

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>July 27, 2018</u>	Folder #: <u>A-64/18</u>
Application deemed complete:		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:	
Address of Property: <u>995 Southgate Drive, Guelph, ON</u>	
Legal description of property (registered plan number and lot number or other legal description): <u>Parts 1, 3 to 13 and 34 on Plan 61R-10808</u>	
OWNER(S) INFORMATION:	
Name:	<u>France Charlebois (c/o 4246551 Canada, Inc.) Marc Lavigne</u>
Mailing Address:	<u>220 Cehmin du Tremblay</u>
City:	<u>Boucherville, Quebec</u>
Postal Code:	<u>J4B 8H7</u>
Home Phone:	<u></u>
Work Phone:	<u>(514) 599-5900</u>
Fax:	<u></u>
Email:	<u>marc.lavigne@francecharlebois.com</u> <u>france.charlebois@rona.ca</u>
AGENT INFORMATION (If Any)	
Company:	<u>Kimley-Horn and Associates, Inc.</u>
Name:	<u>William D. Matzek, P. Eng (ON)</u>
Mailing Address:	<u>2550 University Avenue West, Suite 238N</u>
City:	<u>Saint Paul, MN, U.S.A.</u>
Postal Code:	<u>55114</u>
Work Phone:	<u>651-643-0497</u>
Mobile Phone:	<u></u>
Fax:	<u></u>
Email:	<u>william.matzek@kimley-horn.com</u>

Official Plan Designation: Industrial	Current Zoning Designation: Industrial (B1)
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

The property is bound by Southgate Drive and Crawley Road/Hanlon Parkway. Per Zoning By-Law Section 7.3.3 loading docks are not permitted to be located within front yard or any side yard between Hanlon Parkway and the nearest building wall. Loading docks are also prohibited between Southgate Drive and the nearest building wall. We are requesting a variance to permit a loading dock in the front yard (facing Hanlon Parkway) and in the rear yard (facing Southgate Drive).

Why is it not possible to comply with the provision of the by-law? (your explanation)

The property is bound by Southgate Drive and Crawley Road/Hanlon Parkway. Based on the existing site zoning (Industrial) and site shape (rectangular in shape with the longest lot line along the public right-of-way) lends itself to a building being fronted parallel to the public right-of-way. Also the User's proposed building requires a dual loaded building with loading docks on the front and rear face of the building. To minimize the appearance of the loading docks from Hanlon Parkway and Southgate Drive, the User is proposing to provide berming and landscaping along the public right-of-way.

PROPERTY INFORMATION			
Date property was purchased:	Proposed 8/7/2018	Date property was first built on:	Approx. 1850
Date of proposed construction on property:	Spring 2019	Length of time the existing uses of the subject property have continued:	Vacant since 2007
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant, rough graded site			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Industrial			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)

Frontage: 582 +/- m Depth: 325 +/- m Area: 185,427 square meters

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:		Gross Floor Area:	54,000 Square Meters
Height of building:		Height of building:	11.28 Meters
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input type="checkbox"/> Detached <input type="checkbox"/>	
Width:		Width:	
Length:		Length:	
Driveway Width:		Driveway Width:	18.28 m (West) 12.19 m (East)
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	N/A M	Front Yard Setback:	85.6 m (Hanton Pkwy), 42.25 m (264 Crawley Road) M
Exterior Side Yard (corner lots only)	N/A M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: N/A M Right: N/A M	Side Yard Setback:	Left: 66.0 M Right: 186.0 M
Rear Yard Setback	N/A M	Rear Yard Setback	71.34 M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PRE18-034S - Pre-Consultation meeting conducted 7/18/18
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

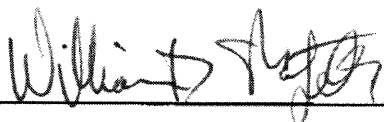
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, William D. Matzek P. Eng, of the City/Town of Saint Paul in County/Regional Municipality of Ramsey County, Minnesota, U.S.A., solemnly

declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

William D. Matzek
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

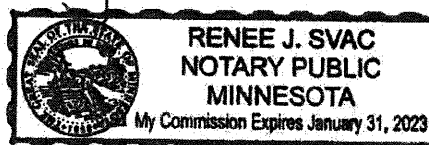
NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

City/Town of STATE OF MN in the County/Regional Municipality of

RAMSEY this 30 day of July, 20 18.

