



Committee of Adjustment Minutes

Thursday, March 9, 2023, 4:00 p.m.

Council Chambers

Guelph City Hall, 1 Carden Street

Members Present	K. Meads, Vice Chair L. Cline J. Goodfellow K. Hamilton G. Sayer
Members Absent	J. Smith, Chair
Staff Present	J. da Silva, Council and Committee Coordinator S. Daniel, Engineering Technologist T. Di Lullo, Secretary-Treasurer K. Patzer, Senior By-law Administrator/Zoning Inspector III E. Rempel, Planner A. Sandor, Council and Committee Assistant L. Sulatycki, Planner

Call to Order

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

Opening Remarks

Vice Chair K. Meads explained the hearing procedures and quorum was confirmed.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Approval of Minutes

Moved by: J. Goodfellow

Seconded by: K. Hamilton

That the amended minutes from the February 9, 2023 Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

A-10/23 265 Edinburgh Road South

Owner: Chester Peter Carere

Agent: Patrick Casey, GSP Group Inc.

Location: 265 Edinburgh Road South

In Attendance: Patrick Casey

Secretary-Treasurer T. Di Lullo noted that correspondence was received from B. Downer, resident of Oriole Crescent, after the comment deadline expressing concerns with the application.

Vice Chair K. Meads questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. P. Casey, agent, responded that the sign was posted and comments were received, and that they agreed with the deferral request.

No members of the public spoke.

Moved by: K. Hamilton

Seconded by: G. Sayer

That minor variance application A-10/23 for 265 Edinburgh Road South, 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accordance with the Committee's policy on applications deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.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 staff to allow the applicant time to discuss concerns regarding the proposed uses, parking, and access with staff and revise the application.

Carried

A-12/23 21 Dublin Street South

Owner: 966129 Ontario Inc

Agent: N/A

Location: 21 Dublin Street South

In Attendance: Gerard Haley, Cathy Dodd, Bryan Shook, Geraldine Howitt

Secretary-Treasurer T. Di Lullo noted that correspondence was received from C. Dodd, resident of Dublin Street South, after the comment deadline expressing concerns with the application.

Vice Chair K. Meads questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. G. Haley, owner, responded that the sign was posted and comments were received. G. Haley stated they were in favour of the deferral recommendation.

C. Dodd, resident of Dublin Street South, expressed they were in favour of the deferral recommendation,

B. Shook, resident of Essex Street, expressed they were in favour of the deferral recommendation.

G. Howitt, resident of Waterloo Avenue, expressed they were in favour of the deferral recommendation.

Moved by: J. Goodfellow

Seconded by: K. Hamilton

That minor variance application A-12/23 for 21 Dublin Street South, 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 staff to allow the applicant time to address concerns related to the location of the existing sanitary service.

Carried

Current Applications

A-11/23 100 Division Street

Owner: Paul Hettinga

Agent: N/A

Location: 100 Division Street

In Attendance: Paul Hettinga

Vice Chair K. Meads questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. P. Hettinga, owner, responded that the sign was posted and comments were received. P. Hettinga explained the general nature of the application.

No members of the public spoke.

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. Hamilton

Seconded by: L. Cline

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 5.1.2 Row 6, Section 5.1.2.7 i), and Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 100 Division Street, to permit:

- a. a minimum front yard setback of 3.57 metres for the existing dwelling and proposed second-storey addition, when the By-Law requires that the minimum front yard setback for a dwelling located in Defined Area Map Number 66 of the By-law shall be 6 metres or the average of the setbacks of the adjacent properties [being 5.8 metres]; and
- b. a minimum right side yard setback of 0.96 metres for the existing dwelling and proposed second-storey addition, when the By-Law requires that the minimum side yard setback for a dwelling located in the R.1B Zone be 1.5 metres,

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

1. That the variance for a reduced side yard setback shall only apply to the right side yard in general accordance with the Public Notice sketch.

