

# DECISION

**Application Number  
B-6/98**

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**CITY OF GUELPH  
Committee of Adjustment  
59 Carden Street  
Guelph, Ontario. N1H 3A1  
(519) 837-5615**

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The Committee, having had regard to the matters that are to be had regard to under Sections 51(17) 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, passed the following resolution:

“THAT in the matter of an application under Section 531) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lots 12 and 13, Registered Plan 377, Cityview Drive, a parcel, irregular in shape, with a frontage along Cityview Drive of 21 metres (68.89 feet) and depths of 35.940 metres (117.91 feet) and 38.633 metres (126.75 feet), be approved, subject to the following conditions:

1. That the applicant pays the watermain frontage charge of \$8.00 per foot of frontage for 38.22-feet prior to endorsation of the deeds.
2. That the applicant pays the sanitary sewer frontage charge of \$11.00 per foot of frontage for 38.22-feet prior to endorsation of the deeds.
3. That the applicant pays Development Charges, to the City, in accordance with By-law (1994)-14553, as amended from time to time, or any successor thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
4. That the applicant applies for sanitary, storm and water laterals and pays the rate in effect at the time of application prior to issuance of a building permit.
5. That the driveway for the proposed lot be located on the northerly side of the lot.
6. That prior to endorsation of the deeds, the applicant shall submit and receive approval, from the Director of Works, for a lot grading and drainage plan of both the proposed and remnant lot.
7. That prior to endorsation of the deeds, the applicant shall grade and drain the remnant lot in accordance with the drainage and grading plan approved by the Director of Works.
8. The applicant shall construct the building and any retaining walls on the proposed lot in accordance with the grading and drainage plan approved by the Director of Works.
9. That the applicant pays to the City, the actual cost of construction ditching and culverts on Cityview Drive to provide a storm water outlet for the lands satisfactory to the Director of Works. Furthermore that the applicant pays the estimated cost of constructing the ditching and culverts on Cityview Drive prior to endorsation of the deeds.

10. That a site plan be prepared for the severed parcel indicating:
- a) The location and design of the new dwelling;
  - b) The location and extent of driveway and legal off-street parking space for the new dwelling and
  - c) Grading, drainage and servicing information as required by the Director of Works.

All of the above to be submitted to, and approved by the Director of Planning and Development and the Director of Works, prior to the issuance of a building permit for the new dwelling.

11. That the elevation and design for the new dwelling on the severed parcel be submitted to, and approved by the Director of Planning and Development, prior to the issuance of a building permit for the new dwelling.
12. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
13. That prior to issuance of a building permit, the applicant make arrangements to service the severed lot, satisfactory to the Technical Services Department of Guelph Hydro.
14. That a minimum distance of 1.5 metres be maintained between the utility pole and any proposed driveway location.
15. That prior to the endorsonation of the deeds, the owner and any mortgagees shall enter into an agreement with the City, satisfactory to the City Solicitor, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
16. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsonation, prior to April 17, 1999.
17. That all required fees and charges in respect of the registration of all documents required in respect of this approval be paid, prior to endorsonation of the deed.

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18. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsation of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
19. That a Reference Plan be prepared which shall indicate the boundaries of the severed parcel, any easements/right-of-way and building locations, and that this Plan shall be deposited in the Land Registry Office and a deposited copy thereof be also filed with the Secretary-Treasurer."

Members of Committee Concurring in this Decision

The image shows several handwritten signatures in blue and black ink, some with horizontal lines underneath, representing the members of the committee who concurred in the decision.

I, Kimberli Fairfull, 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 meeting held on April 14, 1998.

Signed:

Handwritten signature of Kimberli Fairfull in blue ink.

Dated on: April 17, 1998

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is May 7, 1998.