

# Committee of Adjustment

## Comments from Staff, Public and Agencies

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 8, 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.

---

## 2. Current Applications

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

#### \*2.1.1 Staff Comments

Staff Recommendation: Approval

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

#### \*2.2.1 Staff Comments

Staff Recommendation: Deferral

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

#### \*2.3.1 Staff Comments

Staff Recommendation: Approval with Condition

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

#### \*2.4.1 Staff Comments

Staff Recommendation: Approval with Conditions

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

\*2.5.1 Staff Comments

Staff Recommendation: Approval with Conditions

---

# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Number: A-42/20  
Location: 85 Queen Street  
Hearing Date: October 8, 2020  
Owner: Nancy and Mark Stoddart  
Agent: Paul Brydges, Brydges Landscape Architecture Inc.  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1B) Zone

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

**By-Law Requirements:** 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.

---

## Staff Recommendation

### Approval

---

## Recommended Conditions

None

---

## Comments

### Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the City and permits a range of housing types including single detached residential dwellings. The requested variance does not conflict with the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits single detached dwellings. The applicant is requesting a variance to the Zoning By-law to permit a fence height of 2.4 metres in the exterior side yard (adjacent to the side yard of 41

Lemon St), when the By-law allows a maximum fence height of 1.9 metres in exterior side yards. Rear yards are permitted to have a maximum fence height of 2.5 metres.

The Zoning By-law sets out maximum fence heights to ensure the streetscape is not negatively impacted. Limiting the fence height also ensures there is no conflict with safety (i.e. sight lines). In this case, the applicant has indicated that the lower grade of their property, than that of 41 Lemon Street, has created a situation where they require a higher fence for pool safety requirements.

Based on the lot configuration, existing landscaping and the grade between the subject property and the neighbouring property where there is an existing fence, the proposed fence does not negatively impact the streetscape.

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

Planning staff recommend approval of the application.

### **Engineering Services**

Engineering has no objection to the request of seeking relief from the By-law requirements to permit a fence height of 2.4 metres in the exterior side yard. However, the applicant should be aware that the fence cannot be located within the sightline triangle, as defined by the City's Zoning By-Law Section 4.6.

We agree with recommendations made by Planning and Building staff.

### **Building Services**

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to replace the existing fence in the exterior side yard of the subject property.

A variance from Section 4.20.10.2 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit a fence height of 2.4 metres in the exterior side yard. As noted by Engineering, the fence cannot be located in the sightline triangle as indicated in Section 4.6 of the City of Guelph Zoning By-law, as amended.

### **Comments from the Public**

None

---

### **Contact Information**

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

519-822-1260 Extension 2524

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

TTY: 519-826-9771

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

# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Number: A-43/20  
Location: 1886 Gordon Street  
Hearing Date: October 8, 2020  
Owner: Tricar Properties Ltd.  
Agent: Astrid Clos, Astrid J. Clos Planning  
Official Plan Designation: High Density Residential  
Zoning: Specialized High Density Apartment (R.4B-20) Zone

**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".

**By-Law Requirements:** 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.

---

## Staff Recommendation

**Deferral**

---

## Recommended Conditions

**None**

---

## Comments

### Planning Services

The subject lands are designated "High Density Residential" in the Official Plan. The subject lands also have a site specific policy in the Official Plan to permit a building height range between 2 and 14 storeys and a net density range between 100 and 175 units per hectare. The "High Density Residential" land use designation permits

multiple unit residential buildings generally in the form of apartments. In addition, the Official Plan permits non-residential uses in residential designations, provided they are small-scale, complimentary to and serve the needs of surrounding residential neighbourhoods.

The subject lands are zoned "Specialized High Density Apartment" (R.4B-20) according to Zoning By-law (1995)-14864 as amended. In addition to apartment buildings and townhouses, a bake shop, personal service establishment, office and take-out restaurant are also permitted, up to a total gross floor area of 1,476 square metres in a dedicated non-residential building. The applicant is requesting to add a recreation centre (fitness centre) as an additional permitted non-residential use on the subject lands, specifically in Building 5 (the non-residential building). The recreation centre is proposed to be 317.4 square metres.

When the specialized R.4B-20 zoning was passed and approved in 2018, a limited range of small scale commercial uses were included in the permitted uses to serve the needs of residents living on and within close proximity to the subject lands. These uses were to be located in a dedicated non-residential building on the subject lands that was also to include a private indoor common amenity space for the exclusive use of residents of the high density residential development. This private amenity space was envisioned to include an indoor pool and fitness space.

In the R.4B-20 zoning, the non-residential uses on the lands have a combined off-street parking requirement of 1 parking space per 45 square metres of gross floor area. The approved site plan (File SP17-040 – March 2019) had a total of 656 square metres of non-residential area (not including the private common amenity space), thus requiring 15 dedicated parking spaces. These 15 spaces are marked accordingly on the approved site plan drawings, including 5 spaces in an adjacent surface lot to Building 5. A further 4 spaces were parallel spaces on the private roadway, and the remaining 6 spaces were located in the parking garage of the closest apartment building (Building 1).

In discussions with the applicant, Planning staff understand that the developer would now like to include common fitness amenities in each of the apartment buildings on the subject lands and change the private amenity space that was to contain a pool and fitness space to a public recreation centre specializing in fitness classes of up to 27 people at a time. The space would be leased to a private operator.

Since the initial site plan approval in March 2019, the developer has submitted a new site plan application (File SP20-015) to combine two of the apartment buildings and modify the parking arrangements on the subject lands. The latest site plan submitted to the City shows 33 parking spaces on the subject lands dedicated for non-residential uses. This site plan is still under review and a decision has not been made on the requested changes.

