

DECISION

Committee of Adjustment Application Number A-27/23

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 Table 5.1.2 Row 7, Table 5.1.2 Row 8, Section 4.13.2.1 and Section 4.13.4.3 of Zoning By-law (1995)-14864, as amended, for 85 Cork Street West, to permit:

- a. a minimum right side yard setback of 1.22 metres for the proposed addition and existing dwelling, when the By-law requires a minimum side yard setback of 1.5 metres for a property located in the R.1B Zone;
- b. a minimum rear yard setback of 5.75 metres for the proposed addition and existing dwelling, when the By-law requires a minimum rear yard setback of 7.5 metres or 20% of the lot depth [6.8 metres], whichever is less, for properties located in the R.1B Zone;
- c. the required off-street parking space to be located a minimum of 5.5 metres from the street line and only partially to the rear of the front wall of the main dwelling, when the By-law requires a required parking space to be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building for a property in a R.1B Zone; and
- d. a minimum of 2 off-street parking spaces for the 3 unit dwelling, when the By-law requires a minimum of one off-street parking space per unit [total of 3 parking spaces required],

be **approved**, subject to the following conditions:

1. That the variances shall only apply to the addition and parking spaces as shown on the public notice sketch.
2. That prior to the issuance of a Building Permit, the Owner(s) shall have a Professional Engineer or Ontario Land Surveyor design a grading and drainage plan for the site and proposed works, to the satisfaction of the General Manager/City Engineer. Grading must demonstrate that existing drainage patterns are maintained and the adjacent property will not be impacted by the addition or any associated works.

Reason:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions 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.



DECISION

**Committee of Adjustment
Application Number A-27/23**

**Members of
the Committee
of Adjustment
concurring in
the decision:**

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[Redacted]
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J. Smith

DocuSigned by:
[Redacted]
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L. Cline

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J. Goodfellow

DocuSigned by:
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K. Hamilton

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G. Sayer

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 April 13, 2023.

Dated: April 19, 2023

Signed:

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The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is May 3, 2023

Committee of Adjustment
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