COMMITTEE OF ADJUSTMENT AGENDA



Council Chambers, Guelph City Hall, 1 Carden Street

DATE Thursday, August 8, 2019 – 4:00 p.m.

Please turn off or place on non-audible all electronic devices during the hearing. Please note that this hearing will be audio recorded and streamed live on <u>guelph.ca/live</u>. An electronic version of this agenda is available on <u>guelph.ca</u>.

PUBLIC HEARING FOR APPLICATIONS UNDER SECTIONS 45 AND 53 OF THE PLANNING ACT

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF APPROVAL OF MINUTES – July 11, 2019 hearing minutes REQUESTS FOR WITHDRAWAL OR DEFERRAL OF APPLICATIONS

CURRENT APPLICATIONS (Application order subject to change)

a)	A-57/19 and A-58/19	Owner: Agent: Request: Location:	Michael Finoro and Maria Finoro Brian McCulloch, James Fryett Architect Inc. Protected view area variance for proposed apartment building elevation 9 and 11 Cork Street West Deferred from June 13, 2019 hearing
b)	A-73/19	Owner: Agent: Request: Location:	City of Guelph Sarah Code/Hugh Handy, GSP Group Inc. Variance for reduction in parking spaces for proposed recreation centre 25 Poppy Drive West
c)	A-68/19	Owner: Agent: Request: Location:	Dimitre Tocheva and Stanka Tocheva Frank Verdone Variance for existing accessory apartment size 68 Robin Road
d)	A-69/19	Owner: Agent: Request: Location:	Amita Sachan N/A Variance for existing accessory apartment size 75 Vaughan Street
e)	A-70/19	Owner: Agent: Request: Location:	Nadia Smetana and Jaroslaw Smetana N/A Variance for existing accessory apartment size 9 Hales Crescent
f)	A-71/19	Owner: Agent: Request: Location:	Lynn Baribault N/A Variances for proposed accessory apartment size and second front door 23 Norma Crescent
g)	A-72/19	Owner: Agent: Request: Location:	Omar Irfan Khan and Irfan Ali Khan Matthew McFarlane, Hailey Inc. Variance for side yard setback for exterior stairs 10 Blair Drive
h)	A-74/19 and A-75/19	Owner: Agent: Request: Location:	Vesterra 735 Woolwich Inc. and Vesterra 737 Woolwich Inc. Scott Patterson, Labreche Patterson & Associates Inc. Variances for building height for proposed commercial building and front yard setback for underground parking area 735 and 737 Woolwich Street

COMMITTEE OF ADJUSTMENT AGENDA



i)	B-9/19	Owner: Agent: Request: Location:	JTD Enterprise Inc. Jonathan Kitchen, Dillon Consulting Limited Consent for long-term lease 230-232 Silvercreek Parkway North
j)	B-10/19	Owner: Agent: Request: Location:	Vesterra 77 Wyndham Inc. Jeff Buisman, Van Harten Surveying Inc. Consent to create easements for maintenance and access purposes in favour of 285 Woolwich Street 279 Woolwich Street
	B-11/19	Owner: Agent: Request: Location:	Hanik Holdings Ltd. Jeff Buisman, Van Harten Surveying Inc. Consent to create easement for maintenance and access purposes in favour of 279 Woolwich Street 285 Woolwich Street

STAFF ANNOUNCEMENTS

- LPAT appeal received: minor variance file A-52/19 (58 Memorial Crescent)
- LPAT appeal received: minor variance file A-3/19 (622 College Avenue West)

ADJOURNMENT – next hearing September 12, 2019

To be notified of any of the decisions of the City of Guelph Committee of Adjustment, you must submit a "Request for Written Decision" form.



Applications for Minor Variances have been filed with the Committee of Adjustment.

- **LOCATION:** 9 and 11 Cork Street West
- **PROPOSAL:** The applicant is proposing to construct a four storey apartment building on the subject properties. The Zoning By-law includes maximum elevations designed to maintain views to the salient features of the Basilica of Our Lady.

BY-LAW REQUIREMENTS: The properties are located in the Special Downtown 1 (D.1-24) Zone. A variance from Section 4.18.2 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that no part of any building or structure constructed within any of the protected view areas defined on Defined Area Map Number 63 of the Zoning By-law shall exceed the elevation specified for its site construction, being 343.51 metres above sea level.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit the proposed apartment building to have an elevation of 346 metres above sea level.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider applications under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019 (Deferred from June 13, 2019 hearing)
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBERS:	A-57/19 and A-58/19

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

PROVIDING COMMENTS

Any person may attend the public hearing to provide comments regarding the applications. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **August 1**, **2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

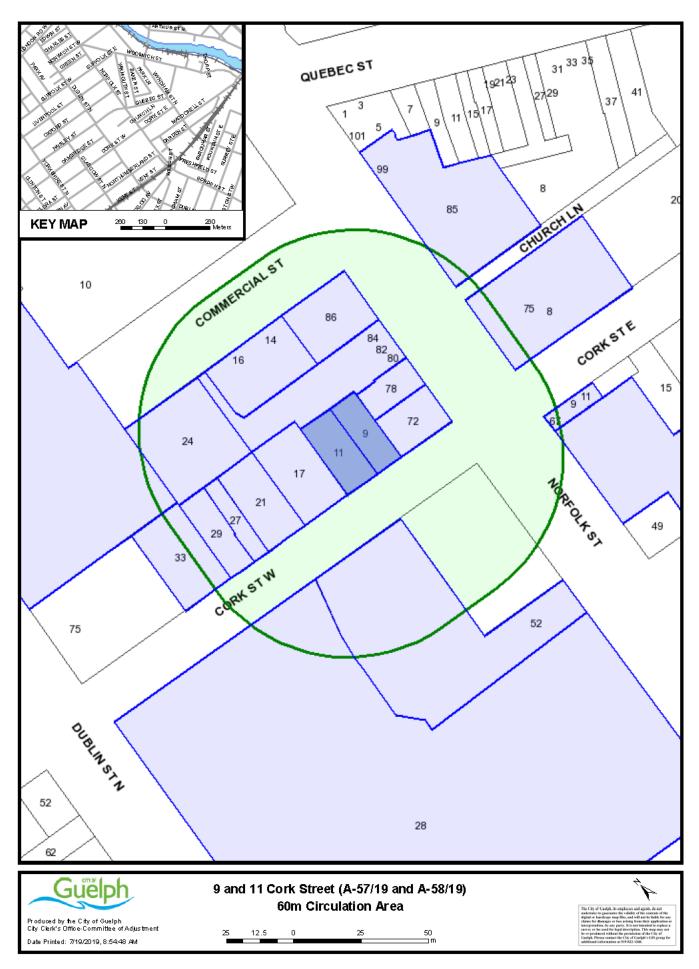
Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

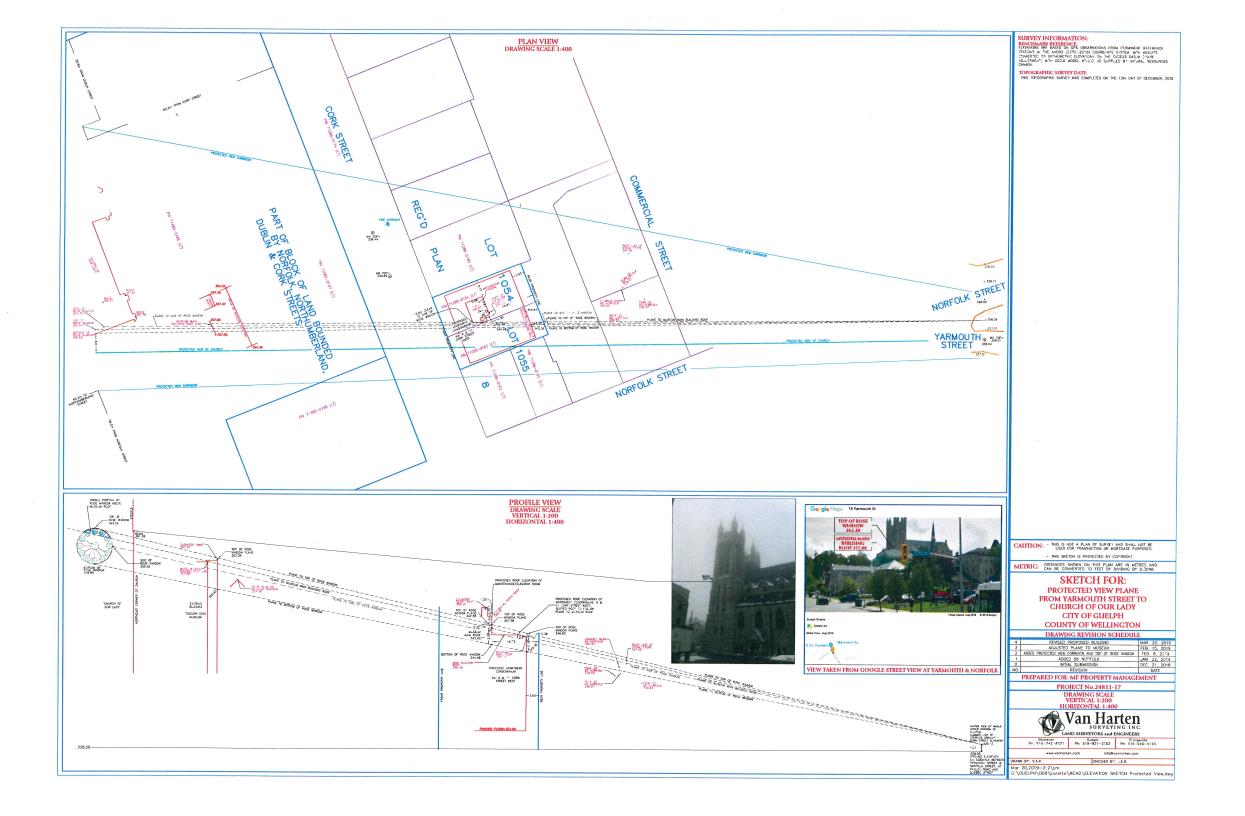
Additional Information

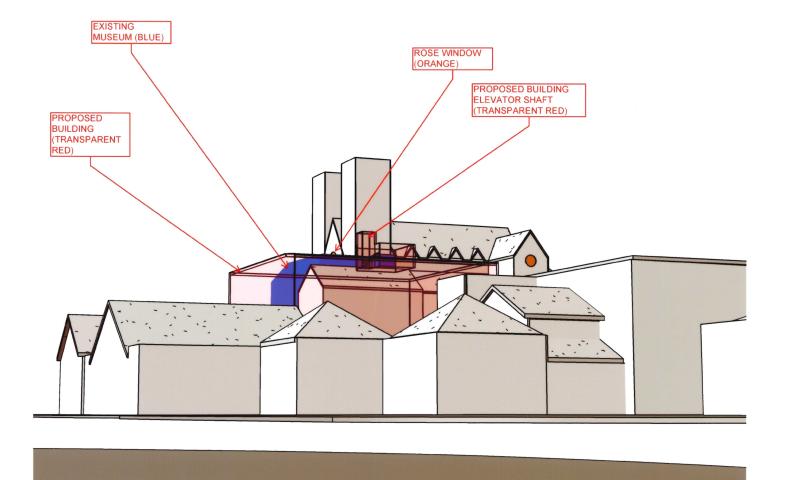
Agendas and comments related to these applications will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

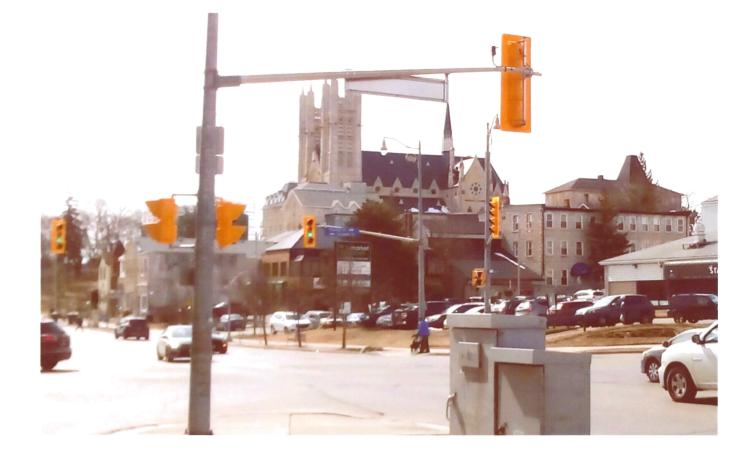
NOTICE OF THE DECISION

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variances, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