Planning staff have concerns with the parking requirements associated with a recreation centre use (fitness facility) that would be open to the general public on the subject lands. The Zoning By-law currently has a required parking rate of 1 space per 10 square metres of gross floor area for standalone recreation centres.

For a standalone recreation centre of 317.4 square metres, this would require a total of 32 dedicated parking spaces. The latest site plan submission shows 33 parking spaces for all non-residential uses on the site, including the other commercial space in Building 5. Recognizing the site specific zoning contains a combined parking rate for all non-residential uses (1 space per 45 square metres), Planning staff require more information from the applicant as to how the recreation centre's parking demands would impact the site. It is not clear if the current blended parking ratio that is intended to serve small scale commercial uses such as a personal service establishment, office and take-out restaurant would be sufficient. To better understand the cumulative commercial parking requirements for the site, it is recommended the applicant provide a parking brief for staff to review.

Planning staff acknowledge the current site plan application (File SP20-015) is currently under review and is proposing several changes to the site's layout, including parking. If required, the parking requirements for the proposed recreation centre could be accommodated through changes affiliated with this current site plan review.

Planning staff are recommending the Committee to defer the application to allow staff to work with the applicant on understanding the parking requirements associated with a recreation centre and how to best accommodate this on the subject lands.

### **Engineering Services**

Engineering has no concerns with the request of 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".

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

### **Building Services**

This property is located in the Specialized High Density Apartment (R.4B-20) Zone. The applicant is proposing to include a 317.4 square metre recreation centre (fitness centre). The property is currently subject to an application for site plan approval (file SP20-015). A variance from Section 5.4.3.2.20.1 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services agrees with Planning's recommendation for deferral.

### **Comments from the Public**

None

---

### **Contact Information**

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

519-822-1260 Extension 2524

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

TTY: 519-826-9771

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

# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Number: A-44/20  
Location: 231 Suffolk Street West  
Hearing Date: October 8, 2020  
Owner: Vanessa Parolin and Ryan Childershose  
Agent: N/A  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1B) Zone

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

**By-Law Requirements:** The By-Law requires a minimum side yard of 1.5 metres.

---

## Staff Recommendation

### Approval with Condition

---

## Recommended Condition

### Planning Services

1. That the side yard setback of 0.9 metres apply only to the proposed addition generally in accordance with the public notice sketch.
- 

## Comments

### Planning Services

The subject property is designated "Low Density Residential" in the Official Plan. The "Low Density Residential" land use designation permits a range of residential uses including a single detached dwelling. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits single detached dwellings. The applicant is proposing to demolish the existing fully enclosed porch-like structure in the rear yard and construct a new one storey addition which will be slightly greater in length than the existing enclosed rear yard porch, therefore



losing its legal non-complying setback. A variance to permit a 0.9 metre side yard setback for the proposed addition is requested; whereas, the zoning by-law requires a minimum 1.5 metre side yard setback for a dwelling.

The intent of setback regulations is to ensure adequate separation between buildings and to ensure adequate open space is provided. The proposed rear yard addition is in line with the existing rear enclosed porch which is being demolished and will closely replicate an existing condition in an older area of the city.

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

Planning staff recommend approval of the application subject to the condition noted above.

### **Engineering Services**

Engineering has no concerns with the request of 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.

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

### **Building Services**

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to remove and replace a portion of the rear of the existing dwelling with a larger one-storey addition. A variance from Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services has no objection to this application 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.

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

Windows may be restricted in walls located closer than 1.2 metres to property lines and the walls may require a fire rating on the inside face. Walls located closer than 0.6 metres may also require an exterior grade fire rated material (drywall) installed on the exterior face of the wall behind any combustible cladding.

### **Comments from the Public**

None

---

### **Contact Information**

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

519-822-1260 Extension 2524

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

TTY: 519-826-9771

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

# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Number: A-45/20  
Location: 15 Liverpool Street  
Hearing Date: October 8, 2020  
Owner: David Harvey and Mylene Ward  
Agent: Mackenzie Carroll, Gerrard's Design & Drafting Inc.  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1B) Zone

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

**By-Law Requirements:** 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.

---

## Staff Recommendation

### Approval with Conditions

---

## Recommended Conditions

### Planning Services

1. That the rear yard setback of 0.15 metres apply only to the proposed addition generally in accordance with the public notice sketch.

### Building Services

2. That prior to the issuance of a building permit, the owner provides written documentation, including drawings, that no encroachment is proposed or provides a copy of an agreement between the two owners that has been executed recognizing the encroachment.
  3. That prior to the issuance of a building permit, the owner confirms and provides written confirmation that an access agreement for the purposes of maintenance of the addition at 15 Liverpool Street has been registered on title for the property of 16 Suffolk Street.
-

## **Comments**

### **Planning Services**

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the City and permits a range of housing types including single detached residential dwellings. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits single detached dwellings. The required rear yard setback is 6.2 metres, which is 20 percent of the lot depth. The general intent and purpose of the Zoning By-law relating to rear yard setbacks is to ensure the property is not overdeveloped and that a rear yard amenity space is maintained.

The applicant is proposing a 6.2 square metre (1.6 metre by 3.87 metres), one-storey addition to create a small mudroom which will be in line with the existing portion of the dwelling which has a 0.15 metre rear yard setback. The proposed addition will add an additional 1.6 metre in house length to the existing 4.34 metre portion of the dwelling that is adjacent to the rear property line. The rear yard amenity space will be minimally impacted by the proposed addition on the 23.3 metre wide lot.

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

Planning staff recommend approval of the application subject to the condition noted above.

### **Engineering Services**

Engineering has no concerns with the request of 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.

