1,235.00	Existing Use: Residential with 3 apartment units	Proposed Use: Same
Existing Buildings/Structures: Detached dwelling, detached garage + shed			Proposed Buildings / Structures: Same	
Use of Existing Buildings/Structures (specify): 3 residential units			Proposed Use of Buildings/Structures (specify): Same	
DESCRIPTION OF LAND INTENDED TO BE RETAINED			91 Grange Street	
Frontage / Width: (m) 18.04	Depth (m) 40.42	Area: (m <sup>2</sup> ) 729.00	Existing Use: Detached residential	Proposed Use: Same
Existing Buildings/Structures: Detached dwelling			Proposed Buildings / Structures: Same	
Use of Existing Buildings/Structures (specify): Residential			Proposed Use of Buildings/Structures (specify): Same	

TYPE OF ACCESS TO THE RETAINED LANDS	TYPE OF ACCESS TO THE SEVERED LANDS
<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)

TYPE OF WATER SUPPLY TO THE RETAINED LANDS	TYPE OF WATER SUPPLY TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS	TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

☒ No

☐ Yes

Is any portion of the land to be severed or retained located within a floodplain?

☒ No

☐ Yes

### **LAND USE**

**What is the current official plan designation of the subject lands:**

Low Density Residential

**Does the proposal conform with the City of Guelph Official Plan?**

☒ YES

☐ NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

Detached residential dwellings are recognized as a permitted use within the Low Density Residential designation.

If no, has an application for an Official Plan Amendment been submitted?

☐ YES

☐ NO

File No.: \_\_\_\_\_

Status: \_\_\_\_\_

**What is the current zoning designation of the subject lands:**

91 Grange Street - Single Detached Residential (R.1B)

93 Grange Street - Specialized R.1B-22 to recognize 3 apartment units

**Does the proposal for the subject lands conform to the existing zoning?**

☒ YES

☐ NO

If no, has an application for a minor variance or rezoning been submitted?

☐ YES

☐ NO

File No.: \_\_\_\_\_

Status: \_\_\_\_\_

### **PROVINCIAL POLICY**

**Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*?**

☒ YES

☐ NO

Provide explanation:

Settlement areas shall be the focus of growth and development. This application does not offend any of the policies in the 2020 PPS

**Does this application conform to the Growth Plan for the Greater Golden Horseshoe?**

☒ YES

☐ NO

Provide explanation:

This property is located within the delineated built boundary of the City of Guelph with existing municipal water and wastewater systems and can support the achievement of complete communities. No new development parcel results from a technical severance.

**Is the subject land within an area of land designated under any other provincial plan or plans?**

☐ YES

☒ NO

If yes, indicate which plan(s) and provide explanation:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**HISTORY OF SUBJECT LAND****Has the subject land ever been the subject of:**

- a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

- b) An application for Consent under section 53 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

- Is this application a resubmission of a previous application? ☐ YES ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

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- Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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**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"/>	_____
Minor Variance	<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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

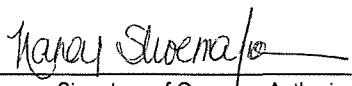
**POSTING OF ADVISORY SIGN**

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.

Each sign must be posted a minimum of fourteen (14) 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 (14) 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, Nancy Shoemaker, 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.

Nancy Shoemaker  
 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 \_\_\_\_\_ of Guelph in the County/~~Regional Municipality~~ of \_\_\_\_\_  
 (city or town)  
Wellington this 15<sup>th</sup> day of December, 2020.

Kerry F. Hillis  
 Commissioner of Oaths

Kerry Francis Hillis, a Commissioner, etc.,  
 Province of Ontario, for Black, Shoemaker,  
 Robinson & Donaldson Limited  
 Expires March 28, 2022

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

John Romeo and Nancy Huck as Power of Attorney for Dominico Romeo

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

being the registered property owner(s) of

91 and 93 Grange Street


(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited

(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 15th day of December 20 20.

  
(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.

December 15, 2020

Project: 17-14-292

Mrs. Trista Di Lullo  
Secretary-Treasurer  
Guelph Committee of Adjustment  
1 Carden Street  
GUELPH, Ontario N1H 3A1

Dear Mrs. Di Lullo:

**Re: Application for Consent (Correction of Title)**  
**91 and 93 Grange Street**  
**Lot 12 and Part of Lot 11, Registered Plan 298**  
**Owner: Domenico Romeo**

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Please find enclosed a completed "Application for Consent" for the above-noted property and a cheque in the amount of \$1,896.00 payable to the City of Guelph to cover the City's processing fees. We have not included a cheque for the Grand River Conservation Authority as the properties are not within their Regulated Area.

Also attached is a sketch to illustrate the parcels of land affected by this application and survey plans of each property as they existed upon purchase.

As noted in discussions with City staff, the purpose of this application is to correct the merging of the title of these two properties. The property identified as 93 Grange Street was acquired by Domenico Romeo and Rosa Romeo in 1971 by Instrument Number MS105846. It included lands described as Part of Lot 11, Registered Plan 298. In 1973, Domenico and Rosa Romeo acquired 91 Grange Street by Instrument Number MS130445 being Lot 12, Registered Plan 298. These two parcels have now merged.

The owner wishes to complete his estate planning and ensure these properties can be maintained as separated properties. Therefore a technical severance is required.

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

Yours very truly

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**



**Nancy Shoemaker, B.A.A., R.P.P.**

Attachments

Copy: John Romeo  
Jim Moon, Moon Law

# Committee of Adjustment Notice of Public Hearing



**Applications for Consent [Technical Severances and Easements] have been filed with the Committee of Adjustment**

## Application Details

### Location:

29, 31, and 33 College Avenue West

### Proposal:

The applicant is proposing to re-establish the original lot lines and shared driveway. The abutting properties known as 29 College Avenue West, 31 College Avenue West, and 33 College Avenue West formerly existed as separate properties and have merged under one title due to common ownership. Consent approval is required to separate the properties. The applicant is proposing to maintain the existing buildings, and a detached dwelling is proposed for the retained parcel (33 College Avenue West).

### By-Law Requirements:

The properties are located in the Residential Single Detached (R.1B) Zone.

### Request:

The applicant proposes the following as shown on the attached plan:

#### **File B-3/21 – Proposed Parts 3 and 4 (31 College Avenue West)**

- a) Severance of a parcel of land (Parts 3 and 4) to create a lot with frontage along College Avenue West of 10.36 metres, a depth of 40.77 metres, and an area of 430 square metres.
- b) Creation of a 20 square metre easement (Part 3) over a portion of the right side of 31 College Avenue West for access over a shared driveway in favour of 29 College Avenue West.

#### **File B-4/21 – Proposed Parts 1 and 2 (29 College Avenue West)**

- a) Severance of a parcel of land (Parts 1 and 2) to create a lot with frontage along College Avenue West of 10.36 metres, a depth of 40.77 metres, and an area of 422.5 square metres.
- b) Creation of a 40.6 square metre easement (Part 2) over a portion of the left side of 29 College Avenue West for access over a shared driveway in favour of 31 College Avenue West.

The retained parcel (33 College Avenue West, labelled as proposed part 5 on the attached plan) is proposed to have frontage along College Avenue West of 16.83 metres, a depth of 35.63 metres, and an area of 598.6 square metres.

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## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider applications under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**

Application Numbers: **B-3/21 and B-4/21**

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If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

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## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the applications. Alternate meeting formats are available upon request.



You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to these applications will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to these applications may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated this January 22, 2021.

## **Contact Information**

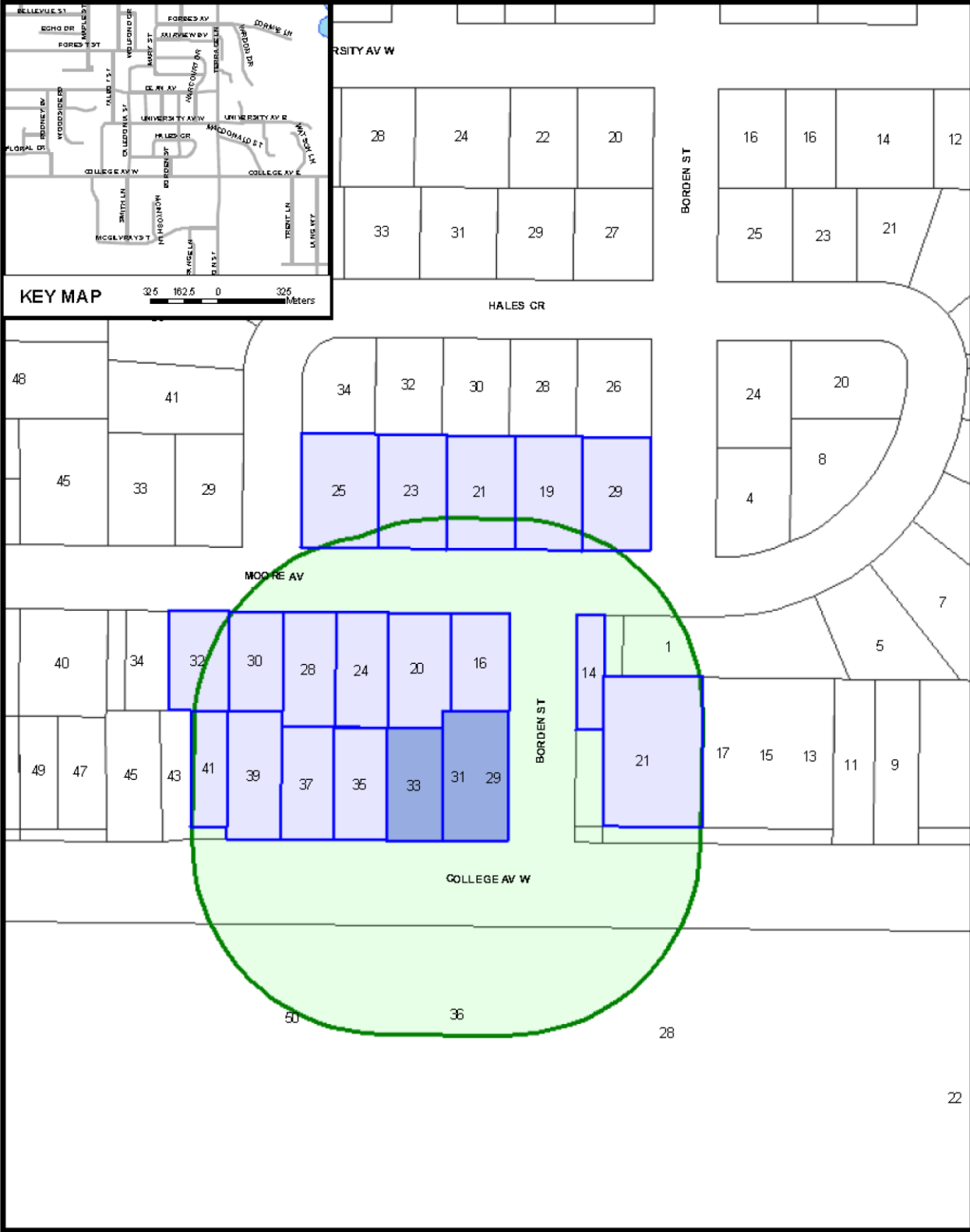
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

