Committee of Adjustment Meeting Agenda



Thursday, May 12, 2022, 4:00 p.m. Council Chambers
Guelph City Hall, 1 Carden Street

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

Committee of Adjustment hearings are live streamed at <u>guelph.ca/live</u>. Members of the public who wish to speak to an application may do so in person or by electronic participation.

To listen to the meeting over the phone, call 1-416-216-5643 and enter meeting code 2337 611 3949.

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, May 12, 2022.

To contact Committee of Adjustment staff by email or phone: 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 hybrid hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person are given the opportunity to speak.

1. Call to Order

- 1.1. Opening Remarks
- 1.2. First Nations Acknowledgement

(Member Hamilton)

- 1.3. Disclosure of Pecuniary Interest and General Nature Thereof
- 1.4. Approval of Minutes
- 1.5. 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 written request.

2.1. B-6/22 43 Ridgeway Avenue

Owner: Jassal Kanwaldeep

Agent: Jeff Buisman, Van Harten Surveying Inc.

Request: Consent to create new residential lot

(Application deferred from the March 10, 2022 hearing)

2.2. B-9/22 B-10/22 A-22/22 A-23/22 A-24/22 151 Bristol Street

Owner: Madalikat Developments Ltd.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Request: Consent to create new residential lots and related variances to permit

reduced lot frontage

2.3. A-18/22 27-39 Macdonnell Street and 26-40 Carden Street

Owner: 2824955 Ontario Inc.

Agent: Lorraine Roberts, Skydev

Request: Variance to permit no off-street parking spaces and no visitor parking

spaces for the proposed mixed-use development

2.4. A-19/22 431 Woolwich Street

Owner: 2436231 Ontario Inc

Agent: Kyle Carolus, Sutcliffe Homes Inc.

Request: Permission to enlarge/extend legal non-conforming use and variance

for side yard setback for proposed residential building addition

2.5. A-20/22 155 Eramosa Road

Owner: Miles Hanscomb and Kory Ford

Agent: Colin Perry, Sequoia Woodworks

Request: Variances for setbacks of proposed residential additions and front yard

stairs projection

2.6. A-21/22 10 Ontario Street

Owner: Jeffrey Bousfield

Agent: Kevin Thompson, SmithValeriote Law Firm LLP

Request: Variance to permit no interior access between existing additional

residential dwelling unit and primary dwelling unit

2.7. B-11/22 273 Arthur Street North

Owner: Adam Ghent and Vance Wright

Agent: James Laws, Van Harten Surveying Inc.

Request: Consent to create new residential lot

3. Chair and Staff Announcements

3.1. Ontario Land Tribunal Appeal - 26 Forest Street (Files B-5/22 and A-9/22)

4. Adjournment



Committee of Adjustment Minutes

Thursday, April 14, 2022, 4:00 p.m. Remote meeting live streamed on guelph.ca/live

Members Present D. Kendrick, Chair

J. Smith, Vice Chair

M. Allison S. Dykstra K. Hamilton K. Meads

Staff Present J. da Silva, Council and Committee Coordinator

S. Daniel, Engineering Technologist T. Di Lullo, Secretary-Treasurer

K. Patzer, Planner

A. Sandor, Council and Committee Assistant

L. Sulatycki, Planner S. Wilson, Planner

Call to Order

Chair Kendrick called the meeting to order. (4:03 p.m.)

Opening Remarks

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

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Approval of Minutes

Moved by: K. Meads Seconded by: M. Allison

That the minutes from the March 10, 2022, Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

There were no requests.

Current Applications

A-55/21 14 O'Connor Lane

Owner: Courtney Ferguson and Brent Butler

Agent: N/A

Location: 14 O'Connor Lane

In Attendance: C. Ferguson, B. Butler

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from the property owners and was circulated to the Committee and staff.

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. C. Ferguson and B. Butler, property owners, 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.

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: K. Meads

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 Sections 4.5.1, Table 4.7 Rows 1 and 2, and Section 4.20.10.3 of Zoning By-law (1995)-14864, as amended, for 14 O'Connor Lane to permit:

- a. the existing accessory structure (gazebo) to be located in the exterior side yard with a minimum exterior side yard setback of 0.5 metres, when the By-law requires that an accessory building or structure may occupy a yard other than a front yard or required exterior side yard on a lot;
- b. the existing uncovered porch (deck) partially more than 1.2 metres above finished grade to be located in the exterior side yard with a minimum exterior side yard setback of 0.5 metres and a maximum projection of 3.95 metres into the required exterior side yard, when the By-law requires a minimum exterior side yard setback of 0.8 metres and a maximum projection of 3 metres into the required exterior side yard for an uncovered porch partially more than 1.2 metres above finished grade; and
- c. an existing fence height of 1.85 metres in the exterior side yard in front of the midpoint of the dwelling, when the By-law requires that within any residential zone, any fence located in the exterior side yard shall not exceed 0.8 metres in height in the remaining exterior side yard,

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

1. That the variances only apply to the existing single-storey accessory structures (gazebo and deck) and fencing in general accordance with the public notice sketch and the upper deck shall not be enlarged/expanded.

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-12/22 50 Dean Avenue

Owner: Elizabeth Donlan

Agent: Andrew Donlan

Location: 50 Dean Avenue

In Attendance: A. Donlan

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. A. Donlan, applicant, responded that the sign was posted and comments were received. The applicant indicated he did not agree with staff comments and explained reasons.

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

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: K. Hamilton

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 4.15.1.6.3 of Zoning By-law (1995)-14864, as amended, to permit no interior access between the existing additional residential dwelling unit and the primary dwelling unit, when the By-law requires interior access between floor levels and between the additional residential dwelling unit and the primary dwelling unit, be **approved**, subject to the following condition:

1. That the applicant applies for and is issued any required building permit and registration for the Additional Residential Dwelling Unit (ARDU).

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-14/22 22 Summit Crescent

Owner: John Ryan Bourdeau and Caitlin Kelly

Agent: Christine Turnidge

Location: 22 Summit Crescent

In Attendance: C. Turnidge, C. Kelly

Secretary-Treasurer T. Di Lullo noted that the requested variances were amended, as the applicant removed their request for a variance regarding the existing accessory structure (shed). Secretary-Treasurer T. Di Lullo also noted that the requested variance for the proposed attached garage has been amended to increase the proposed minimum right side yard setback from 0.5 metres to 0.6 metres.

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. C. Turnidge, agent, responded that the sign was posted and comments were received. C. Turnidge noted an error on the application as submitted, in that the legal accessory apartment located on the property is a single bedroom apartment. C. Turnidge then explained the general nature of the application.

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

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: K. Meads 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, a variance from the requirements of Section 4.5.1.2 of Zoning By-law (1995)-14864, as amended, for 22 Summit Crescent, to permit a minimum right side yard setback of 0.6 metres for the proposed single-car attached garage, when the By-law requires a minimum side yard setback of 1.5 metres for 1 to 2 storey dwellings in an R.1B Zone, be **approved**, subject to the following conditions:

1. That the right-side yard setback of 0.6 metres applies only to the proposed one storey single-car attached garage, in general accordance with the public notice sketch.

- 2. That the existing rear yard shed be relocated, in general accordance with the revised sketch, to be 0.6 metres from the side and rear yard.
- 3. That prior to issuance of the Building Permit, the Owner(s), shall provide to the City, to the satisfaction of the General Manager/City Engineer, a grading plan in accordance with the City's Development Engineering Manual.

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

B-8/22 361 Whitelaw Road

Owner: Armel Corporation

Agent: Chris Corosky

Location: 361 Whitelaw Road

In Attendance: C. Corosky

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. C. Corosky, Agent, responded that the sign was posted and comments were received. C. Corosky explained the general nature of the application.

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

Having had regard to the matters under Section 51(24) 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 proper and orderly development of the land,

Moved by: K. Meads

Seconded by: K. Hamilton

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 severance of a portion of Part Lot 5, Concession 1, Division 'B', being Part 4 of Plan 61R-3806 and Part 1 of Plan 61R-9602, currently known as 361 Whitelaw Road, a parcel with frontage along Paisley Road of 189.5 metres, and an area of 70,100 square metres, substantially in accordance with a sketch prepared by BSR&D Inc. dated March 7, 2022, reference number 22-14-666-00, be **approved**, subject to the following conditions:

- That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
- 2. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
- 3. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).
- 4. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.

Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

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-15/22 14 Clarence Street

Owner: Ashley Marshall and Steven Macdougall

Agent: Kyle Marshall

Location: 14 Clarence Street

In Attendance: K. Marshall

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from S. Cornwell and J. Ottenhof in favour of the application, and from G. Sheffield, expressing concerns about the application. Copies of the correspondence were circulated to staff, members and the applicant.

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. K. Marshall, 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.

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: K. Hamilton 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 4.5.2.1 of Zoning By-law (1995)-14864, as amended, to permit the proposed accessory building (detached garage) to have a maximum building height of 5 metres, when the By-law requires a maximum building height of 3.6 metres for an accessory building within a residential zone, be **approved**, subject to the following conditions:

1. That the requested variance applies only to the proposed accessory building (detached garage), in general accordance with the public notice sketch and submitted elevation plans.

- 2. That prior to the issuance of the building permit, the existing accessory structures (shop/barn) shall be demolished to the satisfaction of the Chief Building Official.
- 3. That prior to issuance of the Building Permit, the Owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a grading plan in accordance with the City's Development Engineering Manual.

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-16/22 148 Cardigan Street

Owner: Eric Dermody and Vanessa (Tess) Daunt

Agent: N/A

Location: 148 Cardigan Street

In Attendance: E. Dermody

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. E. Dermody, applicant, responded that the sign was posted and comments were received. E. Dermody noted he was not in agreement with staff comments and explained the general nature of the application.

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

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: K. Meads 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 ii) of Zoning By-law (1995)-14864, as amended, for 148 Cardigan Street, to permit two existing residential driveway accesses on the property, when the By-law requires that 1 driveway (residential) access only shall be created per residential property, be **approved.**

Reasons:

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

AND

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 5.1.2 Rows 7 and 8, and Section 4.15.1.7.8 of Zoning By-law (1995)-14864, as amended, to permit:

- a minimum right side yard setback of 0.7 metres for the proposed addition to the primary dwelling, when the By-law requires a minimum side yard setback of 1.5 metres for 1 to 2 storey dwellings in a R.1B Zone;
- b. a minimum rear yard setback of 0.42 metres for the proposed addition to the primary dwelling, when the By-law requires a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 3.35 metres], whichever is less;
- c. a minimum left side yard setback of 0.41 metres for the proposed accessory dwelling unit in a separate building, when the By-law requires that an additional residential dwelling unit in a separate building on a lot shall have a minimum side and rear yard setback consistent with the side yard setback for the primary dwelling [being a minimum setback of 1.5 metres]; and
- d. a minimum rear yard setback of 1.39 metres for the proposed accessory dwelling unit in a separate building, when the By-law requires that an additional residential dwelling unit in a separate building on a lot shall have a minimum side and rear yard setback consistent with the side yard setback for the primary dwelling [being a minimum setback of 1.5 metres],

be **refused**.

Reasons:

These minor variance requests are refused, as it is the opinion of the Committee that these variance requests do not meet all four tests under Section 45(1) of the Planning Act as outlined in the staff comments document, specifically being that the requested variances do not represent appropriate development of the lands, and the safety and setback concerns with the adjacent rail corridor.

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-17/22 68 Suffolk Street West

Owner: Dublin Street United Church

Agent: Chris Golding

Location: 68 Suffolk Street West

In Attendance: C. Golding

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. C. Golding, 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.

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: K. Meads

Seconded by: K. Hamilton

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 4.20.3 of Zoning By-law (1995)-14864, as amended, to permit a proposed fence with a height of 1.2 metres to be within 0 metres of the street line in the exterior side yard, when the By-law requires that any fence within an Institutional Zone shall not

be within 4 metres of the street line unless the height of such fence is less than 0.8 metres, be **approved**, subject to the following conditions:

- 1. That the 1.2-metre-tall fence with a 0 metres setback from the street line in an exterior side yard applies only to the proposed fence, in general accordance with the public notice sketch.
- 2. That prior to the issuance of any building permit, the owner(s) shall enter into, or amend any existing, encroachment agreement(s) in accordance with City Lands Encroachments By-law (2009)-18799 as may be amended from time to time, or any successor By-law(s) thereto, at the discretion of the City and to the satisfaction of the City Solicitor, for any and all actual or proposed encroachments within the City's right of way.

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

Requests

Deferral Fee Refund Request for File A-55/21 (14 O'Connor Lane)

Owner: Courtney Ferguson and Brent Butler

Agent: N/A

Location: 14 O'Connor Lane

In Attendance: C. Ferguson and B. Butler

Secretary-Treasurer T. Di Lullo indicated that the applicants for file A-55/21 for 14 O'Connor Lane, C. Ferguson and B. Butler, submitted a fee refund request of the deferral fee in the amount of \$393.00.

Moved by: K. Hamilton Seconded by: J. Smith

That a partial refund of 50 percent (\$196.50) of the deferral fee for minor variance file A-55/21 (14 O'Connor Lane) be **approved**.

Carried

Application Fee Refund Request for File A-12/22 (50 Dean Avenue)

This application fee refund request was withdrawn by the applicant during the hearing.

Chair and Staff Announcements

Hybrid Committee of Adjustment Hearings

Secretary-Treasurer T. Di Lullo provided an update on the transition to hybrid Committee hearings.

Member K. Hamilton left the hearing. (6:11 p.m.)

Adjournment

Moved by: J. Smith Seconded by: K. Meads

That this hearing of the Committee of Adjustment be adjourned. (6:13 p.m.)

D. Kendrick, Chair

T. Di Lullo, Secretary-Treasurer

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

43 Ridgeway Avenue

Proposal:

The applicant is proposing to sever the property and create a new residential lot with one retained lot, which currently contains a detached dwelling. The existing detached dwelling is proposed to remain. The existing pool, shed and deck will be removed, and a new detached dwelling is to be constructed on the proposed severed lot.

By-Law Requirements:

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

Request:

The applicant proposes to sever a parcel of land with frontage along Malvern Crescent of 25.3 metres and an area of 614 square metres. The retained parcel will have frontage along Ridgeway Avenue of 25.9 metres and an area of 847 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, May 12, 2022

(Deferred at the March 10, 2022 hearing)

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

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: B-6/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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@quelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

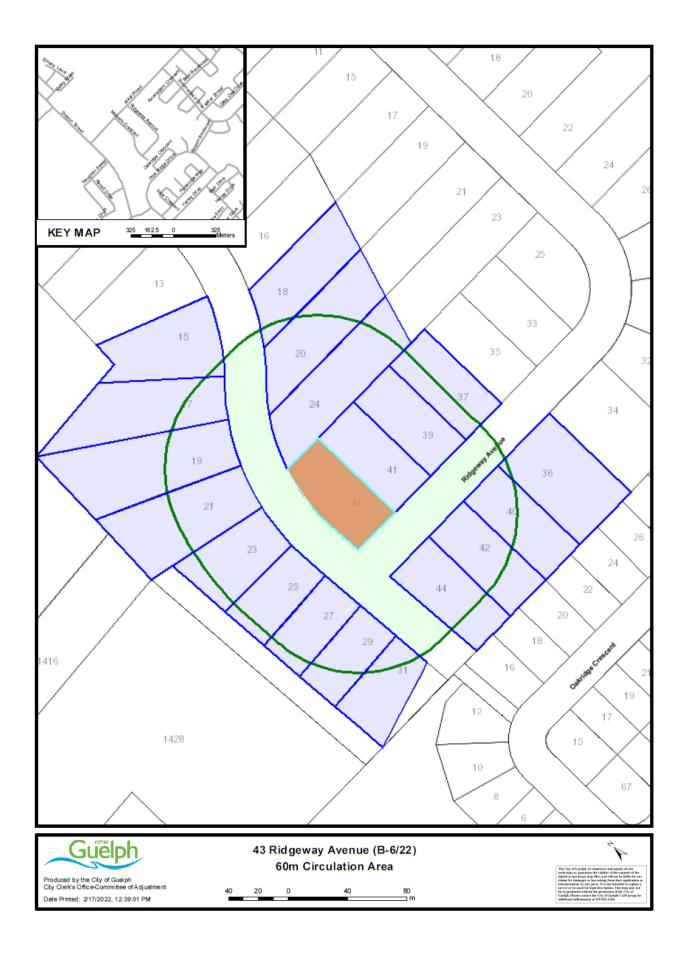
Notice Details

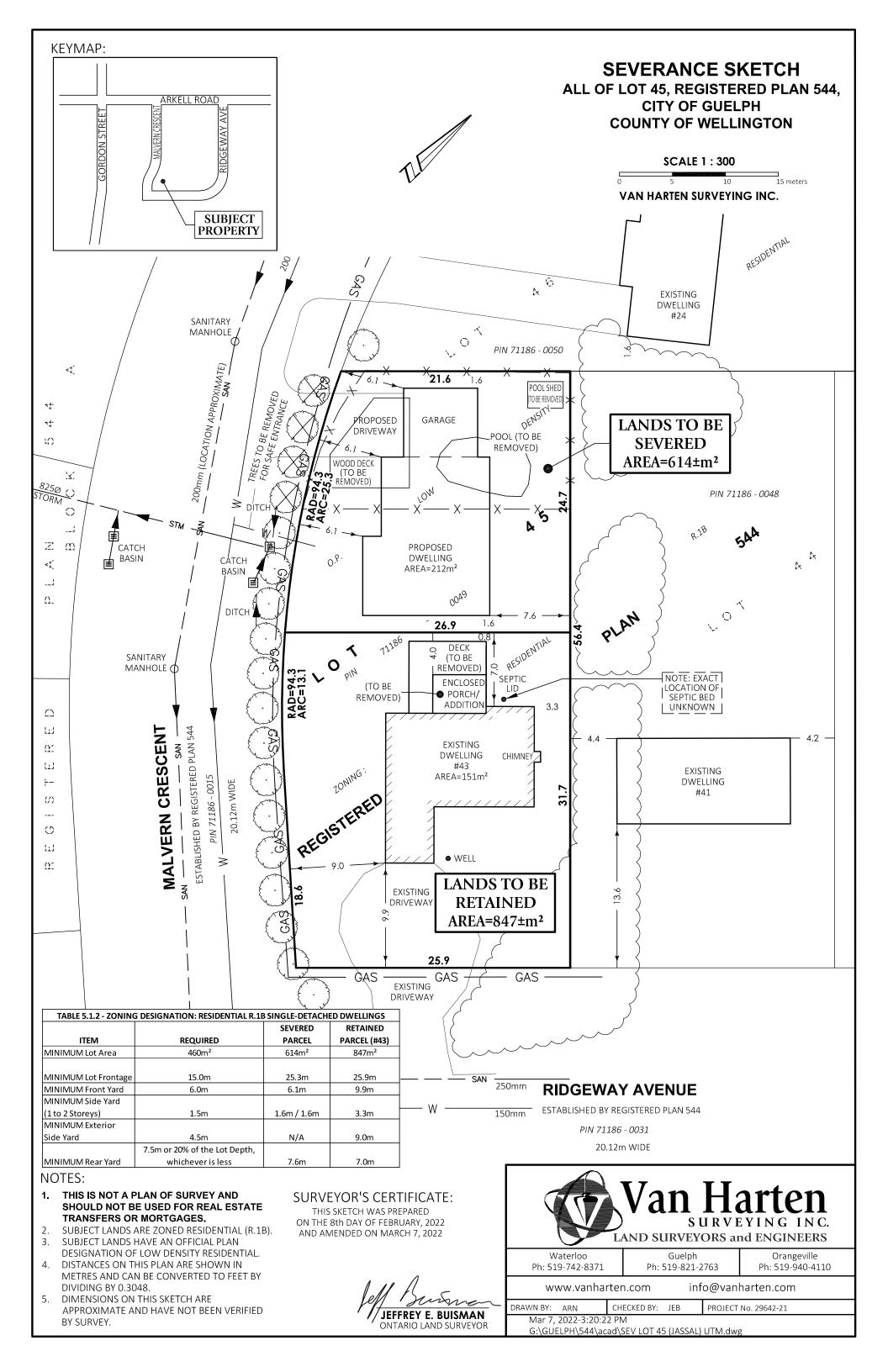
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated this April 25, 2022.

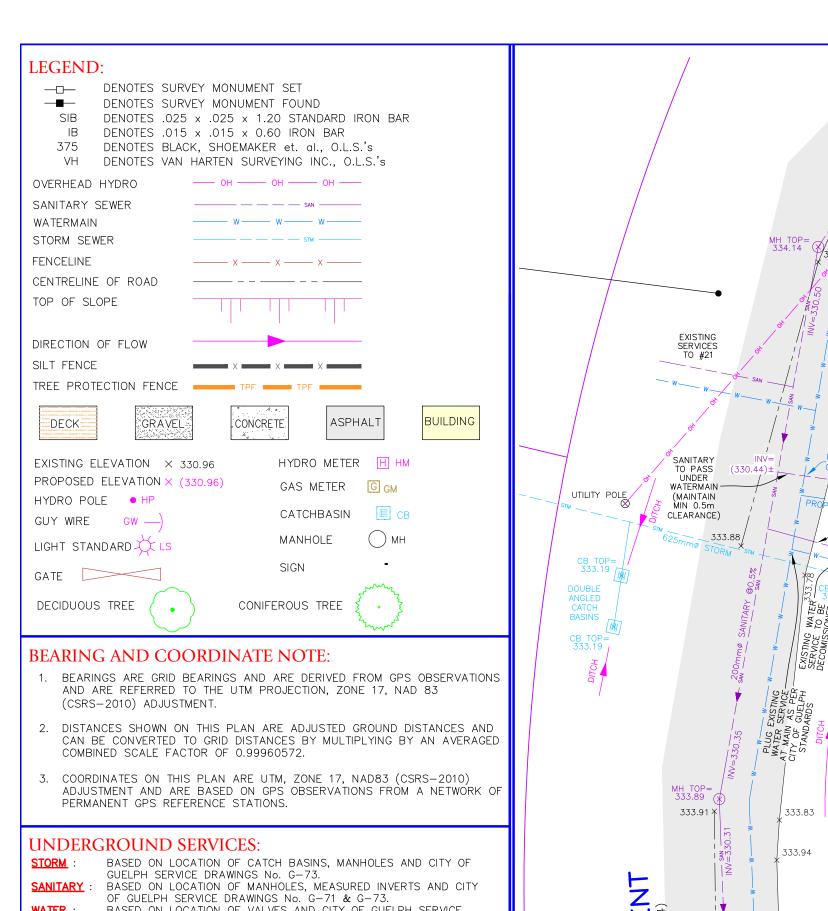
Contact Information

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

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>







OF GUELPH SERVICE DRAWINGS No. G-71 & G-73.
BASED ON LOCATION OF VALVES AND CITY OF GUELPH SERVICE

DRAWINGS No. G-71 & G-73.

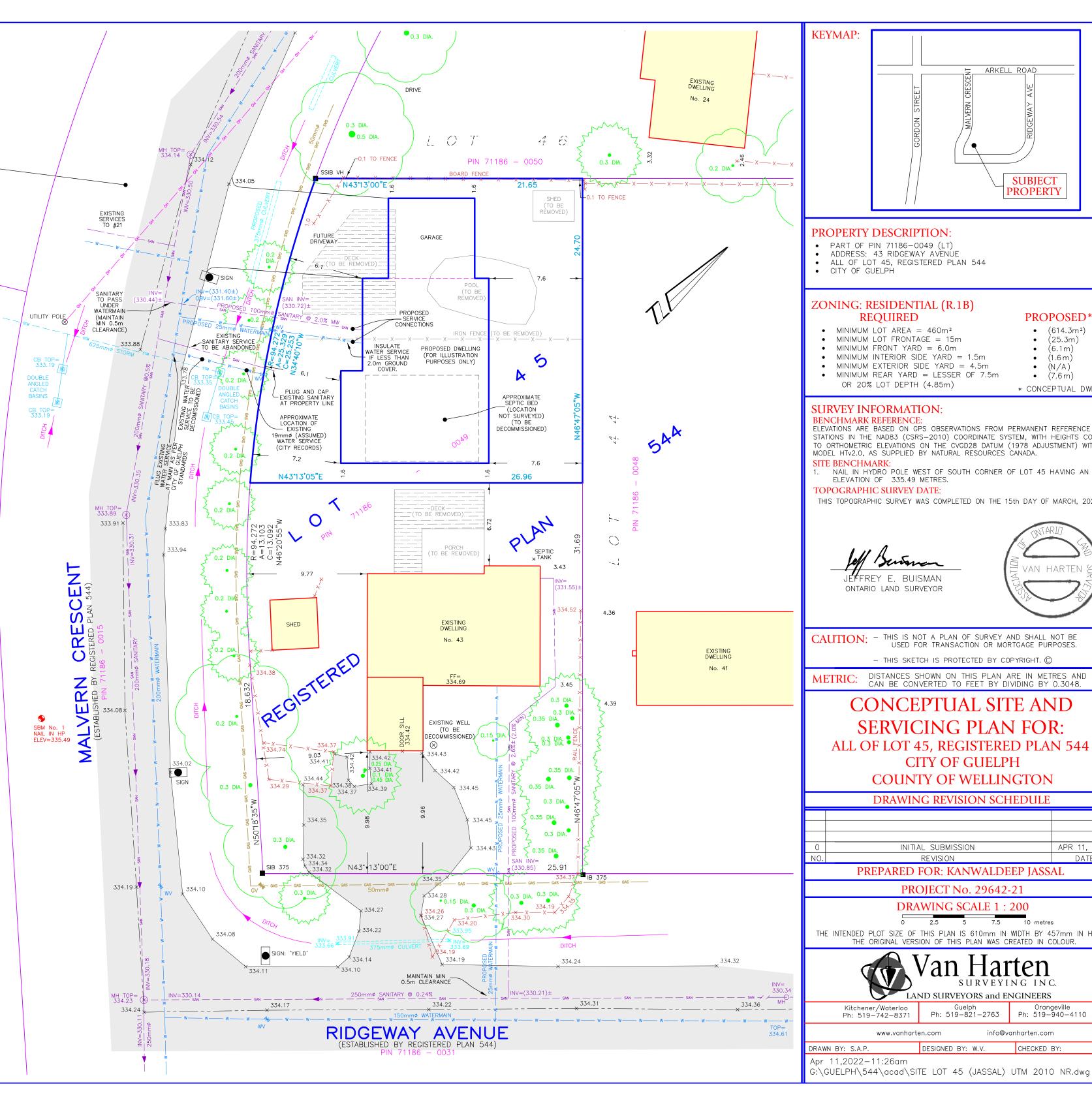
BASED ON CITY OF GUELPH SERVICE DRAWINGS No. G-71 & G-73.

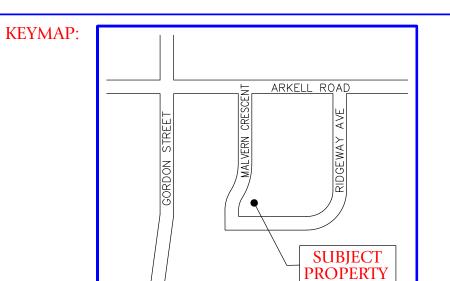
SERVICING NOTES:

- WORK IN MUNICIPAL RIGHT-OF-WAY TO BE BY CITY FORCES.
- THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY AND FROM CITY RECORDS
- PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE
- CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES. LOCATION OF EXISTING SANITARY AND WATER SERVICES TO BE CONFIRMED
- BY CITY FORCES. LOCATION OF SERVICES SHOWN AS PER CITY RECORDS.
- EXISTING SERVICES ARE TO BE DECOMMISSIONED.
- EXISTING SANITARY SERVICE IS TO BE CAPPED AND PLUGGED AT THE
- EXISTING WATER SERVICE TO BE PLUGGED AT THE WATER MAIN. NEW SERVICES ARE REQUIRED.
- WATER SERVICE TO BE 25mm DIA. TYPE "K" SOFT COPPER.
- SANITARY SERVICE TO BE 100mm DIA. PVC SDR.28 @ 2.0% MINIMUM SLOPE. SUMP PUMP TO DISCHARGE TO REAR YARD.

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATIÓN OF ALL UTILITIES.





PROPERTY DESCRIPTION:

- PART OF PIN 71186-0049 (LT)
- ADDRESS: 43 RIDGEWAY AVENUE
- ALL OF LOT 45, REGISTERED PLAN 544

ZONING: RESIDENTIAL (R.1B) **REQUIRED**

- MINIMUM LOT AREA = $460m^2$
- MINIMUM LOT FRONTAGE = 15m • MINIMUM FRONT YARD = 6.0m
- MINIMUM INTERIOR SIDE YARD = 1.5m
- MINIMUM EXTERIOR SIDE YARD = 4.5m
- MINIMUM REAR YARD = LESSER OF 7.5m OR 20% LOT DEPTH (4.85m)
- (25.3m)

PROPOSED*

- (6.1m) • (1.6 m)
- (N/A)
- - (7.6 m)

* CONCEPTUAL DWELLING

SURVEY INFORMATION:

BENCHMARK REFERENCE:

ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CVGD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

NAIL IN HYDRO POLE WEST OF SOUTH CORNER OF LOT 45 HAVING AN ELEVATION OF 335.49 METRES.