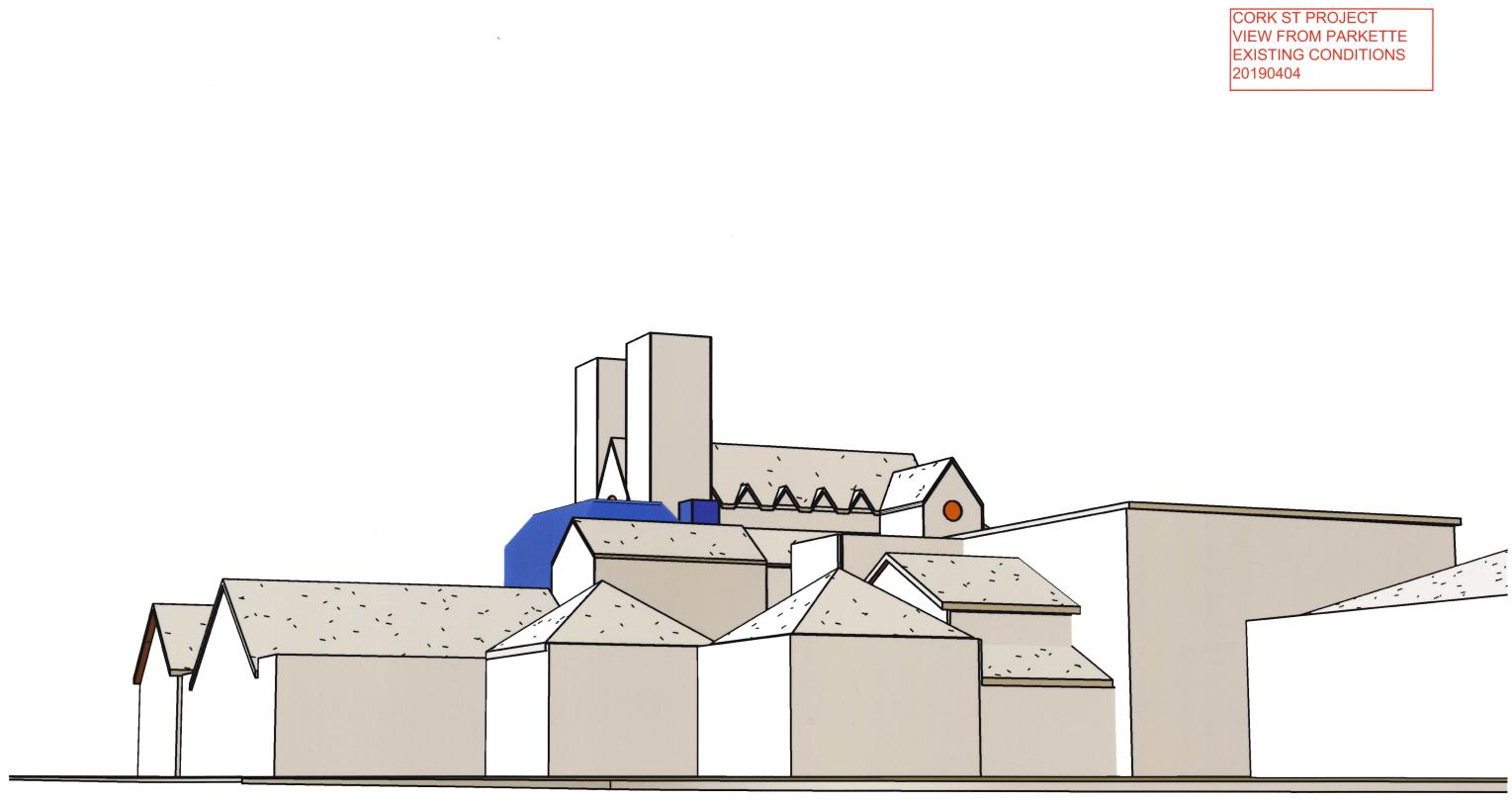




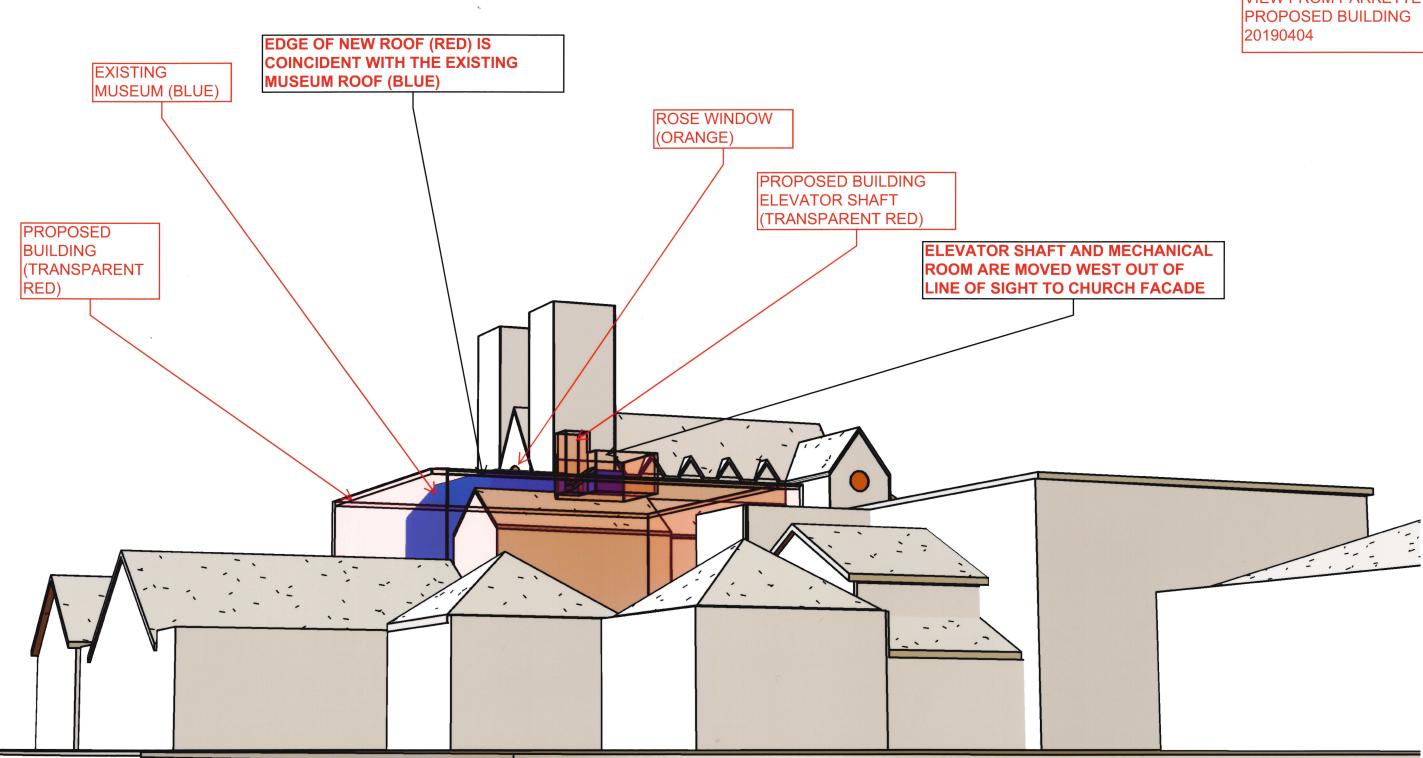




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CORK ST PROJECT VIEW FROM PARKETTE PROPOSED BUILDING





An Application for Minor Variance has been filed with the Committee of Adjustment.

- **LOCATION:** 25 Poppy Drive West
- **PROPOSAL:** The applicant is proposing to construct a recreation centre (South End Community Centre) with a gross floor area of 15,050 square metres, a seating capacity of 1,414 spaces, and a capacity for 521 parking spaces. These parking spaces are proposed to be shared by the proposed development, South End Community Park and Bishop Macdonell Catholic High School.

BY-LAW REQUIREMENTS: The property is located in the Specialized Commercial Recreation (P.5-6) Zone. A variance from Section 4.13.4.2 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires 1 parking space per 10 square metres of gross floor area for a recreation centre [1505 parking spaces], or 1 parking space per 5 seats [283 parking spaces], whichever is greater.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit a minimum of 521 off-street parking spaces for the proposed recreation centre at 25 Poppy Drive West.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBER:	A-73/19

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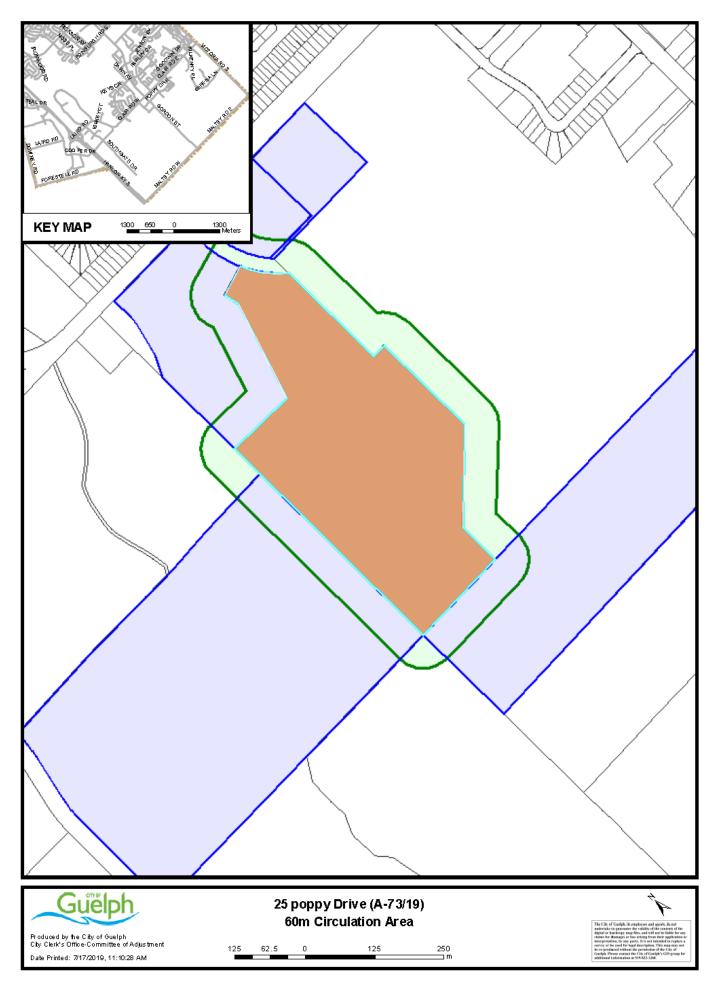
Additional Information

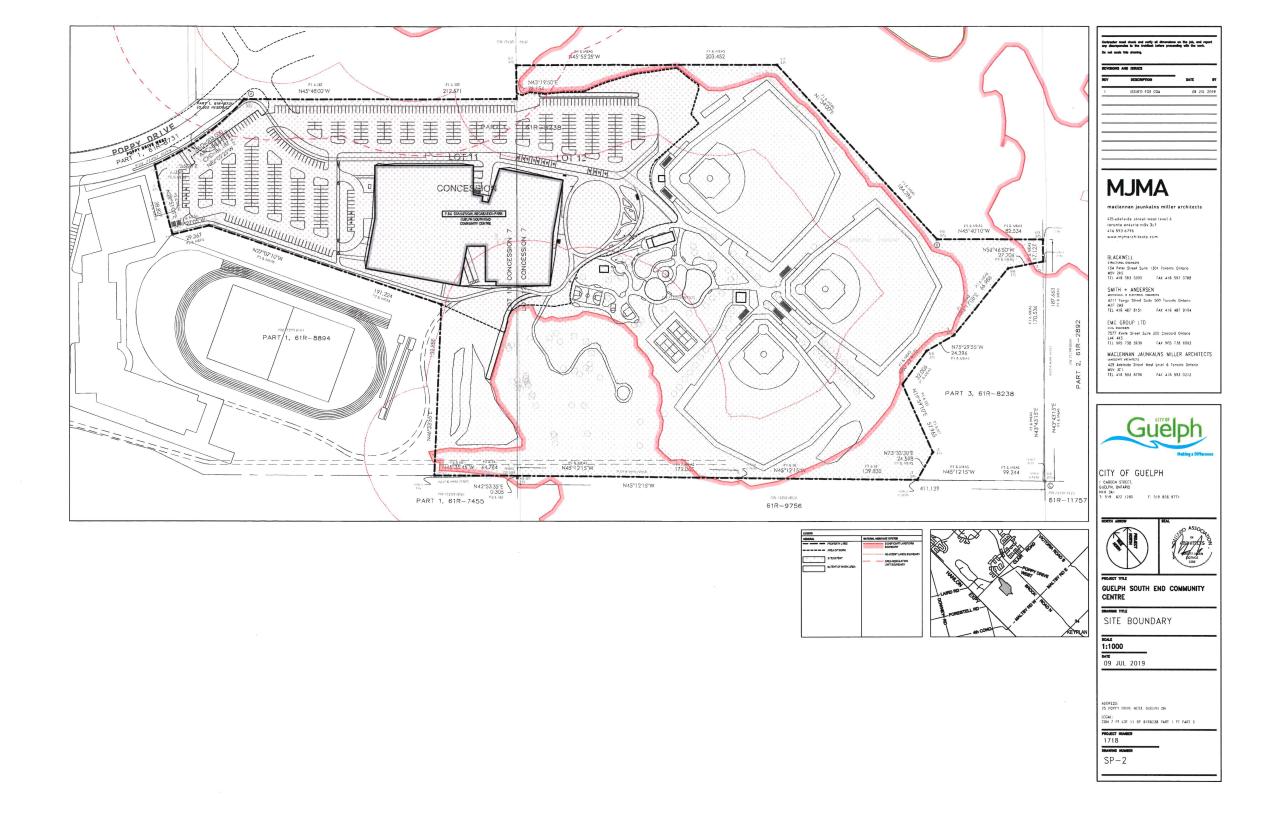
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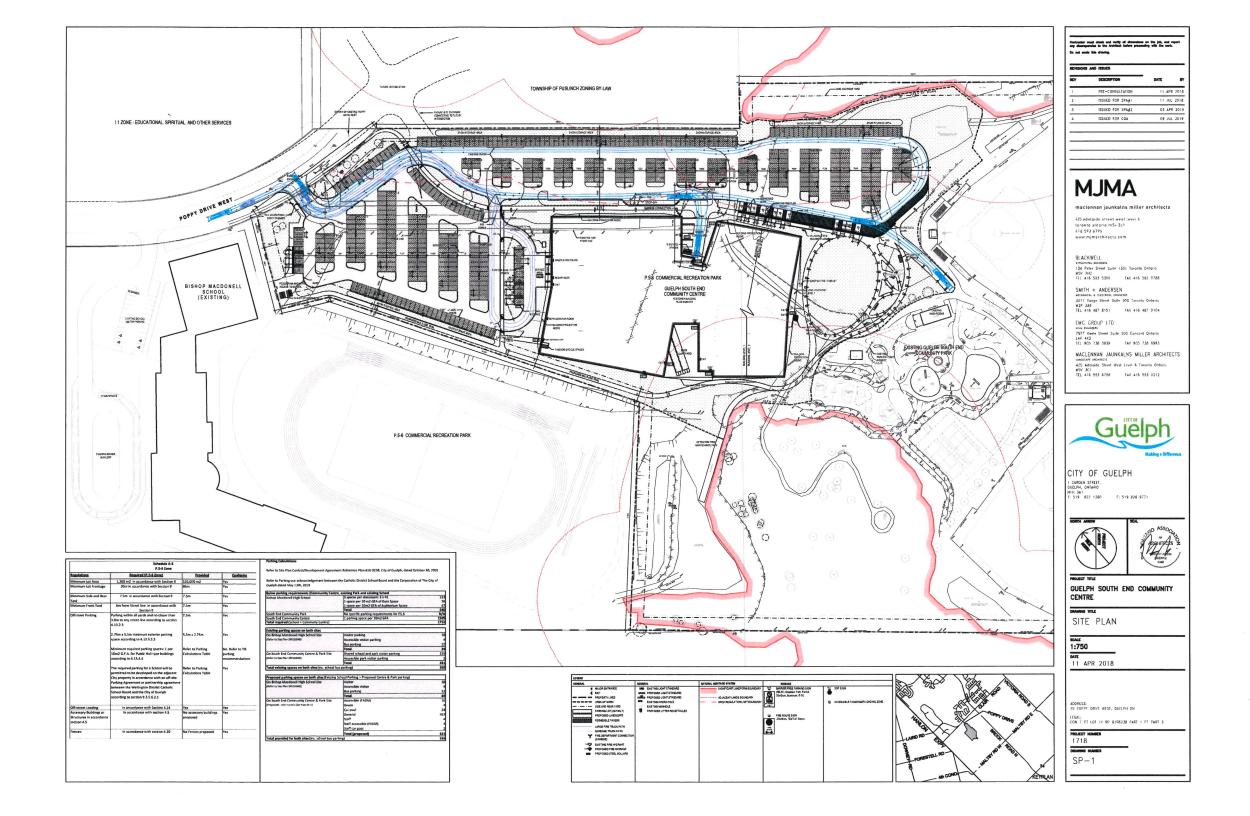
NOTICE OF THE DECISION If you wish to be notified of the decision of the City of Guelph Committee of Adjustment

in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

> Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment









An Application for Minor Variance has been filed with the Committee of Adjustment.

