

DECISION

**COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-55/17**

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:

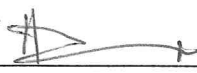
THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 5.4.3.2.15.5.1.7 of Zoning By-law (1995)-14864, as amended, for 73 Arthur Street South, to permit a maximum building height of 12 storeys, when the By-law permits a maximum building height of 10 storeys for apartment buildings, be **REFUSED**.


REASONS:

This application is refused, as it is the opinion of the Committee that this application does not meet all four tests under Section 45(1) of the Planning Act, specifically being the reasons outlined in the staff comments that the requested variance does not meet the intent and purpose of the Zoning By-law, as site-specific zoning was approved by City Council on August 25, 2014. The Committee is of the opinion that this request is beyond the scope of a minor variance and this request would be more appropriately considered through a Zoning By-law Amendment.

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.

**Members of Committee
Concurring in this Decision**

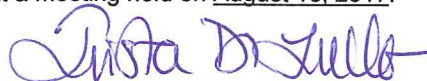




I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on August 10, 2017.

Dated: August 15, 2017

Signed:



**The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is August 30, 2017.**

Committee of Adjustment

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