

# DECISION

## Committee of Adjustment Application Number B-20/23

---

Having had regard to the matters under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land:

That in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Unnumbered Lot, Registered Plan 244, currently known as 25 Alice Street, a parcel with a frontage on Alice Street of 8.88 metres, and an area of 275 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc., dated May 23, 2023, project number 31092-22, be **approved**, subject to the following conditions:

1. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a grading and drainage plan for the severed and retained lands that has been prepared in accordance with the City of Guelph's Development Engineering Manual.
2. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a stormwater management brief for the severed and retained lands that has been prepared in accordance with the zone change conditions and the City of Guelph's Development Engineering Manual.
3. That prior to the issuance of the Certificate of Official, the owner(s) shall provide to the City, to the satisfaction of the General Manager/City Engineer, a servicing plan that has been prepared in accordance with the City of Guelph's Development Engineering Manual.
4. That prior to issuance of a building permit, the owner(s) designs the new dwelling at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer. If the owner(s) satisfactorily demonstrates to the General Manager/City Engineer that a below-grade gravity connection is not achievable, the building's below-grade level may be allowed to pump sewage, in accordance with the Ontario Building Code, to the property line, and have a gravity connection from the property line to the City's sanitary sewer.
5. That prior to the issuance of a building permit, the owner(s) shall design, construct, install, and maintain erosion and sediment control facilities satisfactory to the General Manager/City Engineer, in accordance with the Developmental Engineering Manual.
6. That prior to the issuance of a building permit on the proposed severed lands, the owner(s) agrees to pay the estimated cost of all proposed works within the city's right-of-way to the severed lands to the satisfaction of the General Manager/City Engineer.
7. That prior to the issuance of any building permits on the proposed severed lands, the owner shall pay the flat rate charge established by the City for tree planting for the proposed severed lands.
8. That prior to issuance of a building permit, the applicant makes arrangement for provision of hydro servicing to the parcel(s), satisfactory to the ICI and Layouts Department of Alectra Utilities. The servicing costs would be at the applicant's expense.
9. That prior to the issuance of the Certificate of Official, the Owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above noted conditions and to develop the site in accordance with the approved plans.

# DECISION

## Committee of Adjustment Application Number B-20/23

---

10. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
11. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
12. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan (version ACAD 2010) which can be forwarded by email ([cofa@guelph.ca](mailto:cofa@guelph.ca)).
13. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.

### Reason:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

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 B-20/23



**Important: Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of two (2) years from the giving of the Notice of Decision to fulfill all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused. Deadline to fulfill conditions: November 15, 2025.**

DocuSigned by:  
[Redacted Signature]  
98C91C0FB73E4DE...  
J. Smith

DocuSigned by:  
[Redacted Signature]  
B4BC54A30C81438...  
J. Goodellow

DocuSigned by:  
[Redacted Signature]  
91FBD7E501224D0...  
K. Hamilton

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

DocuSigned by:  
[Redacted Signature]  
0963E8886ABB437...  
K. Pyke

DocuSigned by:  
[Redacted Signature]  
6D7AA297310242F...  
G. Sayer

**ABSENT**  
R. Speers

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 November 9, 2023

**Dated: November 15, 2023**

**Signed:**

DocuSigned by:  
[Redacted Signature]  
3235DAAD3011412...

**The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is December 5, 2023**

**Committee of Adjustment**  
T 519-822-1260 x2524  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)  
[guelph.ca/cofa](http://guelph.ca/cofa)