

Committee of Adjustment Comments from Staff, Public and Agencies

Thursday, September 10, 2020, 4:00 p.m.

Remote meeting live streamed
on guelph.ca/live

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

To contain the spread of COVID-19, Committee of Adjustment hearings are being held electronically and can be live streamed at guelph.ca/live. For alternate meeting formats, please contact Committee of Adjustment staff.

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, September 10, 2020.

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

2. Current Applications

2.1 B-7/20 and B-8/20 73 and 93 Arthur Street South

*2.1.1 Staff Comments

Staff Recommendation: Approval with Conditions

2.2 A-39/20 42 Arrow Road

*2.2.1 Staff Comments

Staff Recommendation: Deferral

2.3 A-40/20 117 Queen Street

*2.3.1 Staff Comments

Staff Recommendation: Approval with condition

2.4 A-41/20 67 Kirkby Court

*2.4.1 Staff Comments

Staff Recommendation: Approval

2.5 B-9/20 and B-10/20 24 Campbell Road

***2.5.1 Staff Comments**

Staff Recommendation: Approval with Conditions

2.6 B-11/20 4 Sherwood Drive

***2.6.1 Staff Comments**

Staff Recommendation: Approval with Conditions

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-7/20 and B-8/20
Location: 73 and 93 Arthur Street South
Hearing Date: September 10, 2020
(Deferred from August 13, 2020)
Owner: 2278560 Ontario Inc.
Agent: Charlotte Balluch, Fusion Homes
Official Plan Designation: Future Park Policy B, Residential 2 – Downtown
Secondary Plan
Zoning: Specialized Residential (R.4B-15.3 and R.4B-15.4 (H))
High Density Apartment Zones

Request: The applicant proposes the following:

File B-7/20 73 Arthur Street South (retained parcel):

- a) The creation of a 617.5 square metre shared access easement over a portion of the retained parcel for a shared driveway required for fire route, loading access and turning radius in favour of the severed parcel (shown as parts 4, 5, 6 and 8 on the sketch).

File B-8/20 93 Arthur Street South (severed parcel):

- a) to sever a parcel of land with frontage along Arthur Street South of 32.41 metres and an area of 5,855.5 square metres (shown as parts 7, 9, 10, 11, 14 to 19 on the attached sketch). The retained parcel will have frontage along Arthur Street South of 57.8 metres and an area of 5,463.1 square metres (shown as parts 1 to 6, 8, 12, and 13 on the sketch), and
- b) the creation of a 45.2 square metre shared access easement over a portion of the severed parcel for a shared driveway required for fire route, loading access and turning radius in favour of the retained parcel (shown as parts 10 and 11 on the sketch).

Staff Recommendation

Approval with Conditions

Recommended Conditions

File B-7/20 73 Arthur Street South (retained parcel):

Committee of Adjustment Administration

1. 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.

File B-8/20 93 Arthur Street South (severed parcel):

Committee of Adjustment Administration

1. 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.

Parks Planning and Open Space

5. The Owner shall be responsible for conveyance of River Square and public access easement to the City to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 51.1 and s. 53(13) of the Planning Act and in accordance with the parkland dedication provisions under the development agreement registered on title to the property as Instrument No. WC428928 on March 13th, 2015, prior to the issuance of the Certificate of Official.
 6. The Owner shall be responsible to prepare and submit a Reference Plan depicting River Square according to the 'Schedule B' of the development agreement registered on title to the property as Instrument No. WC428928 on March 13th, 2015 for the City's approval to the satisfaction of the Deputy CAO of Public Services or their designate and register the City's approved Reference Plan and easement registered on title to the property in favour of the City prior to the issuance of the Certificate of Official.
-

Comments

Planning Services

The subject lands are predominantly designated as 'Residential 2' with a small portion along the Speed River designated as 'Future Park Policy Area B' within the Downtown Secondary Plan. In addition to the policies of these land use designations, the Downtown Secondary Plan contains specific policies for the subject property. The subject lands are Zoned R.4B-15.3 and R.4B-15.4 (H) (Specialized High Density Apartment).

The subject lands contain a ten (10) storey apartment currently under construction (73 Arthur Street - Phase 3) as part of the larger 'Metalworks' mixed use development along with vacant and undeveloped lands as part of a future phase (93 Arthur Street - Phase 4). The applicant is requesting to sever the vacant portion from the portion of the lands under construction so that Phase 3 and Phase 4 are on separate and distinct properties. In addition to the severance, the applicant is also requesting several easements for access (i.e. fire route) and servicing purposes on both the severed and retained parcels.

Policy 10.10.1.2 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject application:

a) That all of the criteria for plans of subdivision or condominium are given due consideration;

Staff have reviewed the criteria for plans of subdivision and condominiums and are satisfied that the consent applications conforms to the policies.

b) That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the Municipality;

A plan of subdivision is not necessary for the subject property.

c) That the land parcels to be created by the consent will not restrict or hinder the ultimate development of the lands;

The proposed severance and easements will allow the Metalworks mixed use development to be redeveloped as planned, consistent with the Urban Design Master Plan for the site.

d) That the application can be supported if it is reasonable and in the best interest of the community.

Extensive public consultation was carried out through the Zoning By-law Amendment application on the subject property. In Planning staff's opinion, the proposed consent will help to implement the ultimate design vision for the site and is consistent with the development approved by Council through the Zoning By-law Amendment.

Staff are satisfied that the applications meet the Consent policies of the Official Plan and the criteria set out in Section 51(24) of the Planning Act.

Planning staff recommend approval of the applications.

Parks Planning and Open Space

The Planning Act allows municipalities to request Parkland Dedication for subdivisions and consents for severance. The City of Guelph is requesting the River Square and Public Access Easements as parkland dedication as it was agreed upon by Fusion Homes and the City of Guelph through a development agreement.

Please see attached 'Schedule B' from the development agreement regarding the location of the easement, and Part IX - Park Dedication/Cash in Leu, clause 9.1(a) regarding the transfer of these easements to the City.

The City of Guelph already has the Riverwalk easement (Walkway Easement) registered on title in favour of the City. However, the easement over River Square and the Public Access easement is still outstanding. Parks Planning conditions provided earlier for the August 13, 2020 hearing have been revised and the previous condition #7 has been removed to allow the design of River Square to take place in conjunction with the last phase of River Walk and the fourth phase of Metal Works through City's site plan review process.

Engineering Services

Engineering has no concerns with either of the applications. Please note that an engineering review on the property was completed under the site plan application SP19-028 amendment in 2019 (file SP19-028).

We agree with recommendations made by the Planning and Building staff.

Building Services

This property is located in the Specialized Residential High Density Apartment (R.4B-15.3) and (R.4B-15.4 (H)) Zones. The applicant is proposing to sever the

property and create a new lot as part of the multi-phase development known as the Metalworks. The vacant parcel proposed to be severed is phase 4 of the Metalworks development (to be known as 93 Arthur Street South) and the parcel being retained is phase 3. In addition to the new lot being created, several easements are being requested to provide fire route access, loading access, and turning radius between the two parcels.