LOCATION: 68 Robin Road

PROPOSAL: The applicant is proposing to maintain the existing accessory apartment with an area of 117.89 square metres in the basement of the existing single detached dwelling.

BY-LAW REQUIREMENTS:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that the accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit an accessory apartment size of 117.89 square metres, or 32% of the total floor area of the dwelling.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBER:	A-68/19

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

PROVIDING COMMENTS

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Additional Information

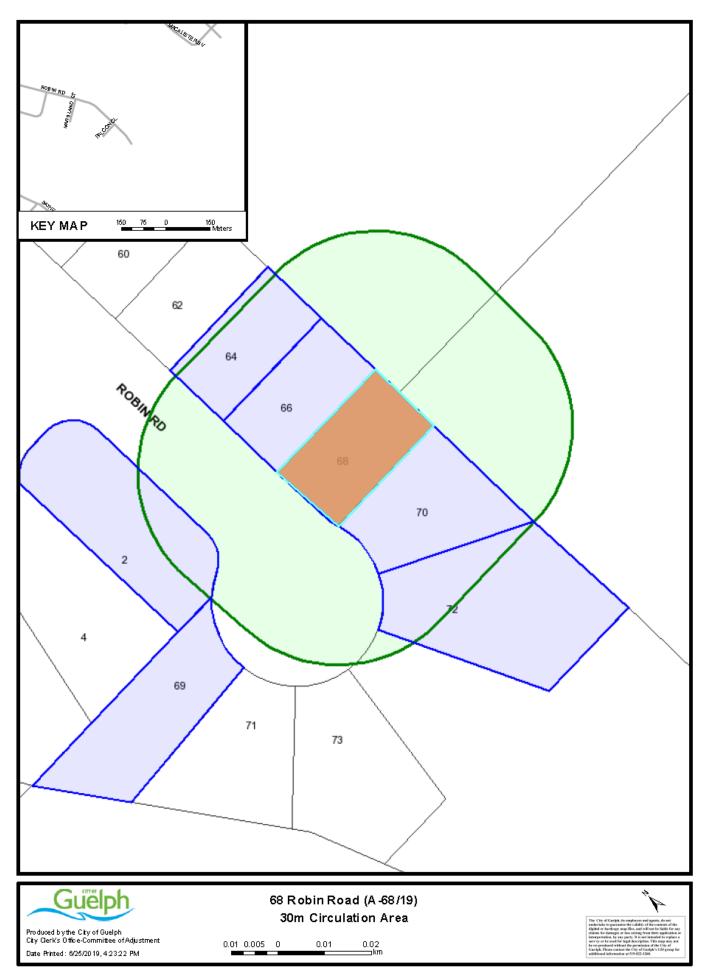
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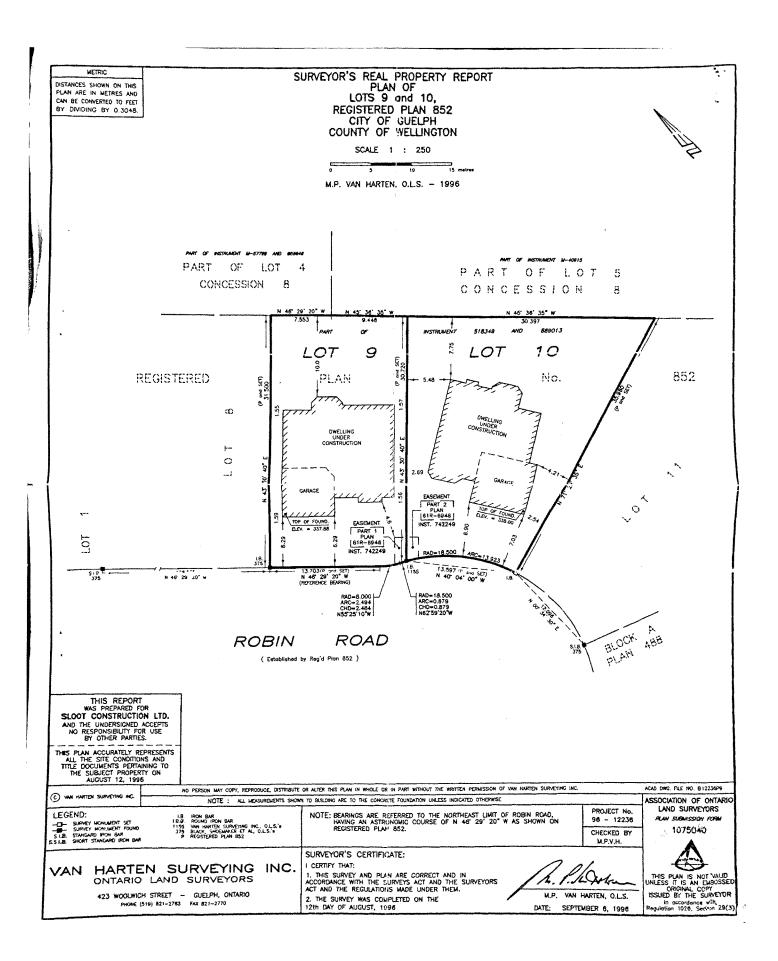
NOTICE OF THE DECISION

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Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment

Dated this 19^{th} day of July, 2019.





57 240 proposite exterior 0 108"× 44" 36×36" L. 12 4 3.58 6.45 8.23 "SI gritaine Existing Existing 00 800 Kitchen <u>Living Room</u> Ceiling 7'- 3" Dinette Ceiling 7-10" Ř deguald Dyard Deserved. 10 2.69 18.69 JOE 4" 1.68 DE 3-55 W. D. Existing . Furn. Bedroom Ent Ceiling 6-11" Suspended Tile \bigcirc Ceiling 7:5' Suspended Tile Unfinished "Ufility up 14 R Room 36"×12" Unexcavated -3 0° 00' Quner - Tocher Cold Room Unfinished. Address - 68 Robin Road Scale - 3/16"=1-0" Dite - March 04, 2019 Square Feet - 1269



An Application for Minor Variance has been filed with the Committee of Adjustment.

- LOCATION: 75 Vaughan Street
- **PROPOSAL:** The applicant is proposing to maintain the existing accessory apartment with an area of 110 square metres in the basement of the existing single detached dwelling.

BY-LAW REQUIREMENTS: The property is located in the Residential Single Detached (R.1B) Zone. A variance from Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that the accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit an accessory apartment size of 110 square metres, or 35% of the total floor area of the dwelling.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBER:	A-69/19

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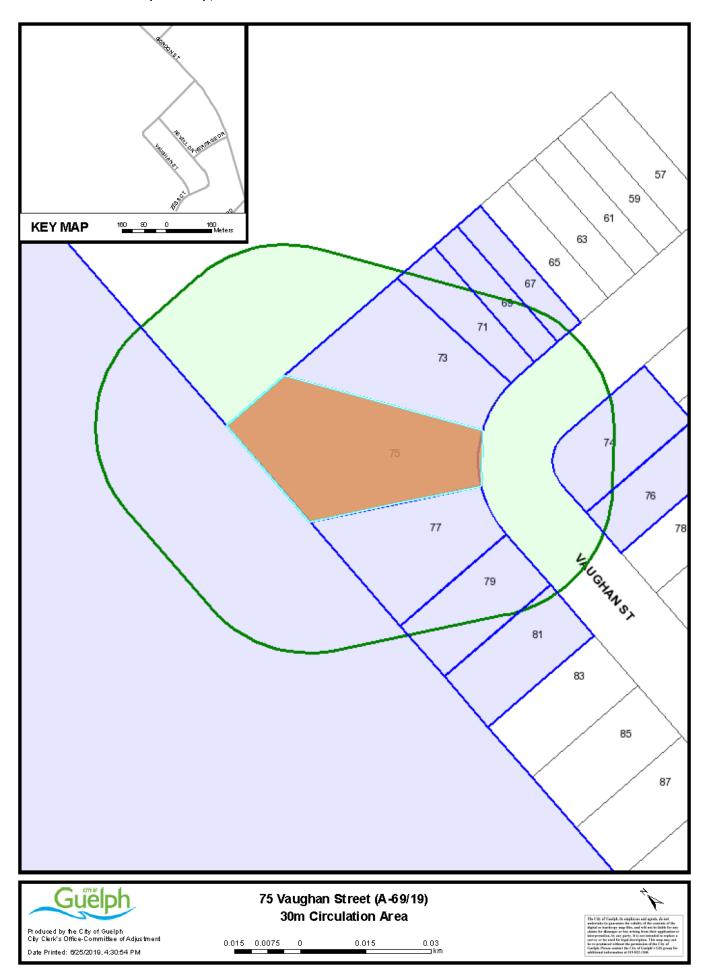
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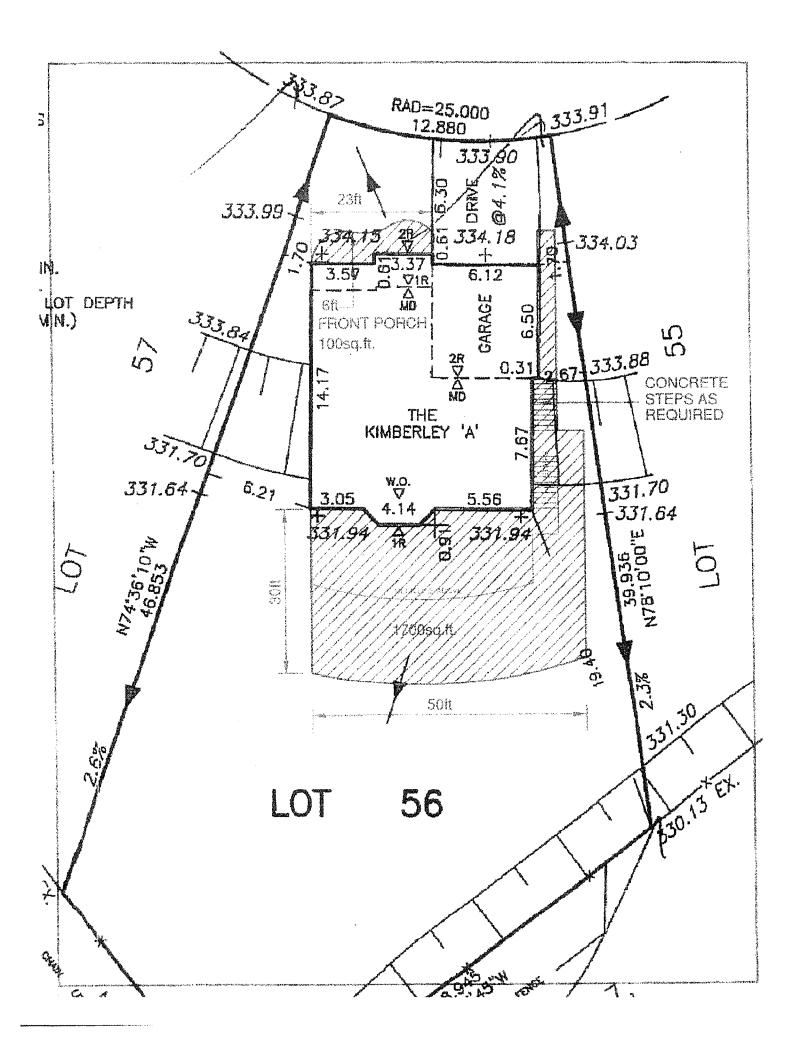
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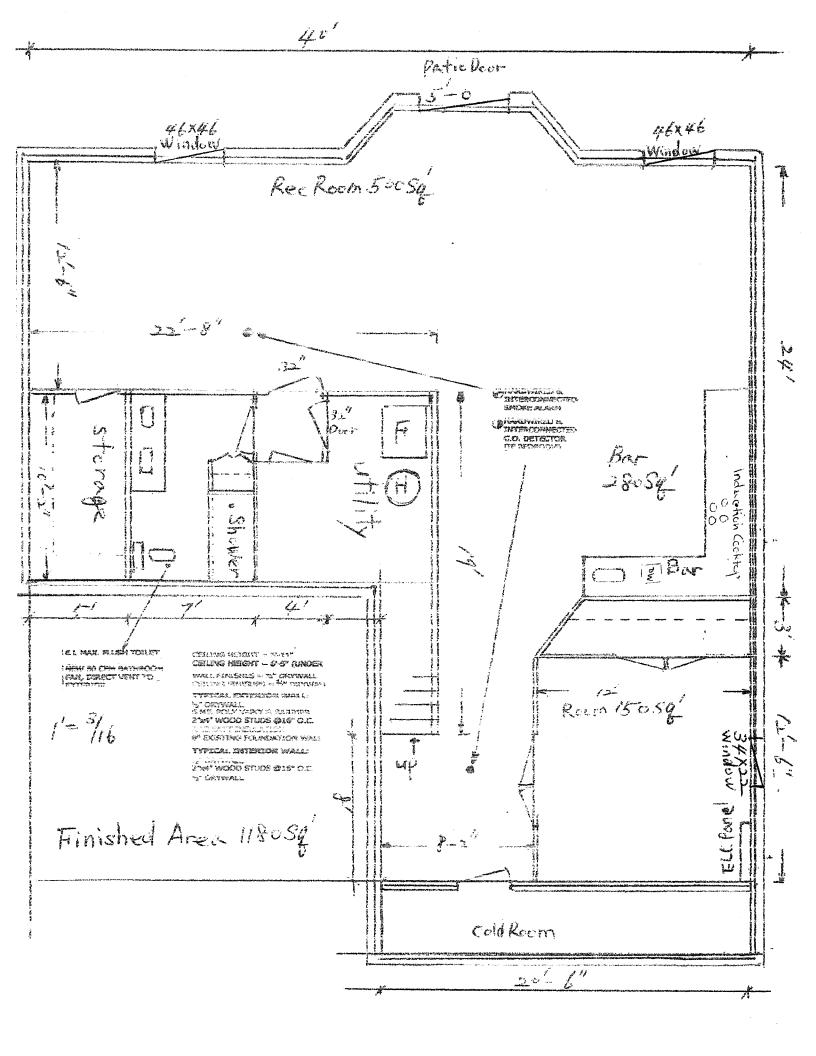
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An Application for Minor Variance has been filed with the Committee of Adjustment.