TOPOGRAPHIC SURVEY DATE:

THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 15th DAY OF MARCH, 2022.





CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE

USED FOR TRANSACTION OR MORTGAGE PURPOSES.

- THIS SKETCH IS PROTECTED BY COPYRIGHT.

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

CONCEPTUAL SITE AND SERVICING PLAN FOR:

ALL OF LOT 45, REGISTERED PLAN 544 CITY OF GUELPH

COUNTY OF WELLINGTON

DRAWING REVISION SCHEDULE

0	INITIAL SUBMISSION	APR 11, 2022
NO.	REVISION	DATE

PREPARED FOR: KANWALDEEP JASSAL

PROJECT No. 29642-21

DRAWING SCALE 1:200

THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 457mm IN HEIGHT. THE ORIGINAL VERSION OF THIS PLAN WAS CREATED IN COLOUR.



Kitchener/Waterloo Ph: 519-821-2763 Ph: 519-742-8371

Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

CHECKED BY: DESIGNED BY: W.V.

DRAWN BY: S.A.P. Apr 11,2022-11:26am

Committee of Adjustment Application for Consent



Consultation with City staff is	OFFICE USE ONLY				
encouraged prior to submission	Date Received: Feb. 8, 2022	Application #:			
of this application.	Application deemed complete: X Yes No	B-6/22			

TO BE COMPLETED BY APPLICANT

Was there i	pre-consultation with	Planning	Services staff?	Yes 🗶	No □
1140 tilolo	pio odiloditationi miti	i idililiiig	Out tiods stail.	I CO A	140

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: 43 Ridgeway Avenue, Guelph								
Legal description of property (registered plan number and lot number or other legal description):								
Lot 45, Registered Plan 544, Guelph								
Are there any easeme If yes, describe:	Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? X No □ Yes If yes, describe:							
·	to any mortgages, easements, right-of-ways or	•	□ Ne	Yes				
	rtgage as in INST No WC641013 NER(S) INFORMATION: (Please indicate			/Dood of Land				
REGISTERED OW	AEK(5) HAPOKMATION. (Flease illulcati	e Hame(S) exac	uy as shown on transiei	Deed of Land)				
Name:	Kanwaldeep JASSAL							
Mailing Address:	1398 Gordon Street, Unit 1							
City:	Guelph	Postal Code:	N1L 1C8					
Home Phone:	519-841-9112	Work Phone:						
Fax:		Email:	kjassal@purbavi	sion.com				
AGENT INFORMAT	Γ ΙΟΝ (If Any)							
Name:	Jeff Buisman							
Company:	Van Harten Surveying Inc.			74				
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@van	narten.com				

PURPOSE OF APPLI	CATION (please ch	eck a	ppropriate	sp	ace):			
[X] Creation of a New Lo	ot	ĺ] Easemen	ıt		[] Right-of-Way	
[] Charge / Discharge		[] Correction	on of	Title	[] Lease	
[] Addition to a Lot(su	ubmit deed for the land	ds to w	hich the par	cel v	vill be added)	[] Other: Explain	
The proposal is to sevexisting pool, pool she #43 Ridgeway Avenue for more details.	ed and deck that are	to be	removed as	nd a		se	d. The Retained	Parcel is known as
Name of person(s) [purcha Unknown				d or	interest in land is intend	ed	to be conveyed, le	eased or mortgaged
DESCRIPTION OF LA	ND INTENDED TO	BE S	EVERED		ř			
Frontage / Width: (m) 25.3m	Depth (m) 26.9m	Area:	^(m²) 614m²		Existing Use: Residentia	ıl	Proposed Use	No Change
Existing Buildings/Structures:	Pool, Pool Sh Deck (All to b				Proposed Buildings / Struct	ures	Dwe	lling
Use of Existing Buildings/St	ructures (specify):	Resid	dential		Proposed Use of Building	s/S	tructures (specify):	No Change
DESCRIPTION OF LA	ND INTENDED TO	BE R	ETAINED					
Frontage / Width: (m) 25.9m	Depth (m) 31.7m	Area:	(m²) 4 7m ²		Existing Use: Residential		Proposed Use	No Change
Existing Buildings/Structures: Dwelling				Proposed Buildings / Structures: Dwelling to remain but enclos porch / deck to be remove				
Use of Existing Buildings/Structures (specify): Residential			ntial		Proposed Use of Building	s/S	tructures (specify):	No Change
TVDE OF A 00F00 T	THE DETAINED I	AND	•	Τ.	VDE OF A 00500 TO	71	IF OFVEDED I	ANDO
TYPE OF ACCESS TO			5	1	YPE OF ACCESS TO	11		
□ Provincial Highway	X Municipal F			1	Provincial Highway		Municipal	
☐ Private Road	□ Right-of-W	ay			Private Road		☐ Right-of-V	vay
□ Other (Specify)					Other (Specify)			
TYPE OF WATER SU	PPLY TO THE RET	AINE	D LANDS	T	PE OF WATER SUP	PL	Y TO THE SEV	ERED LANDS
▼ Municipally owned and o	perated Privately	Owne	d Well	X	Municipally owned and ope	erat	ed Privately	Owned Well
□ Other (Specify)					Other (Specify)			
TYPE OF SEWAGE D RETAINED LANDS	ISPOSAL PROPOS	SED T	O THE		PE OF SEWAGE DISEVERED LANDS	PC	OSAL PROPOS	ED TO THE
X Municipally owned and o	perated ☐ Septic T	ank		X	Municipally owned and ope	rate	ed □ Septic Ta	ank
□ Other (Explain)					Other (Explain)			

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?	Is any portion of the located within a flo		be severed or re	tained		
X No ☐ Yes	X 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 Officia	I Plan?	X YES	□NO			
If yes, provide an explanation of how the application conforms with the City	of Guelph Official Pla	n:				
The property is designated as Low Density Residential in objectives outlined in Section 9.3 of the Official Plan for severance which will create a new parcel for residential listed in Section 10.10.1 of the OP.	Residential Desig	nations.	This proposal i	s for a		
If no, has an application for an Official Plan Amendment been submitted?		□ YES	X NO			
File No.: Statu	S:					
What is the current zoning designation of the subject land Residential R.1B	s:					
	!-4!	W)/E0	= NO			
Does the proposal for the subject lands conform to the ex	isting zoning?	X 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 St. Act? XYES NO Provide explanation: Section 1.1.3 of the PPS directs growth to occur within s which to create a new parcel for residential purposes an	ettlement areas. ⁻	Γhis appli	cation is for a			
Does this application conform to the Growth Plan for the Growth Plan for the Growth Plan for the GGH is coordinating for growth employment forecasts. This application is for a severan conforms with the Growth Plan. Is the subject land within an area of land designated under If yes, indicate which plan(s) and provide explanation:	across the regio	n includin v resident	ng population a lial parcel and t	therefore,		

HIS	TORY OF SUBJECT LAND					
Has	the subject land ever been the	subject c	of:			
a)	a) An application for approval of a Plan of Subdivision under section 51 of the <i>Planning A</i>				□ YES	X NO
	If yes, provide the following:					
	File No.:	_ Status:	8			
L١	An application for Concept under	aadiaa E	O of the	Planning AdV	= VE0	P4110
D)	An application for Consent under	section 5	3 of the i	Planning Act?		X NO
	If yes, provide the following:					
	File No.:	Status:	=			
ls th	nis application a resubmission of a	previous	application	on?	□ YES	X NO
				opplication has changed from the original applica		Ano
						**
Has	any land been severed from the p	arcel orig	inally ac	quired by the owner of the subject land	? □YES	X NO
If ve	s, provide transferee's name(s), date of tra	ansfer. and	uses of th	e severed land:		^
,	(-),					
						_
S TL	IE SUBJECT LAND THE SUBJEC	T OF AN	IY OF TH	HE FOLLOWING DEVELOPMENT TYP	PE APPLICATION	NS2
O 11.	ie dobolot earb the dobole	No No	Yes	File Number and File Status	LAITEIOAIN	J110 :
Offic	cial Plan Amendment	X		The Hamber and The States		
	ing By-law Amendment	X		*		
	of Subdivision	X				
	Plan	X				
Buil	ding Permit	X				
Min	or Variance	X				
Prev	vious Minor Variance Application	X				

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 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

AFF	<u>IDAVIT</u>
i/We,Jeff Buisman of Van Harten Surveyi	ng Inc, of the City/ Town o f
Guelph in County/Regional Mur	nicipality of, 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 Eviden	ce Act.
Signature of Applicant or Authorized Agent	Signature of Applicant or Authorized Agent
NOTE: The signature of applicant or authorized ag Commissioner is available when submitting the a	
Declared before me at the	
A CONTRACTOR OF THE CONTRACTOR	in the County/ Regional Municipality of
(city or town) Wellington this da	y of flbrum, 2022.
James Michael Laws, a Commissioner, etc., Province of Ontario, for Van Harten Surveying inc. Expires May 11, 20%	
	(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

ALL ORTHOLINE AND AUTHORIZATION
I / We, the undersigned,
Kanwaldeep JASSAL
[Organization name / property owner's name(s)]
being the registered property owner(s) of
Lot 45, Registered Plan 544, Guelph / 43 Ridgeway Avenue
(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 day of FEB
A
(Signature of the property owner) (Signature of the property owner)
NOTES:
 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).
 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.



LAND SURVEYORS and ENGINEERS

February 8, 2022 29642-21 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 Application & Sketch 43 Ridgeway Drive Part of Lot 45, Plan 544 PIN 71186-0049 City of Guelph

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, the required deeds, and PIN Report and Map. Payment of \$2,507 for the application fee will be made after submission.

Proposal:

The proposal is to sever the above-mentioned property (PIN 71186-0049) for urban residential purposes. The Severed Parcel will have a frontage of 25.3m along Malvern Crescent, depth of 26.9m, for an area of 614±m². The existing pool, shed and deck will be removed, and a new single-detached dwelling is proposed.

The Retained Parcel (known as #43 Ridgeway Avenue) is a corner lot and will have a frontage of 25.9m along Ridgeway Avenue, frontage of 31.7m along Malvern Crescent, for an area of 847±m² where the existing dwelling will remain. There is an enclosed porch/deck that will be removed from the north portion of the house. Access from Ridgeway Avenue will remain.

The zoning for the subject property is Residential R.1B and the zoning requirements are met for both the Severed and Retained Parcel. This proposal is utilizing the corner lot where access to the rear yard of the severed parcel is available. This is an effective use of open space, in a desirable area and where services are available.

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



LAND SURVEYORS and ENGINEERS

We provide the opinion that the proposal provides a good opportunity for development within Guelph where services are available. The Zoning requirements can be met for each parcel. The frontage and area requirements are over the required minimums. A conceptual dwelling is shown on the severed parcel which demonstrates that zoning requirements for side, rear and front yards can be met for the conceptual dwelling that has a ground floor area of 212m². The side, rear and front yards can also be met for the retained dwelling after the enclosed porch is removed.

The property has an Official Plan designation of Low Density Residential where a single-detached dwelling is permitted. Section 9.3 of the Official Plan reviews the Objectives of "Residential Uses" such as Low Density Residential and this application aligns with the objectives listed including:

- a) To ensure that an adequate amount of residential land is available to accommodate the anticipated population growth over the planning horizon.
- b) To facilitate the development of a full range of housing types, affordability, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents, throughout the city.
- f) To maintain the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification.
- g) To direct new residential development to areas where municipal services and infrastructure are available or can be provided in an efficient and cost effective manner.
- i) To ensure new development is compatible with the surrounding land uses and the general character of neighbourhoods.
- j) To promote innovative housing types and forms in order to ensure accessible, affordable, adequate and appropriate housing for all socioeconomic groups.
- k) To ensure that existing and new residential development is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling or the use of transit.

There is a very high demand of housing and intensification within Guelph and this provides a great in-fill development where a new dwelling is proposed, zoning can be met, where servicing is provided and utilizing open space that can support a building envelope.

A similar severance and minor variance application (B-24/15 & A-98/15) were approved for a corner lot at Arkell Road and Ridgeway Avenue. This other application had a lot of 545m² and another of 866m² and required one minor variance. The application being submitted has a better configuration in that the smaller lot is bigger (614m²) and no minor variance is required.

Another similar example in the neighbourhood is the development of 6, 8, 14, 16 Ridgeway which were developed in 2003. These parcels have an area of 409m², 893m², 677m² and 570m², respectively. These lot sizes and configurations are similar in nature as to what is being proposed.

We have reviewed this Planning and Engineering staff on a preliminary consultation basis and no concerns have been raised. The only comment is that some of the trees in the front of the severed parcel will have to be removed and that some form of tree compensation would be required.

LAND SURVEYORS and ENGINEERS

Overall, this proposal is very practical and provides a great opportunity for an in-fill development and to slightly intensify the lands for residential purposes while adhering to all Residential R.1B zoning requirements.

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 Kanwaldeep Jassal

DECISION

Committee of Adjustment Application Number B-6/22



Moved, seconded and carried:

That consent application B-6/22 for 43 Ridgeway Avenue, be **deferred** sine die, and in accordance with the Committee's policy on applications deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

Reasons:

This application is deferred to allow for additional time for the applicant to revise the application and address existing servicing of the proposed retained lot.

Members of the Committee of Adjustment concurring in the decision:

ABSENT

D. Kendrick

K. Ash

S. Dykstra

M Allison

K. Hamilton

I, Trista Di Lullo, 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 hearing held on March 10, 2022.

Dated: March 15, 2022

Signed:

Committee of Adjustment

Committee of Adjustment Notice of Public Hearing



Applications for Consent [New Lots] have been filed with the Committee of Adjustment

Application Details

Location:

151 Bristol Street

Proposal:

The applicant is proposing to sever the property and create two new residential lots with one retained residential lot. The existing dwelling and garage are proposed to be removed, and three new detached dwellings fronting onto Bristol Street are proposed to be constructed. Minor variances to recognize the reduced lot frontage for the proposed severed and retained lots are also proposed (files A-22/22, A-23/22 and A-24/22, see attached).

The severed and retained parcels are currently subject to an application for a zoning by-law amendment (file OZS21-011).

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone, and is located within the Special Policy Area.

Request:

The applicant proposed the following, as shown on the attached plan:

File B-9/22 - Proposed Lands to be Severed 1

Severance of a parcel of land with frontage along Bristol Street of 12.65 metres and an area of 509 square metres.

File B-10/22 - Proposed Lands to be Severed 2

Severance of a parcel of land with frontage along Bristol Street of 12.65 metres and an area of 528 square metres.

The retained parcel will have frontage along Bristol Street of 12.5 metres and an area of 542 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, May 12, 2022

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

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: B-9/22 and B-10/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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@quelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

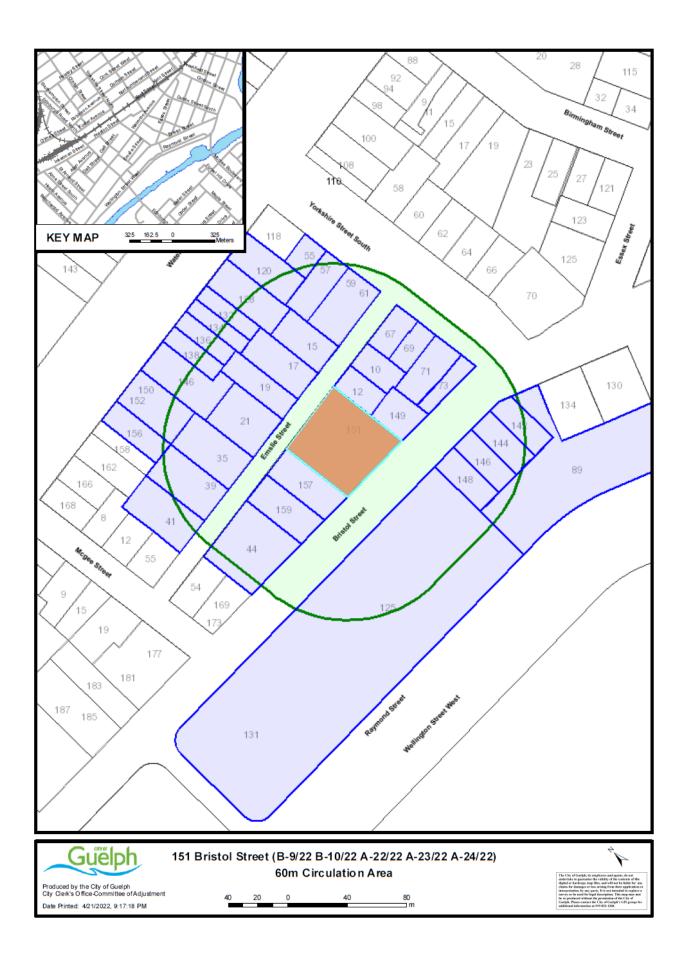
Notice Details

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated this April 25, 2022.

Contact Information

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

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



Committee of Adjustment Notice of Public Hearing



Applications for Minor Variances have been filed with the Committee of Adjustment

Application Details

Location:

151 Bristol Street

Proposal:

The applicant is proposing to sever the property and create two new residential lots with one retained residential lot (files B-9/22 and B-10/22, see attached). The existing dwelling and garage are proposed to be removed, and three new detached dwellings fronting onto Bristol Street are proposed to be constructed. Due to the proposed lot creation, minor variance applications are required to allow for the reduced lot frontage of the severed and retained parcels.

The property is currently subject to an application for a zoning by-law amendment (file OZS21-011).

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone, and is located within the Special Policy Area. Variances from Table 5.1.2 Row 4 and Section 5.1.2.6 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires a minimum lot frontage of the average lot frontage established by the existing lots within the same City block face [being 24.2 metres], but not greater than the minimum lot frontage established in Table 5.1.2 [being 15 metres].

Request:

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

File A-22/22 - Severed Parcel (Lands to be Severed 1)

a) a minimum lot frontage of 12.65 metres for the proposed severed parcel (shown as variance A on the attached plan).

File A-23/22 - Severed Parcel (Lands to be Severed 2)

a) a minimum lot frontage of 12.65 metres for the proposed severed parcel (shown as variance B on the attached plan).

File A-24/22 - Retained Parcel (Lands to be Retained)

a) a minimum lot frontage of 12.5 metres for the proposed retained parcel (shown as variance C on the attached plan).

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, May 12, 2022

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

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: A-22/22, A-23/22 and A-24/22

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 public hearing at <u>guelph.ca/live</u> or in-person and participate by submitting written comments and/or speaking to the application. 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 **May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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@quelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

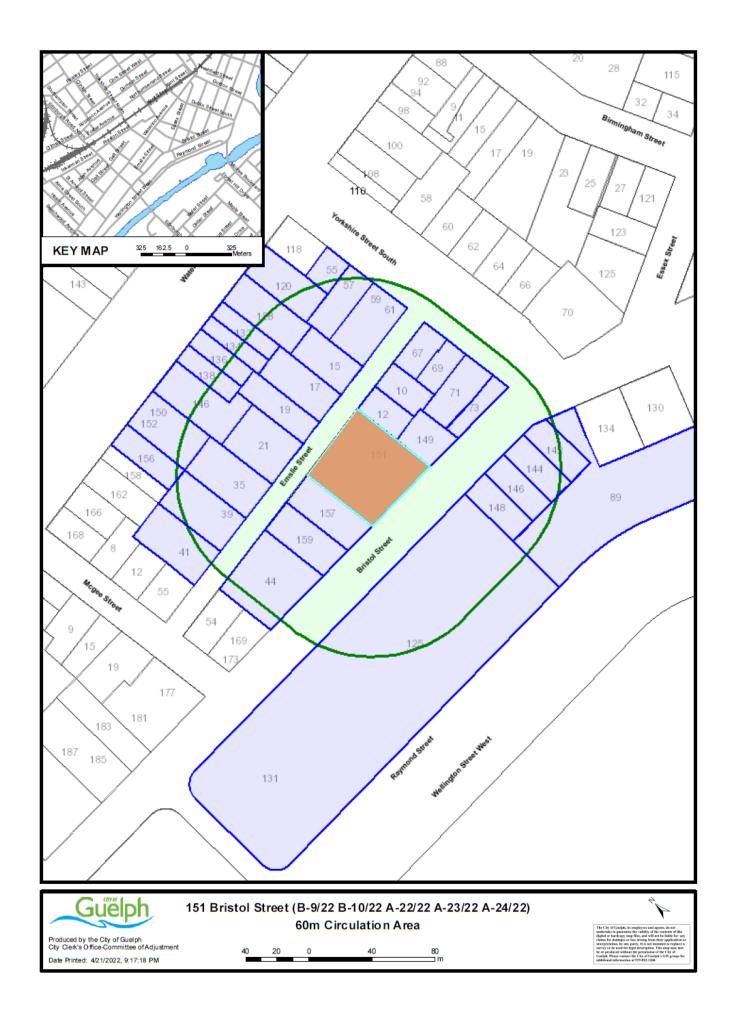
Notice Details

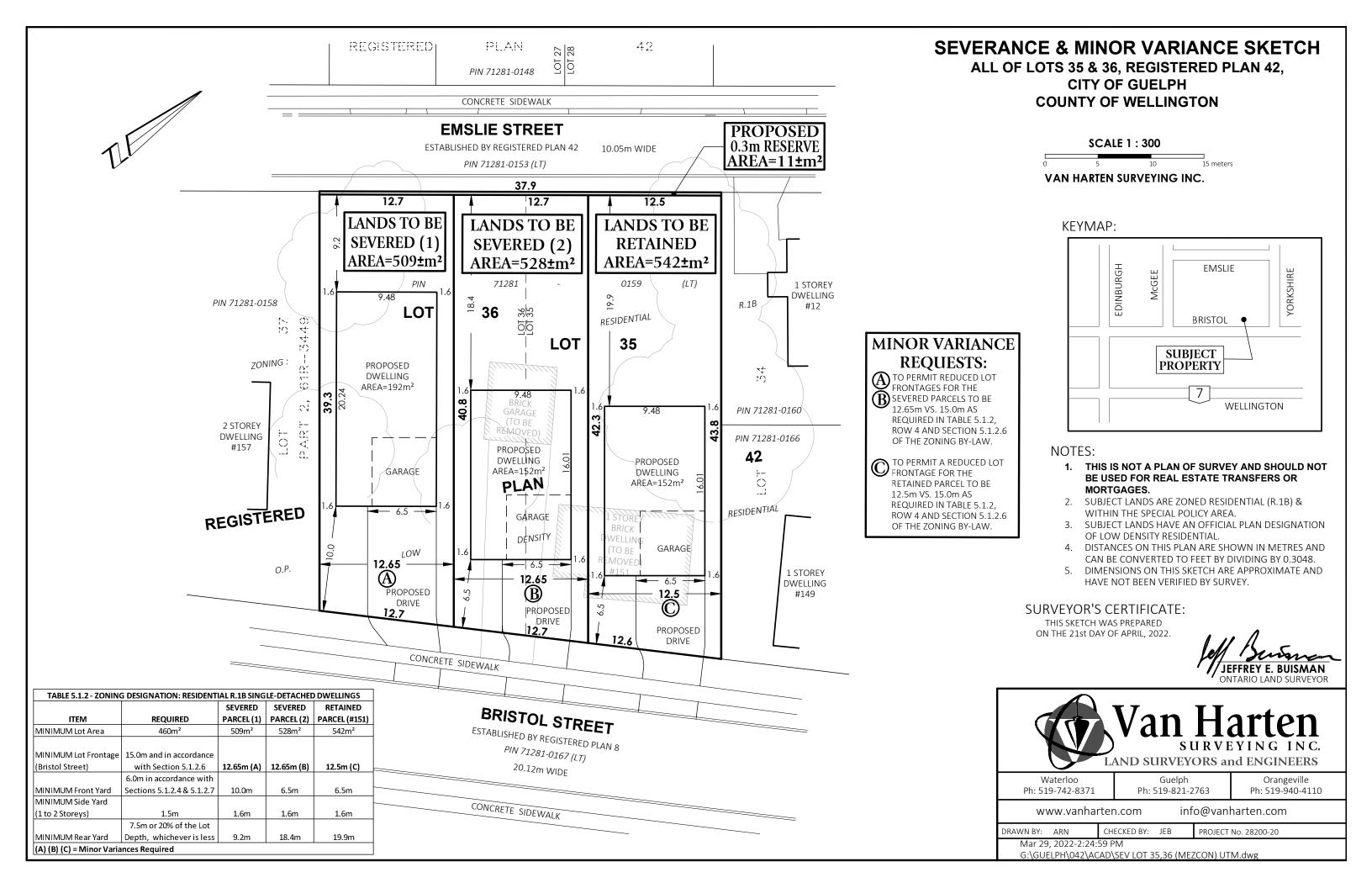
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated April 25, 2022.

Contact Information

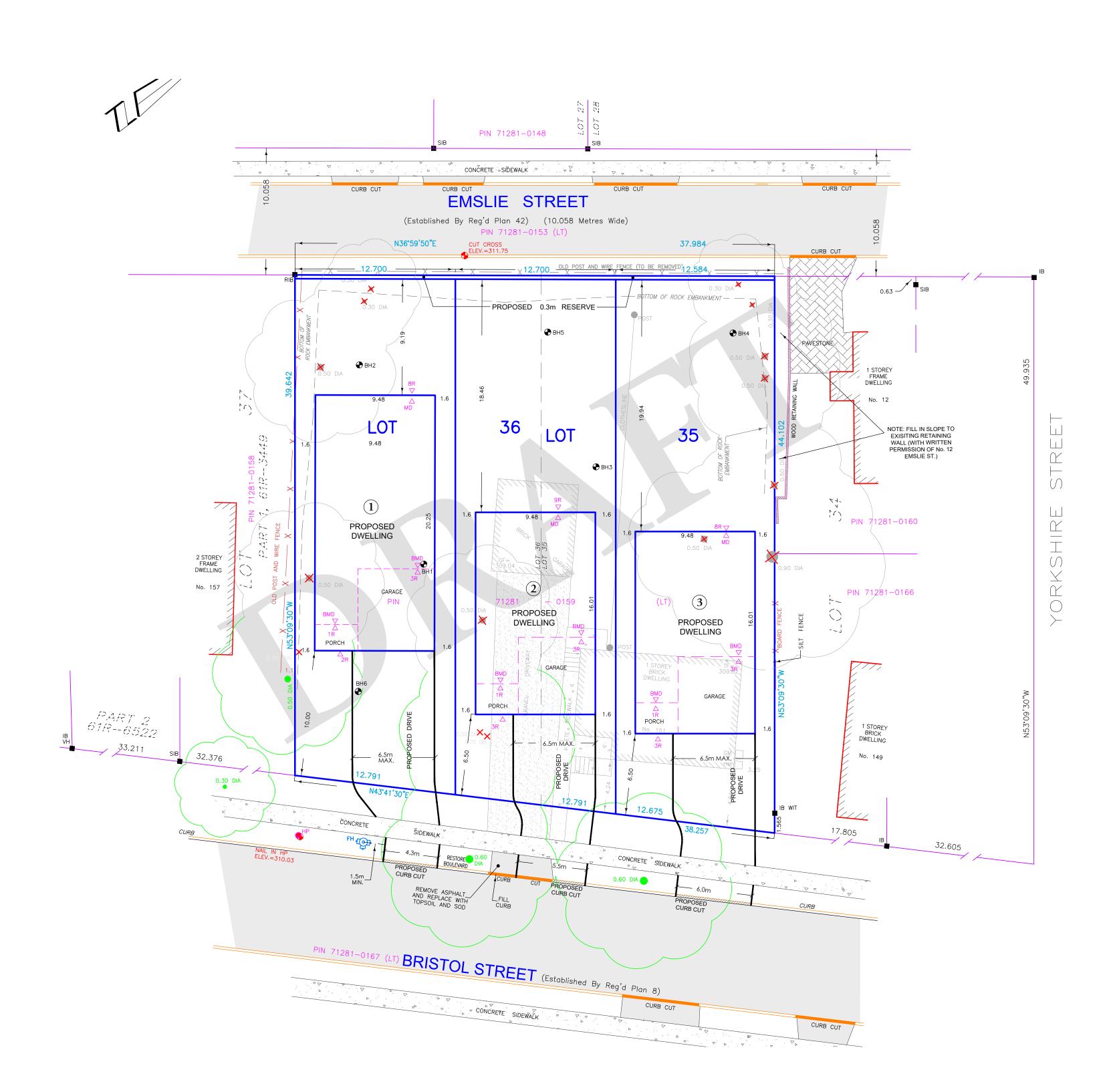
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



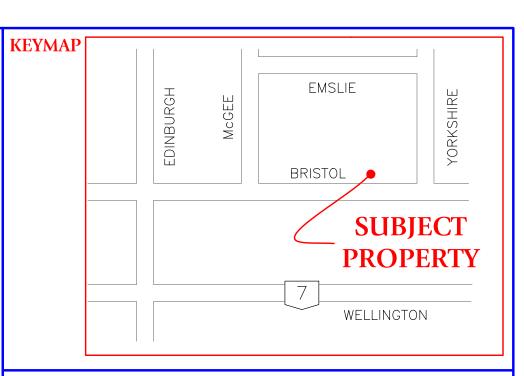


ZONING: RESIDE	NTIAL (SINC	GLE DETACHED I	DWELLING) R.1B	
	REQUIRED	DWELLING 1	DWELLING 2	DWELLING 3
MINIMUM LOT FRONTAGE	15m	12.7m	12.7m	12.6m
MINIMUM LOT AREA	460m²	508.7m²	527.6m²	541.5m²
MINIMUM FRONT YARD	6m	6.52m	6.50m	6.50m
MINIMUM SIDE YARD	1.5m	1.6m	1.6m	1.6m
MINIMUM REAR YARD	7.5m	9.19m	18.46m	19.94m
ACCESSORY BUILDING LOT COVERAGE	30%	N/A	14.3%	14.7%



CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.