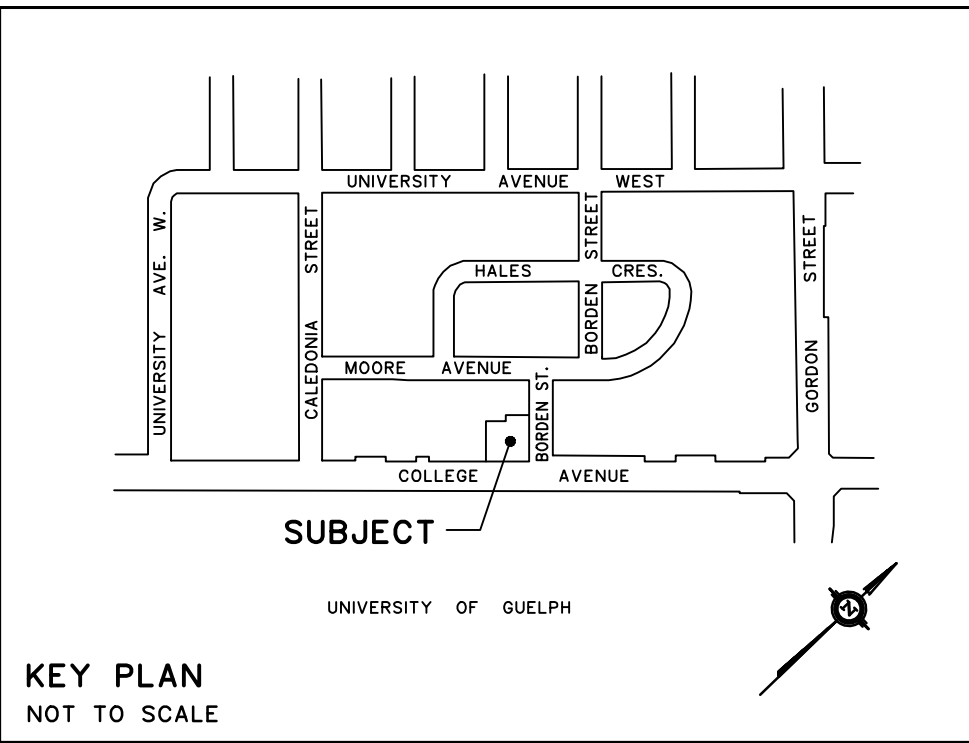
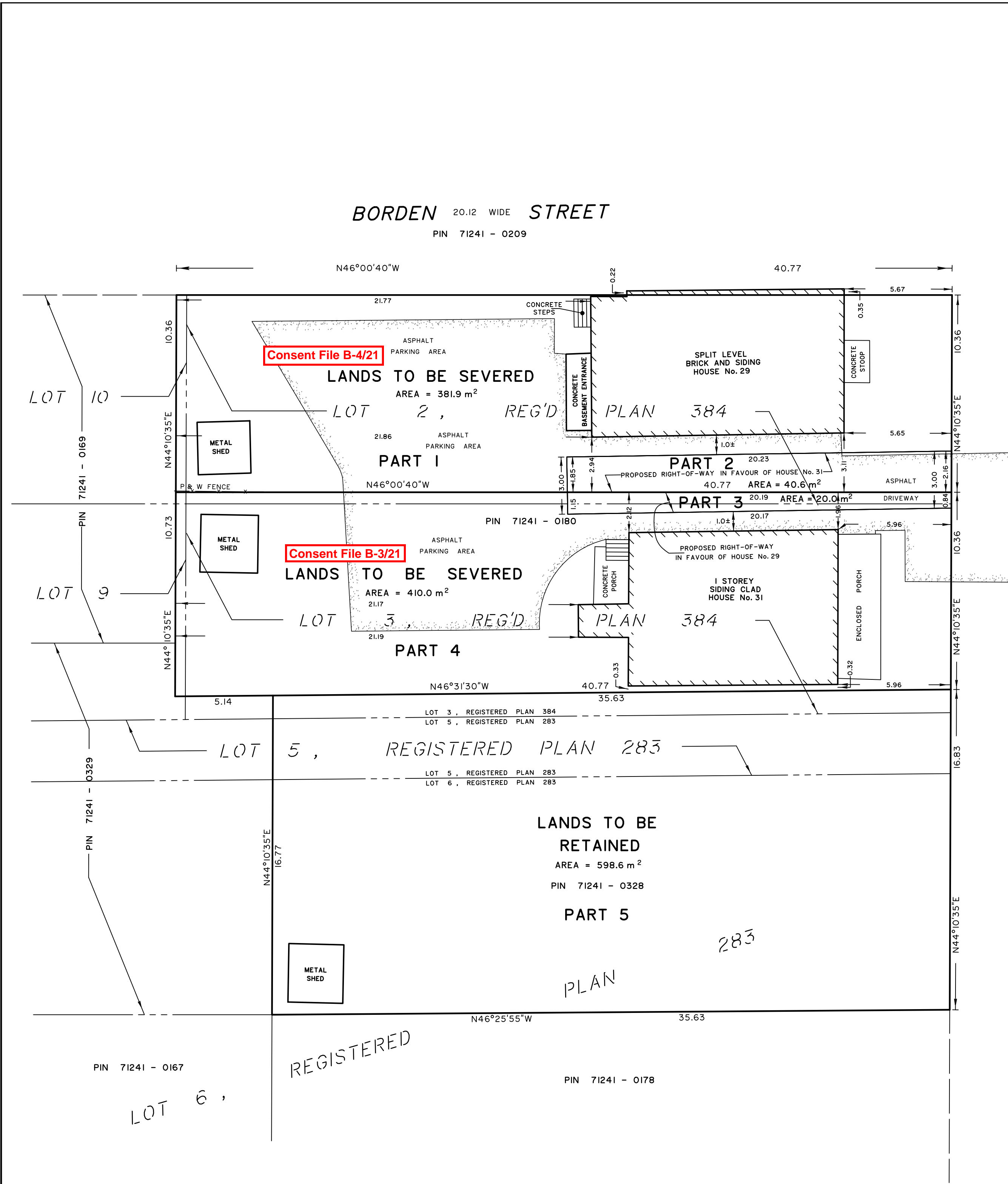
519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)





SKETCH  
PREPARED FOR SEVERANCE APPLICATION  
CITY OF GUELPH  
COUNTY OF WELLINGTON

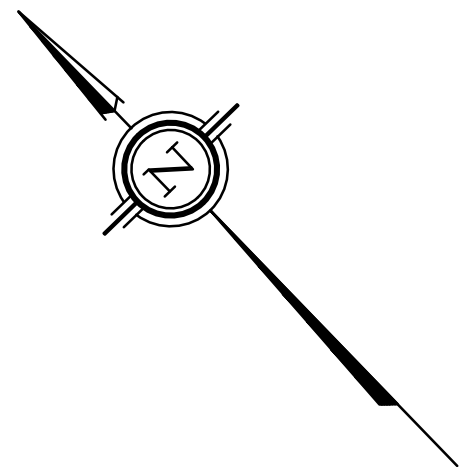
SCALE 1 : 150

METRIC: DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

NOTES:

1. BOUNDARY INFORMATION, BUILDING LOCATION AND AREAS SHOWN ON THIS SKETCH ARE DERIVED FROM A CURRENT SURVEY COMPLETED AUGUST 2, 2016.



THIS SKETCH WAS PREPARED FOR DOMENIC ROMEO AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

Kerry F. Hillis  
KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

© COPYRIGHT 2020: REPRODUCTION, DISTRIBUTION OR ALTERATION OF THIS SKETCH, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED IS STRICTLY PROHIBITED.

	ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS A wholly owned subsidiary of J.D. Barnes Ltd.		SURVEYING MAPPING GIS
	257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1 T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com		
	DRAWN BY: KS	CHECKED BY: KFH	REFERENCE NO.: I7-14-291-00-A
FILE: G:\I7-14-291\00\Drawing\I71429100A.dwg		DATED: DECEMBER 7, 2020	



PROJECT  
87-4866

SEAL

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 15, 2020</u>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-3121</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 53 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: 31 College Avenue West

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

Part of Lots 2 and 10, Registered Plan 384

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? ☒ No ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges? ☒ No ☐ Yes

If yes, explain:

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: Dominic Romeo

Mailing Address: 91 Grange Road

City: Guelph

Postal Code: N1E 2V3

Home Phone: \_\_\_\_\_

Work Phone: 519-362-7700

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph

Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_

Work Phone: 519-822-4031

Fax: \_\_\_\_\_

Email: nancy@bsrd.com

**PURPOSE OF APPLICATION (please check appropriate space):**

- ☐ Creation of a New Lot                      ☐ Easement                      ☒ Right-of-Way  
☐ Charge / Discharge                      ☒ Correction of Title                      ☐ Lease  
☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)                      ☐ Other: Explain

Technical severance of Parts 3 & 4 Subject to a right-of-way over Part 3 in favour of 29 College Avenue and together with a right-of-way over Part 2

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Unknown

**DESCRIPTION OF LAND INTENDED TO BE SEVERED PARTS 3 & 4**

Frontage / Width: (m) 10.36	Depth (m) 40.77	Area: (m <sup>2</sup> ) 430.00	Existing Use: Detached dwelling	Proposed Use: Detached dwelling
Existing Buildings/Structures: Detached dwelling + shed			Proposed Buildings / Structures: Same	
Use of Existing Buildings/Structures (specify): residential unit with accessory unit in basement			Proposed Use of Buildings/Structures (specify): Same	

<b>DESCRIPTION OF LAND INTENDED TO BE RETAINED</b>				
Frontage / Width: (m) 16.83	Depth (m) 35.63	Area: (m <sup>2</sup> ) 598.6	Existing Use: Vacant Land	Proposed Use: Detached Residential Dwelling
Existing Buildings/Structures: None			Proposed Buildings / Structures: Residential Dwelling	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☐ Private Road                      ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☐ Private Road                      ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated                      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated                      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**

- ☒ Municipally owned and operated                      ☐ Septic Tank  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

- ☒ Municipally owned and operated                      ☐ Septic Tank  
☐ Other (Explain)



Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

**LAND USE**

**What is the current official plan designation of the subject lands:**  
Low Density Residential

---

**Does the proposal conform with the City of Guelph Official Plan?**          ☒ YES          ☐ NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:  
Detached residential dwellings are recognized as a permitted use within the Low Density Residential designation.

---

If no, has an application for an Official Plan Amendment been submitted?          ☐ YES          ☐ NO

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**What is the current zoning designation of the subject lands:**  
Single Detached residential (R.1B)

---

**Does the proposal for the subject lands conform to the existing zoning?**          ☐ YES          ☒ NO

If no, has an application for a minor variance or rezoning been submitted?          ☐ YES          ☒ NO Considered  
    Legal Non-Conforming

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**PROVINCIAL POLICY**

**Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*?**          ☒ YES          ☐ NO

Provide explanation:  
Settlement areas shall be the focus of growth and development. This application does not offend any of the policies in the 2020 PPS.

---

**Does this application conform to the Growth Plan for the Greater Golden Horseshoe?**          ☒ YES          ☐ NO

Provide explanation:  
This property is located within the delineated built boundary of the City of Guelph with existing municipal water and wastewater systems and can support the achievement of complete communities. No new development parcel results from a technical severance.

---

**Is the subject land within an area of land designated under any other provincial plan or plans?**          ☐ YES          ☒ NO

If yes, indicate which plan(s) and provide explanation:  
 \_\_\_\_\_  
 \_\_\_\_\_

**HISTORY OF SUBJECT LAND****Has the subject land ever been the subject of:**

- a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

- b) An application for Consent under section 53 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

- Is this application a resubmission of a previous application? ☐ YES ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

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- Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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**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"/>	_____
Minor Variance	<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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

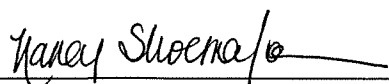
**POSTING OF ADVISORY SIGN**

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.

Each sign must be posted a minimum of fourteen (14) 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 (14) 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, Nancy Shoemaker, 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.

Nancy Shoemaker  
 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 \_\_\_\_\_ of Guelph in the County/~~Regional Municipality~~ of \_\_\_\_\_  
 (city or town)  
Wellington this 15th day of December, 2020.

Kerry F. Hillis  
 Commissioner of Oaths

Kerry Francis Hillis, a Commissioner, etc.,  
 Province of Ontario, for Black, Shoemaker,  
 Robinson & Donaldson Limited  
 Expires March 28, 2022

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

John Romeo and Nancy Huck as Power of Attorney for Dominico Romeo

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

being the registered property owner(s) of

29, 31 & 33 College Avenue West

(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited

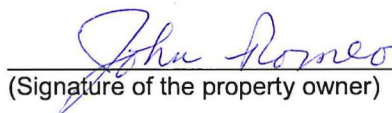
(Authorized agent's name)

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 \_\_\_\_\_ day of December 20 20.



(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.

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 15, 2020</u>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-4121</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 53 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: 29 College Avenue West

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

Part of Lots 2 and 10, Registered Plan 384

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? ☒ No ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges? ☒ No ☐ Yes

If yes, explain:

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: Dominic Romeo

Mailing Address: 91 Grange Road

City: Guelph Postal Code: N1E 2V3

Home Phone: \_\_\_\_\_ Work Phone: 519-362-7700

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_ Work Phone: 519-822-4031

Fax: \_\_\_\_\_ Email: nancy@bsrd.com



**PURPOSE OF APPLICATION (please check appropriate space):**

- ☐ Creation of a New Lot                      ☐ Easement                      ☒ Right-of-Way  
☐ Charge / Discharge                      ☒ Correction of Title                      ☐ Lease  
☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)                      ☐ Other: Explain

Technical severance of Parts 1 & 2 Subject to a right-of-way over Part 2 in favour of 31 College Avenue and together with a right-of-way over Part 3

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Unknown

**DESCRIPTION OF LAND INTENDED TO BE SEVERED PARTS 1 & 2**

Frontage / Width: (m) 10.36	Depth (m) 40.77	Area: (m <sup>2</sup> ) 422.5	Existing Use: Detached dwelling	Proposed Use: Detached dwelling
Existing Buildings/Structures: Detached dwelling + shed			Proposed Buildings / Structures: Same	
Use of Existing Buildings/Structures (specify): Registered Lodging House			Proposed Use of Buildings/Structures (specify): Same	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) 16.83	Depth (m) 35.63	Area: (m <sup>2</sup> ) 598.6	Existing Use: Vacant Land	Proposed Use: Detached Residential Dwelling
Existing Buildings/Structures: None			Proposed Buildings / Structures: Residential Dwelling	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☐ Private Road                      ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☐ Private Road                      ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated                      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated                      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**

- ☒ Municipally owned and operated                      ☐ Septic Tank  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

- ☒ Municipally owned and operated                      ☐ Septic Tank  
☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?	Is any portion of the land to be severed or retained located within a floodplain?
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b><u>LAND USE</u></b>	
<b>What is the current official plan designation of the subject lands:</b> Low Density Residential	
<b>Does the proposal conform with the City of Guelph Official Plan?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan: <u>Detached residential dwellings are recognized as a permitted use within the Low Density Residential designation.</u>	
If no, has an application for an Official Plan Amendment been submitted? <input type="checkbox"/> YES <input type="checkbox"/> NO	
File No.: _____	Status: _____
<b>What is the current zoning designation of the subject lands:</b> <u>Single Detached residential (R.1B)</u>	
<b>Does the proposal for the subject lands conform to the existing zoning?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If no, has an application for a minor variance or rezoning been submitted? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Considered Legal Non-Conforming	
File No.: _____	Status: _____
<b><u>PROVINCIAL POLICY</u></b>	
<b>Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the Planning Act?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Provide explanation: <u>Settlement areas shall be the focus of growth and development. This application does not offend any of the policies in the 2020 PPS .</u>	
<b>Does this application conform to the Growth Plan for the Greater Golden Horseshoe?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Provide explanation: <u>This property is located within the delineated built boundary of the City of Guelph with existing municipal water and wastewater systems and can support the achievement of complete communities. No new development parcel results from a technical severance.</u>	
<b>Is the subject land within an area of land designated under any other provincial plan or plans?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, indicate which plan(s) and provide explanation: _____	

**HISTORY OF SUBJECT LAND****Has the subject land ever been the subject of:**a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

b) An application for Consent under section 53 of the *Planning Act*? ☐ YES ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

Is this application a resubmission of a previous application? ☐ YES ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

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---

Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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**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"/>	_____
Minor Variance	<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.

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**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.

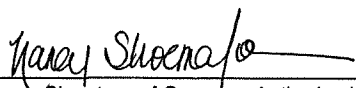
**POSTING OF ADVISORY SIGN**

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I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (14) 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, Nancy Shoemaker, 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.

Nancy Shoemaker  
 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 \_\_\_\_\_ of Guelph in the County/~~Regional Municipality~~ of \_\_\_\_\_  
 (city or town)  
Wellington this 15th day of December, 2020.

Kerry F. Hillis  
 Commissioner of Oaths

Kerry Francis Hillis, a Commissioner, etc.,  
 Province of Ontario, for Black, Shoemaker,  
 Robinson & Donaldson Limited  
 Expires March 28, 2022

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

John Romeo and Nancy Huck as Power of Attorney for Dominico Romeo

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

being the registered property owner(s) of

29, 31 & 33 College Avenue West


(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited

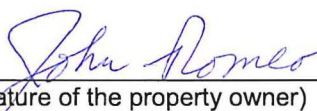
(Authorized agent's name)

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 15th day of December 2020.



(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.



December 15, 2020

Project: 17-14-291

Mrs. Trista Di Lullo  
Secretary-Treasurer  
Guelph Committee of Adjustment  
1 Carden Street  
GUELPH, Ontario N1H 3A1

Dear Mrs. Di Lullo:

**Re: Application for Consent (Correction of Title)  
29, 31 and 33 College Avenue West  
Part of Lots 2, 3, 9 & 10, Registered Plan 283  
Owner: Domenico Romeo**

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Please find enclosed two completed "Applications for Consent" for the above-noted properties and a cheque in the amount of \$3,792.00.00 payable to the City of Guelph to cover the City's processing fees. We have not included a cheque for the Grand River Conservation Authority as these properties are not within their Regulated Area. Also attached is a sketch to illustrate the parcels of land affected by this application and survey plans of each property as the existed upon purchase.

The intent of these application is to separate 29, 31 & 33 College Avenue West. The attached plan identifies 29 College Avenue as Parts 1 and 2; 31 College Avenue as Parts 3 and 4 and 33 College Avenue as Part 5. Due to an existing shared driveway, 29 College Avenue will be separated subject to a right-of-way over Part 2 in favour of 31 College Avenue and together with a right-of way over Part 3. In the same way, 31 College Avenue will be separated subject to a right-of-way over Part 3 in favour of 29 College Avenue, together with a right-of way over Part 2.

