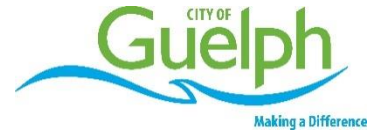


Committee of Adjustment Fee Waiver Request



Application Details

Application Number: N/A

Location: 51, 53 and 55 Manitoba Street

Request: Waiver of consent application fee (\$4,170) and administration fee (\$630)

Staff Recommendation

Refusal

Staff Report

Background

On November 11, 2024, a request was received requesting the Committee of Adjustment waive the requirement for the payment of a consent application fee and administration fee for 51, 53 and 55 Manitoba Street. The owner is proposing to submit a future consent application for the rectification of an inadvertent merger of 51, 53 and 55 Manitoba Street. The 51 and 53 Manitoba Street property contains a duplex, and 55 Manitoba Street contains a single detached dwelling.

Analysis

Section 69(2) of the Planning Act provides that a Committee of Adjustment may reduce the amount or waive the fee in respect of an application in circumstances where the Committee of Adjustment is satisfied that it would be unreasonable to require payment. In accordance with the Planning Act, and with Section 3 h) of the [Committee of Adjustment Fee Refund Policy](#), staff are presenting the waiver request to the Committee for their consideration.

Fee waiver requests are to be considered by the Committee on a case-by-case basis. Staff is not supportive of a waiver of the consent application fee and administrative fee and recommends refusal of the fee waiver request. In the request letter, it is noted that insufficient measures were taken by the owner's estate planning lawyer to avoid the merger of the subject properties. The merger situation was not caused by the City, and the applicant has been advised of potential options to rectify the situation.

It is not uncommon for the Committee to consider a consent application under this type of situation. The submitted request does not demonstrate that it would be unreasonable to require the owner to pay an application fee and administration fee, as other applicants in an inadvertent merger situation have previously done. The fees ensure that costs are recovered for the time and materials required to review, prepare and circulate Committee of Adjustment applications. Waiving the application fee and administration fee would result in a financial loss of \$4,800.00.

Report Author

Trista Di Lullo, Secretary-Treasurer

Attachments

None

Contact Information

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