

# DECISION

## Committee of Adjustment Application Number A-38/22

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

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, variances from the requirements of Sections 6.1.3.15.1 and 4.13 of Zoning By-law (1995)-14864, as amended, for 60 Ontario Street, to permit:

1. a licensed establishment and art gallery as additional permitted uses on the subject property when the By-Law permits certain uses in the C.1-15 Zone, but does not permit a licensed establishment or art gallery; and
2. a minimum of 0 off-street parking spaces be required for any permitted uses on the subject property when the By-Law requires a minimum of 14 off-street parking spaces for the proposed uses

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

1. That an outdoor patio shall not be permitted for the licensed establishment.
2. That liquor shall not be offered for sale or sold beyond 12:01 a.m.
3. That the licensed establishment is restricted to a maximum of 20 square metres.

### 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:

D. Kendrick

**ABSENT**

S. Dykstra

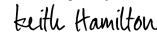
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J. Smith

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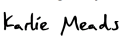
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K. Hamilton

**ABSENT**

M. Allison

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K. Meads

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 August 11, 2022.

**Dated: August 17, 2022**

**Signed:**



**The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is August 31, 2022**

**Committee of Adjustment**  
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