Historically, the Ontario Veterinary College owned a number of properties in this area. They had acquired 29 and 31 College Avenue as separated parcels and sold to Samuel Johnson in 1971 who then sold to Rosa and Domenico Romeo as an amalgamated parcel in 1983 by Instrument Number ROS265920. With Rosa's passing, the land is now in the name of Domenico Romeo by Instrument Number WC414139.

In 1989 Rosa Romeo acquired 33 College Avenue being Part of Lots 5 & 6, Plan 283 and Part of Lot 3, Plan 384. With Rosa's passing, the land is now in the name of Domenico Romeo by Instrument Number WC465622.

Technically, all 3 properties have now merged. The owner wishes to complete his estate planning and ensure these properties can be maintained as separated properties. Therefore two technical severances are required. Should you require any additional information in support of this application, please call me.

Yours very truly

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**

**Nancy Shoemaker, B.A.A., R.P.P.**

Attachments

Copy: John Romeo  
Jim Moon, Moon Law

**Surveying | Mapping | GIS**  
Unit 101- 257 Woodlawn Road West | Guelph | Ontario | N1H 8J1  
T: [519] 822-4031 | F: [519] 822-1220  
[www.jdbarnes.com](http://www.jdbarnes.com)



# Committee of Adjustment Notice of Public Hearing



**An Application for Consent [New Lot] has been filed with the Committee of Adjustment**

## Application Details

### Location:

18-20 Grove Street

### Proposal:

The applicant is proposing to sever the right portion of the subject property to create a new residential lot. The applicant is proposing to maintain the existing triplex on the retained parcel and is proposing a new detached dwelling on the severed parcel. A related minor variance application has been submitted (file A-15/21, see attached) as the driveway of retained parcel is proposed to be widened in order to allow for four (4) parking spaces to be located in the front yard.

### By-Law Requirements:

The property is located in the Residential (R.1B) Zone.

### Request:

The applicant proposes to sever a parcel of land with frontage along Grove Street of 15.3 metres and an area of 575 square metres. The retained parcel will have frontage along Grove Street of 21.5 metres and an area of 914 square metres.

---

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date:	<b>Thursday, February 11, 2021</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Remote Committee of Adjustment hearing live streamed at <a href="https://guelph.ca/live">guelph.ca/live</a></b>
Application Number:	<b>B-5/21</b>

---

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

---

## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning

proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated this January 22, 2021.

## **Contact Information**

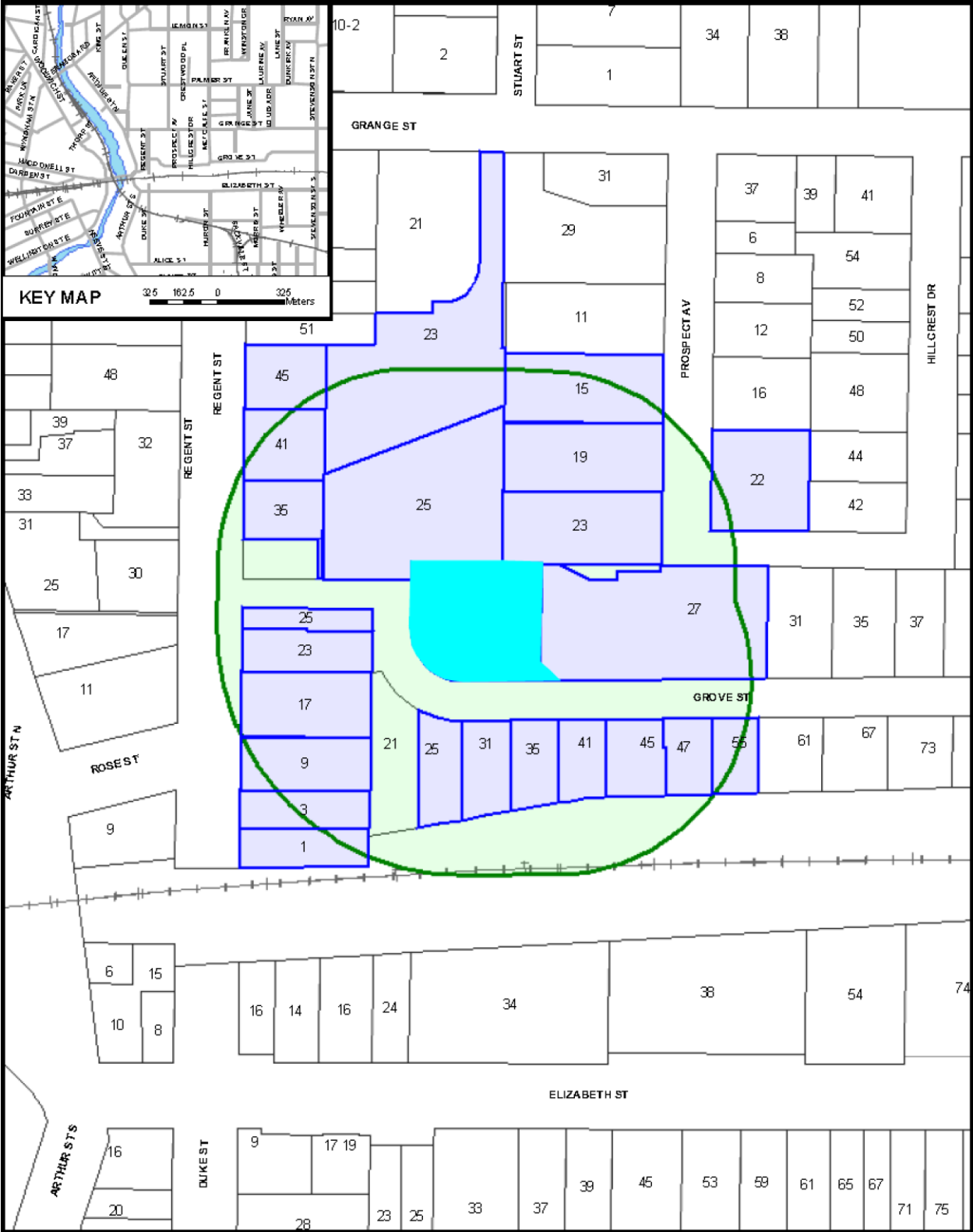
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)



# Committee of Adjustment Notice of Public Hearing



**An Application for Minor Variances has been filed with the Committee of Adjustment**

## Application Details

### Location:

18-20 Grove Street

### Proposal:

The applicant is proposing to maintain the existing triplex and sever the right portion of the subject property to create a new residential lot (File B-5/21, see attached). The applicant is proposing to remove the existing retaining wall and widen the driveway, and locate four (4) parking spaces in the front yard of the proposed retained parcel and a fifth parking space behind the front wall of the existing triplex.

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Sections 4.13.2.1 and 4.13.7.2.1 ii) of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that in an R.1 Zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building; and
- b) that a driveway (residential) in an R.1 Zone shall have a maximum width of 6.5 metres in an R.1B Zone.

### Request:

The applicant is seeking relief from the By-Law requirements to permit:

- a) the required parking spaces to be located to the front of the front wall of the main building; and
- b) a maximum driveway width of 11.5 metres.

---

## Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, February 11, 2021**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://guelph.ca/live)**

Application Number: **A-15/21**

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If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

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## Providing Comments

Any person may watch the remote public hearing on [guelph.ca/live](https://guelph.ca/live) and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **February 4, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

## **Notice of the Decision**

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

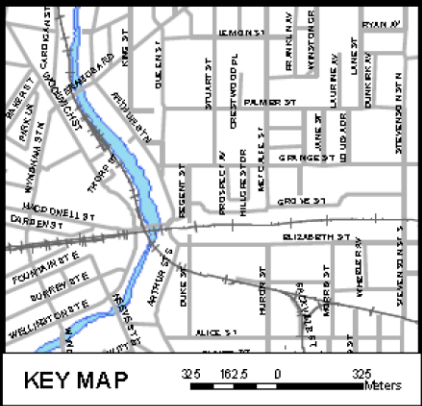
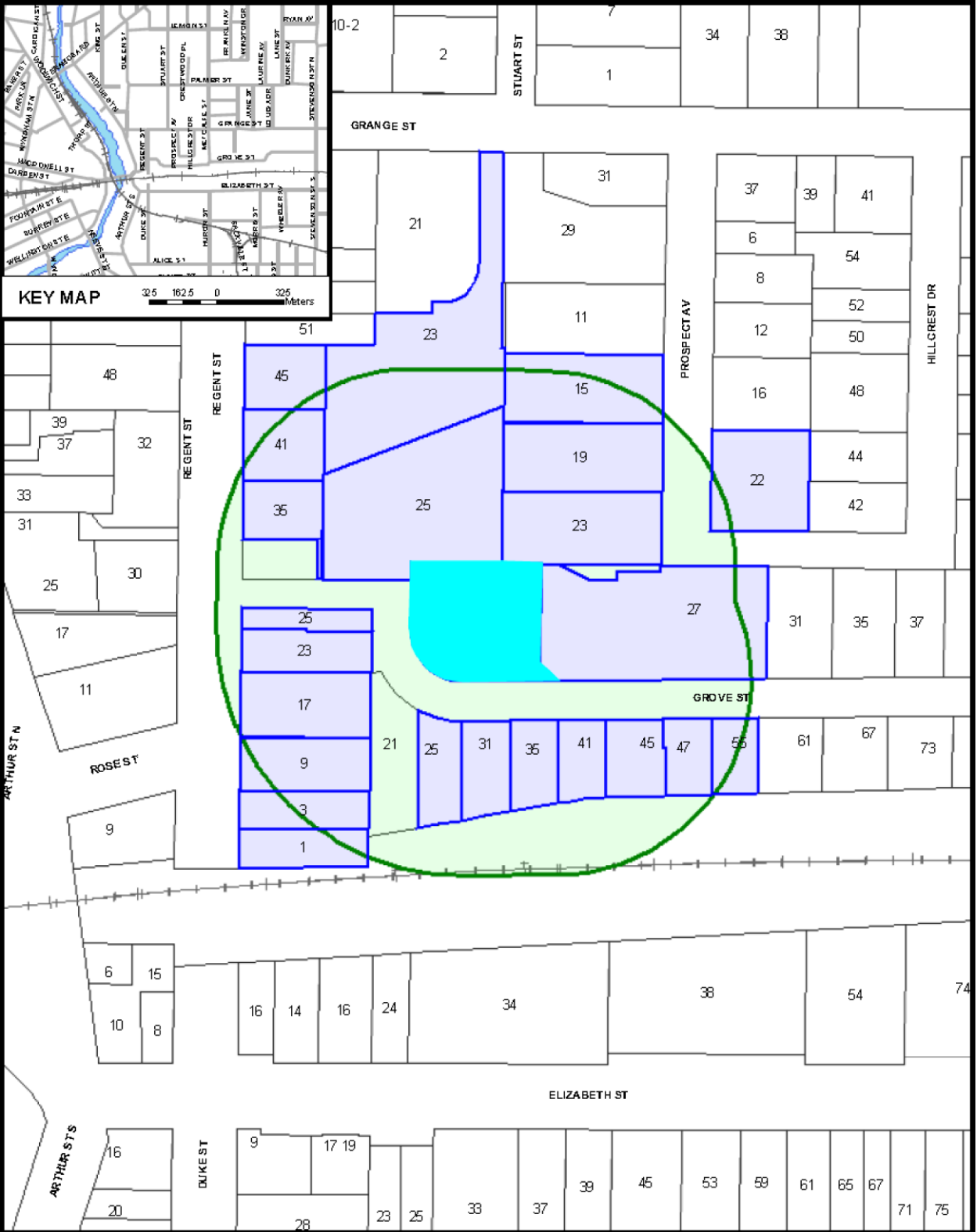
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## **Notice Details**

Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated January 22, 2021.

## **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)

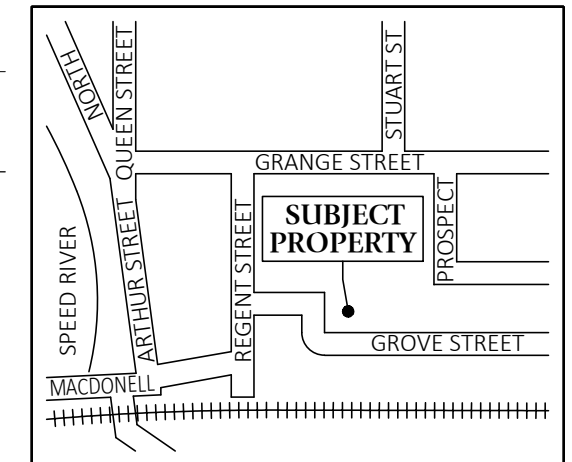


TO PERMIT A PORTION OF THE DRIVEWAY TO HAVE A MAXIMUM WIDTH OF 11.5m INSTEAD OF 6.5m AS REQUIRED IN SECTION 4.13.7.2.1.ii) OF THE ZONING BY-LAW.

**ALL OF LOT 12 AND PART OF LOT 13,  
REGISTERED PLAN 227  
CITY OF GUELPH  
COUNTY OF WELLINGTON**

A horizontal number line representing distance in meters. It is marked with 0, 5, 10, and 15. The segment between 0 and 5 is white, the segment between 5 and 10 is black, and the segment between 10 and 15 is white.

KEYMAP:



1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. SUBJECT LANDS ARE ZONED RESIDENTIAL R.1B.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF LOW DENSITY RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

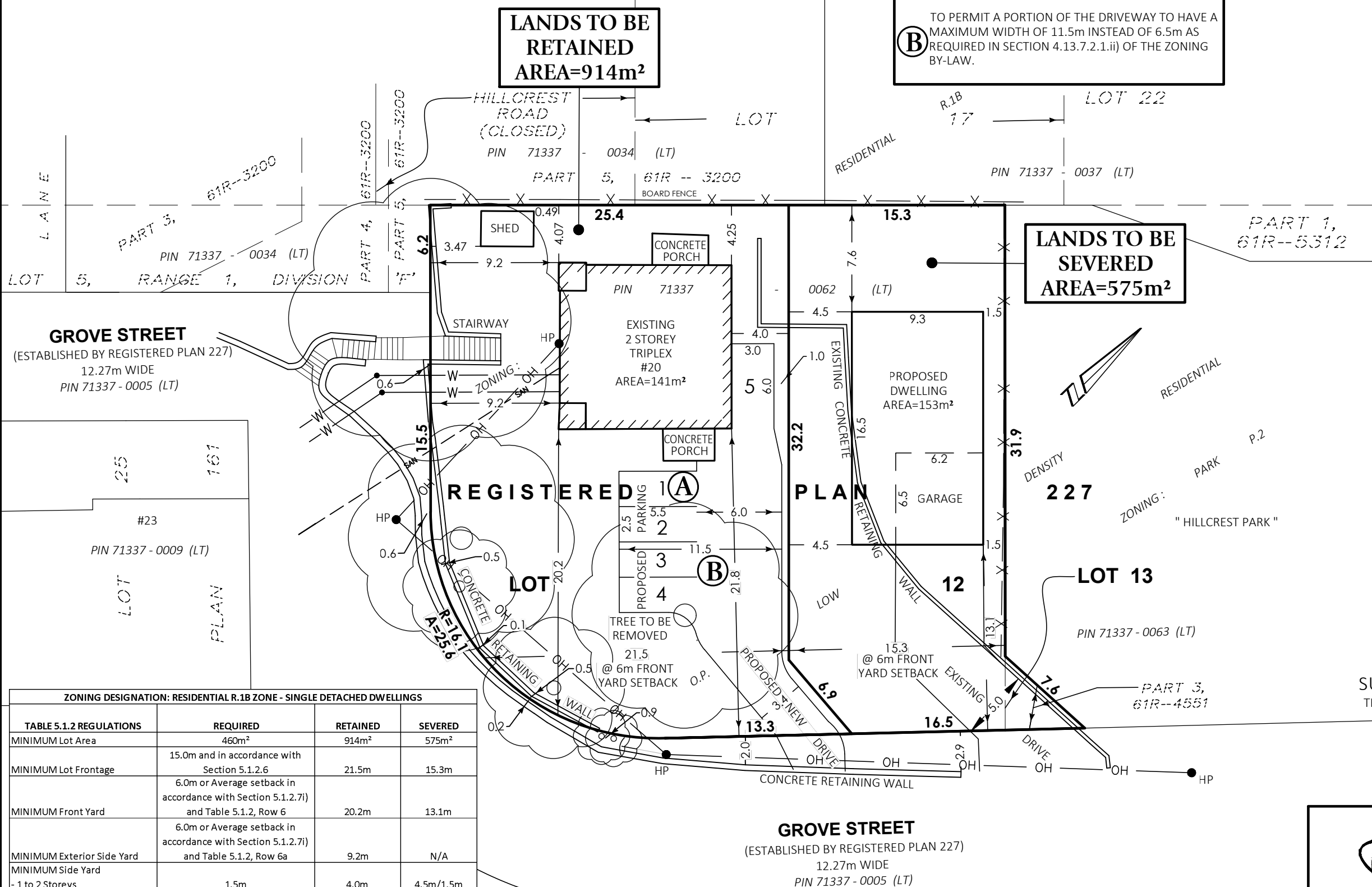
THIS SKETCH WAS PREPARED ON THE  
 \_\_\_\_\_ 7th DAY OF JANUARY, 2021

  
JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

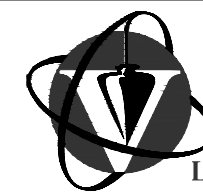
ZONING DESIGNATION: RESIDENTIAL R.1B ZONE - SINGLE DETACHED DWELLINGS			
TABLE 5.1.2 REGULATIONS	REQUIRED	RETAINED	SEVERED
MINIMUM Lot Area	460m <sup>2</sup>	914m <sup>2</sup>	575m <sup>2</sup>
MINIMUM Lot Frontage	15.0m and in accordance with Section 5.1.2.6	21.5m	15.3m
MINIMUM Front Yard	6.0m or Average setback in accordance with Section 5.1.2.7i) and Table 5.1.2, Row 6	20.2m	13.1m
MINIMUM Exterior Side Yard	6.0m or Average setback in accordance with Section 5.1.2.7i) and Table 5.1.2, Row 6a	9.2m	N/A
MINIMUM Side Yard - 1 to 2 Storeys	1.5m	4.0m	4.5m/1.5m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	4.07m*	7.6m
Parking Space - Section 4.13.2.1	A minimum of 6.0m from the Street Line and to the rear of the front wall of the main Building	In front of main wall of Building (A)	N/A
Driveway Width - Section 4.13.7.2.1.ii)	The Driveway shall have a maximum width of 6.5m	11.5m (B)	N/A

(A) & (B) = Minor Variance Required

(\*) = Existing (Legal Non-Conforming)



#25	#31	#35	#41
PIN 71337-0009 (LT)	PIN 71337-0076 (LT)	PIN 71337-0077 (LT)	PIN 71337-0078 (LT)
ZONING :	RESIDENTIAL	R.1B	LOT 3
LOW	LOT DENSITY	2	2 2 7
R F G I S T E R E D		P L A N	



# Van Harten

SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
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www.vanharten.com      info@vanharten.com

DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 28138-20
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Jan 12, 2021-9:46:18 AM

G:\GUELPH\227\ACAD\SEV LOT 12,13 (SUTCLIFFE) UTM.dwg



# Committee of Adjustment Application for Consent



<b>Consultation with City staff is encouraged prior to submission of this application.</b>	<b>OFFICE USE ONLY</b>	
	Date Received: <b>Jan 12, 2021</b>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>B-5/21</b>

## 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 53 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: **20 Grove Street, Guelph**

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

**All of Lot 12, Part of Lot 13, Registered Plan 227, Part 3, 61R-4551**

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? ☒ No ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: ☐ No ☒ Yes

If yes, explain: **Mortgage as in INST No. WC509070 with the Royal Bank of Canada located at 10 York Mills Road, Toronto, ON, M2P 0A2**

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: **Alysha MAXWELL & Kristopher LAWSON**

