



March 20, 2025

Via email

GRCA File: A-29-25 93-97 Surrey St

Trista Di Lullo
Secretary-Treasurer
Committee of Adjustment
City of Guelph
City Hall, 1 Carden Street
Guelph, ON N1H 3A1

Dear Trista Di Lullo,

**Re: Minor Variance Application (A-29/25)
93-97 Surrey Street, City of Guelph
93-97 Surrey Street Inc. (c/o Van Harten Surveying Inc.)**

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted application that proposes relief from specific provisions of the Zoning By-law to permit the redevelopment of the subject property with a new 3 storey, residential apartment building.

Recommendation

The GRCA would not be in a position to recommend approval of this minor variance application at this time. We would recommend deferral of this application by the City of Guelph to allow time for the applicants to address the Special Policy Area floodplain policies.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Cover Letter to City of Guelph, Minor Variance Application Submission, 93-97 Surrey Street, Guelph (prepared by Van Harten Surveying Inc. and dated February 11, 2025);
- Minor Variance Sketch, 93-97 Surrey Street, Guelph (prepared by Van Harten Surveying Inc. and dated February 11, 2025); and,
- Preliminary Architectural Drawings, 93-97 Surrey Street, Guelph (prepared by STAKT Architecture Inc. and dated February 3, 2025).

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the eastern portion of the subject property is located within the Regional Storm floodplain of the Speed River and its associated regulated area (refer to the enclosed map). As such, the subject property is regulated by GRCA under Ontario Regulation 41/24. Any new development/site alteration within the regulated area will require a permit from the GRCA.

In the GRCA's area of jurisdiction, Section 28 of the Conservation Authorities Act prohibits the following activities, as specified under Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits), unless approved through issuance of a permit:

- 1.) Activities to straighten, change, divert or interfere in anyway with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland.
- 2.) Development activities within:
 - hazardous lands including floodplain, steep slopes, or erosion hazards and within the 15-metre regulated area and in areas of unstable soils or bedrock,
 - wetlands and within the 30-metre regulated area from the wetland boundary,
 - river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse and within the 15-metre regulated area,
 - areas that are adjacent or close to the shoreline of the Great Lakes- St. Lawrence River system or to an inland lake and that may be affected by flooding, erosion, or dynamic beach hazards and within the inland 15-metre regulated area.

In addition, this reach of the Speed River floodplain is identified as a Special Policy Area (SPA) floodplain policies within the City of Guelph Official Plan and Zoning By-law. Any development or site alteration within the SPA must meet GRCA and City of Guelph SPA floodplain policies.

On August 17, 2023, the GRCA provided the following recommendation on a pre-consultation application (PRE23-015D) related to this proposed development:

The GRCA has no objections to the proposal on the subject property provided the proposed development meets GRCA and City of Guelph Special Policy Area floodplain policies. A GRCA permit will also be required prior to construction.

More specifically, the GRCA provided the following SPA policies/criteria that needed to be addressed:

- Development and redevelopment of new residential units shall be permitted provided that the new building and related structures are floodproofed to the regulatory flood elevation (RFE) level.
- The habitable floor space of any new residential unit must be constructed to an elevation equal to or greater than the regulatory flood level.
- Windows, doors and other building openings for any new residential unit must be located above the regulatory flood level.
- Mechanical, electrical and heating equipment for any new residential unit must be located above the regulatory flood level.
- Access must be available to the site at an elevation no lower than 1 metre below the Safe Access level; and,
- Unenclosed parking facilities shall be located at or above an elevation of the 100-year flood level. Enclosed parking facilities shall be floodproofed to the regulatory flood level.

Further to these pre-consultation comments, the GRCA provided the agent (Spruce Living Inc.), at that time, the RFE elevation of 314.43 metres (CGVD28) and the 100 year elevation at 311.61 metres (CGVD28).

While the GRCA has just received the Surveyor's Real Property Report with Topographic Data (prepared by Van Harten Surveying Inc. and dated October 20, 2023), the submitted information with this minor variance application does not address the SPA floodplain policies of the City of Guelph and/or GRCA technical requirements. As such, the GRCA would not be in a position to support this minor variance application and/or a future GRCA permit application under Ontario Regulation 41/24. We will require the following information to address the SPA policies:

1. Elevation sketches and floor plans that provide the geodetic elevations of all floor levels and identifying the RFE on the elevation sketches. All habitable floor space must be at or above the RFE.
2. Confirmation that any windows, doors and other openings are at or above the RFE.
3. The location and geodetic floor elevation of the mechanical, electrical and heating equipment in the new building which will have to be at or above the RFE.
4. Confirmation from a structural engineer that the building will be floodproofed to the RFE and be able to withstand the hydrostatic and hydrodynamic pressures.
5. Confirmation through the submission of a grading plan showing the finished elevation of the residential parking spaces, as per the SPA policies.
6. Confirmation through the submission of a grading plan versus the topographic survey that safe access is available as per the SPA policies.

