

February 27, 2025

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

519-837-5616
cofa@guelph.ca

Dear Sir/Madam:

Re – 25-27 Alice Street, Guelph, Ontario
Committee of Adjustment – Application for Minor Variance

Agora Research Group Inc. has been retained by Mario Cotroneo (the registered property owner) to act as land use planners and development advisors for the property municipally described as 25-27 Alice Street in Guelph, Ontario hereinafter referred to as the “Site”.

The Site is located directly south of the Alice Street and Duke Street T-Intersection. On a broader scale, the Site is situated within a mature and stable neighbourhood which consists of a mix of single detached and semi-detached dwellings. Beyond the neighbourhood and west of Arthur Street South, higher density residential uses consisting of 3 storeys and higher have been recently developed.

Background

Consent Approval

Site obtained consent approval to sever the lot on December 9, 2023 (file # B-20/30). Reference Plan 61R-22686.

Zoning By-law Amendment Approval

Site obtained Zoning By-Amendment approval on September 19, 2023 as per By-law Number (2023)-20826.

The reason for the site specific zoning by-law amendment request was related to the old Guelph Zoning By-law (1995-14864) was still in-effect and the New Guelph Zoning By-law was under appeal. The site specific zoning by-law amendment application would not have been required if the new Comprehensive Zoning By-law (2023) -20790 (Zone RL.2) was in effect and not under appeal.

Zoning By-law (2023) -20790 states that:

The purpose of By-law (2023)-20826 is to change the zoning on the lands municipally known as 25 Alice Street and legally described as Part of unnumbered Lot, Registered Plan 244, City of Guelph from the “Specialized Residential Single Detached” (R.1B-10) Zone, to a “Specialized Residential Semi-Detached/Duplex Zone” (R.2-31) Zone, in the City of Guelph Zoning By-law (1995)-14864, as amended. The purpose of the zone change is to permit the development of a semi-detached dwelling.

Non-Compliant Zoning By-law Regulations

The non-compliant zoning regulation issues were identified at the building permit stage during the zoning review process prior to the issuance of the building permit in October 2024.

As winter was approaching, the owner elected to correct the non-compliant zoning regulations instead of seeking minor variance relief which would have delayed the start of the project until the spring of 2025.

Requested Variances To RL.2 Zone

The owner is seeking minor variance relief to permit the following changes to the under construction semi-detached dwelling on the Site.

Front Yard

The first variance is related to the front porch. The porch is located on the second storey, and there are no permissions in the zoning for an open roofed porch which exceeds one storey in height.

1. Minor Variance required to Table 4.7.5 Permitted yard projections, Open roofed porch not exceeding 1 storey in height – Requesting to permit an

open roofed porch to exceed 1 storey in height (proposed on the second storey)

Rear Yard

The second variance is for the rear deck as there are no regulations for decks that exceed the height of the main floor. The main floor is the first storey of the building. The proposed rear deck can't be considered a balcony because the definition of a balcony includes that it can only be directly accessible from within a building. Therefore, it cannot have stairs down to grade. Balconies are also permitted to only project 2.4m into the required rear yard and must maintain a 2m setback from the side (and rear) lot lines).

2. Minor Variance required to Table 4.7.7 Permitted yard projections,
Uncovered porch above 1.2 m to a maximum height not exceeding the main floor – Requesting to permit an uncovered porch above 1.2 m on the second storey of the building (the first storey at grade is the main floor).

Summary

In summary, it is my professional opinion that the requested minor variances satisfy the four tests under Section 45(1) of the Planning Act. Furthermore, based upon our analysis along with supporting documentation and a review of the in-force Guelph Official Plan and Zoning By-law, it is my opinion that the request for minor variances represents good planning.

As part of the requirements outlined in the Application for Minor Variance submission checklist, we are submitting electronically the following package for your review.

Materials	Electronic Copies Required
Cover letter – Submitted electronically	1
Application for Minor Variance – Submitted electronically	1
Site Plan – Submitted electronically	1
Elevations – Submitted electronically	1

Reference Plan 61R-22686	1
Topographic Survey	1

We further request that the Application for Minor Variance fee payable to the City of Guelph be confirmed along with the method of payment options as soon as possible.

Authorization has been granted by the registered property owner to Claudio Balbinot MCIP, RPP to act as the agent for the application.

I trust the Application for Minor Variance submission package has been completed to your satisfaction. Should you require additional information, please do not hesitate to contact the undersigned directly.

Yours truly,



Claudio Balbinot B.E.S.(Hons), MCIP, RPP
Agora Research Group Inc.



cc: Matt Weishar - BJC Architects Inc.
Mario Cotroneo - Mar-Cot Investments Inc.