

DECISION

Committee of Adjustment Application Number B-10/21

The Committee, having had regard to the matters under Section 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 property and orderly development of the land, passed the following resolution:

That in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent to create the following severance and easements over of Part of Lots 6 and 7, Registered Plan 169, currently known as 816 Woolwich Street, substantially in accordance with a sketch prepared by MHBC Planning Urban Design & Landscape Architecture dated March 8, 2021, project number 1285D:

- a) The severance of a parcel of land (Parcel B, proposed Parts 2 to 5) to create a lot with frontage along Woolwich Street of 12.4 metres and an area of 21,735 square metres;
- b) The creation of a 1,423.2 square metre easement (proposed Part 3) over a portion of the proposed severed Parcel B for access in favour of the proposed retained Parcel A and proposed severed Parcel C;
- c) The creation of a 961.9 square metre easement (proposed Part 4) over a portion of the proposed severed Parcel B for access in favour of the proposed severed Parcel C; and
- d) The creation of a 1,139.6 square metre easement (proposed Part 5) over a portion of the proposed severed Parcel B for access to a parking area in favour of the proposed severed Parcel C,

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.

DECISION



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- 5. That consent application B-11/21 receives final certification of the Secretary-Treasurer and be registered on title.

Reasons:

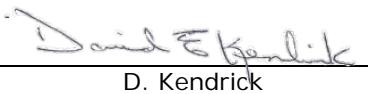
This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

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.

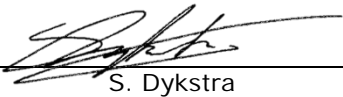
Important: Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one (1) year from the giving of the Notice of Decision to fulfill all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused. Deadline to fulfill conditions: May 18, 2022.

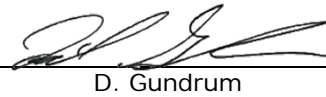
Members of
the Committee
of Adjustment
concurring in
the decision:

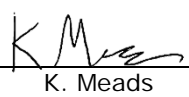

K. Ash

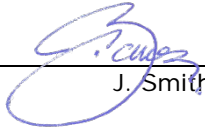

D. Kendrick


M. Allison


S. Dykstra


D. Gundrum

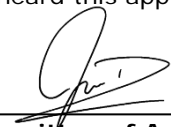

K. Meads


J. Smith

I, Juan da Silva, Acting 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 May 13, 2021.

Dated: May 18, 2021

Signed:



The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is June 7, 2021.

Committee of Adjustment
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