Based on the foregoing, the GRCA would not be in a position to recommend approval of this minor variance application at this time. We would recommend deferral of this application by the City of Guelph to allow time for the applicants to address the SPA floodplain policies.

Consistent with GRCA's 2024 approved fee schedule, the applicant will be invoiced in the amount of \$300 for the GRCA's review of these applications. Our current fee schedule is available under the Planning & Development section on our website at [REDACTED]

Should you have any questions, please contact the undersigned at [REDACTED] or via email at [REDACTED]

Sincerely,

[REDACTED]

John Brum
Resource Planner
Grand River Conservation Authority

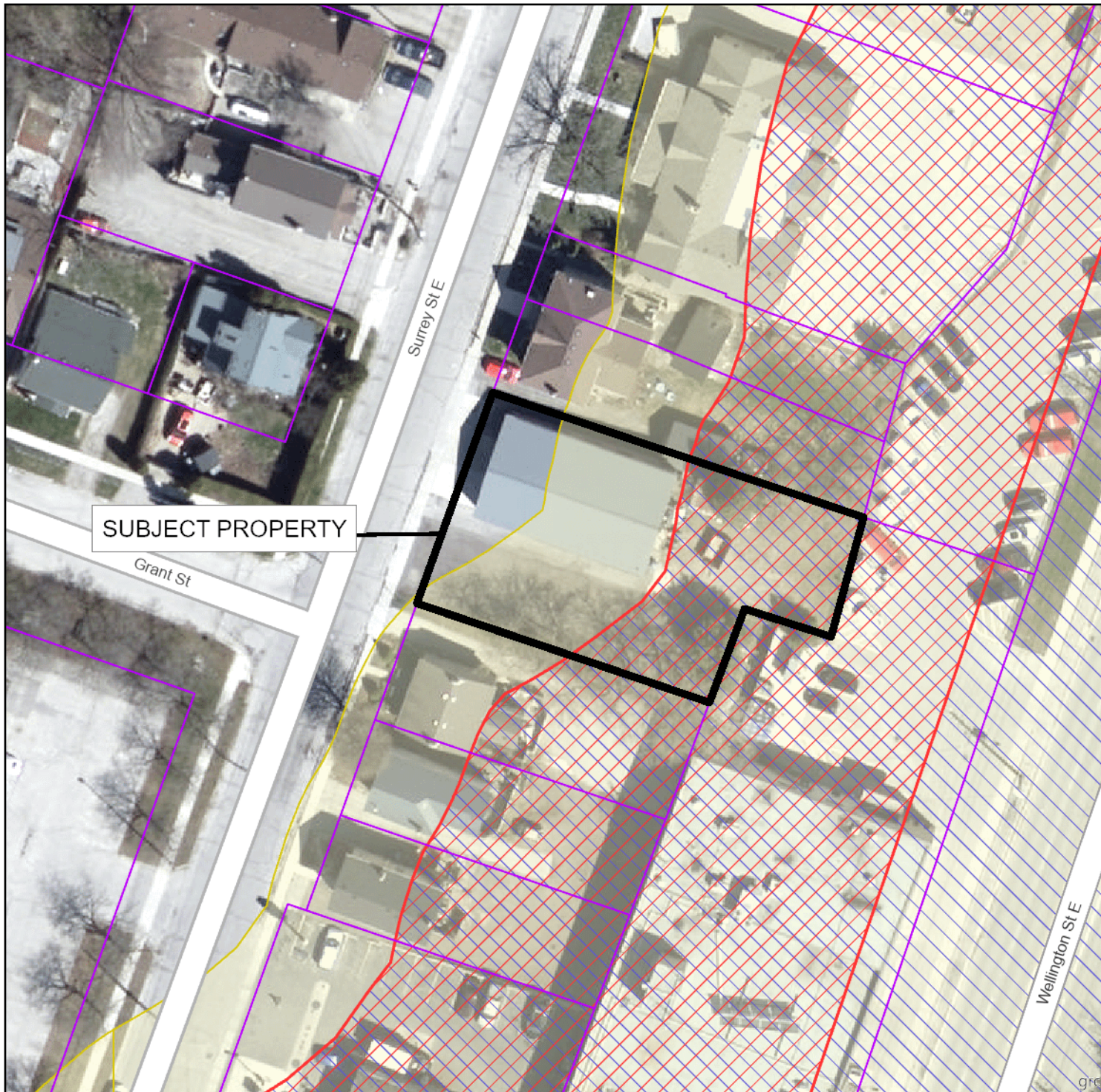
Enclosed: GRCA Map

Copy: Zachary Fischer, 93-97 Surrey Street Inc. (via email)
Jeff Buisman, Van Harten Surveying Inc. (via email)
Building Services, City of Guelph (via email)



Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
 - Steep
 - Oversteep
 - Toe
- Slope Valley (GRCA)
 - Steep
 - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)



SUBJECT PROPERTY

Surrey St E

Grant St

Wellington St E