Reason:

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

B-2/23 900 Southgate Drive

Owner: Denso Manufacturing Canada, Inc.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 900 Southgate Drive

In Attendance: Jeff Buisman, Faz Ashkar, James Nagy

Vice Chair K. Meads 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 general nature of the application.

F. Ashkar, representative for a neighbouring property on Clair Road West, spoke in favour of the application, and expressed their hope that the application did not impact their property.

J. Nagy, owner of the subject property at 900 Southgate Drive, spoke in favour of the application, and responded that they hope the severance request will help improve the neighbouring property.

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: J. Goodfellow

Seconded by: G. Sayer

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 11, Concession 7, Part 3, Reference Plan 61R-7440, currently known as 900 Southgate Drive, a parcel with a frontage on Clair Road West of 199.1 metres, and an area of 25,000 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc., dated February 7, 2023, project number 30619-21, be **approved**, subject to the following conditions:

1. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
2. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
3. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).
4. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.

Reason:

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

A-13/22 79 Renfield Street

Owner: Monte Ferraro

Agent: N/A

Location: 79 Renfield Street

In Attendance: Monte Ferraro

Vice Chair K. Meads questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. M. Ferraro, owner, responded that the sign was posted and comments were received.

No members of the public spoke.

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: J. Goodfellow

Seconded by: G. Sayer

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 4.5.1.1 of Zoning By-law (1995)-14864, as amended, for 79 Renfield Street, to permit the proposed accessory building (detached garage) to occupy a maximum of 50% of the right side yard of the subject property, when the By-Law requires that an accessory building or structure may not occupy more than 30% of a yard, other than a front or required exterior side yard, be **approved**, subject to the following condition:

1. That the size and general construction of the proposed accessory building be in general accordance with the Public Notice sketch.

Reason:

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

B-3/23 B-4/23 A-14/23 A-15/23 A-16/23 26 Forest Street

Owner: 1000241393 Ontario Inc.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 26 Forest Street

In Attendance: Jeff Busman, Stephen Szikora, Kameron Fordyce, Marilyn Sears

Vice Chair K. Meads 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 general nature of the applications.

S. Szikora, resident of Maple Street, expressed concerns that the applications did not meet the four tests of the Planning Act, and in particular that the applications did not meet the intent of the Zoning By-Law, and expressed concerns with the contamination on the subject property.

K. Fordyce, resident of Forest Street, expressed concerns with the impact of the minor variance requests, the proposed lot sizes, the contamination on the subject property, and the impact of the proposal on the character and aesthetic of the neighbourhood.

M. Sears, neighbour of the subject property, expressed concerns with the increased pace of development in the neighbourhood, the number of lots proposed, and the impact of the applications on the character of the neighbourhood.

Consent File B-3/23

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: L. Cline

Seconded by: K. Hamilton

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 of Lots 47 and 48, Plan 50, currently known as 26 Forest Street, a parcel with a frontage on Forest Street of 11.9 metres, and an area of 614 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc., dated February 7, 2023, project number 30843-22, be **approved**, subject to the following conditions:

1. That prior to the issuance of a building permit, a plan shall be submitted to, and approved by the General Manager of Planning and Building Services, for the new dwellings on the "retained" and "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 "retained" and "severed" 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, accessory structures and pool shall be removed to the satisfaction of the Chief Building Official.
4. That prior to the issuance of a building permit, the applicant shall prepare and submit a Tree Inventory and Preservation Plan (TIPP) for City boundary trees to the satisfaction of the General Manager of Parks. If any trees are to be removed to accommodate the development, the applicant shall provide compensation either in the form of Cash in Lieu or Replacement Trees, or a combination of the two at the discretion of City staff. The applicant should contact Forestry staff to confirm requirements prior to preparing the TIPP.
5. That prior to the issuance of the Certificate of Official, the Owner(s) shall extend the existing sanitary sewer along the frontage of the newly created lots and all costs associated with the design and construction shall be paid by the Owner(s). Further, the Owner(s) agree to obtain all necessary approvals associated with the sanitary sewer.