PROPERTY DESCRIPTION:

- PIN 71281-0159 (LT)
- ADDRESS: 151 BRISTOL STREET
 ALL OF LOTS 35 & 36, REGISTERED PLAN 42 CITY OF GUELPH

LEGEND:

EXISTING GRADE $\times 414.11$ × (414.11) PROPOSED GRADE \times (414.11)TC PROPOSED TOP OF CURB \times (414.11)BC PROPOSED BOTTOM OF CURB \times (414.11)SW PROPOSED SWALE ELEVATION MEASURED INVERT DIRECTION OF FLOW HYDRO POLE MANHOLE FIRE HYDRANT TV PEDESTAL WATER VALVE BELL PEDESTAL GAS METER CATCHBASIN DOWNSPOUT CMT BOREHOLE BH1 SUMP PUMP DISCHARGE SANITARY SEWER WATERMAIN

FENCELINE SILT FENCE TREE PROTECTION FENCE -DITCH/SWALE TOP OF BANK

CONIFEROUS TREE

STORM SEWER OVERHEAD HYDRO

PROPOSED SWALE

(414.00)(414.11) X 0.6 DIA.

TREE TO BE REMOVED

 R.F.E. DENOTES REGIONAL FLOOD ELEVATION = 309.9 HABITABLE FLOOR SPACE MINIMUM ELEVATION = 309.90m • FLOOD PROOFING REQUIRED FOR FLOOR SPACE BELOW R.F.E.

DECIDUOUS TREE

NOTES:

BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, CENTRAL MERIDIAN 81°00'W LONGITUDE, ZONE 17. NAD 83-CSRS (2010)

2. DISTANCES SHOWN ON THE PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO UTM GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99960166.

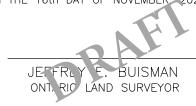
SURVEY INFORMATION: BENCHMARK REFERENCE:

ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CVGD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA. **SITE BENCHMARK:**

CUT CROSS (CC 1707) ON CURB IN FRONT OF SUBJECT LOT ON EMSLIE STREET HAVING AN ELEVATION OF 311.746 METRES.

2. NAIL IN HYDRO POLE (CP NAIL 1705) AT SOUTH CORNER OF SUBJECT PROPERTY (BRISTOL STREET) HAVING AN ELEVATION OF 310.033 METRES.

TOPOGRAPHIC SURVEY DATE: THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 16th DAY OF NOVEMBER 2020.



CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

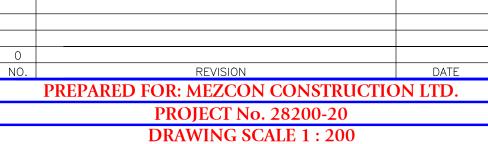
THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

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

SITE PLAN

ALL OF LOTS 35 & 36, REGISTERED PLAN 42 CITY OF GUELPH **COUNTY OF WELLINGTON**

DRAWING REVISION SCHEDULE



SURVEYING INC.

LAND SURVEYORS and ENGINEERS Waterloo Guelph Orangeville Ph: 519-742-8371 Ph: 519-821-2763 Ph: 519-940-4110

www.vanharten.com info@vanharten.com DRAWN BY: S.A.P. DESIGNED BY: W.V. CHECKED BY: J.M.L. Mar 30,2022-11:36a G:\GUELPH\042\ACAD\SITE LT 35-36 3 UNITS (MEZCON) UTM 2010 NR GRADIN

Committee of Adjustment Application for Consent



Consultation with City staff is	OFFICE USE ONLY			
encouraged prior to submission	Date Received: April 13, 2022	Application #:		
of this application.	Application deemed complete: X Yes □ No	B-9/22		

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Fianning Scivices Stail: 165 M 140	s 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 INFOR	MATION:			
Address of Property:	151 Bristol Street			
Legal description of prop	perty (registered plan number and lot n	number or other legal description	n):	
Part of	Lots 35 & 36, Registered F	Plan 42, Guelph		
Are there any easemer If yes, describe:	nts, rights-of-ways or restrictive cov	renants affecting the subject	land? X No	□Yes
•	o any mortgages, easements, right- rtgage as in INST No WC	,	□No	X Yes
REGISTERED OWN	NER(S) INFORMATION: (Pleas	e indicate name(s) exact	ily as shown on Transfer/[Deed of Land)
Name:	Madalikat Developmer	nts Ltd. c/o Will Plat	t	
Mailing Address:	710-304 Stone Road W	est		
City:	Guelph	Postal Code:	N1G 4W4	
Home Phone:	416-528-3900	Work Phone:		
Fax:		Email:	wjplatt67@gmail.	com
AGENT INFORMAT	TON (If Any)			
Name:	Jeff Buisman			
Company:	Van Harten Surveyin	g Inc.		
Mailing Address:	423 Woolwich Street			
City:	Guelph	Postal Code:	N1H 3X3	
Home Phone:		Work Phone:	519-821-2763 ext. 2	25
Fax:	519-821-2770	Email:	jeff.buisman@vanh	orton com

PURPOSE OF APPLI	ICATION (please of	check ap	propriate s	space):			
[X] Creation of a New L	_ot	[] Easement		[]] Right-of-Way	
[] Charge / Discharge		[] Correction	of Title	[]] Lease	
[] Addition to a Lot (s	submit deed for the la	ands to wh	ich the parce	I will be added)	[]] Other: Explain	
The proposal is to sever single-detached dwelling and garage that will be r	r the subject property ig is proposed. The Re removed and a dwellin	to create a etained Par ng is propo	a new lot for re rcel is known a osed. A secon	esidential purposes. Th as #151 Bristol Street (nd severance application	ne Severe PIN 7128 on is bein	d Parcel (1) is vacant and a new 1-0159) and contains an old dwelling g submitted for the property where a se see the covering letter for more	
Name of person(s) [purcha Unknown	aser, lessee, mortgag	jee etc.] to) whom land c	or interest in land is int	ended to	be conveyed, leased or mortgaged:	
DESCRIPTION OF LA	AND INTENDED T	O BE SE	EVERED				
Frontage / Width: (m) 12.65m	Depth (m) 40.8m	Area: (r	(m²) 509m²	Existing Use: Resider	ntial	Proposed Use: No Change	
Existing Buildings/Structures:	3.	Vacant		Proposed Buildings / Structures: Dwelling			
Use of Existing Buildings/S	Structures (specify):	Reside	ential	Proposed Use of Bui	Idings/Str	uctures (specify): No Change	
DESCRIPTION OF LA	AND INTENDED T	O BE RE	TAINED				
Frontage / Width: (m) 12.5m	Depth (m) 43.8m	Area: (r 54	(m²) 12m²	Existing Use: Residenti	ial	Proposed Use: No Change	
Existing Buildings/Structures:	Existing Dwel (To Be Remov		d Garage	Proposed Buildings / S	tructures:	Dwelling	
Use of Existing Buildings/S		, Residen	ntial	Proposed Use of Bui	ldings/Stru	uctures (specify): No Change	
			 _				
TYPE OF ACCESS T					TO THI	E SEVERED LANDS	
☐ Provincial Highway	X Municipa			☐ Provincial Highway		X Municipal Road	
□ Private Road □ Right-of-Way			☐ Private Road ☐ Right-of-Way				
☐ Other (Specify)				□ Other (Specify)			
:: === 0!							
TYPE OF WATER SU						TO THE SEVERED LANDS	
X Municipally owned and o	operated \square Private	tely Owned	-	X Municipally owned and operated ☐ Privately Owned Well			
□ Other (Specify)				□ Other (Specify)			
=:05.				=: 0.5			
TYPE OF SEWAGE I RETAINED LANDS	DISPOSAL PROPO)SED TO		TYPE OF SEWAGE SEVERED LANDS	DISPO:	SAL PROPOSED TO THE	
X Municipally owned and o	operated □ Septic	c Tank]	X Municipally owned and	d operated	d □ Septic Tank	
☐ Other (Explain)			ſ	☐ Other (Explain)			

Is there a Provincially Significar located on the subject lands?		Is any portion of the located within a flo			
□ No	X Yes	□No		X Yes	
LAND USE					
What is the current official pl	an designation of the subjec	t lands:			
Low Density R	esidential				
Does the proposal conform w	vith the City of Guelph Officia	al Plan?	XYES	\square NO	
If yes, provide an explanation of how	the application conforms with the City	y of Guelph Official Plan:	:		
The property is designated a objectives outlined in Section					
severance which will create	a new parcel for residential				
listed in Section 10.10.1 of the	ne OP.				
If no, has an application for an Officia	Plan Amendment been submitted?		□YES	X NO	
File No.:	Statu	JS:			
What is the current zoning de	esignation of the subject land	15.			
	and within the Special I				
December of Continues I		1-11 1 O	\.(E.0)	Mula	
Does the proposal for the sub		asting zoning?	□ YES	X NO	
If no, has an application for a minor val	ariance or rezoning been submitted?	A minor variance	XYES e annlicati	□ NO ion is being	
File No.:	Statu	JS: <u>submitted with t</u>			
PROVINCIAL POLICY					
Is this application consistent <i>Act</i> ? X YES □ N Provide explanation:	,	atement issued un	der subse	ection 3(1) of the	e Planning
Section 1.1.3 of the PPS dire	ects growth to occur within s	settlement areas. T	his appli	cation is for a se	everance
which to create a new parce					770.41.00
Does this application conforr Provide explanation:	n to the Growth Plan for the	Greater Golden Hoi	rseshoe?	X YES	□NO
	H is coordinating for growth				
employment forecasts. This conforms with the Growth F	s application is for a severan Plan.	ce to create a new	resident	ial parcel and th	erefore,
Is the subject land within an a	area of land designated unde	er any other provinc	cial plan o	or plans? 🗆 YES	S XNO
If yes, indicate which plan(s) and prov	ride explanation:				

HISTORY OF SUBJECT LAND				
Has the subject land ever been the	e subject of:			
a) An application for approval of a	Plan of Subdiv	vision under section 51 of the Planning Act?	□YES	XNO
If yes, provide the following:		J.		
File No.:	Status:			
	_			
b) An application for Consent unde	r section 53 o	f the Planning Act?	X I YES	□NO
If yes, provide the following:		Submitting a second severance		
File No.:	Status:	application simultaneously with	n this one.	
Is this application a resubmission of a	a nrovinus ani	olication?	□YES	X NO
f ves, please provide previous file number a	a previous app nd describe how	oneation: this application has changed from the original application.		X NO
fyes, provide transferee's name(s), date of	transfer, and use	es of the severed land:		
THE SUBJECT LAND THE SUBJE	CT OF ANY	OF THE FOLLOWING DEVELOPMENT TY	PE APPLICATION	DNS?
	No \	es File Number and File Status		
Official Plan Amendment	X			
Zoning By-law Amendment	<u> </u>	X OZS21-011-2021-057		
Plan of Subdivision Site Plan	X			
Sile Plait Building Permit	X			
Minor Variance		X A minor variance application is being		
		A minor variance application is being	submittea with	this severa

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@quelph.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.

All Susan	
Signature of Owner or Authorized Agent	Signature of Owner or Authorized Agent

			<u>AFFIDAVI</u>	I			
I/We,Jeff Buisman	of Van Har	ten Su	rveying Inc	c . ,	of the City/ To	vn o f	
Guelph	_ in County	/Region	al Municipal	i ty of	Wellingto	n, solen	n nly
declare that all of the above	statements	contain	ed in this ap	oplication	are true and I	make this solemr	1
declaration conscientiously	believing it	to be tru	e and know	ing that it	is of the same	e force and effect	as if
made under oath and by vir		anada E	Evidence Act	t.			
JJ Be	and the same of th						
Signature of Applicant		d Agent		Signature	of Applicant or	Authorized Agent	a
NOTE: The signature of ap Commissioner is available							
Declared before me at the							
of	Gu	ielph		in the Co	unty/ Regional	-Municipality of	
Wellington	this	14	day of _		March	20 <u>22</u>	
		f	James Mich a Commiss Province o for Van Harten Expires May	ioner, etc., f Ontario, Surveving Ir	nc.		
Commissioner of Oath	S			(0.	fficial stamp of Con	nmissioner of Oaths)	

APPOINTMENT AND AUTHORIZATION
I / We, the undersigned,
Madalikat Developments Ltd. c/o Will Platt
[Organization name / property owner's name(s)]
being the registered property owner(s) of
Lots 35 & 36, Registered Plan 42 / 151 Bristol 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 ard day of March 20_22.
(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).
 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	OFFICE USE ONLY			
encouraged prior to submission	Date Received: April 13, 2022	Application #:		
of this application.	Application deemed complete:	B-10/22		

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Fianning Scivices Stail: 165 M 140	s 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 INFOR	MATION:			
Address of Property:	151 Bristol Street			
Legal description of prop	perty (registered plan number and lot n	number or other legal description	n):	
Part of	Lots 35 & 36, Registered F	Plan 42, Guelph		
Are there any easemer If yes, describe:	nts, rights-of-ways or restrictive cov	renants affecting the subject	land? X No	□Yes
•	o any mortgages, easements, right- rtgage as in INST No WC	,	□No	X Yes
REGISTERED OWN	NER(S) INFORMATION: (Pleas	e indicate name(s) exact	ily as shown on Transfer/[Deed of Land)
Name:	Madalikat Developmer	nts Ltd. c/o Will Plat	t	
Mailing Address:	710-304 Stone Road W	est		
City:	Guelph	Postal Code:	N1G 4W4	
Home Phone:	416-528-3900	Work Phone:		
Fax:		Email:	wjplatt67@gmail.	com
AGENT INFORMAT	TON (If Any)			
Name:	Jeff Buisman			
Company:	Van Harten Surveyin	g Inc.		
Mailing Address:	423 Woolwich Street			
City:	Guelph	Postal Code:	N1H 3X3	
Home Phone:		Work Phone:	519-821-2763 ext. 2	25
Fax:	519-821-2770	Email:	jeff.buisman@vanh	orton com

PURPOSE OF APPL	LICATION (please ch	eck approp	oriate sp	pace):		
[X] Creation of a New	Lot	[] Eas	sement	[]	Right-of-Way	
[] Charge / Discharge	e	[] Cor	rrection of	fTitle []	Lease	
[] Addition to a Lot ((submit deed for the land	ds to which th	ne parcel v	will be added) []	Other: Explain	
The proposal is to seve existing dwelling and g Bristol Street (PIN 7128 second severance appl	er the subject property to garage that will be remove 81-0159) and contains a p	o create a new ed and a new s portion of old c ed for the prop	lot for res single-det dwelling a perty wher	sidential purposes. The Severed tached dwelling is proposed. The and garage that will be removed to a dwelling is proposed. There	d Parcel (2) contains a portion of the he Retained Parcel is known as #151 d and a dwelling is proposed. A e will be three dwellings in total on the	
Name of person(s) [purch Unknown	naser, lessee, mortgagee	etc.] to whor	m land or	interest in land is intended to	be conveyed, leased or mortgaged:	
DESCRIPTION OF L	LAND INTENDED TO	BE SEVER	:ED			
Frontage / Width: (m) 12.65m	Depth (m) 42.3m	Area: (m²) 528m	n <u>²</u>	Existing Use: Residential	Proposed Use: No Change	
Existing Buildings/Structures	Existing Dwelli (To Be Remove	_	iarage	Proposed Buildings / Structures:	Dwelling	
Use of Existing Buildings/	Structures (specify):	Residentia	al	Proposed Use of Buildings/Stru	nctures (specify): No Change	
DESCRIPTION OF L	LAND INTENDED TO	BE RETAIN	NED _			
Frontage / Width: (m) 12.5m	Depth (m) 43.8m	Area: (m²) 542m²	2	Existing Use: Residential	Proposed Use: No Change	
Existing Buildings/Structures	Existing Dwelling (To Be Remove	ng and G		Proposed Buildings / Structures:	Dwelling	
Use of Existing Buildings/	/Structures (specify):	esidential		Proposed Use of Buildings/Stru	No Change	
TVDE OF ACCESS.	TO THE RETAINED L	ANDS		TYPE OF ACCESS TO THE	CEVEDEN I ANNS	
☐ Provincial Highway	Municipal R			Provincial Highway	E SEVERED LANDS X Municipal Road	
☐ Private Road	Right-of-Wa			i Provinciai Highway I Private Road	Right-of-Way	
☐ Other (Specify)	□ Night of 1	ау		Other (Specify)	□ Night-or vvay	
TYPE OF WATER S	SUPPLY TO THE RET.	AINED LAN	NDS T	YPE OF WATER SUPPLY	TO THE SEVERED LANDS	
X Municipally owned and operated □ Privately Owned Well□ Other (Specify)			Municipally owned and operated Other (Specify)	d □ Privately Owned Well		
- Carte (- F - 5)				(
TYPE OF SEWAGE RETAINED LANDS	DISPOSAL PROPOS	SED TO THE		YPE OF SEWAGE DISPOS EVERED LANDS	SAL PROPOSED TO THE	
X Municipally owned and	d operated ☐ Septic T	ank	X	Municipally owned and operated	d □ Septic Tank	
☐ Other (Explain)				□ Other (Explain)		

Is there a Provincially Significar located on the subject lands?		Is any portion of th located within a flo			
□ No	X Yes	□No		X Yes	
LAND USE					
What is the current official pl	an designation of the subjec	t lands:			
Low Density R	esidential				
Does the proposal conform w	vith the City of Guelph Officia	al Plan?	X YES	\square NO	
If yes, provide an explanation of how	the application conforms with the City	y of Guelph Official Plan	:		
The property is designated a objectives outlined in Section					
severance which will create	a new parcel for residential				
listed in Section 10.10.1 of the	he OP.				
If no, has an application for an Officia	I Plan Amendment been submitted?		□YES	X NO	
File No.:	Statu	JS:			
What is the current zoning de	esignation of the subject land	1s.			
	and within the Special I				
	-!		-) (50	W NO	
Does the proposal for the sub		0 0	□ YES	X NO	
If no, has an application for a minor value	ariance or rezoning been submitted?	A minor varianc	XYES e application	□ NO on is being	
File No.:	Statu	JS: <u>submitted with t</u>			
PROVINCIAL POLICY					
Is this application consistent <i>Act</i> ? X YES Drovide explanation:	,	atement issued un	der subse	ection 3(1) of th	e <i>Planning</i>
Section 1.1.3 of the PPS dire					everance
Does this application conformal Provide explanation:	n to the Growth Plan for the	Greater Golden Ho	rseshoe?	X YES	□NO
	H is coordinating for growth application is for a severan Plan.				
Is the subject land within an a If yes, indicate which plan(s) and prov	•	er any other provinc	cial plan c	or plans? □ YE	S XNO

HISTORY OF SUBJECT LAND				
Has the subject land ever been t	he subject of:			
a) An application for approval of	a Plan of Subdiv	ision under section 51 of the <i>Planning Act</i> ?	□YES	XNO
If yes, provide the following: File No.:	Status:			
b) An application for Consent und	der section 53 of	the Planning Act?	X IYES	□NO
If yes, provide the following: File No.:	Status:	Submitting a second severance application simultaneously with	this one.	
Is this application a resubmission of		lication? this application has changed from the original applica	□YES	X NO
Has any land been severed from th	ne parcel original	ly acquired by the owner of the subject land?	YES	X NO
If yes, provide transferee's name(s), date				~
		<u> </u>		
THE SUBJECT LAND THE SUB.	JECT OF ANY C	OF THE FOLLOWING DEVELOPMENT TYP	E APPLICATION	DNS?
THE SUBJECT LAND THE SUB	JECT OF ANY C		E APPLICATIO	DNS?
Official Plan Amendment	No Ye	es File Number and File Status		DNS?
Official Plan Amendment Zoning By-law Amendment	No Ye			DNS?
Official Plan Amendment Zoning By-law Amendment Plan of Subdivision	No Ye	es File Number and File Status		DNS?
Official Plan Amendment Zoning By-law Amendment	No Ye	es File Number and File Status		DNS?
Official Plan Amendment Zoning By-law Amendment Plan of Subdivision Site Plan	No Ye	OZS21-011-2021-057 - Applicatio	n Withdrawn	

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 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.

M Sursin	
Signature of Owner or Authorized Agent	Signature of Owner or Authorized Agent

			<u>AFFIDAVI</u>	I			
I/We,Jeff Buisman	of Van Har	ten Su	rveying Inc	c . ,	of the City/ To	vn o f	
Guelph	_ in County	/Region	al Municipal	i ty of	Wellingto	n, solen	n nly
declare that all of the above	statements	contain	ed in this ap	oplication	are true and I	make this solemr	1
declaration conscientiously	believing it	to be tru	e and know	ing that it	is of the same	e force and effect	as if
made under oath and by vir		anada E	Evidence Act	t.			
JJ Be	and the same of th						
Signature of Applicant		d Agent		Signature	of Applicant or	Authorized Agent	a
NOTE: The signature of ap Commissioner is available							
Declared before me at the							
of	Gu	ielph		in the Co	unty/ Regional	-Municipality of	
Wellington	this	14	day of _		March	20 <u>22</u>	
		f	James Mich a Commiss Province o for Van Harten Expires May	ioner, etc., f Ontario, Surveving Ir	nc.		
Commissioner of Oath	S			(0.	fficial stamp of Con	nmissioner of Oaths)	

APPOINTMENT AND AUTHORIZATION
I / We, the undersigned,
Madalikat Developments Ltd. c/o Will Platt
[Organization name / property owner's name(s)]
being the registered property owner(s) of
Lots 35 & 36, Registered Plan 42 / 151 Bristol 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 ard day of March 20_22.
(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).
 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.

	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zonin for this proposal? (Residually) *	•
(Yes	No No No
Was Planning Services	staff consulted?*

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

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I agree

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Permission to enter the site

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I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing.*

I agree



Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

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1 / ~ ~	IOTORO	VOLUMOR	
R B O		1 ()\/// 1	
1 <i>1</i> C G		d owner	
3			

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

	Extension	Email *
(416) 528-3900		wjplatt67@gmail.c om
Street address *	City *	Postal code *
304 Stone Road West	Guelph	N1G 4W4
agent? *		
	Street address * 304 Stone Road West	Street address * City * 304 Stone Road West

Organization/company	Name *	Phone *	Email
Name Van Harten	Jeff Buisman	(519) 821-2763	jeff.buisman@vanh arten.com
Surveying			arten.com
	Is the agent mailing one for the registe	g address the same as the red owner? *	
		<a>No	
Agent mailing address			
Street address *	City *	Province *	Postal code *
423 Woolwich Street	Guelph	Ontario	N1H 3X3



Property information

An asterisk (*) indicates a response is required

	Page 4 of 10		
Property address			
Street number *	Street *		
151	Bristol Street		
City * ?	Province *	Postal code	
Guelph Legal Description	Ontario of the property	N1N 1N1	
Legal Description	of the property is the registered plan and lo		
Legal Description The legal description Legal description of	of the property is the registered plan and lo		
Legal Description The legal description Legal description of Lots 35 & 36, Regis	of the property is the registered plan and lo		
Legal Description The legal description Legal description of Lots 35 & 36, Regis Official Plan Designation	of the property is the registered plan and lo of the property * stered Plan 42, Guelph		

Current Zoning Designation – Interactive Map

Current zoning desi	ignation *		
Residential R.1B			
Data and data			
Date property was p	ourchased *		
10/19/2017			
Is a building or struc	cture proposed?*		
(F) Yes			
Date of proposed co	onstruction *		
4/4/2022			
Is this a vacant lot?	*		
F Yes			
(<u>.</u>	() 140		
Is this a corner lot?	*		
	No		
_	ing uses have continu	red *	
Many years			
Proposed use of lar	nd *		
Residential			
residential			
Dimensions of the	property		
Please refer to survey	plan or site plan		
Frontage (metres) *	Area (metres		Depth (metres) *
12.65	squared) *		40.8
	509		



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the applicatio	n
Is the purpose of the application en conforming use?*	largement/extension of legal non-
No No	
Purpose of the application * ?	
new building	building addition
accessory structure	accessory apartment
fence height	additional use
variance(s) related to a consent application	ther other
Please specify if this minor variance or retained parcel *	e application relates to the severed
severed parcel	
retained parcel	
Type of proposal (select all that app	oly) *
Existing	
▽ Proposed	

Variance(s) required

View the Zoning Bylaw

Section or table of Zoning Bylav	N *	Proposed *	Required *
Frontage - Table 5.1.2, Row 4 & 5.1.2.6	Section	12.65	15.0
Why is it not possible	to comply	with the Zoning	Bylaw?
Titly to it flot possible		with the Zermig	Bylaw.
Please describe the reasons wh	y the variand	ce(s) are needed * ?	
A severance is being applied for purposes and the minor variance the covering letter for more detail	is required for		
Other development applications	that relate to	o this minor variance. Ha	
the subject land ever been the s		ting inition variance. Ha	3
Official Plan Amendment	 Zoni	ng Bylaw Amendment	
Plan of Subdivision	☐ Site	Plan	
Building Permit	Con:	sent	
Previous Minor Variance Application			
Zoning Pulow Amondment			
Zoning Bylaw Amendment reference/application number *			

OZS21-011-2021-057

Consent reference/application number * ?	
Submitting simultaneously	
Has the property been subject of a site-specifi (rezoning) within the last two years? *	by-law amendment
© No	



Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

(Yes

No



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed building	ngs and structure	S	
Add a proposed building	ng or structure (check all	that apply) *	
Accessory structure	☐ Building	g addition	
Deck	Porch		
Other			
Proposed other struct Please specify Type of proposed struct		Gross floor area of pr	
		-	oposed structure
Dwelling		(square metres) *	oposed structure
Number of stories of structure *	Height of structure (metres) *	(square metres) *	Length of structure (metres) *



Setbacks, access and services

An asterisk (*) indicates a response is required

Page 8 of 10 Setbacks for all Buildings and Structures A setback is the distance from a property line to the nearest wall/structure/building. Proposed Front setback Rear setback Left setback (metres) Right setback (metres) * (metres) * (metres) * 9.2 1.6 10.0 1.6 Type of Access to the Subject Lands Type of Access to the Subject Lands (check all that apply) * Provincial highway Municipal road Private road Water Other Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary sewer

Storm sewer



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

Sworn Declaration

I 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.