Building Services does not object to this application.

Grand River Conservation Authority (GRCA)

The Grand River Conservation Authority (GRCA) has no objection to the proposed consents. Please see attached report.

Comments from the Public

Yes (See Attached)

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

PART VIII

EFFECT OF CONDOMINIUM REGISTRATION

8.1 Upon

- (a) any of the lands subject to any easement in favour of the City becoming part of the common elements of a condominium plan; and
- (b) the execution by the condominium corporation responsible for the administration of such common elements of an agreement substantially in the form set out in Schedule "C" to this Agreement to assume all such liabilities imposed by or resulting from this Agreement or any subsequent agreement with the City with respect to such lands,

the said condominium corporation shall become fully and exclusively liable for all of the Owner's obligations on account of such lands imposed by this Agreement including without limitation, all obligations with respect to any easement or improvements within such common elements imposed by this Agreement and the Owner shall be released from all liability on account of all obligations and liability imposed by this Agreement on account of such lands.

PART IX

PARK DEDICATION/CASH IN LIEU

9.1 The Owner's obligations under s. 42 and 51.1 of the *Planning Act*, R.S.O. 1990, c. P-13 for parkland dedication or payment in lieu of the conveyance as contemplated by section 42 (6) and section 51.1 of the Planning act for the Lands shall be satisfied by:

- (a) The transfer of the Walkway Easement, River Square, and Public Access Easements to the City;

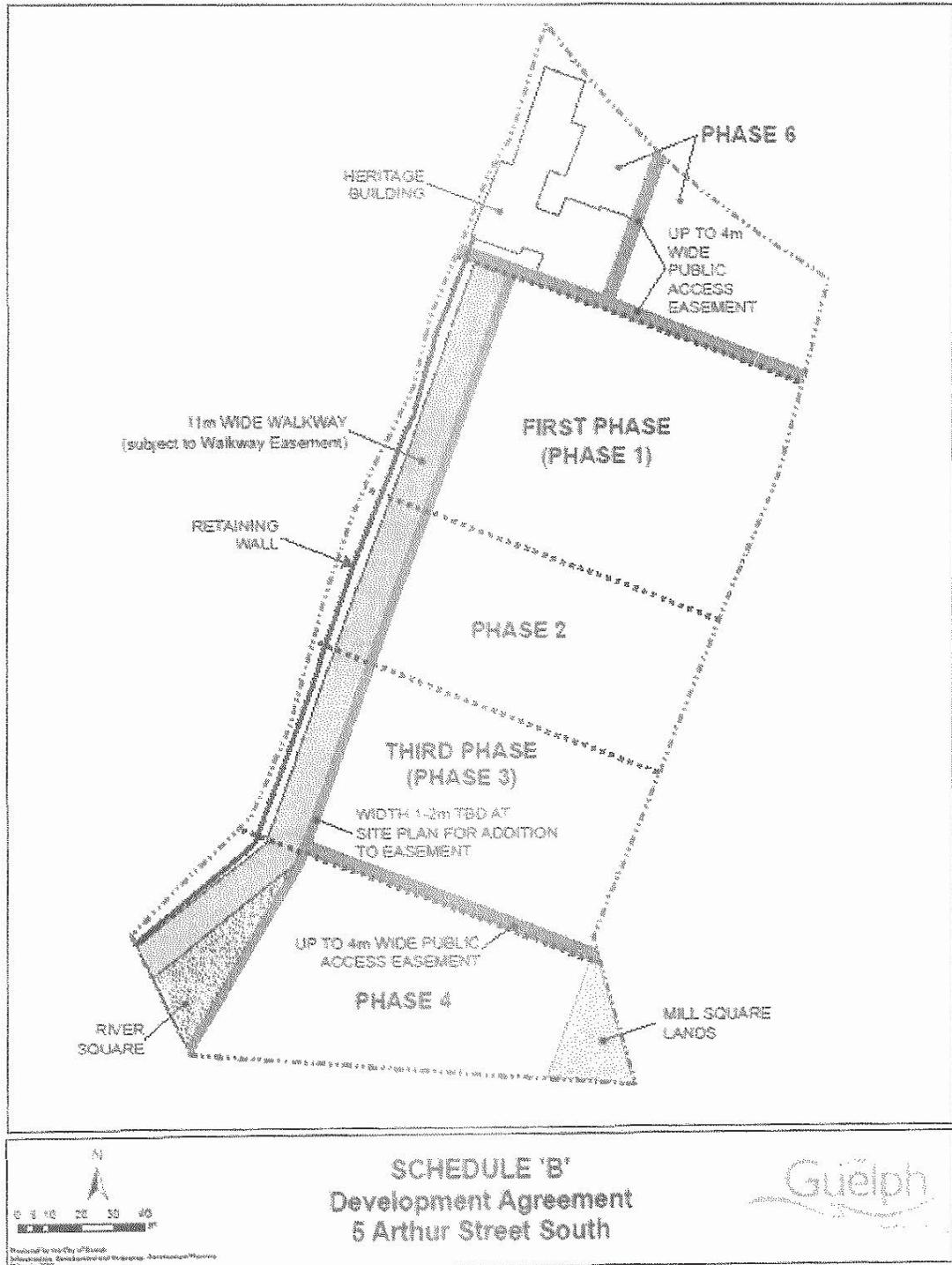
9.2 At such time as the Mill Square Lands and that part of the Lands appurtenant thereto are being developed and a site plan agreement with respect to the same is being negotiated between the Owner and the City, the parties will determine the extent of and the degree and details of public accessibility to Mill Square Lands and if necessary the Owner and the City may enter into an agreement acting reasonably regarding the extent of and the degree and details of public accessibility to the Mill Square Lands.

PART X

CONDOMINIUM AGREEMENT

10.1 The Owner agrees that the following matters shall be included in any condominium agreement for each condominium plan and upon the establishment of any condominium corporation in relation to the Lands:

SCHEDULE "B"



N
0 5 10 20 30 40
METERS
Produced by the City of Guelph
Submitted by: Development and Engineering Department
February 2017

SCHEDULE 'B'
Development Agreement
5 Arthur Street South





PLAN REVIEW REPORT TO: City of Guelph, Committee of Adjustment
Trista Di Lullo, Secretary- Treasurer

DATE: July 30, 2020

YOUR FILE: B-7/20 & B-8/20

RE: **Applications for Consent**
73 and 93 Arthur Street South,
Guelph, Ontario

GRCA COMMENT:

The Grand River Conservation Authority (GRCA) has no objection to the proposed consents.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the proposed retained and severed lands are within the floodplain of the Speed River and are identified as Special Policy Area.

2. Legislative/Policy Requirements and Implications:

The property is subject to the policies for development within the Special Policy Area found in the City of Guelph's Official Plan and Zoning By-law that allow for the creation of a new lot in the floodplain, subject to meeting technical criteria. Based on our review, the lots will meet the access criteria for the creation of new lots in the SPA. We would ensure conformance with the remaining technical requirements at detailed design.

