

# Committee of Adjustment Meeting Agenda

Thursday, October 8, 2020, 4:00 p.m.

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

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

To contain the spread of COVID-19, Committee of Adjustment hearings are being held electronically and can be live streamed at [guelph.ca/live](https://guelph.ca/live). 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, October 1, 2020.

To contact Committee of Adjustment staff by email or phone:

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

519-822-1260 extension 2524

TTY 519-826-9771

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

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## 1. Call to Order

### 1.1 Opening Remarks

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

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

### 1.3 Approval of Minutes

### 1.4 Requests for Withdrawal or Deferral

## 2. Current Applications

(Application order subject to change)

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

### 2.1 A-42/20 85 Queen Street

**Owner:** Nancy and Mark Stoddart

**Agent:** Paul Brydges, Brydges Landscape Architecture Inc.

**Request:** Variance for height of proposed fence in exterior side yard

**2.2 A-43/20 1886 Gordon Street**

**Owner:** Tricar Properties Ltd.

**Agent:** Astrid Clos, Astrid J. Clos Planning

**Request:** Variance to permit additional use (recreation centre)

**2.3 A-44/20 231 Suffolk Street West**

**Owner:** Vanessa Parolin and Ryan Childershose

**Agent:** N/A

**Request:** Side yard setback variance for proposed rear residential addition

**2.4 A-45/20 15 Liverpool Street**

**Owner:** David Harvey and Mylene Ward

**Agent:** Mackenzie Carroll, Gerrard's Design & Drafting Inc.

**Request:** Rear yard setback variance for proposed rear residential addition

**2.5 B-12/20 and B-13/20 167 Alice Street**

**Owner:** Adam Debuck and Jiyeon Oh

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

**Request:** Consent to create two (2) new residential lots

**3. Staff Announcements**

**4. Adjournment**

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## **Committee of Adjustment Minutes**

**Thursday, September 10, 2020, 4:00 p.m.  
Remote meeting live streamed  
on [guelph.ca/live](http://guelph.ca/live)**

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

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### **Call to Order**

Chair K. Ash called the meeting to order. (4:00 p.m.)

### **Opening Remarks**

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

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

There were no disclosures.

## **Approval of Minutes**

Moved by D. Kendrick

Seconded by K. Meads

That the minutes from the August 13, 2020 Regular Hearing of the Committee of Adjustment, be approved as circulated.

**Carried**

## **Requests for Withdrawal or Deferral**

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

Owner: 2278560 Ontario Inc.

Agent: Charlotte Balluch, Fusion Homes

Location: 73 and 93 Arthur Street South

In Attendance: N/A

Secretary-Treasurer T. Di Lullo noted that C. Balluch, agent for the applications, submitted a request that applications B-7/20 and B-8/20 for 73 and 93 Arthur Street South be withdrawn.

### **A-39/20 42 Arrow Road**

Owner: Connect Tech Inc.

Agent: Jim Fryett, Fryett Turner Architects Inc.

Location: 42 Arrow Road

In Attendance: N/A

Secretary-Treasurer T. Di Lullo noted that J. Fryett, agent for the application, submitted a request that the application be deferred as per the staff recommendation. The agent also indicated that the drainage swale will be reconstructed and certified by a professional engineer. A copy of the deferral request was circulated to members and staff.

Moved by K. Meads

Seconded by D. Kendrick

That minor variance application A-39/20 for 42 Arrow Road, 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 at the request of the applicant to allow the applicant additional time to address drainage concerns.

**Carried**

## **Current Applications**

### **A-40/20 117 Queen Street**

Owner: Michael Forbes and Sarah Hawthorn

Agent: Benjamin McFadgen, BM Architectural Design

Location: 117 Queen Street

In Attendance: M. Forbes

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

M. Forbes asked for clarification on the condition recommended by staff regarding the driveway relocation. Engineering Technologist S. Daniel indicated that such relocation is required to meet sight line triangle requirements that resulted from the proposed porch.

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

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

Moved by 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, variances from the requirements of Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, for 117 Queen Street, to permit:

- a. the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard, when the By-law requires that for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres; 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, when the By-law required that the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line,

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

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

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-41/20 67 Kirkby Court**

Owner: MacKinnon Holdings Ltd.

Agent: Vivian Patel, Jones Lang LaSalle

Location: 67 Kirkby Court

In Attendance: V. Patel

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

V. Patel thanked the committee for considering the application as well as for comments provided on a previous application [A-25/20 67 Kirkby Court].

E. MacKinnon, owner of the property, indicated he was in agreement with staff recommendation of approving a building size of 7 percent of the lot area.

The following delegate did not speak:

P. McKenna

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

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

Moved by S. Dykstra

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 7.3.5.1 of Zoning By-law (1995)-14864, as amended, for 67 Kirkby Court, to permit a minimum building size of 7 percent of the lot area for the proposed two (2) industrial buildings, when the By-law requires a minimum building size of 15 percent of the lot area for lots between 3 to 10 acres, be **approved**.

Reasons:

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

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

**Carried**

### **B-9/20 and B-10/20 24 Campbell Road**

Owner: 198410 Ontario Inc.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 24 Campbell Road

In Attendance: J. Buisman

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

J. Buisman explained the purpose of the application and indicated he was in agreement with the conditions recommended by staff.

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

### **B-9/20 24 Campbell Road**

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 D. Kendrick

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 Part Lot 5, Registered Plan 541, Part 3 of Reference Plan 61R-20015, currently known as 24 Campbell Road, an irregular shaped parcel with frontage along Dawson Road of 106 metres, and an area of 1.6 hectares, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated August 10, 2020, project number 28562-20, be **approved**, subject to the following conditions:

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.
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.
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@guelph.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.

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**

### **B-10/20 24 Campbell Road**

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 D. Kendrick

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 Part Lot 5, Registered Plan 541, Part 3 of Reference Plan 61R-20015, currently known as 24 Campbell Road, an irregular shaped parcel with frontage along Dawson Road of 75.5 metres and an area of 1.2 hectares, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated August 10, 2020, project number 28562-20, be **approved**, subject to the following conditions:

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.
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.
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@guelph.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.

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**

## **B-11/20 4 Sherwood Drive**

Owner: Roelfien Di Sapio

Agent: Hugh Handy, GSP Group Inc.

Location: 4 Sherwood Drive

In Attendance: H. Handy

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from D. Bates with concerns about the application. A copy of this correspondence was circulated to staff, committee members and the applicant.

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

H. Handy explained the purpose of the application and indicated he was in agreement with the conditions recommended by staff.

After a brief break to allow members of the public to express interest in speaking to the application, the following member of the public spoke via electronic participation:

D. Bates, resident on Knightswood Boulevard, expressed concerns regarding the proposed dwelling on the retained parcel and its projection onto the front yard being inappropriate for the neighbourhood.

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 S. Dykstra

Seconded by D. Kendrick

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 Lot 4, Registered Plan 529 and Part Lot 3 of Registered Plan 572, currently known as 4 Sherwood Drive, an irregular shaped parcel with frontage along Sherwood Drive of 15 metres and an area of 686 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated September 1, 2020, project number 28254-20, be **approved**, subject to the following conditions:

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.
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.
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.
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.

#### 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**

#### **Staff Announcements**

Secretary-Treasurer T. Di Lullo noted that a posting for a Committee of Adjustment member position has been advertised on the City of Guelph website and in the local newspaper. She also noted that applications for this vacancy can be found on the City's website or at the ServiceGuelph Counter (Guelph City Hall) and are due to the City Clerk's Office by 4:30 p.m. on September 23, 2020.

#### **Adjournment**

That this hearing of the Committee of Adjustment be adjourned. (5:05 p.m.)

**Carried**

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K. Ash, Chair

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T. Di Lullo, Secretary-Treasurer

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

85 Queen Street

### Proposal:

The applicant is proposing to replace the existing fence in the exterior side yard of the subject property (facing Lemon Street).

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Section 4.20.10.2 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that within any residential zone, any fence located in the exterior side yard shall not exceed 1.9 metres in height from the midpoint of the main building to the rear property line and up to 0 metres from the street line.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a fence height of 2.4 metres in the exterior side yard.

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## Hearing Details

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

Date: **Thursday, October 8, 2020**

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

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

Application Number: **A-42/20**

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

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## Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **October 1, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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

### **Additional Information**

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

### **Notice of the Decision**

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

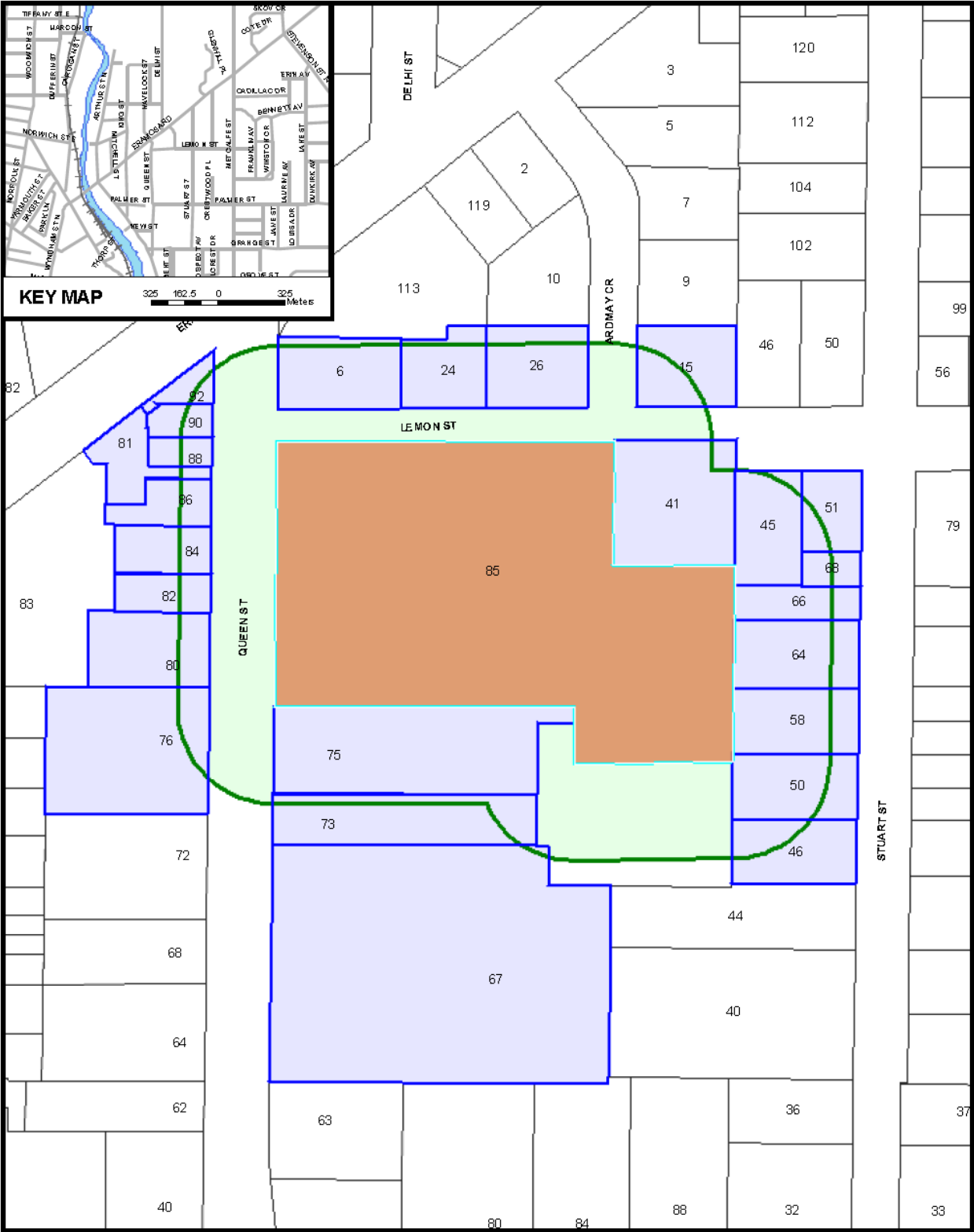
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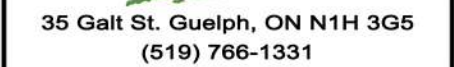
### **Notice Details**

Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated September 18, 2020.