Name *		Date *	
Jeff Buisman of Van	4/21/2022		
Street address *	City *	Province *	
423 Woolwich STreet	Guelph	Ontario	

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *	Date *	
Jeff Buisman of Van Harten Surveying	3/14/2022	#

Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus <u>HST</u> and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

hailey.keast@vanharten.com

Office use only

File number

A-22/22

Address

151 Bristol Street Guelph, Ontario

Comments from staff

Application received: April 13, 2022

	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zonin for this proposal? (Residually) *	•
(Yes	No No No
Was Planning Services	staff consulted?*

Committee of Adjustment fee(s)

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I agree

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Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing.*

I agree



Contact information

An asterisk (*) indicates a response is required

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R D ()	19121	$() \setminus () \setminus () \cup () \cup ()$
1 1 C G	ISICI GU	
3	istered	

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *	Phone *	Extension	Email *
Madalikat Developments Ltd. c/o Will Platt	(416) 528-3900		wjplatt67@gmail.c
Mailing address		0 14 #	
Unit	Street address *	City *	Postal code *
710	304 Stone Road West	Guelph	N1G 4W4
ls there an authorized	agent? *		
€ Yes			

Agent information

Organization/company	Name *	Phone *	Email
Name Van Harten	Jeff Buisman	(519) 821-2763	jeff.buisman@vanh arten.com
Surveying			arten.com
	Is the agent mailing one for the registe	g address the same as the red owner? *	
		<a>No	
Agent mailing address			
Street address *	City *	Province *	Postal code *
423 Woolwich Street	Guelph	Ontario	N1H 3X3



Property information

An asterisk (*) indicates a response is required

	Page 4 of 10		
Property address			
Street number *	Street *		
151	Bristol Street		
City * ?	Province *	Postal code	
Guelph Legal Description	Ontario of the property	N1N 1N1	
Legal Description	of the property is the registered plan and lo		
Legal Description The legal description Legal description of	of the property is the registered plan and lo		
Legal Description The legal description Legal description of Lots 35 & 36, Regis	of the property is the registered plan and lo		
Legal Description The legal description Legal description of Lots 35 & 36, Regis Official Plan Designation	of the property is the registered plan and lo of the property * stered Plan 42, Guelph		

Current Zoning Designation – Interactive Map

Current zoning design	nation *		
Residential R.1B and	Special Policy Area		
Date property was pur	rchased *		
10/19/2017			
	nvonood2 *		
Is a building or structu			
(Yes	Ĉ No		
Date of proposed cons	struction *		
4/4/2022			
Is this a vacant lot?*			
	€ No		
(Yes	No No		
Is this a corner lot?*			
	♠ No		
Length of time existing	g uses have continue	ed *	
Many years			
Dranged use of land	*		
Proposed use of land			
Residential			
Dimensions of the pro	operty		
Zamenolono or the pre			
Please refer to survey pl	an or site plan		
Frontage (metres) *	Area (metres		Depth (metres) *
12.65	squared) * 528		42.3
	020		



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application	n
Is the purpose of the application enconforming use? *	largement/extension of legal non-
No No	
Purpose of the application * ?	
new building	building addition
accessory structure	accessory apartment
fence height	additional use
variance(s) related to a consent application	other
Please specify if this minor variance or retained parcel *	e application relates to the severed
severed parcel	
retained parcel	
Type of proposal (select all that app	oly) *
Existing	
▽ Proposed	

Variance(s) required

View the Zoning Bylaw

Section or table of Zoning Bylaw *	Proposed	d * Required *
Frontage - Table 5.1.2, Row 4 & Sec 5.1.2.6	12.65	15.0
Why is it not possible to	comply with the Z	oning Bylaw?
Please describe the reasons why t	he variance(s) are needed	d* ?
A severance is being applied for to opurposes and the minor variance is the covering letter for more details.	required for the frontage. Ple	
Other development applications the subject land ever been the sub	ject of:	
Official Plan Amendment	Zoning Bylaw Amend	ament
Plan of Subdivision	Site Plan	
Building Permit	Consent	
▼ Previous Minor Variance		
Application		

OZS21-011-2021-057

8

Submitting simultaneously	
Previous Minor Variance Application reference/application number *	
Submitting simultaneously	
Has the property been subject of a site-specifi (rezoning) within the last two years? *	c by-law amendment
⁷ Yes	
No No	

Consent reference/application number * ?



Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

(Yes

○ No



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed buildi	ngs and structure	S	
Add a proposed building	ng or structure (check all	that apply) *	
Accessory structure	☐ Building	g addition	
Deck	Porch		
O ther			
Type of proposed struc	cture *		
	Ciuie	(square metres) *	oposed structure
Dwelling			oposed structure
	Height of structure (metres) *	(square metres) *	Length of structure (metres) *



Types of Municipal Services

Committee of Adjustment Application for Minor Variance

Setbacks, access and services

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Page 8 of 10 Setbacks for all Buildings and Structures A setback is the distance from a property line to the nearest wall/structure/building. Proposed Front setback Rear setback Left setback (metres) Right setback (metres) * (metres) * (metres) * 1.6 6.5 18.4 1.6 Type of Access to the Subject Lands Type of Access to the Subject Lands (check all that apply) * Provincial highway Municipal road Private road Water Other

Types of Municipal Service (check all that apply)

Water

Sanitary sewer

Storm sewer



Summary and review

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Page 9 of 10

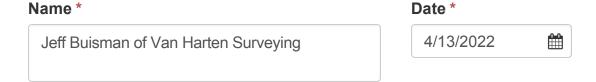
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Name *	Date "	
Jeff Buisman of Van Harten Surveying		4/21/2022
Street address *	City *	Province *
423 Woolwich	Guelph	Ontario

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□ I agree

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hailey.keast@vanharten.com

Office use only

File number

A-23/22

Address

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Comments from staff

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	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

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Page 2 of 10

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Was a Preliminary Zonin for this proposal? (Residually) *	•
(Yes	No No
Was Planning Services	staff consulted?*

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I agree

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I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing.*

I agree



Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

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RHI		1 ()\/// 1	
1 <i>1</i> C G		d owner	
3			

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

	<i>,</i> 1	3 ()	
Name *	Phone *	Extension	Email *
Madalikat Developments Ltd. c/o Will Platt	(416) 528-3900		wjplatt67@gmail.c om
Mailing address			
Unit	Street address *	City *	Postal code *
710	304 Stone Road West	Guelph	N1G 4W4
	***************************************	J	
Is there an authorized a	agent? *		
Yes			
No No No			
Agent information	on		

Organization/company	Name *	Phone *	Email
name	Jeff Buisman	(519) 821-2762	jeff.buisman@vanh
Van Harten Surveying			arten.com
	Is the agent mailing	g address the same as the red owner? *	
	C Yes	No	
Agent mailing address			
Street address *	City *	Province *	Postal code *
423 Woolwich Street	Guelph	Ontario	N1H 3X3



Property information

An asterisk (*) indicates a response is required

	Page 4 of 10		
Property address			
Street number *	Street *		
151	Bristol Street		
City * ?	Province *	Postal code	
Guelph	Ontario	N1N 1N1	
Legal Description	of the property		
Legal Description The legal description Legal description o	is the registered plan and lo	t number(s)	
The legal description Legal description o	is the registered plan and lo	t number(s)	
The legal description Legal description o Lots 35 & 36, Regis	is the registered plan and lo	t number(s)	
The legal description Legal description o Lots 35 & 36, Regis	is the registered plan and loof the property * stered Plan 42, Guelph - Schedule: Land Use (PDF)	t number(s)	

Current Zoning Designation – Interactive Map

Current zoning design	nation *		
Residential R.1B withi	n the Special Policy	Area	
Date property was pur	rchased *		
10/19/2017			
Is a building or structu	ure proposed?*		
(F) Yes			
Date of proposed con-	struction *		
4/4/2022			
Is this a vacant lot? *			
(F) Yes	No No		
Is this a corner lot? *			
	♠ No		
Length of time existing	g uses have contin	ued *	
Many years			
Proposed use of land	*		
Residential			
Dimensions of the pro-	operty		
Please refer to survey pl	an or site plan		
Frontage (metres) *	Area (metres squared) *		Depth (metres) *
12.5	542		43.8



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the applicatio	n
Is the purpose of the application en conforming use?*	largement/extension of legal non-
No No	
Purpose of the application * ?	
new building	building addition
accessory structure	accessory apartment
fence height	additional use
variance(s) related to a consent application	ther other
Please specify if this minor variance or retained parcel *	e application relates to the severed
severed parcel	
retained parcel	
Type of proposal (select all that app	oly) *
Existing	
▽ Proposed	

Variance(s) required

View the Zoning Bylaw

ection or table of Zoning Bylaw *	Proposed *	Required
Frontage - Table 5.1.2, Row 4 & Section 5.1.2.6	12.5	15.0
Why is it not possible to co	mply with the Zoning	Bylaw?
		-
Please describe the reasons why the v	variance(s) are needed * 😯	
A severance is being applied for to creat purposes and the minor variance is requ the covering letter for more details. This	ired for the frontage. Please see	
Other development applications that re	elate to this minor variance. Ha	s
Other development applications that re the subject land ever been the subject		s
the subject land ever been the subject		s
the subject land ever been the subject	of:	s
The subject land ever been the subject Official Plan Amendment Plan of Subdivision	of: Zoning Bylaw Amendment	s

OZS21-011-2021-057

reference/application number *

amendment

Consent reference/application number * ?



Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

(Yes

No



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed buildi	ngs and structure	es		
Add a proposed buildi	ng or structure (check all	that apply) *		
Accessory structure	☐ Buildin	Building addition		
Deck	Porch			
Other				
Proposed other struct Please specify Type of proposed struct		Gross floor area of pr	oposed structure	
Dwelling		(square metres) *		
		152		
Number of stories of structure *	Height of structure (metres) *	Width of structure (metres) *	Length of structure (metres) *	



Types of Municipal Services

Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Page 8 of 10 Setbacks for all Buildings and Structures A setback is the distance from a property line to the nearest wall/structure/building. Proposed Front setback Rear setback Left setback (metres) Right setback (metres) * (metres) * (metres) * 19.9 1.6 6.5 1.6 Type of Access to the Subject Lands Type of Access to the Subject Lands (check all that apply) * Provincial highway Municipal road Private road Water Other

Types of Municipal Service (check all that apply)

Water

Sanitary sewer

Storm sewer



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

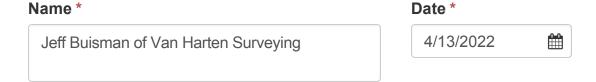
Sworn Declaration

I 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.

Name *		Date "
Jeff Buisman of Van Harten Surveying		4/21/2022
Street address *	City *	Province *
423 Woolwich	Guelph	Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus <u>HST</u> and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

hailey.keast@vanharten.com

Office use only

File number

A-24/22

Address

151 Bristol Street Guelph, Ontario

Comments from staff

Application received: April 13, 2022



LAND SURVEYORS and ENGINEERS

April 13, 2022 28200-20 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 & Minor Variance Applications 151 Bristol Street All of Lot 35 & 36, Registered Plan 42 PIN 71281-0159 City of Guelph

Please find enclosed applications for two severances and three minor variances on the above-mentioned property. Included with this submission are copies of the sketch, completed application forms, the required deeds, PIN Report and Map and Preliminary Site Plan. Payment of \$5,014 for the severances and \$3,771 for the minor variances will be made after submission.

Proposal:

The proposal is to sever the subject property at 151 Bristol Street (PIN 71281-0159) into three parcels for residential purposes. The existing dwelling and garage will be removed, and the intention is to build a new dwelling on each parcel, for a total of three. The parcels will be as follows:

- 1. Severed Parcel (1) will have a frontage of 12.65m, depth of 41.1m, for an area of 509±m².
- 2. Severed Parcel (2) will have a frontage of 12.65m, depth of 42.6m, for an area of 528±m²
- 3. Retained Parcel will have a frontage of 12.5m, depth of 44.1m, for an area of 542±m².

The subject property is a through lot with frontage along Emslie Street and Bristol Street. For a Through Lot, the front lot line is determined by the shortest frontage. Technically Emslie Street is the shorter of the two streets, however the proposal is for the dwellings to have driveway access and frontage from Bristol Street. We are proposing a 0.3m Reserve to the City of Guelph that will run along the entire frontage of Emslie Street so that access is not permitted from Emslie Street and Bristol Street will be considered the technical frontage.

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



LAND SURVEYORS and ENGINEERS

The Zoning for the subject property is Residential R.1B within the Special Policy Area where a single-detached dwelling is permitted. The Zoning requirements are met for each parcel except for the lot frontages and Minor Variances are being requested for that. The minor variance requests are as follows:

- A) & B) To permit a reduced lot frontage of the Severed Parcels to be 12.65m instead of 15.0m as required in Table 5.1.2, Row 4 and Section 5.1.2.6 of the Zoning By-law.
- C) To permit a reduced lot frontage of the Retained Parcel to be 12.5m instead of 15.0m as required in Table 5.1.2, Row 4 and Section 5.1.2.6 of the Zoning By-law.

The parcel was configured to essentially split the property into three even parcels. The lot area for each parcel is easily met. Although the frontages are slightly under the required minimum of 15m, there is still considerable area for the proposed dwellings, while adhering to the remaining zoning requirements. Safe driveway access is possible with the reduced lot frontages, and we consider these variances requests to be minor in nature as it follows the general intent of the Official Plan and Zoning By-law and will not have a negative effect on the neighbouring parcels.

The property is within the Special Policy Area of the City's Zoning By-law and within the GRCA's Guelph Special Policy Area Floodplain. Section 12.4 of the Zoning By-law sets out the regulations for properties within this area. Section 12.4.3.2 of the By-law states that residential intensification, including a new single-detached dwelling is permitted provided that the new building is Floodproofed to an elevation no lower than 1 metre below Regulatory Flood level. The Site will be developed in accordance with the Zoning and GRCA's regulations, and this is shown on the Preliminary Site Plan included with this submission.

Development for the subject property has been in discussion with the City for over 6 months now. Originally, the proposal was to rezone the property to Residential R.3 in order to permit 5 On-Street Townhouse Units. After concerns were raised at the Public Meeting, the property owner considered the City and neighbours feedback, and the zoning application (OZS21-011-2021-057) is not being pursued at this time. We suggest that this zoning application be withdrawn as a condition of the severance application, if approved. The revised proposal is to keep the current R.1B Zoning and to construct three single detached dwellings instead. We believe this will satisfy neighbours and allow for slight intensification and development of the lands. This proposal will allow for new houses that are compatible with the area and add three new residential dwellings in a time where housing is urgently needed.

Overall, this proposal is very practical and provides a great opportunity for an in-fill development and to slightly intensify the lands for residential purposes. The property is within a desirable area, close to downtown, the proposal utilizes the open space, while adhering to all but one Residential R.1B zoning requirements.

LAND SURVEYORS and ENGINEERS

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 Zach Fischer, Mezon Construction

cc Will Platt of Madalikat Developments Ltd.

cc John Cox, JL Cox Planning Consultants

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

27-39 Macdonell Street and 26-40 Carden Street

Proposal:

The applicant is proposing to redevelop an existing two-storey building to construct a six-storey mixed-use building. The first storey will contain commercial units and the remaining five stories will contain 34 residential units.

The property is currently subject to an application for site plan approval (file SP21-037).

By-Law Requirements:

The property is located in the Specialized Downtown (D.1-1) Zone. Variances from Table 6.3.2.5.1 Row 2 and Additional Regulation 1 for Table 6.3.2.5.1 of Zoning Bylaw (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum of one (1) off-street parking space per residential dwelling unit [24 off-street parking spaces required, as Section 6.3.3.1.1.1.2 does not require off-street parking for dwelling units constructed within buildings which existed prior to June 7, 1971]; and
- b) a minimum of 0.05 visitor parking spaces per residential dwelling unit [2 visitor parking spaces required].

Request:

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

- a) zero (0) off-street parking spaces on the property for the proposed six-storey mixed-use development; and
- b) zero (0) visitor parking spaces on the property for the proposed six-storey mixed-use development.

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, May 12, 2022

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

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: A-18/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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@quelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

Notice Details

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated April 25, 2022.

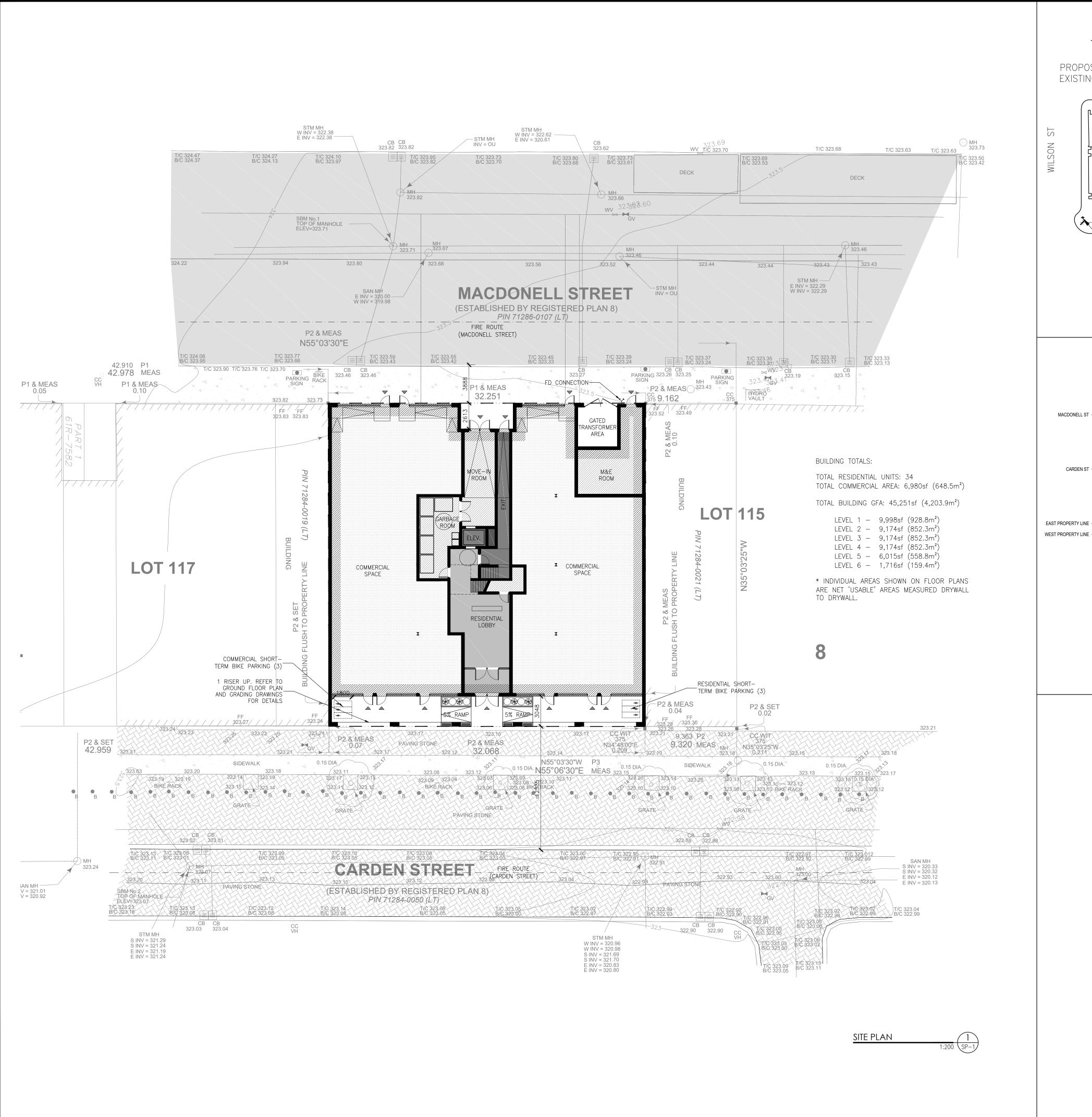
Contact Information

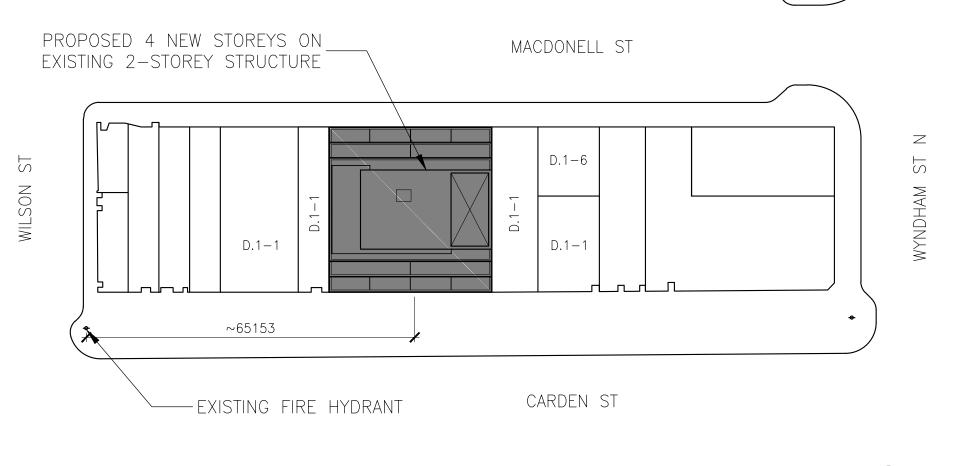
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

 519-822-1260 Extension 2524
 cofa@guelph.ca

 TTY: 519-826-9771
 guelph.ca/cofa







Permitted Max. %

of Openings (3.2.3)

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

100.0 %

0.0 %

ZONING CHART

REGULATIONS

PERMITTED USES

MIN. FRONT YARD MAX. FRONT YARD

MIN. SIDE YARD

MIN. REAR YARD

MIN. STEPBACKS

MIN./MAX. BUILDING HEIGHT

MIN. FLOOR SPACE INDEX (FSI)

MIN. COMMON AMENITY AREA

RESIDENTIAL LONG-TERM

RESIDENTIAL SHORT-TERM

COMMERCIAL LONG-TERM

COMMERCIAL SHORT-TERM BICYCLE PARKING

GARBAGE, REFUSE STORAGE &

BICYCLE PARKING

BICYCLE PARKING

BICYCLE PARKING

COMPOSTERS

RESIDENTIAL OFF-STREET PARKING 34 + 2 VISITOR

COMMERCIAL OFF-STREET PARKING N/A

CURRENT ZONING: D.1-1

Proposed % of

Openings

47.0 % (35.2m²)

38.4 % (115.7m²)

39.2 % (18.3m²)

39.4 % (18.3m²)

69.4 % (32.5m²)

95.0 % (87.0m²)

38.4 % (115.7m²)

39.2 % (18.3m²)

39.4 % (18.3m²)

28.2 % (13.2m²)

0% (0m²)

5.0% (10.4m²)

74.0% (20.6m²)

* VERTICAL DEMISING WALLS BETWEEN UNITS SHALL BE FIRE SEPARATIONS AND SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 1 HR.

REQUIRED/PERMITTED

MIXED-USE BUILDING,

3-6 STOREYS

24 (0.68/DWELLING)

3 (0.07/DWELLING)

 $1 (0.00085/1 \text{m}^2 \text{ GFA})$

2 (0.0025/1m² GFA)

RETAIL ESTABLISHMENT

* FLOOR ASSEMBLIES BETWEEN SUITES SHALL BE FIRE SEPARATIONS AND SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 1 HR.

Spatial Separation - Construction of Exterior Walls

LEVEL 1 North 1 74.9m² 14.8m

LEVEL 2-4 North 2 301.3m² 17.8m

LEVEL 5 North 3 46.7m² 20.8m

LEVEL 6 North 5 46.8m² 23.8m

LEVEL 1 | South 1 | 92.0² | 19.0m

LEVEL 2-4 | South 2 | 301.3m² | 19.0m

LEVEL 6 | South 5 | 46.8m² | 29.0m

LEVELS 3-5 | West 1 | 195.0m² | 0m

LEVEL 6 West 2 28.0m² 8.0m

LEVEL 5 South 3 46.7m²

LEVELS 5 East

LEVEL 5 (INSET) North 4 46.4m² 23.8m

KEY PLAN

Listed Design or

(Hours)

45 MIN

45 MIN

45 MIN

45 MIN

45 MIN

45 MIN

1 HR

Noncombustible Required

Cladding

No

No

No

No

No

No

YES

YES

Construction

No

No

YES

YES

SPATIAL SEPARATION

CONFORMS

YES

YES

YES

YES

YES

YES

YES

YES

YES

YES* (OFF-SITE)

YES, LEGAL NON-

COMPLYING

MIXED-USE BUILDING,

RETAIL ESTABLISHMENT

0m (LEVELS 2 & 3)

6 STOREYS

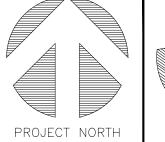
34 (1/DWELLING)

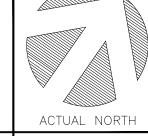
WITHIN PRINCIPAL

ZONING CHART

6m ABOVE 4TH STOREY 6m ABOVE 4TH STOREY







PROPERTY OWNER: 2824955 ONTARIO INC. 5 DOUGLAS STREET SUITE 301, N1H 2S8 GUELPH, ONTARIO

PROPERTY OWNER CONTACT: GORDON DRIEDGER gdriedger@SkylineGRP.ca

ON SITE AND REPORT ANY DISCREPENCIES MMEDIATELY TO THE ARCHITECT BEFORE ROCEEDING WITH THE WORK.

PROPERTY OF THE ARCHITECT AS NSTRUMENTS OF HIS SERVICE AND MUST BE RETURNED AT HIS REQUEST. O NOT SCALE DRAWINGS.

D. DATE ISSUED FOR)1 | 15-JUN-2021 | PRE-CONSULTATION 07-SEP-2021 OWNER REVIEW 16-SEP-2021 URBAN DESIGN REVIEW 06-OCT-2021 SPA COORDINATION

05 | 15-OCT-2021 | SPA COORDINATION 06 27-OCT-2021 SPA COORDINATION 07 | 04-NOV-2021 | SPA COORDINATION 08 | 11-NOV-2021 | SPA

SPA#: TBD

LOT 116

REGISTERED PLAN 8

26-40 CARDEN ST & 27-39 MACDONELL ST GUELPH, ONTARIO

SITE PLAN

15-Nov-2021 SCALE: AS NOTED RAWN BY: MC CHECKED BY:LAG

OB NO: 2145 ___

	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *				
(Yes	No No			
Was Planning Services	staff consulted?*			

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 or 519-822-1260 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA.*



Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing.*

I agree



Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

ner		
ne owner, please include all r	egistered owner(s) as lis	ted on Transfer/Deed of Land.
Phone *	Extension	Email *
(226) 962-4634		lroberts@skydev.c
Street address *	City *	Postal code *
5 Douglas street	Guelph	N1H2S8
	J	
	Phone * (226) 962-4634 Street address *	Phone * Extension (226) 962-4634 Street address * City *

Agent information

Yes

No
 No

Organization/company	Name *	Phone *	Email		
Skydev (Skyline)	Lorraine Roberts	(519) 826-0439	lroberts@skydev.c a		
	Is the agent mailing add one for the registered o				
	(Yes				



Property information

An asterisk (*) indicates a response is required

Property address

Street number*

26-40 Carden
Street and 27-39
MacDonell Street

City* Province*

Postal code

Guelph

Ontario

N1H2S8

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

Lot 116m Plan 8, City of Guelph

Official Plan Designation: Mixed Use 1

Zoning By-Law: D.1-1

Official Plan Designation – Schedule: Land Use (PDF)

Official Plan Designation - Land Use *

Official Plan Designation: Mixed Use 1

Current zoning design	nation *		
Zoning By-Law: D.1-1			
Date property was pu	rchased *		
12/21/2020			
ls a building or struct	ure proposed?*		
Tes	♠ No		
Is this a vacant lot? *			
ੈ Yes	No		
Is this a corner lot? *			
[↑] Yes	♠ No		
Length of time existin 30+ years	g uses have continue	d *	
Existing use of the su	bject property *		
Commercial			
Dimensions of the pr	operty		
Please refer to survey pl	an or site plan		
Frontage (metres) *	Area (metres squared) *	Depth (metres) *	
32.2	1057	32.8	



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application					
Is the purpose of the application enlargement/extension of legal non-conforming use? *					
No No					
Purpose of the application * ?					
new building	building addition				
accessory structure	accessory apartment				
fence height	additional use				
variance(s) related to a consent application	▼ other				
Type of proposal (select all that apply) *					
Existing					
	7 Proposed				

Variance(s) required

View the Zoning Bylaw

ng	24 residential and 2 Visitors Parking Spaces
ed *	Required *
ng	24 residential and 2 Visitors Parking Spaces
	ed *

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * ?

parking spaces.

To provide zero (0) vehicle residential parking spaces whereas the current zoning by-law requires 34 residential parking spaces, and to provide zero (0) visitor parking spaces where the zoning by-law requires 2 visitor

However tenants will be given parking passes to the Market Parkaid if required.

The subject site and adjacent properties have no vehicular access or onsite parking. The proposed redevelopment is based on the same arrangement. Downtown apartments historically accommodate significant proportions of tenants who do not own cars or require parking. The subject development is designed to take advantage of its downtown location and accommodate tenants who do not own cars or require parking. The development provides opportunities for using non-auto modes of travel. Long-term residential parking permits in the parking facilities in downtown Guelph is currently being contracted, and will be provided to tenants of this development.

Other development applications that the subject land ever been the subject	
Official Plan Amendment	Zoning Bylaw Amendment
Plan of Subdivision	Site Plan
Building Permit	Consent
Previous Minor Variance Application	
Site Plan reference/application numb	er* ?
SP21-037 (Currently under review)	
Has the property been subject of a si (rezoning) within the last two years?	-
C Yes	
No	



Building information

An asterisk (*) indicates a response is required

Page	6	of	1	C

30.32

Existing	buildings	and	structures
J	9		

Main building (dwelling and building)

main building	main building *	
(square metres) *	2	
Height of the main building (metres) *	Width of the main building (metres) *	Length of the main building (metres) *

Additional existing buildings

Are there any	additional	buildings	or stru	ctures	on the	subject
property? *						

30.32

Yes

7.62

No



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed buildings and structures



Setbacks, access and services

An asterisk (*) indicates a response is required

			Page 8 of 10	
Existing				
Front setback (metres) *	Rear se (metres		Left setback (met	tres) Right setback (metres) *
0	0		0	0
	access to the			
Type of Acces	ss to the Subject La	ands (check all	that apply) *	
Provincial hi	ighway	Munici	pal road	
Private road	t			
Cther				
Types of	Municipal Ser	vices		
Types of Mun	icipal Service (che	ck all that		
W ater	Sanitary sewer	Storm sewer		



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

Sworn Declaration

I 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.

