

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Numbers: B-48/25, B-49/25, and B-50/25
Location: 486 College Avenue West
Hearing Date: July 10, 2025
Owner: 36 Ridgeway Inc.
Agent: Jeff Buisman, Van Harten Surveying Inc.
Official Plan Designation: Low Density Residential
Zoning Designation: Low Density Residential 1 (RL.1) Zone

Request:

File B-48/25 – Proposed Severed Parcel 1

The applicant proposes to sever a parcel of land with frontage along College Avenue West of 7.6 metres, a depth of 45.7 metres, and an area of 348 square metres.

File B-49/25 – Proposed Severed Parcel 2

The applicant proposes to sever a parcel of land with frontage along College Avenue West of 7.6 metres, a depth of 45.7 metres, and an area of 348 square metres.

File B-50/25 – Proposed Severed Parcel 3

The applicant proposes to sever a parcel of land with frontage along College Avenue West of 7.6 metres, a depth of 45.7 metres, and an area of 348 square metres.

The retained parcel will have frontage along College Avenue West of 7.6 metres, a depth of 45.7 metres, and an area of 348 square metres.

By-Law Requirements:

The property is located in the Low Density Residential 1 (RL.1) Zone, according to Zoning By-law (2023)-20790, as amended.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Files B-48/25 to B-50/25 - Proposed Severed Parcel 1-3

Planning Services

1. That prior to the issuance of the Certificate of Official (if applicable) and/or prior to undertaking activities which may injure or destroy regulated trees, the applicant shall submit a Tree Inventory and 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. Issuance of a Tree Injury or Removal Permit by the City may be required prior to any works taking place on the subject property.

Engineering Services

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 and functional servicing report for the severed and retained lands that has been prepared in accordance with the City of Guelph's Development Engineering Manual. All properties shall be independently serviced.
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 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.
4. 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 for the severed and retained lands that has been prepared in accordance with the City of Guelph's Development Engineering Manual.
5. That prior to the issuance of Certificate of Official, the owner(s) shall submit a Site Screening Questionnaire (SSQ) in accordance with Appendix A of City's Guidelines for Development of Contaminated or Potentially Contaminated Sites to the satisfaction of the General Manager/ City Engineer.
6. That prior to the issuance of building permit, the owner(s) shall submit a detailed noise study that has been designed in accordance with the Guelph Noise Control Guidelines (GNCG) to the satisfaction of the General Manager/ City Engineer.
7. That prior to issuance of 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.

8. That prior to the issuance of a building permit on the proposed severed lands, the Owner agrees to pay the estimated cost of all proposed works within the city's right-of-way to the severed and retained lands to the satisfaction of the General Manager/City Engineer. The Owner further agrees to pay the actual costs of all proposed works within the city's right-of-way to the severed and retained lands to the satisfaction of the General Manager/City Engineer.
9. That prior to the issuance of 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.
10. 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.

Building Services

11. That prior to issuance of the Certificate of Official, the existing buildings and structures be demolished to the satisfaction of the Chief Building Official.

Committee of Adjustment Administration

12. 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.
 13. 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.
 14. 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.
 15. 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).
 16. 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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Comments

Planning Services

486 College Avenue West (the “subject property”) is designated “Low Density Residential” in the City of Guelph Official Plan. This designation applies to residential areas within the Built-Up Area of the City which are currently predominantly low density in character. The predominant land use in this designation is residential and includes single detached, semi-detached, duplex dwellings and multiple unit residential buildings, such as townhouses and apartments.

The subject property is zoned “Low Density Residential” (RL.1) in Zoning By-law (2023)-20790, which permits the proposed semi-detached use.

The applicant is proposing to sever the subject lands, resulting in three severed lots and one retained lot to facilitate the development of two semi-detached dwellings (4 units), each with 2 internal Additional Dwelling Units (ADU’s). The severed lots would each have an approximate frontage of 7.6 metres and an approximate lot area of 348 square metres. The retained lot would also have an approximate lot frontage of 7.6 metres and lot area of 348 square metres.

The Zoning By-law requires a minimum lot frontage of 7.5 metres and a minimum lot area of 230 square metres per semi-detached dwelling units. The proposed lots and dwellings conform in their entirety with the RL.1 Zone and the 2023 Zoning By-law.