### **Contact Information**

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





### PROJECT NAME AND ADDRESS

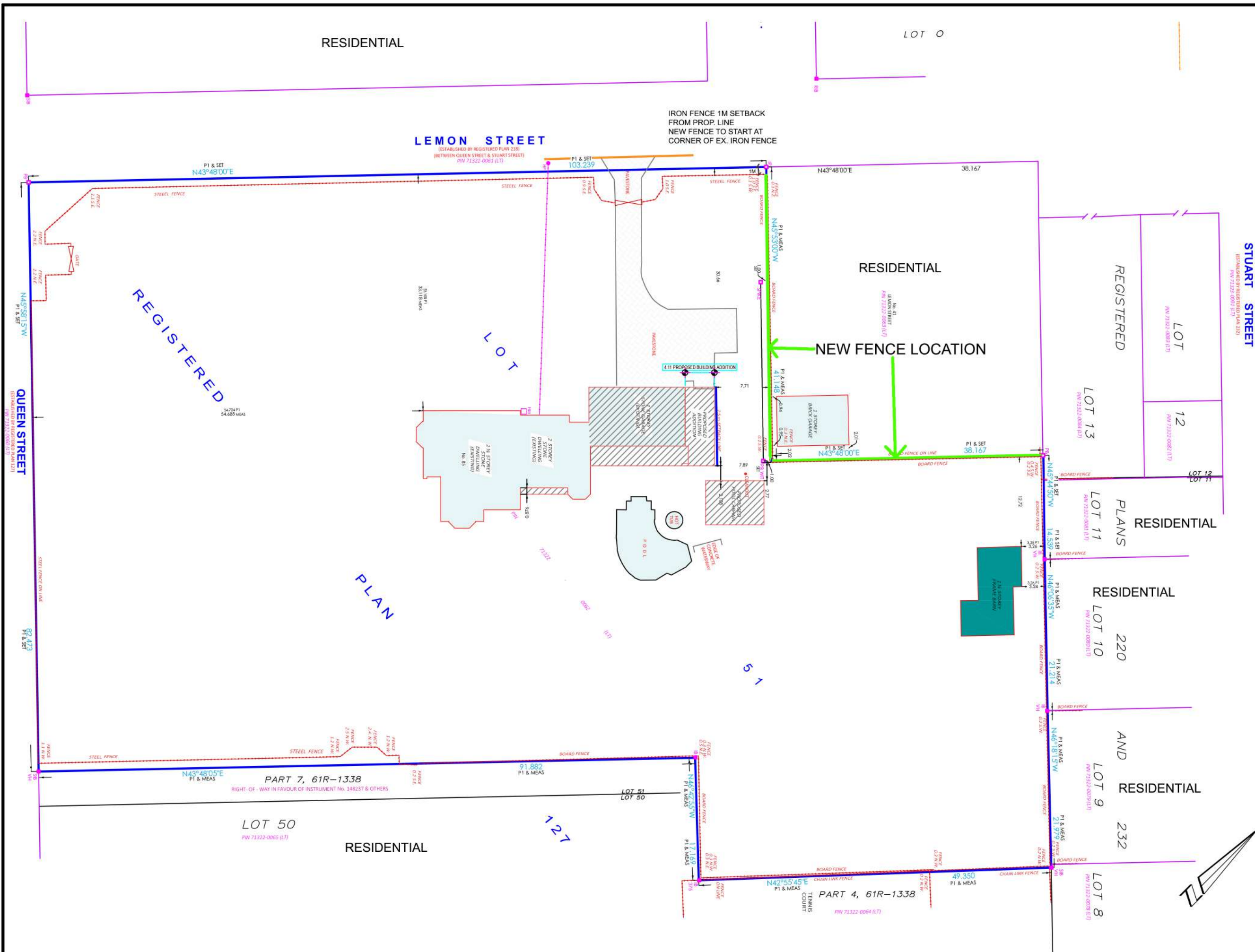
**PROJECT NUMBER**  
17242 P74

**DATE**  
08.05.20

**SCALE**  
1:500

**SHEET**  
**1 OF 1**

### GENERAL NOTES







35 Galt St. Guelph, ON N1H 3G5  
(519) 766-1331

FIRM NAME AND ADDRESS

PROJECT NAME AND ADDRESS

85 QUEEN STREET  
TREE INVENTORY

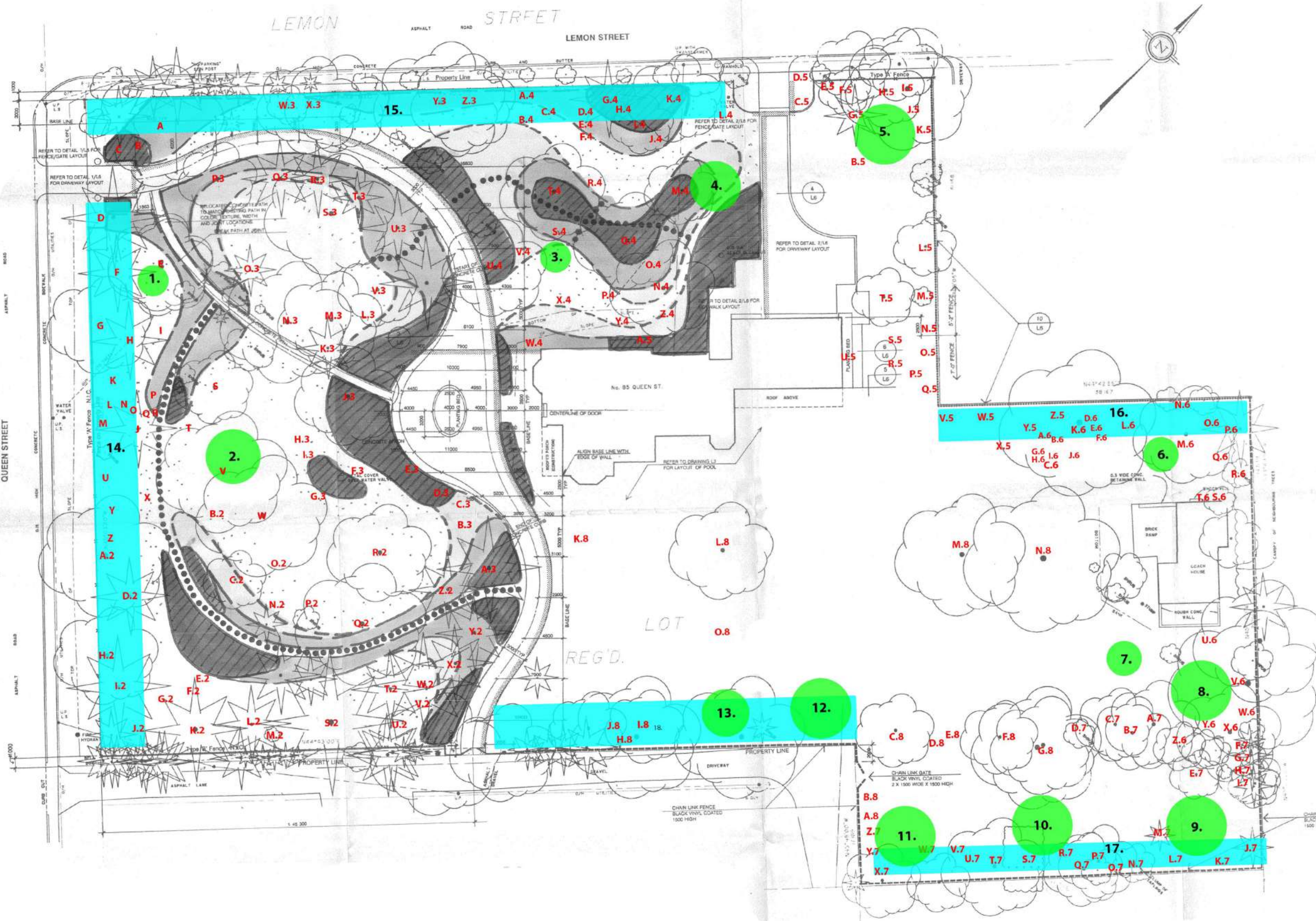
PROJECT NUMBER  
17242 P74

DATE  
08.05.20

SCALE  
1:500

SHEET

GENERAL NOTES







**BRYDGES**  
LANDSCAPE ARCHITECTURE INC.  
DESIGN, CONSULTING & PROJECT MANAGEMENT

35 Galt St. Guelph, ON N1H 3G5  
(519) 766-1331

**FIRM NAME AND ADDRESS**

**PROJECT NAME AND ADDRESS**

85 QUEEN STREET  
FENCE ELEVATION

**PROJECT NUMBER**

17242 P74

**DATE**

08.05.20

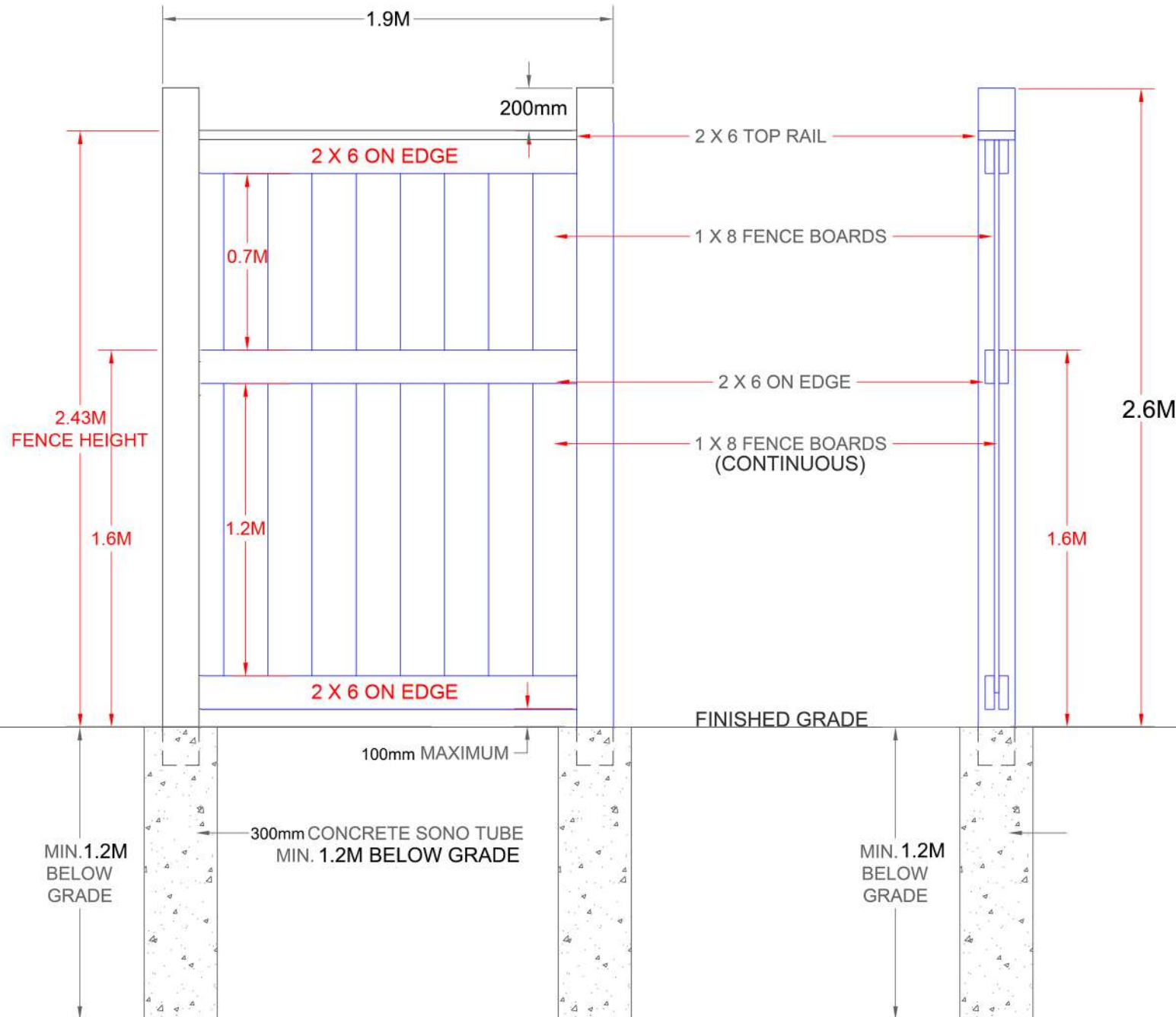
**SCALE**

1:48 (1/4"=1'-0")

**SHEET**

1 OF 1

**GENERAL NOTES**



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: August 13, 2020	Folder #: <b>A-42/20</b>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14364, AS AMENDED.

### PROPERTY INFORMATION:

Address of Property: 85 Queen Street, Guelph, ON, N1E 4R9

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

PLAN 127 PT ~~SPARK~~ LOT 51 PT PARK LOT 50

### OWNER(S) INFORMATION:

Name: Mark + Nancy Stoddart  
Mailing Address: 85 Queen Street, Guelph, ON, N1E 4R9  
City: Guelph      Postal Code: N1E 4R9  
Home Phone: 519 766 1376      Work Phone: 519-240-3533  
Fax: N/A.      Email: Mark.Stoddart@Linamar.com

### AGENT INFORMATION (If Any)

Company: Brydges Landscape Architecture Inc.  
Name: Paul R. Brydges  
Mailing Address: ~~35 Galt Street~~ 35 Galt Street  
City: Guelph      Postal Code: N1H 3G5  
Work Phone: 519 766 1331      Mobile Phone: 519 827 6016  
Fax: \_\_\_\_\_      Email: office@brydgesla.ca



Official Plan Designation: Low Density Residential

Current Zoning Designation:

R.1B

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

## Section 4.20.10.2

Not exceed 1.9 metres in height from the midpoint of the main building to the rear property line and up to 0 metres from the Street line

Request for 2.4M fence in Exterior Side Yard.  
(As shown)

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

Neighbour has used existing fence as retaining wall and has raised grade on neighbouring yard to not allow owners existing fence to meet pool code.

Neighbour has also painted <sup>their</sup> ~~the~~ side of fence only causing erratic paint and unfinished look. Making owners view unsightly.

Neighbours fence is in a state of disrepair.

## PROPERTY INFORMATION

Date property was purchased:

1990's

Date property was first built on:

late 1800's

Date of proposed construction on property:

ONGOING

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

OVER 100 YRS.

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

Residential

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

Residential

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

NOT SQUARE PROP.

Frontage:

82M

Depth:

135M

Area:

10,906 SQ M

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b> NO CHANGES		
Gross Floor Area:	858.93 SQ M		Gross Floor Area:	—	
Height of building:	11.3 M		Height of building:	—	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	12.2 M		Width:	—	
Length:	7.9 M		Length:	—	
Driveway Width:	23.05 M		Driveway Width:	—	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	54.21 M		Front Yard Setback:	NO CHANGES M	
Exterior Side Yard (corner lots only)	31.65 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 34.08 M	Right: — M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	7.50 M		Rear Yard Setback	M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19 002836 000 00 RR
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	



**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

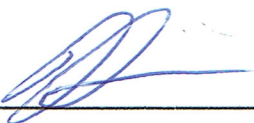
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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

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

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

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



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

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

**REMOTE AFFIDAVIT OR SWORN DECLARATION**


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

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

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

Declared remotely by Juan da Silva, of the City/Town of  
Guelph in the County/Regional Municipality of Wellington before me  
 at the City/Town of Guelph in the County/Regional Municipality of  
Wellington this 13 day of August, 2020, in accordance with

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

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

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

(official stamp of Commissioner of Oaths)



**APPOINTMENT AND AUTHORIZATION**

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

Mark Stoddart -  
[Organization name / property owner's name(s)]

of 85 Queen Street, Guelph  
(Legal description and/or municipal address)

hereby authorize Paul R. Brydges.  
(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 09 day of July 2020.

  
(Signature of the property owner)

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

**NOTES:**

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



# DECISION

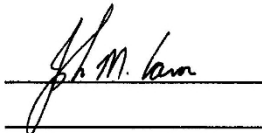
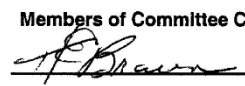
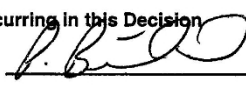
Application Number  
A-85/02

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

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

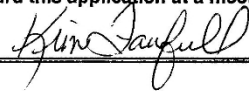
"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.20.10.3. of Zoning By-law (1995)-4864, as amended, for 85 Queen Street, to permit a 2.74 metre (9 foot) high cedar lattice fence on the vertical face of the existing fence along the right side lot line when the By-law requires the maximum fence height in the side yard be 1.9 metres (6.23 feet), be approved."

Members of Committee Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the Decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on July 23, 2002.

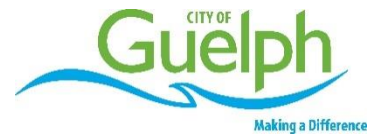
Signed:



Dated on: July 26, 2002

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is August 12, 2002

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

1886 Gordon Street

### Proposal:

The applicant is proposing to include a 317.4 square metre recreation centre (fitness centre) within the building labelled as "Building 5" on the attached site plan. The fitness centre is proposed to be used by residents of the residential apartment development as well as members of the public and offer instruction classes and more extensive fitness equipment than the gym in each apartment building.

The property is currently subject to an application for site plan approval (file SP20-015).

### By-Law Requirements:

The property is located in the Specialized Residential Apartment (R.4B-20) Zone. A variance from Section 5.4.3.2.20.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the R.4B-20 zone, but does not permit a recreation centre.

Recreation centre means a place used for participatory athletic, recreational, physical fitness, leisure or social activity and includes a health centre, fitness centre, ice, hockey or roller skating rink, curling rink, racquet court, swimming pool, billiard parlour, gymnasium, training room, auditorium, bowling alley or arena, but does not include a parlour, adult entertainment, amusement arcade or an amusement park or a gaming establishment.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a recreation centre (fitness centre) as an additional permitted use within the building labelled as "Building 5".

---

## 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, October 8, 2020**

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

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

Application Number: **A-43/20**

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

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## Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **October 1, 2020 at 12:00 p.m.** will be

forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

## **Additional Information**

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

## **Notice of the Decision**

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

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## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated September 18, 2020.