Renee J. Svac
Commissioner of Oaths



(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

4246551 Canada, Inc.

[Organization name / property owner's name(s)]

of 220 Chemin du Tremblay Boucherville, Quebec

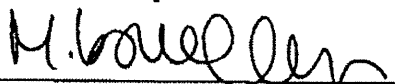
(Legal description and/or municipal address)

hereby authorize William D. Matzek, P. Eng

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 26th day of JULY 2018.



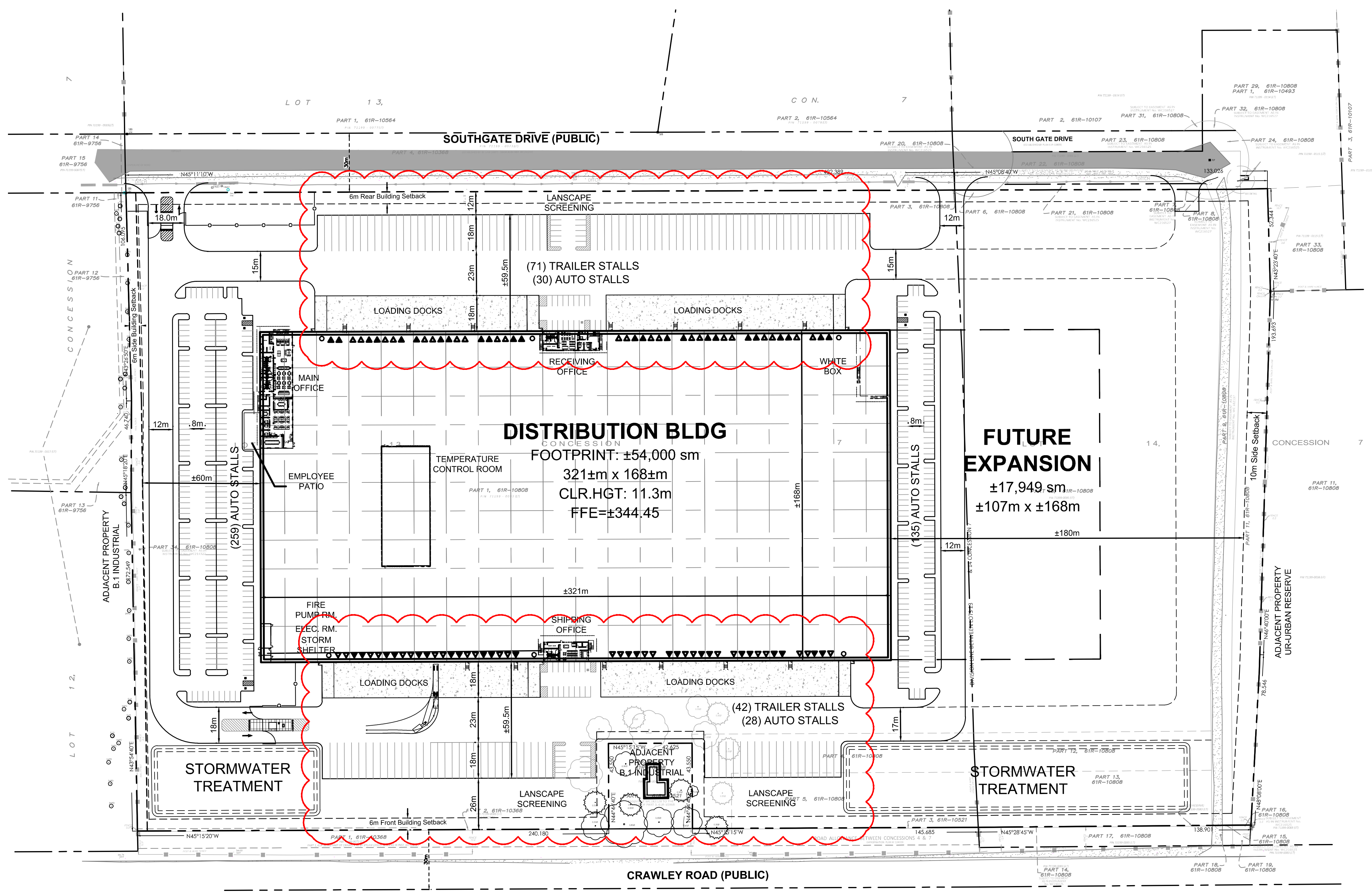
(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

