

DECISION

Committee of Adjustment Application Numbers A-57/19 and A-58/19

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:




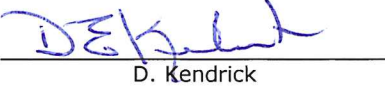
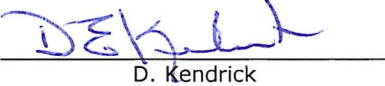

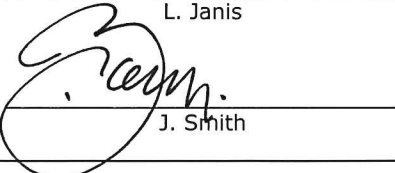
THAT in the matter of applications under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.18.2 of Zoning By-law (1995)-14864, as amended, for 9 and 11 Cork Street, to permit the proposed apartment building to have an elevation of 346 metres above sea level, when the By-law requires that no part of any building or structure constructed within any of the protected view areas defined on Defined Area Map Number 63 of the Zoning By-law shall exceed the elevation specified for its site construction, being 343.51 metres above sea level, be **REFUSED**.

REASONS:

These applications are refused, as it is the opinion of the Committee that these applications do not meet all four tests under Section 45(1) of the Planning Act, specifically being that the requested variance is not minor in nature, does not meet the general intent and purpose of the Zoning By-law, and is not considered desirable for the streetscape and appropriate development of the lands.

Any and all written submissions relating to these applications that were made to the Committee of Adjustment before its decision and any and all oral submissions related to these applications 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:**

 K. Ash	Absent	 S. Dykstra	 D. Gundrum
Absent	 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 August 8, 2019.

Dated: August 13, 2019

Signed: 

The last day on which a Notice of Appeal to the Local Planning Appeal Tribunal may be filed is **August 28, 2019**.

Committee of Adjustment
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