Due to the presence of the floodplain, the lands are regulated by the GRCA under *Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation*. Development on the retained lands has been approved under Ontario Regulation 150/06. Any future development or alteration on the severed lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06. We note that the subject lands have an approved permit (546/19) to allow for development for multi-unit residential development.

3. Additional Information/Suggestions provided in an advisory capacity:

A plan review fee is required for the processing of the consent applications. With a copy of this letter, the applicant will be invoiced in the amount of \$420.00.

Should you have any questions or require further information, please contact our office.



Yours truly,

A handwritten signature in black ink, appearing to read "Fred Natolochny".

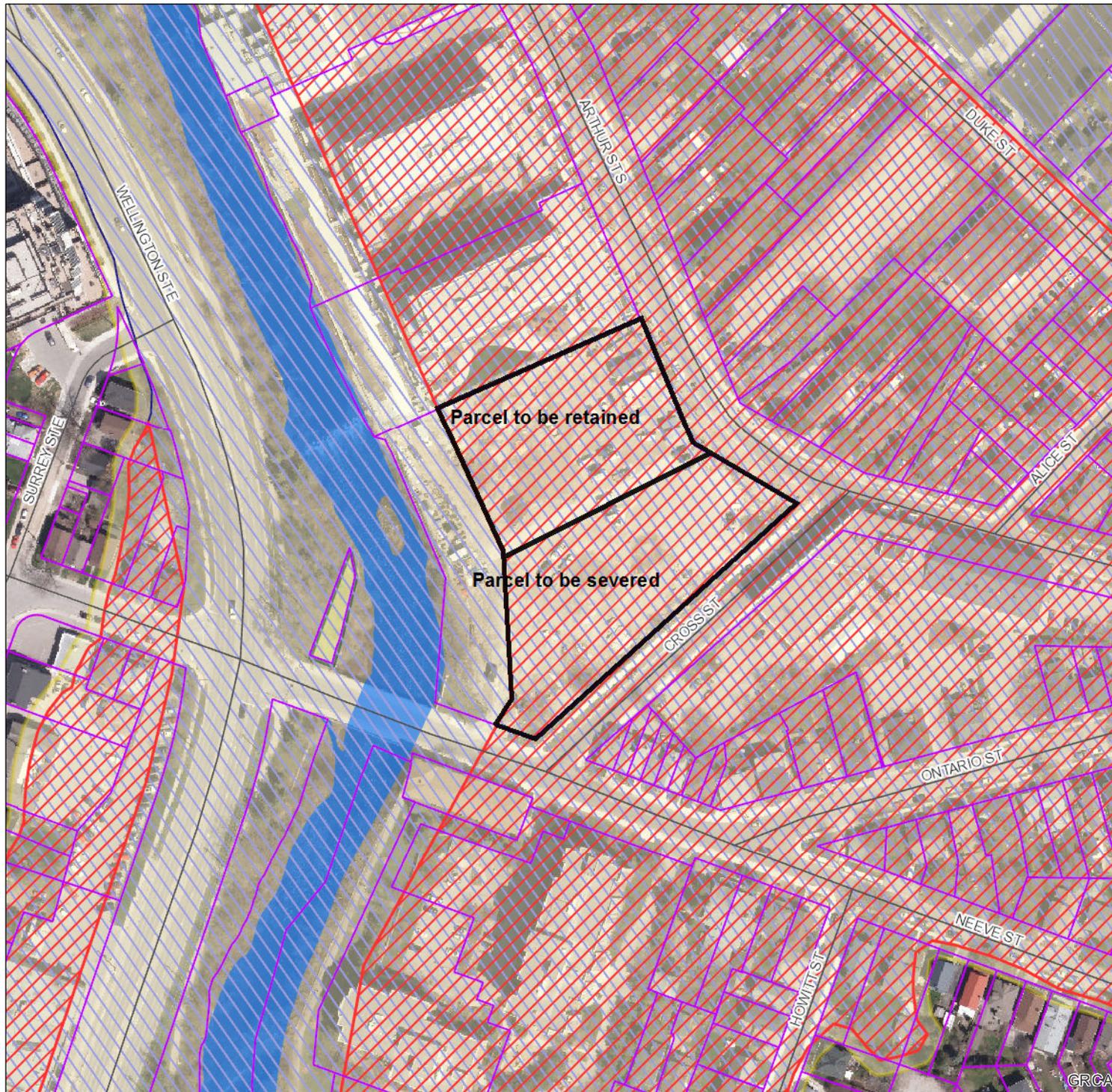
Fred Natolochny, MCIP, RPP
Supervisor of Resource Planning
Grand River Conservation Authority
FN/nm

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

cc. 2278560 Ontario Inc., 500 Hanlon Creek Blvd., Guelph ON, N1C 0A1
Charlotte Balluch, Fusion Homes, 500 Hanlon Creek Blvd., Guelph ON, N1C 0A1



73 and 93 Arthur Street, Guelph



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2020. Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



53 & 63

ARTHUR STREET SOUTH
W.S.C.C. NO. 244

Thursday, August 6, 2020

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

Attention: Secretary-Treasurer, Committee of Adjustment

Dear Ms. Di Lullo

Re: File B-7 / 20 73 ARTHUR Street South (retained parcel)
File B-8 / 20 63 Arthur Street South (severed parcel)

On behalf of WSCC No. 244, located at 53 and 63 Arthur Street South, I submit the following comments for consideration in reviewing the above noted application:

The proposed easements are to accommodate the sharing of a driveway for the purposes of a fire route, loading access and turning radius.

Fire Route

This proposal needs to provide further information concerning the necessary length of the fire route to properly service both 73 Arthur Street and 93 Arthur Street. Based on the drawings submitted it appears that only Parts 5, 6, 8 are necessary for fire vehicle access. Why is part 4 included in the proposed easement?

Loading Access

The drawings provided show only one access/egress from the severed parcel. With the planned use of the building on this parcel to include retail, commercial and residential activity, is there no added egress to Cross St. or Neeve Street planned to handle the heavy-duty truck traffic resulting from the retail uses?

The easement will provide a narrow 2-way flow of traffic along the driveway. The 18.66-foot driveway width from the Arthur Street access/egress of Parts 8, 6, 4 allows a tight 2-way automobile passage but a problem arises with commercial vehicles including garbage, transport and delivery service vehicles. It should be noted that the neighboring property (53-63 Arthur Street) to the 93 Arthur Street property has an access/egress driveway to Arthur Street of 20.4 feet. This wider driveway is at times restrictive to 2-way traffic flow.

What is the plan to accommodate temporary parking of commercial vehicles on the driveway while unloading and loading products? Of particular concern are the tractor-trailer type commercial/residential moving vehicles as well as potential large commercial trucks/trailers

53 & 63

ARTHUR STREET SOUTH
W.S.C.C. NO. 244

supplying the retail operations located on the severed parcel. Use of the driveway will involve serious traffic bottlenecks. The irritating beeping sounds of commercial vehicles reversing direction is totally inappropriate for the residential uses of both 73 and 93 Arthur Street.

