

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-5/20 and A-6/20
Location: 98 Alice Street and 125 Huron Street
Hearing Date: January 9, 2020
Owner: The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario and Wellington Catholic District School Board
Agent: Nancy Shoemaker, BSR&D Ltd.
Official Plan Designation: Downtown Secondary Plan – Residential 1 and Two-Zone Fringe Overlay
Zoning: Educational, Spiritual, and Other Services (I.1) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit, once the lot addition is completed:

File A-5/20 (98 Alice Street)

- a) a minimum lot area of 650.3 square metres;
- b) a minimum side yard setback of 0.65 metres; and
- c) a minimum rear yard setback of 0.84 metres.

File A-6/20 (125 Huron Street)

- a) a minimum side yard setback of 0.8 metres.

By-Law Requirements: The By-law requires:

- a) a minimum lot area of 700 square metres;
- b) a minimum side yard of 6 metres or one-half of the building height, whichever is greater; and
- c) a minimum rear yard of 7.5 metres or one-half of the building height, whichever is greater.

Staff Recommendation

Approval with Condition

Recommended Condition

Committee of Adjustment Administration

1. That Consent Applications B-1/20 and B-2/20 receive final certification of the Secretary-Treasurer and be registered on title.
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Comments

Planning Services

The subject properties are designated "Residential 1" with a "Two-Zone Fringe Overlay" in the Downtown Secondary Plan. Lands designated "Residential 1" are areas that include portions of broader residential neighbourhoods that extend into the Downtown. Lands designated "Residential 1" are mostly occupied by low-rise forms of housing, including detached and semi-detached houses, townhouses and apartment buildings. The intent is to generally maintain the character of these areas. The "Two-Zone Fringe Overlay" designation recognizes that these properties are within the regulatory floodplain of the Speed and Eramosa Rivers. The proposed variances have been applied for in association with Consent applications B-1/20 and B-2/20 and are recognizing existing buildings. The requested variances are considered to meet the general intent and purpose of the Secondary Plan.

The subject properties are zoned "Educational, Spiritual and Other Services" (I.1) according to Zoning By-law (1995)-14864, as amended and the following variances have been applied for in association with the Consent applications:

A-5/20 (98 Alice Street)

- a) a minimum lot area of 650 square metres, whereas Table 8.2, Row 2 requires a minimum lot area of 700 square metres;
- b) a minimum side yard setback of 0.65 metres, whereas Table 8.2, Row 5 requires a minimum side yard setback of 6 metres or one-half the building height, whichever is greater; and,
- c) a minimum rear yard setback of 0.84 metres, whereas Table 8.2, Row 6 requires a minimum rear yard setback of 7.5 metres or one-half the building height, whichever is greater.

A-6/20 (125 Huron Street)

- d) a minimum side yard setback of 0.8 metres, whereas Table 8.2, Row 5 requires a minimum side yard setback of 6 metres or one-half the building height, whichever is greater.

The existing school and church buildings are considered to be legal non-complying as both buildings predate the existing Zoning By-law. Variances are required to recognize setbacks to the new property lines being created through Consent applications B-1/20 and B-2/20. No new buildings are proposed as a result of these applications. The requested variances are considered to meet the general intent and purpose of the Zoning By-law, are considered to be desirable for the appropriate development of the lands and are considered to be minor in nature.

Staff recommend approval of the variance applications.

Engineering Services

File A-5/20 (98 Alice Street):

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a minimum lot area of 650.3 square metres, a minimum side yard setback of 0.65 metres and a minimum rear yard setback of 0.84 metres.

We agree with recommendations made by Planning and Building staff.

File A-6/20 (125 Huron Street):

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a minimum side yard setback of 0.8 metres.

We agree with recommendations made by Planning and Building staff.

Building Services

These properties are located in the Educational, Spiritual and Other Services (I.1) Zone. The applicants are proposing to maintain the existing church and school buildings and correct an existing error through a lot addition, as well as creating various easements through consent files B-1/20 and B-2/20. Variances from Table 8.2 Rows 2, 5 and 6 of the Zoning By-law (1995)-14864, as amended, are being requested. Minor variances are required to correct zoning deficiencies resulting from the lot addition.

Building Services has no objections to these applications.

Grand River Conservation Authority (GRCA)

The Grand River Conservation Authority (GRCA) has no objection to the proposed consents or the minor variance applications (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

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TTY: 519-826-9771

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

DATE: December 17, 2019

YOUR FILE: B-1/20 and B-2/20
A-5/20 and A-6/20

RE: Applications for Consent and Applications for Minor Variance
98 Alice Street and 125 Huron Street,
Guelph, Ontario

GRCA COMMENT:

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

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that portions of the subject properties contain floodplain and the regulated allowance associated with this feature. A copy of our mapping is enclosed for your reference.

2. Legislative/Policy Requirements and Implications:

A portion of 125 Huron Street contains the Flood Fringe of the Two Zone Floodplain for the City of Guelph as well as the regulated allowance to this feature. As such the property is subject to the policies found in the City of Guelph's Zoning By-law Section 12- Floodplain Lands.

98 Alice Street contains a small portion of the regulated allowance which is associated with the flood fringe on the adjacent lands. The proposed lot addition and easement as well as the minor variances are not anticipated to have any impact on the floodplain as no additional development is being proposed at this time.

Due to the presence of the floodplain and the regulated allowance, portions of 125 Huron Street and 98 Alice Street are regulated by the GRCA under *Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation*. Any future development or alteration on the subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

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

A plan review fee is required for the processing of the consent and minor variances applications. With a copy of this letter, the applicant will be invoiced in the amount of \$410.00.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2238.



Yours truly,

A handwritten signature in black ink, appearing to read "Ashley Rye".

Ashley Rye
Resource Planner
Grand River Conservation Authority

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

Encl. (1)

cc. The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario,
700 King Street West, Hamilton Ontario, L8P 1C7
Nancy Shoemaker, Black Shoemaker, Robinson & Donaldson Limited, 257 Woodlawn
Road West, Unit 101, Guelph, Ontario, N1H 8J1



98 Alice Street & 125 Huron
Street, Guelph

B-1/20 B-2/20 A-5/20 A-6/20



Legend

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

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

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