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

### **Building Services**

This property is located in the Residential Single Detached (R.1B). The applicant is proposing to enlarge the existing one-storey addition at the rear of the existing dwelling. A variance from Table 5.1.2 Row 8 of Zoning By-law (1995)-14864, as amended, is being requested.

Given the proposed setback of 0.15 metres, Building Services recommends approval of the application subject to the conditions noted above.

Please note that windows may be restricted in walls located closer than 1.2 metre to the property lines and the walls may require a fire rating on the inside face. Walls located closer than 0.6 metre may also require an exterior grade fire rated

material (drywall) installed on the exterior face of the wall behind any combustible cladding.

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

## **Comments from the Public**

None

---

## **Contact Information**

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

519-822-1260 Extension 2524

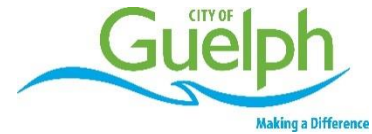
[cofa@guelph.ca](mailto:cofa@guelph.ca)

TTY: 519-826-9771

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

# Committee of Adjustment Comments from Staff, Public and Agencies

---



## Application Details

Application Numbers: B-12/20 and B-13/20  
Location: 167 Alice Street  
Hearing Date: October 8, 2020  
Owner: Adam Debuck and Jiyeon Oh  
Agent: Nancy Shoemaker, BSR&D Ltd  
Official Plan Designation: Mixed Office/Commercial  
Zoning: Residential Single Detached with Holding provisions (R.1D(H)) Zone

**Request:** The applicant proposes the following:

### 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 is proposed to have frontage along Alice Street of 21.03 metres and an area of 641 square metres.

---

## Staff Recommendation

### Approval with Conditions

---

## Recommended Conditions

### Files B-12/20 and B-13/20

#### Planning Services

1. That a plan shall be submitted to, and approved by the General Manager of Planning and Building Services, prior to the issuance of a building permit for the new dwellings on the "severed" 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" parcels shall be submitted to, and approved by the General Manager of Planning and Building Services.
3. That prior to the issuance of a building permit, the Owner shall demonstrate to the satisfaction of the General Manager of Planning and Building Services a commitment to incorporate features into the development that will implement recommendations of the City's Community Energy Initiative (CEI) and the overall goal of becoming a net zero carbon community by 2050.
4. 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 and below noted conditions and to develop the site in accordance with the approved plans.

### **Engineering Services**

5. Prior to the issuance of the Certificate of Official, the Owner shall have a Professional Engineer design a stormwater management brief for the proposed development, satisfactory to the General Manager/City Engineer.
6. Prior to any construction or grading on the lands, 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.
7. Prior to the issuance of the Certificate of Official, the Owner shall have a Professional Engineer design a grading/drainage and servicing plan for the site, satisfactory to the General Manager/City Engineer.
8. The Owner shall pay to the City the actual cost of the construction of the new driveways including the required curb cut and/ or fill and furthermore, prior to issuance of building permit or prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost for constructing the new driveways including the required curb cut and/or fill, as determined by the General Manager/City Engineer.
9. The Owner shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to issuance of building permit or prior to any construction or grading on the lands, the Owner shall pay to the City the estimated cost of constructing, installing or removal of any service laterals, as determined by the General Manager/City Engineer.
10. The Owner will ensure that all domestic wells, boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to any construction or grading on the lands.
11. That the Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.

12. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/ City Engineer.
13. That the Owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
14. The Owner shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.
15. Prior to issuance of the Certificate of Official, the Owner shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, covering the conditions/warning clauses noted in the council report 2020-01, dated August 10, 2020 (Attachment 9) and to develop the site in accordance with the approved plans. The Owner agrees to include the mentioned conditions/warning clauses (from Noise Study Review) on title on the retained and the future severed lands and noise measures are to be specifically identified on the approved permit drawings.

#### **Alectra Utilities**

16. That prior to issuance of a building permit, the applicant makes arrangement with the ICI Department of Alectra Utilities to service the two newly created lots. The servicing costs would be at the applicant's expense.

#### **Committee of Adjustment Administration**

17. 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.
  18. 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.
  19. 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@quelp.ca](mailto:cofa@quelp.ca)).
  20. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
-

## Comments

### Planning Services

The subject property is designated "Mixed Office/Commercial" in the Official Plan. This land use designation allows for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings including single detached dwellings. The subject property contains one existing single detached dwelling. A Zoning By-law Amendment (OZS19-006) was approved by Council on August 10, 2020 to change the zoning on the subject lands from the "Specialized Industrial" (B.4-1) Zone to the "Residential Single Detached with Holding provisions" (R.1D(H)) Zone. The Holding provision relates to the requirement for a remediation and/or risk assessment and Reliance Letter. The proposed Consent applications will result in the creation of two new residential lots and one retained parcel.

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

**i. That all of the criteria for plans of subdivision are given due consideration.**

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

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

A plan of subdivision is not necessary for creation of two new residential lots on an existing public road.

**iii. That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.**

The proposed severances do not restrict or hinder the ultimate development of the lands. The Consent applications represent a logical and compatible layout of lots that are appropriate to accommodate new single detached dwellings.

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

The proposed severances are considered to be reasonable and in the best interest of the community.

The subject property is less than 0.2 hectares in size and therefore not regulated by the Private Tree By-law. That said, City owned boulevard trees along Alice Street were noted and consistent with the Official Plan, trees and shrubs within the City's right-of-way need to be appropriately considered and protected during any type of construction/works within the dripline. This is especially important for applications which contemplate changes to the City right-of-way (location of driveways,



servicing, etc.). Protection of City trees must be optimized as injury or destroying a City tree may not be granted by the City. Any proposal to injure or destroy a tree must be accompanied by a Tree Inventory and Preservation Plan, (refer to the City's Tree Technical Manual for more information), to the satisfaction of the Manager of Parks Operations and Forestry.

