

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-24/18



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 8.3.3.3.2.4, 8.3.3.3.2.5, 8.3.3.3.2.6, Table 5.4.2 Rows 9 and 12 of Zoning By-law (1995)-14864, as amended, for Part of Lots 17 and 18, Registered Plan 98, Part 3 of Plan 61R-11338,

- a) to permit a minimum side yard setback of 6 metres for the dwellings backing onto the left lot line (south side of subject properties) and 11 metres for the dwellings backing onto the right lot line (north side of subject properties), when the By-law requires a minimum side yard setback of:
 - i. 43 metres on the north side (Phase 1 building);
 - ii. 46 metres on the north side (Phase 2 building);
 - iii. 32 metres on the north side (Phase 3 building); and
 - iv. 3 metres on the south side;
- b) to permit a minimum distance between buildings with windows to habitable rooms of 10 metres, when the By-law requires a minimum distance between buildings with windows to habitable rooms of 15 metres (between Phase 2 building and Phase 3 building only);
- c) to permit a minimum of 28 dwelling units for Phase 1 and 20 dwelling units for Phase 2, when the By-law requires a minimum of 300 dwelling units for all three buildings;
- d) to permit a minimum rear yard of 3 metres, when the By-law requires a minimum rear yard equal to 20% of the lot depth or one-half the building height, whichever is greater, but in no case less than 7.5 metres; and
- e) to permit a minimum common amenity area of an amount not less than 25 square metres for dwelling unit for each unit up to 15, and for each additional unit, not less than 10 square metres of common amenity area shall be provided and aggregated into areas of not less than 50 square metres, when the By-law requires a minimum common amenity area of an amount not less than 30 square metres per dwelling unit for each unit up to 20, and for each additional dwelling unit, not less than 20 square metres of common amenity area shall be provided and aggregated into areas of not less than 50 square metres,

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

1. That Consent Applications B-4/18, B-5/18 and B-20/18 receive final certification of the Secretary-Treasurer and be registered on title.

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APPLICATION NUMBER A-24/18

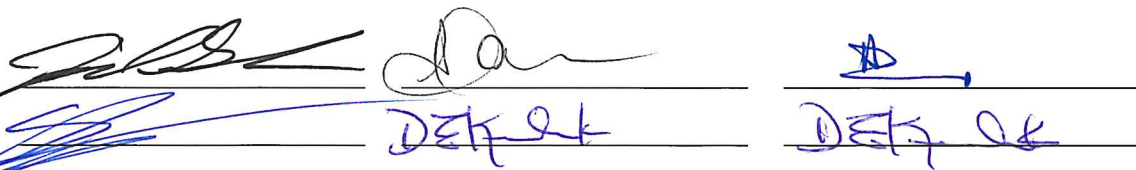
The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section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

REASONS:

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.

**Members of Committee
Concurring in this Decision**


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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 October 25, 2018.

Dated: October 30, 2018

Signed: 

**The last day on which a Notice
of Appeal to the Local Planning
Appeal Tribunal may be filed is
November 14, 2018.**

Committee of Adjustment

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