## **Contact Information**

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

519-822-1260 Extension 2524

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

**TTY:** 519-826-9771

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





Zone: R.4B-20			
Regulations	Required	Provided	Conforms?
Permitted Uses	Apartment Building; Accessory Uses in accordance with Section 4.23 Home Occupation in accordance with Section 4.19	Apartment Building; Accessory Uses in accordance with Section 4.23 Home Occupation in accordance with Section 4.19	Yes
Minimum Lot Area	650m <sup>2</sup>	33,204.50m <sup>2</sup>	Yes
Minimum Lot Frontage	15.0m	106.1m	Yes
Maximum Density	175 units/ha	157 units/ha (521 Units)	Yes
Minimum Front Yard (Gordon Street)	6.0m	7.9m (Bldg. 1 underground parking) 15.0m - 11 Storey (Bldg. 1) 19.4m - 13 Storey (Bldg. 1) 25.7m - 14 Storey (Bldg. 1) 7.1m (Bldg. 5)	Yes
Minimum Side Yard- North Lot Line	12.0m	12.7m (Bldg. 1 & 2 podium) 15.7m (Bldg. 1) 15.7m (Bldg. 2) 16.0m (Bldg. 3/4)	Yes
Minimum Side Yard - East Lot Line with Landscape Buffer	39.0m	17.2m (Bldg. 3/4 underground parking) 39.0m (Bldg. 3/4) 46.0m - 8 Storey (Bldg. 3/4)	Yes
Minimum Side Yard - South Lot Line	3.0m	1.3m (Bldg. 3/4 underground parking) 3.3m (Bldg. 3/4)	Yes
Maximum Building Height	14 storeys or maximum 50.0m	50m - 14 Storey (Bldg. 1) 50m - 14 Storey (Bldg. 2) 30m - 8 Storey (Bldg. 3/4) 12m - 5 Storey (Bldg. 5)	Yes
Minimum distance between buildings	The distance between the face of one building and the face of another building either of which contains windows of Habitable Rooms, shall be one-half the total height of the two buildings, and in no case less than 15 metres. The distance between the faces of any two buildings with no windows to Habitable Rooms shall be a minimum of 5 metres. Minimum separation over 7 stories of 35m	37.6m (Bldg. 1 - 2) 15.8m & 26.3m (Bldg. 2 - 3/4) 23.0m (Bldg. 1 - 5) 15.0m (Bldg. 3/4 - 5)	Yes
Minimum Common Amenity Area	An amount not less than 30 m <sup>2</sup> per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m <sup>2</sup> of common amenity area shall be provided and aggregated into areas of not less than 50 m <sup>2</sup> . (Min. of 10,620 m <sup>2</sup> required).	18601.3m <sup>2</sup> (56.0%) - excluding Building 5	Yes
Minimum Landscape Open Space (% of Lot Area)	25% of the lot area for building heights from 1-4 storeys and 40% of the lot area for buildings from 5-10 storeys	51.8% (17224.4m <sup>2</sup> )	Yes
Buffer Strip	Where on R-4 zone about any other residential zone, institutional, park, wetland or Urban reserve zone a buffer strip shall be developed	Buffer strip to be provided along rear property line (northwest) to the R-3 zone on the West's property.	Yes
Fences	In accordance with Section 4.20	In accordance with Section 4.20	Yes
Off-Street Parking	In accordance with Section 4.13 657 Residential Spaces required 37 Non Residential Spaces required 690 Total Parking spaces required	In accordance with Section 4.20 292 Residential Spaces (Underground) 32 Residential Spaces (Surface) 4 Non Residential Spaces (Underground) 27 Non Residential Spaces (Surface) = 887 Total Parking Spaces	Yes
Barrier Free Parking	In accordance with 2015 Facility Accessibility Design Manual Section 4.3.12 16 Barrier Free Spaces required	24 Barrier Free Space provided (6 surface, 19 underground)	Yes
Visitor Parking	In accordance with Section 4.13 132 Visitor Spaces required	32 Visitor Spaces (Surface) 100 Visitor Spaces (Underground) = 132 Total Visitor Spaces	Yes
Bicycle Parking	In accordance with Schedule "B" Planning Design Criteria of the Site Plan Approval Procedures and Guidelines 574 Spaces required (1.8m x 0.6m)	574 Spaces provided (54 surface, 520 within underground parking area)	Yes
Accessory Building or structures	In accordance with Section 4.5	In accordance with Section 4.5	Yes
Garage, Refuse Storage and Composites	In accordance with Section 4.9	In accordance with Section 4.9	Yes
Floor Space Index	2.0	1.5	Yes
Angular Plane	51 degrees - Gordon St. CL 53 degrees - Hawkins Dr. Side Lot Line	50.70 degrees 52.93 degrees	Yes

OWNER INFORMATION:

THE TRICAR GROUP - REAL ESTATE DEVELOPMENT - PROPERTY MANAGEMENT  
3800 COLONEL TALBOT ROAD, LONDON, ONTARIO, N6P 1H5  
PHONE: (519) 852- 8900 FAX: (519)852-8905  
EMAIL: ttg@tricar.com

NOTES:

- ALL SITE PLAN DRAWINGS ARE FULLY COORDINATED WITH LANDSCAPE AND ENGINEERING DRAWING SUBMISSIONS.
- THE PROPERTY OWNER IS RESPONSIBLE FOR RIGHT-OF-WAY REPLACEMENT OR REPAIR COSTS TO CITY STANDARDS.
- ALL SITE LIGHTING SHALL NOT RESULT IN ANY GLARE OR SPILL OVER TO SURROUNDING PROPERTIES OR PUBLIC VIEW.
- ALL SNOW STORAGE SHALL BE STORED ON-SITE. SURPLUS SNOW STORAGE SHALL BE REMOVED OFF SITE AT OWNER'S EXPENSE BY PRIVATE REMOVAL SERVICE.
- GARBAGE IS TO BE STORED INTERNALLY AAND BROUGHT TO LOADING ZONE FOR PUBLIC PICK-UP.
- POTENTIAL FOR FUTURE ROAD CONNECTION TO THE SOUTH

\*\* TOTAL 32 VISITOR PARKING STALLS AT SURFACE  
TOTAL 27 COMMERCIAL PARKING STALLS AT SURFACE

\*\*\* LAYBY PARKING PROGRAM IS 15 MINUTES IN DURATION.

PARKING CALCULATION (REQUIRED)

RESIDENTIAL APARTMENT PARKING:  
1.5 SPACES PER UNIT FIRST 20 UNITS, 1.25 SPACES PER UNIT AFTER 20 UNITS  
(1.5 SPACES X 20 UNITS) + (1.25 SPACES X 501 UNITS) = 657 SPAACES

NON RESIDENTIAL PARKING:  
1 SPACES PER 45.0M<sup>2</sup> GROSS FLOOR AREA  
(1.476M<sup>2</sup> / 45.0M<sup>2</sup>) X 1 SPACE = 33 SPACES

BARRIER FREE PARKING:  
651-700 SPACES REQUIRED  
TOTAL BARRIER FREE PARKING = 16 SPACES (8 TYPE 'A', 8 TYPE 'B')

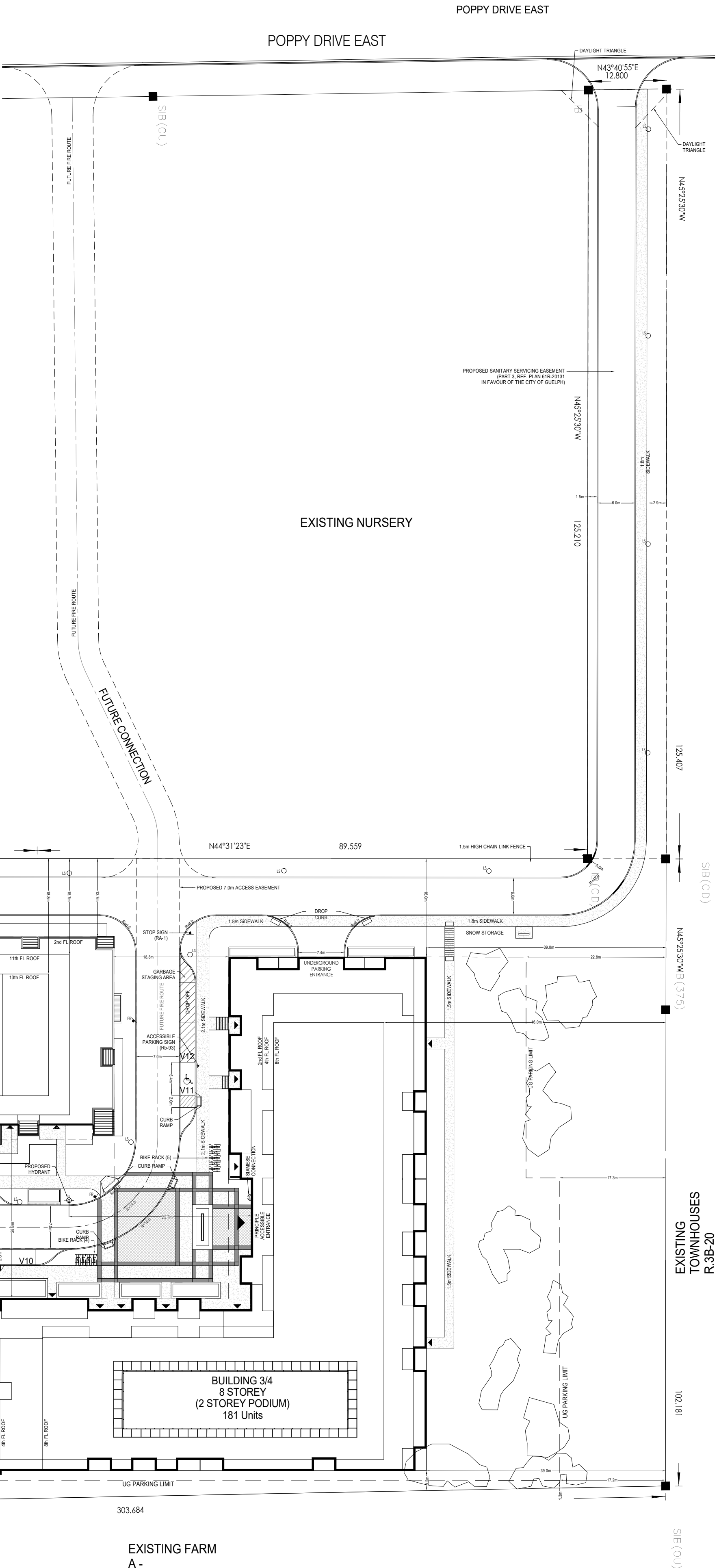
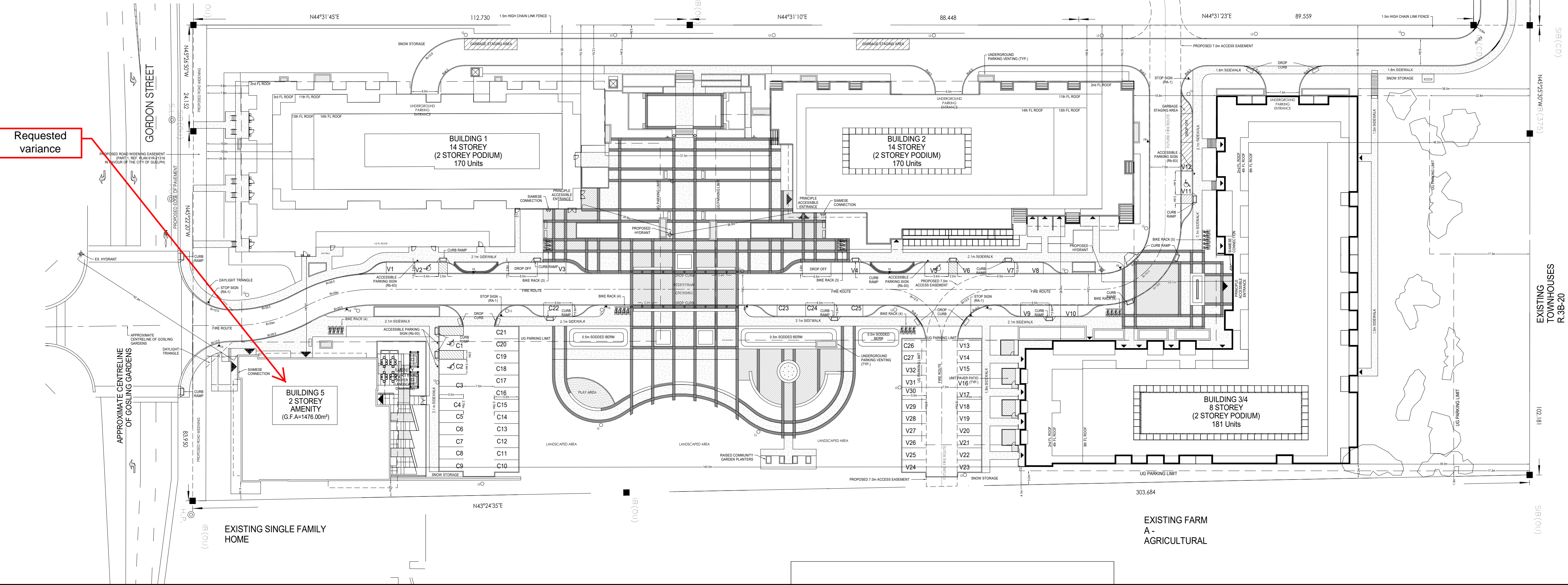
VISITOR PARKING:  
20.0% OF THE CALCULATED TOTAL REQUIRED PARKING  
657 SPACES X 20.0% = 132 SPACE

BICYCLE PARKING:  
1 SPACES PER UNIT PLUS 2 SPACES PER 20 UNITS  
1 SPACE X 521 UNITS = 521 SPACE  
(521 UNITS/20 UNITS) X SPACES = 53 SPACES  
TOTAL BICYCLE PARKING = 574 SPACES

Legend

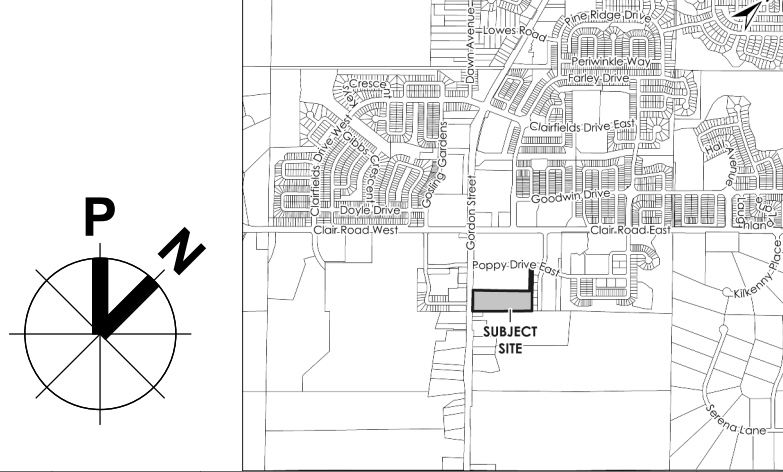
- SITE BOUNDARY
- UNDERGROUND PARKING LIMIT
- FIRE ROUTE CENTRELINE
- ▲ PRINCIPAL ENTRANCE TO BUILDING (FIREFIGHTERS ENTRANCE)
- ▨ TACTILE WARNING SURFACE INDICATOR
- CONCRETE
- COLOURED CONCRETE
- UNIT PAVES
- GARBAGE STAGING AREA

C3-4  
EXISTING NURSERY



**kasian**

**Kasian Architecture**  
Ontario Incorporated  
85 Hanna Avenue, Suite 300  
Toronto, ON Canada M6K 3S3  
T 416 583 3600 F 416 583 3610  
www.kasian.com



REV	DATE	DESCRIPTION	BY	CHKD
8	2020-08-21	ISSUED FOR SPA RESUBMISSION		
7	2020-06-09	ISSUED FOR SPA RESUBMISSION		
6	2018-12-19	ISSUED FOR SPA RESUBMISSION		
5	2018-09-19	ISSUED FOR SPA RE-SUBMISSION		
4	2018-08-07	ISSUED FOR SPA RESUBMISSION		
3	2018-06-15	ISSUED FOR SPA RESUBMISSION		
2	2018-04-16	ISSUED FOR SPA RESUBMISSION		
1	2017-09-18	SITE PLAN APPLICATION		
REV	YYYY-MM-DD	REVISION / DRAWING ISSUE		REVIEW
CONSULTANT				

PERMIT STAMP

SEAL



THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF KASIAN ARCHITECTURE ONTARIO INCORPORATED. THE COPYRIGHT IN THE SAME BEING RESERVED TO THEM. NO REPRODUCTION IS ALLOWED WITHOUT THE PERMISSION OF KASIAN ARCHITECTURE ONTARIO INCORPORATED AND WHEN MADE MUST BEAR ITS NAME.

THIS DRAWING IS NOT TO BE SCALED. THE CONTRACTOR IS TO VERIFY DIMENSIONS AND DATA NOTED HEREIN WITH THE CONDITIONS ON SITE AND IS RESPONSIBLE FOR REPORTING ANY DISCREPANCY TO KASIAN ARCHITECTURE ONTARIO INCORPORATED FOR ADJUSTMENT.