- LOCATION: 9 Hales Crescent
- **PROPOSAL:** The applicant is proposing to maintain the existing accessory apartment with an area of 90.6 square metres in the basement of the existing single detached dwelling.

BY-LAW REQUIREMENTS: The property is located in the Residential Single Detached (R.1B) Zone. A variance from Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that the accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit an accessory apartment size of 90.6 square metres, or 46% of the total floor area of the dwelling.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to
consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.DATE:Thursday, August 8, 2019

Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBER:	A-70/19

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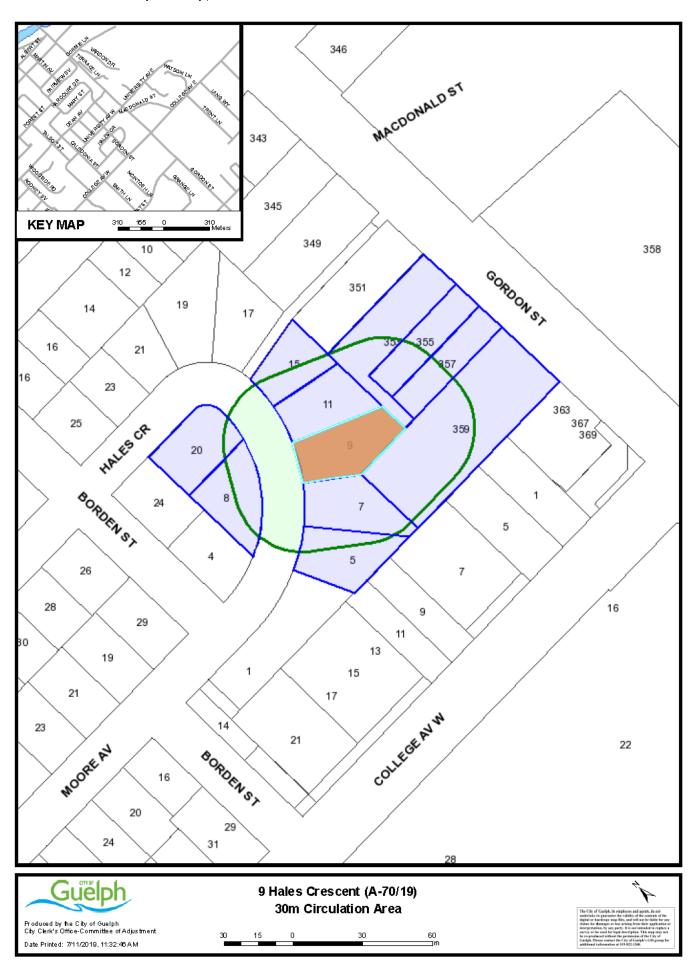
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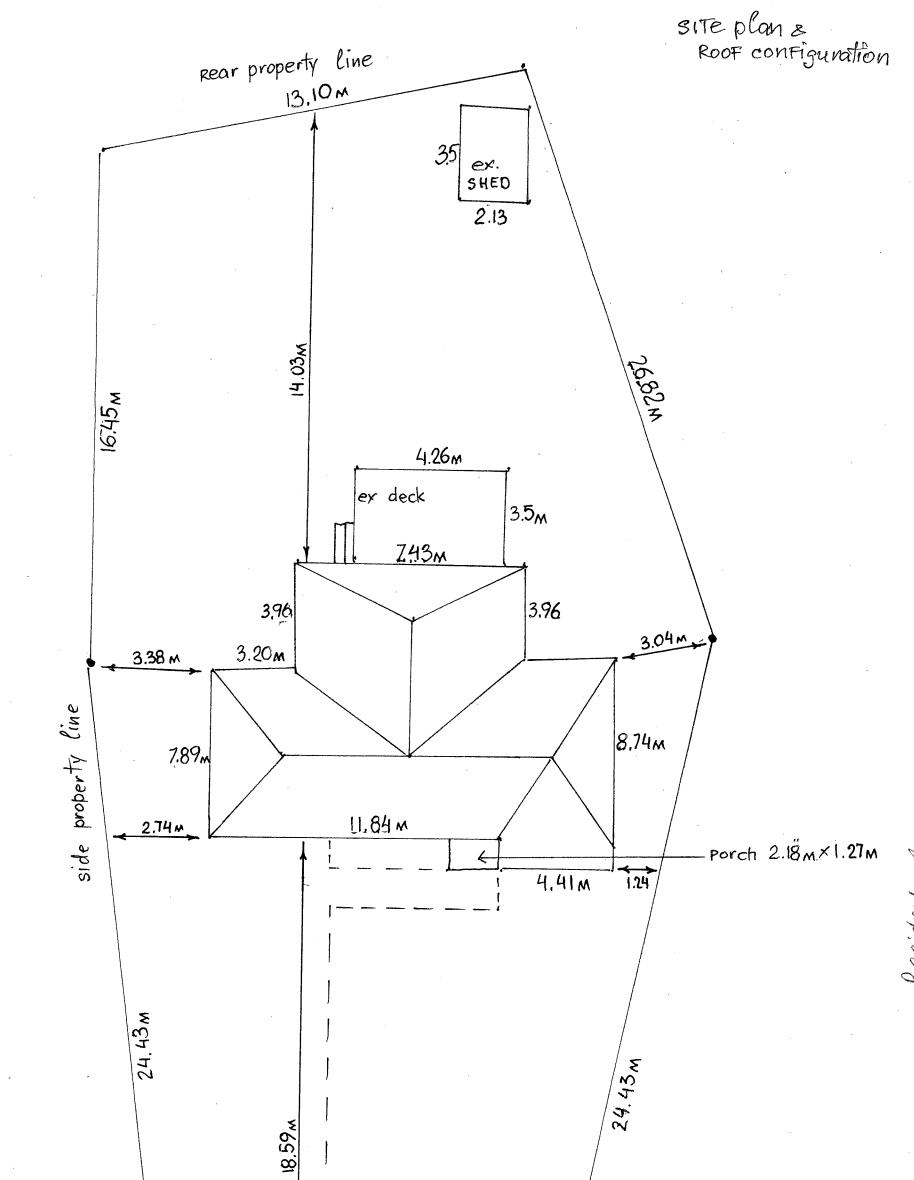
ADDITIONAL INFORMATION

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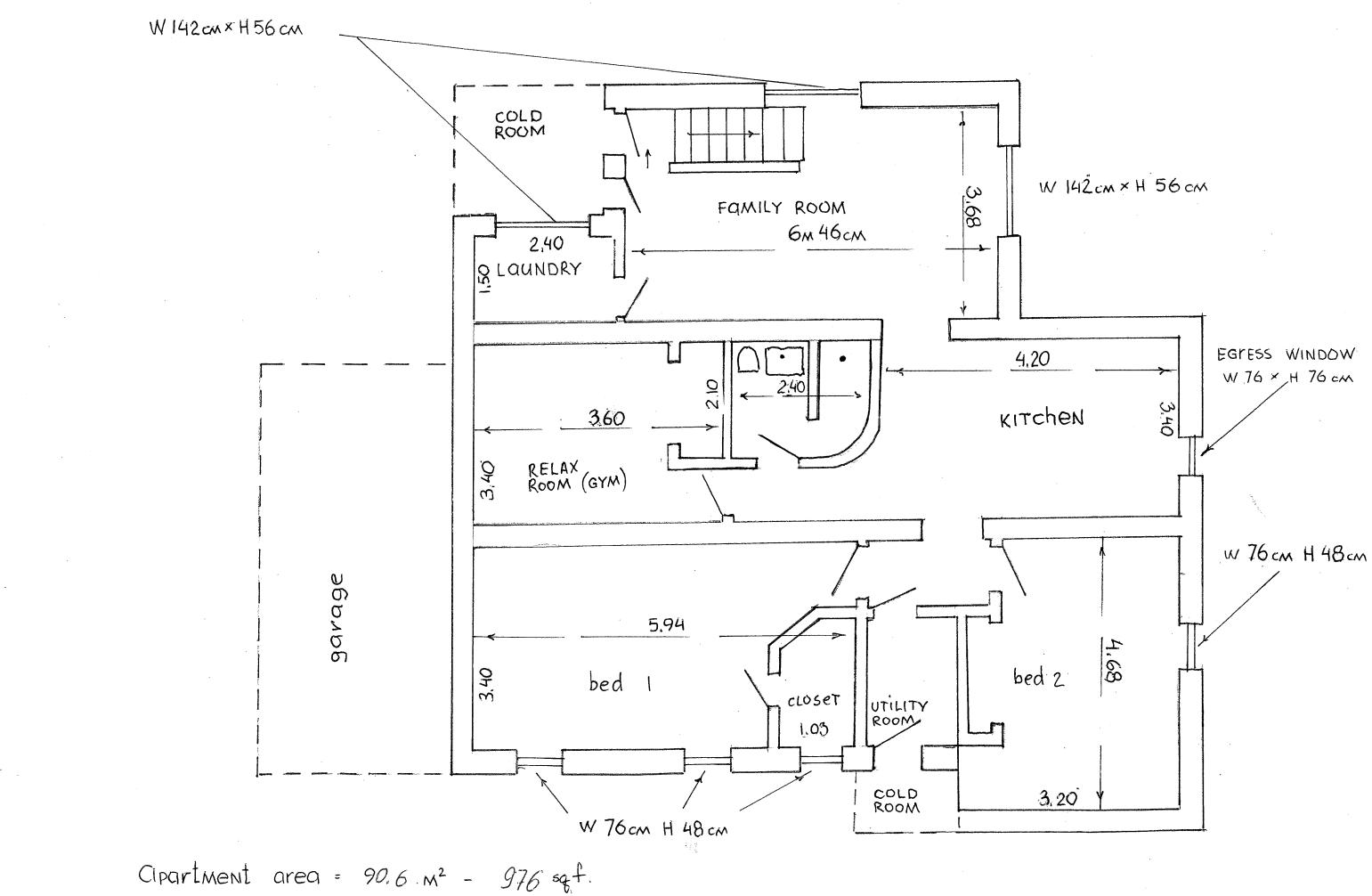




Residential Lot

Residential Lot

driveway 1 14.63M CRESC. HALES Street





An Application for Minor Variance has been filed with the Committee of Adjustment.

LOCATION: 23 Norma Crescent

PROPOSAL: The applicant is proposing to construct an accessory apartment with an area of 89.84 square metres in the basement of the existing single detached dwelling. A second door on the front of the dwelling is proposed to provide separate access to the accessory apartment.

BY-LAW	
REQUIREMENTS:	The property is located in the Specialized Residential Single Detached
	(R.1D-14) Zone. Variances from Sections 4.15.1.5 and 4.15.1.1 of
	Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that the accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser; and
- b) that the external appearance of all building facades and outdoor amenity areas shall be preserved except dual service meters are permitted.

REQUEST:

The applicant is seeking relief from the By-law requirements:

- a) to permit an accessory apartment size of 89.84 square metres, or 23% of the total floor area of the dwelling; and
- b) to permit the addition of a second door on the front facade of the dwelling.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBER:	A-71/19

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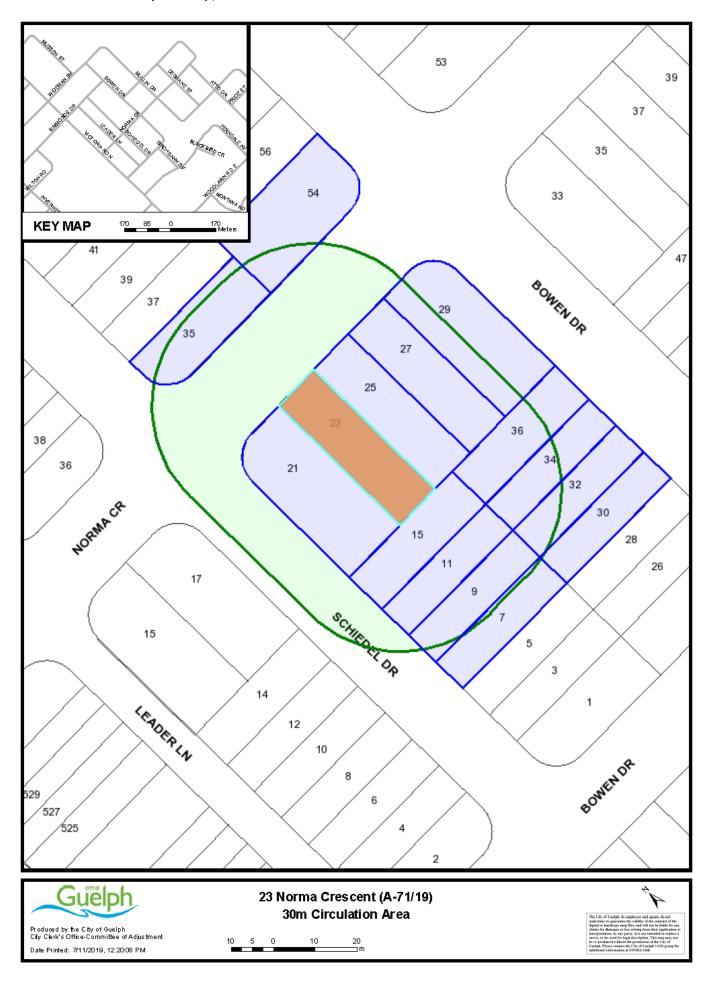
Additional Information