Turning Radius

The turning radius for vehicles travelling beyond the two-building access/egress is insufficient for both automobiles and commercial trucks. There is no turn around provided at the end of the driveway. It appears more appropriate to improve the turning radius (as well as accommodating unloading/loading activity) by widening the driveway.

Part 7 of the Severed Parcel will provide additional width of 4.86 metres (15.94 feet) to accommodate both the turning radius issue and the unloading/loading issue. It is suggested that Part 7 be included in the proposed easement.

Other Duty Of Care Issues

The proposed easement does not provide for snow storage on the Severed Parcel. All snow storage is located on the Remaining Parcel. The proposed storage by the parking garage entrance of 73 Arthur will result in a potentially dangerous situation with reduced visibility for all traffic entering and exiting from the parking garage. Storage of snow would be more appropriate on Part 9 of the Severed Parcel.

Snow storage is also located adjacent to a barrier free parking spot potentially interfering with vehicles accessing this parking space. Storage of snow would be more appropriate on Part 7 of the Severed Parcel. Moreover, why 4 outdoor barrier free visitors parking spaces have been approved for the Remaining Parcel in non compliance with the Accessibility for Ontarian's with a Disability Act, Section 80.36(3)(4) is a matter that needs to be addressed.

Please ensure that these comments are circulated among the Committee members prior to the meeting.

Thank you for your assistance.

Michael R. Faye



President, WSCC No. 244

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-39/20
Location: 42 Arrow Road
Hearing Date: September 10, 2020
Owner: Connect Tech Inc.
Agent: Jim Fryett, Fryett Turner Architects Inc.
Official Plan Designation: Industrial
Zoning: Industrial (B.4) Zone

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

- a) a minimum right side yard setback of 2.5 metres for the existing addition to the existing industrial building; and
- b) a minimum rear yard setback of 3.58 metres for the existing addition to the existing industrial building.

By-Law Requirements: The By-law requires:

- a) a minimum side yard setback of one-half the building height [8.2 metres] to a maximum of 9 metres, but not less than 3 metres [4.1 metres would be required]; and
 - b) a minimum rear yard setback of 6 metres.
-

Staff Recommendation

Deferral

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Industrial" in the Official Plan. The requested variances do not conflict with Official Plan policies as industrial uses are permitted, therefore, conforms to the general intent of the Official Plan.

The subject property is zoned "Industrial" (B.4) according to Zoning By-law (1995)-14864, as amended. Site plan (SP14B028) was approved December 20, 2014 for an addition to the existing industrial building located on the site. A minor variance application (file A-5/14) was required for the Site Plan Approval to permit an interior side yard setback of 3.0 metres and a rear yard setback of 3.0 metres for the addition.

A subsequent minor variance application (file A-39/16) was required and approved after the construction of the addition as it was placed within the required 3.0 metre interior side yard and rear yard setback. Site Plan Approval was a condition of the variance to recognize the existing setbacks and to address concerns with the grading and drainage as a result of the as-built site condition. The minor variance lapsed as the condition to obtain Site Plan Approval within one year from the date of the Committee's final decision was not fulfilled.

Although planning staff do not object to the variances, we agree with Engineering comments that the application should be deferred until such time that the applicant resolves the grading and drainage issues.

Planning staff agree with the deferral recommendation.

Engineering Services

Engineering Services approved a grading and drainage plan under site plan application SP14B028. Staff conducted a visit, and it appears that the swale on the south side of the building addition that runs parallel to the adjoining property terminates at Rain Water Leader discharge pipe located closest to the parking lot. The swale being raised at this location prevents runoff from draining to the drainage ditch as per the approved drawings.

Therefore, since the swale was not constructed as per the approved plan, the water is overflowing across the swale and onto the neighbouring property.

Engineering recommends that this application be **deferred** until such time the applicant resolves the drainage issue and constructs the swale as per the approved grading/drainage plan and provides a certificate from a Professional Engineer confirming that work is completed as per the approved plan.

Building Services

This property is located in the Industrial (B.4) Zone. The applicant is proposing to maintain the existing industrial building addition located in the rear yard and interior side yard of the property. Variances from Table 7.3 Rows 4 and 5 of Zoning By-law (1995)-14864, as amended, are being requested. The Committee of Adjustment previously granted approval in 2014 (file A-5/14) and 2016 (file A-39/16) to permit similar minor variances, however, the past approvals are no longer valid due to non-fulfillment of conditions required as part of these approvals.

Building Services understands that Engineering would like this application deferred.

Comments from the Public

Yes (See Attached)

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

Renzo Baggio, Ida Baggio
16 Fair Rd.,
Guelph, On N1K OA1

September 3, 2020

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

Attention: Trista Di Lullo ACST, Secretary-Treasurer, Committee of Adjustment

RE: Application Number A-39/20, (42 Arrow Road)

Dear Committee of Adjustments:

We are the property owners of 16 Fair Rd.

We oppose to the above application for a minor variance due to the non-conformity of stormwater draining onto our property.

Regards,



Renzo Baggio,
Owner

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-40/20
Location: 117 Queen Street
Hearing Date: September 10, 2020
Owner: Michael Forbes and Sarah Hawthorn
Agent: Benjamin McFadgen, BM Architectural Design
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

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

- a) the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard; and
- b) the stairs associated with the proposed open, roofed porch to have a minimum setback of 1.6 metres from the front lot line.

By-Law Requirements: The By-Law requires that:

- a) for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres [the required front yard is 6 metres]; and
 - b) the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.
-

Staff Recommendation

Approval with Condition

Recommended Condition

Engineering Services

1. That prior to the issuance of a building permit, the Owner(s) shall agree to relocate the existing driveway and apply for an entrance permit.
-

Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas

within the built-up area of the City and permits a range of housing types including single detached residential dwellings. The requested variances meet the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits a single detached dwelling. The applicant is proposing to demolish the existing roofed front porch and replace it with a larger open, roofed porch with associated steps. The front porch is proposed to project into the legal non-complying front yard 2.4 metres from the dwelling (3.8 metres from the required 6 metre front yard setback) with a 2.2 metre setback from the front yard property line. The stairs from the front porch are proposed to have a 1.6 metre setback from the front yard property line.

The Zoning By-law permits an open roofed front porch to have a maximum projection of 2.4 metres into the required front yard, together with a minimum setback of 2 metres from the property line. Any exterior stairs associated with the front porch are required to have a minimum setback of 2 metres from the front yard property line.

The general intent and purpose of the Zoning By-law in requiring porches and stairs to have maximum projections with minimum setbacks from the front yard property line is to provide built form consistency on a streetscape. The existing dwelling currently has a legal non-complying front yard setback of 4.6 metres. It is located in the older built-up area of the City where many of the existing buildings are located closer to the front property line than the required 6 metres.