The proposed "retained" and "severed" parcels are in compliance with the recently amended zoning. Staff are satisfied that the proposed severances meet the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Ontario Planning Act.

Staff recommend approval of the applications subject to the conditions noted above.

### **Open Space Planning**

After review of the Committee of Adjustment consent applications to create two (2) new residential lots at 167 Alice Street, file numbers B-12/20 and B-13/20, Open Space Planning have determined that the applicant shall be responsible for a payment in lieu of conveyance of parkland for both lots prior to the issuance of any building permits under the City of Guelph's Parkland Dedication Bylaw (2019)-20366 as amended by (2019)-20380 or any successor thereof.

### **Engineering Services**

The applicant is proposing to sever the property and create two new residential lots with one retained lot, which currently contains a detached dwelling. Engineering completed the review on the subject property under the zoning by-law amendment application file (OZS19-006), as per the attached council report 2020-01, dated August 10, 2020 (Attachment 9). Engineering has no concerns with the applications, subject to the conditions noted above.

### **Building Services**

This property is located in the Residential Single Detached (R.1D(H)) Zone. The applicant is proposing to sever the property and create two new residential lots with one retained lot, which currently contains a detached dwelling.

Building Services does not object to either of these applications.

### **Alectra Utilities**

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

### **Comments from the Public**

None

---

## **Contact Information**

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

519-822-1260 Extension 2524

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

TTY: 519-826-9771

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

## Attachment 9 – Departmental and Agency Comment Summary

<b>Respondent</b>	<b>No Objection or Comment</b>	<b>Conditional Support</b>	<b>Issues /Concerns</b>
Development Planning		√	Future consents required; Subject to conditions in Attachment 3
Engineering*		√	Subject to conditions in Attachment 3
Parks Planning*		√	Subject to conditions in Attachment 3
Zoning*		√	
Heritage	√		
Alectra Utilities*		√	
Upper Grand District School Board*		√	Subject to conditions in Attachment 3
Guelph Police Service	√		
Guelph Junction Railway*		√	Subject to conditions in Attachment 3

\*Letter/memo attached

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### Internal Memo



---

Date	19 <sup>th</sup> June 2020
To	Ryan Mallory
From	Kime Toole
Service Area	Infrastructure, Development and Enterprise Services
Department	Engineering Services
<b>Subject</b>	<b>ZBA - 167 Alice Street File: OZS19-006</b>

---

The application is for a Zoning By-law Amendment that would re-designate the site from the existing "Specialized Industrial" (B.4-1) zone to a "Residential Single Detached" (R.1D) zone as described in the City of Guelph Zoning Bylaw. The existing detached dwelling will be retained and allow the development of two new detached residential dwellings. A Consent application will be required to separate the lands into individual parcels. The subject lands (0.1250 ha/0.31 ac) are located on the southwest corner of Alice Street and Morris Street. There is an existing landscaping yard to the west, residential to the north and east and a vacant lot immediately south of the property.

The comments below are in response to the review of the following reports & plans:

- Phase One Environmental Site Assessment (ESA) - Burnside (December 2017);
- Phase Two Environmental Site Assessment – Burnside (2018);
- Noise & Vibrations Feasibility Study – HGC Engineering (28 March 2018);
- Noise & Vibrations Study Update – HGC Engineering (17 January 2020);
- Grading & Servicing Plan – Burnside (February 2018);
- Grading & Servicing Plan Notes – Burnside (February 2018).

Engineering Services provides the following comments:

#### **Road Infrastructure Road:**

The proposed development will be served by Alice Street.

The existing Alice Street frontage includes a 2 lane local roadway with a curb faced sidewalk along the north and south sides of the road and grassed boulevard on the south-side fronting the site. The existing right-of-way width fronting this site is approximately 20.0m (65.6ft.) and a road width of 6.6m (21.6ft). It is to be noted that Alice Street was reconstructed back in 2012 under City Contract 2-1214.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **Municipal Services**

#### *Alice Street*

Existing services within the right-of-way along Alice Street includes a sanitary sewer, storm sewer and watermain as follows:

- 200mm diameter PVC sanitary sewer approximately 2.8 m in depth;
- 300mm diameter PVC storm sewer approximately 1.8m in depth;
- 200mm diameter PVC watermain approximately 2.0m in depth;

The two proposed residential dwellings will connect into the Alice Street municipal services and the sanitary sewers will flow by gravity. Engineering has completed a cursory review of proposed sanitary, storm and water laterals and they appear to be in order except for the storm lateral. It is recommended that no storm connection be permitted, otherwise a 100 year Hydraulic Grade Line analysis of the City storm sewer would be required to determine impacts by the Developer.

Storm foundation drainage is to be discharged to grade at the rear of house(s).

Based upon engineering records, the existing house at 167 Alice Street has sanitary and water connections to the Morris Street municipal services. New servicing laterals were constructed up to the property line in 2015 under City Contract 2-1511.

### **Servicing Capacities**

It has been confirmed that adequate sanitary and water capacities are available to service the proposed development.

However the Developer shall be advised that there is potential for marginal water supply pressures in proposed development under certain conditions such as peak hour demand scenario at locations with elevation greater than 347 m height above mean sea level (AMSL) and average day demand scenario at locations with elevation greater than 341 m height AMSL in the existing water system. Water pressure in the water mains in vicinity of proposed development under certain conditions such as peak hour demand scenario at locations with elevation at 347 m height above mean sea level (AMSL) could range from 38.0 to 42.0 psi (40 psi +/- 2.0 psi) and average day demand scenario at locations with elevation at 341 m height AMSL could range from 47.5 to 52.5 psi (50 psi +/- 2.5 psi) in the existing water system.