PROJECT

SP20-015- 1888 Gordon Street

Guelph, Ontario

DRAWING TITLE

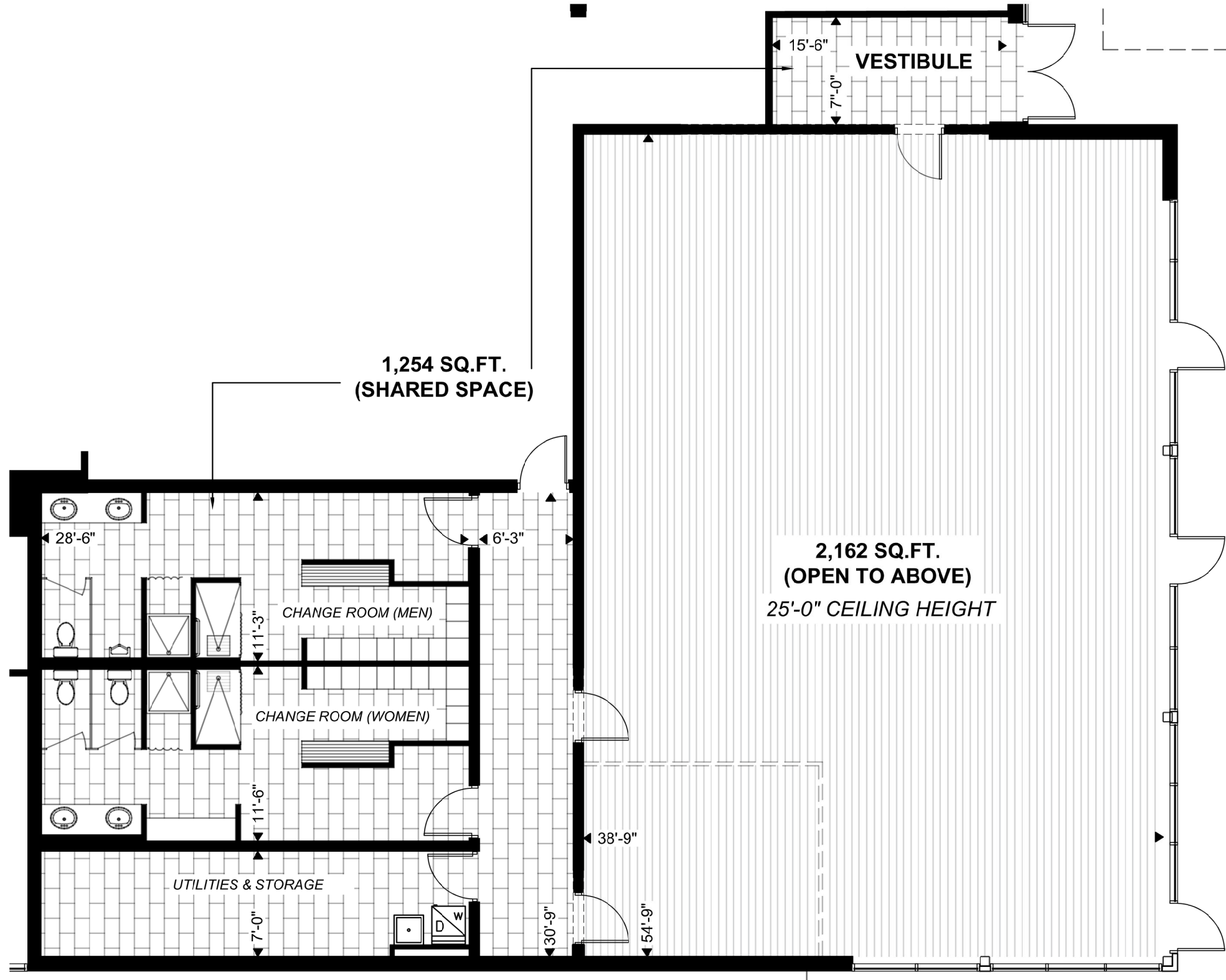
SITE PLAN

DRAWING ISSUE

ISSUED FOR SPA RESUBMISSION

PROJECT NO.	PLOT DATE	DRAWN	Author
180271	2020-08-21	REVIEWED	Checker
DRAWING NO.	SCALE	As indicated	REVISION
			8





GROUND FLOOR PLATE - COMMERCIAL UNIT 102

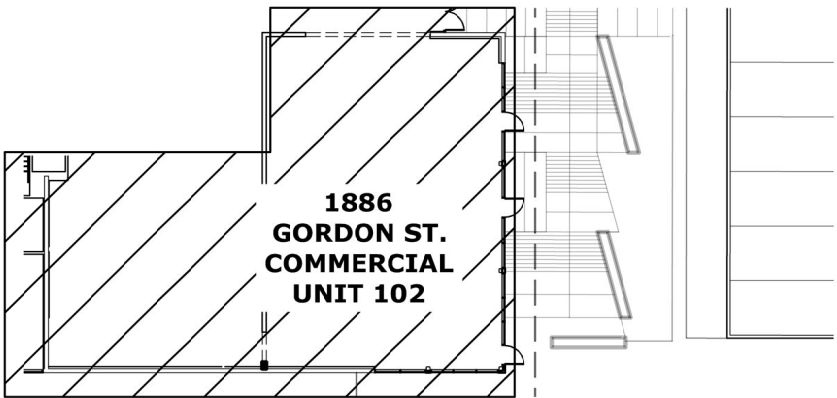
1886 GORDON STREET - COMMERCIAL UNIT 102

TOTAL FLOOR SQ.FT.	3,416 SQ.FT.
SQ.FT. (OPEN TO ABOVE)	2,162 SQ.FT.
SQ.FT. (SHARED)	1,254 SQ.FT.
PARKING SPACES	22

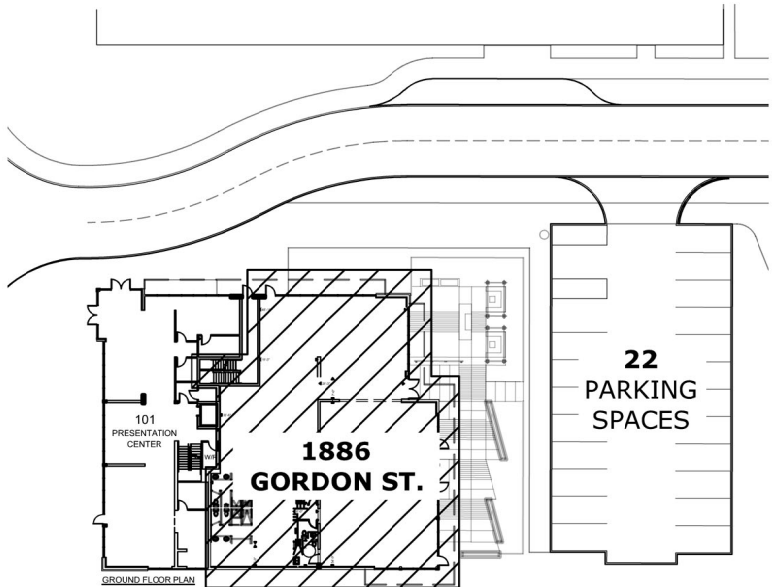
DATE:	REV. NO.	NOTES
2020 03 04	00	OPTION C
2019 12 11	00	COMM. SPACE

ALL FLOOR PLANS ARE APPROXIMATE DIMENSIONS AND SUBJECT TO CHANGE.  
ACTUAL USABLE FLOOR SPACE MAY VARY FROM STATED FLOOR AREAS.  
E. & O.E. © THE TRICAR GROUP.

**1886 Gordon Street**  
**Ground Floor Commercial Unit 102 - Option C (Shared)**  
**1886 GORDON ST. GUELPH, ONTARIO**  
**2-STOREY BUILDING**



SITE PLAN - 1886 GORDON STREET



SITE PLAN - 1886 GORDON STREET



KEY PLAN



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Sept 8, 2020</b>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-43/20</b>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes ☒ No ☐ September 1, 2020

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

### PROPERTY INFORMATION:

Address of Property: 1886/1888 Gordon Street, City of Guelph

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

Part of Lot 11, Concession 8, Township of Puslinch

Parts 1, 2, 3 and 6 of Reference Plan 61R-20131, Save and Except Part 1 of Reference Plan 61R-21316

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

Name: Adam Carapella, Tricar Properties Limited

Mailing Address: 3800 Colonel Talbot Road

City: London

Postal Code: N6P 1H5

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

Work Phone: (519) 652-8900 ext.107

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

Email: CLeigh@tricar.com

### AGENT INFORMATION (If Any)

Company: Astrid J. Clos Planning

Name: Astrid Clos, MCIP, RPP

Mailing Address: 423 Woolwich Street, Suite 201

City: Guelph

Postal Code N1H 3X3

Work Phone: (519) 836-7526

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

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

Email: astrid.clos@ajcplanning.ca

<b>Official Plan Designation:</b> High Density Residential	<b>Current Zoning:</b> Specialized R.4B-20 Zone
--	---

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

That a Recreation Centre be permitted in the non-residential building (Building 5) in addition to the other permitted uses. (section 5.4.3.2.20.1)

Tricar Properties Limited has decided to locate a gym within each apartment building as part of the provided Common Amenity Area to respond to the preference of their purchasers to have this amenity within their building. Building 5 originally was proposed to include a combination of Common Amenity Area and non-residential uses. This requested minor variance is to add a Recreation Centre as an additional permitted use within Building 5. This Recreation Centre would have an area of 317.4 m<sup>2</sup> (116.5 m<sup>2</sup> of this being shared vestibule and washroom space) and there would be a private tenant leasing this space. This space would have memberships available to purchase to both residents and the general public. The target is for 50% of the memberships to come from residents in the Tricar buildings. The proposed use would offer more extensive work out equipment than the gym in each building, as well as instruction and classes.

The R.4B-20 zoning for the subject property requires a parking ratio for non-residential uses of 1 parking space per 45 square metres. The Site Plan prepared by Kasian has included the required parking for Building 5.

**Common Amenity area**

The zoning requires the development to provide a minimum of 10,620 square metres of Common Amenity Area. The development exceeds this and provides 18,601 square metres of Common Amenity Area excluding Building 5, the commercial amenity building. Without including the Common Amenity Area originally proposed within Building 5, there will still be adequate Common Amenity Area provided which continues to exceed the zoning requirement.

Please see the email from the prospective tenant enclosed.

**Parking**

A blended parking ratio was approved in the specialized zoning for this property requiring 1 parking space per 45 m<sup>2</sup> of non-residential GFA. For Building 5 this would require 33 parking spaces which are provided. The proposed use limits the class sizes and has only 2 employees on-site at any time. 50% of the members are expected to be from residents of the Tricar buildings. The schedule of users with the office and other uses in Building 5 will be such that there will not be overlap in parking demand at all times therefore the blended parking ratio is appropriate for this proposed use.



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

**Meeting the General Intent of the Official Plan**

OPA No. 65 which was approved by Council for the subject property, added policies to increase the permitted building height and the density, but did not deal with non-residential uses. City staff were of the opinion that non-residential uses such as a Bake Shop, Office, Personal Service Establishment and a Take-out Restaurant were permitted within the High Density Residential designation without the need for an Official Plan Amendment. In addition, City staff were of the opinion that a fitness center for the use of the residents within a Common Amenity Area is permitted within the High Density Residential designation.

Therefore, the question is whether a Recreation Centre, which is to be used for residents **and** members of the public, meets the general intent of the Official Plan. Given the excerpts from the Official Plan below which encourage recreational uses and small scale non-residential uses that are complementary and serve the needs of residential neighbourhoods, it is my conclusion that the requested minor variance does meet the general intent of the Official Plan.

"9.3 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."

"9.3.1.1 3. **The residential development can be adequately served by** local convenience and neighbourhood shopping facilities, schools, trails, parks, **recreation facilities** and public transit."

"9.3.1.2 Non-Residential Uses in Residential Designations

**1. Within the residential designations of this Plan, a variety of small-scale non-residential uses may be permitted that are complementary to and serve the needs of residential neighbourhoods.** Such non-residential uses include:

iv) municipal open space, parks, trails and **recreation facilities**;"

**Meeting the General Intent of the Zoning By-law**

With respect to the Recreation Centre use, the City has included non-residential uses within the R.4B-20 zoning applicable to the property. A Bake Shop, Office, Personal Service Establishment and a Take-out Restaurant are not permitted in a typical Residential Zone, but the advantages of providing mixed-use and walkability for these uses as part of a complete community was recognized and supported by the City and approved by Council. These non-residential uses are open to the public and are not restricted to being visited by residents only. The additional of a Recreation Centre use, therefore, is a similar use and meets the general intent of the zoning by-law.

**Appropriate development for the Site**

A Recreation Centre (fitness center) is already permitted for residents. The R.4B-20 zone has determined a suitable parking ratio for parking for this site is 1 space per 45 m<sup>2</sup> of non-residential which has been accommodated on the site, therefore, adequate parking is provided. Accommodating a fitness center will not reduce the Common Amenity Area to an amount less than that required by the zoning.

**Minor**

The request is minor in that the Fitness Centre is already permitted. Adequate parking can be provided for this use and there will not be a negative impact from permitting this use.

PROPERTY INFORMATION					
Date property was purchased:	2018		Date property was first built on:	unknown	
Date of proposed construction on property:	Upon issuance of a Building Permit.		Length of time the existing uses of the subject property have continued:	unknown	
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Residential apartment development including non-residential uses.					
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Recreation Centre in Building 5. (400 m <sup>2</sup> )					
DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan) Please see the Site Plan provided.					
Frontage:	108 m	Depth:	290 m	Area:	33,204 m <sup>2</sup>
PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED (Please refer to the Site Plan provided)		
<b>Building 5</b>			<b>Building 5</b>		
Gross Floor Area:	1,476 m <sup>2</sup>		Gross Floor Area:	1,476 m <sup>2</sup>	
Height of building:	2 storeys		Height of building:	2 storeys	
Garage/Carport (if applicable) N/A			Garage/Carport (if applicable) N/A		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING N/A			PROPOSED (Please refer to the Site Plan provided)		
Front Yard Setback:	7.1 M		Front Yard Setback:	7.1 m	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	m	
Side Yard Setback:	Left: M	Right M	Side Yard Setback:	Left: M	Right m
Rear Yard Setback	M		Rear Yard Setback		

**TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)**

Provincial Highway ☐      Municipal Road ☒      Private Road ☐      Water ☐      Other (Specify)

**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**

Water ☒      Sanitary Sewer ☒      Storm Sewer ☒

If not available, by what means is it provided:

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OP1701 approved.
Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZC1701 approved.
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP20-015 approved. (SP17-040 revisions to buildings 3 and 4 underway)
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building 5 already constructed.
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

## **MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

### **PERMISSION TO ENTER**

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

### **POSTING OF ADVISORY SIGN**

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

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

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

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

  
 Adam Carapella, Tricar Properties Limited  
 Signature of Owner

September 8, 2020

Date

**AFFIDAVIT**

I, Astrid Clos, Astrid J. Clos Planning Consultants, of the City of Guelph in County of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Astrid Clos, Astrid J. Clos Planning Consultants  
Signature of Agent

SEPT. 8, 2020

Date

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

Declared before me at the

City of Guelph in the County of Wellington this 8TH day of SEPT., 2020.

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



Commissioner of Oaths

(official stamp of Commissioner of Oaths)

## **APPOINTMENT AND AUTHORIZATION**

I, the undersigned, being the registered property owner(s) of 1886/1888 Gordon Street, Guelph hereby authorize

(municipal address)

Astrid Clos, Astrid J. Clos Planning Consultants as my agent for the purpose of submitting an application  
(Authorized agent's name)

to the Committee of Adjustment and acting on our behalf in relation to the application.



Adam Carapella, Tricar Properties Limited  
Signature of Owner

September 8, 2020

Date

### **NOTES:**

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

**From:** Bill Hunter <[bhunter@f45training.com](mailto:bhunter@f45training.com)>  
**Sent:** September 5, 2020 8:46 AM  
**To:** Adam Carapella <[acarapella@tricar.com](mailto:acarapella@tricar.com)>  
**Subject:** Re: Gordon Square Commercial - F45 - letter request from City of Guelph

Hey Adam,

**Hours of Operation:** The studio will not be open 24 hours, rather we open it for scheduled blocks. There will likely be 3-4 classes in the morning from 5am to 9am, 1 class at lunch, and 3 to 4 more classes in the evening. Each class has a duration of 45 minutes to 1 hour. The last class will begin not later than 9pm, ending at 9:45pm.

**Class Sizes:** Classes will cap out at 27 people, and 2 trainers.

**# of Employees:** There will only be 2 employees present during class times.

**Parking:** At our current location we have 10 designated parking spots, but have access to the remainder of the lot (non-designated spots). We don't have specific figures on this because we are not operational yet.

