

Committee of Adjustment Notice of Public Hearing



An Application for Minor Variances has been filed with the Committee of Adjustment

Application Details

Location:

39 Hayes Avenue

Proposal:

The applicant is proposing to remove the existing single detached dwelling and construct a new triplex on the subject property.

While uses permitted with the RL.2 zone are in effect, certain regulations associated with the RL.2 zone remain under appeal and are not yet in effect. To address this, the applicant has requested minor variance approvals (variance c) to effectively replace certain sections of Zoning By-law (2023)-20790, as amended, that are under appeal with legally approved regulations that mirror the regulations that are under appeal. This approach serves as an interim method to bring site-specific zoning into force in a manner consistent with the intent of Zoning By-law (2023)-20790, as amended.

By-Law Requirements:

The property is located in Low Density Residential 2 (RL.2) Zone. Variances from Section 5.9(a) and (b), Table 6.3, Section 4.6.1(a) of Zoning By-law (2023)-20790, as amended, are being requested.

The By-law requires:

- a) a minimum of 20% of the total required parking spaces for multi-unit buildings with 3 or more dwelling units and mixed use buildings on lots identified with a (PA) suffix shall be provided as electric vehicle parking spaces;
- b) a minimum of 80% of total required parking spaces for multi-unit buildings with 3 or more dwelling units, townhouse – cluster, stacked, stacked back-to-back, and mixed-use buildings shall be provided as designed electric vehicle parking spaces;
- c) a minimum interior yard setback of 1.2 metres;
- d) that for lots within the Older Built-Up Area Overlay, the minimum exterior side yard setback is the average of the established setbacks of the immediately adjacent lots, and where there is only one immediately adjacent lot or where the average of the setbacks of the adjacent lots cannot be determined, the minimum setback shall be 6 metres; and
- e) that on a corner lot in any zone, no building, structure, play equipment, statue, swimming pool, hot tub or parked motor vehicle may be located within the sight line triangle formed by joining the point of intersection to points on each street line, measured 9 metres from that point of intersection.

Request:

The applicant is seeking relief from the requirements of Zoning By-law (2023)-20790, as amended, to permit:

- a) 0 electric vehicle parking spaces;
- b) 0 designed electric vehicle parking spaces;
- c) a minimum interior yard setback of 1.2 metres for the proposed triplex;
- d) a minimum exterior yard setback of 1.2 metres for the proposed triplex; and
- e) to permit part of the proposed triplex to be partially located within the site line triangle.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date:

Thursday, December 12, 2024

Time: **4:00 p.m.**
Location: **[Guelph.ca/live](https://www.guelph.ca/live) and Council Chambers, City Hall,
1 Carden Street**
Application Number: **A-95/24**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the public hearing at [guelph.ca/live](https://www.guelph.ca/live) or in-person and participate by submitting written comments and/or speaking to the application. You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, address, application number or address of the property you are providing comments on, and any other relevant information in your submission. Written comments received by **December 5, 2024 at 12:00 p.m.** will be circulated to the Committee members and included with the staff comments document that is posted online prior to the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. the day before the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the hybrid public hearing. Instructions will also be provided during the hearing to ensure those watching online or in-person will be given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at [guelph.ca/cofa](https://www.guelph.ca/cofa). Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
November 28, 2024

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 [guelph.ca/cofa](https://www.guelph.ca/cofa)