Minimum water service size should be 25 mm for residential and all other services sized appropriately for demand based on potentially low pressures.

### **Grading & Drainage**

The proposed grading and drainage design is generally acceptable and will be reviewed in greater detail under the severance application in accordance with the Development Engineering Manual guidelines.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### Source Water Protection

Source Water Protection staff have commented that if there are any wells on the property that are not going to be included in any ongoing monitoring program, they will need to be properly decommissioned in accordance with O. Reg. 903. Staff have requested copies of the decommissioned well logs if applicable.

### Environmental Engineering

As part of this submission the Applicant has provided a Phase 1 & Phase 2 Environmental Site Assessment (ESA) for the proposed development.

City staff reviewed the following Phase One and Phase Two Environmental Site Assessment (Phase One and Phase Two) reports prepared by R.J. Burnside & Associates Limited (Burnside) for Black, Shoemaker, and Robinson & Donaldson Limited.:

- "Phase One Environmental Site Assessment, 167 Alice Street, Guelph, Ontario" dated December, 2017.
- "Phase Two Environmental Site Assessment, 167 Alice Street, Guelph, Ontario" dated, 2018

The Phase One ESA was reportedly conducted in accordance with the requirements of Canadian Standards Association (CSA) Standard Z768-01 and in compliance with Ontario Regulation (O. Reg.) 153/04, as amended.

The Phase Two ESA was conducted in accordance with the O. Reg. 153/04.

The ESAs were submitted in support of the Zoning By-law amendment application. The zone change is from the "Specialized Industrial" (B.4-1) Zone to a "Residential Single Detached" (R.1D) Zone to recognize the existing detached dwelling and permit the development of two new detached residential dwellings.

### **SUMMARY OF FINDINGS**

The Site is approximately 0.12 ha (0.31 acres) located at the intersection of Alice Street and Morris Street and occupied by a one-story residential building. The reported Site's first developed use was agricultural. The Site appears to have been developed for residential use by 1955 and continued to be residential since then.

The key Environmental findings from Phase One and Two ESA reports are as follows:

#### **Phase One ESA**

The following Potentially Contaminating Activities (PCAs) and Areas of Potential Environmental Concern (APEC) were identified at the Site:

- **PCA- 1: Underground fuel storage (UST) tanks and above ground fuel storage tanks (ASTs) consisting of gasoline, diesel, and waste oils offsite** were identified just southeast of the Site at 121 Morris St (USTs and ASTs) and about 160 m north at 7 Harris Street (ASTs) and were deemed an APEC on the Site.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

- **PCA- 2: Metal Fabrication (offsite)** at a former machine shop west of the Site (163 Alice Street) and a steel fabrication shop east of the Site (112 Morris Street) was deemed an APEC on the site.
- **PCA-3: Rail Yards, Track and Spurs (offsite)** located approximately 40m southwest of the Site were deemed APEC on the Site.

A Phase two ESA was recommended to assess the subsurface conditions of the Site and evaluate soil quality and groundwater quality in areas of potential environmental concern. Contaminants of concern that were associated with the APECs identified included Petroleum Hydrocarbons (PHCs), Volatile Organic Compounds (VOCs), Polycyclic Aromatic Hydrocarbons (PAHs), Polychlorinated Biphenyls (PCBs), BTEX, metals and inorganics

### **Phase Two ESA**

Phase Two ESA consisted of drilling four (4) boreholes, three (3) of which were converted into monitoring wells, was conducted to assess the soil and groundwater quality within the Site arising from the APECs. The summary of findings of the Phase Two ESA is as indicated below:

- **Soil** –Analytical results identified some samples had concentrations of metals (cadmium, lead and zinc) above regulatory standards for residential use as stipulated in Table 2: Full Depth Generic Site Condition Standards (SCS) in a Potable Groundwater Condition.

Based on laboratory results, concentrations of remaining metals and other parameters tested including; PHCs, VOCs, PAHs and Inorganics were within the SCS for Residential Use.

- **Groundwater** - Laboratory analytical results indicate that groundwater quality meets the SCS for Residential Use.

Soil treatment to reduce the elevated concentrations of cadmium, lead and zinc to levels that meet Residential Use SCS was recommended.

### **COMMENTS:**

- Based on the use of the property (agriculture- up to 1955 and residential since 1955); a mandatory RSC filing is not necessary.
- Phase Two ESA recommends, soil remediation to lower the metals (Zinc, Lead and Cadmium) concentrations to the required regulatory standards for residential use.
- The submitted Phase two ESA report was not signed and stamped.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **RECOMMENDATION:**

The following must be submitted prior to the approval of Zoning By-law amendment:

- A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City's "*Guidelines for the development of contaminated or Potentially Contaminated Site (2016)*"; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
- A signed and stamped copy of phase two ESA report must be submitted to the satisfaction of the City.
- The qualified person(s) (QP) must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

### **CLOSURE:**

Please note that staff's review pertains to whether the report was conducted in a manner consistent with the Act (e.g. EPA), the Regulations/Standard (e.g. O. Reg. 154/03, as amended; CSA etc.), and/or associated guidance documents. Although majority of the information included in the reports were looked at during the review process, the City Staff does not independently verify information and data, the quality of which are solely the responsibility of the QP who prepared the report.

Due to a delay with the on-site environmental work and cleanup, the Applicant has requested placing a holding zone condition (H) on the subject lands until environmental recommendations are complete, satisfactory to the General Manager/City Engineer.