**# of Memberships:** Our hope is that 50% of our membership base is from the Tricar buildings. We have several marketing strategies in place to gather as many as we can. We expect the number of people driving to the classes to be minimal, however, we cannot control commuters.

## BILL HUNTER



**M:** [REDACTED]  
**T:** [REDACTED]  
**E:** [bhunter@f45training.com](mailto:bhunter@f45training.com)  
**F45 Doon**  
2480 Homer Watson Blvd  
Kitchener Ontario N2P 2R5  
[www.f45training.com](http://www.f45training.com)

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

231 Suffolk Street West

### Proposal:

The applicant is proposing to remove and replace a portion of the rear of the existing dwelling with a larger one-storey addition. The proposed addition has a floor area of 20.1 square meters.

### By-law Requirements:

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

The By-law requires a minimum side yard of 1.5 metres.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum left side yard setback of 0.9 metres for the proposed one-storey addition to the rear of the existing detached dwelling.

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## Hearing Details

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

Date: **Thursday, October 8, 2020**

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

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

Application Number: **A-44/20**

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

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## Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **October 1, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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



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

### **Additional Information**

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

### **Notice of the Decision**

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

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### **Notice Details**

Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated September 18, 2020.

### **Contact Information**

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

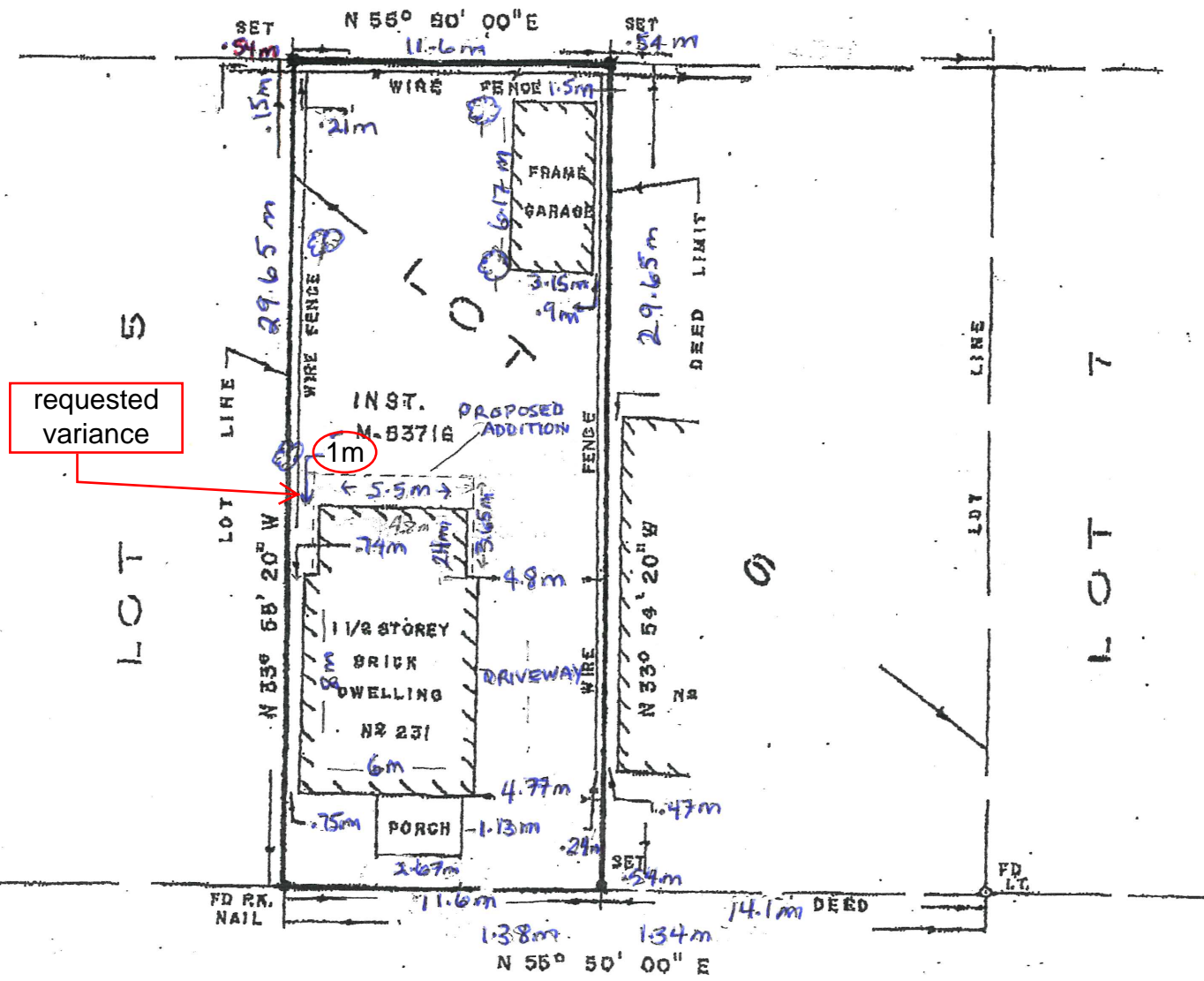


NORTH SIDE OF SUFFOLK ST.  
REGISTERED PLAN 29  
CITY OF GUELPH

SCALE: 1cm = 12.9m  
(converted from original scale)  
1980 1" = 20'

VAN HARTEN SURVEYING INC.,  
disclaims any liability as to the current ac-  
curacy of the contents of this survey, which is 23 y.  
old and advises that no reliance can be placed upon  
the current accuracy of the contents herein.

PARK LOTS, PLAN B



SUFFOLK STREET

RECEIVED: FEBRUARY 19, 1980.

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE

# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Sept 8, 2020</b>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-44/20</b>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

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

### PROPERTY INFORMATION:

Address of Property: 231 Suffolk St. W, Guelph, ON N1H2K1

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

Part Lot 6, Plan 29

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

Name: Vanessa Parolin and Ryan Childerhose  
Mailing Address: 231 Suffolk St. W  
City: Guelph Postal Code: N1H2K1  
Home Phone: 306-620-3332 Work Phone: N/A  
Fax: N/A Email: vanessampardin@gmail.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Official Plan Designation: low density residential	Current Zoning Designation: R.1B
--	----------------------------------

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

I am applying for a variance to section 5 - row 7 of table 5.1.2. This requires a minimum side yard of 1.5 metres — we require 0.9 meter sideyard ~~set back~~ in our proposed plan.

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

We require this relief and wish this variance to be granted so that we can improve the home. The structure being replaced is unable to be heated or cooled due to rotting framing and poor, inefficient insulation and windows. With the variance granted, we can build usable space that is energy efficient and structurally sound. Currently used for storage, the proposed space will be used as an office and mudroom.

**PROPERTY INFORMATION**

Date property was purchased:	March 29, 2018	Date property was first built on:	1918
Date of proposed construction on property:	Nov. 7, 2020	Length of time the existing uses of the subject property have continued:	102 years

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

residential

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

residential

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

Frontage: 11.6 m      Depth: 29.65 m      Area: 343.94 m<sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	74m <sup>2</sup>		Gross Floor Area:	94m <sup>2</sup>	
Height of building:	7m <sup>2</sup>		Height of building:	7m <sup>2</sup> (new addition will be 4m only)	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	3.15m		Width:	3.15m	
Length:	6.17m		Length:	6.17m	
Driveway Width:	4.77m		Driveway Width:	4.77m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	2.44		M	Front Yard Setback:	2.44 M
Exterior Side Yard (corner lots only)	N/A		M	Exterior Side Yard (corner lots only)	N/A M
Side Yard Setback:	Left: M 0.75	Right: M 4.8m		Side Yard Setback:	Left: M 1.0 Right: M 5.1
Rear Yard Setback	15.7		M	Rear Yard Setback	14.48 M

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Residential Misc - Building Permit 20 003868 RR → pending; minor variance application approval required to proceed
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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



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

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



**AFFIDAVIT**

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

V. Parolin  
 Signature of Applicant or Authorized Agent


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

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

Declared ~~before me at the~~ **via conference call in the**

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

Wellington this 11 day of September, 20 20

  
 Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL  
 A Commissioner etc. Province of Ontario for  
 The Corporation of the City of Guelph  
 Expires July 19, 2020

(official stamp of Commissioner of Oaths)



# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

15 Liverpool Street

### Proposal:

The applicant is proposing to enlarge the existing one-storey addition at the rear of the existing dwelling. The proposed one-storey addition has a floor area of 6.2 square metres.

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2 Row 8 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 6.5 metres], whichever is less.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum rear yard setback of 0.15 metres for the proposed one-storey addition to the rear of the existing detached dwelling.

---

## Hearing Details

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

Date: **Thursday, October 8, 2020**

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

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

Application Number: **A-45/20**

---

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **October 1, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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

## **Additional Information**

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

## **Notice of the Decision**

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

---

## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated September 18, 2020.

## **Contact Information**

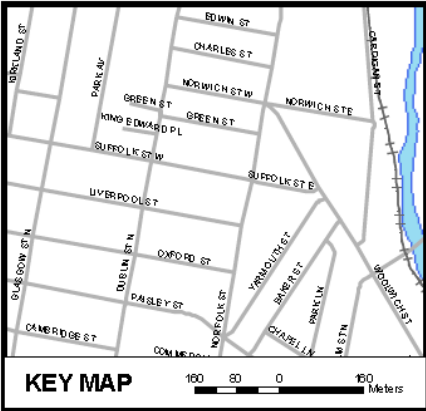
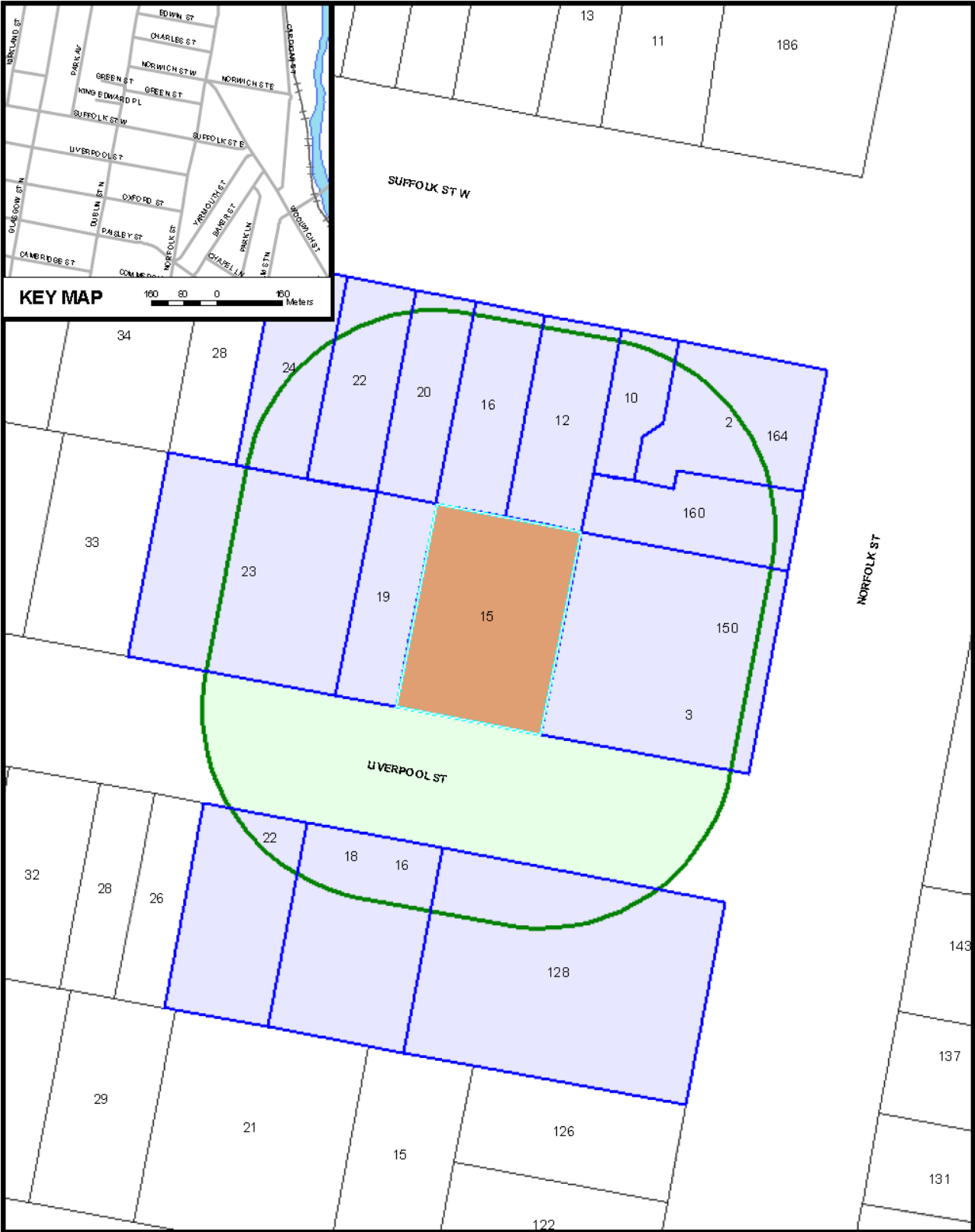
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