Policy 9.3.3 of the Official Plan provides several objectives to be achieved within the residential designations in the City. In providing new housing, consideration must be given to the development of a full range of housing types, affordability, and densities to meet a variety of lifestyles (9.3(b)). Further, the Official Plan emphasizes the importance of ensuring that “new development is compatible with the surrounding land uses and the general character of neighbourhoods” (9.3(i)). The proposed severances and succeeding development of the subject property conforms with the “Low Density Residential” land use designation and will maintain the low-density character of the neighbourhood while also allowing for gentle intensification.

In Section 9.3.1.1 of the Official Plan, the City of Guelph outlines eleven development criteria for intensification proposals. Below is an evaluation of each of the eleven criteria with respect to the proposed severance and development on the subject property:

1. Building form, scale, height, setbacks, massing, appearance and siting are compatible in design, character and orientation with buildings in the immediate vicinity.

“Compatible” development does not mean identical or even necessarily similar to the existing development in immediate vicinity. “Compatible” development should fit into the neighbourhood without having a significant

impact on the neighbouring properties that would impact their ability to use their property.

The proposed development conforms with all the required setbacks and height requirements of the RL.1 Zone. The proposed front yard setbacks are similar to that of nearby dwellings fronting on College Avenue West and would contribute to a built form that is compatible with the surrounding neighbourhood.

Its staff's opinion that the anticipated building form, scale, height, setbacks, massing, appearance, and siting of the proposed development are compatible in design character, and orientation with the buildings in the immediate vicinity.

2. Proposals for residential lot infill will be compatible with the general frontage of lots in the immediate vicinity.

The proposed lot frontages of 7.6 metres exceeds the minimum lot frontage requirement.

The proposed lot frontages would not have a significant impact on the character or function of the neighbourhood.

3. The residential development can be adequately served by local convenience and neighbourhood shopping facilities, schools, trails, parks, recreation facilities and public transit.

The proposed development is 800m (a 10 minute walk) of parks, shopping areas and schools. Bus stops can be accessed nearby along College Avenue West.

4. Vehicular traffic generated from the proposed development will not have an unacceptable impact on the planned function of the adjacent roads and intersections

Engineering staff have reviewed the proposal and did not identify any concerns with the potential traffic generated by the proposed development.

5. Vehicular access, parking and circulation can be adequately provided and impacts mitigated.

The proposed development meets the minimum parking requirements outlined in the Zoning By-law and approved by City Council.

6. That adequate municipal infrastructure, services and amenity areas for residents can be provided.

Engineering staff have proposed conditions requiring the applicant to confirm that there are adequate services available for the development prior to the issuance of any Certificate of Official. The proposal includes adequate private amenity space in the rear yard of the property.

7. Surface parking and driveways shall be minimized.

The proposed driveway conforms with the requirements of the Zoning By-law.

8. Development shall extend, establish or reinforce a publicly accessible street grid network to ensure appropriate connectivity for pedestrians, cyclist and vehicular traffic, where applicable.

The development does not alter the existing street grid network.

9. Impacts on adjacent properties are minimized in relation to grading, drainage, location of service areas and microclimatic conditions, such as wind and shadowing.

The proposed development conforms to all required height and setback requirements. Engineering staff have included conditions for the consent applications to ensure grading and drainage concerns are adequately addressed. Should this application be approved, conditions recommended by engineering staff regarding grading and drainage would have to be addressed to the satisfaction of the City Engineer prior to the severance being finalized and the certificate of official being issued.

10. The development addresses public safety, identified public views and accessibility to open space, parks, trails and the Natural Heritage System, where applicable.

There are no public safety concerns or accessibility to natural heritage concerns with the proposal.

11. The conservation and integration of cultural heritage resources, including identified key public views can be achieved subject to the provisions of the Cultural Heritage Resources Section of this Plan.

The proposal has no impact on cultural heritage.

The above policies, criteria and objectives, together with policies regarding development within the Built-up Area and Intensification (Section 3.7), encourage the creation of new low density residential lots within older areas of the City.

Policy 10.10.1 of the Official Plan provides criteria to consider when evaluating Consent applications. Below is an evaluation of these policies as it relates to the subject applications:

i. That all of the criteria for plans of subdivision are given due consideration.

Staff have reviewed subdivision criteria of the Official Plan and are satisfied that the application conforms to the policies.

- ii. **That the application is properly before the Committee and that a plan of subdivision has been deemed not to be necessary for the proper and orderly development of the City.**

A plan of subdivision is not necessary.