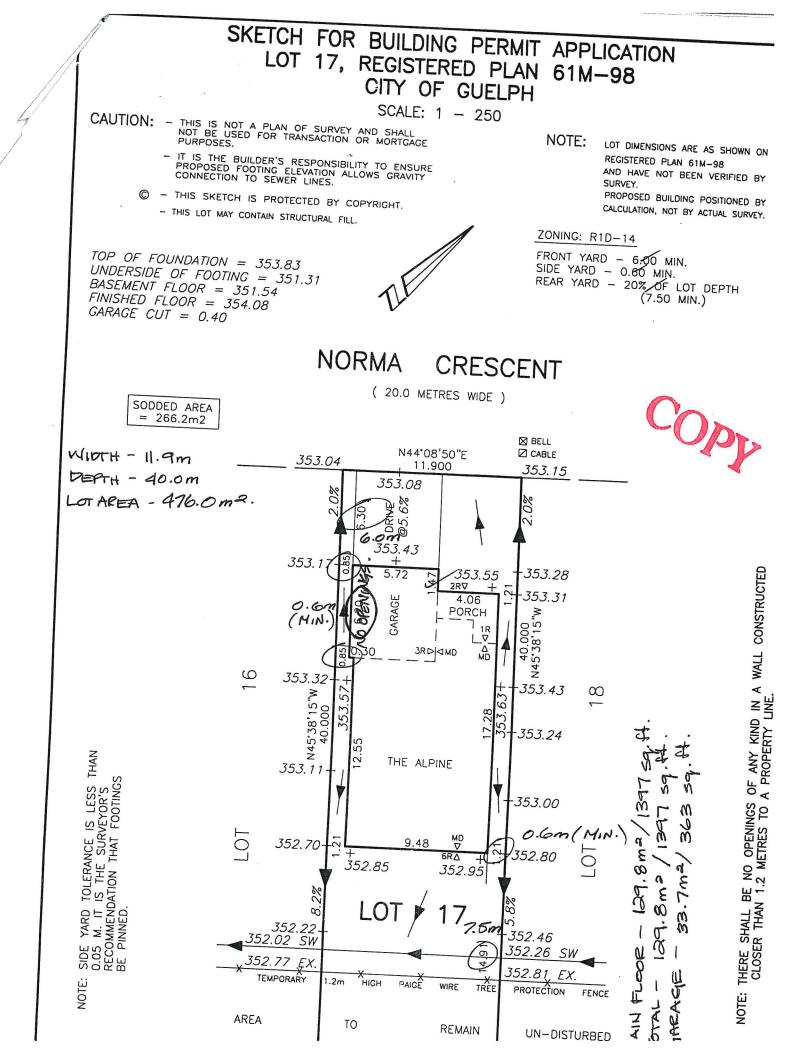
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NOTICE OF THE DECISION

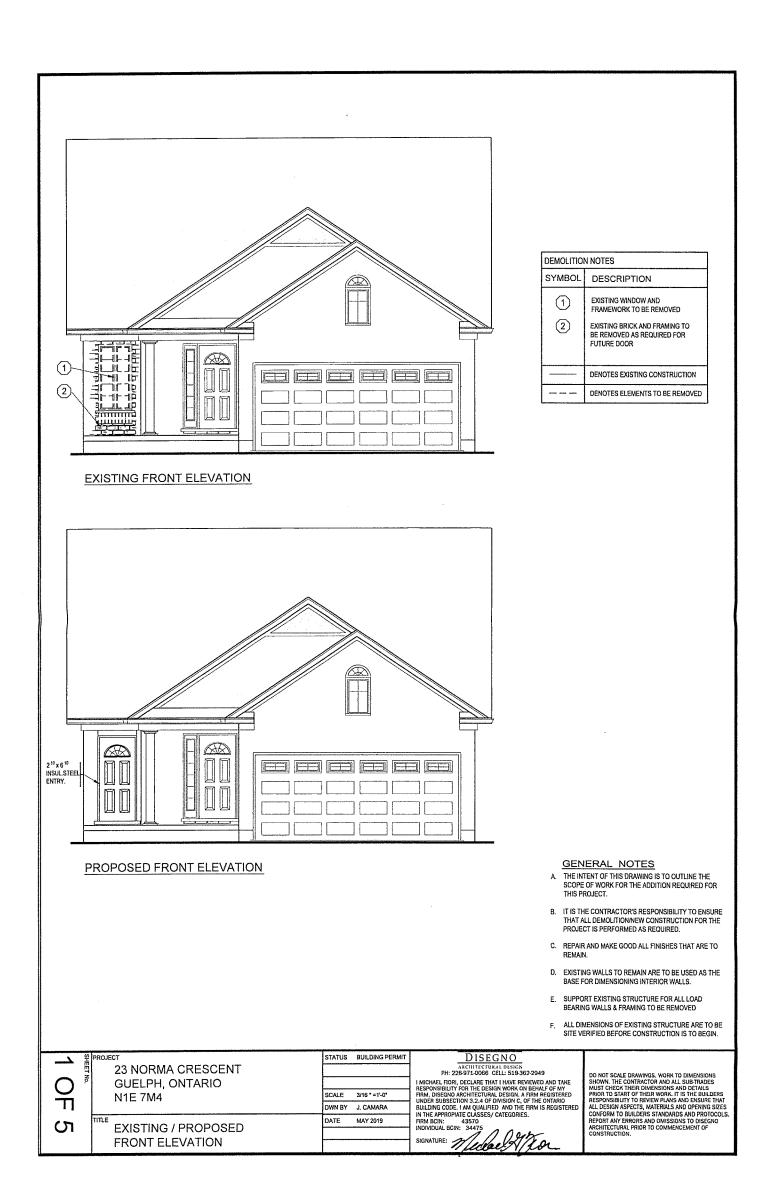
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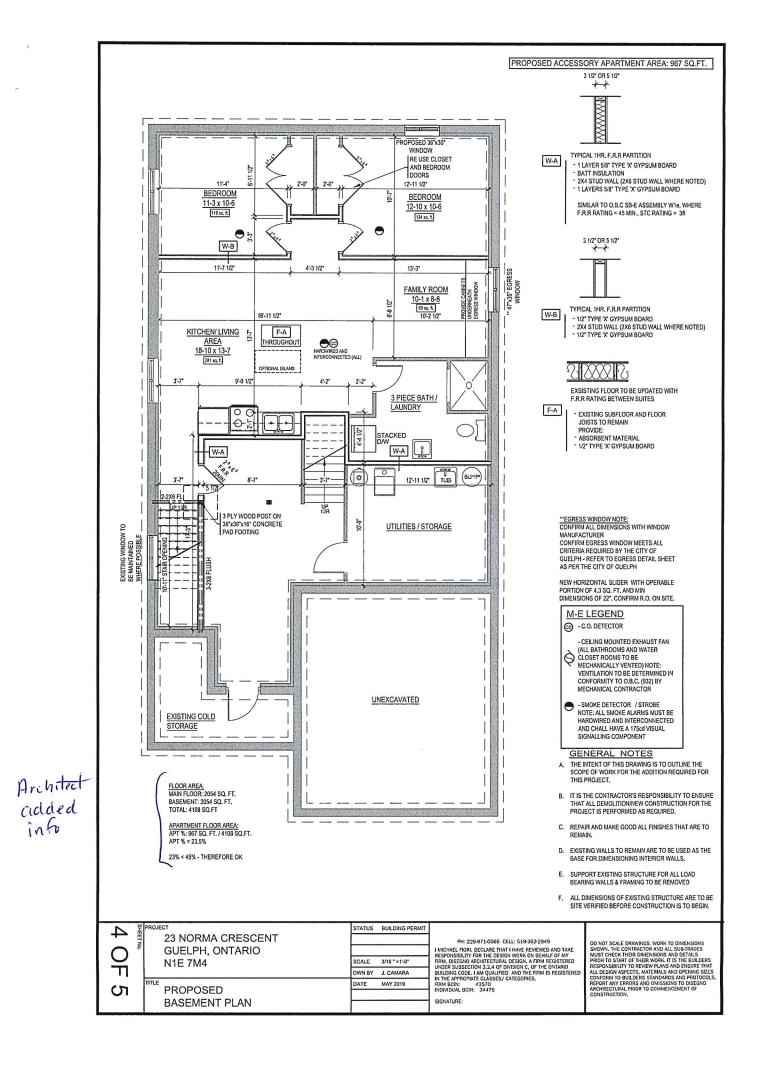
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment





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An Application for Minor Variance(s) has been filed with the Committee of Adjustment.

- **LOCATION:** 10 Blair Drive
- **PROPOSAL:** The applicant is proposing to add exterior stairs to the left side of the dwelling to provide separate access to a proposed accessory apartment in the basement.

BY-LAW REQUIREMENTS:

ITS: The property is located in the Specialized Residential Semi-Detached/Duplex (R.2-9) Zone. A variance from Table 4.7 Row 12 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires exterior stairs to be setback a minimum of 0.6 metres from the side lot line.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit the proposed exterior stairs to be located 0.15 metres from the left side lot line.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to
consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.DATE:Thursday, August 8, 2019TIME:4:00 p.m.LOCATION:Council Chambers, City Hall, 1 Carden StreetAPPLICATION NUMBER:A-72/19

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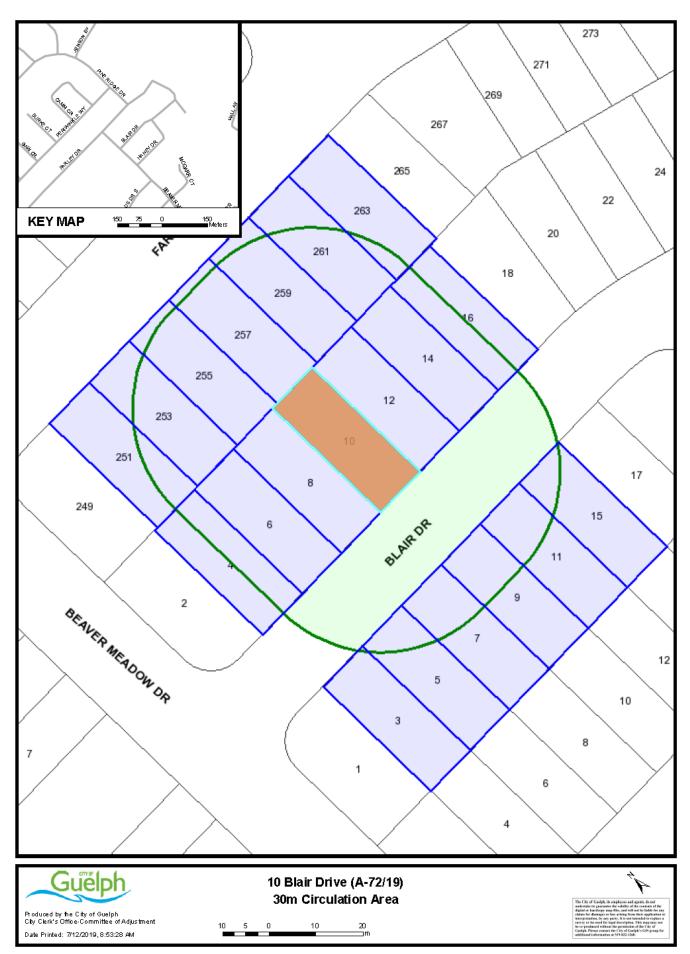
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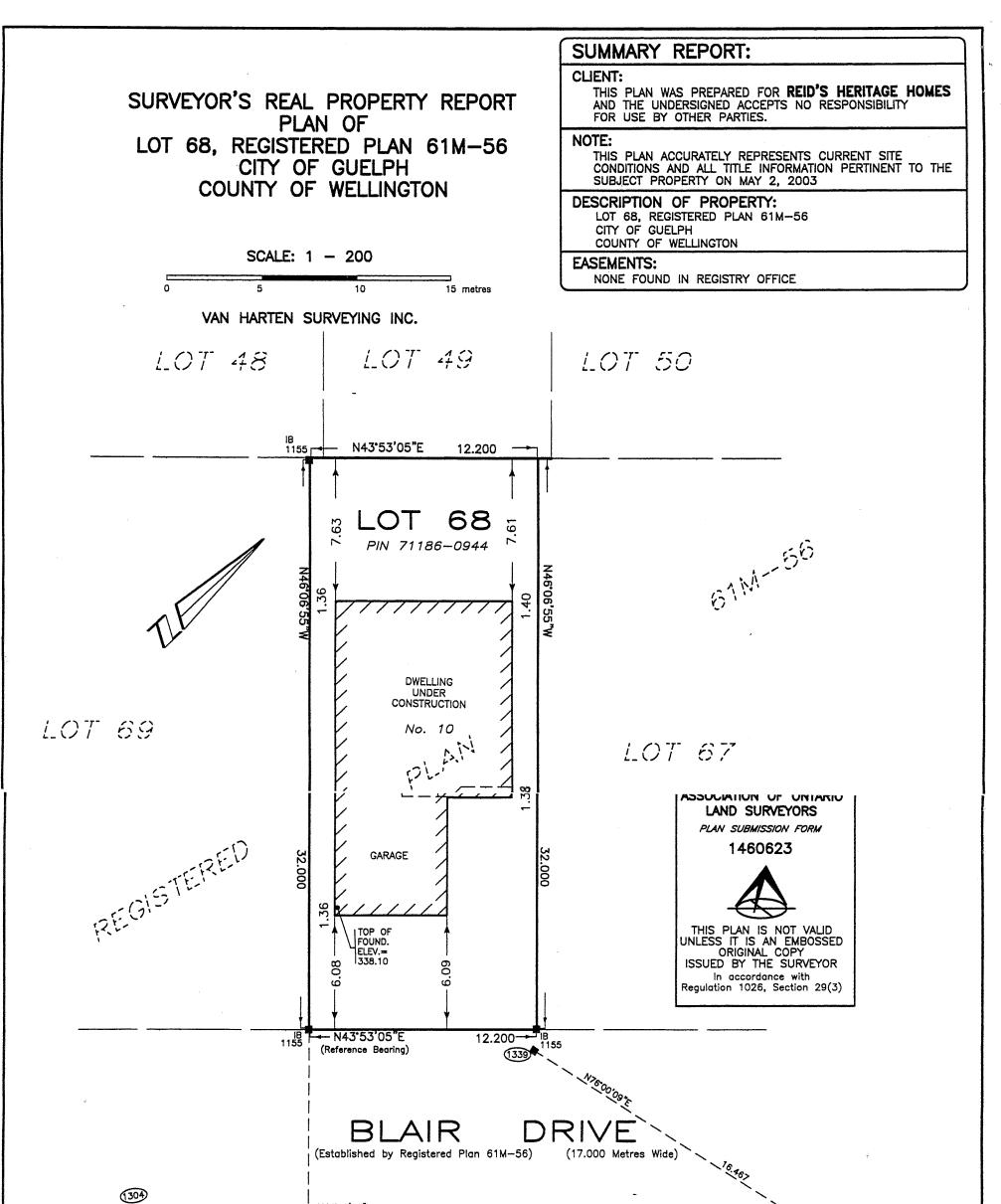
ADDITIONAL INFORMATION

Agendas and comments related to this application will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

NOTICE OF THE DECISION

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.



