

# Committee of Adjustment Fee Refund Request

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## Application Details

Application Number: A-83/24  
Location: 63 Arkell Road

**Request:** Refund of minor variance application fee (total of \$1,900.00)

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## Staff Recommendation

### Refusal

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## Staff Report

### Background

On November 14, 2024, [the Committee of Adjustment approved minor variance application file A-83/24 for 63 Arkell Road](#). The purpose of the application was to allow the applicant to continue the seasonal home occupation of bicycle repair and sales. On November 17, 2024, a request was received from the applicant requesting the Committee of Adjustment to refund the minor variance application fee. The applicant has indicated that the minor variance was required to continue their charitable work, as the proceeds from the home occupation are donated to charity.

### 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 f) of the [Committee of Adjustment Fee Refund Policy](#), staff are presenting the refund request to the Committee for their consideration.

Fee refund requests are to be considered by the Committee on a case-by-case basis. The minor variance process may be used in situations where owners cannot comply with the Zoning By-law.

Staff is not supportive of a refund of the minor variance application fee and recommends refusal of the fee refund request. While it is acknowledged that the applicant encountered an unfortunate situation, and the applicant has indicated that the minor variance was required to further the charitable work, the submitted request does not demonstrate that it would be unreasonable to require the applicant to pay an application fee.

The application fee ensures that costs are recovered for the time and materials required to review, prepare and circulation Committee of Adjustment applications. Refunding the application fee would result in a financial loss of \$1,900.00.

### **Report Author**

Trista Di Lullo, Secretary-Treasurer

### **Attachments**

None

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### **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

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