Mailing Address: **17 Grange Street**

City: **Guelph** Postal Code: **N1E 2T6**

Home Phone: **647-625-8271** Work Phone:

Fax: Email: **krislawson@outlook.com**

### AGENT INFORMATION (If Any)

Name: **Jeff Buisman**

Company: **Van Harten Surveying Inc.**

Mailing Address: **423 Woolwich Street**

City: **Guelph** Postal Code: **N1H 3X3**

Home Phone: Work Phone: **519-821-2763 ext. 225**

Fax: **519-821-2770** Email: **jeff.buisman@vanharten.com**

PURPOSE OF APPLICATION (please check appropriate space):

☒ Creation of a New Lot

☐ Easement

☐ Right-of-Way

☐ Charge / Discharge

☐ Correction of Title

☐ Lease

☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)

☐ Other: Explain

**Proposal is to sever a parcel for urban residential purposes. The severed parcel will have an area of 575m<sup>2</sup> and a single-detached dwelling is proposed. The retained parcel will have an area of 914m<sup>2</sup> where the existing triplex will remain.**

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:

**Future owner not known**

#### DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) <b>15.3m</b>	Depth (m) <b>32.0m</b>	Area: (m²) <b>575m²</b>	Existing Use: <b>Residential - vacant land</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>N/A</b>			Proposed Buildings / Structures: <b>Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>Residential</b>	
DESCRIPTION OF LAND INTENDED TO BE RETAINED				
Frontage / Width: (m) <b>21.5m</b>	Depth (m) <b>32.2m</b>	Area: (m²) <b>914m²</b>	Existing Use: <b>Residential</b>	Proposed Use: <b>No Change</b>
Existing Buildings/Structures: <b>Dwelling (triplex) &amp; Shed</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

#### TYPE OF ACCESS TO THE RETAINED LANDS

- ☐ Provincial Highway
 ☒ Municipal Road
 ☐ Private Road
 ☐ Right-of-Way
 ☐ Other (Specify)

#### TYPE OF ACCESS TO THE SEVERED LANDS

- ☐ Provincial Highway
 ☒ Municipal Road
 ☐ Private Road
 ☐ Right-of-Way
 ☐ Other (Specify)

#### TYPE OF WATER SUPPLY TO THE RETAINED LANDS

- ☒ Municipally owned and operated
 ☐ Privately Owned Well
 ☐ Other (Specify)

#### TYPE OF WATER SUPPLY TO THE SEVERED LANDS

- ☒ Municipally owned and operated
 ☐ Privately Owned Well
 ☐ Other (Specify)

#### TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS

- ☒ Municipally owned and operated
 ☐ Septic Tank
 ☐ Other (Explain)

#### TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS

- ☒ Municipally owned and operated
 ☐ Septic Tank
 ☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

☒ No

☐ Yes

Is any portion of the land to be severed or retained located within a floodplain?

☒ No

☐ Yes

### LAND USE

What is the current official plan designation of the subject lands:

**Low Density Residential**

Does the proposal conform with the City of Guelph Official Plan?

☒ YES

☐ NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

**The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a severance which will allow for the creation of a new lot and new development and also follows the Consent Policies listed in Section 10.10.1 of the OP.**

If no, has an application for an Official Plan Amendment been submitted?

☐ YES

☒ NO

File No.: \_\_\_\_\_

Status: \_\_\_\_\_

What is the current zoning designation of the subject lands:

**Residential R.1B**

Does the proposal for the subject lands conform to the existing zoning?

☐ YES

☒ NO

If no, has an application for a minor variance or rezoning been submitted?

☐ YES

☐ NO

**A minor variance is being submitted simultaneously**

File No.: \_\_\_\_\_

Status: \_\_\_\_\_

### PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? ☒ YES ☐ NO

Provide explanation:

**Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a severance which will allow for a new in-fill development within the City and therefore, conforms with the PPS.**

Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☒ YES

☐ NO

Provide explanation:

**The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a severance which will allow for a new in-fill development within the City and therefore, conforms with the Growth Plan.**

Is the subject land within an area of land designated under any other provincial plan or plans? ☐ YES ☒ NO

If yes, indicate which plan(s) and provide explanation:

\_\_\_\_\_  
\_\_\_\_\_

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?      ☐ YES      ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

b) An application for Consent under section 53 of the *Planning Act*?      ☐ YES      ☒ NO

If yes, provide the following:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

Is this application a resubmission of a previous application?      ☐ YES      ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land?      ☐ YES      ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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"/>	_____
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>A minor variance is being submitted simultaneously</b>
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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

Each sign must be posted a minimum of fourteen (14) 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.

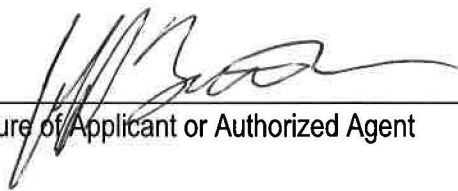
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (14) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.


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


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

**AFFIDAVIT**I/We, **Jeff Buisman of Van Harten Surveying Inc.**, 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**

of

**Guelph**

in the County/Regional Municipality of

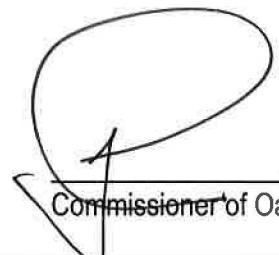
(city or town)

**Wellington**

this

**12**

day of

**Jan. January**, 20 **21**.

  
Commissioner of Oaths

James Michael Laws,  
a Commissioner, etc.,  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Alysha MAXWELL & Kristopher LAWSON

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

being the registered property owner(s) of

All of Lot 12, Part of Lot 13, Registered Plan 227 / 20 Grove Street

(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.  
(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 28<sup>th</sup> day of December 2020.

x   
(Signature of the property owner)

x   
(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.



# Committee of Adjustment Application for Minor Variance



<b>Consultation with City staff is encouraged prior to submission of this application.</b>	<b>OFFICE USE ONLY</b>	
	Date Received: <b>Jan 12, 2021</b>	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-15/21</b>

## 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: **20 Grove Street, Guelph**

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

**All of Lot 12, Part of Lot 13, Registered Plan 227, Part 3, 61R-4551**

### REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: **Alysha MAXWELL & Kristopher LAWSON**

Mailing Address: **17 Grange Street**

City: **Guelph** Postal Code: **N1E 2T6**

Home Phone: **647-625-8271** Work Phone:

Fax: Email: **krislawson@outlook.com**

### AGENT INFORMATION (If Any)

Company: **Jeff Buisman**

Name: **Van Harten Surveying Inc.**

Mailing Address: **423 Woolwich Street**

City: **Guelph** Postal Code: **N1H 3X3**

Work Phone: Mobile Phone: **519-821-2763 ext. 225**

Fax: **519-821-2770** Email: **jeff.buisman@vanharten.com**

Official Plan Designation: <b>Low Density Residential</b>	Current Zoning Designation: <b>Residential R.1B</b>
---	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
<p><b>A severance application is being applied for and this minor variance is being submitted simultaneously to address the parking and driveway variances on the Retained Parcel as a result of the severance. The request are as follows:</b></p> <p><b>A) To permit the parking spaces to be in front of the main wall of the dwelling instead of to the rear as required in Section 4.13.2.1 of the Zoning By-law.</b></p> <p><b>B) To permit a portion of driveway to have a maximum width of 11.5m instead of 6.5m as required in Section 4.13.7.2.1.ii) of the Zoning By-law.</b></p>	

Why is it not possible to comply with the provision of the by-law? (your explanation)
<b>See covering letter for justification on variance.</b>

PROPERTY INFORMATION			
Date property was purchased:	<b>July 2017</b>	Date property was first built on:	<b>Many years ago</b>
Date of proposed construction on property:	<b>Pending severance &amp; minor variance approval</b>	Length of time the existing uses of the subject property have continued:	<b>Many years</b>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <b>Residential</b>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <b>Residential - No Change</b>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	<b>21.5m</b>	Depth:	<b>32.2m</b>
Area:	<b>914m<sup>2</sup></b>		
<b>Retained Parcel:</b>			

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u> <b>Existing dwelling (triplex)</b>			<u>Main Building</u> <b>N/A</b>		
Gross Floor Area:	<b>Ground Floor Area = 141m<sup>2</sup></b>		Gross Floor Area:		
Height of building:	<b>2<sup>1/2</sup> storey</b>		Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/> <b>N/A</b>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:	<b>11.5m</b>		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck) <b>Shed</b>			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: <b>3.7m x 2.5m</b>			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED <b>N/A</b>		
Front Yard Setback:	<b>20.2m</b>		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	<b>9.2m</b>		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M	Right: M <b>4.0m</b>		Side Yard Setback:	Left: M Right: M
Rear Yard Setback	<b>4.07m</b>		M	Rear Yard Setback	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 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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Application being submitted simultaneously</b>

**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 Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**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.

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, **Jeff Buisman of Van Harten Surveying Inc.**, 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 **12** day of **January**, 20 **21**.

  
 Commissioner of Oaths

James Michael Laws,  
 a Commissioner, etc.,  
 Province of Ontario,  
 for Van Harten Surveying Inc.  
 Expires **May 11, 2021**  
(Official Stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

**Alysha MAXWELL & Kristopher LAWSON**

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

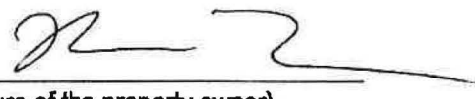
of **All of Lot 12, Part of Lot 13, Registered Plan 227 / 20 Grove Street**  
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**  
(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 28<sup>th</sup> day of December 2020.

X   
(Signature of the property owner)

X   
(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.

January 12, 2021

28138-20

Jeff.Buisman@vanharten.com

Committee of Adjustment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Mr. Juan da Silva

Dear Mr. da Silva:

**Re: Severance and Minor Variance Applications & Sketch**  
**20 Grove Street, Guelph**  
**All of Lot 12, Part of Lot 13, Plan 227**  
**Part 3, 61R-4551**  
**PIN 71337-0062**  
**City of Guelph**

Please find enclosed an application for a severance and minor variance on the above-mentioned property. Included with this submission are copies of the sketch, completed application forms, a Traffic Study by Paradigm, the required deeds, and PIN Report and Map. The application fees of \$3,273 will be paid by credit card to the City of Guelph.