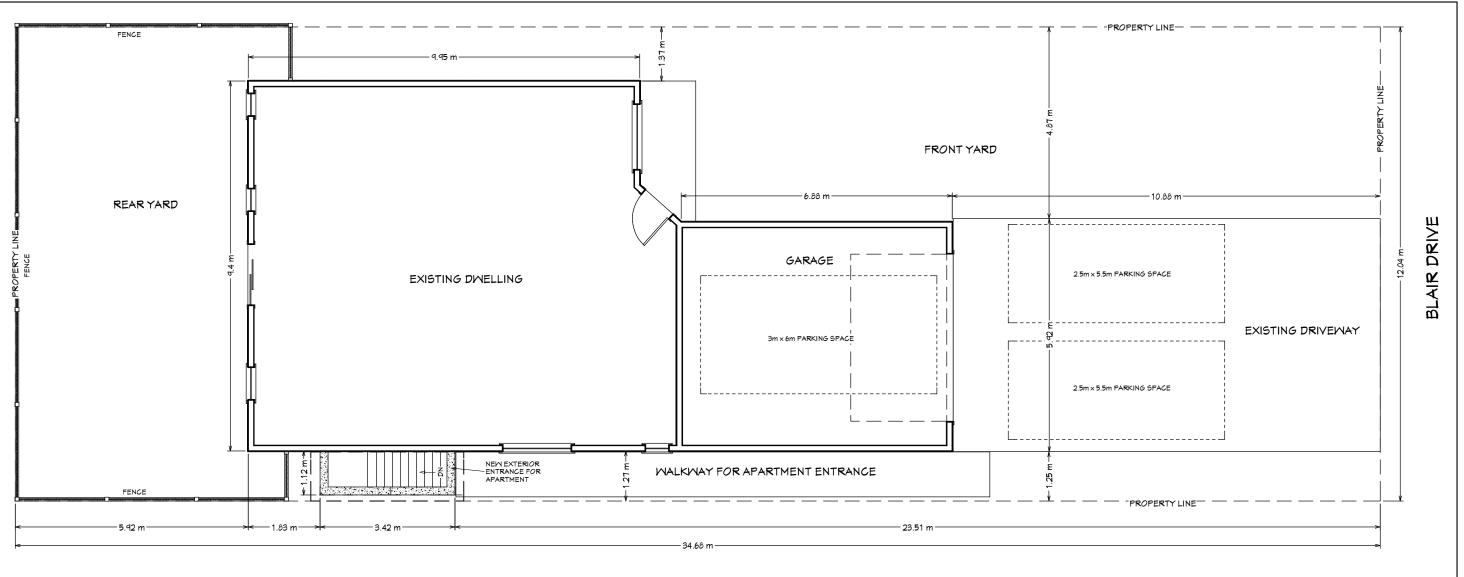


	NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VAN HARTEN SURVEYING INC.		
C 2003 VAN HARTEN SURVEYING INC. METRIC	METRIC : DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.		May 28,2003-2:06pm
NOT	E : ALL MEASUREMENTS SHO	OWN TO BUILDING ARE TO THE CONCRETE FOUNDATION UNLESS INDICATED OTHERWISE	G:\GuelphM\61m-56\acad\B68.dwg
LEGEND: IB IRON BAR 1155 VAN HARTEN SURVEYING INC., O.L.S.'S		NOTE:	PROJ. NO. 14630-01
SURVEY MONUMENT FOUND 1001 CONTROL	POINT	BEARINGS ARE REFERRED TO PART OF THE NORTHWESTERLY LIMIT OF BLAIR DRIVE, HAVING AN ASTRONOMIC COURSE OF	CHECKED BY J.M.L.
		N43'53'05"E, AS SHOWN ON REGISTERED PLAN 61M-56.	DRAWN BY MLJ
1	RVEYORS LPH, ONTARIO 21-2770	SURVEYOR'S CERTIFICATE: I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON THE 2nd DAY OF MAY, 2003	James M. LAWS, O.L.S. DATE: MAY 27, 2003

_____<u>N44'19'28"E</u>

61.953

7340



SITE PLAN

SITE NOTES:

- FENCE LINE IS ASSUMED TO BE LOCATED ON PROPERTY LINE FOR THE PURPOSES OF DETERMINING SETBACKS

- DIMENSIONS ON SITE PLAN ARE AS ACCURATE AS POSSIBLE, REFER TO AN OFFICIAL SITE SURVEY FOR MORE DETAILED INFORMATION SCALE : 1/8" = 1'-0"

10 BLAIR

PROJECT NAME:

1938

PROJECT NUMBER:

DRAMING: SITE PLAN PHONE: 226.218.4217 -- EMAIL: clarissagreenslate@outlook.com -- WEB: greenslatedesigns.ca



Applications for Minor Variance(s) have been filed with the Committee of Adjustment.

LOCATION: 735 and 737 Woolwich Street

PROPOSAL: The applicant is proposing to demolish the existing buildings at 735 and 737 Woolwich Street and construct a new four-storey office building. The two properties are intended to be consolidated for redevelopment. The properties are currently subject to an application for Site Plan Approval (File SP19-012). A previous minor variance application (File A-9/19) was approved at the January 10, 2019 hearing to permit a day care centre and office use at 735 Woolwich Street.

BY-LAW REQUIREMENTS:

TS: 735 Woolwich Street is located in the Specialized Service Commercial (SC.1-16) Zone. 737 Woolwich Street is located in the Specialized Service Commercial (SC.1-6) Zone. Variances from Table 6.4.2 Rows 7 and 4 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

a) a maximum building height of three storeys; and

b) a minimum front yard setback of 6 metres.

REQUEST:

The applicant is seeking relief from the By-law requirements to permit:

a) a building height of four storeys; and

b) a front yard setback of 3 metres for the underground parking area.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider applications under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street
APPLICATION NUMBERS:	A-74/19 and A-75/19

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

PROVIDING COMMENTS

Any person may attend the public hearing to provide comments regarding the applications. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **August 1**, **2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

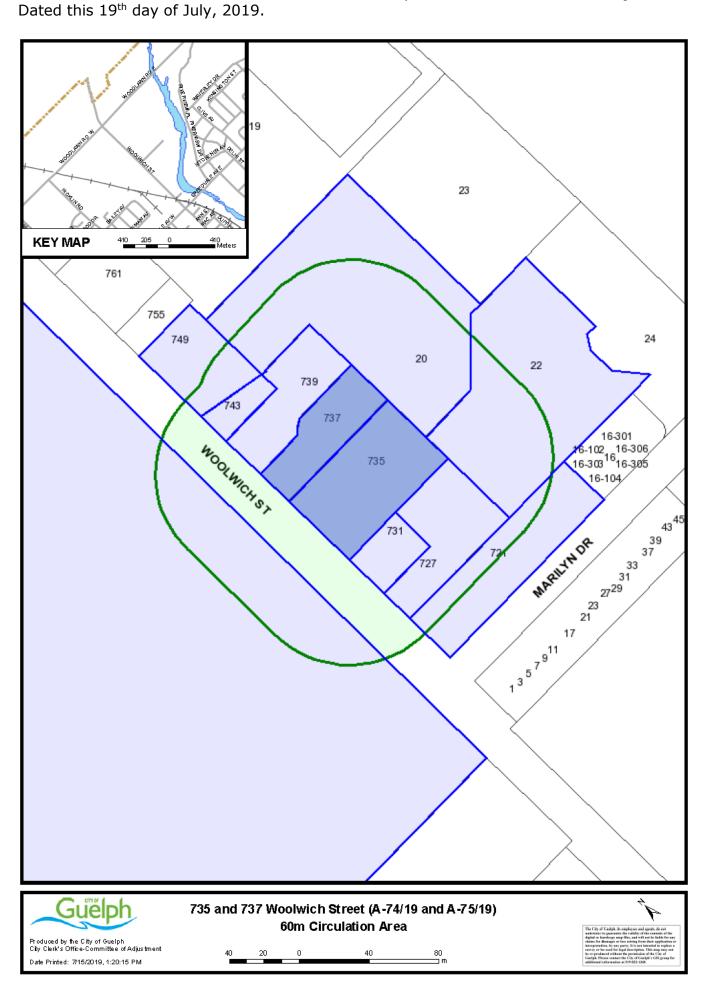
Additional Information

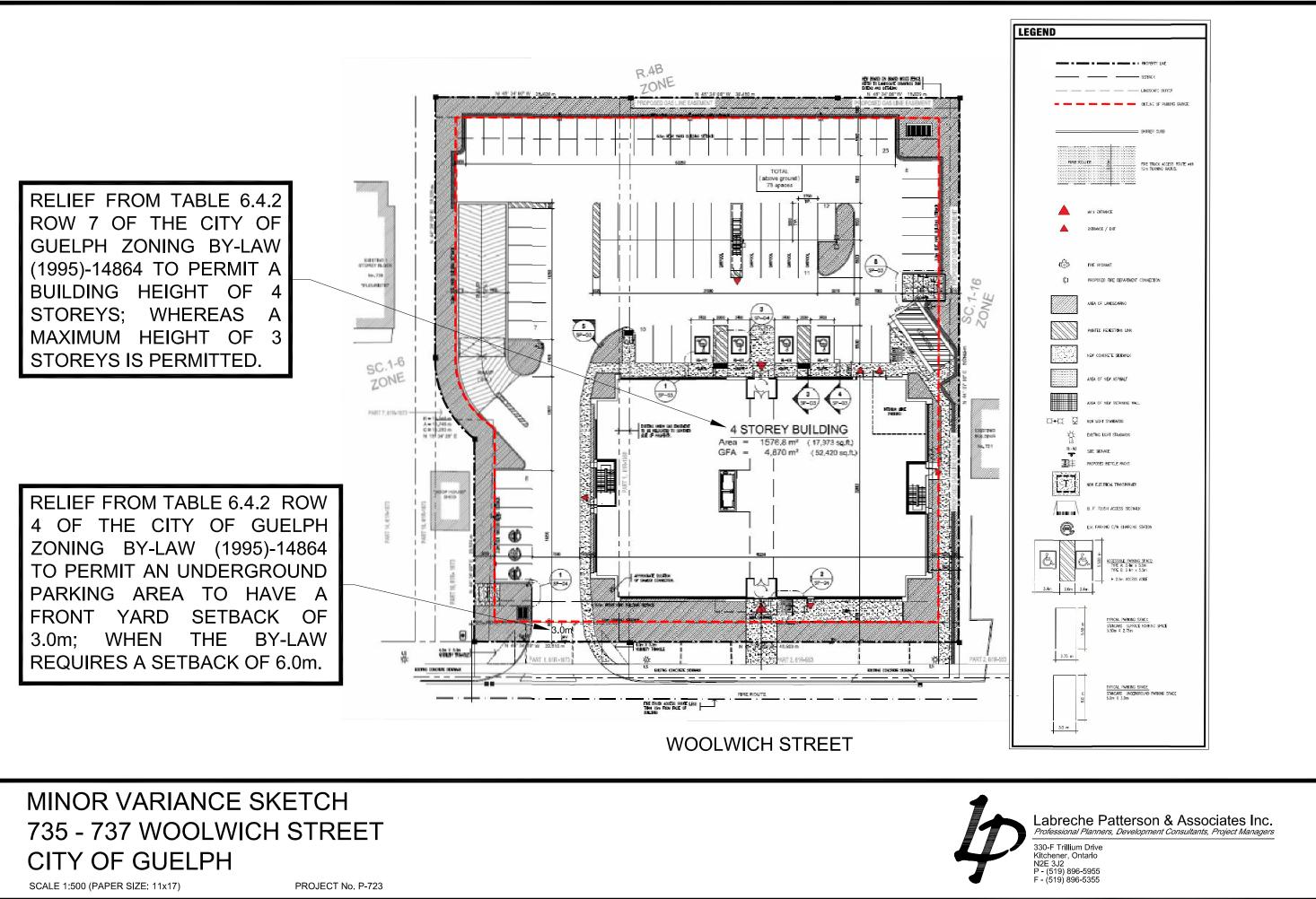
Agendas and comments related to these applications will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the SecretaryTreasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