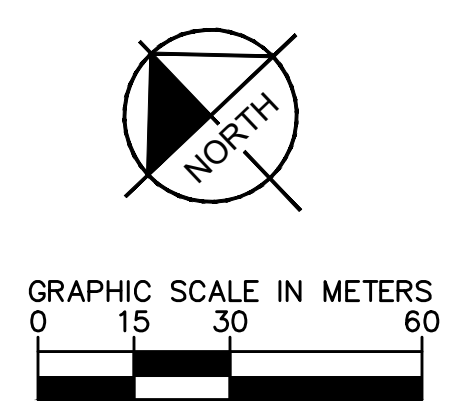
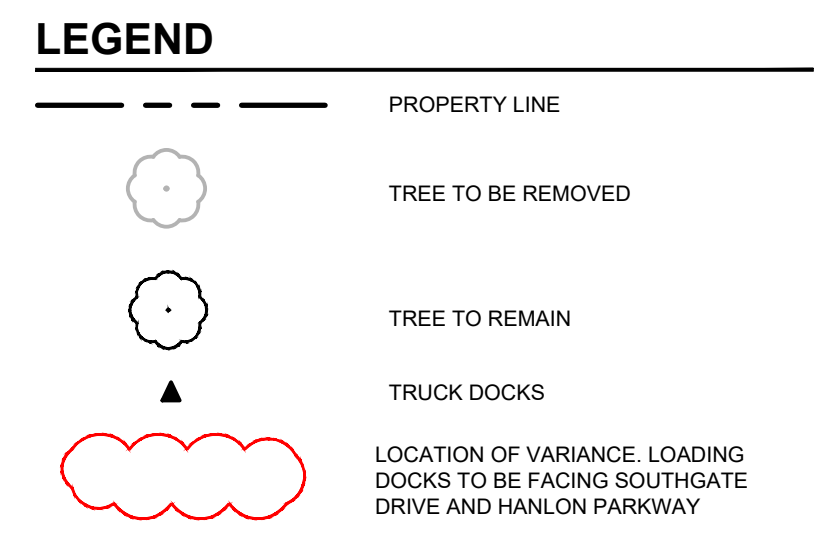


PROJECT DATA:

SITE AREA:	
GROSS:	45.82 AC 185,427 SQM
STORMWATER TREATMENT @ 6%:	10,365 SQM
NET:	41.54 AC 168,120 SQM
BUILDING FOOTPRINT:	
DISTRIBUTION BUILDING:	54,000 SQM 581,256 SF
FUTURE EXPANSION:	17,949 SQM 193,200 SF
TOTAL FOOTPRINT:	71,949 SQM 774,456 SF
BUILDING USE:	
WAREHOUSE:	50,487 SQM 543,442 SF
OFFICE @ 5%:	3,513 SQM 37,814 SF
COVERAGE:	
GROSS:	40%
NET:	43%
PARKING REQUIRED:	
WAREHOUSE 1/200 SM:	252 STALLS
OFFICE 1/33 SM:	107 STALLS
TOTAL:	359 STALLS
PARKING PROVIDED:	
AUTO:	452 STALLS @0.58/1000 SF
TRAILER:	9 STALLS
TRUCK DOCKS:	122 STALLS
REQ. ACCESSIBLE	
DOCK-HIGH DOORS:	47
KNOCK-OUTS:	47
GRADE-LEVEL DOORS:	6
DEVELOPMENT STANDARDS:	
ZONING:	B.1
MAX. F.A.R.:	n/a
MIN. COVERAGE:	20%
MAX. BLDG. HT.:	20m
BUILDING SETBACKS:	
FRONT:	6m
SIDE (Exterior):	6m
SIDE (Interior):	6m ¹
REAR:	6m ¹
LANDSCAPE SETBACKS:	
FRONT:	6m
SIDE (Exterior):	6m
SIDE (Interior):	n/a
REAR:	n/a
LANDSCAPE REQ.:	
OFF-STREET PARKING:	3
STANDARD:	2.75X5.5m
COMPACT:	n/a
COMPACT %:	n/a
DRIVE AISLE:	3m
FIRE LANE:	
OVERHANG:	
TREE WELL:	
REQ. PARKING RATIO BY USE:	
WAREHOUSE:	1/200m2
OFFICE:	1/33m2

NOTES:

- One-half of the Building Height, but not less than 6 metres in accordance with Section 7.3.1; Section 7.3.1.1; Minimum side yards and rear yards: Despite row 4 and 5 of table 7.3, when any Industrial Zone abuts a Residential, Urban Reserve, Wetland, or Park Zone the minimum Side or Rear Yard requirement shall be 10 meters or one-half the Building Height, whichever is greater. Where an Industrial Zone abuts a rail spur right-of-way no Side Yard or Rear Yard is required.
- Required Front and Exterior Side Yards must be landscaped.
- Required Front and Exterior Side Yards must be landscaped.



PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT FIRE

995 SOUTHWGATE DRIVE

SHEET NUMBER C400

GUELPH

ON

KHA PROJECT 150021002

DATE 07/27/2018

SCALE AS SHOWN

DESIGNED BY MJJ

DRAWN BY MJJ

CHECKED BY WDM

KIMLEY-HORN & ASSOCIATES, INC.

2550 UNIVERSITY AVENUE WEST, SUITE 238A, ST. PAUL, MN 55114

PHONE: 651-454-1197

WWW.KIMLEY-HORN.COM

WARE MALCOMB

Horn

No.	REVISIONS	DATE	BY

City — of Guelph

Community Design and Development Services
Working Together to Build Our Community



COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-5/07

Decision

The Committee, having had regard to the matters that are to be had regard to under Section 51(17) 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 property and orderly development of the land, passed the following resolution:

"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 a Right of Way with a width of 10 metres (32.8 feet) which would extend from Crawley Road to Southgate Drive for emergency and construction access, be approved subject to the following conditions:

1. That as part of future grading or development of the lands, the owner agrees to undertake archaeological assessments of the lands to the satisfaction of the Ontario Ministry of Culture.
2. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to February 16, 2008.
3. 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 endorsement of the deed.
4. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
5. That 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 draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee
Concurring in this Decision

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is March 8, 2007.

I, Kim Fairfull, 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 February 13, 2007.