The requested variances are considered to meet the general intent and purpose of the Official Plan and Zoning By-law, are considered to be desirable for the appropriate development of the land and considered to be minor in nature.

Planning staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard; and to permit the stairs associated with the proposed open, roofed porch to have a minimum setback of 1.6 metres from the front lot line, subject to the condition noted above.

We agree with the recommendations made by Planning and Building staff.

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to remove and replace the existing roofed porch at the front of the existing dwelling. Variances from Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services does not object to this application to permit the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front

yard; and to permit the stairs associated with the proposed open roofed porch to have a minimum setback of 1.6 metres from the front lot line.

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Comments from the Public

None

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

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-41/20
Location: 67 Kirkby Court
Hearing Date: September 10, 2020
Owner: MacKinnon Holdings Ltd.
Agent: Vivian Patel, Jones Lang LaSalle
Official Plan Designation: Industrial
Zoning: Industrial (B.1) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit a minimum building size of 7 percent of the lot area for the proposed two (2) industrial buildings.

By-Law Requirements: The By-law requires a minimum building size of 15 percent of the lot area for lots between 3 to 10 acres.

Staff Recommendation

Approval

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Industrial" in the City's Official Plan. Permitted uses within the "Industrial" land use designation includes: industrial uses, including manufacturing, fabricating, processing, assembly, warehousing, laboratories, transportation terminals, contractors yards, repair and servicing operations. The requested variance does not conflict with Official Plan policies.

The subject property is zoned "Industrial" (B.1) according to Zoning By-law (1995)-14864, as amended. The applicant is proposing to construct a two-storey security booth, a two-storey industrial office building, a one-storey truck repair shop and a one storey warehouse to support the existing trucking operation. The total ground floor area for all proposed industrial buildings is 2,166 square metres. The applicant

is seeking relief from the Zoning By-law requirements to permit a minimum building size of 7 percent of the lot area for the proposed industrial buildings, whereas Section 7.3.5.1 requires a minimum building size of 15 percent of the lot area. The intent of this zoning regulation is to ensure that industrial lots are appropriately developed with a building in proportion to their size.

The proposed use is consistent with the permitted uses under the B.1 zoning. The proposed building size of 7 percent of the lot area represents an appropriate building size for a trucking operation. A previous variance application to permit a minimum building size of less than 1 percent was refused by Committee at its June 11, 2020 hearing. This revised proposal represents an appropriate building size on site and is considered to be desirable for the appropriate development of the lands.

The requested variance is considered to meet the general intent and purpose of the Official Plan and Zoning By-law, is considered to be desirable for the appropriate development of the land and is considered to be minor in nature.

Planning staff recommend approval of the application.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a minimum building size of 7 percent of the lot area for the proposed two (2) industrial buildings.

We agree with the recommendations made by Planning and Building staff.

Building Services

This property is located in the Industrial (B.1) Zone. The applicant is proposing to construct a two-storey security booth, a two-storey industrial office building, a one-storey truck repair shop, and a one-storey warehouse to support the existing trucking operation. A variance from Section 7.3.5.1 of Zoning By-law (1995)-14864, as amended, is being requested to permit a minimum building size of 7 percent of the lot area for the proposed two (2) industrial buildings. Building Services does not object to this application.

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Comments from the Public

None

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

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-9/20 and B-10/20
Location: 24 Campbell Road
Hearing Date: September 10, 2020
Owner: 1998410 Ontario Inc.
Agent: Jeff Buisman, Van Harten Surveying Inc.
Official Plan Designation: Industrial
Zoning: Industrial (B.4) Zone

Request: The applicant proposes the following:

File B-9/20

Severance of a parcel of land to create a new irregular shaped lot with frontage along Dawson Road of 106 metres and an area of 1.6 hectares.

File B-10/20

Severance of a parcel of land to create a new lot with frontage along Dawson Road of 75.5 metres and an area of 1.2 hectares.

The retained parcel is proposed to have frontage along Dawson Road of 58.7 metres and an area of 0.94 hectares.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Files B-9/20 and B-10/20:

Planning Services

1. That prior to issuance of building permits and/or prior to undertaking activities which may injure or destroy regulated trees on the severed and retained parcels, the applicant shall submit a Tree Inventory and Preservation Plan (TIPP) for the entire proposed development area which shall be developed and carried out by an Arborist and in accordance with the Private Tree Protection By-law (2010-19058) and the City's Tree Technical Manual, to the satisfaction of the General Manager of Planning and Building Services. The applicant should

contact the City's Landscape Planner prior to hiring an Arborist, to determine the requirements of the TIPP.

Engineering Services

2. That prior to any site alteration or grading and drainage works on the severed and retained parcels, the developer shall submit to the City a fully detailed site plan in accordance with section 41 of the Planning Act indicating the location of the building, driveway, septic system, well (if applicable), grading, drainage, stormwater management, groundwater recharge, traffic circulation and erosion and sediment controls on the said lands to the satisfaction of the General Manager of Planning and Building Services and General Manager/City Engineer.
3. That prior to the issuance of the Certificate of Official, the Owner shall enter into a development agreement with the City, registered on title, agreeing to satisfy the above-noted conditions.

Committee of Adjustment Administration

4. 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.
 5. 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.
 6. 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@quelph.ca).
 7. 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.
-

Comments

Planning Services

The subject property is designated "Industrial" in the Official Plan. This designation permits a range of industrial uses, including the manufacturing, fabricating, processing, assembly and packaging of goods, foods and raw materials, warehousing and bulk storage of goods, laboratories, computer and data processing, research and development facilities, printing, publishing and broadcasting facilities, repair and servicing operations, transportation terminals, contractors' yards, and complementary uses.

The applicant is proposing to sever the vacant property and create two new lots and one retained lot. The three lots are proposed to be used for industrial purposes.

Policy 10.10.1 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject application:

- a) That all of the criteria for plans of subdivision are given due consideration.

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

- b) That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.

A plan of subdivision is not necessary for the creation of two new industrial lots on an existing municipal road. The severances represent orderly development of the lands.

- c) That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.

The proposed severances will facilitate the ultimate development of the lands in accordance with the industrial land use designation.

- d) That the application can be supported if it is reasonable and in the best interest of the community.

The proposed severances are considered to be appropriate and are supportable.

The subject property is zoned 'Industrial' (B.4) according to Zoning By-law (1995)-14864, as amended. The proposed severances will create two new industrial lots with one retained industrial lot. The proposed "retained" and "severed" parcels will have lot frontages along Dawson Road that exceed the minimum 30 metre requirement of the Zoning By-law.

The subject property is more than 0.2 hectares in size, and therefore is regulated by the Private Tree Protection By-law (2010)-19058. In accordance with the By-law, a Tree Inventory and Preservation Plan (TIPP) is required prior to the issuance of building permits and/or prior to undertaking activities which may injure or destroy regulated trees. In accordance with the By-law, a Tree Inventory and Preservation Plan (TIPP) is required and staff have recommended a condition to this effect.