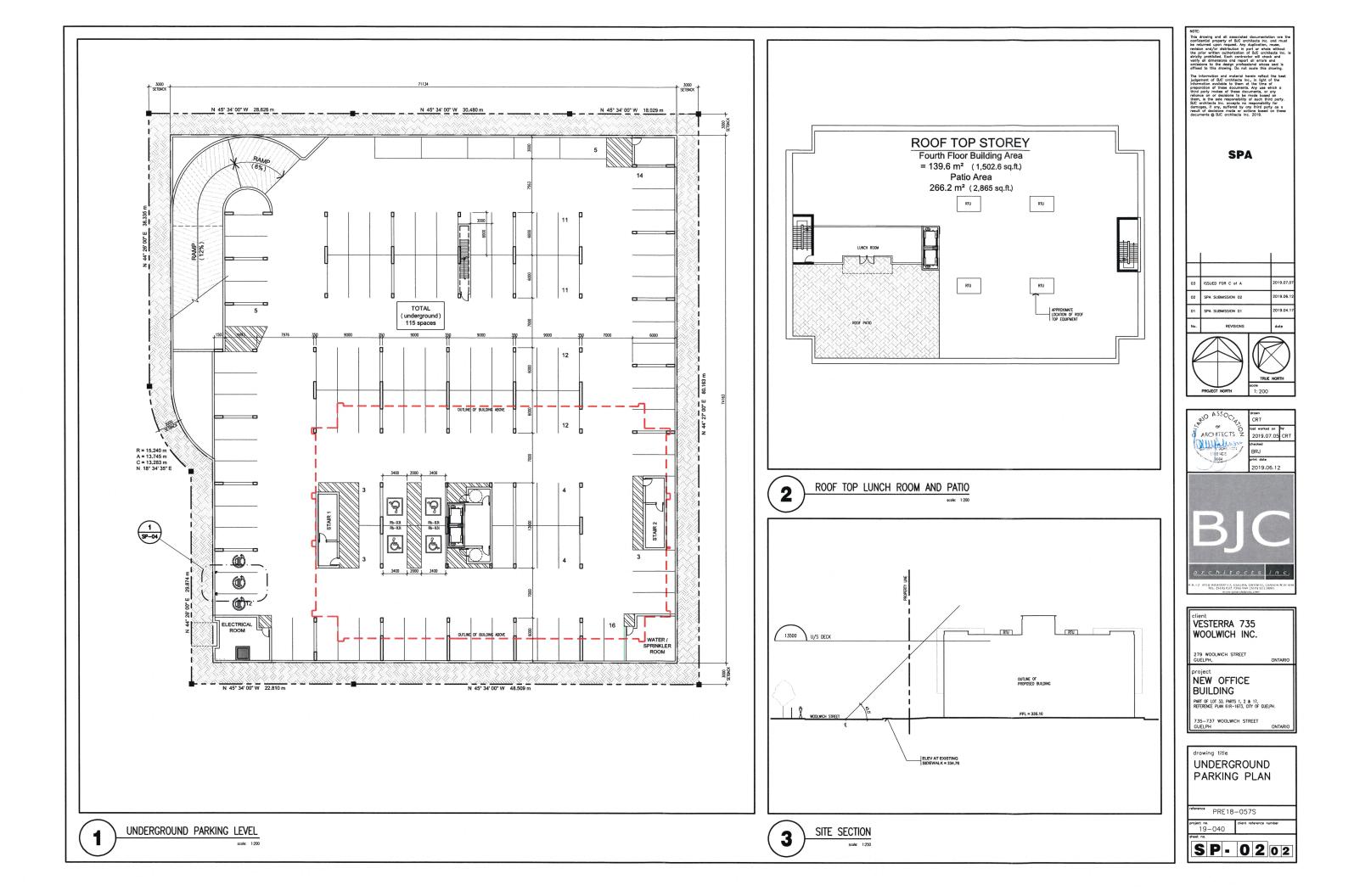
NOTICE OF THE DECISION

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

> Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment







Making a Difference

An Application for Consent [Long Term Lease] has been filed with the Committee of Adjustment.

- **LOCATION:** 230-232 Silvercreek Parkway North
- **PROPOSAL:** The applicant is proposing to extend the lease for a 814.3 square metre portion of the property containing the existing Tim Horton's building and drive through located at 232 Silvercreek Parkway North. The existing term for the lease started in 1994 and is set to expire in 2026. As per the Planning Act, any lease in excess of 21 years requires the approval of the Committee of Adjustment.
- **BY-LAW REQUIREMENTS:** The property is located in the Specialized Service Commercial (SC.1-26) Zone.
- **REQUEST:** The applicant is requesting permission to extend the current lease to allow for a 32 year long term lease including renewal options.

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

DATE:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street,
APPLICATION NUMBER:	B-9/19

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

PROVIDING COMMENTS

Any person may attend the public hearing to provide comments regarding the application. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **August 1, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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ADDITIONAL INFORMATION

Agendas and comments related to this application will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

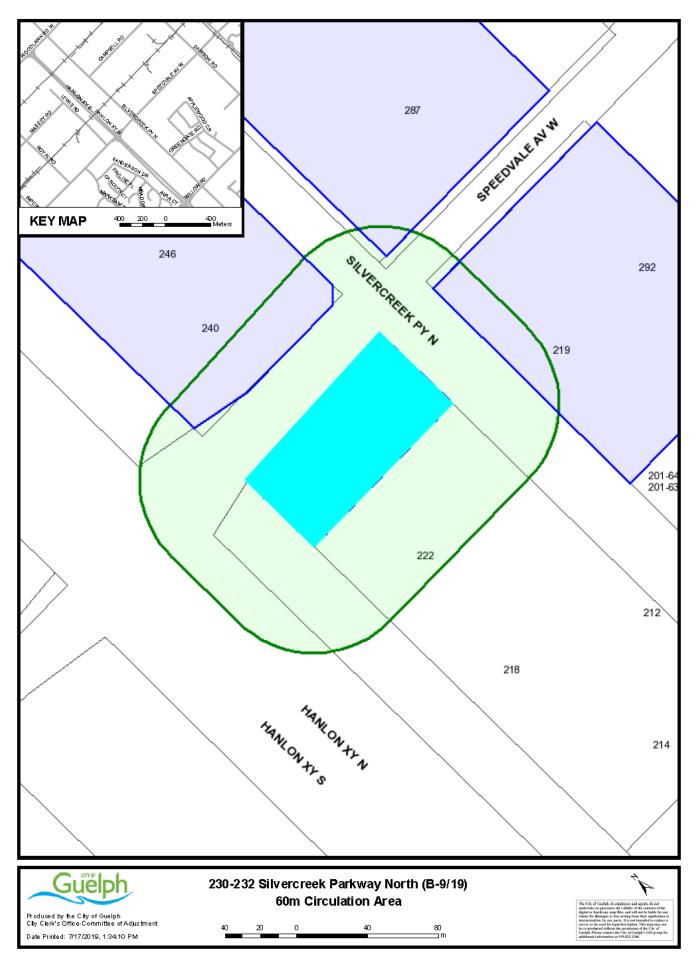
NOTICE OF THE DECISION

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment.

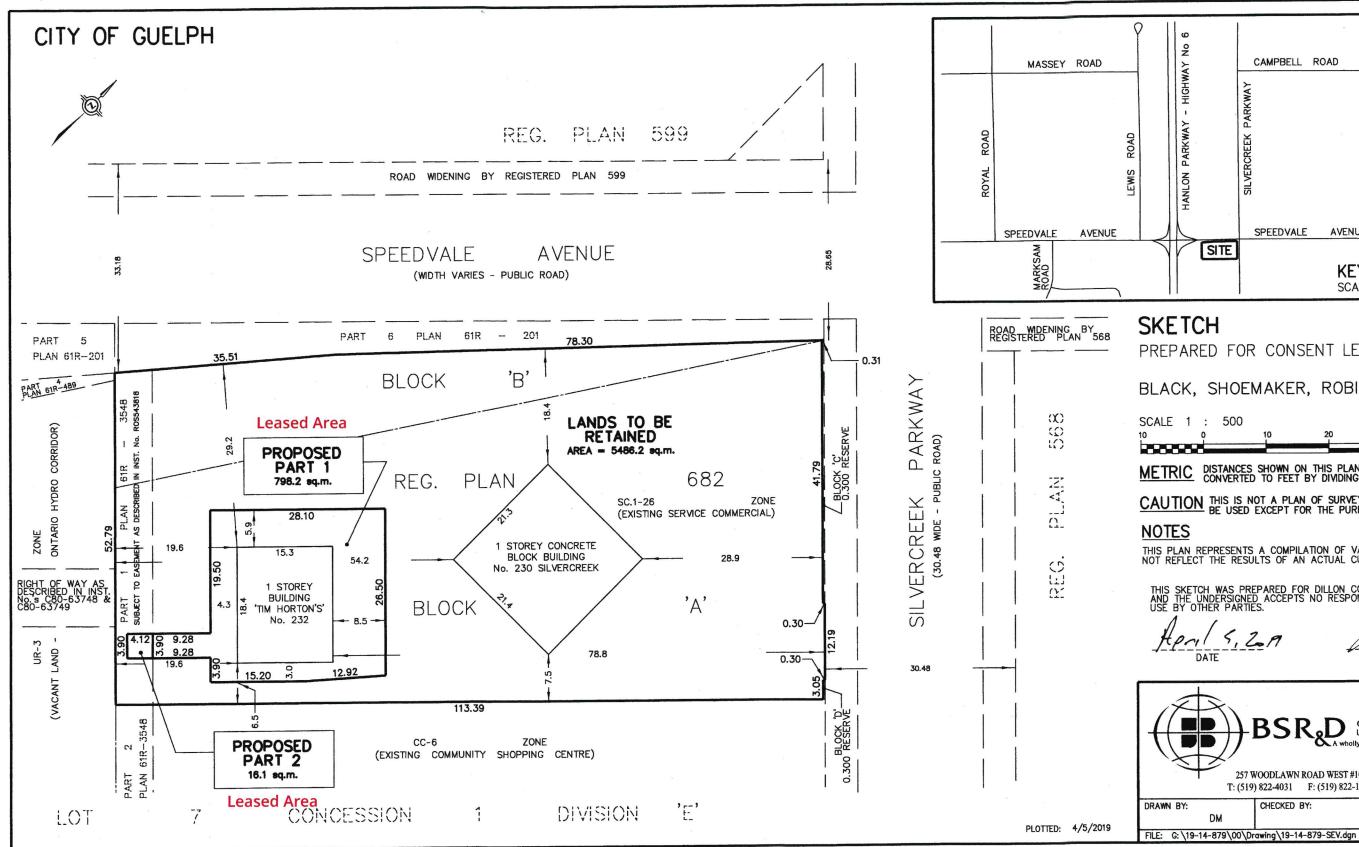
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the *Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.*

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment

Dated this 19th day of July, 2019.



Committee of Adjustment, City of Guelph, 1 Carden Street, Guelph ON N1H 3A1 Phone: 519-822-1260 ext. 2524 | Fax: 519-763-1269 | Email: cofa@guelph.ca



AY No 6	CAMPBELL ROAD	
HANLON PARKWAY - HIGHWAY No	SILVERCREEK PARKWAY	1
	SPEEDVALE AVENUE	
SITE		
	KEYPLAN SCALE 1 : 10,000	

SKETCH

PREPARED FOR CONSENT LEASE APPLICATION

BLACK, SHOEMAKER, ROBINSON & DONALDSON

SCALE 1 : 500

30 metres

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

CAUTION THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

THIS PLAN REPRESENTS A COMPILATION OF VARIOUS PLANS AND DEEDS AND DOES NOT REFLECT THE RESULTS OF AN ACTUAL CURRENT FIELD SURVEY.

SKETCH WAS PRE THE UNDERSIGNED BY OTHER PARTIE	1	TING LIMITED TY FOR RAYMOND J. SIBTHORP ONTARIO LAND SURVEYOR
257 1	BSR A wholly owned WOODLAWN ROAD WEST #101, GUE 1 822-4031 F: (519) 822-1220	LPH, ON N1H 8J1
DM	CHECKED BY:	REFERENCE NO.: 19-14-879

DATED: APRIL 5, 2019

Gueph Making a Difference

Applications for Consent [Easements] have been filed with the Committee of Adjustment.

- **LOCATION:** 279 Woolwich Street and 285 Woolwich Street
- **PROPOSAL:** The properties each contain an office building. The previous access easement over 279 Woolwich Street is proposed to be removed and replaced with three new easements. These easements will allow for building maintenance and access between the properties.
- **BY-LAW REQUIREMENTS:** The properties are located in the Downtown 2 (D.2) Zone.
- **REQUEST:** The applicant proposes the following easements as shown on the attached sketch:

File B-10/19 (279 Woolwich Street):

- a) Creation of a 23 square metre easement over a portion of the left side of 279 Woolwich Street for access and maintenance in favour of 285 Woolwich Street [shown as easement #2].
- b) Creation of a 2 square metre easement over a portion of the rear corner of 279 Woolwich Street for access in favour of 285 Woolwich Street [shown as easement #3].

File B-11/19 (285 Woolwich Street):

c) Creation of a 26 square metre easement over a portion of the right side of 285 Woolwich Street for access and maintenance in favour of 279 Woolwich Street [shown as easement #1].