Dated: February 16, 2007

Signed:

Mailing Address: City Hall, 59 Carden Street, Guelph ON N1H 3A1
Building Office: 2 Wyndham St. N., 2nd Floor, Guelph ON, Tel: (519) 837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

Web Site: guelph.ca

COMMITTEE OF ADJUSTMENT

APPLICATION NUMBER B-3/08

The Committee, having had regard to the matters that are to be had regard to under Section 51(17) 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 property and orderly development of the land, 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, consent for severance of Part of Lot 13, Concession 7, known as 995 Southgate Drive, a parcel with a frontage of 422.39 metres (1,385.79 feet) along Southgate Drive and an area of 13.6 hectares (33.61 acres), be approved, subject to the following conditions:

1. That prior to endorstation of the deeds, the owner shall have an independent Professional Engineer and/or Ontario Land Surveyor prepare a reference plan identifying any easements/right-of-way and conveyances.
2. That the Southgate Drive extension including the turning circle across the lands to be retained (D); including an easement over a portion of the turning circle shall be deeded to the City, prior to endorstation of the deeds, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of Southgate Drive and the turning circle conforms to the City's "Geometric Design Criteria - July 23, 1993".
3. That the owner agrees to develop and maintain the said lands and services in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the services, certify to the City that he/she supervised the construction of the services and that the services were built as they were approved by the City and is functioning properly.
4. That the owner shall make arrangements satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc. for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.
5. That the owner shall make arrangements satisfactory to Bell Canada for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.
6. That the owner shall make arrangements satisfactory to Union Gas for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.
7. That the owner of the severed parcels (consolidated- 995 Southgate) agrees to allow temporary access across the severed parcels to facilitate the relocation of the stone dwelling known as 264 Crawley Road, to the satisfaction of the Director of Community Design and Development Services.



8. That when the stone dwelling is relocated, title to the lands shall be merged with the surrounding industrial lands, within 180 days of removal of the house, to the satisfaction of the Director of Community Design and Development Services.
9. The Developer shall retain the stone dwelling known municipally as 264 Crawley Road and the Developer shall maintain the building in a safe and secure condition. In the event of damage to the building, the Developer shall restore the building to a safe and secure condition with such restoration to take place forthwith after the occurrence of the damage. Furthermore, the Developer agrees to maintain property insurance for the full replacement value of the building.
10. The Developer acknowledges the Heritage Guelph, the municipal heritage committee's interest in making a recommendation to Guelph City Council to have the structure designated under the Ontario Heritage Act.
11. The Developer agrees that the stone house will be maintained in situ on the retained lot, or relocated in accordance with the preferred conservation option of the Built Heritage Resource Impact Assessment prepared by Owen Scott, dated January 23, 2007. The Developer shall prepare an updated report outlining how the structure will be relocated within the Southgate Business Park and further describe plans to promote the adaptive re-use of the house, all to the satisfaction of Heritage Guelph prior to the relocation work commencing.
12. The Developer agrees to provide semi-annual correspondence (Spring and Fall) updating Heritage Guelph on the status of development of the site and/or plans to relocate the building. Details to be provided include a review of the condition of the building, maintenance measures undertaken and planned, and confirmation of insurance.
13. That application B-4/08 be approved, deeds endorsed and lands consolidated with 995 Southgate Drive, prior to the endorsement of the deeds for application B-3/08.
14. The Developer agrees that prior to registration of the Plan of Subdivision for the south industrial lands to Maltby (23T-06503), that the house will be relocated according to plans developed in consultation with Heritage Guelph and to the satisfaction of the Director of Community Design and Development Services unless alternative arrangements, including possible retention in situ, have been developed and are to the satisfaction of the Director of Community Design and Development Services in consultation with Heritage Guelph.
15. That an agreement be registered on title for both the severed and retained parcel, prior to the endorsement of the deeds.
16. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to January 25, 2009.

City — of Guelph

Decision

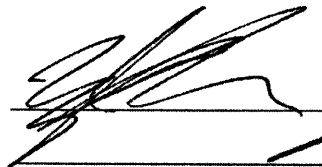
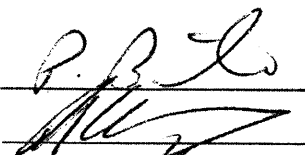
Community Design and
Development Services

Building Services

**COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-3/08**

17. 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 endorsement of the deed.
18. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
19. That 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 draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

**Members of Committee
Concurring In this Decision**

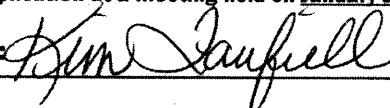


The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is **February 19, 2008**

I, Kim Fairfull, 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 **January 22, 2008**.

