

City — of — **Guelp**h

Planning and Building Services

Working Together to Build Our Community



COMMITTEE OF ADJUSTMENT

APPLICATION NUMBER **A-100/03**

Decision

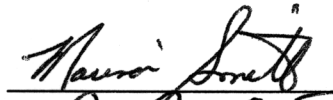
The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

“THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.17.2.1. of Zoning By-law (1995)-14864, as amended, for 739 Woolwich Street, to permit a 7.44 metre by 12.19 metre (24.41 foot by 40 foot) outdoor patio in the right side yard on the south side of the building when the By-law requires that no outdoor patio shall be permitted where more than one lot line adjoins lands which are in a residential zone, be approved, subject to the following conditions:

1. That the applicant prohibit the sale of liquor beyond 12:01 a.m. within the building or alternatively, the applicants may seek a variance from the zoning by-law to permit the addition of a "tavern" to the list of permitted uses for this property.
2. That an application for site plan approval is submitted to the City and satisfactory to the Director of Planning and Building Services prior to the issuance of the building permit for the proposed patio.
3. That the proposed patio is not located to the north or east of the existing building.
4. That a visual screen is incorporated into the design of the patio, satisfactory to the Directory of Planning and Building Services.
5. That amplified or live music is not permitted at any time on the proposed patio.
6. That the patio be closed at 11:00 p.m.”

Members of Committee
Concurring in this Decision


K O'Kane

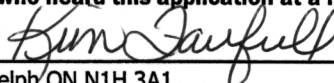

P. Bill

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is **November 3, 2003.**

I, Kim Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelp Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on **October 14, 2003.**

Dated: **October 17, 2003**

Signed:



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