Name *		Date *	
Lorraine Roberts		3/31/2022	
Street address *	City *	Province *	
Street address * 5 Douglas Street	City * Guelph	Province * Ontario	

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *	Date *	
Gordon Driedger	3/17/2022	#

Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus <u>HST</u> and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

□ I agree

What email address would you like us to contact you with? *

lroberts@skydev.ca

Office use only

File number

A-18/22

Address

26-40 Carden Street and 27-39 MacDonell Street Carden Street Guelph, Ontario N1H2S8

Comments from staff

Received: April 1,	2022	

5A-150 Pinebush Road Cambridge ON N1R 8J8 p: 519.896.3163 905.381.2229

www.ptsl.com

416.479.9684

04 November 2021 Project: 210439

Lorraine Roberts SkyDev 5 Douglas Street, Suite 301 Guelph ON N1H 2S8

Dear Ms. Roberts:

RE: 26-40 CARDEN STREET & 27-39 MACDONELL STREET, GUELPH

PARKING STUDY

Paradigm Transportation Solutions Limited (Paradigm) has been retained to complete this Parking Study for the proposed mixed-use redevelopment located at 26-40 Carden Street and 27-39 Macdonell Street in the City of Guelph.

The subject property is located in a built-up block in Downtown Guelph, and is bounded by Carden Street to the south, Wyndham Street to the east, Macdonell Street to the north, and Wilson Street to the west.

Figure 1 (attached) illustrates the site location and the surrounding area.

There is an existing two-storey 17,055 square feet (1,584 square metre) GFA commercial building on the property. Similar to adjacent properties, the subject property has frontages on both Carden Street and Macdonell Street, but has no vehicular access or onsite parking.

The proposed redevelopment will include the renovation of the existing ground floor (7,340 square feet) to retain the current commercial use, and the addition of five storeys to accommodate 34 apartment units. As at present, there will be no vehicular access or onsite parking, neither of which can be provided consistent with the existing site characteristics.

Figure 2 illustrates the proposed Site Plan.

The practice of allowing downtown developments with zero parking, is being adopted in a number of Ontario municipalities. For example, the municipalities of Kitchener, London and Ottawa allow downtown developments with zero parking for residential and non-residential uses.

The proposed development is consistent with this practice and with the City of Guelph's emphasis on sustainable transportation policies and objectives.

Given the current vehicle parking zoning regulations applicable to the property, the proposed development requires a minor variance as part of the approval process. The minor variance will provide for:

- 1) Zero residential vehicle parking spaces where the current Zoning By-Law requires 34 residential parking spaces; and
- Zero visitor vehicle parking spaces where the Zoning By-Law requires 2 visitor parking spaces.

The purpose of this study is to support the above minor variance request based on the following considerations:

- The site's downtown location;
- Potential for full occupancy in downtown development without onsite parking; and
- Proximity to off-street parking to accommodate auto-dependent tenants.

Downtown Location

The subject site is located in Guelph's downtown core, across from City Hall and within 200 metres from the Guelph Central Station.

The site's location in proximity to downtown facilities and the transit hub is conducive to minimizing the dependence on auto-usage and accommodating tenants without requiring onsite vehicle parking. The development is also suitable for implementing a range of TDM measures as well as maximizing the use of active transportation and transit modes.

In addition, off-site parking facilities that offer long-term residential parking permits, as well as parking lots and on-street parking for short-term parking, are located within walking distance from the development.

As well, **Community CarShare (VRTUCAR)** operates a car share program in Guelph with a total of seven locations. Six spaces/vehicles are located within one kilometre from the subject site with the closest space/vehicle located in the downtown at the Guelph Civic Museum on Cork Street, within two blocks from the development.

Development Without Parking

The potential for a downtown residential development to achieve full occupancy without onsite parking is a function of auto-ownership and the opportunities for the use of non-auto modes of transportation.

Auto-Ownership

The auto-ownership levels and non-auto modal shares for existing developments in Downtown Guelph are available in the 2016 Transportation Tomorrow Survey (TTS)¹. The data for existing apartment buildings in the same TTS Traffic Zone as the subject site, indicates the following:

- 44% of existing apartment dwellers in downtown do not own a vehicle.
- 27% of daily trips within the subject site traffic zone are undertaken by non-auto modes: 13% transit, 10% walking and 4% cycling.

It is noted that the traffic zone area to which the above data applies includes apartment buildings that are not as close to the downtown core as the subject site.

It is, therefore, reasonable to expect the proposed development to achieve full occupancy without providing vehicle parking.

More importantly, the development will provide opportunities for potential tenants without a car to rent apartments without parking in the downtown.

Transportation Demand Management

In addition to its locational advantages, the development is also well suited for implementing a range of TDM measures to support tenants without cars to meet their travel needs.

Walking

Sidewalks are provided on both sides of Carden Street, Macdonell Street, Wyndham Street North and Wilson Street. The development location within Downtown Guelph provides residents, employees and visitors with safe and convenient pedestrian connections including the woonerf on Carden Street between Wyndham Street North and Wilson Street. A woonerf refers to a living/shared street which encourages pedestrian activity and reduces vehicular traffic/speed.

The sidewalks and pedestrian crossings provide convenient access throughout the Downtown area, including City Hall, Guelph Central Station and other commercial developments. Other attractions located within 500 metres (9-minute walk) of the subject site include Guelph Civic Museum, the Sleeman Centre and River Run Centre.

Cycling

The location of the development provides convenient access to cycling infrastructure including designated bike lanes on both sides of Norfolk Street, both sides of Wyndham Street North

1



¹ University of Toronto, Transportation Tomorrow Survey, 2016.

south of Carden Street, and Wilson Street south of Carden Street. These cycling facilities provide connections to other parts of the city including the University of Guelph.

The development will be providing 34 long-term residential bicycle storage lockers distributed between floors two to five, and three short-term residential spaces in front of the building on Carden Street.

Transit

The development is located near the Downtown core and within walking distance from the Guelph Central Station. The Guelph Central Station provides convenient access to multiple transit routes including 13 Guelph Transit bus routes, and GO train and bus service between Toronto and Kitchener. Further, Guelph Transit routes 9, 11 and 99 operate with bus stops within 200 metres from the subject site.

VIA Rail also provides service between Toronto and Southern Ontario including London, Windsor and Sarnia.

The Greyhound intercity bus service is also accommodated at the Central Station.

Car Share

Community CarShare (CRTUCAR) runs a car share program in Guelph and has six locations in the downtown area. The closest vehicle/space is located at the Guelph Civic Museum on Cork Street (200 metres from the subject site).

The availability of a carshare vehicle in the area enables residents who normally do not need a vehicle for their daily travel activities, to forego owning a vehicle while having access to a vehicle for occasional use.

On-Site TDM Measures

In addition to the above TDM measures located nearby, the following strategies can be implemented on-site to further encourage the use of sustainable modes:

- Providing a welcome package to residents that outlines the available transit routes and active transportation options encourages new residents to educate themselves on the support for alternative modes near the subject site; and
- Installing wayfinding signage, including transit and active transportation information, in common areas within the building can further support this package.

Off-street Parking Facilities

As noted, the development is located close to a number of downtown off-street and on-street parking facilities.

According to City of Guelph's Parking Services, long-term "Residential" parking permits are



available in City parking facilities in the downtown area, including the Wilson/Market Parkade which is within convenient walking distance (70 metres from the subject site).

The subject development is in the process of securing an arrangement with the City's Parking Services to obtain parking passes at the Market Parkade that can be offered to tenants requiring off-street parking.

Figure 3 illustrates the location of nearby off-street and on-street parking, including:

- Market Parkade is located at 10 Wilson Street approximately 70 metres from the subject site (1-minute walk). The parkade has approximately 496 vehicle spaces, 40 bicycle parking spaces, and 4 charging stations, and offers hourly and monthly rates.
- Macdonell Street Parking Lot is located opposite Macdonell Street from the subject site. The lot has approximately 59 vehicle parking spaces and offers hourly and monthly daytime rates. No residential permits are offered.
- On Street Parking is located along Carden Street, Macdonell Street and Wilson Street.
 - <u>Carden Street:</u> 2-hour free parking is permitted on the north side of this roadway Monday to Saturday from 9:00AM to 9:00PM. More than 40 spaces are available.
 - Macdonell Street: Both 2-hour and 15-minute parking is permitted on both sides of the roadway. Parking is permitted Monday to Saturday from 9:00AM to 9:00PM.
 Overnight and Sunday parking is permitted. Approximately 63 2-hour parking spaces are available, and 20 15-minute parking spaces are available.
 - Wilson Street: 2-hour free parking is permitted on both sides of this roadway between Macdonell Street and the Market Parkade entrance Monday to Saturday 9:00AM to 9:00PM. Overnight and Sunday parking is permitted. Approximately 17 spaces are available.

Summary and Conclusions

In summary, minor variance for the proposed development is justifiable based on the following conclusions:

- The subject site and adjacent properties currently have no vehicular access or onsite parking. The proposed redevelopment is based on the same arrangement.
- Downtown apartments generally accommodate significant proportions of tenants who do not own cars or require parking. The subject development is designed to take advantage of its downtown location and accommodate tenants who do not own cars or require parking.
- The development provides opportunities for implementing a range of TDM measures and for using non-auto modes of travel that will support tenants without a car and not requiring parking.



At the same time, the development can accommodate tenants with vehicles by offering them long term residential parking permits for the Market Parkade through arrangement with the City's Parking Services.

We trust that this letter fulfills the requirements for supporting the minor parking variance for the subject development. Please contact us if there are questions or need for clarification arising from this report.

Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED

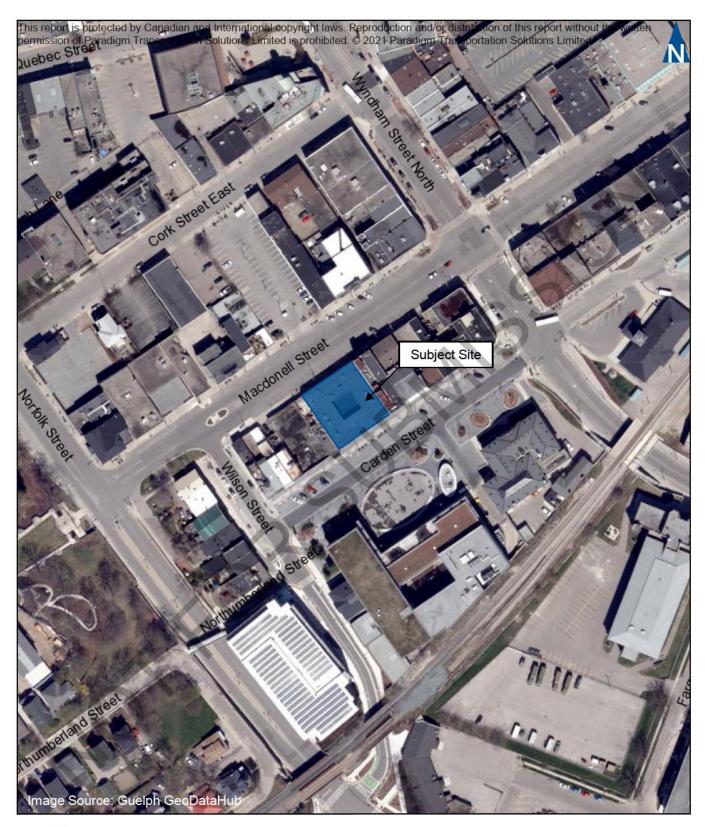
Rajan Philips M.SC, P.Eng.

Senior Transportation Consultant



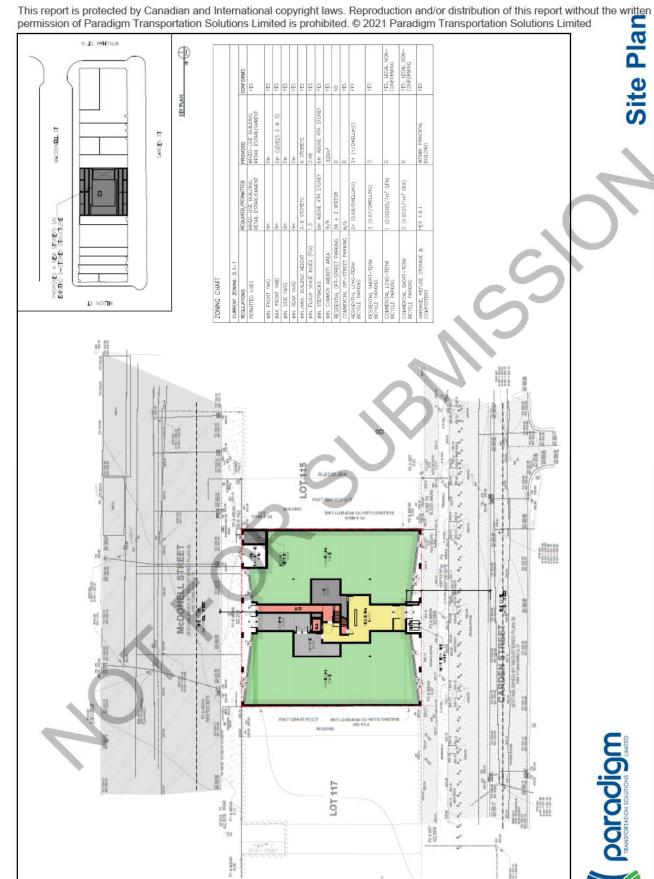
Attachments







Location of Subject Site











Off-Site Parking Supply

Committee of Adjustment Notice of Public Hearing



An Application for Minor Variance and Permission to Enlarge/Extend a Legal Non-Conforming Use has been filed with the Committee of Adjustment

Application Details

Location:

431 Woolwich Street

Proposal:

The applicant is proposing to enclose a portion of the existing covered front porch to create an addition to the existing building which currently contains four (4) dwelling units.

By-Law Requirements:

The property is located in the Specialized Office-Residential (OR-36) Zone. A variance from Table 6.5.2 Row 6 and Section 6.5.2.1 and of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum side yard of 3 metres on the abutting side of the property if the property abuts a residential zone.

Also, the property contains a 4-dwelling unit residential building which is considered to be legal non-conforming in the OR-36 Zone. Any additions or changes to a property which is legal non-conforming requires the prior approval of the Committee of Adjustment.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum side yard setback of 1.26 metres for the proposed addition, and permission to enlarge/extend the legal non-conforming use to permit the construction of a 12 square metre addition to the existing 4-dwelling unit residential building.

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, May 12, 2022

Time: 4:00 p.m.

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: A-19/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing.

Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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 or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

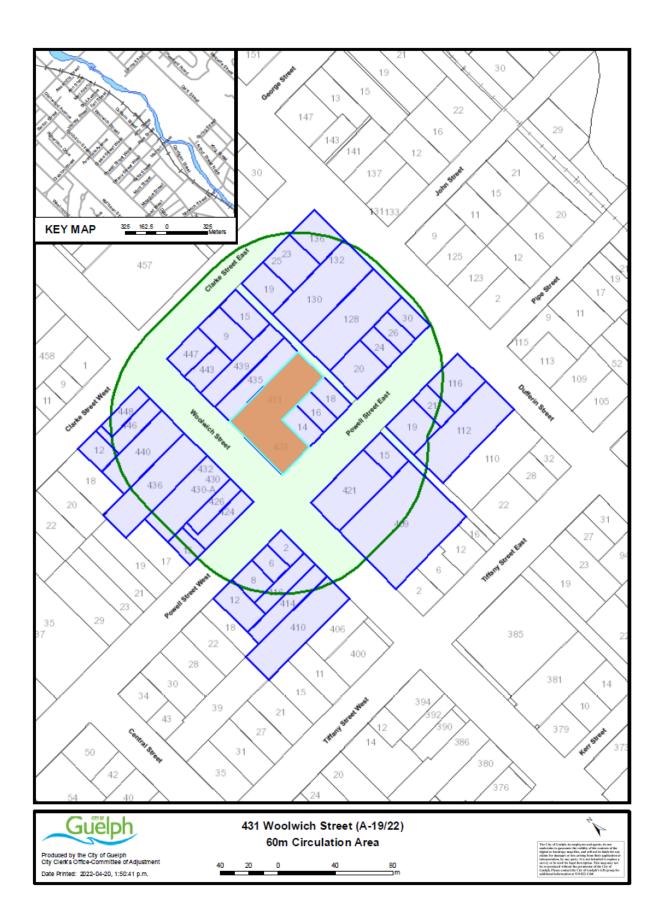
Notice Details


Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated April 25, 2022.

Contact Information

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

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>





Introduction	Minor	\	/ariance
	— IVIII IV /I	w	

An asterisk (*) indicates a response is required

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	au	┖ .	_	OI.		u

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zonin for this proposal? (Residually) *	•
	No
Was Planning Services	staff consulted?*
(F) Yes	No No

It is **highly recommended** that a Preliminary Zoning Review and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

Preliminary Zoning Review form

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

□ I agree

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 or 519-822-1260 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA.*

□ I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *





Contact information

An asterisk (*) indicates a response is required

Pa		

Registered owr	ner		
If there is more than on	e owner, please include all ı	registered owner(s) as lis	sted on Transfer/Deed of Land
Name *	Phone *	Extension	Email *
2436231 Ontario	(519) 822-1708		kyle@sutcliffehome s.ca
Mailing address	Street address *	City *	Postal code *
Unit		•	
Unit	5825 Sixth Line	Ariss	N0B1B0
Unit	5825 Sixth Line East	Ariss	N0B1B0

Agent information

No
 No

Organization/company	Name *	Phone *	Email
Sutcliffe Homes Inc.	Kyle Carolus	(519) 822-1708	kyle@sutcliffehome s.ca
	Is the agent mailing one for the register	address the same as the ed owner? *	
		No	
Agent mailing address			
Street address *	City *	Province *	Postal code *
930 Woodlawn Rd W, Unit 2/3	Guelph	Ontario	N1K1T2



Property information

An asterisk (*) indicates a response is required

	Page 4 of 10		
	Page 4 of 10		
Property address			
Street number *	Street *		
431	Woolwich Street		
City * ?	Province *	Postal code	
Guelph	Ontario	N1H3X3	
Legal Description	of the property		
	is the registered plan and lo	t number(s)	
The legal description	is the registered plan and lo	t number(s)	
The legal description Legal description of PIN 713190112LT,	is the registered plan and lo	t number(s)	
The legal description Legal description of PIN 713190112LT, Official Plan Designation	is the registered plan and lo of the property * Registered Plan 18, Lot 10	t number(s)	

Current Zoning Designation – Interactive Map

Current zoning design	nation *			
OR-36				
Date property was pu	rchased *			
1/13/2017				
Is a building or structu	ure proposed?*			
(F) Yes	No No No			
Date of proposed con	struction *			
6/1/2022				
Is this a vacant lot?*				
	No			
Is this a corner lot? *				
	♠ No			
Length of time existin	g uses have continue	ed *		
Unknown, for a signific	cant number of years			
Existing use of the su	bject property *			
Residential				
Dimensions of the pr	operty			
Please refer to survey pl	lan or site plan			
Frontage (metres) *	Area (metres squared) *		Depth (metres) *	
39	1330		50	



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application	on
Is the purpose of the application e conforming use?*	nlargement/extension of legal non-
(F) Yes	
In addition to the application for exconforming Use, is a minor variance. Yes No	ktension/enlargement of a Legal Non- ce(s) required? *
Purpose of the application * ?	
new building	☑ building addition
accessory structure	accessory apartment
fence height	additional use
variance(s) related to a consent application	ther other
Type of proposal (select all that ap	ply) *
Existing	

Variance(s) required

View the Zoning Bylaw

	Proposed *	Required *
6.5.2.1	Minimum side yard of 1.26 m (as existing building)	Minimum side yard of 3 metres
Section or table of Zoning Bylaw *	Proposed *	Required *
6.5.2 Row 6	Minimum side yard of 1.26 m (as existing building)	Minimum side yard of 1.5m

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * ?

The existing building structure is determining the addition footprint and the existing building structure falls within the required sideyard reduction

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:		
Official Plan Amendment	Zoning Bylaw Amendment	
Plan of Subdivision	Site Plan	
Building Permit	Consent	
Previous Minor Variance Application		
Has the property been subject of a si (rezoning) within the last two years?		
♠ No		



Building information

	An asterisk (*) indicates a response is required		
	Page 6	of 10	
Existing buildin	gs and structures		
Main huilding (dwelling and buildi	na)	
ivialit bullullig (t	aweiling and buildi	119)	
Gross floor area of main building	Number of stories of main building *		
(square metres) *	2		
124.5			
Height of the main building (metres) *	Width of the main building (metres) *	Length of the main building (metres) *	
9	10	14	

Additional existing buildings

Are there any add	itional buildings	or structures	on the subject
property? *			

Yes

No

Select the buildings or (check all that apply) *	structures that are on the	e subject property?	
Accessory structure	□ Deck		
Porch	 ✓ Other		
Accessory structure			
Gross floor area of acc (square metres) *	essory structure	Number of stories of a	ccessory structure *
9		1	
		Height of accessory structure (metres) *	Width of accessory structure (metres) *
		2	3
Length of accessory structure (metres) *			
3			
Other			
Please specify			
Type of structure *		Gross floor area of str	ucture (square metres) *
Office building		650	
Number of stories of structure *	Height of structure (metres) *	Width of structure (metres) *	Length of structure (metres) *
2	9	25.4	12.8



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed build	ings and structures	3
Add a proposed build	ing or structure (check all t	hat apply) *
Accessory structure	Building	addition
Deck	Porch	
	ldition	
Other Proposed building ac Gross floor area of pro (square metres) *	ddition oposed building addition	Number of stories of proposed building addition *
Proposed building ac		• • •
Proposed building ac Gross floor area of pro (square metres) *		addition *



Setbacks, access and services

An asterisk (*) indicates a response is required

Page 8 of 10

Setbacks for all Buildings and Structures A setback is the distance from a property line to the nearest wall/structure/building. Existing Right setback Front setback Rear setback Left setback (metres) (metres) * (metres) * (metres) * 23.71 13 6.76 1.26 Proposed Front setback Rear setback Left setback (metres) Right setback (metres) * (metres) * (metres) * 23.71 6.76 1.26 13

Type of Access to the Subject Lands

Type of Access to the Subject Lands	(check all that apply) *
Provincial highway	Municipal road
Private road	☐ Water
Cther	
Types of Municipal Service	es
Types of Municipal Service (check al apply)	I that
	Storm sewer



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

Sworn Declaration

I 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.

Name *	Date *	Date *	
Kyle Carolus		4/21/2022	
Street address *	City *	Province *	
930 Woodlawn Rd	Guelph	Ontario	

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *	Date *	
Kyle Carolus	4/21/2022	#

Additional fees

Committee of Adjustment

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Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

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Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

kyle@sutcliffehomes.ca

Office use only

File number

A-19/22

Address

431 Woolwich Street Guelph, Ontario N1H3X3

Comments from staff

Received: April 13, 2022

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

155 Eramosa Road

Proposal:

The applicant is proposing to construct various additions onto the existing detached dwelling, including a new front entry, porch addition with stairs, and an addition at the rear of the dwelling. The applicant is also proposing to construct an attached garage and second storey onto the existing detached dwelling.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Row 6, Section 5.1.2.7 i), Table 5.1.2 Row 7 and Table 4.7, Row 12 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum front yard setback of 6 metres or the average of the setbacks of the adjacent properties [being 3.96 metres];
- b) a minimum side yard of 1.5 metres; and
- c) exterior stairs to project a maximum of 1.5 metres into the required front yard.

Request:

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

- a) a minimum front yard setback of 2.78 metres for the proposed front addition;
- b) a minimum left side yard setback of 0.25 metres for the proposed attached garage;
- a minimum right side yard setback of 0.81 metres for the proposed addition;
 and
- d) the proposed stairs to have a maximum projection of 1.65 metres into the required front yard; and

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, May 12, 2022

Time: 4:00 p.m.

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: A-20/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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@quelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

Notice Details

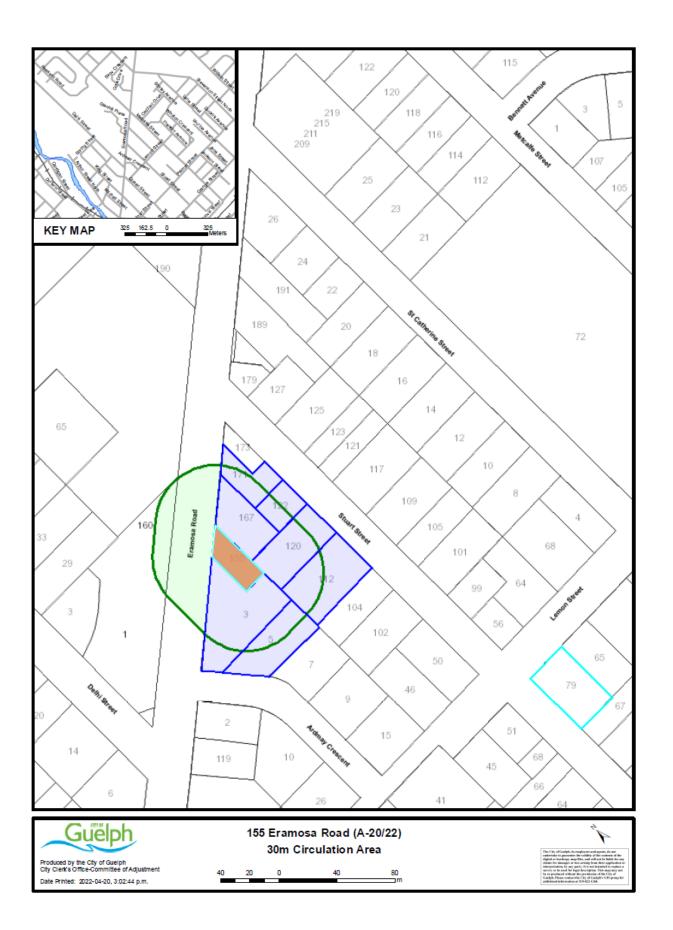
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated April 25, 2022.

