

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

93-97 Surrey Street East

Proposal:

The applicant is proposing to remove the existing building and construct a new 3 storey, 9-unit residential apartment building on the subject property.

While uses permitted within the D.2 zone are in effect, certain regulations associated with the D.2 zone remain under appeal and are not yet in effect. To address this, the applicant has requested minor variance approvals (variances a, b, d, f, g and j) 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. The proposal complies with both the Ontario Land Tribunal's "approved" and "still under appeal" sections of Zoning By-law (2023)-20790, as amended.

By-Law Requirements:

The property is located in the Downtown 2 (D.2) Zone and Site-specific Downtown 2 (D.2-10) Zone and Special Policy Area Overlay. Variances from Table 9.6, Table 9.7, Section 9.3c), Table 9.7, Table 5.8 Additional Regulation 1, Table 5.2 Row 3, Section 5.2.2a), Section 5.2.2b), and Section 5.2.2d) of Zoning By-law (2023)-20790, as amended, are being requested. The By-law requires:

- a) that the minimum front yard or exterior side yard shall be the average of the setbacks of the adjacent property or where the average of the setbacks of the adjacent properties cannot be determined, the minimum setback shall be 3 metres;
- b) a minimum interior side yard setback of 1.5 metres;
- c) a minimum rear yard setback of 10 metres;
- d) a minimum building height of 3 storeys to a maximum building height of 6 storeys;
- e) a minimum floor space index of 1.5;
- f) that for buildings having less than 10 dwelling units, no bicycle parking spaces are required for the residential component;
- g) apartment buildings over 3 units to have minimum parking space dimensions of 2.75 metre width and 5.5 metre length, excluding any obstructions;
- h) for any apartment buildings, every parking space shall be located in the interior side yard or rear yard, and any parking area or parking space shall be setback 3 metres from any lot line;
- i) for any apartment buildings, any surface driveway or surface parking area shall be setback 3 metres from a building wall, entrance or any window of a habitable room; and
- j) for any apartment buildings, a minimum clearance of 1.5 metres shall be provided from an access driveway to any above ground utility structure and/or city-owned street tree.

Request:

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

- a) the minimum front yard or exterior side yard to be the average of the setbacks of the adjacent property or where the average of the setbacks of the adjacent properties cannot be determined, the minimum setback be 3 metres;
- b) a minimum interior side yard setback of 1.5 metres;

- c) a minimum rear yard setback of 8.3 metres;
 - d) a minimum building height of 3 storeys to a maximum building height of 6 storeys;
 - e) a minimum floor space index of 0.9;
 - f) that for buildings having less than 10 dwelling units, no bicycle parking spaces are required for the residential component;
 - g) the proposed apartment building over 3 units to have minimum parking space dimensions of 2.75 metre width and 5.5 metre length, excluding any obstructions;
 - h) parking areas and parking spaces to have a minimum setback of 0.5 metres from any lot line;
 - i) any surface driveway or surface parking area to have a minimum setback of 1.2 metres from a building wall, entrance or any window of a habitable room; and
 - j) the proposed apartment building to have a minimum clearance of 1.5 metres provided from an access driveway to any above ground utility structure and/or city-owned street tree.
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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, March 27, 2025**
Time: **4:00 p.m.**
Location: **[Guelph.ca/live](https://guelph.ca/live) and Council Chambers, City Hall,
1 Carden Street**
Application Number: **A-29/25**

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 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 **March 20, 2025 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. 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

March 11, 2025

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