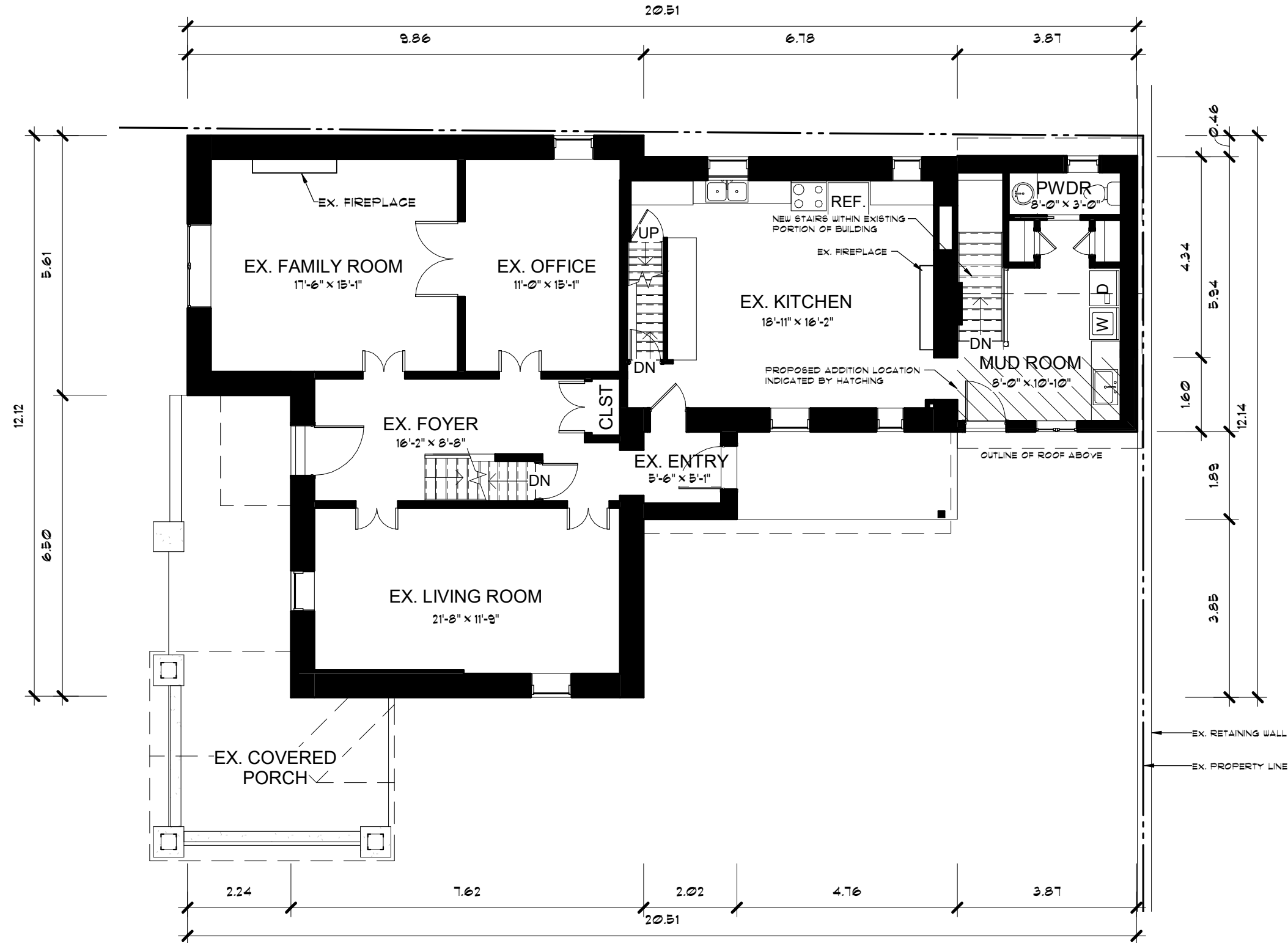
519-822-1260 Extension 2524

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

**TTY:** 519-826-9771

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





1 FIRST FLOOR - DESIGN  
SK-1 1 : 100

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

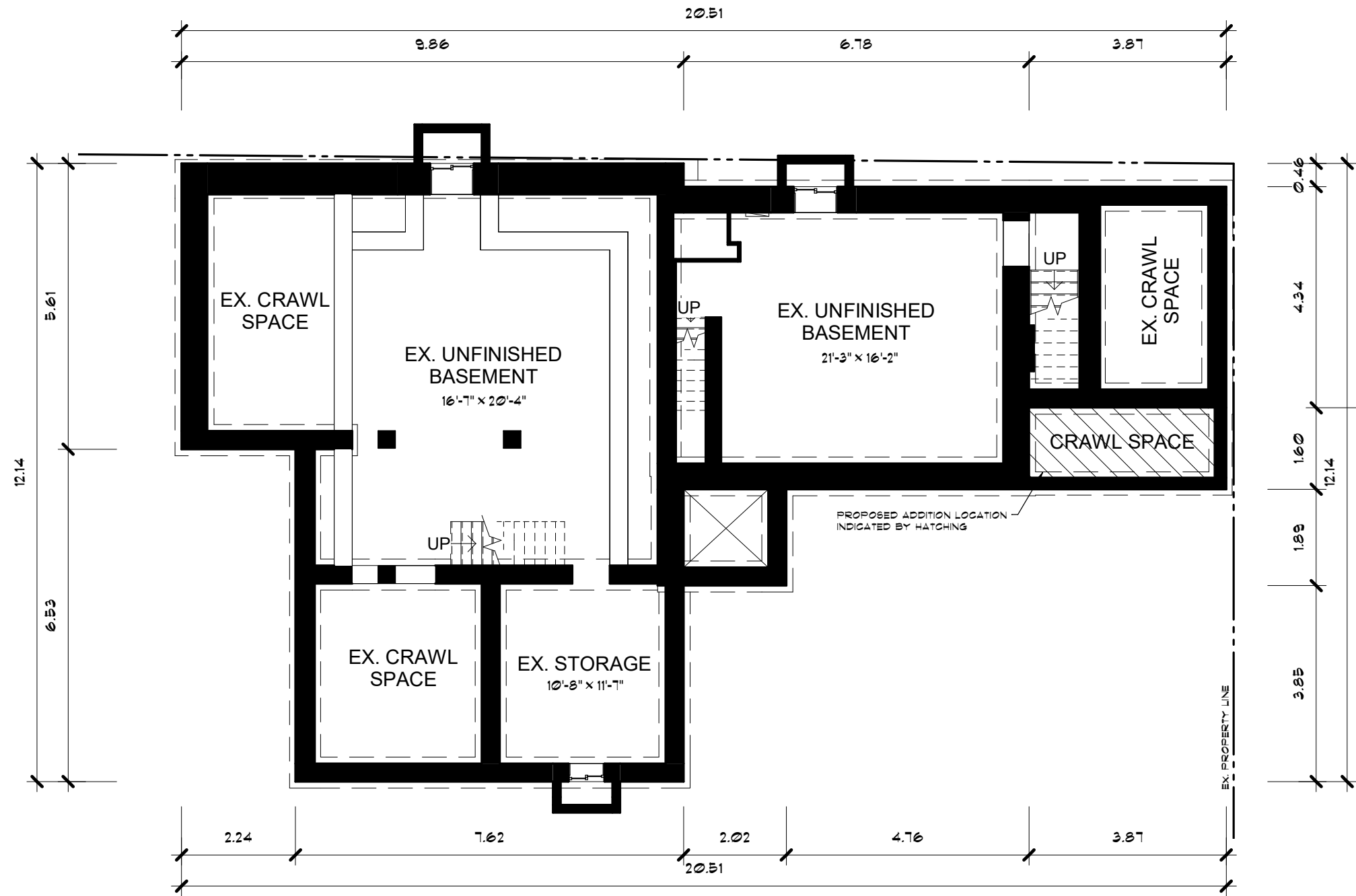
SINGLE FAMILY RESIDENTIAL  
HOUSE  
ADDITION  
15 LIVERPOOL STREET  
GUELPH, ONTARIO  
FLOOR LAYOUT

Status	MV APPLICATION
Date	AUG 31, 2020
Folder	-
File	15 Liverpool Str.vt
Drawn	M. A. CARROLL
Check'd	J. D. GERRARD
Scale	1 : 100
Job No.	20GDD039



**Gerrard's Design and Drafting Inc.**  
7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

SK-1



**1** BASEMENT FLOOR - DESIGN  
SK-2 1 : 100

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

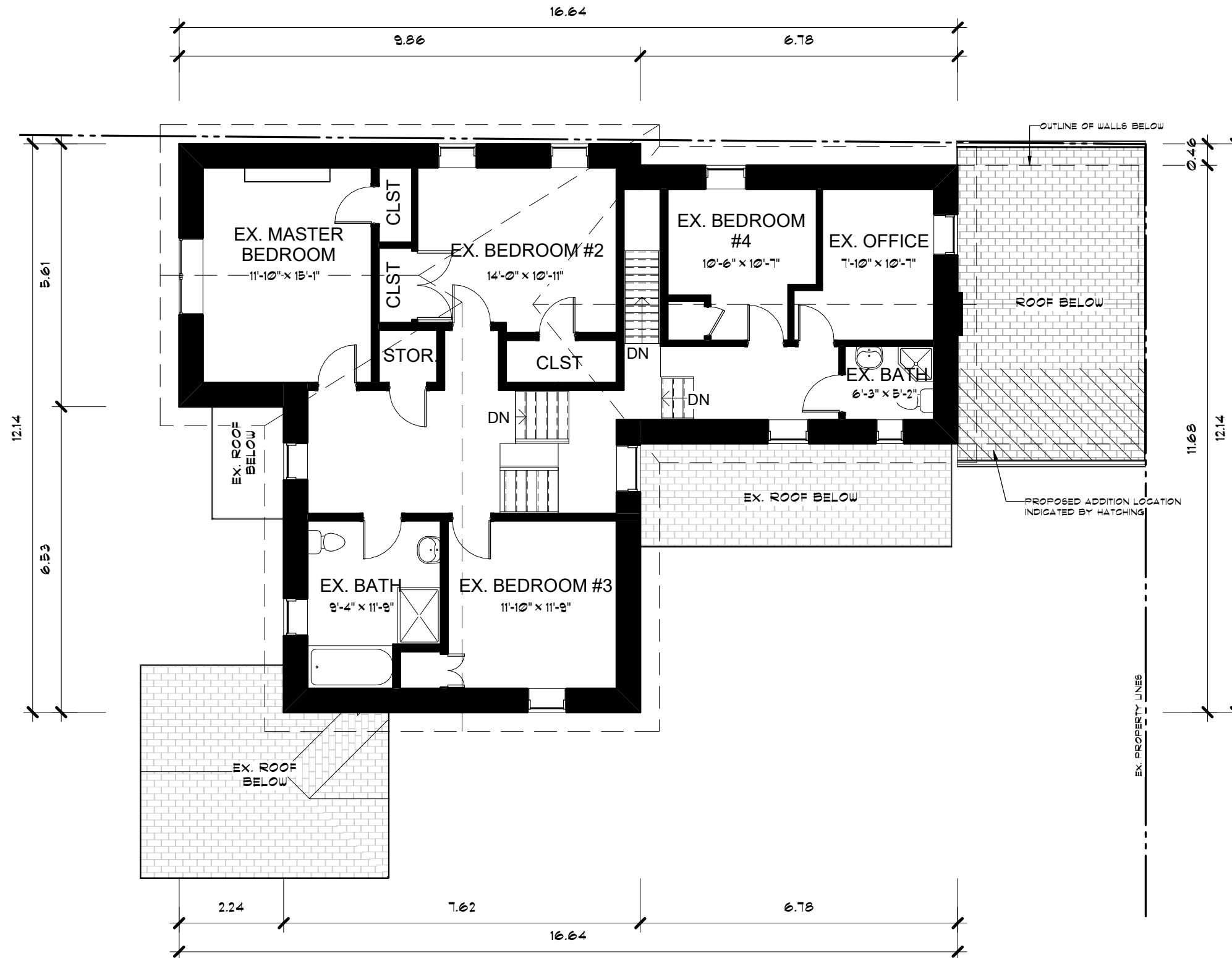
SINGLE FAMILY RESIDENTIAL  
HOUSE  
ADDITION  
15 LIVERPOOL STREET  
GUELPH, ONTARIO  
FLOOR LAYOUT

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Folder	-
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Drawn	M. A. CARROLL
Check'd	J. D. GERRARD
Scale	1 : 100
Job No.	20GD039



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7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

SK-2



1 SECOND FLOOR - DESIGN  
SK-3 1 : 100

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

SINGLE FAMILY RESIDENTIAL  
HOUSE  
ADDITION  
15 LIVERPOOL STREET  
GUELPH, ONTARIO  
FLOOR LAYOUT

Status	MV APPLICATION
Date	AUG 31, 2020
Folder	-
File	15 Liverpool Str.vt
Drawn	M. A. CARROLL
Check'd	J.D. GERRARD
Scale	1 : 100
Job No.	20GD039

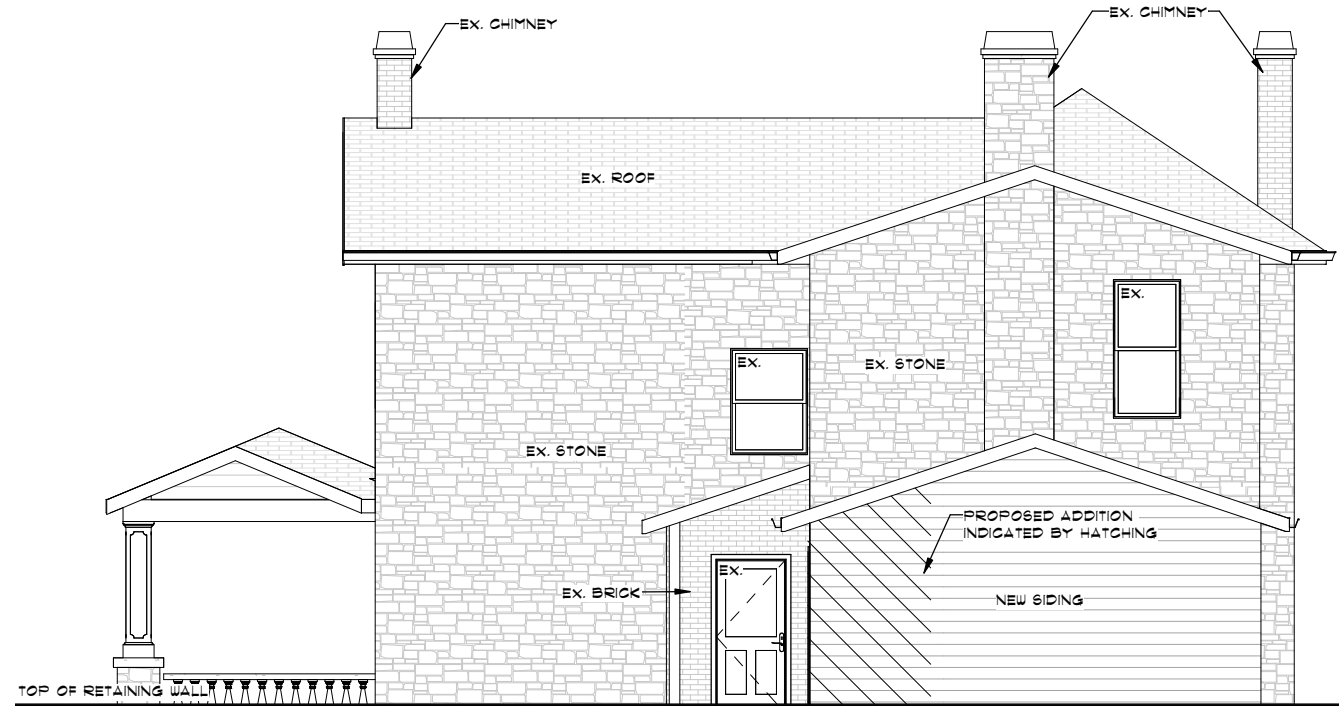
*Gerrard's*  
Design &  
Drafting Inc.  
Gerrard's Design and Drafting Inc.  
7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

SK-3





1 FRONT ELEVATION  
SK-4 1 : 100  
NO CHANGES TO FRONT ELEVATION



2 REAR ELEVATION  
SK-4 1 : 100



3 RIGHT ELEVATION  
SK-4 1 : 100

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

SINGLE FAMILY RESIDENTIAL

HOUSE

ADDITION

15 LIVERPOOL STREET  
GUELPH, ONTARIO

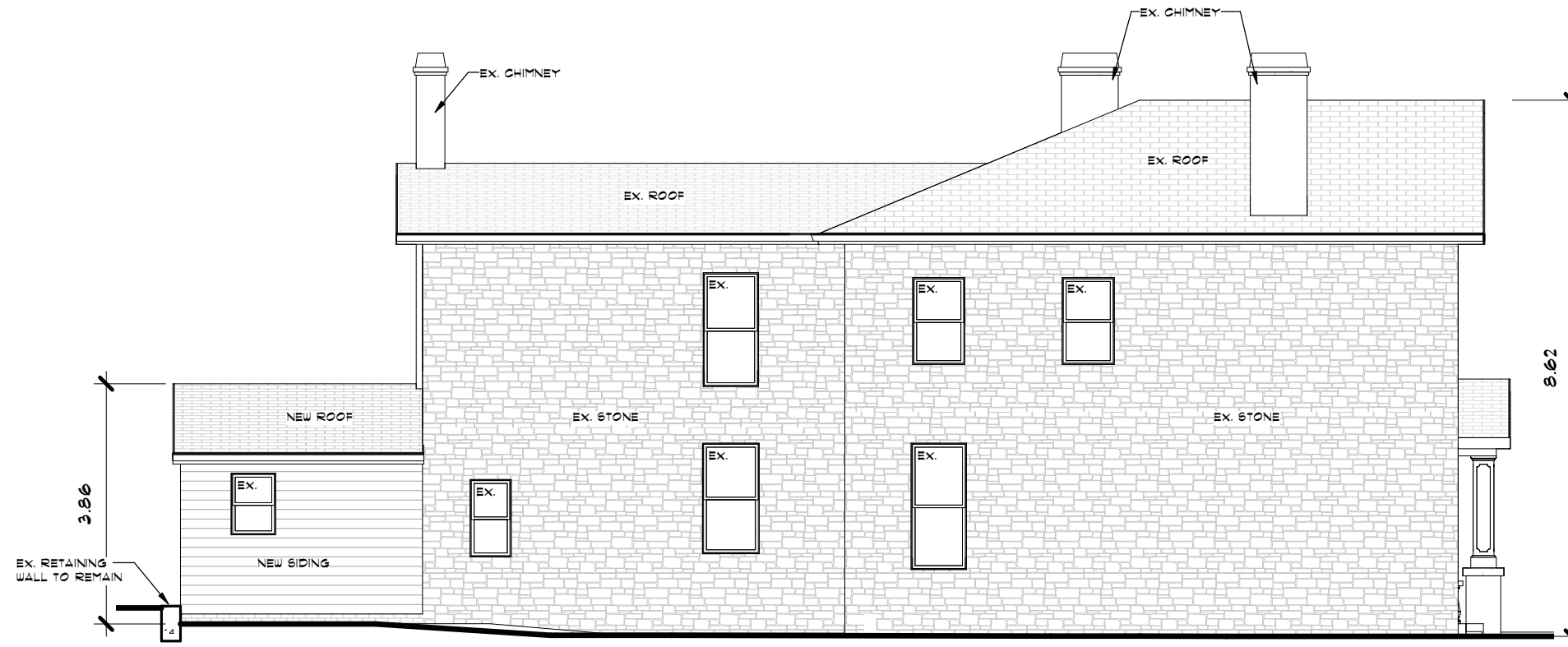
ELEVATIONS

Date	Issued

**Gerrard's Design and Drafting Inc.**  
7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

Status	MV APPLICATION
Date	AUG 31, 2020
Folder	-
File	15 Liverpool Str.vt
Drawn	M. A. CARROLL
Check'd	J. D. GERRARD
Scale	1 : 100
Job No.	20GD039