### **Noise Study Review**

Engineering staff have reviewed the noise studies and have recommended conditions and warning clauses as follows:

*The following conditions are provided as information to Council and will be imposed through consent application approval unless noted otherwise.*

The Owner/Developer acknowledges and agrees that, to prior occupancy and/or final building inspection, their professional engineering consultant shall inspect the site and certify in a letter that the recommended interior/exterior noise control measures comply with the measures in the approved study; such certificate shall be provided to the City.

The Owner/Developer acknowledges and agrees that Unit 1 (the proposed building closest to the rail line) shall be designed such that all building facades with exposure to the rail line shall have brick exterior walls (or an acoustical equivalent), that there are no windows to noise sensitive interior spaces on the west façade, and



## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

the building's forced air ventilation system is sized for the future installation of central air conditioning.

The Owner/Developer acknowledges and agrees that Unit 2 (the proposed building closest to the existing dwelling unit at 167 Alice Street) shall be designed such that all building facades with exposure to the rail line shall have brick exterior walls (or an acoustical equivalent).

*The following warning clauses shall be registered on title prior to the completion of the severance:*

### **Warning Clause for Unit 1:**

The Transferee covenants with the Transferor that the below clauses, verbatim, will be included in all subsequent Agreements of Purchase of sale or lease and Sale and Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the subsequent owners and renters of the said lands and the owner of the adjacent road.

The Transferee of Unit 1, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being advised that despite the inclusion of noise control features in the development and/or within the building unit sound levels due to increasing rail traffic may occasionally interfere with some indoor and/or outdoor activities of the dwelling occupants as the sound levels may at times exceed the sound level limits of the municipal and provincial noise criteria.

The development includes a number of measures to help reduce noise impacts, listed below. To ensure that provincial and municipal sound level limits are not exceeded and/or to keep sound levels as low as possible it is important to maintain the sound attenuation features provided.

This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the municipality and provincial sound level limits.

The building components of the dwelling unit (walls, windows, and exterior doors) have been designed to provide acoustic insulation so that, when windows and exterior doors are closed, the indoor sound levels are within the municipal and provincial sound level limits. The details of this building component design are available by contacting the builder of this unit.

The Transferee, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being additionally advised that due to the proximity of the

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

adjacent industrial/commercial facilities, sound levels from these facilities may at times be audible.

Warning: Guelph Junction Railway or its assigns or successors in interest has or have a right of-way within 250 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. GJR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

### **Warning Clause for Unit 2:**

The Transferee covenants with the Transferor that the below clauses, verbatim, will be included in all subsequent Agreements of Purchase of sale or lease and Sale and Deeds conveying the lands described herein, which covenant shall run with the said lands and is for the benefit of the subsequent owners and renters of the said lands and the owner of the adjacent road.

The Transferee, for himself, his heirs, executors, administrators, successors, and assigns acknowledge being additionally advised that due to the proximity of the adjacent industrial/commercial facilities, sound levels from these facilities may at times be audible.

Warning: Guelph Junction Railway or its assigns or successors in interest has or have a right of-way within 250 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. GJR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

### **Staff Recommendations**

#### **Zoning By-Law Amendment Application**

Engineering supports approval of the zoning by-law amendment application with a holding symbol (H) until such time as the Phase 2 ESA recommendations are complied with to the satisfaction of General Manager/City Engineer.

1. It is required that a Holding Symbol (H) be applied restricting the proposed use of the land until the following conditions is met:
  - A mandatory RSC filing is not required; however, as per the recommendation of the Phase Two ESA and to comply with the City's *"Guidelines for the development of contaminated or Potentially Contaminated Site (2016)"*; the applicant must prove (via remediation and/or risk assessment) that the metal impacts in soil do not pose threat to the human health and the environment.
  - A signed and stamped copy of phase two ESA report must be submitted to the satisfaction of the city.
  - The qualified person(s) (QP) must submit a "Reliance Letter" to indicate that despite any limitations or qualifications included in the reports, the City is authorized to rely on all information and opinion provided in the reports.

#### **Future Planning Approval Conditions**

The following conditions are provided as information and will be imposed through the Committee of Adjustment, Consent to Severance approval process unless noted otherwise.

1. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a stormwater management brief for the proposed development, satisfactory to the General Manager/City Engineer.
2. Prior to any construction or grading on the lands, 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.
3. Prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the General Manager/City Engineer.
4. The Developer shall pay to the City the actual cost of the construction of the new driveways including the required curb cut and/ or fill and furthermore, prior to any severance of the lands and prior to any construction or grading

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

on the lands, the Developer shall pay to the City the estimated cost for constructing the the new driveways including the required curb cut and/or fill, as determined by the General Manager/City Engineer.

5. The Developer shall pay to the City the actual cost of constructing, installing or removal of any service laterals required and furthermore, prior to any severance of the lands and prior to any construction or grading on the lands, the Developer shall pay to the City the estimated cost of constructing, installing or removal of any service laterals, as determined by the General Manager/City Engineer.
6. The Developer will ensure that all domestic wells, boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to any construction or grading on the lands.
7. That the Developer constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
8. The Developer acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/ City Engineer.
9. Prior to any construction or grading on the lands, the Developer 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.
10. That the Developer shall make arrangements satisfactory to the Technical Services Department of Alectra Utilities for the installation of an underground hydro service to the proposed new dwellings, prior to the issuance of a building permit.
11. That the Developer makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
12. The Developer shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.

## **Attachment 9 – Departmental and Agency Comment Summary (continued)**

13. Prior to the passing of the severance, the Developer shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, covering the conditions/warning clauses noted above and to develop the site in accordance with the approved plans. The Developer agrees to include the above mentioned conditions/warning clauses (from Noise Study Review) on title on the retained and the future severed lands and noise measures are to be specifically identified on the approved permit drawings.