- iii. **That the land parcels to be created by the Consent will not restrict or hinder the ultimate development of the lands.**

The proposed severance of the subject property facilitates the ultimate development of the lands. The proposed development represents a logical and compatible layout of lots that are appropriate to accommodate the proposed dwellings within the Built-up Area.

- iv. **That the application can be supported if it is reasonable and in the best interests of the community.**

The proposed severance is reasonable and is in the best interests of the community. The proposed development can be serviced by existing infrastructure and public and private amenities such as schools, public transit, and parks. The proposed development creates additional housing within a walkable and bikeable neighbourhood with good access to public transportation.

Landscape Planning Staff note that the City's Private Tree Protection By-law regulates trees 10 centimetres and larger in diameter (measured at 1.4 metres above the ground) on private property larger than 0.2 hectares and trees 30 centimetres and larger in diameter (measured at 1.4 metres above the ground) on all private property. Therefore, staff recommend that the above mentioned Tree Inventory and Preservation Plan condition be imposed. Please be aware that where preservation is not possible, as agreed to by the City, compensation is required either in the form of Replacement Trees or a Replacement Tree Fee, or a combination of the two at the discretion of City staff. Related fees rates are set out in the City's User Fees Bylaw, while Replacement Tree rates are set out in the Tree Technical Manual (TTM)

Staff are satisfied that the proposed severances meet the Consent policies of the Official Plan and subdivision criteria as outlined in section 51(24) of the Planning Act and recommend approval of the application subject to the above noted conditions.

Engineering Services

Engineering has reviewed the requested consent application and recommends the above noted conditions. Brief summaries of engineering's conditions have been provided below:

Stormwater Management: A stormwater management report is necessary to ensure stormwater management criteria are met. A stormwater management condition has been recommended.

Grading and Drainage: A grading and drainage plan is necessary to demonstrate the mitigation of any additional runoff from the development. A grading and drainage condition has been recommended.

Servicing: A site servicing plan, functional servicing report, and cost estimates are necessary as there are servicing and infrastructure works proposed within the right of way. Site servicing related conditions have been recommended.

Environmental Engineering: An SSQ is necessary to meet applicable municipal and provincial guidelines. The results of SSQ could potentially require additional reports (phase 1, Phase 2 ESA, etc.) per Appendix A of the City's Guidelines for Development of Contaminated or Potentially Contaminated Sites. An environmental engineering condition has been recommended.

Transportation/Traffic: No transportation engineering-related conditions are recommended.

Noise: Per the Guelph Noise Control Guidelines(GNCG), a noise study is necessary as the site is adjacent to an arterial road. The transportation noise source could potentially require site specific mitigation. A noise study condition has been recommended.

We agree with the recommendations made by Planning and Building staff.

Building Services

The subject property is zoned Low Density Residential 1 (RL.1) under Council approved Comprehensive Zoning By-law (2023)-2079, as amended. The applicant is proposing to sever the property to create a total of 4 lots to construct two semi-detached dwellings. It is noted that each semi will contain a total of 3 dwellings – 1 main dwelling and 2 additional dwelling units (ADU's). The maximum height permitted under the Zoning By-law is three storeys. The existing single detached dwelling is proposed to be demolished.

The applicant shall ensure the use of the dwellings is not considered a lodging house. Please review the following city webpage for lodging house information: <https://guelph.ca/city-hall/planning-and-development/community-plans-studies/shared-rental-housing/lodging-house-regulations/>

The applicant shall be aware of the following regulation for any proposed ADU on the property as 1.2 metre interior side yards are being proposed:

- A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of an additional dwelling unit, unless access to the additional dwelling unit is provided directly from a street or lane. A gate may be constructed within the pedestrian access, but no encroachments are permitted within the 1.2 metre width, including exterior stairs, window wells, air conditioners, etc. As a 1.2 metre interior side yard setback is proposed, there will likely be obstructions along the side property line which will impact the 1.2 metre wide unobstructed path to any proposed side or rear dwelling accesses.

Building is requesting a condition that the existing building and any accessory structures on the property be demolished so they do not cross the proposed property lines prior to the severances being finalized.

Building permits are required prior to any construction of the dwellings, at which time requirements under the Ontario Building Code will be reviewed.

Building Services supports Planning and Engineering recommendations subject to the requested condition.

Comments from the Public

None

Contact Information

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