6. That prior to the issuance of the Certificate of Official, the Owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, the following studies, plans and reports:
 - a. A stormwater management report (Brief) and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual," which addresses the quantity and quality of stormwater discharge from the Site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - b. Grading/Servicing Plan;
 - c. Erosion and Sediment Control Plan
 - d. Plan and profile drawings for the new sanitary sewer.
 - e. Design Sheets to be provided.
 - f. A cost estimate for the work within the City right-of-way is to be prepared by the consulting Engineer using the City's cost estimate Excel spreadsheet.
7. That prior to the issuance of the Certificate of Official, the Owner(s) agrees to obtain approval from the City's engineering department on the above-listed plans and reports.
8. That prior to issuance of the Certificate of Official, the Owner(s) agree to pay 5% of the estimated cost of the works as a review fee of the overall design of the sanitary sewer.
9. That prior to the issuance of the Certificate of Official, the Owner(s) agree to provide the City with an Environmental Site Assessment (ESA) Phase 1 report in accordance with the City's environmental guidelines.
10. That prior to the issuance of a building permit, the Owner(s) pays first the estimated cost and then the actual cost of constructing of new service laterals to the severed and retained land, including but not be limited to the cost of any curb cuts or curb fills required, and all restoration works with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid.

11. 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.
12. 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, according to a plan submitted to and approved by the General Manager/City Engineer.
13. That prior to issuance of a building permit, the owner shall provide a stormwater management brief and a lot grading plan for the severed and the retained lands.
14. That prior to issuance of building permit(s), the applicant makes arrangement for provision of hydro servicing to the severed parcel(s), satisfactory to the ICI and Layouts Department of Alectra Utilities. This condition is included to ensure adequate arrangements are made to service the severed parcel(s) and appropriate financial securities are in place.
15. 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.
16. 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.
17. 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.
18. 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).

19. 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.

Reason:

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

Consent File B-4/23

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: L. Cline

Seconded by: K. Hamilton

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 of Lots 47 and 48, Plan 50, currently known as 26 Forest Street, a parcel with a frontage on Forest Street of 11.9 metres, and an area of 614 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc., dated February 7, 2023, project number 30843-22, be **approved**, subject to the following conditions:

1. That prior to the issuance of a building permit, a plan shall be submitted to, and approved by the General Manager of Planning and Building Services, for the new dwellings on the "retained" and "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 "retained" and "severed" 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, accessory structures and pool shall be removed to the satisfaction of the Chief Building Official.
4. That prior to the issuance of a building permit, the applicant shall prepare and submit a Tree Inventory and Preservation Plan (TIPP) for City boundary trees to the satisfaction of the General Manager of Parks. If any trees are to be removed to accommodate the development, the applicant shall provide compensation either in the form of Cash in Lieu or Replacement Trees, or a combination of the two at the discretion of City staff. The applicant should contact Forestry staff to confirm requirements prior to preparing the TIPP.
5. That prior to the issuance of the Certificate of Official, the Owner(s) shall extend the existing sanitary sewer along the frontage of the newly created lots and all costs associated with the design and construction shall be paid by the Owner(s). Further, the Owner(s) agree to obtain all necessary approvals associated with the sanitary sewer.
6. That prior to the issuance of the Certificate of Official, the Owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, the following studies, plans and reports:
 - a. A stormwater management report (Brief) and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual," which addresses the quantity and quality of stormwater discharge from the Site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - b. Grading/Servicing Plan;
 - c. Erosion and Sediment Control Plan
 - d. Plan and profile drawings for the new sanitary sewer.