SK-4



1 LEFT ELEVATION  
SK-5 1 : 100  
NO CHANGES TO EXISTING LEFT SIDE ELEVATION



2 FRONT PERSPECTIVE  
SK-5



3 REAR PERSPECTIVE  
SK-5

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

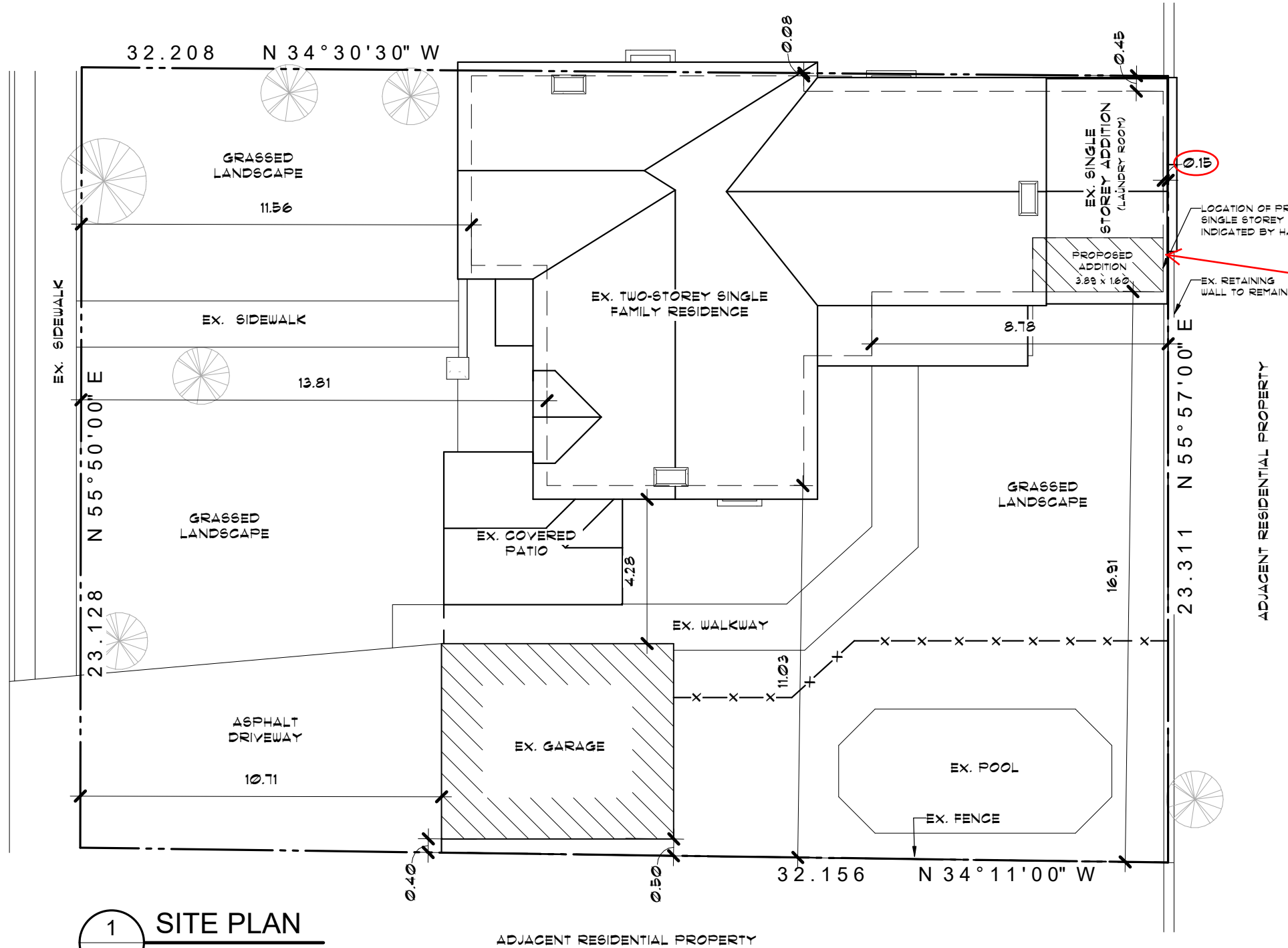
SINGLE FAMILY RESIDENTIAL  
HOUSE  
ADDITION  
15 LIVERPOOL STREET  
GUELPH, ONTARIO  
ELEVATIONS

Status MV APPLICATION  
Date AUG 31, 2020  
Folder -  
File 15 Liverpool Str.vt  
Drawn M. A. CARROLL  
Check'd J. D. GERRARD  
Scale 1 : 100  
Job No. 20GD039

*Gerrard's*  
Design &  
Drafting Inc.  
Gerrard's Design and Drafting Inc.  
7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

SK-5

LIVERPOOL STREET



requested variance

1  
SK-6

SITE PLAN

1 : 150

SITE PLAN INFORMATION TAKEN REFERENCED FROM PROPERTY SURVEY  
PREPARED BY M. P. VAN HARTEN LIMITED ONTARIO LAND SURVEYORS  
PROJECT NO. 88-8648 DATED APRIL 8, 1988.

THIS DRAWING IS INTENDED TO BE VIEWED AT 11" BY 17"

SINGLE FAMILY RESIDENTIAL  
HOUSE  
ADDITION  
15 LIVERPOOL STREET  
GUELPH, ONTARIO

SITE PLAN

Status	MV APPLICATION
Date	AUG 31, 2020
Folder	-
File	15 Liverpool Str.vrt
Drawn	M. A. CARROLL
Check'd	J. D. GERRARD
Scale	1 : 150
Job No.	20GD038



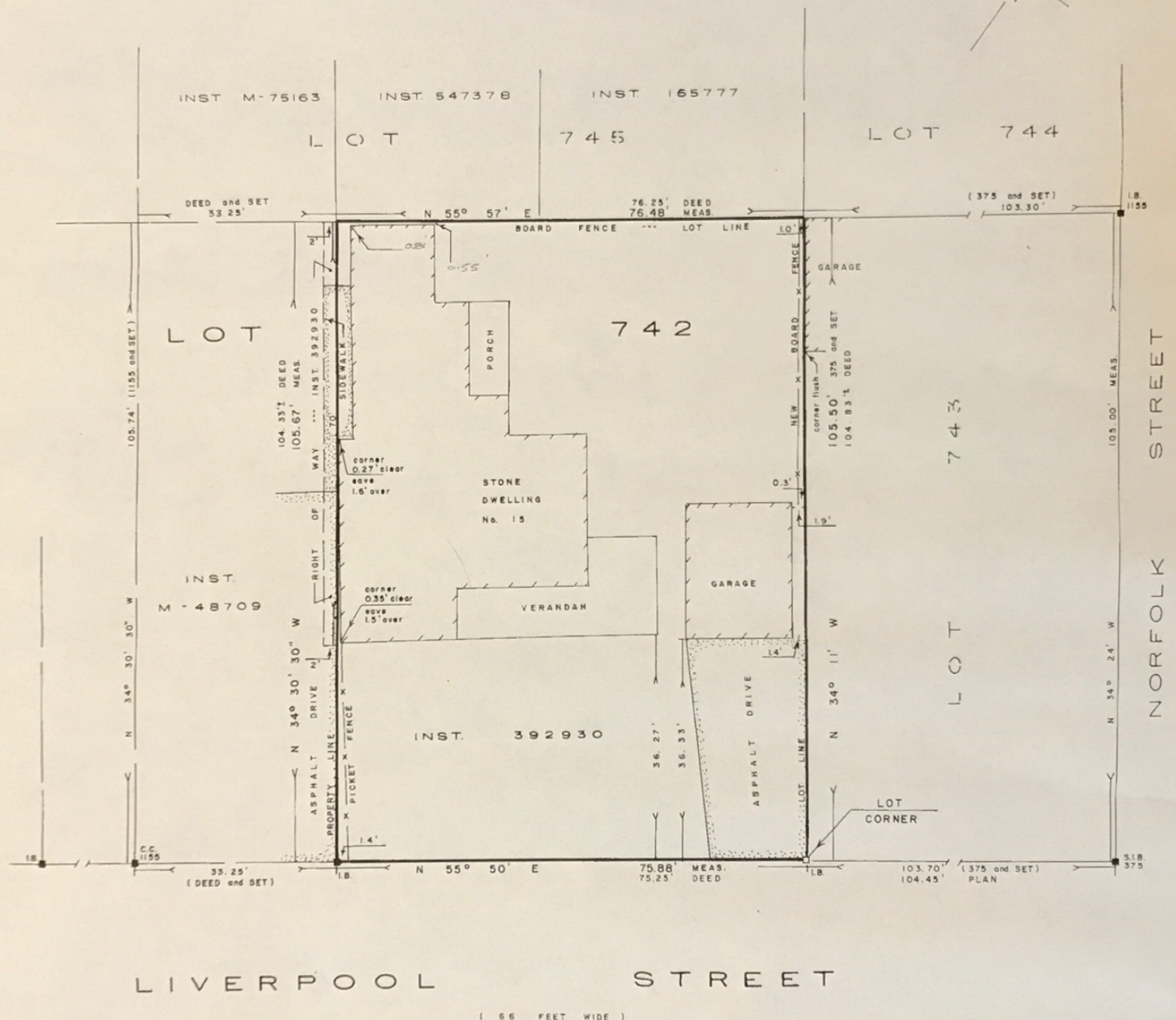
Gerrard's Design and Drafting Inc.  
7 Cloverdale Crescent, Mannheim,  
Ontario, N0B 2H0  
Phone 519.579.3306 / Fax 519.579.4672

SK-6



**BUILDING LOCATION SURVEY  
OF PART OF  
LOT 742, REGISTERED PLAN 8  
CANADA COMPANY SURVEY  
CITY OF GUELPH  
COUNTY OF WELLINGTON**

SCALE : 1 Inch = 15 Feet  
L. VAN HARTEN, O.L.S. - 1988



M.P. VAN HARTEN LIMITED ONTARIO LAND SURVEYORS 423 WOOLWICH STREET - GUELPH, ONTARIO PHONE 519-821-2763		NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF M.P. VAN HARTEN LIMITED.	
<b>LEGEND:</b> I.B. - IRON BAR I.B. - ROUND IRON BAR 375 - BLACK ET AL, O.L.S.'s S.I.B. - STANDARD IRON BAR S.S.I.B. - SHORT STANDARD IRON BAR		NOTE: BEARINGS ARE REFERRED TO THE NORTHWEST LIMIT OF LIVERPOOL STREET AS SHOWN HAVING AN ASSUMED COURSE OF N 55° 50' E. FOR: PLUMBER Sale to ELDER	
<b>SURVEYOR'S CERTIFICATE:</b> I CERTIFY THAT: THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 5th DAY OF APRIL, 1988.		PROJECT NO. 88-8648 CHECKED BY L.V.H. L. Van Harten L. VAN HARTEN, O.L.S. DATE: APRIL 8, 1988	

# Committee of Adjustment Application for Minor Variance



<b>Consultation with City staff is encouraged prior to submission of this application.</b>	<b>OFFICE USE ONLY</b>	
	Date Received: Sept 8, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-45/20</b>

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 15 Liverpool Street, Guelph ON

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

Part of Lot 742, Registered Plan 8 Canada Company Survey City of Guelph County of Wellington

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

Name: David Harvey and Mylene Ward

Mailing Address: 15 Liverpool Street

City: Guelph      Postal Code: N1H 2K8

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

Fax: \_\_\_\_\_      Email: davidharvey72@yahoo.com  
myleneward@yahoo.com

### AGENT INFORMATION (If Any)

Company: Gerrard's Design & Drafting Inc.

Name: Mackenzie Carroll

Mailing Address: 7 Cloverdale Crescent

City: Mannheim      Postal Code: N0B 2H0

Work Phone: 519. 579.3306      Mobile Phone: 905.299.1076

Fax: \_\_\_\_\_      Email: mackenzie@gerrards.ca

Official Plan Designation: **Low Density Residential**Current Zoning Designation: **R.1B**

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

Regulation # - Table 5.1.2., Row 8.

Required 6.5m rear yard setback is not met with proposed addition to be in line with previously completed addition.

Variance required for 0.15m rear yard setback.

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

Proposed addition is an extension of the existing rear addition. The rear walls of the existing and proposed addition are intended to be along the same plane. Existing addition rear yard setback is approx. 0.15m

## PROPERTY INFORMATION

Date property was purchased:

**September 12, 2019**

Date property was first built on:

**1865**

Date of proposed construction on property:

**Spring 2021**

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

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

**Single Family Residential**

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

**Single Family Residential (Existing use to remain)**

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

Frontage: **23.13m (75.88 ft)**Depth: **32.16m (105.50 ft)**Area: **23.13m (8055.64 sq.ft.)**



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	<b>473.54 sq.m. (5097.12 sq.ft.)</b>		Gross Floor Area:	<b>479.76 sq.m. (5164.14 sq.ft.)</b>	
Height of building:	<b>8.62m (28.82 ft)</b>		Height of building:	<b>8.62m (28.82 ft)</b>	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>			Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: <b>Inground Swimming Pool</b>			Describe details, including height: <b>Inground Swimming Pool</b>		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	<b>11.56 M</b>		Front Yard Setback:	<b>11.56 M</b>	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: <b>0.08</b> M	Right: <b>11.03</b> M	Side Yard Setback:	Left: <b>0.08</b> M	Right: <b>11.03</b> M
Rear Yard Setback	<b>0.15 M</b>		Rear Yard Setback	<b>0.15 M</b>	

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

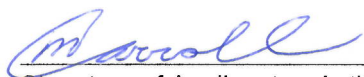
Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

**AFFIDAVIT**

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



Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared ~~before me in person~~ via video conference call in the

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

Wellington this 10 day of September, 2020.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL  
 A Commissioner etc. Province of Ontario for  
 The Corporation of the City of Guelph  
 Expires July 19, 2020

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

David Harvey and Mylene Ward

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

of 15 Liverpool Street, Guelph ON

(Legal description and/or municipal address)

hereby authorize Gerrard's Design & Drafting 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 4th day of September 2020.

*Mylene Ward*

(Signature of the property owner)

*David Harvey*

(Signature of the property owner)

### NOTES:

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

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

167 Alice Street

### Proposal:

The applicant is proposing to sever the property and create two new residential lots with one retained lot, which currently contains a detached dwelling.

This property was recently subject to an application for a zoning by-law amendment (file OZS19-006).

### By-Law Requirements:

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

### Requests:

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

#### File B-12/20 – Proposed Part 1

Severance of a parcel of land to create a new lot with frontage along Alice Street of 11 metres, a depth of 30.5 metres, and an area of 336 square metres.

#### File B-13/20 – Proposed Part 2

Severance of a parcel of land to create a new lot with frontage along Alice Street of 9 metres, a depth of 30.5 metres, and an area of 275 square metres.

