

# DECISION

## Committee of Adjustment Application Number B-46/24

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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 Lots 4 and 5, Lots 6 and 7, Registered Plan 359, currently known as **47 Hyland Road and 87 Hyland Road**, a parcel of land with frontage along Hyland Road of 302.1 metres, and an area of 4.55 hectares, substantially in accordance with a sketch prepared by Van Harten Surveying Inc., December 20, 2024, project number 21203-13 be **approved**, subject to the following conditions:

1. That prior to the issuance of the Certificate of Official, the applicant shall submit a Tree Preservation Plan (TIPP) undertaken by a Certified Arborist, in accordance with the requirements of the City's Tree Technical Manual and to the satisfaction of the General Manager of Planning and Building Services.
2. That prior to the issuance of the Certificate of Official, the Owner(s) shall convey to the City at no charge, to the satisfaction of the General Manager/City Engineer, a road widening in accordance with the Official Plan along a portion of the frontage of the severed lands.
3. That prior to issuance of a building permit, the applicant makes arrangement for provision of hydro servicing to the severed parcel, satisfactory to the ICI and Layouts Department of Alectra Utilities. The servicing costs would be at the applicant's expense.
4. 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.
5. That prior to the issuance of the Certificate of Official, the Owner shall prepare and register with the Land Registry Office, at the Owner's expense, an Application to Consolidate Parcels to merge the two property PINs for the two abutting properties at 47 and 87 Hyland Road and must own title in the same name and capacity to allow for consolidation.
6. 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.
7. 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.
8. 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)).
9. 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.

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**Committee of Adjustment  
Application Number B-46/24**

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## **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

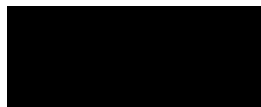
Committee of Adjustment  
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**Important: Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of two (2) years from the giving of the Notice of Decision to fulfill all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused. Deadline to fulfill conditions: January 22, 2027.**




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J. Smith



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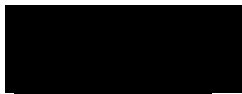
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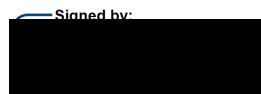
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J. Goodfellow

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



P. Membreno

Signed by: 

R. Speers

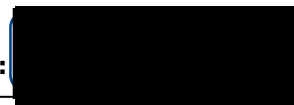
**ON LEAVE**

N. Segal

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 January 16, 2025

**Dated: January 22, 2025**

**Signed:**



**The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is February, 11, 2025**

**Committee of Adjustment**  
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