**Proposal:**

The proposal is to sever the subject property at 20 Grove Street (PIN 71337-0062) to create a new parcel for urban residential purposes. The Severed Parcel will have a width of 15.3m, depth of 32.0m for an area of 575m<sup>2</sup> where a single-detached dwelling is proposed. The Retained Parcel will have a width of 21.5m, depth of 32.2m for an area of 914m<sup>2</sup> where the existing dwelling (triplex) will remain.

The Retained Parcel requires two minor variances for the parking area, and this has been included in the submission package. The requests are as follows:

- A) To permit the parking spaces to be in front of the main wall of the dwelling instead of to the rear as required in Section 4.13.2.1 of the Zoning By-law.**
- B) To permit a portion of driveway to have a maximum width of 11.5m instead of 6.5m as required in Section 4.13.7.2.1.ii) of the Zoning By-law.**

572 Weber Street North, Unit 7  
Waterloo ON N2L 5C6  
519-742-8371

Elmira, ON:  
519-669-5070

423 Woolwich Street  
Guelph, ON N1H 3X3  
519-821-2763

660 Riddell Road, Unit 1  
Orangeville, ON L9W 5G5  
519-940-4110

Collingwood, ON:  
249-499-8359

---

[www.vanharten.com](http://www.vanharten.com)



The subject property has an existing area of 1,489m<sup>2</sup> with a large, vacant side yard that will allow for a desirable development opportunity to create the severed parcel. There is an existing retaining wall that runs through most of the parcel that will be removed. The existing entrance to the property will be used for the new parcel and a traffic study (dated September 2, 2020) has been completed by Paradigm that allows for a safe entrance for the retained parcel. All R.1B Zoning requirements are met for the proposed development on the Severed Parcel.

There is an existing dwelling (triplex) and a shed that will remain on the retained parcel. The parking will be altered so that 4 parking spots are in front of the house and a fifth spot is behind the front wall. This allows for adequate parking for the triplex as well as the opportunity for cars to turn around in the parking area so that they can exit to the street in a forward motion. The new configuration requires the following variances:

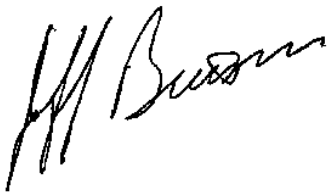
1. To allow for parking spaces be in front of the main wall of the dwelling instead of to the rear of the front wall of the house; and
2. That a portion of the driveway width will be a maximum of 11.5m instead of 6.5m.

These requests are required due to the unique nature of this lot and how this improved parking configuration does not meet the Zoning By-law. We consider these requests to be minor as they follow the general intent of the Official Plan and Zoning By-law and will not have a negative effect on the neighbouring parcels.

This proposal is very practical and provides a great opportunity for an in-fill development and to intensify the lands for residential purposes while adhering to the Residential R.1B zoning requirements for the new development and addressing a couple minor variances for the existing dwelling. Preliminary discussions were held with the City of Guelph Staff and no concerns have yet been raised.

Please call me if you or the Planning Staff have any questions.

Very truly yours,  
Van Harten Surveying Inc.



**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Phil McFadden, Sutcliffe Homes  
cc Kristopher Lawson and Alysha Maxwell

02 September 2020  
Project: 200017

Phil McFadden  
Project Development, Sales  
Sutcliffe Homes Inc.

Dear Mr. McFadden:

**RE: 18-22 GROVE STREET REDEVELOPMENT, GUELPH**

---

Paradigm Transportation Solutions Limited is preparing a Transportation Impact Brief (TIB) for the proposed redevelopment of properties known as 18-22 Grove Street in the City of Guelph.

The purpose of the TIB is to address concerns expressed by City staff about increased traffic and sight lines issues due to the proposed redevelopment.

The Terms of Reference for the TIB has been reviewed and approved by City staff. **Appendix A** includes email correspondence with City staff.

However, the TIB work has been delayed due to the lack of traffic data on Grove Street and delays to collecting data in the current COVID-19 situation.

We are providing this letter in the meantime to be included in pre-consultation submission based on the reviews we have undertaken so far.

## Study Area

The subject property is located on the north side of Grove Street, on the straight section of the Roadway between Regent Street to the west and Metcalfe Street to the east.

**Figure 1** (attached) illustrates the location of the subject property and the surrounding area.

Grove Street is a two-lane, east-west, local road that extends from Regent Street to Stevenson Road. The roadway has curb and gutters on both sides and a sidewalk in flush with the curb on the south side. The road alignment immediately east of Regent Street is on back to back horizontal curves, and the subject property has a winding street frontage along the two curves and the straight portion after the transition. The property is on a raised terrain above the roadway, and has a parapet retaining wall of varying height along the road frontage. A stairway to the property from the roadway is located towards the westerly limit of the property, while the vehicular driveway is located at the easterly limit.

Grove Street is also on a significant vertical curve with the highpoint approximately at the location of driveway to the subject property. Mostly single detached houses with driveways are located all along Grove Street. The subject property is the only developed property on the north side from Regent Street up to approximately 120 metres east of the subject property driveway.

Abutting residential properties with driveways are located on the south side. A paved parking area is located on the south side (see **Figure 1**), at the curve section of the alignment, behind the corner residential property at Regent Street and Grove Street, across from the aforementioned stairway on the north side. The first two residential properties (# 1 & 2 as marked in **Figure 1**) on the south side, opposite the subject property, are located along the road curve with two abutting driveways in between the houses.

The third property (# 3, **Figure 1**) on the south side has its driveway located offset to the west from the existing driveway to the subject property on the north side. More abutting properties with driveways are located to the west, on the south side of Grove Street.

## Proposed Redevelopment

The subject property includes an existing two-storey triplex with the above-noted driveway on Grove Street. The proposed redevelopment will retain the existing triplex and add a new single detached dwelling to east of the triplex. Four surface parking spaces will be provided for the triplex. The existing driveway will be replaced by two separate driveways, one for the existing triplex, and the other for the new single detached house at the easterly property limit.

The existing driveway is 10 metres wide and approaches Grove Street at an angle. The proposed new driveways will be 6 metres wide each and will be aligned to be perpendicular to Grove Street. The separation between the two driveways is proposed to be 13 metres, centreline to centreline, consistent with City Development Engineering Standards.<sup>1</sup>

Based on ITE<sup>2</sup> trips generation rates, the existing triplex will generate approximately two trips during the AM peak hour (0 inbound, 2 outbound), and 3 trips during the PM peak hour (2 inbound, one outbound).

The new single detached unit will generate one trip outbound during the AM peak hour, and one trip inbound during the PM peak hour.

The site generated trips are virtually the same as at present without redevelopment and will not have any additional impact on Grove Street traffic flows.

The proposed driveway arrangement is similar to existing driveway locations on the south side and is an improvement on the existing angular driveway at the subject property. The driveway

---

<sup>1</sup> City of Guelph Development Engineering Manual. Section 6.3.4.3 (Table 5, Figure 9)

<sup>2</sup> Institute of Transportation Engineers, Trip Generation Manual 10<sup>th</sup> Edition, 2017.



arrangement is appropriate for safe driveway operations given the low traffic volumes and established neighbourhood driving habits on Grove Street.

## Summary

Our above review indicates that the proposed redevelopment is a feasible undertaking and can potentially be implemented in conformance with the City's requirements as may be identified during pre-consultation. We would be pleased to address them in the proposed Transportation Impact Brief as part of the Site Plan application for the proposed redevelopment.

We trust the above review and summary provided herein would satisfy the City's pre-consultation requirements. Please feel free to contact me should you have any questions.

Yours truly,

**PARADIGM TRANSPORTATION SOLUTIONS LIMITED**

A handwritten signature in black ink, appearing to read 'Rajan Philips', with a stylized flourish at the end.

**Rajan Philips**

M.Sc, P.Eng.

Senior Transportation Consultant



## Attachments







## **Appendix A**

### **Pre-Study Consultation**





## Maddison Murch

---

**From:** Munshif Muccaram <Munshif.Muccaram@guelph.ca>  
**Sent:** April 24, 2020 12:50 PM  
**To:** Maddison Murch; Gwen Zhang  
**Cc:** Rajan Philips; Phill McFadden  
**Subject:** RE: RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Maddison,

We agree with the proposed approach and a traffic operational analysis shall be completed after traffic is return to normal.

Thank you,

**Munshif Muccaram**, Traffic Technologist II  
Engineering and Transportation Services, **Infrastructure, Development & Enterprise**  
**City of Guelph**  
519-822-1260 extension 2043  
[munshif.muccaram@guelph.ca](mailto:munshif.muccaram@guelph.ca)

---

**From:** Maddison Murch <mmurch@ptsl.com>  
**Sent:** Friday, April 24, 2020 9:37 AM  
**To:** Gwen Zhang <Gwen.Zhang@guelph.ca>; Munshif Muccaram <Munshif.Muccaram@guelph.ca>  
**Cc:** Rajan Philips <rphilips@ptsl.com>; Phill McFadden <pmcfadden@sutcliffehomes.ca>  
**Subject:** RE: RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Munshif and Gwen,

We would like to follow up on our earlier correspondence, and given the lack of traffic data on Grove Street, we suggest the following approach to address the City's concerns regarding the proposed redevelopment, for review and approval:

Grove Street carries low volumes of traffic and the proposed redevelopment is not going to generate significant traffic to impact the driveway operation or road capacity. At the same time, we appreciate the City's concern for safety given the vertical profile of the road and existing driveway spacings.

To that end, we will carry out an access review to identify and ensure conformance with applicable design standards.

We would like to know if the Site Plan application can go forward if the access review report and conclusions are acceptable to City staff.

In addition, if City staff would like a driveway traffic operational analysis to be carried out, that could be a condition of approval to be satisfied when new traffic counts can be undertaken after roadway traffic conditions return to normal following the current COVID-19 crisis.

We look forward to your review and approval of this approach.