Dated: January 29, 2008

Signed:



Mailing Address: City Hall, 59 Carden Street, Guelph ON N1H 3A1

Web Site: guelph.ca

Building Office: 2 Wyndham St. N, 2nd Floor, Guelph ON, Tel: (519) 837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

COMMITTEE OF ADJUSTMENT

APPLICATION NUMBER B-4/08

The Committee, having had regard to the matters that are to be had regard to under Section 51(17) 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 property and orderly development of the land, 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, consent for severance of Part of Lot 13, Concession 7, known as 348 Crawley Road, a parcel, irregular in shape with a frontage of 138.0 metres along Crawley Road and an area of 4.9 hectares (12.11 acres), be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That prior to endorsement of the deeds, the owner shall have an independent Professional Engineer and/or Ontario Land Surveyor prepare a reference plan identifying any easements/right-of-way and conveyances.
3. That the Southgate Drive extension including the turning circle across the lands to be retained (D); including an easement over a portion of the turning circle shall be deeded to the City, prior to endorsement of the deed, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of Southgate Drive and the turning circle conforms to the City's "Geometric Design Criteria - July 23, 1993".
4. That the owner shall deed to the City free of all encumbrances a 10.0-metre (33.0 feet) wide parcel of land for a road widening across the entire frontage of 348 Crawley Road, prior to endorsement of the deeds.
5. That prior to endorsement of the deeds, the owner shall convey to the City a 0.30 metre reserve across the entire frontage of 348 Crawley Road, satisfactory to the City Engineer and the City Solicitor.
6. That the owner agrees to develop and maintain the said lands and services in accordance with a Site Plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the services, certify to the City that he/she supervised the construction of the services and that the services were built as they were approved by the City and is functioning properly.
7. That the owner shall make arrangements satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc. for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.
8. That the owner shall make arrangements satisfactory to Bell Canada for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.

City — of Guelph

Decision

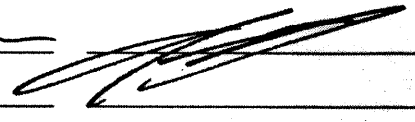
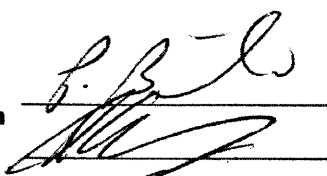
Community Design and
Development Services

Building Services

**COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-4/08**

9. That the owner shall make arrangements satisfactory to Union Gas for the servicing of the said lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of a building permit.
10. That the zoning of the severed parcel be changed to an appropriate Business Park zoning, prior to the endorsement of the deeds.
11. That the owner shall deed to the City free of all encumbrances a 10.0 metre (33.0 feet) wide parcel of land for a road widening across the entire frontage of 348 Crawley Road, prior to endorsement of the deeds.
12. That prior to the endorsement of the deeds, the owner shall convey to the City a 0.30 metre reserve, along Crawley Road, satisfactory to the City Engineer and City Solicitor.
13. That an agreement be registered on title for the severed parcel containing these conditions, prior to the endorsement of the deeds.
14. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to January 25, 2009.
15. 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 endorsement of the deed.
16. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
17. That 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 draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee
Concurring in this Decision

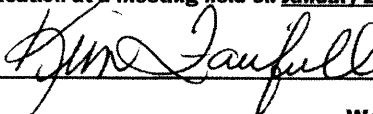


The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is **February 19, 2008**

I, Kim Fairfull, 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 January 22, 2008.