Staff are satisfied that the proposed severance meets the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Ontario Planning Act. Staff recommend approval of the applications subject to the conditions noted above to both consent applications B-9/20 and B-10/20.

Engineering Services

The applicant is proposing to sever two new industrial lots with one retained lot. The three lots are proposed to be used for trucking operations. Engineering has no concerns with the applications, subject the conditions noted above.

We agree with the recommendations made by Planning and Building staff.

Building Services

This property is located in the Industrial (B.4) Zone. The applicant is proposing to sever the vacant property and create two new industrial lots with one retained lot. The three lots are proposed to be used for trucking operations.

Building Services does not object to this application.

Hydro One Networks Inc.

Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection in principle to the proposed severance, provided HONI's easement rights are protected and maintained (see attached).

Comments from the Public

None

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

Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, Ontario L3R 5Z5
www.HydroOne.com



Courier:
185 Clegg Road
Markham, Ontario L6G 1B7

VIA E-MAIL ONLY TO cofa@guelph.ca

August 27, 2020

1 Carden St
Guelph, ON
N1H 3A1

Attention: Trista Di Lullo

Dear Trista Di Lullo

Re: Proposed Application for Consent
24 Campbell Road
City of Guelph
File: B-9/20, B-10/20

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection *in principle* to the proposed severance, provided HONI's easement rights are protected and maintained.

Please be advised that any placement of permanent structures, facilities or landscaping within the transmission corridor is **prohibited** without the prior written approval of HONI.

If in the future the owner proceeds with a site plan, plan of subdivision and/or plan of condominium application, the owner must make arrangements satisfactory to HONI for lot grading and drainage, and any proposed uses on the transmission corridor. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this proposal will become the responsibility of the developer.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

If you have any questions, please contact me at dennis.derango@hydroone.com or at 905-946-6237.

Yours truly,

A handwritten signature in black ink that reads "Dennis De Rango". The signature is written in a cursive, slightly slanted style.

Dennis De Rango
Specialized Services Team Lead, Real Estate
Hydro One Networks Inc.

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-11/20
Location: 4 Sherwood Drive
Hearing Date: September 10, 2020
Owner: Roelfien Di Sapio
Agent: Hugh Handy and Sarah Code, GSP Group Inc.
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

Request: The applicant proposes to sever a parcel of land to create a new irregular shaped lot with frontage along Sherwood Drive of 15 metres and an area of 686 square metres. The retained parcel is proposed to have frontage along Renfield Street of 20.1 metres and an area of 698 square metres.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That a plan shall be submitted to, and approved by the General Manager of Planning and Building Services, prior to the issuance of a building permit for the new dwellings on the "severed" and "retained" parcels indicating the location and design of the new dwellings.
2. That prior to the issuance of a building permit, elevation and design drawings for the new dwellings on the "severed" and "retained" parcels shall be submitted to, and approved by the General Manager of Planning and Building Services.
3. That prior to the issuance of the Certificate of Official, the existing house shall be demolished to the satisfaction of the Chief Building Official.

Engineering Services

4. That prior to the issuance of the Certificate of Official, the Owner(s) agrees to submit detail engineering plans for the severed and the retained lot indicating such items as proposed servicing, grading and drainage, erosion and sediment

control and access to the satisfaction of the General Manager/City Engineer. A Professional Engineer shall certify such plans.

5. That prior to the issuance of the Certificate of Official, the Owner(s) shall submit a stormwater management brief to the satisfaction of the General Manager/City Engineer. Such report is to be certified by a Professional Engineer and is to be prepared in accordance with the City's Engineering Guidelines.
6. That prior to the issuance of a building permit, the Owner(s) shall provide a plot plan that shows that the proposed building, grading and drainage are in conformance with the approved overall drainage and grading plan.
7. That prior to the issuance of any building permit, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
8. That the Owner(s) shall pay the estimated and the actual cost for decommissioning and removal of any services as determined by the General Manager/City Engineer.
9. That the Owner(s) agrees to pay the actual cost of the construction of the service lateral to the proposed severed and retained lands, including the cost of all restoration, works within the City's right of way. The Owner(s) agrees to pay the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
10. That the Owner(s) constructs the new dwellings at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary.
11. That prior to the issuance of any building permit, the Owner shall apply and obtain an entrance permit.
12. That prior to the issuance of any building permits on the proposed severed lands, the Owner shall pay the flat rate charge established by the City for tree planting for the proposed severed lands.

Alectra Utilities

13. That prior to issuance of a building permit, the applicant make arrangements with the ICI Department of Alectra Utilities for the underground servicing of the newly created lot. The proposed new driveway must be 1.5 metres away from the existing street-light pole. If this cannot be maintained, the pole will have to be relocated. The servicing and the possible street-light pole relocation would be at the applicant's expense.

Committee of Adjustment Administration

14. That prior to the issuance of the Certificate of Official, the Owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above noted conditions and to develop the site in accordance with the approved plans.

15. 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.
 16. 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.
 17. 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).
 18. 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.
-

Comments

Planning Services

The subject property is designated "Low Density Residential" in the Official Plan. This designation applies to residential areas within the Built-Up Area of the City which are currently predominantly low-density in character. The predominant land use in this designation is residential and includes single detached, semi-detached, duplex dwellings and multiple unit residential buildings, such as townhouses and apartments. All residential development within the "Low Density Residential" designation is to be between a net density of 15 and 35 units per hectare.

Policy 9.3 of the Official Plan provides several objectives to be achieved in the residential designations in the City. In providing new housing, consideration is to be given to the development of a full range of housing types, affordability and densities to meet a variety of lifestyles and diversity (9.3(b)). Further, several objectives emphasize the need to ensure compatibility of new development in residential areas, including maintaining the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification (9.3 (f)). New development is also to be compatible with and preserve the general character of established neighbourhoods (9.3 (i) and (m)).

Planning staff are of the opinion that the proposed severance meets the objectives for the residential land use designations, and that the proposed new lot, land use and overall built form is compatible with the surrounding established residential area. The proposed severance will create one new residential lot and a smaller severed lot for single detached dwellings in accordance with the Low Density

Residential land use designation. Both Sherwood Drive and Renfield Street are comprised of properties with single detached dwellings. The proposed severance is proposed for an existing corner lot, which will allow for variety and appropriate spacing along the streetscapes.

Official Plan policy 9.3.1.1 outlines development criteria for intensification proposals within existing residential neighbourhoods. Planning staff have evaluated the severance proposal to this and are satisfied that it is consistent and meets all criteria. Specifically, the building form, scale, height, setbacks, massing, appearance, parking layout and siting are compatible in design, character and orientation with buildings in the immediate vicinity. All properties surrounding the site are zoned for single detached dwellings. The proposed severance meets or exceeds all of the minimum zoning regulations for new single detached dwellings in the R.1B zone. The proposed infill development can be fully serviced and will not have an adverse impact on the safe operation of adjacent roads.