---

**Mary Angelo, P. Eng.**

Manager, Infrastructure, Development  
and Environmental Engineering

---

**Kime Toole, C.E.T.**

Engineering Technologist III

## Attachment 9 – Departmental and Agency Comment Summary (continued)

# INTERNAL MEMO



DATE August 16, 2019  
TO **Ryan Mallory**  
FROM Emilio Borges  
DIVISION Parks and Recreation  
DEPARTMENT Public Services  
SUBJECT **167 Alice street– Proposed Zoning By-Law Amendment  
(File # OZS19-006)**

Park Planning has reviewed the notice of complete application and public meeting and the following supporting documents for the above noted Proposed Zoning By-Law Amendment:

1. Planning Justification Report, prepared by BSR&D Ltd., June 2019
2. Development Concept Plan, prepared by BSR&D Ltd. May 10, 2019
3. Grading and Servicing Plan, prepared by Burnside Associates, February 2018
4. Grading and Servicing Notes, prepared by Burnside Associates, February 2018
5. Tree Preservation Plan, prepared by Aboud & Associates Inc., June 12, 2019
6. Tree Preservation Details, prepared by Aboud & Associates Inc., June 12, 2019

### **Subject Lands:**

The subject site is approximately 0.1250 hectares in size, located at the southwest corner of Alice Street and Morris Street, with approximately 30 metres of frontage along Morris Street and approximately 41 metres of frontage along Alice Street. There is an existing one-storey detached residential dwelling located at 167 Alice Street.

### **Proposed Development:**

The current development proposal is to change the zoning to recognize an existing detached dwelling and permit future severance and development of two (2) new single detached residential lots along the south side of Alice Street.

Park Planning offers the following comments:

### **Zoning Bylaw Amendment:**

The purpose of the proposed Zoning By-law Amendment is to rezone the subject site from the current "B.4-1" (Specialized Industrial) Zone to a R.1D (Residential Single Detached) Zone to permit the development of two new detached single dwelling units

### **Parkland Dedication:**

The proposed development will involve the development of two single detached dwelling units and payment in lieu of parkland will be required pursuant to s. 42 of the *Planning Act*, and in accordance with City of Guelph By-law (2019)-20366 as amended by (2019)-20380, prior to issuance of any building permits.

## Attachment 9 – Departmental and Agency Comment Summary (continued)

For the purpose of determining the amount of the payment, the amount for payment will be calculated according to schedules "A" and "B", land Valuation Area (3) of the Parkland dedication By-Law. (ByLaw (2019) – 20366)

The amount is to be calculated as follows;

Payment in lieu of parkland calculation – Single and semi-detached dwelling units			
In accordance with the Sections 17 (b), ( c) and 19 and Schedules A, B and C of the Parkland Dedication By-Law (2019)-20366 as amended by the By-Law (2019)-20380. (Standard Market values are valid until January 31, 2021)			
Valuation Area 3			
Development Land area Proposed Part 1(sq. m.)	Development land area (acres)	Development land value	payment in lieu at 5%
336	0.08	\$107,935	\$5,397
Valuation Area 3			
Development Land area Proposed Part 2(sq. m.)	Development land area (acres)	Development land value	payment in lieu at 5%
275	0.07	\$88,340	\$4,417

### Conditions of Development:

Park Planning recommends the following development approval conditions:

1. The Owner shall be responsible for a payment in lieu of conveyance of parkland to the satisfaction of the Deputy CAO of Public Services or their designate, pursuant to s. 42 of the Planning Act and in accordance to the City's Parkland Dedication By-law (2019)-20366 as amended by (2019)-20380 or any successor thereof, prior to issuance of any building permits.

### Summary:

The above comments represent Park Planning's review of the proposed development. Based on the current information provided, park planning supports the proposed changes subject to the conditions outlined above.

Regards,

**Emilio Borges**, Park Planner  
Parks and Recreation, **Public Services**  
T 519-822-1260 extension 3560  
E [emilio.borges@quelfh.ca](mailto:emilio.borges@quelfh.ca)

File T:\Riverside\\_Park Planning\PLANNING\EAST DISTRICT\Zoning ByLaw & Official Plan Amendments\167 Alice Street\ 167 Alice Street ZBLA

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### INTERNAL MEMO



DATE July 24, 2019  
TO **Ryan Mallory**  
FROM Pat Sheehy  
DIVISION Building Services  
DEPARTMENT Infrastructure, Development and Enterprise  
**SUBJECT Zoning Services comments- 167 Alice Street (OZS19-006)**

---

Zoning has reviewed the proposed Zoning By-law amendment for the subject property and has the following comments.

The proposal is for a Zoning By-law amendment to recognize an existing single detached dwelling and proposing two new dwellings.

The plan as presented does not require any specialized regulations for the R.1D zone.

The existing dwelling will comply to existing R.1D regulations also. It is to note that the existing dwelling in the future could be demolished and two new lots be created under the R.1D zoning.

Zoning Services has no concerns with the proposal.