The retained parcel (labelled as proposed part 3 on the attached plan) is proposed to have frontage along Alice Street of 21.03 metres and an area of 641 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, October 8, 2020**

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

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

Application Numbers: **B-12/20 and B-13/20**

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

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## Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **October 1, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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



confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

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

## **Additional Information**

Agendas and comments related to these applications will be available online at [guelph.ca/cofa](http://guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to these applications may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

## **Notice of the Decision**

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

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

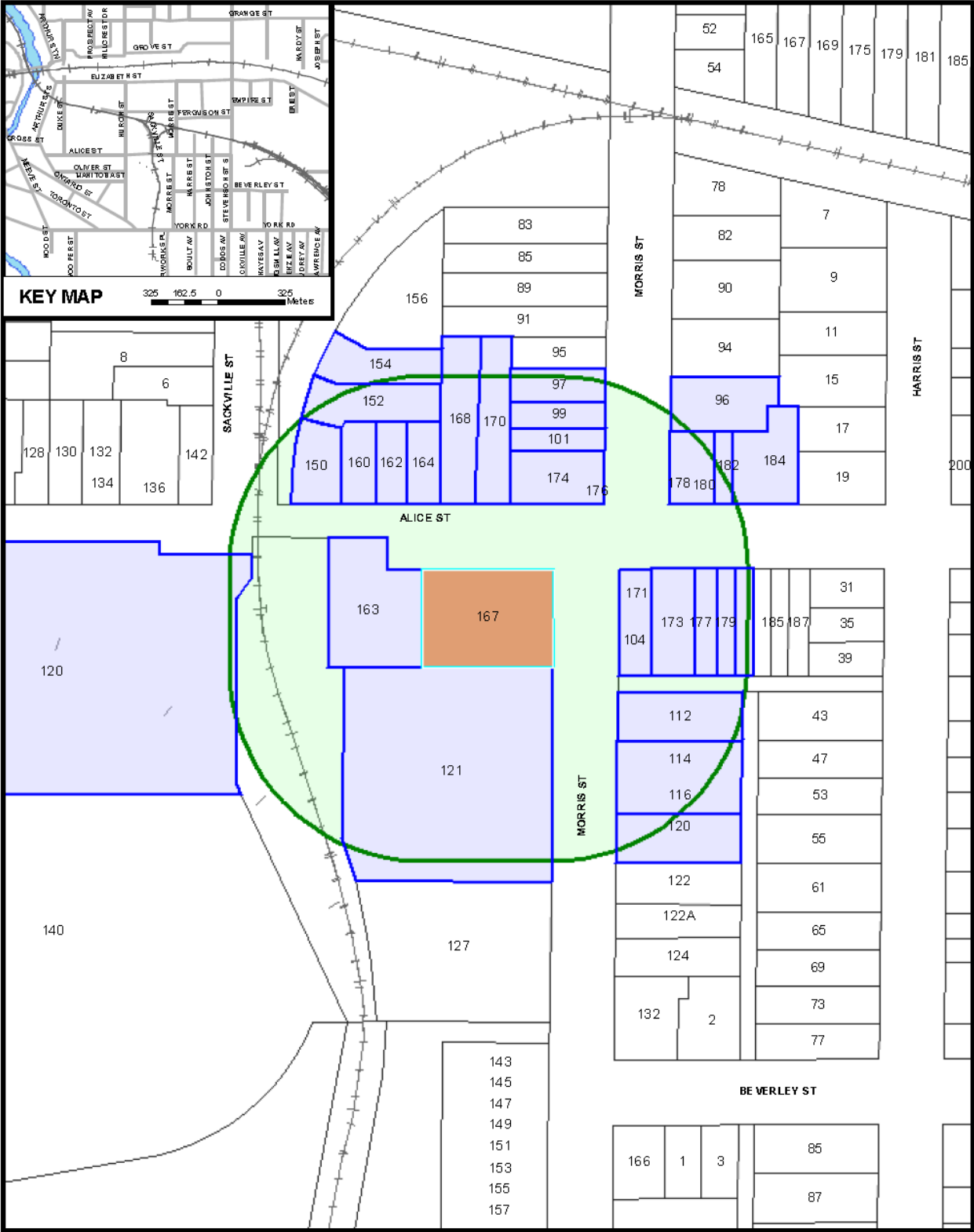
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## **Notice Details**

Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated September 18, 2020.

## **Contact Information**

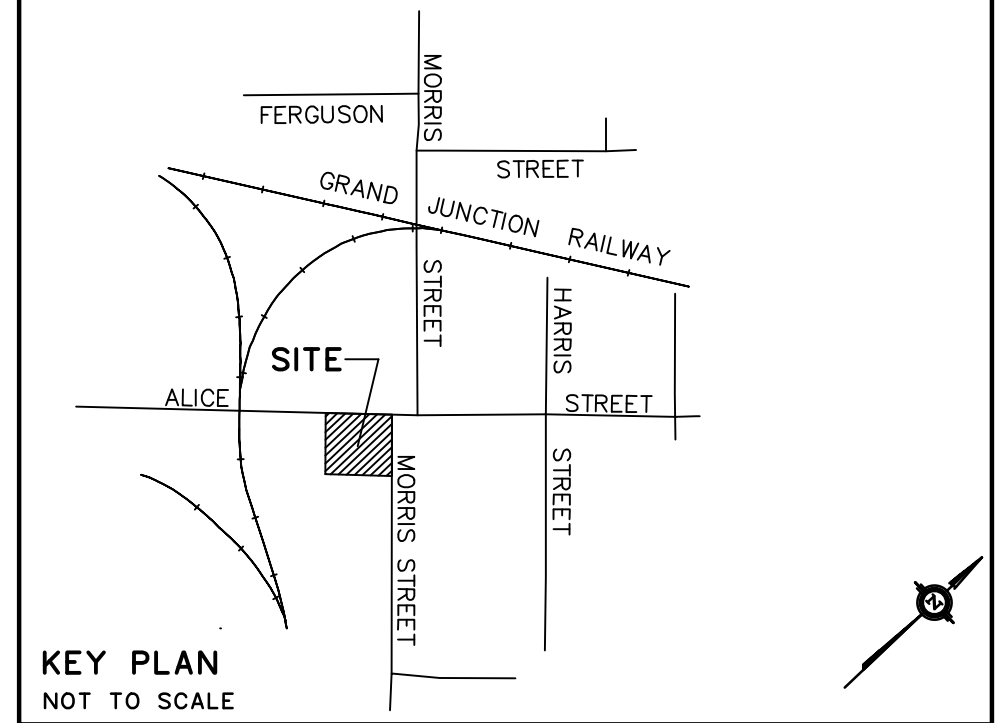
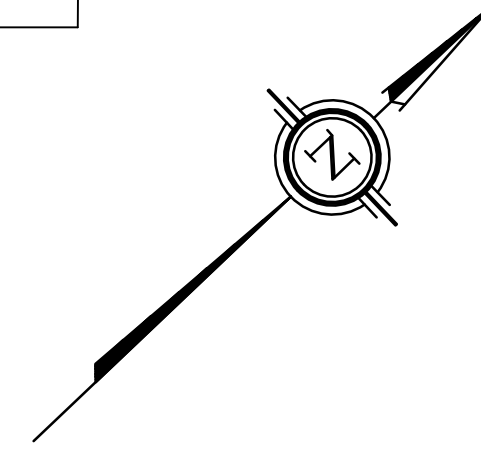
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)



O.P. LOW DENSITY RESIDENTIAL

R.IB-10 ZONE

ALICE 20.12 WIDE STREET



## PLAN

PREPARED FOR CONSENT APPLICATION  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE 1 : 200



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

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

### NOTES:

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

### CITY OFFICIAL PLAN DESIGNATION:

RETAINED PARCEL: MIXED OFFICE / COMMERCIAL  
SEVERED PARCELS: MIXED OFFICE / COMMERCIAL

### CITY ZONING DESIGNATION:

RETAINED PARCEL: R.ID (H) ZONE  
SEVERED PARCELS: R.ID (H) ZONE

R.IB-10 ZONE

O.P. LOW DENSITY RESIDENTIAL

MORRIS 20.12 WIDE STREET

LANDSCAPE COMPANY  
with OUTDOOR STORAGE

LOT 2, RANGE 2, DIVISION 'F'

B.4-1

ZONE

REG'D

LOT

VACANT LAND

B.4-1 ZONE

File B-12/20  
PROPOSED PART 1  
(LANDS TO BE SEVERED)  
AREA = 336 sq.m.

File B-13/20  
PROPOSED PART 2  
(LANDS TO BE SEVERED)  
AREA = 275 sq.m.

167 Alice Street  
1 Storey Brick Building

156

PROPOSED PART 3  
(LANDS TO BE RETAINED)  
AREA = 641 sq.m.

293

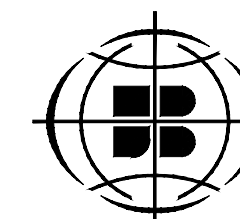
157

SHED

THIS PLAN WAS PREPARED FOR  
GEOFF ALLEN  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY OTHER PARTIES.

LEO LIU  
ONTARIO LAND SURVEYOR

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



**BSR&D**

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

SURVEYING  
MAPPING  
GIS

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

DRAWN BY:  
KS

CHECKED BY:  
LL

REFERENCE NO.:  
17-14-345-00-A

FILE: G:\17-14-345\00\Drawing\171434500A.dwg

DATED: AUGUST 12, 2020

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: August 31, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>B-12/20</b>

## TO BE COMPLETED BY APPLICANT

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

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.*

### PROPERTY INFORMATION:

Address of Property: 167 Alice Street

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

Part of Lots 156 and 157, Registered Plan 293

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

If yes, describe:

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

If yes, explain: Mortgage with Compushare Trust Company of Canada

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

Name: Adam Albert Ross Debuck and Jiyeon Oh

Mailing Address: 167 Alice Street

City: Guelph      Postal Code: N1E 3A2

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

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

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph      Postal Code: N1H 8J1

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

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

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

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

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

Unknown

DESCRIPTION OF LAND INTENDED TO BE SEVERED			PART 1	
Frontage / Width: (m) 11.0	Depth (m) 30.5	Area: (m <sup>2</sup> ) 336	Existing Use: Part of residential lot	Proposed Use: Single Detached Residential
Existing Buildings/Structures: None			Proposed Buildings / Structures: Single Detached dwelling	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	
DESCRIPTION OF LAND INTENDED TO BE RETAINED			PART 3	
Frontage / Width: (m) 21.029	Depth (m) 30.48	Area: (m <sup>2</sup> ) 641	Existing Use: Residential	Proposed Use: Residential
Existing Buildings/Structures: Single Detached dwelling			Proposed Buildings / Structures: No changes proposed	
Use of Existing Buildings/Structures (specify): Residential			Proposed Use of Buildings/Structures (specify): Same	

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

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

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

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

☒ No ☐ Yes

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

☒ No ☐ Yes

### **LAND USE**

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

Mixed Office/Commercial

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

☒ YES ☐ NO

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

The objectives of this designation is to allow for a variety of freestanding, small-scale, commercial, office, residential or mixed-use buildings

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

☐ YES ☐ NO

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

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

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

Single Detached Residential R.1D (H)

***The appeal period for By-law (2020)-20517 implementing the R.1D(H) ends on September 9, 2020.***

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

☒ YES ☐ NO

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

☐ YES ☐ NO

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

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

### **PROVINCIAL POLICY**

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

☒ YES ☐ NO

Provide explanation:

The application is consistent with Section 1.4 of the PPS. The property is located within the "built boundary" of the City of Guelph. The consent will accommodate two new residential units, geared to moderate income households. It will maximize the efficient use of land, resources and infrastructure, while also facilitating the cleanup of a brownfield property.

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

☒ YES ☐ NO

Provide explanation:

The creation of 2 new residential lots within the "built boundary" of the City will result in a gradual increase in residential density at a scale that is compatible with the existing neighbourhood.

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

☐ YES ☒ NO

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

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



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

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

If yes, provide the following:

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

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

If yes, provide the following:

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

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

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

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OZS19-006
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

Each sign must be posted a minimum of fourteen (14) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

Nancy Shoemaker  
 Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City of Guelph in the County/~~Regional Municipality~~ of  
(city or town)  
Wellington this 17<sup>th</sup> day of August, 20 20.

KF Hills  
 Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Adam Albert Ross ~~B~~ebuck and Jiyeon Oh

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

being the registered property owner(s) of

167 Alice Street


(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited (Nancy Shoemaker)  
(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 13<sup>th</sup> day of August 2020.

  
(Signature of the property owner)

  
(Signature of the property owner)

### NOTES:

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

# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: August 31, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>File B-13/20</b>

## TO BE COMPLETED BY APPLICANT

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

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.*

### PROPERTY INFORMATION:

Address of Property: 167 Alice Street

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

Part of Lots 156 and 157, Registered Plan 293

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

If yes, describe:

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

If yes, explain: Mortgage with Compushare Trust Company of Canada

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

Name: Adam Albert Ross Debuck and Jiyeon Oh

Mailing Address: 167 Alice Street

City: Guelph      Postal Code: N1E 3A2

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

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

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph      Postal Code: N1H 8J1

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

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





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

**LAND USE**

**What is the current official plan designation of the subject lands:**  
Mixed Office/Commercial

---

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

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:  
The objectives of this designation is to allow for a variety of freestanding, small-scale, commercial, office, residential or mixed-use buildings

---

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

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

**What is the current zoning designation of the subject lands:** Single Detached Residential R.1D (H)

***The appeal period for By-law (2020)-20517 implementing the R.1D(H) ends on September 9, 2020.***

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

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

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

**PROVINCIAL POLICY**

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

Provide explanation:  
The application is consistent with Section 1.4 of the PPS. The property is located within the "built boundary" of the City of Guelph. The consent will accommodate two new residential units, geared to moderate income households. It will maximize the efficient use of land, resources and infrastructure, while also facilitating the cleanup of a brownfield property.

---

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

Provide explanation:  
The creation of 2 new residential lots within the "built boundary" of the City will result in a gradual increase in residential density at a scale that is compatible with the existing neighbourhood.

---

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

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 \_\_\_\_\_

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

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

If yes, provide the following:

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

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

If yes, provide the following:

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

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

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Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OZS19-006 - approved
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

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

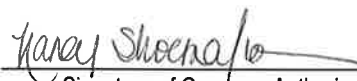
**POSTING OF ADVISORY SIGN**

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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.

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

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

**AFFIDAVIT**

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

Nancy Shoemaker  
 Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City of Guelph in the County/~~Regional Municipality~~ of  
(city or town)  
Wellington this 17th day of August, 20 20.

Kerry Francis Hillis  
 Commissioner of Oaths

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

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Adam Albert Ross Bebuck and Jiyeon Oh

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

being the registered property owner(s) of

167 Alice Street

(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Limited (Nancy Shoemaker)  
(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 13<sup>th</sup> day of August 2020.



(Signature of the property owner)



(Signature of the property owner)

### NOTES:

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



August 17, 2020

Project: 17-14-345

Guelph Committee of Adjustment  
1 Carden Street  
GUELPH, Ontario  
N1H 3A1

Attention: Trista Di Lullo

**Re: Applications for Consent  
Part of Lots 156 and 157, Registered Plan 293  
167 Alice Street  
Owner: Adam Albert Ross Debuck and Jiyeon Oh**

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Please find enclosed two completed "Applications for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$3,792.00 to cover the City's processing fees. Finally, I have attached a sketch of the proposed severances.

The subject property is located on the southwest corner of Alice Street and Morris Street. On August 10<sup>th</sup>, Guelph City Council approved a zone change and Zoning By-law Number (2020)-20517 that changed the zoning of this property to R.1D (H). The appeal period for that by-law ends on September 9<sup>th</sup>, 2020. The Holding provisions relate to the requirement of a remediation and/or risk assessment and Reliance Letter that must be approved by the City prior to removal of the Holding zone and development of the site.

This proposal will result in the creation of two new residential lots and a retained parcel that accommodates the existing single detached residential dwelling. The new lots will comply with the R.1D zoning that has been approved for this property.

Should you have any questions, please call me.

Yours very truly

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

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

Attachments

Copy: Adam Albert Ross Debuck and Jiyeon Oh