

DECISION

Committee of Adjustment Application Number A-32/19

The Committee, having considered if a change or extension in a use of property which is lawfully non-conforming under the By-law as to whether or not this application has met the requirements of Section 45(2) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, passed the following resolution:

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(2)(a)(i) of the Planning Act, R.S.O. 1990, C.P13, as amended, permission to enlarge/extend the legal non-conforming use at 43 Nottingham Street to permit an addition to the existing semi-detached dwelling unit, and

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 43 Nottingham Street, to permit a right side yard setback of 0 metres for the proposed addition to the existing semi-detached dwelling unit, when the By-law requires a minimum side yard setback of 1.5 metres, be **APPROVED**, subject to the following conditions:

1. That the location of the addition be in general accordance with the Public Notice sketch.
2. Prior to the issuance of a building permit, the owner provides a grading plan for review and approval to the satisfaction of the City Engineer and must ensure that no storm water is draining towards the adjacent lands and that all existing drainage patterns are matched.

REASONS:

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

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

Members of the Committee of Adjustment concurring in the decision:

Absent

K. Ash

S. Dykstra

Absent

D. Gundrum

L. Janis

D. Kendrick

K. Meads

J. Smith

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on April 11, 2019.

Dated: April 16, 2019

Signed:



The last day on which a Notice of Appeal to the Local Planning
Appeal Tribunal may be filed is **May 1, 2019**.

Committee of Adjustment
T 519-822-1260 x2524
E cofa@guelph.ca