Thanks  
Pat



## Attachment 9 – Departmental and Agency Comment Summary (continued)

**Ryan Mallory**

---

**From:** Mike Pontes <mpontes@guelphhydro.com>  
**Sent:** Thursday, August 22, 2019 8:41 AM  
**To:** Ryan Mallory  
**Subject:** 167 Alice St - File # OZS19-006

Good morning Ryan, we have no comments on this one. This is just a zoning change which is ok by us. If/when this gets to the point of severing the lots, that would more than likely go through the Committee of Adjustments which we will then throw comments in about servicing the newly created lots. Thanks

Mike



**Mike Pontes, C.E.T.**  
**Technical Services Supervisor**  
395 Southgate Dr. Guelph, ON N1G 4Y1  
T 519.837.4733 | m 519.829.9199 | f 519.822.4963  
[alectrautilities.com](http://alectrautilities.com)

*Alectra's Guelph location is a scent-free environment. If you will be visiting our offices, please do not wear or use scented products (perfume, cologne, after shave, lotions, shampoo, conditioner, hair spray, fabric softener, dryer sheets and scented laundry detergent). The use of laser pointers is also not permitted.*

## Attachment 9 – Departmental and Agency Comment Summary (continued)



**UPPER GRAND  
DISTRICT SCHOOL  
BOARD**

**Jennifer Passy BES, MCIP, RPP**  
*Manager of Planning*

Board Office: 500 Victoria Road N. Guelph, ON N1E 6K2  
Email: [jennifer.passy@ugdsb.on.ca](mailto:jennifer.passy@ugdsb.on.ca)  
Tel: 519-822-4420 ext. 820 or Toll Free: 1-800-321-4025

14 August 2019

PLN: 19-092  
File Code: R14

Ryan Mallory  
Planner 2, Development and Urban Design  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

Dear Mr. Mallory;

**Re: OZS19-006**  
**167 Alice Street, Guelph**


Planning staff at the Upper Grand District School Board has received and reviewed the above noted application for a zoning by-law amendment to recognize the existing detached dwelling and permit the development of two new detached residential dwellings.

The Planning Department does not object to the proposed application, subject to the following condition:

- That Education Development Charges shall be collected prior to the issuance of a building permit(s)

Should you require additional information, please feel free to contact the undersigned.

Sincerely,  
**Upper-Grand District School Board**

  
Jennifer Passy, BES, MCIP, RPP  
Manager of Planning

---

### Upper Grand District School Board

• Linda Busuttill; Chair  
• Mike Foley

• Mark Bailey; Vice-Chair  
• Barbara Lustgarten Evoy

• Jolly Bedi  
• Martha MacNeil

• Gail Campbell  
• Robin Ross

• Jen Edwards  
• Lynn Topping

## Attachment 9 – Departmental and Agency Comment Summary (continued)

### **Ryan Mallory**

---

**From:** Les Petroczi  
**Sent:** Tuesday, November 5, 2019 1:33 PM  
**To:** Ryan Mallory  
**Cc:** Amber Bryer  
**Subject:** RE: 167 Alice Street - Noise and Vibration Study

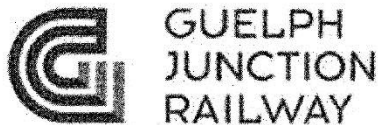
Hi Ryan

The GJR is satisfied with all information and warning clauses within the report.

Thank-you

**Les Petroczi | General Manager**

Guelph Junction Railway | Infrastructure, Development and Enterprise  
City of Guelph  
1 Carden St. Guelph, ON., N1H3A1  
T 519-822-1260 x 2825 | M 519-766-7121  
E [les.petroczi@guelph.ca](mailto:les.petroczi@guelph.ca)



---

**From:** Ryan Mallory <[Ryan.Mallory@guelph.ca](mailto:Ryan.Mallory@guelph.ca)>  
**Sent:** Tuesday, November 5, 2019 11:35 AM  
**To:** Les Petroczi <[Les.Petroczi@guelph.ca](mailto:Les.Petroczi@guelph.ca)>  
**Subject:** 167 Alice Street - Noise and Vibration Study

Hi Les,

Back in August, we circulated at Noise and Vibration Study for 167 Alice Street to you. The proposal is to rezone the property to residential. One home exists there now and two more are proposed.

Engineering has determined that the study was prepared before the City's Noise Guidelines came into effect, so I will be sending it to a consultant for a peer-review. I'm wondering if you've had a chance to review the study and if there are any questions you'd like the peer-review to look at.

Do you have any concerns with the study or any comments I can add to my report to Council? Thank you.

Regards,

**Ryan Mallory, MCIP, RPP**, Planner 2 – Development and Urban Design  
Development Planning – **Planning and Building Services**  
**City of Guelph**  
519-822-1260 extension 2492  
[ryan.mallory@guelph.ca](mailto:ryan.mallory@guelph.ca)

[guelph.ca](http://guelph.ca)  
[Facebook.com/cityofguelph](https://www.facebook.com/cityofguelph)

September 30, 2020

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

**VIA EMAIL**

Email: [coa@guelph.ca](mailto:coa@guelph.ca).

Dear Trista:

**Re: Applications to the Committee of Adjustment – October 8, 2020 Meeting**

We have reviewed the applications scheduled for the October 8, 2020 hearing and wish to submit the following comments for the Committee's consideration:

**Application #B-12/20 and B-13/20  
Adam Albert Rose Debuck and Jiyeon Oh, 167 Alice Street**

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

1. That prior to issuance of a building permit, the applicant makes arrangement with the ICI Department of Alectra to service the two newly created lots. The servicing costs would be at the applicant's expense.

Sincerely,



Alectra Utilities  
Mike Pontes, C.E.T.  
Supervisor, Distribution Design – ICI & Layouts  
Email: [mpontes@guelphhydro.com](mailto:mpontes@guelphhydro.com)  
Phone: 519-837-4733

---

**Alectra Utilities Corporation - Guelph**  
395 Southgate Drive, Guelph, ON N1G 4Y1 | t 519 822 3017

**Alectra Inc. (Corporate Head Office)**  
2185 Derry Road West, Mississauga, ON L5N 7A6 | t 905 273 7425

[alectrautilities.com](http://alectrautilities.com)