The above policies, criteria and objectives, together with policies regarding development within the Built-up Area and Intensification (Section 3.7), encourage the creation of new low density residential lots within the older established areas of the City, provided that the proposed development is compatible with the surrounding residential environment. The Official Plan defines "compatible" as being development or redevelopment which may not necessarily be the same as, or similar to, the existing development, but can co-exist with the surrounding area without an unacceptable adverse impact.

The proposed consent meets the policies in section 9.3.2 for development on lands within the Low Density Residential land use designation. The subject lands are 0.1384 hectares, and with 2 single detached dwellings, will have a net density of 14.45 units per hectare.

Policy 10.10.1 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject application:

- a) That all of the criteria for plans of subdivision are given due consideration.

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

- b) That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.

A plan of subdivision is not necessary.

- c) That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.

The proposed severance does not restrict or hinder the ultimate development of the lands. The proposed development represents a logical and compatible layout of lots that are appropriate to accommodate single detached dwellings within the Built-up Area.

- d) That the application can be supported if it is reasonable and in the best interest of the community.

The proposed severance is considered to be reasonable and in the best interest of the community. The lot fabric is consistent with what currently exists in the surrounding neighbourhood. Further, the proposed development can be serviced by existing infrastructure and public and private amenities such as schools, parks and retail.

The subject property is zoned 'Residential Single Detached' (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits single detached dwellings. The proposed severance will create one new residential building lot. The property is currently occupied by a single detached residential dwelling, which will be demolished to allow for the creation of a new lot and subsequent construction of two new dwellings. The proposed "retained" and "severed" parcels will have lot frontages and lot areas which meet or exceed all of the minimum requirements of the R.1B Zone.

The subject lands have full municipal services (water and sanitary sewer) available along both Sherwood Drive and Renfield Street. Engineering staff have confirmed that capacity is available to service both the severed and retained parcels.

The subject property is less than 0.2 hectares in size and therefore is not regulated by the Private Tree Protection By-law. However, consistent with the policies of the Official Plan, the City is committed to the protection and enhancement of its Urban Forest resources. Staff encourages the applicant to consult with an arborist in order to retain and protect as many trees as possible on the subject property.

Staff are satisfied that the proposed severance meets the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Planning Act. Staff recommend approval of the application subject to the conditions noted above.

Engineering Services

The applicant proposes to sever a parcel of land to create a new irregular shaped lot with frontage along Sherwood Drive of 15 metres and an area of 686 square metres. The retained parcel is proposed to have frontage along Renfield Street of 20.1 metres and an area of 698 square metres.

Engineering has no concerns with the requested proposal subject to the conditions noted above.

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to remove the existing single detached dwelling and create a new lot. A new single detached dwelling is proposed to be constructed on the severed parcel and the retained parcel.

Building Services does not object to this application to sever a parcel of land to create a new irregular shaped lot with frontage along Sherwood Drive of 15 metres and an area of 686 square metres.

Alectra Utilities

Alectra Utilities is in support of this application subject to the condition noted above (see attached).

Comments from the Public

Yes (See Attached)

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



August 24, 2020

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

VIA EMAIL

Email: coa@guelph.ca.

Dear Trista:

Re: Applications to the Committee of Adjustment – September 10, 2020 Meeting

We have reviewed the applications scheduled for the September 10, 2020 hearing and wish to submit the following comments for the Committee's consideration:

Application #B-11/20 – 4 Sherwood Drive

Please include the following condition in your approval of this application:

1. That prior to issuance of a building permit, the applicant make arrangements with the ICI Department of Alectra Utilities for the underground servicing of the newly created lot. The proposed new driveway must be 1.5m away from the existing street light pole. If this cannot be maintained, the pole will have to be relocated. The servicing and the possible street light pole relocation would be at the applicant's expense.

Sincerely,

Alectra Utilities
Mike Pontes, C.E.T.
Technical Services Supervisor
email: mpontes@guelphhydro.com

Guelph Hydro

395 Southgate Drive, Guelph, ON N1G 4Y1 | t 519 822 3017

guelphhydro.com

Alectra Utilities Corporation

2185 Derry Road West, Mississauga, ON L5N 7A6 | t 905 273 7425

alectrautilities.com

September 2, 2020

TO: Committee of Adjustment/City of Guelph (cofa@guelph.ca)

RE: B-11/20

Application/Consent to Sever 4 Sherwood Dr, Guelph

As a concerned neighbour at 10 Sherwood Drive, I wanted to voice my concern on the above aforementioned application on the following considerations and request to petition to decline as presented on the following basis:

- 1) I would call to attention that this infringes on the character and home values of the neighbouring properties located in the R1A zone - and this is **immediately** beside a lot with an 80 foot frontage (8 Sherwood).
- 2) It will erode the buffer between the R1A & R1B zones.
- 3) The proposal does not conform with any of the neighbouring lot frontages on either side (R.1B/R.1A zoning)
- 4) It will distort the character/look and feel of the neighbourhood

I've included excerpts from the City of Guelph Official Plan (below) for consideration. I ask that the Committee please reject the current application in search of an alternative proposal that is more complimentary to the existing neighbourhood.

Thank you for your consideration,

Michael Kirby & Jennifer Adair

Home Owners

10 Sherwood Dr, Guelph, On

██████████

EXCERPTS FROM THE CITY OF GUELPH OFFICIAL PLAN

“2.2 Strategic Goals of the Plan

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

“9.3 Residential Designations [Land Use]

f) To maintain the **general character of built form in existing established residential neighbourhoods** while accommodating compatible residential infill and intensification.”

“Definitions

Compatibility/compatible means:

Development or redevelopment which may not necessarily be the same as, or similar to, the existing development, but can co-exist with the surrounding area without unacceptable adverse impact.”

Committee of Adjustment

From: Barbara Wood [REDACTED]
Sent: Thursday, September 3, 2020 12:40 PM
To: Committee of Adjustment
Subject: B-11/20

As a neighbour of 4 Sherwood Drive, Guelph, for 50 years I wish to comment on the application to demolish the existing house and sever the corner property at 4 Sherwood Drive to create 2 new building lots.

Our neighbourhood is distinct in terms of post-war development. Sherwood, Callander and Walnut Drive were laid out as “executive” lots within the subdivision. Entry streets like Renfield have generous proportions and setbacks.

I realize that the lot in question is zoned as R1B but it is in fact part of a street (Sherwood) that is made up of oversized R.1A lots. The existing lots and setbacks on Renfield are also far larger than standard R.1B zoning would require. This was part of an intentional design for the neighbourhood. Many of the houses on these streets are unique; some have been recognized for their residential designs. I value this history and the spaciousness that the neighbourhood embodies.

While the proposed severance and redevelopment appears to fit the zoning requirements “on paper” I would argue that the plan as proposed is not compatible with the spirit and the specific context and dimensions of the neighbourhood.

The proposed retained lot on Renfield will create a new building far forward of the rest of the houses on the street. It appears that the new house will project over 6 metres in front of the neighbour at 117 Renfield and will be a protrusion on the corner unlike anything else surrounding it.