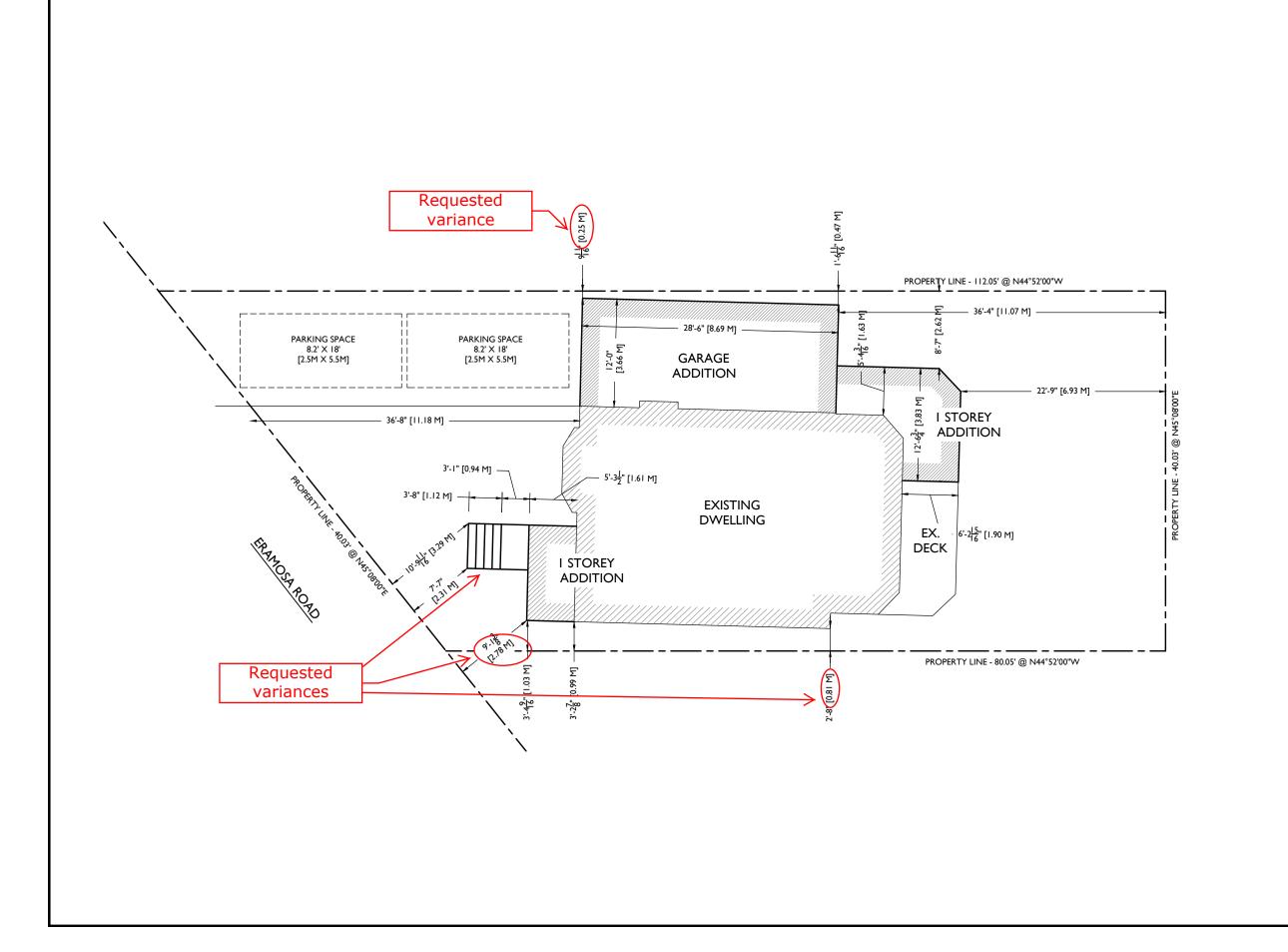
Contact Information

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

 519-822-1260 Extension 2524
 cofa@guelph.ca

 TTY: 519-826-9771
 guelph.ca/cofa





1. ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES

2. ALL CONSTRUCTION TO CONFORM WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE.

VERSIONS			
#	# DATE DESCRIPTION		
1	4-12-2021	INITIAL DESIGN	
2	8-24-2021	ADD GARAGE	



SITE PLAN

SCALE: 3/32" = 1'-0"

HOUSE ADDITION

PROJECT ADDRESS:155 ERAMOSA RD GUELPH, ON

SADIE FORD

SP'



- ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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	VERSIONS		
#	DATE	DESCRIPTION	
0	3-17-2021	EXISTING PLAN	
1	3-23-2021	INITIAL DESIGN	

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.5.1. OF THE BUILDING CODE

NAME: SCOTT GROEN BCIN: 38749

REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



3D VIEW SCALE:

HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD

CLIENT





- 1. ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



FRONT ELEVATION SCALE: 1/4" = 1'-0"

HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD

| A1





- ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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		VERSIONS
#	DATE	DESCRIPTION
0	3-17-2021	EXISTING PLAN
1	3-23-2021	INITIAL DESIGN
2	10-5-2021	DESIGN REVISION

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

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REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.5.1. OF THE BUILDING CODE

NAME: SCOTT GROEN BCIN: 38749

REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



REAR ELEVATION SCALE: 1/4" = 1'-0"

HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD

CLIENT

A3



- ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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		VERSIONS
#	DATE	DESCRIPTION
0	3-17-2021	EXISTING PLAN
1	3-23-2021	INITIAL DESIGN
2	10-5-2021	DESIGN REVISION
	•	

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REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.4.1. OF THE BUILDING CODE

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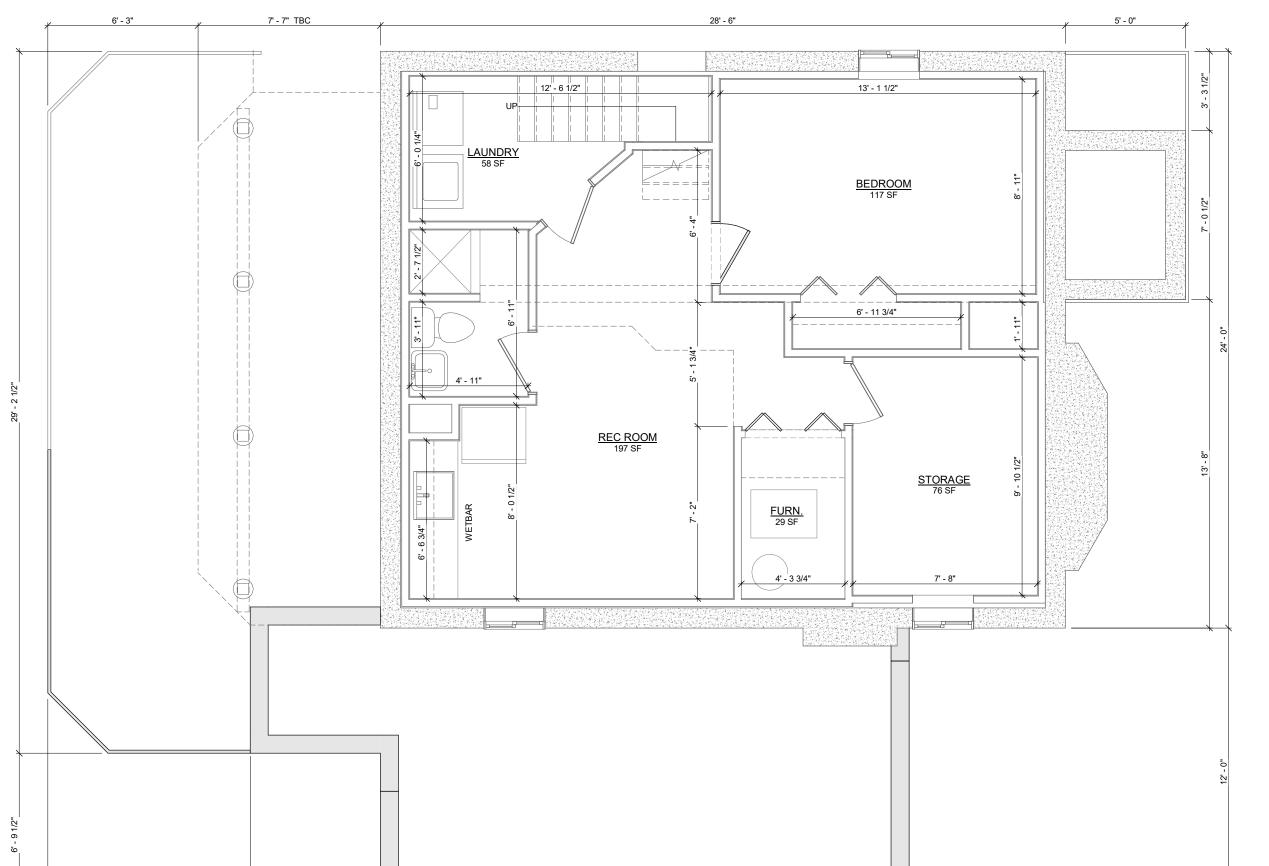
RIGHT ELEVATION SCALE : 1/4" = 1'-0"

HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD





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#	3-17-2021	DESCRIPTION EXISTING PLAN
U.		
1	3-23-2021	INITIAL DESIGN
2	10-5-2021	DESIGN REVISION

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3.2.4.1. OF THE BUILDING CODE

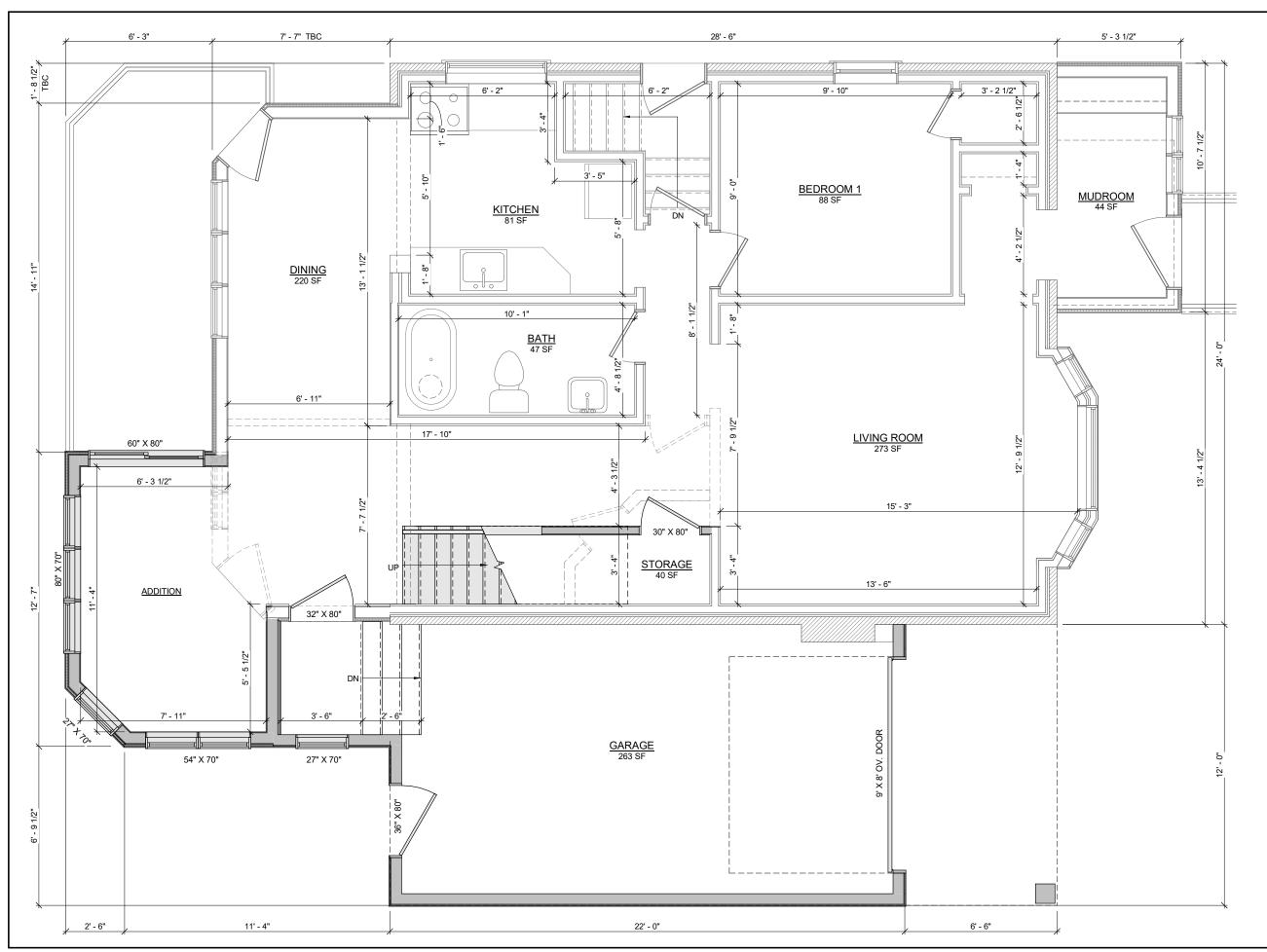
FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



BASEMENT FLOOR PLAN SCALE : 1/4" = 1'-0"

HOUSE ADDITION

DECLADDITION



ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES

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NAME: SCOTT GROEN BCIN: 38749

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3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



FIRST FLOOR PLAN SCALE: 1/4" = 1'-0"

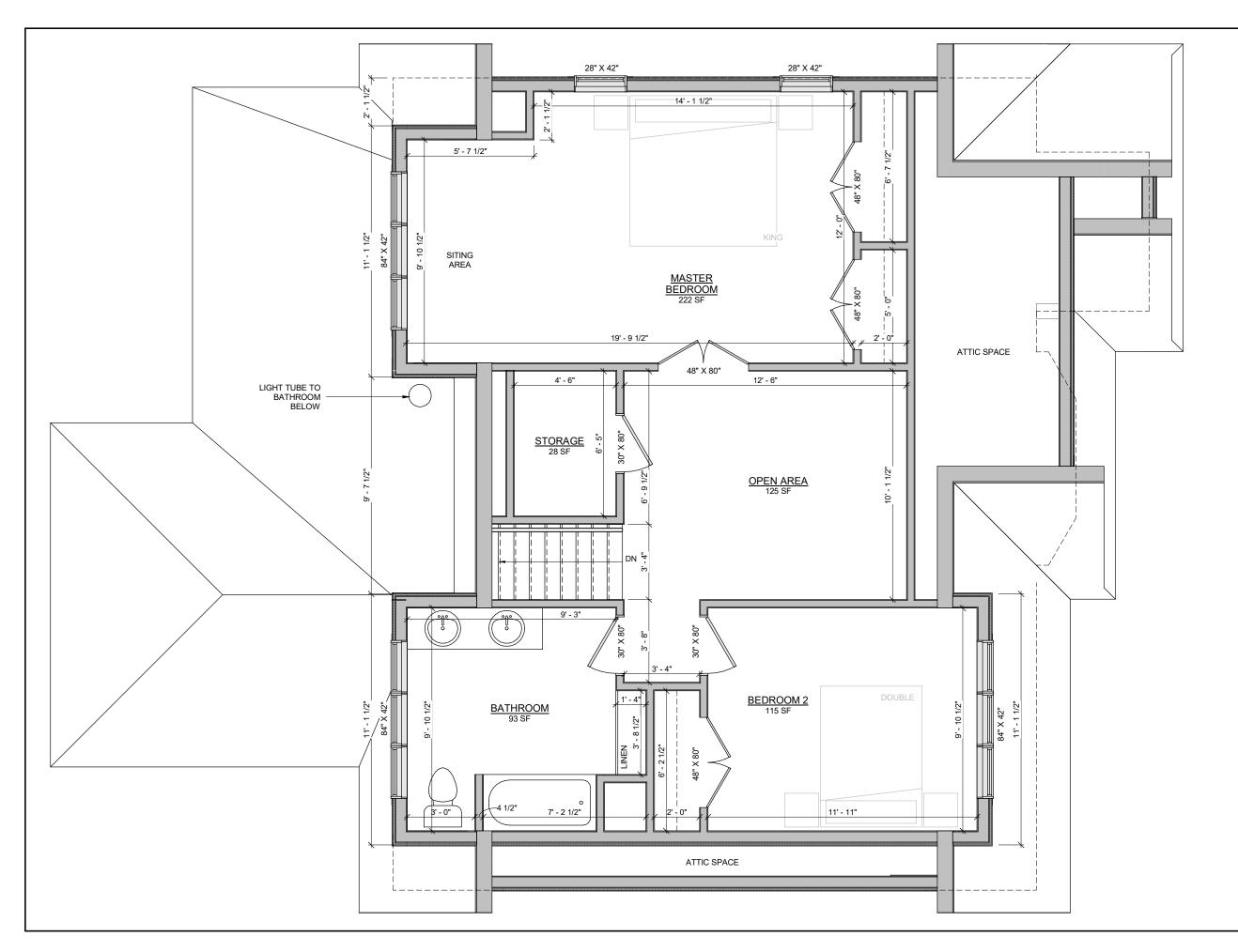
HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD

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CLIENT



- ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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3.2.5.1. OF THE BUILDING CODE

NAME: SCOTT GROEN BCIN: 38749

<u>REGISTRATION INFORMATION</u>
REQUIRED UNLESS DESIGN IS EXEMPT UNDER
3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES BCIN: 43607



SECOND FLOOR PLAN SCALE : 1/4" = 1'-0"

HOUSE ADDITION

PROJECT ADDRESS: 155 ERAMOSA RD GUELPH, ON

SADIE FORD



	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zonin for this proposal? (Residually) *	•
(Yes	No No
Was Planning Services	staff consulted?*

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 or 519-822-1260 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA.*



Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing.*

I agree



Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owr	ner		
If there is more than on	e owner, please include all ı	registered owner(s) as lis	sted on Transfer/Deed of Land.
Name *	Phone *	Extension	Email *
Hanscomb, Miles Alexander/ Ford, Kory Sadie	(226) 780-7878		eastmeetswestheal th@outlook.com
Mailing address Unit	Street address *	City *	Postal code *
Offic			
	155 Eramosa rd	Guelph	N1E 2M1

Agent information

Yes

○ No

(519) 831-0072 ng address the same as the ered owner? *	sequoiawoodworks @gmail.com
ereu owner :	
(♠ No	
Province *	Postal code *
Ontario	N0B1S0
	Province *



Property information

An asterisk (*) indicates a response is required

	Page 4 of 1	0	
Property address			
Street number *	Street *		
155	Eramosa Road		
City * ?	Province *	Postal code	
Guelph	Ontario	N1N 1N1	
Legal Description of	f the property		
The legal description is	the registered plan and	lot number(s)	
Legal description of	the property *		
Low Density Resider GUELPH)	ntial (PT LOT 2, PLAN 28	81 AS IN RO663624;	
Official Plan Designation –	Schedule: Land Use (PDF)		
Official Plan Designa	tion – Land Use *		
Low Density Residen	ntial (PT LOT 2, PLAN 28	81 AS IN RO663624;	

Current Zoning Designation – Interactive Map

GUELPH)

Current zoning design	nation *		
R1.B			
Date property was pur	chased *		
6/28/2022			
Is a building or structu	ıre proposed?*		
(F) Yes	No No		
Date of proposed cons	struction *		
9/4/2022			
Is this a vacant lot?*			
(T) Yes	♠ No		
Is this a corner lot?*			
	No		
Length of time existing	g uses have continu	ed *	
Since the house was o	originally constructed		
Existing use of the sul	oject property *		
Residential			
Dimensions of the pro	operty		
Please refer to survey pla	an or site plan		
			Danish (see)
Frontage (metres) *	Area (metres squared) *		Depth (metres) *
15.6	361.12		34



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

1
•
argement/extension of legal non-
building addition
accessory apartment
additional use
☐ other
y) *

Variance(s) required

View the Zoning Bylaw

2.78m Proposed *	3.96m
Proposed *	Poquired *
	Required *
0.25m	1.5m
Proposed *	Required *
0.81m	1.5m
Proposed *	Required *
Projection – 1.65m Setback – 2.31m	Projection – 1.5m Min Setback – 0.8m
	0.81m Proposed * Projection – 1.65m

Please describe the reasons why th	e variance(s) are needed * 😯
Building front yard setback - This is in addition. In order to provide adequate Room) we will need to encroach sligh	e space for a usable front entry (Mud
Building left side setback - This is in addition. in order to provide and adec parking space within the garage we was etback	quate width of garage to provide a
Building right side setback - Currently setback from the right side lot line. The diminish that setback	the existing house is sitting at a .99M ne proposed front porch will slightly
Front yard stair projection - in order to addition the stairs will need to project room addition	o provide an adequate front mudroom off of the front of the proposed mud
Other development applications that the subject land ever been the subject.	
Cofficial Plan Amendment	Zoning Bylaw Amendment
Plan of Subdivision	Site Plan
Building Permit	Consent
Previous Minor Variance Application	
Has the property been subject of a s	site-specific by-law amendment

(rezoning) within the last two years?*

C Yes

○ No



Building information

	, ,	a response is required
	Page 6	of 10
Existing buildin	gs and structures	
Main building (dwelling and build	ing)
Gross floor area of	Number of stories of	
main building (square metres) *	main building *	
main building (square metres) *	main building *	
(square metres) *		Length of the main building (metres) *

Additional existing buildings

Are there any additional buildings or structures on the subject	ct
property?*	

Yes

<a>No



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed buildings and structures					
Add a proposed building or structure	e (check all that apply) *				
Accessory structure	☑ Building addition				
☐ Deck	Porch				
Cther					
Proposed building addition					

Gross floor area of proposed building addition (square metres) * 78		ng addition Number of stories of proposed building addition *	
7.61	10.97	6.7	
Gross floor area of pr (square metres) *	oposed building addition	Number of stories of proposed building addition *	
4.8		1	
Height of building addition (metres) *	Width of building addition (metres) *	Length of building addition (metres) *	
3.5	1.52	3.2	
Gross floor area of pr (square metres) *	oposed building addition	Number of stories of proposed building addition *	
7		1	
Unight of building	Width of building	Length of building	
Height of building addition (metres) *	addition (metres) *	addition (metres) *	



Setbacks, access and services

An asterisk (*) indicates a response is required

Page 8 of 10

Setbacks for all Buildings and Structures A setback is the distance from a property line to the nearest wall/structure/building. Existing Right setback Front setback Rear setback Left setback (metres) (metres) * (metres) * (metres) * 4 8 3.89 0.81 Proposed Front setback Rear setback Left setback (metres) Right setback (metres) * (metres) * (metres) * 0.25 2.78 6.93 1.03

Type of Access to the Subject Lands

Type of Access to the Subject Lands	(check all that apply) *
Provincial highway	Municipal road
Private road	☐ Water
Cther	
Types of Municipal Service	es
Types of Municipal Service (check al apply)	I that
	Storm sewer



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

Sworn Declaration

I 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.

Name *	Name *		
Colin Perry	3/20/2022		
Street address *	City *	Province *	
211 Smith st	Guelph	Ontario	

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *	Date *		
Colin Perry	3/8/2022	#	

Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

sequoiawoodworks@gmail.com

Office use only

File number

A-20/22

Address

155 Eramosa Road Guelph, Ontario

Comments from staff

Received: Apr	il 13, 2022	

Cover letter for variance application for 155 Eramosa Rd Guelph

Т

My name is Colin Perry. I am the contractor and the minor variance applicant regarding the proposed construction of a new front entry, garage addition, and second story addition on the property of 155 Erimosa rd, Guelph.

Currently the home does not have a proper front entrance area. There is a small entry that leads directly to the living room area of the home. My Client would like to add a new front "mudroom" addition over the existing front stoop of the house. This will add the needed space for a proper front entry into the house. With a growing family, my client needs this extra room for everyday purposes.

The garage addition will allow my client to park a vehicle indoors and also allow for more space on the proposed second story of the house.

The second story will allow extra livable space within the home to grow a family

Thank you

Colin Perry

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

10 Ontario Street

Proposal:

The property contains an existing additional residential dwelling unit on the second floor of the existing detached dwelling. The applicant is proposing to have no interconnecting access between the primary dwelling unit and the additional residential dwelling unit.

By-Law Requirements:

The property is located in the Specialized Residential Single Detached (R.1B-10) Zone. A variance from Section 4.15.1.6.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires interior access between floor levels and between the additional residential dwelling unit and the primary dwelling unit.

Request:

The applicant is seeking relief from the By-Law requirements to permit no interior access between the existing additional residential dwelling unit and the primary dwelling unit.

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, May 12, 2022

Time: 4:00 p.m.

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: A-21/20

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be given the opportunity to speak.

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Additional Information

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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. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

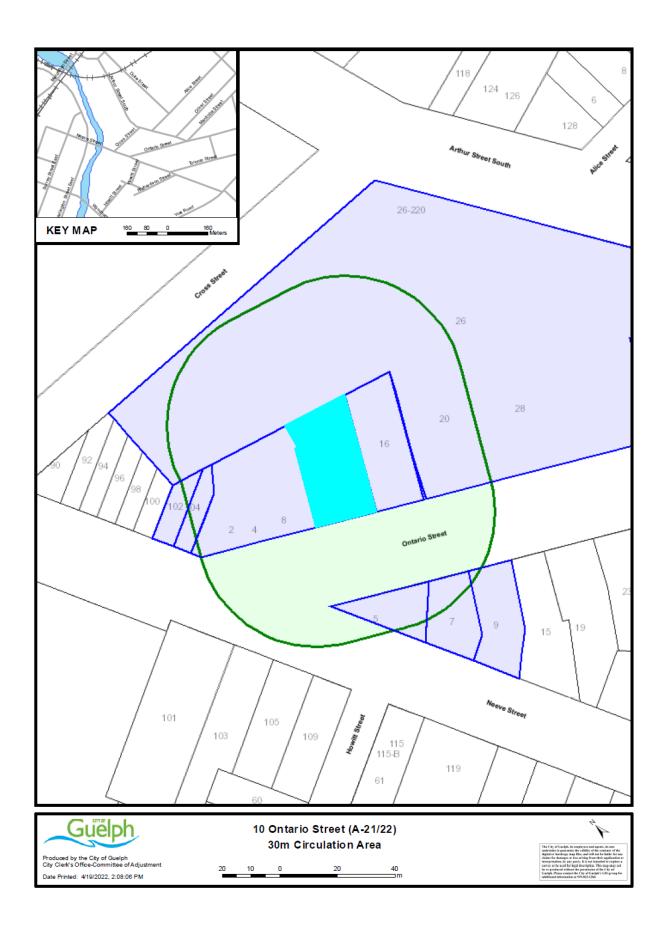
Notice Details

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated April 25, 2022.

Contact Information

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

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>







1 21.03.017 ISSUED FOR CLIENT REVIEW
2 21.03.21 ISSUED FOR PERMIT

Firm BCIN: 29604 The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below. Building Structural Complex Buildings Large Building Small Building

Brandon Martin

April 5, 2021



JEFF BOUSFIELD

EXISTING TWO-UNIT DEWLLING

10 ONTARIO STREET GUELPH, ON. N1E 3B1

SITE PLAN

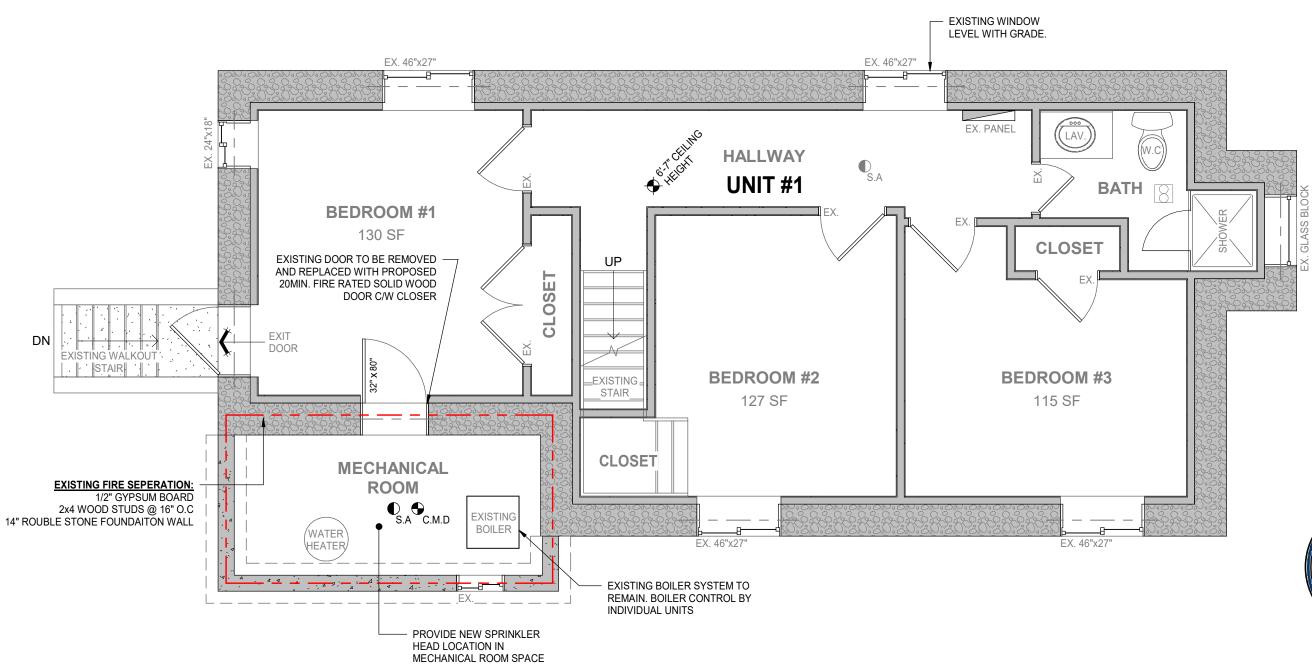
DRAWN BY:

J.KELLY

SP1.0

ONTARIO STREET

Designer BCIN:_







 No.
 DATE
 REVISION

 1
 21.03.017 ISSUED FOR CLIENT REVIEW

 2
 21.03.21 ISSUED FOR PERMIT

TAC MA ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural

Complex Buildings
Large Building

Small Building

Signature: __

signer: Brandon Martin

Designer: _

Designer BCIN: 34596

April 5, 2021

Data



JEFF BOUSFIELD

EXISTING TWO-UNIT DEWLLING

10 ONTARIO STREET GUELPH, ON. N1E 3B1

BASEMENT EXISTING AND PROPOSED PLAN

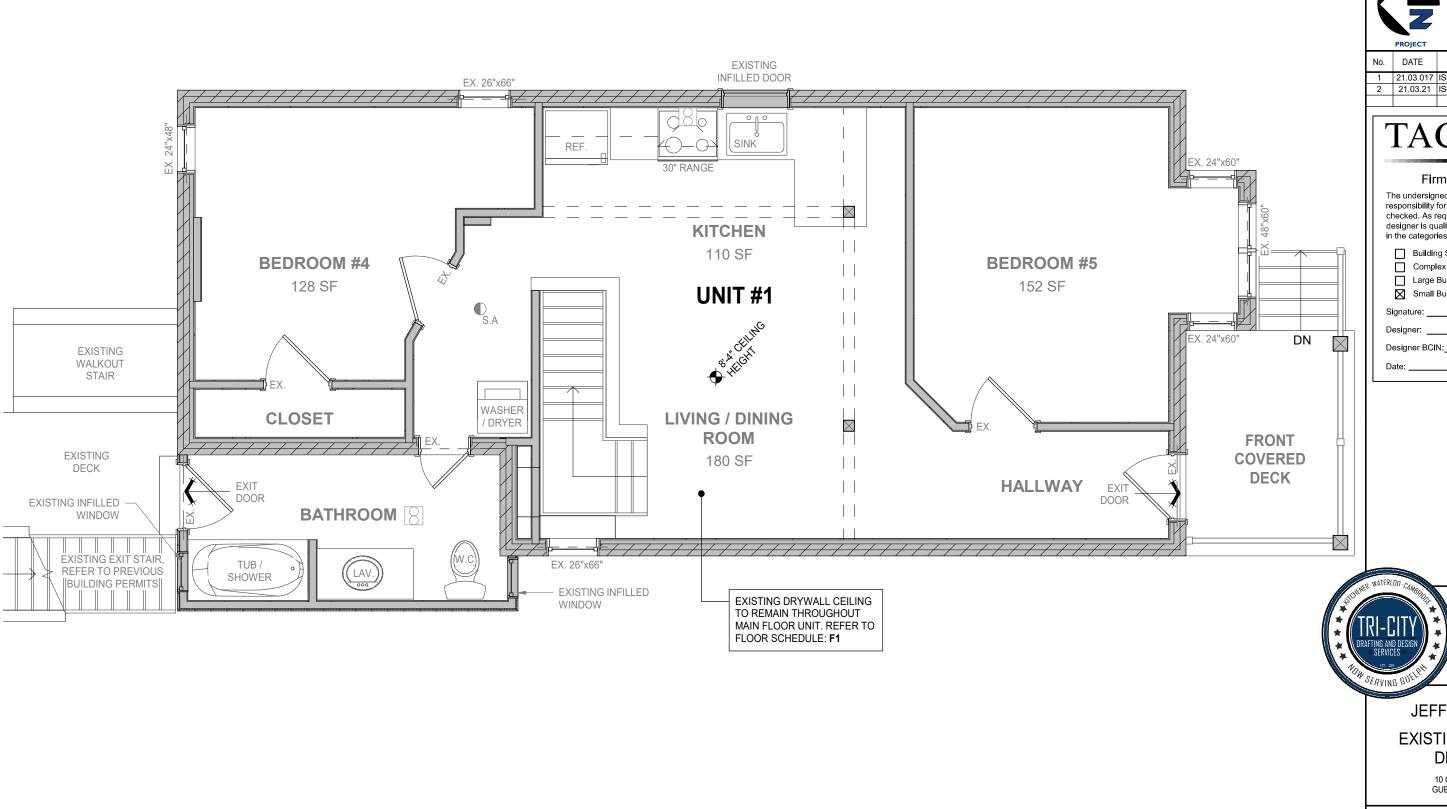
DRAWN BY:

J.KELLY PROJECT

21TC018

A1.0





MAIN FLOOR PLAN

A2.1 1/4" = f-0"





No.	DATE	REVISION
1	21.03.017	ISSUED FOR CLIENT REVIEW
2	21.03.21	ISSUED FOR PERMIT

Firm BCIN: 29604 The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below. Building Structural Complex Buildings Large Building Small Building

Brandon Martin

April 5, 2021

34596

♦ SERVICES ♦ SERVICE@TRICITYDRAFTING.COM

JEFF BOUSFIELD **EXISTING TWO-UNIT**

DEWLLING 10 ONTARIO STREET GUELPH, ON. N1E 3B1

GROUND FLOOR EXISTING

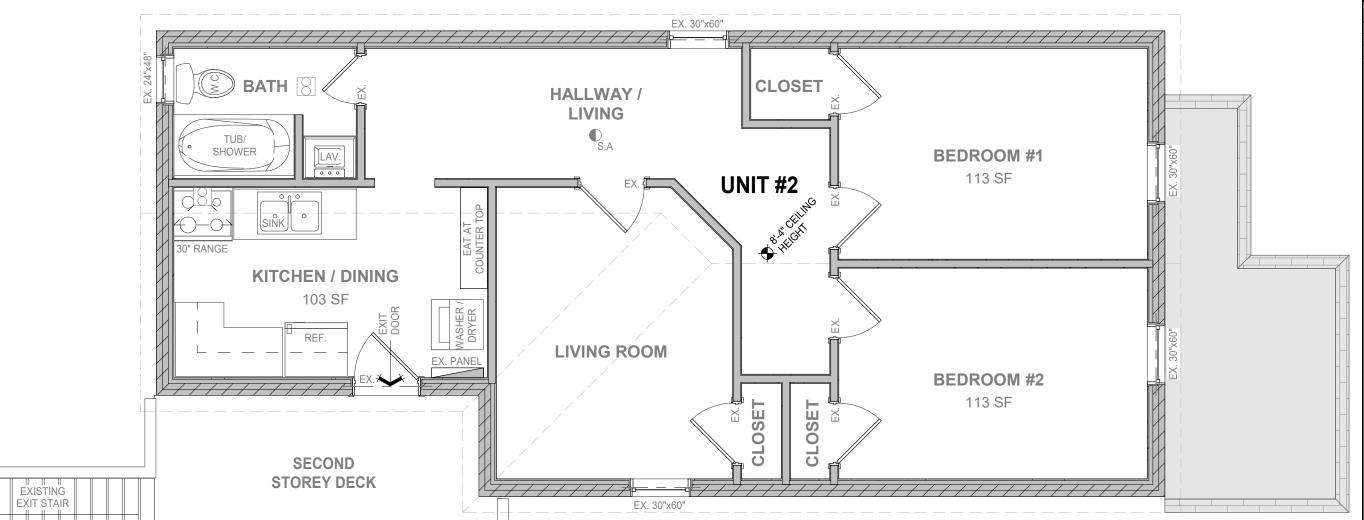
PLAN

DRAWN BY:

PROJECT No.: J.KELLY

21TC018

A2.1







No.	DATE	REVISION
1	21.03.017	ISSUED FOR CLIENT REVIEW
2	21.03.21	ISSUED FOR PERMIT

TACOMA

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for the design for categories checked. As required by OBC Div. C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

Building Structural

Complex Buildings
Large Building

Small Building

Signature:

daner: Brandon Martin

esigner: Br

Designer BCIN: 345

April 5, 2021

Deter



JEFF BOUSFIELD

EXISTING TWO-UNIT DEWLLING

10 ONTARIO STREET GUELPH, ON. N1E 3B1

SECOND FLOOR EXISTING PLAN

DRAWN BY:

J.KELLY PROJECT No.:

21TC018

1 SECOND FLOOR PLAN
A2.2 V4"= r-0"

	Introduction	- Minor	\	/ariance
- 1		— IVIII IC /I	v	

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zonir for this proposal? (Resionly) *	
	No
Was Planning Services	staff consulted? *
	No No

It is **highly recommended** that a Preliminary Zoning Review and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

Preliminary Zoning Review form

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

□ I agree

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 or 519-822-1260 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA.*

□ I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *





Contact information

An asterisk (*) indicates a response is required

		10

Registered ov	vner		
If there is more than o	one owner, please include all re	egistered owner(s) as lis	sted on Transfer/Deed of Land.
Name *	Phone *	Extension	Email *
Jeffrey Allen	(519) 827-6252		jeff.jbousfield@gm
Bousfield	(0.10) 52.1 52.5		ail.com
Bousfield			
Bousfield Mailing address	Street address *	City *	
Bousfield Mailing address		City * Guelph	ail.com
Bousfield Mailing address	Street address *	_	ail.com Postal code *
•	Street address *	_	ail.com Postal code *

Agent information

○ No

Organization/company	Name *	Phone *	Email
name	Kevin Thompson	(519) 837-2100	kthompson@svlaw.
SmithValeriote Law Firm LLP			ca
	Is the agent mailing a	address the same as the downer? *	
		No	
Agent mailing address			
Street address *	City *	Province *	Postal code *
100-105 Silvercreek Pkwy. N.	Guelph	Ontario	N1H 6S4



Property information

An asterisk (*) indicates a response is required

	All asterisk () male	ales a response is required	
	Page 4 of 1	0	
Property address			
Street number *	Street *		
10	Ontario Street		
City * ?	Province *	Postal code	
Guelph	Ontario	N1E 3B1	
	the registered plan and	lot number(s)	
Legal description of t			
PT LOTS 65 & 66, PL GUELPH	_AN 113 , AS IN RO7952	261 S/T RO795261;	
Official Plan Designation – S	Schedule: Land Use (PDF)		
Official Plan Designa	tion – Land Use *		
Residential 1			

Current Zoning Designation – Interactive Map

Current zoning design	nation *	
R.1B-10		
Date property was pur	rchased *	
3/16/2011	É	
Is a building or structu	ure proposed?*	
	No	
Is this a vacant lot?*		
	<a>No	
Is this a corner lot? *		
	No	
Length of time existing	g uses have continued	1 *
decades		
Existing use of the su	bject property *	
Other		
Existing use of the sul	bject property - other *	•
Two unit residential		
Dimensions of the pre	operty	
Please refer to survey pl	an or site plan	
Frontage (metres) *	Area (metres squared) *	Depth (metres) *
15.7	450	30.4



Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application				
Is the purpose of the application enlaconforming use? *	argement/extension of legal non-			
C Yes				
No				
Purpose of the application * ?				
new building	building addition			
accessory structure	accessory apartment			
fence height	additional use			
variance(s) related to a consent application	other			
Type of proposal (select all that apply	y) *			
Existing				
☐ Proposed				

Variance(s) required

View the Zoning Bylaw

	Proposed *	Required *
4.15.1.6.3	no connection between units	interior access required between units
		ylaw?
Please describe the reasons why the varian	nce(s) are needed * ?	ylaw?
Why is it not possible to complete Please describe the reasons why the variant The property at 10 Ontario Street has been a decades (as far back as the 1940s/1950s). In property had three units, but for the majority of	multi-residential property for the 1970s for a time the	ylaw?
Please describe the reasons why the variant The property at 10 Ontario Street has been a decades (as far back as the 1940s/1950s). In	multi-residential property for the 1970s for a time the tits history it has had 2 units, reported by the City of	ylaw?

decades (as far back as the 1940s/1950s). In the 1970s for a time the property had three units, but for the majority of its history it has had 2 units, and MPAC records (which are based on data reported by the City of Guelph) characterize this property as a 'duplex' notwithstanding its R.1B zoning. In 2001, a prior owner took out a building permit to convert the property to a lodging house. There is a disagreement between the owner and staff as to whether the second kitchen was actually removed at that time, but when the present owner acquired the property it had 2 distinct units. There is currently no interconnectivity between the units, and restoring interconnectivity would be practically very difficult and would result in the loss of one of the units. Given the decades-old use as a 2+ unit building, this variance seeks to legalize the lack of interconnectivity to allow for registration of the ARDU.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

Official Plan Amendment	Zoning Bylaw Amendment
Plan of Subdivision	Site Plan
Building Permit	Consent
Previous Minor Variance Application	

Building Permit application number * ? 21 001763 000 00 BRX

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

C Yes

○ No



Building information

	An asterisk (*) indicates	a response is required	
	Page 6	of 10	
Existing buildin	gs and structures		
Main building (d	dwelling and buildi	ng)	
main building	Number of stories of main building *		
Gross floor area of main building (square metres) *			
main building (square metres) *	main building *	Length of the main building (metres) *	

Additional existing buildings

Are there any addition	nal buildings	or structures	on the su	ıbject
property?*				

Yes

No
 No

Select the buildings or structu (check all that apply) *	res that are on the	e subject property?	
Accessory structure	□ Deck		
Porch	Other		
Accessory structure			
Gross floor area of accessory (square metres) *	structure	Number of stories of a	ccessory structure *
24		1	
		Height of accessory structure (metres) *	Width of accessory structure (metres) *
		3	4
Length of accessory structure (metres) *			
6			



Building information (continued)

An asterisk (*) indicates a response is required

Page 7 of 10

Proposed buildings and structures



Setbacks, access and services

An asterisk (*) indicates a response is required

			Page 8 of 10		
Existing					
Front setback (metres) *	Rear se (metres		Left setback (r *	metres)	Right setback (metres) *
0	10		0.2		1.5
Type of Acce		•			
Type of Access to		•			
Provincial highw	ay	Munici	pal road		
Private road		■ Water			
Cther					
Types of Mu	nicipal Serv	/ices			
Types of Municipa	al Service (chec	k all that			
Water N	Sanitary sewer	Storm sewer			



Summary and review

An asterisk (*) indicates a response is required

Page 9 of 10

Sworn Declaration

I 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.

Name *		Date *	
Kevin Thompson		4/19/2022	
Street address *	City *	Province *	
100-105 Silvercreek Pkwy. N.	Guelph	Ontario	

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *	Date *	
Kevin Thompson	4/10/2022	#

Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the Committee of Adjustment fees page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the Grand River Conservation Authority (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit Building Services fee webpage

Other Fees

For information on any other additional user fees, please visit the 2021 User Fee Guide

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

kthompson@svlaw.ca

Office use only

File number

A-21/22

Address

10 Ontario Street Guelph, Ontario N1E 3B1

Comments from staff

Application received: April 14, 2022



April 11, 2022

Guelph Committee of Adjustment City of Guelph 1 Carden Street Guelph, ON N1H 3A1 ATTN: Trista Di Lullo, Secretary-Treasurer

Dear Ms. Di Lullo and Committee Members:

Re: 10 Ontario Street;

Application for relief from s. 4.15.1.6.3 to permit registration of Additional Residential

Dwelling Unit; Our file: 67841-003

SmithValeriote Law Firm LLP represents Jeff Bousfield, the owner of the above-noted property. This property was acquired in 2011, and at the time contained two (2) dwelling units, which functionally operate as a duplex (notwithstanding the R.1B-10) zoning on the property. Our client has records indicating that the use of the property as a two-unit building dates as far back as the 1940s/1950s, and at one time in the 1970s there were three units within the building. In 2001, a prior owner took out a building permit to convert the property to a lodging house. There is a disagreement between our client and City Staff as to whether the existing second unit kitchen was ever removed at that time and whether there was any actual discontinuation of the two-unit use that had existed for decades (this dispute is the subject of several ongoing court proceedings, namely Guelph Superior Court files: CV-20-00000060-0000 and CV-20-00000113-0000).

At this time, our client has made the decision to seek to register the smaller of the two units as an Accessory Residential Dwelling Unit as part of an overall resolution of those Superior Court matters. In furtherance of that proposed registration, relief from compliance with section 4.15.1.6.3 of the Zoning Bylaw is required. Section 4.15.1.6.3 states that:

4.15.1.6.3 Interior access is required between floor levels and between the *Additional Residential Dwelling Unit* and the primary *Dwelling Unit*.

There is currently no interior access between the two units, and the enclosed permit drawings reflect the existing conditions which are sought to be legalized through a parallel building permit application. Restoring interior connectivity would, practically speaking, be extremely difficult, and would require eviction of both sets of tenants and the potential loss of one or more bedrooms. It could potentially result in the loss of an entire unit, reducing Guelph's already strained housing supply.

Reply to Guelph Office:

MAILING ADDRESS P.O. Box 1240, Guelph, ON N1H 6N6

ADDRESS

105 Silvercreek Pkwy. N., Suite 100, Guelph, ON N1H 6S4 T 519 837 2100 TF 800 746 0685 F 519 837 1617 Reply to Fergus/Elora Office:

MAILING ADDRESS P.O. Box 128, Fergus, ON N1M 2W7

ADDRESS

294 East Mill Street, Unit 108, Elora, ON NOB 1S0 **T** 519 843 1960 **F** 519 843 6888 This variance seeks to permit the status-quo, being a two-unit dwelling that does not contain any interconnectivity between the would-be 'primary' and 'additional' units. In this case, for the purposes of the forthcoming application to register the ARDU, the 'primary' dwelling unit would consist of the main floor and basement, with a combined area of 126.85m² (being 67% of total net floor area) and the 'additional' dwelling unit would consist of the second floor, with an area of 62.17m² (being 33% of total net floor area).

This application can be considered minor, and desirable for the appropriate use of the building, as the impact on any surrounding properties is negligible. The status quo, being a two-unit (and at one time a three-unit) dwelling has existed for decades. Proper fire egress and fire separation between the units already exists, and restoring interconnectivity would potentially remove housing stock, contrary to Guelph's Affordable Housing Strategy.

The application maintains the general intent of the OP and Zoning By-law, as it preserves existing rental housing stock and allows the status quo to remain without requiring eviction of two sets of tenants during construction to restore interconnectivity. The 'intent' of the interconnectivity requirement is to notionally keep one unit 'accessory' to the other and to in theory allow the conversion of a dwelling back to a single-family use. As this property has existed as a two-unit property for decades, and has always been rented, there is no practical purpose served by having the units interconnected. Further, restoring the interconnectivity could likely result in a loss of bedrooms and therefore a loss of affordable housing stock. Allowing this variance now would not preclude a future owner from converting the dwelling back to a single-family home with no ARDU; However, requiring compliance with s.4.15.1.6.3 now would have the effect of requiring evictions and reducing desperately-needed rental supply.

The application also maintains the general intent of the zoning as the requirement for 'interconnectivity' is a relatively recent addition to Guelph's zoning by-law, having been added post-1997, whereas the two-unit functional use of 10 Ontario Street dates back to the mid-20th century. The lack of connectivity between the two units does not derogate from the intent of the zoning that one unit notionally be 'accessory' or 'secondary' to the other, which policy in theory is to distinguish ARDUs from duplexes as defined by Guelph's zoning by-law. While the rationale for drawing that distinction is the antithesis of maximizing affordable housing options, that is a policy debate for another day.

We look forward to addressing the Committee on this matter and to answering any questions.

Yours Very Truly,

SMITHVALERIOTE LAW FIRM LLP

PER:

Kevin M. Thompson, B.Sc. (Hons.), J.D.

Practising Partner through a professional corporation

KMT\pp

direct line: 519-821-4146 email: kthompson@svlaw.ca assistant email: ppeter@svlaw.ca

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-42/16



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 4.7, Rows 2, 8 and 12 of Zoning By-law (1995)-14864, as amended, for 10 Ontario Street,

- a) to permit an uncovered porch above the main floor;
- b) to permit a left side yard setback of 0 metres for the uncovered porch;
- c) to permit a second story balcony in the side yard with a 0 metre side yard setback; and
- d) to permit a left side yard setback of 0 metres for the exterior staircase.

be APPROVED, subject to the following condition:

- 1. That the owner remove the portion of the second level deck which encroaches over the abutting lands, being 2-8 Ontario Street, to the satisfaction of the Chief Building Official and prior to the issuance of a building permit or in the alternative, provide evidence to the satisfaction of the Chief Building Official and prior to the issuance of a building permit, that there is an existing or new agreement with the abutting owner of 2-8 Ontario Street granting permission for the encroachment of the overhanging structure of the second level deck, along with maintenance provisions, registered on title at the owners expense.
- 2. That the 0 metre setback apply only to the existing structure as shown on the attached plan/sketch.

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.

Members of Committee Concurring in this Decision

I, Dylan McMahon, Acting 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 <u>August</u> 11, 2016.

Dated: <u>August 16, 2016</u>

Signed:

Committee of Adjustment

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

273 Arthur Street North

Proposal:

The applicant is proposing to create a new residential lot with one retained lot, which currently contains a detached dwelling. The existing detached dwelling is proposed to be demolished.

By-Law Requirements:

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

Request:

The applicant proposes to sever a parcel of land with frontage along Arthur Street North of 15.4 metres and an area of 799 square metres. The retained parcel will have frontage along Arthur Street North of 15.9 metres and an area of 688 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, May 12, 2022

Time: 4:00 p.m.

Location: <u>Guelph.ca/live</u> and Council Chambers, City Hall,

1 Carden Street

Application Number: B-11/22

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 public hearing at guelph.ca/live or in-person and participate by submitting written comments and/or speaking to the application. 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 May 5, 2022 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 hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be 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 or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at <u>guelph.ca/cofa</u>. 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land 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 Ontario Land Tribunal may dismiss the appeal.

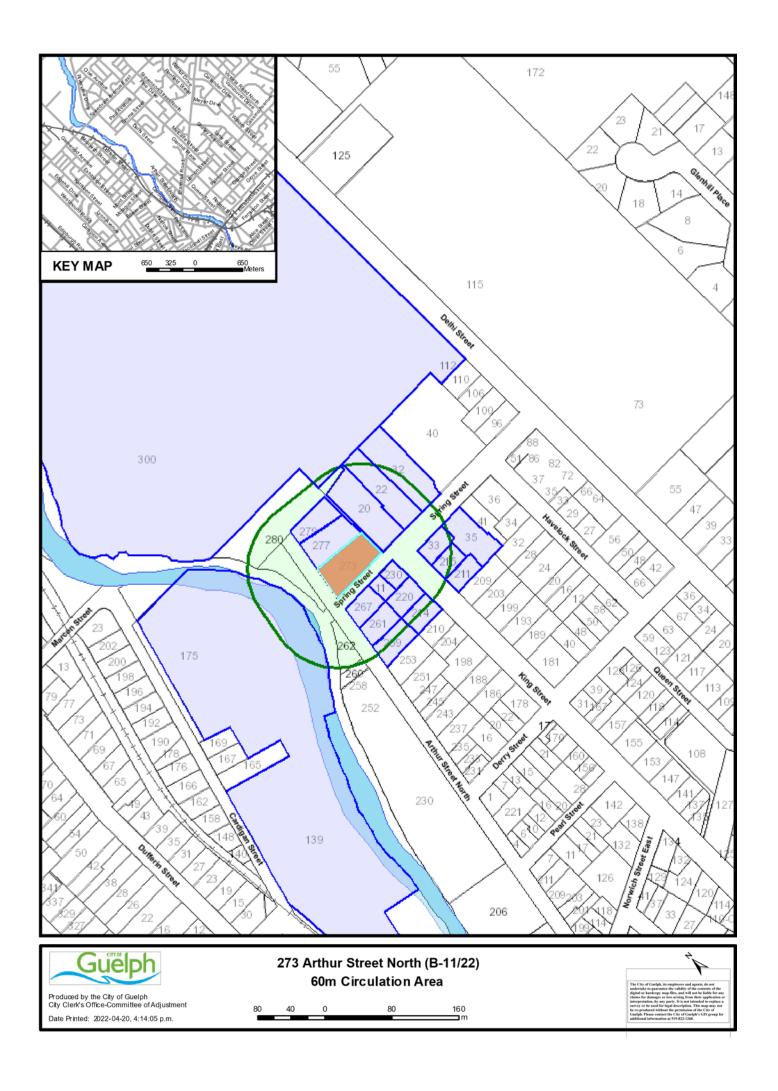
Notice Details

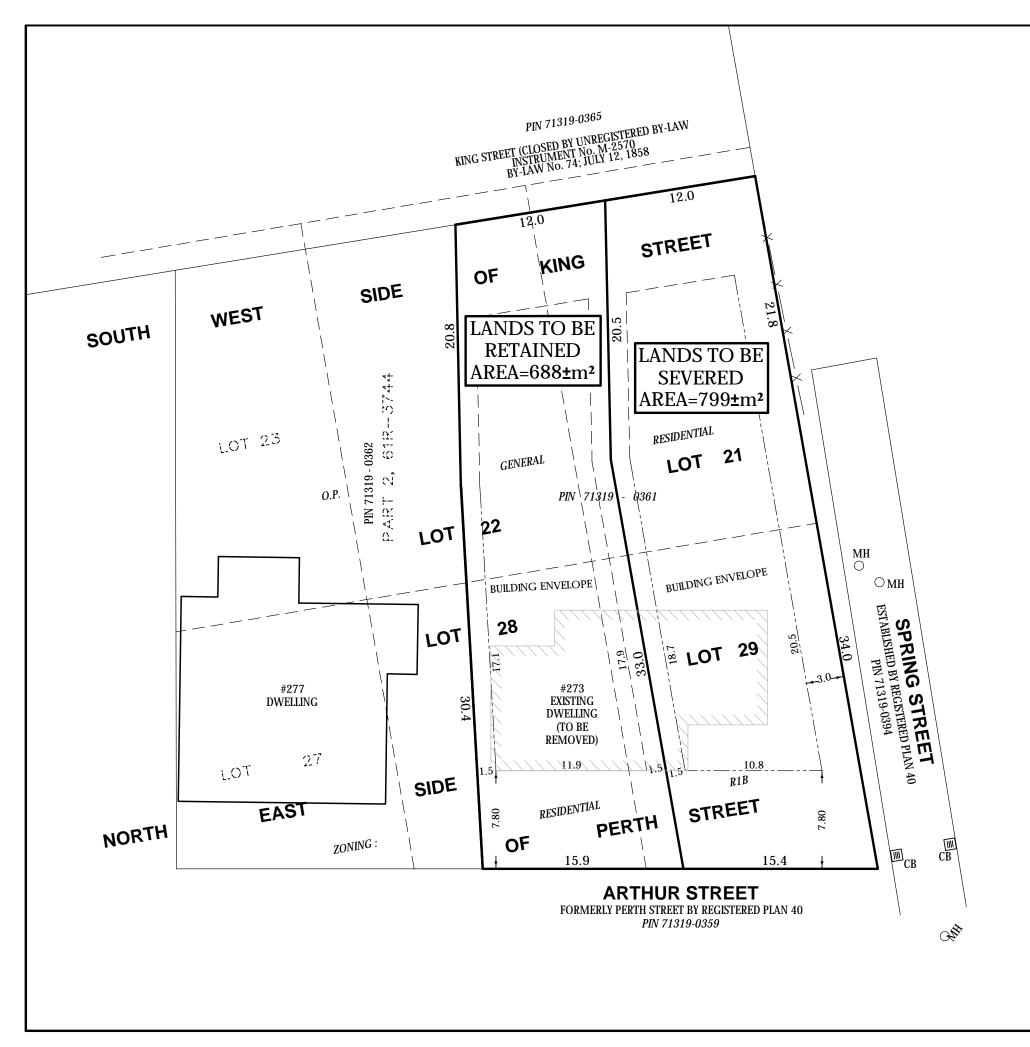
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated this April 25, 2022.