- e. Design Sheets to be provided.
 - f. A cost estimate for the work within the City right-of-way is to be prepared by the consulting Engineer using the City's cost estimate Excel spreadsheet.
7. That prior to the issuance of the Certificate of Official, the Owner(s) agrees to obtain approval from the City's engineering department on the above-listed plans and reports.
 8. That prior to issuance of the Certificate of Official, the Owner(s) agree to pay 5% of the estimated cost of the works as a review fee of the overall design of the sanitary sewer.
 9. That prior to the issuance of the Certificate of Official, the Owner(s) agree to provide the City with an Environmental Site Assessment (ESA) Phase 1 report in accordance with the City's environmental guidelines.
 10. That prior to the issuance of a building permit, the Owner(s) pays first the estimated cost and then the actual cost of constructing of new service laterals to the severed and retained land, including but not be limited to the cost of any curb cuts or curb fills required, and all restoration works with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid.
 11. 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.
 12. 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, according to a plan submitted to and approved by the General Manager/City Engineer.
 13. That prior to issuance of a building permit, the owner shall provide a stormwater management brief and a lot grading plan for the severed and the retained lands.
 14. That prior to issuance of building permit(s), the applicant makes arrangement for provision of hydro servicing to the severed parcel(s), satisfactory to the ICI and Layouts Department of Alectra Utilities. This condition is included to ensure adequate

arrangements are made to service the severed parcel(s) and appropriate financial securities are in place.

15. 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.
16. 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.
17. 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.
18. 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).
19. 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.

Reason:

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

Minor Variance File A-14/23

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: L. Cline

Seconded by: K. Hamilton

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 5.1.2 Row 4 of Zoning By-law (1995)-14864, as amended, for 26 Forest Street, to permit a minimum lot frontage of 11.9 metres for the proposed severed parcel, when the By-Law requires a minimum lot frontage of 15.0 metres for properties located in a R.1B Zone, be **approved**, subject to the following conditions:

1. That the driveways of the "retained" and "severed" parcels be limited to a maximum width of 5 metres.
2. That the garage door of each new dwelling shall not project ahead of the front wall of the house.
3. That consent applications B-3/23 and B-4/23 receives final certification of the Secretary-Treasurer and be registered on title.

Reason:

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.

Carried

Minor Variance File A-15/23

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: L. Cline

Seconded by: K. Hamilton

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 5.1.2 Row 4 of Zoning By-law (1995)-14864, as amended, for 26 Forest Street, to permit a minimum lot frontage of 11.9 metres for the proposed severed parcel, when the By-Law requires a minimum lot frontage of 15.0 metres for properties located in a R.1B Zone, be **approved**, subject to the following conditions:

1. That the driveways of the "retained" and "severed" parcels be limited to a maximum width of 5 metres.
2. That the garage door of each new dwelling shall not project ahead of the front wall of the house.
3. That consent applications B-3/23 and B-4/23 receives final certification of the Secretary-Treasurer and be registered on title.

Reason:

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.

Carried

Minor Variance File A-16/23

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: L. Cline

Seconded by: K. Hamilton

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 5.1.2 Row 4 of Zoning By-law (1995)-14864, as amended, for 26 Forest Street, to permit a minimum lot frontage of 11.9 metres for the proposed severed parcel, when the By-Law requires a minimum lot frontage of 15.0 metres for properties located in a R.1B Zone, be **approved**, subject to the following conditions:

1. That the driveways of the "retained" and "severed" parcels be limited to a maximum width of 5 metres.
2. That the garage door of each new dwelling shall not project ahead of the front wall of the house.
3. That consent applications B-3/23 and B-4/23 receives final certification of the Secretary-Treasurer and be registered on title.

Reason:

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.

Carried

Chair and Staff Announcements

Member Vacancy Update

Secretary-Treasurer T. Di Lullo provided an update on the member vacancy for the Committee of Adjustment, and noted that the recruitment period had ended, and that a new member is anticipated to be in place for the May 2023 hearing.

Adjournment

Moved by: J. Goodfellow

Seconded by: G. Sayer

That this hearing of the Committee of Adjustment be adjourned. (5:23 p.m.)

Carried

K. Meads, Vice Chair

T. Di Lullo, Secretary-Treasurer