The proposed retained corner lot will in no way relate to its neighbour 109 Renfield which is over 45 m deep along Sherwood and has the house set back over 12 m from the frontage.

The proposed severed lot on Sherwood, at 15m wide will be closer to half-as-wide as many of the lots on Sherwood Drive and provide half-as-wide side yards. It is not in keeping with the rest of the over-sized R.1A streetscape that the existing house at 4 Sherwood Drive currently fits into.

If the plan proceeds as drawn, it will permanently degrade the character of the neighbourhood.

Lots this size need to be preserved. Never has it been more critical for our children to have room to run around and play in their own yards than during this pandemic.

Children need to get outside and play. Their mental health depends on it. For many they don’t have this opportunity. Allowing the destruction of a lot this size in this neighbourhood will be precedent setting and potentially destroy the fabric of the neighbourhood.

The City’s Official Plan provides direction on ensuring redevelopment is “compatible” within established existing neighbourhoods. I understand the need to intensify where appropriate, but there is also the need to recognize the context and impacts of redevelopment on existing, valued properties.

The policies of the Official Plan require consideration for what redevelopment means for this neighbourhood beyond the technicalities of the Zoning By-law.

Approving this application as it is will result in the permanent disfiguring of our neighbourhood and will have an irreversible impact on not just the immediate neighbours but the whole local community.

I ask the Committee to reject the current proposal and direct the applicant to work with staff and the community on an improved design.

Thank you.

Yours truly,

Barbara J. Wood
80 Walnut Drive
Guelph, Ontario

Committee of Adjustment

From: Stephanie Burns [REDACTED]
Sent: Thursday, September 3, 2020 12:41 PM
To: Committee of Adjustment
Subject: Re: Application # B-11/20

Follow Up Flag: Follow up
Flag Status: Completed

Dear Trista Di Lullo,

Re: Application of Consent (New Lot)
Address: 4 Sherwood Drive, Guelph ON N1E 1R6
Application #: B-11/20

I would like to formally oppose the above application to sever the above parcel of land to create a new irregular shaped lot with a frontage along Sherwood Drive with the retained parcel fronting on Renfield Street.

I live across the street from the proposed address. I feel this application does not meet two of the four tests of a minor variance as required by the Planning Act in the following aspects:

- 1) Is the application minor in nature?
- 2) Is the application appropriate?

The application does not meet the above criteria in the following ways:

-This application will impact our neighbourhood in the next few years as the current home is demolished and two new homes are constructed. This will create heavy construction traffic, possible traffic rerouting, sustained loud noise, dust and environmental irritants, and especially jeopardize the pedestrian safety of the young children and elderly residents that live in this neighbourhood.

-A key factor in the unique character and desirability of this neighbourhood is its large lots with mature trees and intensification is not in congruence with that vision. The adjacent properties will have neighbours much closer to them than when they originally purchased their property.

-With the addition of a new driveway fronting on Renfield Street there will be an increase in traffic on this street. The driveway proposed on this residence which will only fit one car will likely increase on-street parking at an already busy street corner (Renfield and Sherwood). Also, this driveway size and proximity to the road does not match with any of the surrounding properties.

- It's very possible that the mature trees on this lot will be removed for the construction of two new buildings which will impact the adjacent neighbours privacy and enjoyment of their own properties. From a personal perspective the trees on the current lot add to the character of the neighbourhood for any properties within sight of 4 Sherwood including my own.

-Building two houses on this property especially if they are more than one story high (the current home is a bungalow) will significantly impact the sunlight and sight lines of the adjacent properties.

-The houses in the area of the neighbourhood are in line with the architecture of the 1950s and 1960s and having two modern-built homes will disrupt the consistent aesthetic character of our neighbourhood.

- The numerous mature trees on this lot are both home to and provide food for the diverse wildlife that are respected and enjoyed in our neighbourhood.

-I feel this change is not good for the municipality as it could set a precedent for further intensification in a neighbourhood that has been enjoyed as one of the few in the city that boasts uniquely spacious lots and large trees.

Thank you for your consideration in this matter.

Sincerely,

Stephanie Bonnetta Burns
112 Renfield Street
Guelph, ON
N1E 5B6


Committee of Adjustment

From: Lisa Downs [REDACTED]
Sent: Thursday, September 3, 2020 12:48 PM
To: Committee of Adjustment
Subject: Application # B-11/20

Dear Trista Di Lullo,

Re: Application of Consent (New Lot)
Address: 4 Sherwood Drive, Guelph ON N1E 1R6
Application #: B-11/20

I formally oppose the above application to sever said parcel of land to create a new irregular shaped lot with a frontage along Sherwood Drive with the retained parcel fronting on Renfield Street.

I live across the street, one house south of the proposed lot changes. I feel this application does not meet two of the four tests of a minor variance as required by the Planning Act in the following aspects:

- 1) Is the application minor in nature?
- 2) Is the application appropriate?

The application does not meet the above criteria in the following ways:

-This application will impact our neighbourhood in the next few years as the current home is demolished and two new homes are constructed. This will create heavy construction traffic, possible traffic rerouting, sustained loud noise, dust and environmental irritants, and especially jeopardize the pedestrian safety of the young children and elderly residents that live in this neighbourhood.

-A key factor in the unique character and desirability of this neighbourhood is it's large lots with mature trees and intensification is not in congruence with that vision. The adjacent properties will have neighbours much closer to them than when they originally purchased their property.

-With the addition of a new driveway fronting on Renfield Street there will be an increase in traffic on this street. The driveway proposed on this residence which will only fit one car will likely increase on-street parking at an already busy street corner (Renfield and Sherwood). Also, this driveway size and proximity to the road does not match with any of the surrounding properties.

- It's very possible that the mature trees on this lot will be removed for the construction of two new buildings which will impact the adjacent neighbours privacy and enjoyment of their own properties. From a personal perspective the trees on the current lot add to the character of the neighbourhood for any properties within sight of 4 Sherwood.

Sincerely

Lisa Downs

Committee of Adjustment

From: michael borges [REDACTED]
Sent: Thursday, September 3, 2020 12:55 PM
To: Committee of Adjustment
Subject: B-11/20

Dear Trista Di Lullo,

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Sincerely

Michael Borges

Committee of Adjustment

From: Mark Wojcicki [REDACTED]
Sent: Thursday, September 3, 2020 11:41 AM
To: Committee of Adjustment
Subject: Application Number B-11/204, 4 Sherwood Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

In response to the above subject;

I live at 116 Renfield Str and I am opposed to this application for the following reasons;

- Extensive construction disturbances will be obtrusive to daily living activities
- Increased traffic on a very busy intersection zone (Speedvale Ave (4 lanes) & Renfield Street (2 lanes) with Sherwood Drive (2 lanes). This area is filled with families that walk to the local schools where Renfield and Speedvale are posted at 50km per hour.
- The proposed constructed homes will most likely not follow the architectural spirit of the neighbourhood.

Please advise of any questions.

Thank you,

Mark Wojcicki
[REDACTED]