Thank you,

**Maddison Murch, EIT**

*Transportation Consultant*



**Paradigm Transportation Solutions Limited**

p: 519.896.3163 x205

e: [mmurch@ptsl.com](mailto:mmurch@ptsl.com)

*In these very uncertain times, we want to take this opportunity to assure you that our unique “work at home” business model enables us to offer uninterrupted support to our clients, ensuring we can continue to offer the high-quality service and work product we always have. We are fully operational and our staff are diligently working on our assignments with you.*

*As social distancing is imperative to stop the spread of the COVID-19 virus, we will not be conducting in-person meetings until we are advised by the proper authorities that it is safe to do so. In the meantime, we have the technology to host on-line meetings in various forms and will be using it to communicate with you.*

*Let's stay safe and look out for each other. We will get through this together.*

## Maddison Murch

---

**From:** Gwen Zhang <Gwen.Zhang@guelph.ca>  
**Sent:** March 17, 2020 4:51 PM  
**To:** Maddison Murch  
**Cc:** Rajan Philips; Phill McFadden; Munshif Muccaram  
**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Maddison,

We generally agreed with the proposed ToR.

Thanks,  
**Gwen Zhang, M.Sc., P.Eng** | Transportation Planning Engineer  
**Engineering and Transportation Services**  
T 519-822-1260 x 2638  
E [gwen.zhang@guelph.ca](mailto:gwen.zhang@guelph.ca)

---

**From:** Maddison Murch <mmurch@ptsl.com>  
**Sent:** Thursday, March 12, 2020 8:37 AM  
**To:** Gwen Zhang <Gwen.Zhang@guelph.ca>  
**Cc:** Rajan Philips <rphilips@ptsl.com>; Phill McFadden <pmcfadden@sutcliffehomes.ca>  
**Subject:** 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Gwen,

Paradigm Transportation Solutions Limited has been retained to complete a Transportation Impact Brief for a proposed residential redevelopment located at 18-22 Grove Street in the City of Guelph. The proposed redevelopment consists of the existing building on the subject lands, a new two-storey building, four surface parking spaces and a relocated common driveway. A portion of the land is also expected to be severed from the redevelopment parcel. A preliminary concept plan is attached.

We will prepare the TIB based on the following assumptions, and would ask for these to be reviewed/confirmed:

- Weekday AM and PM peak hours of adjacent roads for analysis
- Study area to include the following intersections:
  - o Grove Street and Regent Street; and
  - o Relocated driveway on Grove Street.
- Horizon Year: Five years from TIS submission (2025).
- Background Growth Rate: 1.5% per annum **Please confirm. Agreed.**
- Background Developments: **Please confirm and provide corresponding TIS reports and/or site statistics. N/A**
- Background roadway improvements: **Please confirm and provide as-built (plan and profile) drawings for Grove St, if available.**
- Trip Distribution: Existing traffic patterns.
- Trip Generation: ITE Trip Generation Manual 10<sup>th</sup> Edition.
- Site lines assessment at the relocated driveway on Grove Street.

Please let us know if you have any comments or questions.

Regards,

**Maddison Murch, EIT**  
*Transportation Consultant*



**Paradigm Transportation Solutions Limited**

5A-150 Pinebush Road, Cambridge ON N1R 8J8  
p: 519.896.3163 x205  
e: [mmurch@ptsl.com](mailto:mmurch@ptsl.com)  
w: [www.ptsl.com](http://www.ptsl.com)

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## Maddison Murch

---

**From:** Gwen Zhang <Gwen.Zhang@guelph.ca>  
**Sent:** March 17, 2020 4:39 PM  
**To:** Maddison Murch; Munshif Muccaram  
**Cc:** Rajan Philips; 'Phill McFadden'  
**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Maddison,

We would not recommend conducting traffic survey for now. It is better to wait till the traffic becomes normal.

Thanks,

Gwen

---

**From:** Maddison Murch <mmurch@ptsl.com>  
**Sent:** Tuesday, March 17, 2020 9:28 AM  
**To:** Gwen Zhang <Gwen.Zhang@guelph.ca>; Munshif Muccaram <Munshif.Muccaram@guelph.ca>  
**Cc:** Rajan Philips <rphilips@ptsl.com>; 'Phill McFadden' <pmcfadden@sutcliffehomes.ca>  
**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Gwen,

Thank you for checking. Would it be acceptable to conduct traffic counts this week or next?

Thanks,

**Maddison Murch, EIT**  
*Transportation Consultant*



### Paradigm Transportation Solutions Limited

p: 519.896.3163 x205  
e: mmurch@ptsl.com

---

**From:** Gwen Zhang <[Gwen.Zhang@guelph.ca](mailto:Gwen.Zhang@guelph.ca)>  
**Sent:** March 16, 2020 5:37 PM  
**To:** Maddison Murch <[mmurch@ptsl.com](mailto:mmurch@ptsl.com)>; Munshif Muccaram <[Munshif.Muccaram@guelph.ca](mailto:Munshif.Muccaram@guelph.ca)>  
**Cc:** Rajan Philips <[rphilips@ptsl.com](mailto:rphilips@ptsl.com)>; 'Phill McFadden' <[pmcfadden@sutcliffehomes.ca](mailto:pmcfadden@sutcliffehomes.ca)>  
**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Sorry Maddison, I was told by Traffic Engineering staff that we don't have any traffic counts at Grove Street and Regent Street.

---

**From:** Gwen Zhang  
**Sent:** Monday, March 16, 2020 1:24 PM  
**To:** 'Maddison Murch' <[mmurch@ptsl.com](mailto:mmurch@ptsl.com)>; Munshif Muccaram <[munshif.muccaram@guelph.ca](mailto:munshif.muccaram@guelph.ca)>

**Cc:** Rajan Philips <[rphilips@ptsl.com](mailto:rphilips@ptsl.com)>; Phill McFadden <[pmcfadden@sutcliffehomes.ca](mailto:pmcfadden@sutcliffehomes.ca)>

**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Maddison,

The last traffic counts at Grove Street and Regent Street were conducted about 10 years ago. We will examine the surrounding roadways to see if these counts are valid.

Regards,

Gwen

---

**From:** Maddison Murch

**Sent:** Monday, March 16, 2020 9:07 AM

**To:** Gwen Zhang ; Munshif Muccaram

**Cc:** Rajan Philips ; Phill McFadden

**Subject:** RE: 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Gwen,

We just wanted to confirm if traffic counts collected in the upcoming weeks would be acceptable due to the ongoing situation with COVID-19. If not, would you happen to have traffic counts available at the intersection of Grove Street and Regent Street as outlined below?

Thanks,

**Maddison Murch, EIT**

*Transportation Consultant*



**Paradigm Transportation Solutions Limited**

p: 519.896.3163 x205

e: [mmurch@ptsl.com](mailto:mmurch@ptsl.com)

---

**From:** Maddison Murch

**Sent:** March 12, 2020 8:37 AM

**To:** Gwen Zhang <[Gwen.Zhang@guelph.ca](mailto:Gwen.Zhang@guelph.ca)>

**Cc:** Rajan Philips <[rphilips@ptsl.com](mailto:rphilips@ptsl.com)>; Phill McFadden <[pmcfadden@sutcliffehomes.ca](mailto:pmcfadden@sutcliffehomes.ca)>

**Subject:** 200017: 18-22 Grove Street, Guelph, Pre-Study Consultation

Hi Gwen,

Paradigm Transportation Solutions Limited has been retained to complete a Transportation Impact Brief for a proposed residential redevelopment located at 18-22 Grove Street in the City of Guelph. The proposed redevelopment consists of the existing building on the subject lands, a new two-storey building, four surface parking spaces and a relocated common driveway. A portion of the land is also expected to be severed from the redevelopment parcel. A preliminary concept plan is attached.

We will prepare the TIB based on the following assumptions, and would ask for these to be reviewed/confirmed:

- Weekday AM and PM peak hours of adjacent roads for analysis
- Study area to include the following intersections:
  - o Grove Street and Regent Street; and
  - o Relocated driveway on Grove Street.
- Horizon Year: Five years from TIS submission (2025).
- Background Growth Rate: 1.5% per annum **Please confirm.**
- Background Developments: **Please confirm and provide corresponding TIS reports and/or site statistics.**
- Background roadway improvements: **Please confirm and provide as-built (plan and profile) drawings for Grove St, if available.**
- Trip Distribution: Existing traffic patterns.
- Trip Generation: ITE Trip Generation Manual 10<sup>th</sup> Edition.
- Site lines assessment at the relocated driveway on Grove Street.

Please let us know if you have any comments or questions.

Regards,

**Maddison Murch, EIT**  
*Transportation Consultant*



### **Paradigm Transportation Solutions Limited**

5A-150 Pinebush Road, Cambridge ON N1R 8J8  
 p: 519.896.3163 x205  
 e: [mmurch@ptsl.com](mailto:mmurch@ptsl.com)  
 w: [www.ptsl.com](http://www.ptsl.com)

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# COMMITTEE OF ADJUSTMENT REQUEST FOR REFUND



**It is the policy of the Guelph Committee of Adjustment that any request for refund of application fees be submitted to the Secretary-Treasurer in writing, for forwarding to the Committee of Adjustment for decision.**

**Please complete the following form outlining the details of your request. Please note that any refund will be issued to the original payee only.**

1. Application number: A-1/21 146 Starwood Drive and A-2/21 148 Starwood Drive

2. Date of hearing: January 14, 2021

3. Name of owner: 1266304 Ontario Inc

4. Name of agent (if applicable): Charlotte Balluch

5. Refund requested by: ☐ Owner ☒ Agent

6. Original payment type: ☐ Cash ☒ Cheque ☐ Credit ☐ Debit

7. Refund amount that is being requested: \$1900.00

8. Refund to be: ☒ Mailed ☐ Picked up at City Hall

9. Mailing address: 500 Hanlon Creek Blvd, Guelph, ON, N1C 0A1

10. Reasons for request (please provide as much detail as possible. Any supporting documentation can be attached to this form):

Minor variance is not required as 6.0m driveway width is permitted as-of-right within the zone.

## **Staff Use Only**

**Committee decision (circle one):** Approve / Refuse

**Date of decision:**

**Refund amount:**

**Date cheque requisition sent:**