Contact Information

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

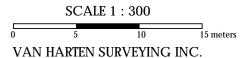
519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



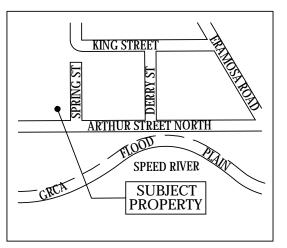


SEVERANCE SKETCH

PART OF LOTS 21 & 22, SOUTH WEST SIDE OF KING STREET AND PART OF LOT 28 & ALL OF LOT 29 NORTH EAST SIDE OF PERTH STREET **REGISTERED PLAN 40, CITY OF GUELPH COUNTY OF WELLINGTON**



KEYMAP:



NOTES:

- 1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
- SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B) & WITHIN MAP AREA 66.
- SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF LOW DENSITY RESIDENTIAL.
- DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

SURVEYOR'S CERTIFICATE:

THIS SKETCH WAS PREPARED ON THE 23rd DAY OF MARCH, 2022





www.vanharten.com

info@vanharten.com

PROJECT No. 30307-21

CHECKED BY: JEB

G:\GUELPH\040\Acad\SEV LOT 21,22,28,29 (WRIGHT) UTM.dwg

Committee of Adjustment Application for Consent



Consultation with City staff is	OFFICE US	SE ONLY
encouraged prior to submission	Date Received: April 12, 2022	Application #:
of this application.	Application deemed complete:	B-11/22
	I Yes □ No	7 - 7 - 7

TO BE COMPLETED BY APPLICANT

Was	there	pre-consu	ultation	with E	Planning	Sarvicas	ctaff?	
VVa3	ulele	DIE-COUSE	mancon '	WHEE P	7120111111111	SELVICES.	SIAH	

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 INFOR	PROPERTY INFORMATION:						
Address of Property:	273 ARTHUR STREET, NORT	TH GUELPH					
LOT 29 NORTH E	perty (registered plan number and lot number AST SIDE OF PERTH ST, PLAN 40 ; PT LOTS RTH EAST SIDE OF PERTH ST, PLAN 40 , AS	21 SOUTH WEST SID	E OF KING ST, 22 SOUTH WEST SIDE OF KING				
Are there any easeme If yes, describe:	nts, rights-of-ways or restrictive covenants	affecting the subject	land? □ XNo □ Yes				
Are the lands subject If yes, explain:	to any mortgages, easements, right-of-way CHARGE WITH THE TORONTO DOMINION	•	□ No X Yes 54				
REGISTERED OW	NER(S) INFORMATION: (Please indi	cate name(s) exac	tly as shown on Transfer/Deed of Land)				
Name:	ADAM GHENT & VANCE WRIGHT						
Mailing Address:	107-60 CARDIGAN STREET,						
City:	GUELPH	Postal Code:	N1H 3Z6				
Home Phone:	,	Work Phone:					
Fax:		Email:	vancewright46@gmail.com				
AGENT INFORMATION (If Any)							
Name:	JAMES LAWS						
Company:	VAN HARTEN SURVEYING						
Mailing Address:	423 WOOLWICH ST						
City:	GUELPH	Postal Code:	N1H 3X3				
Home Phone:		Work Phone:	519-821-2763 EXT 223				
Fax:		Email:	jlaws@vanharten.com				

ATION (please ch	eck appropriate	space):		
:	[] Easemer	nt	[]R	ight-of-Way
[] Charge / Discharge [] Correction of Title			[]L	ease
] Addition to a Lot (submit deed for the lands to which the par				ther: Explain
ser, lessee, mortgage	e etc.] to whom lan	d or interest in land is in	tended to be	e conveyed, leased or mortgaged:
ND INTENDED TO	A DE SEVEDED			
I .	1	Evicting Use:		Proposed Use:
53.5	799	RESIDENTIAL		RESIDENTIAL
EXISTING DWELLIN	NG TO BE REMOVE	_ 1		FAMLY
ructures (specify):	ESIDENTIAL	Proposed Use of Bu	uildings/Struct RESIDENTI	
ND INTENDED TO	BE RETAINED			
Depth (m) 53.5	Area: (m²) 688	Existing Use: RESIDEN	ITIAL	Proposed Use: RESIDENTIAL
EXISTING DWELLING	G TO BE REMOVED	Proposed Buildings /	Structures:	NEW SINGLE FAMLY
			-	tures (specify):
THE DETAILED	LANDO	TVDE OF ACCES	e to the	CEVEDED I ANDO
⊔ rsignt-oi-v	vay			
organism and individual and individu		- Other (openiy)		
PPLY TO THE RE	TAINED LANDS	TYPE OF WATER	SUPPLY 1	TO THE SEVERED LANDS
perated ☐ Private	y Owned Well	Municipally owned and operated □ Privately Owned Well		
		☐ Other (Specify)		
ISPOSAL PROPO	SED TO THE	TYPE OF SEWAG		AL PROPOSED TO THE
RETAINED LANDS				
	bmit deed for the land ser, lessee, mortgage ND INTENDED TO Depth (m) 53.5 EXISTING DWELLING Uctures (specify): RESIDENTIAL OTHE RETAINED Municipal Right-of-V PPLY TO THE RE perated Privatel	[] Easemer [] Correction bring to the lands to which the part learn to land the lands to which the part learn to land the lands to which the part learn to land the lands learn the l	[] Correction of Title bmit deed for the lands to which the parcel will be added) Ber, lessee, mortgagee etc.] to whom land or interest in land is in BND INTENDED TO BE SEVERED Depth (m)	[] Easement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Response [] Correction of Title [] Leasement [] Leaseme

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?	Is any portion of located within a f		pe severed or retained	i
ĭ No ☐ Yes	ĭ≚No		□ Yes	
LAND USE What is the current official plan designation of the subjection of the sub	t lands:			
Does the proposal conform with the City of Guelph Official If yes, provide an explanation of how the application conforms with the Cit		EXYES an:	□ NO	
If no, has an application for an Official Plan Amendment been submitted? File No.: Stat	us:	□ YES	□ NO	***************************************
What is the current zoning designation of the subject land	ds: 			
Does the proposal for the subject lands conform to the extension of the subject lands conform to the subject lands conform to the extension of the subject lands conform to th		l [™] YES □YES	□ NO	
•	us:			
PROVINCIAL POLICY		TO SERVICE AND ASSESSMENT OF THE SERVICE OF THE SER		
Is this application consistent with the Provincial Policy Stact? Provide explanation:				
Does this application conform to the Growth Plan for the Provide explanation: Is the subject land within an area of land designated under If yes, indicate which plan(s) and provide explanation:				□ NO
n yes, muicate which plants) and provide explanation.				

			I
Has the subject land ever been the	subject of:		
a) An application for approval of a P	lan of Subdivision under section 51 of the Planning Act?	☐ YES	x NO
If yes, provide the following: File No.:	Status:		
b) An application for Consent under	section 53 of the <i>Planning Act</i> ?	□ YES	⊒XNO
If yes, provide the following: File No.:	Status:		
Is this application a resubmission of a If yes, please provide previous file number an	previous application? d describe how this application has changed from the original application	☐ YES ion:	⊠NO
Has any land been severed from the p	parcel originally acquired by the owner of the subject land? ansfer, and uses of the severed land:	□ YES	ăno
		una capatata antikata da kata d	
IS THE SUBJECT LAND THE SUBJEC	CT OF ANY OF THE FOLLOWING DEVELOPMENT TYP	E APPLICATIO	DNS?

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 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

JAMES LAWS

Signature of Owner or Authorized Agent

		<u>AFFIDAVIT</u>			
I/We,	JAMES LAWS	S		, of the City/Town of	
GUE	ELPH in	County/Regional Municipality	of	WELLINGTON	, solemnly
declare tha	t all of the above sta	atements contained in this app	lication	are true and I make	this solemn
declaration	conscientiously beli	eving it to be true and knowin	g that i	t is of the same force	and effect as if
	1000	of the Canada Evidence Act.			
Sigq	pature of Applicant or A JAMES LAW	_	ignature	e of Applicant or Authori	zed Agent
		cant or authorized agent mu hen submitting the applicati			
Declared be	efore me at the or town)	10ezp# in this 4 + 6 day of _	the Co	ounty/Regional Munic	ipality of , 20_ 22_
-			•	Ronald Maurice Mak, a Commetc., Province of Onlario, for V Surveying Inc. Expires April 9	issioner, an Harten

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,
VANCE WRIGHT & ADAM GHENT
[Organization name / property owner's name(s)]
being the registered property owner(s) of LOT 29 NORTH EAST SIDE OF PERTH ST, PLAN 40; PT LOTS 21 SOUTH WEST SIDE OF KING ST, 22 SOUTH WEST SIDE OF KING STREET & 28 NORTH EAST SIDE OF PERTH ST, PLAN 40, AS IN ROS242192; GUELPH
(Legal description and/or municipal address)
hereby authorize
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 30th day of March 2022.
Adam Ghent (Signature of the property owner) NOTES: (Signature of the property owner) Vance Wright
NOTES: Vance Wright
 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.



April 4, 2022 jlaws@vanharten.com

Committee of Adjustment City Hall, 1 Carden St Guelph On, N1H 3A1 30307-21

Re:

Proposed Severance

273 Arthur St; Lots 21,22,28,29, Plan 40

Please find attached the severance application for the above mentioned site. Enclosed:

- 1 copy of the application
- 2 copies of the severance sketch 11x17
- 1 copy of severance sketch 8.5x14

We have had consultation with Lindsay Sulatyki regarding this site.

Please feel free to contact me if you have any questions, comments, or concerns.

Very truly yours,

Van Harten Surveying Inc.

JML:lb encl.

James Laws

Ontario Land Surveyor

423 Woolwich Street, Guelph ON N1H 3X3 Phone: (519 821-2763 – Fax: (519-821-2770

www.vanharten.com

660 Riddell Road, Unit 1, Orangeville, ON L9W 5G5 Phone: (519) 940-4110 – Fax: (519) 940-4113

Ontario Land Tribunal 655 Bay Street, Suite 1500, Toron

Appeal Form (A1)

655 Bay Street, Suite 1500, Toronto, ON M5G 1E5 Tel: 416-212-6349 | 1-866-448-2248

Web Site: olt.gov.on.ca

March 30, 2022

OLT Case Number
(OLT Office Use Only)

Date Stam	p – Appeal Rece	eived
	by OLT	

Please complete this Appeal Form by following the instructions in the companion document titled "Appeal Form Instructions". Please read **both** documents carefully to ensure you submit the correct information and complete this form correctly.

There are guides available for review on the Tribunal's <u>website</u> for different appeal types to assist you in filing an appeal.

Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal) prior to completing this Appeal Form. Relevant portions of the applicable legislation should also be reviewed before submitting this form. Your appeal must be filed with the appropriate authority within the appeal period as set out in the notice of the decision and applicable legislation.

Section 1 – Contact Information (Mandatory)

Applicant/Appellant/Object	ctor/Claimant Infor	matio	n			
Last Name:			First Name:			
Fordyce				Kameron and Julie		
Company Name or Assoc	ciation Name (Ass	ociati	on must be ir	ncorporated – incl	ude copy of letter	· of
incorporation):						
Email Address:						
Daytime Telephone Numl	per:			Alternative Telep	hone Number:	
		ext.				
Mailing Address						
Unit Number:	Street Number:		Street Nam	e:		P.O. Box:
			Forest Street			
City/Town:	Provin	ice:		Country:	Postal	Code:
Guelph	Ontario			Canada		

Representative Information							
[X I hereby authorize the	named con	npany and/or	individual(s	to represent me First Name:	e		
Last Name:							
Stewart				Amber			
Company Name or Association (incorporation):	ciation Nam	ne (Association	on must be in	ncorporated – in	clude copy c	f letter of	
Amber Stewart Law							
Email Address:							
amber@amberstewartlaw.com							
Daytime Telephone Num	ber:			Alternative Tel	ephone Num	ber:	
416-436-8355		ext.			<u> </u>		
Mailing Address		0710.					
Unit Number:	Street Nur	mber	Street Nam	е.		P.O. B	ox.
Unit 6	70		Plunkett Road	<u> </u>		110.2	<u> </u>
City/Town:	<u> </u>	Province:	<u>L</u>	Country:	F	Postal Code:	
Toronto		Ontario		Canada		M9L 2J5	
Note: If your representat written authorization, as if they are also exempt under checking the box below. I certify that I underst provided my written a understand that my reconfirmation of their exempts.	required by der the Law and that my authorization epresentative	the OLT Rul Society's by representate to my repreve may be as	es of Practice- laws to provive is not lice esentative to sked to produ	e and Procedure ide legal service ensed under the act on my behaluce this authoriz	e, to act on yes. Please co Law Society If with respectation at any	our behalf and onfirm this by Act and I have at to this matter time along with	that e r. I
Location Information							
Are you the current owner	er of the sub	ject property	⁄? □ Ye	s [X No			
Address and/or Legal De	scription of	property sub	ject to the a	peal:			
26 Forest Street	•		-				
Municipality:							
City of Guelph							
Upper Tier (Example: cou	unty, district	t, region):					
Wellington County		· • • • • • • • • • • • • • • • • • • •					
Language Requirements							
Do you require services i	n French?		□ Ye	s [x No			
To file an appeal, please	complete th	ne section be	low Comple	te one line for e	ach appeal i	vne	
				of Appeal	abir appoar	Reference	ce
Subject of Appe	al			lation Name)		(Section Nur	

To f	To file an appeal, please complete the section below. Complete one line for each appeal type							
Subject of Appeal		subject of Appeal	Type of Appeal (Act/Legislation Name)	Reference (Section Number)				
Exa	mple	Minor Variance	Planning Act	45(12)				
1	Conse	nt to Sever	Planning Act	53(19)				
2	Minor	Variance	Planning Act	45(12)				
3								
4								
5								

Section 2 – Appeal Type (Mandatory)

Please select the applicable type of matter					
Select	Legislation associated with your matter	Complete Only the Section(s) Below			
[X	Appeal of <i>Planning Act</i> matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances	3A			

	Appeal of Development Charges, Education Act, Aggregate Resources Act, Municipal Act matters	3A			
	Appeal of or objection to <i>Ontario Heritage Act</i> matters under subsections 29, 30.1, 31, 32, 33, 40.1 and 41	3A			
	Appeal of <i>Planning Act</i> (subsections 33(4), 33(10), 33(15), 36(3)), <i>Municipal Act</i> (subsection 223(4)), <i>City of Toronto Act</i> (subsection 129(4)) and <i>Ontario Heritage Act</i> (subsections 34.1(1), 42(6)) matters	3A & 3B			
	Appeal of Clean Water Act, Environmental Protection Act, Nutrient Management Act, Ontario Water Resources Act, Pesticides Act, Resource Recovery and Circular Economy Act, Safe Drinking Water Act, Toxics Reduction Act, and Waste Diversion Transition Act matters	4A			
	Application for Leave to Appeal under the Environmental Bill of Rights, 1993	4B			
	Appeal under the Niagara Escarpment Planning and Development Act (NEPDA)	5			
	Appeal of Conservation Authorities Act, Mining Act, Lakes and Rivers Improvement Act, Assessment Act, and Oil, Gas and Salt Resources Act matters	6			
	Legislation not listed above	Contact OLT before filing your appeal			
Section	3A – Planning Matters				
	Reasons and Specific Information				
	of new residential units proposed:				
1	or new residential arms proposed.				
Municipal Reference Number(s):					
Consent File No. B-5/22, Minor Variance File No. A-9/22					
List the	reasons for your appeal:				
Please see attached for reasons for appeal.					
Has a public meeting been held by the municipality? ☐ Yes ☐ No N/A					
For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you will rely on one or more of the following grounds:					
please indicate if you will rely on one or more of the following grounds: A: A decision of a Council or Approval Authority is:					
☐ Inconsistent with the Provincial Policy Statement issued under subsection 3(1) of the <i>Planning Act</i>					
□ Fails to conform with or conflicts with a provincial plan					
□ Fails to conform with an applicable Official Plan					
And					
B: For a non-decision or decision to refuse by council:					
☐ Consistency with the provincial policy statement, issued under subsection 3(1) of the <i>Planning Act</i>					
☐ Conformity with a provincial plan					
☐ Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan					

If it is your intention to argue one or more of the above grounds, please explain your reasons:				
Oral/Written submissions to council				
Did you make your opinions regarding this matter known to council?				
☐ Oral submissions at a public meeting of council				
□ Written submissions to council				
[X Not applicable				
Related Matters				
Are there other appeals not yet filed with the Municipality?				
☐ Yes [X No				
Are there other matters related to this appeal? (For example: A consent application connected to a variance application).				
☐ Yes [X No				
If yes, please provide the Ontario Land Tribunal Case Number(s) and/or Municipal File Number(s) for the related matters:				
Section 3B – Other Planning Matters				
Appeal Specific Information (Continued)				
Date application submitted to municipality if known (yyyy/mm/dd):				
Data municipality decread the application complete if Impure (vary/mem/dd).				
Date municipality deemed the application complete if known (yyyy/mm/dd):				
Please briefly explain the proposal and describe the lands under appeal:				
The control of the co				
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the Section 3B Checklist(s) located here and				
submit all documents listed.				
Section 4A – Appeals under Environmental Legislation				
Appeal Specific Information				
Outline the grounds for the appeal and the relief requested:				
Reference Number of the decision under appeal:				

Portions of the decision in dispute:
Date of receipt of Decision or Director's Order (yyyy/mm/dd):
Applying for Stay? ☐ Yes ☐ No
If Yes, outline the reasons for requesting a stay: (Tribunal's Guide to Stays can be viewed here)
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the
type of legislation and section you are filing under. Please see the Section 4A Checklist(s) located here and
submit all documents listed on the checklist.
Section 4B – Environmental Application for Leave to Appeal
Are you filing an Application for Leave to Appeal under the Environmental Bill of Rights,
1993?
Identify the portions of the instrument you are seeking to appeal:
dentity the portions of the instrument you are seeking to appear.
Identify the grounds you are relying on for leave to appeal. Your grounds should include reasons why there is
good reason to believe that no reasonable person, having regard to the relevant law and to any government
policies developed to guide decisions of that kind could have made the decision; and why the decision could
result in significant harm to the environment:
Outline the relief requested:
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the

Section 5 – Appeal regarding Development Permit Application under the *Niagara Escarpment Planning and Development Act*

Appeal Specific Information				
Development Permit Application File No:				
Address or legal description of the subject	proper	tv.		
riadices of legal description of the subject	р.оро.	y.		
Reasons for Appeal: Outline the nature and reasons for your appeal. Specific planning, environmental and/or other reasons are required. (The Niagara Escarpment Plan is available on the Niagara Escarpment Commission's website (www.escarpment.org))				
Section 6 – Mining Claim and Conserva	ation N	Matters		
A 1 O				
Appeal Specific Information			·	
	s are s	ituated. List	ng claims) and accompanying Townships, Areas all "Filed Only" Mining Claims, if appropriate:	
List the Parcel and the Property Identifier N (mining claims only):	lumbe	rs (PIN), if re	ents or taxes apply to mining lands, if appropriate	
Provide the date of the Decision of the Corappropriate:	serva	tion Authority	or the Provincial Mining Recorder, as	
Provide a brief outline of the reasons for your please include that information in the outline.			eal/review. If other lands/owners are affected, elow:	
Respondent Information				
Conservation Authority:				
Consolitation / tationty.				
Contact Person:				
Email Address:				
Daytime Telephone Number:	ext.		Alternative Telephone Number:	
	OAL.			

Mailing Address or statement of last known address/general area they were living and name of local newspaper if address is not available							
Unit Number:			ber: Street Name:				P.O. Box:
			- Curaci Nama:				
City/Town:	- 1	Province:	1	Country:		Postal C	ode:
•				•			
There are required documents and materials to be submitted to the Ontario Land Tribunal (OLT) based on the type of legislation and section you are filing under. Please see the <u>Section 6 Checklist(s)</u> located <u>here</u> and submit all documents listed on the checklist.							
Section 7 – Filing Fee							
Required Fee							
Please see the attached	d link to view	the OLT Fee	e Chart.				
Total Fee Submitted:	\$ 800.00						
	Certified Ch	eque 🗆 N	Noney Order	□ Lawyer's gen	eral o	r trust acc	count cheque
	Credit Card						
by telephone to comple	If you wish to pay the appeal fee(s) by credit card, please check the box above and OLT staff will contact you by telephone to complete the payment process upon receipt of the appeal form. DO NOT INCLUDE YOUR CREDIT CARD INFORMATION ON THIS FORM. YOU WILL BE CONTACTED TO COMPLETE YOUR						
If a request for a fee red				the minimum filing f	ee for	each app	oeal and
complete/submit the <u>Fe</u> □ Request for Fee Red				- see Appeal Form G	iuide f	for more in	nformation)
Section 8 – Declaration		,		1,			,
Declaration							
I solemnly declare that	all the staten	nents and the	e information	provided as well as	anv s	supporting	documents
are true, correct and co				provided, de iron de	J		, accamic,
By signing this appeal f		consent to the	ne collection	of my personal inforr	matior	١.	
Name of Appellant/Representative Signature of Appellant/Representative Date (yyyy/mm/dd)							
Amber Stewart		auly	4 4		2022	/03/30	
Personal information or documentation requested on this form is collected under the authority of the <i>Ontario Land Tribunal Act</i> and the legislation under which the proceeding is commenced. All information collected is included in the Ontario Land Tribunal (OLT) case file and the public record in this proceeding. In accordance with the <i>Freedom of Information and Protection of Privacy Act</i> and section 9 of the <i>Statutory Powers Procedure Act</i> , all information collected is available to the public subject to limited exceptions.							
We are committed to providing services as set out in the <i>Accessibility for Ontarians with Disabilities Act</i> , 2005. If you have any accessibility needs, please contact our Accessibility Coordinator at OLT.Coordinator@ontario.ca or toll free at 1-866-448-2248 as soon as possible.							
Section 9 – Filing Che	Section 9 – Filing Checklists (Mandatory)						
Filing/Submitting your form and documentation							
You must file your Appeal Form with the appropriate authority(s) by the filing deadline.							
If the completed Section is: Refer to the relevant checklist and submit all documents listed on the checklist when filing your Appeal Form.							
Section 3B							
Section 4A Review the Section 4A Checklist(s) and attach all listed documents.							
Section 4B Review the Section 4B Checklist(s) and attach all listed documents.							
If the completed Section is: You must file with the following:							

Municipality or the Approval Authority/School Board

Section is:

	*If you are filing under the <i>Ontario Heritage Act</i> , including under s. 34.1(1) , please carefully review the specific section of that legislation to determine if your appeal needs to be filed with the Tribunal <u>in addition</u> to the Municipality or Approval Authority.				
Section 3A & 3B or Section 4A or Section 4B or Section 6	Ontario Land Tribunal 655 Bay Street, Suite 1500 Toronto, ON M5G 1E5	Phone: 416-212-6349 1-866-448-2248 Website: <u>www.olt.gov.on.ca</u>			
	For the Areas of: Dufferin County (Mono) Region of Halton Region of Peel Region of Niagara City of Hamilton	For the Areas of: Bruce County Grey County Simcoe County Dufferin County (Mulmur, Melancthon)			
	File with:	File with:			
Section 5	NIAGARA ESCARPMENT COMMISSION 232 Guelph Street, 3 rd Floor Georgetown, ON L7G 4B1	NIAGARA ESCARPMENT COMMISSION 1450 7 th Avenue Owen Sound, ON N4K 2Z1			
	Phone: 905-877-5191 Fax: 905-873-7452 Website: www.escarpment.org Email: necgeorgetown@ontario.ca	Phone: 519-371-1001 Fax: 519-371-1009 Website: <u>www.escarpment.org</u> Email: <u>necowensound@ontario.ca</u>			

NOTE: Please review the notice of the decision you are appealing to determine the appeal deadline and the specific official with whom the appeal should be filed (e.g. Secretary-Treasurer, Clerk, Minister, Ontario Land Tribunal).

NOTE: Relevant portions of the applicable legislation should be reviewed before submitting this form. Please ensure that a copy of this Appeal Form is served in accordance with the requirements of the applicable legislation.



70 PLUNKETT ROAD UNIT 6 TORONTO, ONTARIO M9L 2J5

Please refer to: amber@amberstewartlaw.com

March 30, 2022

T: 416.436.8355

Delivered by email

AMBERSTEWARTLAW.COM

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

Dear Ms. Di Lullo:

Re: Notice of Appeal under ss. 53(19) and 45(12) of the *Planning Act*

Property Address: 26 Forest Street, Guelph

File Numbers: Consent B-5/22, Minor Variance A-9/22

Appellants: Kameron and Julie Fordyce

I am counsel to Kameron and Julie Fordyce, the owners of Forest Street, in the City of Guelph. Forest Street is located adjacent to the west of 26 Forest Street ("the Subject Property"), which is the subject of the within applications.

On February 8, 2022, the Owners of the Subject Property, Gordon Michael Kirby and Nathalie Lauriault-Kirby, filed an application for consent to sever the Subject Property into two lots, and a minor variance application to permit an undersized lot frontage on the severed parcel. On March 10, 2022, the Committee of Adjustment ("the Committee") approved the applications, subject to conditions.

The purpose of this letter is to file Notice of Appeal on behalf of Mr. and Ms. Fordyce in respect of the Committee Decisions. Attached herewith is a completed Appellant Form, which indicates that payment will be made directly to the Ontario Land Tribunal ("the Tribunal") by way of credit card.

The Subject Property and the Proposal

The Subject Property is located on the south side of Forest Street, east of Edinburgh Rd. South. It is located within the Old University neighbourhood of Guelph. The neighbourhood is characterized by large lot sizes, a mature and well-treed landscape, wide side yard setbacks, and generally modest sized one to two storey homes.



The Subject Property is designated Low Density Residential in the Official Plan. It is zoned Residential Single Detached (R.1B) in the City's Zoning By-law 1995-14864. The R.1B zone requires a minimum lot frontage of 15.0 m.

The site has an existing lot frontage of 35.9 m, a lot depth of 51.2 m, and a lot area of 1,840 m². It contains an existing 1 ½ storey dwelling with dormers built into a sloped roof. The existing dwelling has a west side yard setback of approximately 14.5 m to the common property line with

The Owners have submitted the within applications on the basis that the existing dwelling on the Subject Property will be retained. The proposal is to create an undersized residential lot, configured to a compliant west side yard setback for the existing dwelling of 1.5 m. The severed lot would have a frontage of 13.0 m, whereas 15.0 m is required, and a lot area of 665 m².

In support of the applications, it appears that only a Site Plan has been provided. Full plans for a new dwelling on the severed lot are not available. However, the Site Plan indicates that the new dwelling would have the following site layout:

- An approximately 11.0 m front yard setback
- Driveway width of 6.0 m
- Side yard setbacks of 1.6 m
- Dwelling width of 9.9 m
- Dwelling length of 22.1 m
- Ground floor area of 218 m²

On the basis that the new dwelling would be a two-storey home, the proposed footprint would facilitate a new home of approximately 4,700 ft², which would be an uncharacteristically large home for the neighbourhood on an undersized lot.

Notwithstanding the illustrated intention to maintain the existing dwelling, there is a strong likelihood that it will be demolished in the future. The existing dwelling has an oil tank in the basement, which leached oil into the soil. Mr. and Ms. Fordyce are aware that recent testing has shown contaminated soil under the existing house. Given the cost to remediate that soil and maintain the existing dwelling, it is reasonable to assume that the Owners' future intention is to demolish the dwelling. The potential for a future severance of the retained lot cannot be ignored. If a 13.0 m lot is approved, the retained lot could be subsequently severed into two 11.45 m parcels; this would represent further incremental erosion of the neighbourhood's large lot character, paving the way for two additional large homes to be built on even smaller lots.



A number of trees would also be adversely affected by the proposal, including mature boundary trees that are jointly owned with the City, and a large multistemmed Maple tree located on Forest Drive, adjacent to the property line. (See photo below). Mr. and Ms. Fordyce are extremely concerned about the potential loss of these trees.



Grounds for the Appeal

Mr. and Ms. Fordyce raise the following grounds in support of this appeal:

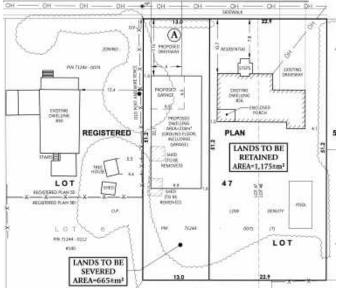
- 1. The proposal does not have adequate regard for the criteria under s. 51(24) of the *Planning Act*, including (a) matters of provincial interest, (b) prematurity and the public interest, and (f) dimensions of the proposed lots.
- 2. The proposal does not conform with or maintain the general intent and purpose of the Official Plan. Although the Official Plan permits infill, the objective of the Low Density Residential designation is to ensure that infill is compatible, and that the general character of built form in existing established residential neighbourhoods is maintained. Given that the Owners have not submitted a fulsome building design for the new dwelling, it is impossible to comprehensively evaluate the compatibility of the proposed severed lot with the established low-rise character of the Old University neighbourhood. However, the Site Plan indicates a large dwelling footprint of 218 m² and a dwelling length of 22.1 m, which is far in excess of



the typically modest building lengths found within the neighbourhood. The proposed building will extend nearly to the rear property line of street, and represents an incompatible and inappropriate infill development. The proposal would facilitate overdevelopment on an undersized lot.

- 3. The Built Form policies of the Official Plan direct that new buildings proposed within older, established areas of the City are encouraged to be designed to complement the visual character and architectural/building material elements found in these areas. Absent building plans, the manner in which an oversized dwelling on an undersized lot will achieve these policy objectives cannot be properly evaluated. The proposal is premature until the ultimate form of development is known.
- 4. A number of policies in the Official Plan encourage the preservation of mature vegetation in front yards along residential streets, and the preservation of mature trees. In fact, one of the "touchstone" SmartGuelph principles is to make the planting and preservation of trees a priority. Section 4.1.6 of the Official Plan contains policies to recognize the importance of and protect the Urban Forest, including to increase tree canopy cover within the City to 40% by 2031. Healthy trees are encouraged to be retained through development. The consideration of these policies is critical, given that the Private Tree Protection By-law does not regulate trees on sites less than 0.2 ha in size. Infill applications like this proposal incrementally and adversely affect the landscape character of the street and neighbourhood.
- 5. The proposal does not maintain the general intent and purpose of the Zoning By-law. Although there is the potential to sever the Subject Property into two lots that comply with the zoning, the Owners have elected to provide one large lot with a 22.9 m frontage, and one undersized lot with only 13.0 m of frontage. The variance to permit the reduced lot frontage does not provide for a compatible or reasonable development site for the neighbourhood.
- 6. The proposal is not desirable for the appropriate use or development of the land and buildings on the site. If the existing dwelling is to be retained, it should be retained on the existing lot. If a severance is pursued, it should necessarily involve the full or partial demolition of the existing dwelling such that two zoning compliant lots can be created.
- 7. As discussed above, other constraints exist on the Subject Property which must be comprehensively addressed through any redevelopment scheme. In particular, Environmental Site Assessments should be completed so that any soil remediation requirements are secured through consent conditions.





- 8. The proposal is not minor in nature. The proposal will have unacceptable adverse impact on the street and surrounding properties, through the removal of mature trees and vegetation, and the construction of an oversized dwelling on an undersized lot. particularly impactful to Forest Street, given its relationship to the Subject Property. Forest Street is a shallow lot that has a more square configuration. Its side yard functions as a rear yard. The proposal would locate a 22.1 m long dwelling that extends almost to the rear lot line of Forest Street, 1.6 m from the property line. The proposed lot and dwelling footprint would create unacceptable adverse impact of a planning nature. The anticipated tree impacts are also extremely important to Mr. and Ms. Fordyce given the function of their side as an extension of their rear yard.
- 9. The proposal does not represent good land use planning.

I trust that the foregoing is sufficient to process the within appeals, and would appreciate confirmation of receipt at your earliest convenience.

Best regards,

Amber Stewart

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