Dated: **January 29, 2008**

Signed:



Mailing Address: City Hall, 59 Carden Street, Guelph ON N1H 3A1

Web Site: guelph.ca

Building Office: 2 Wyndham St. N, 2nd Floor, Guelph ON, Tel: (519) 837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

City — of — Guelph

Decision

Community Design and
Development Services

Building Services

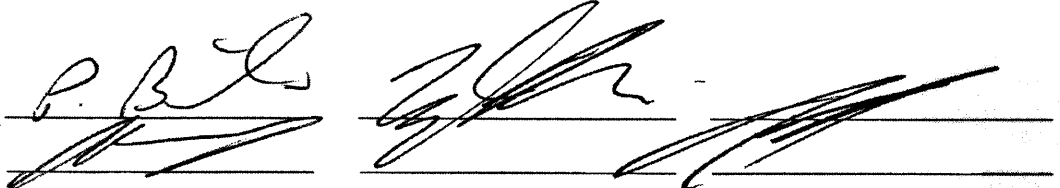
**COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-7/08**

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 7.3.3. of Zoning By-law (1995)-14864, as amended, for 995 Southgate Drive, to permit the loading area associated with a proposed building to be located in the yard abutting Crawley Road (or abutting the Hanlon Parkway if Crawley Road is closed), when the By-law requires that no loading space be located in the front yard or exterior side yard or any yard between a lot line abutting the Hanlon Parkway, be approved, subject to the following conditions:

1. That prior to issuance of a building permit, the applicant makes arrangements for provision of hydro servicing to the severed parcel, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc.
2. That prior to issuance of a building permit, the applicant submits a site plan showing the driveway location maintaining a minimum clearance of 1.5 metres from existing hydro poles, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. If this clearance is not provided, relocation of an existing hydro pole will be at the owner's expense."

Members of Committee
Concurring in this Decision

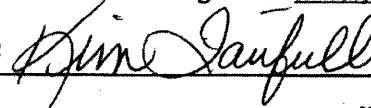


The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is **February 11, 2008**.

I, Kim Fairfull, 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 **January 22, 2008**.

Dated: **January 29, 2008**

Signed:



Mailing Address: City Hall, 59 Carden Street, Guelph ON N1H 3A1

Web Site: guelph.ca

Building Office: 2 Wyndham St. N, 2nd Floor, Guelph ON, Tel: (519) 837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-46/08



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 7.3.3 of Zoning By-law (1995)-14864, as amended, for the amalgamated 995 Southgate Drive, to permit loading areas to be located in a yard abutting Crawley Road (and eventually the Hanlon Parkway when Crawley Road is closed) when the By-law requires that no loading space shall be located in a yard abutting the Hanlon Parkway, be approved."

Members of Committee
Concurring in this Decision

I, Kim Fairfull, 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 May 13, 2008.

Dated: May 16, 2008

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is June 2, 2008.

Community Design and Development Services
Building Services

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-16/08



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) 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 property and orderly development of the land, passed the following resolution:

"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 an easement over Part of Lot 13, Concession 7, more particularly described as Part 34, Reference Plan 61R-10808, an easement with a width of 5 metres and a depth of 325.36 metres, to provide hydro servicing to the Southgate Business Park, be approved, subject to the following conditions:

1. That prior to site plan approval, the dominant tenement (995 Southgate Drive), grants a 5.0-metre (16.40 feet) wide by 325.39-metre (1,067.45 feet) length and a 5.0-metre (16.40 feet) wide by 326.28-metre (1,070.47 feet) length easement (Part 34 on Reference Plan 61R-10808) for hydro servicing to the Southgate Business Park from Crawley Road to Southgate Drive, registered on title, in favour of the servient tenement (Guelph Hydro Electric Systems).
2. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to May 16, 2009.
3. 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 endorsement of the deed.
4. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
5. That 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 draft Reference Plan (version ACAD 2000 – 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee
Concurring in this Decision

I, Kim Fairfull, 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 May 13, 2008.

Dated: May 16, 2008

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is Not applicable.

Community Design and Development Services
Building Services

T 519-837-5615
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E cofa@guelph.ca