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider applications under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

D ате:	Thursday, August 8, 2019
Тіме:	4:00 p.m.
LOCATION:	Council Chambers, City Hall, 1 Carden Street,
APPLICATION NUMBERS:	B-10/19 and B-11/19

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

PROVIDING COMMENTS

Any person may attend the public hearing to provide comments regarding the applications. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **August 1, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

Your comments, including any personal information you provide, will become part of the decision making process of the applications and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

Additional Information

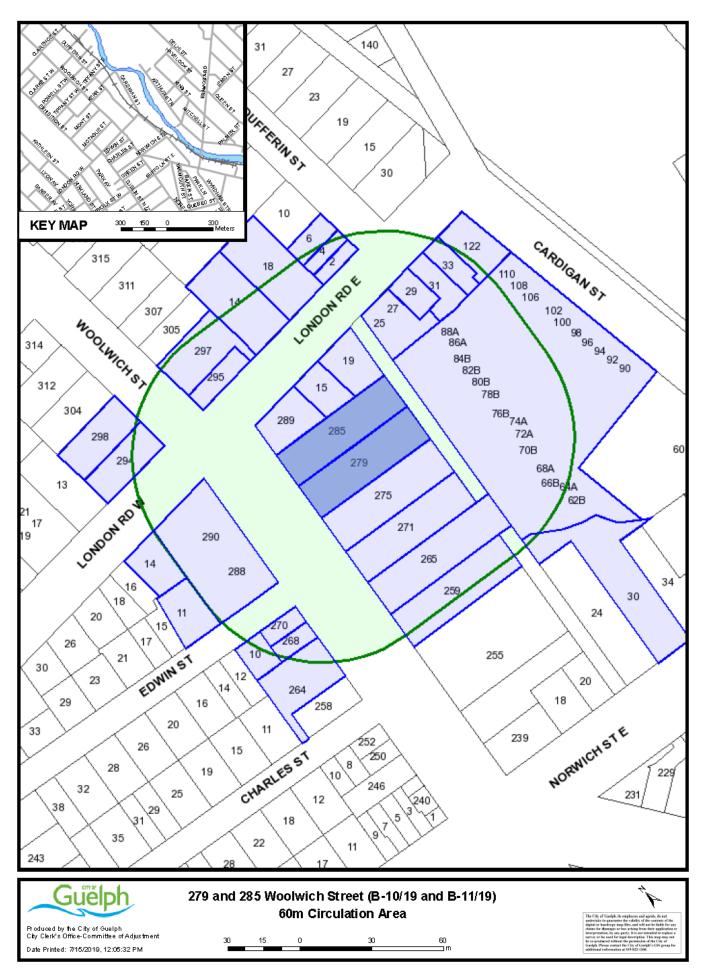
Agendas and comments related to these applications will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to these applications may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

NOTICE OF THE DECISION

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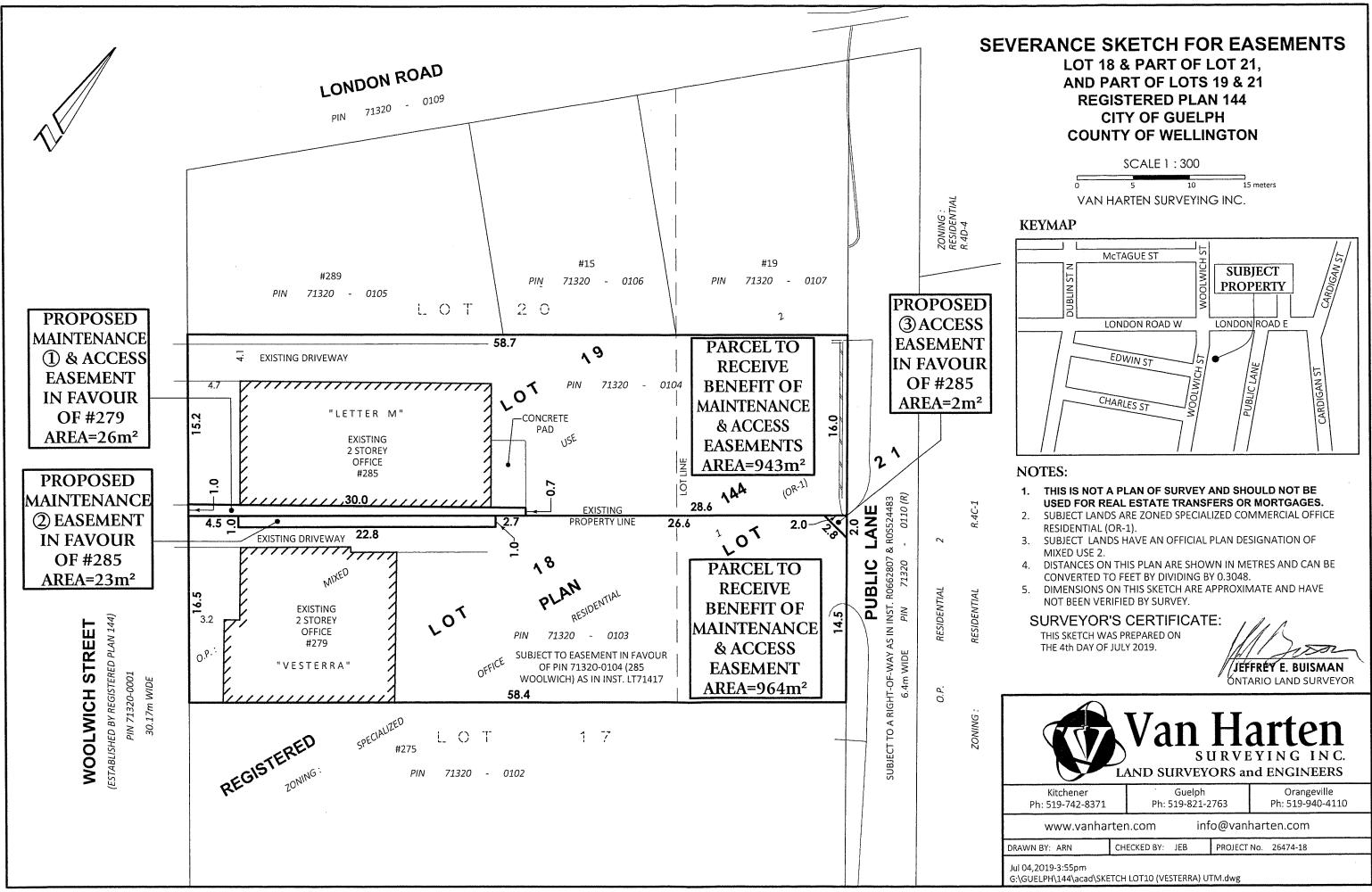
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

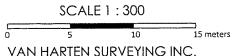
Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment



Dated this 19th day of July, 2019.

Committee of Adjustment, City of Guelph, 1 Carden Street, Guelph ON N1H 3A1 Phone: 519-822-1260 ext. 2524 | Fax: 519-763-1269 | Email: cofa@guelph.ca







Environment and Land Tribunals Ontario Local Planning Appeal Tribunal 655 Bay Street, Suite 1500 Toronto ON M5G 1E5 Telephone: 416-212-6349 Toll Free: 1-866-448-2248 Website: www.elto.gov.on.ca Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

LPAT Case Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority JUL 02 2019 BUILDING

To file an appeal, select one or more below *

Appeal of Planning Act matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A

Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, Building Better *Communities and Conserving Watersheds Act*, 2017, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.

Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

1 A. Appeal Type (Please check all applicable boxes)* Reference Type of Appeal Subject of Appeal (Section) **Planning Act Matters** Appeal a decision by local council that adopted an OP or OPA 17(24) (exempt from approval by Minister or Approval Authority) Appeal a decision of an Approval Authority that approved or did not 17(36) Official Plan or approve all or part of a plan or amendment **Official Plan Amendment** Approval Authority failed to make a decision on the plan within 210 days, 17(40) or within 300 days if Approval Authority extended the appeal up to 90 days Council failed to adopt the requested amendment within 210 days 22(7) Council refuses to adopt the requested amendment 34(19) Appeal the passing of a Zoning By-law Application for an amendment to the Zoning By-law - failed to make a Zoning By-law or Zoning decision on the application within 150 days 34(11) **By-law Amendment** Application for an amendment to the Zoning By-law - failed to make a decision within 210 days where the application is associated with an Official Plan Amendment Application for an amendment to the Zoning By-law – refused by the municipality Appeal the passing of an Interim Control By-law within 60 days (Minister Interim Control Zoning 38(4) only) **By-law**

Appeal the passing of an extension of an Interim Control By-law within

60 days

38(4.1)

Subject of Appeal	Type of Appeal	Reference (Section)
Site Plan	Application for a site plan – council failed to make a decision within 30 days	41(12)
	Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	✓ Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
	Appeal a decision that approved or refused the application	53(19)
Consent/Severance	Appeal conditions imposed	
	Appeal changed conditions	53(27)
	Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
	Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 180 days	51(34)
	Appeal a decision of an Approval Authority that approved a plan of subdivision	
Plan of Subdivision	Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	Appeal a lapsing provision imposed by an Approval Authority	51(39)
	Appeal conditions imposed by an Approval Authority	
	Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	Appeal changed conditions	51(48)
	check all applicable boxes) Only for appeal(s) of a new decision or non-o Authority following a previous LPAT Decision (i.e., second appeal).	lecision by
Subject of Appeal	Type of Appeal	Reference (Section)
	Planning Act Matters	
Official Plan or Official Plan Amendment	Appeal of a decision by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	Appeal of a decision by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	Appeal of a refusal within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	Appeal of a non-decision within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	Appeal of a refusal within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	Appeal of a non-decision within 90 days by Council following a LPAT decision	
	Appeal of a decision by Council following a LPAT decision	34(19) and 34(26.5)

1 [,] C. Other Appeal Types	(Please check all applicable boxes)	
Subject of Appeal	Type of Appeal	Reference (Section)
	Development Charges Act Matters	
Development Charge By- law	Appeal a Development Charge By-law	14
	Appeal an amendment to a Development Charge By-law	19(1)
Development Charge Complaint	Appeal municipality's decision regarding a complaint	22(1)
	Failed to make a decision on the complaint within 60 days	22(2)
Front-ending Agreement	Objection to a front-ending agreement	47
	Objection to an amendment to a front-ending agreement	50
	Education Act Matters	
Education Development Charge By-law	Appeal an Education Development Charge By-law	257.65
	Appeal an amendment to an Education Development Charge By-law	257.74(1)
Education Development Charge Complaint	Appeal approval authority's decision regarding a complaint	257.87(1)
	Failed to make a decision on the complaint within 60 days	257.87(2)
	Aggregate Resources Act Matters	An 1997 (1997), an
	One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	One or more objections against an application for a 'Class B' aggregate removal licence	
	Application for a 'Class A' licence – refused by Minister	11(11)
	Application for a 'Class B' licence – refused by Minister	
	Changes to conditions to a licence	13(6)
Aggregate Removal icence	Amendment of site plans	16(8)
	Minister proposes to transfer the licence – applicant does not have licensee's consent	
	Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	18(5)
	Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
1.1.1	Revocation of licence	20(4)
	Municipal Act Matters	
	Appeal the passing of a by-law to divide the municipality into wards	
Vard Boundary By-law	Appeal the passing of a by-law to redivide the municipality into wards	222(4)

<u></u>		Тур	e of Appeal		Reference (Section)
	Appeal	the passing of a by-law	to dissolve the ex	kisting wards	
		Ontario He	ritage Act Matte	rs	
Heritage Conservation District	Appeal Study a	the passing of a by-law rea	designating a he	itage conservation	40.1(4)
	Appeal district	the passing of a by-law	designating a he	itage conservation	41(4)
		Other A	Act Matters		
Subject of Appeal	Act/Legisla	ation Name			Section Number
2. Location Informatio Address and/or Legal Des 58 MEMORIAL CRESC GUELPH, ON N1H 6B9	cription of pro	operty subject to the app	peal *		
PLAN 411 LOT 25 Municipality * GUELPH					
pper Tier (Example: cour					
3. Appellant/Objector I Note: You must notify the Number(s) after they ast Name *	hier Information	change of address or te		in writing. Please quot	e your LPAT Case/File
3. Appellant/Objector I Note: You must notify the Number(s) after the Last Name * BARTOLOMUCCI	hier Information LPAT of any y have been a	change of address or te assigned.	First Name * ANNAMARIA		-
 Appellant/Objector I Note: You must notify the Number(s) after the Last Name * 	hier Information LPAT of any y have been a	change of address or te assigned.	First Name * ANNAMARIA		-
 Appellant/Objector I Note: You must notify the Number(s) after they Last Name * BARTOLOMUCCI Company Name or Associ Email Address 	Information LPAT of any y have been a fation Name (change of address or te assigned.	First Name * ANNAMARIA		
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3. Appellant/Objector I Note: You must notify the Number(s) after they Last Name * BARTOLOMUCCI Company Name or Associ Email Address ambartolomucci@yahoc Daytime Telephone Numb 519-239-7305 Mailing Address Jnit Number Street State City/Town * GUELPH I. Representative Information	Information LPAT of any y have been a fation Name (b.com er *	change of address or te assigned. Association must be inc ext. Street Name * MEMORIAL CRESC Province * ONTARIO	First Name * ANNAMARIA orporated – inclue Alterna	de copy of letter of inco te Telephone Number Country *	PO Box Postal Code *

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Mailing Address			ext.			
-		ł				
Jnit Number	Street Number	Street Na	ame			PO Box
City/Town		F	Province		Country	Postal Code
written authori confirm this by	zation, as required checking the box t ave written authoriz	by the LP, below. zation from	AT's Rules of Practice	and Proo	Society Act, please conficedure, to act on behalf of sentative with respect to thon at any time.	the appellant. Please
5. Subject Informa Municipal Reference COMMITTEE OF A	Number(s) *	PPLICATI	ON NUMBER A-52/	19		
on the LPAT website appeal and the reaso	http://elto.gov.on.cons for your appeal	ca/tribunal based on	s/lpat/lpat-process/] de requirement A or , for s	tailing th ome ap	ing By-law Amendments, p ne requirement to set out th peal types, both A and B:	
	-				ich part of the decision is:	
		-		ubsectio	n 3(1) of the Planning Act	
[]	rm with or conflicts		·			
Fails to confor	rm with an applicab	le Official	Plan			
Please explain:						

B: If you are appealing a non-decision or decision to refuse of a Council for Subsection 22(7) or 34(11),
outline how your application brings the Official Plan [22(7)] or Zoning By-Law [34(11)] into:	

Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*

conformity with a provincial plan

conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

Please explain:

For all other appeal types *

Outline the nature of the appeal and the reasons for the appeal File # A-52/19 – 58 Memorial Cres. Guelph, ON N1H 6B9

Minor Variance Request: The applicant is seeking relief from the By-law requirements to permit a fence height of 1.83 metres in the front yard of 58 Memorial Cres.

I believe the comments made to the applicant (myself) at the Committee of Adjustment hearing on June 13, 2019 by

the Committee of Adjustments member Ms. Lise Anne Janis were biased, intimidating and delivered in such a manner that was discriminatory on the basis of social class (classism).

I acknowledge that the process to a minor variance approval is that of which is democratic. In regards to my particular application, there were five comment letters submitted by citizens that live close to my property. These citizens were concerned about various items including;

- Safe pedestrian crossing
- The size of the house that was built
- The distance of which the home is set back off the road; and
- · A previously approved variance regarding an accessory apartment

The last three items have no relevance to the current minor variance application

Although, the public has the right to comment as they wish, according to the Committee of Adjustment Code of Conduct Section 223.2(1) of the Municipal Act, 2001,a Committee of Adjustments member must conduct themselves in an impartial, fair, unbiased and free of discrimination manner in which I feel Ms. Janis did not. Furthermore, members such as Ms. Janis are required to perform their duties in such a way to promote public confidence and trust in the integrity, objectivity and impartiality of the Committee. I believe Ms. Janis' initial discriminatory remarks had influence on the objectivity and impartiality of other Committee members as evident in the video of Committee of Adjustment hearing.

http://video.isilive.ca/guelph/COA/2019/2019-06-13.mp4.html

Ms. Janis' comments that I regard as being subjective and impartial begin at 1:17:47 of the hearing video and include:

1. "You chose to build a very big house on a fairly small lot" at 1:17:49 on video

• The dwelling that was built is compliant with the Ontario Building Code 2012 as directed by the City of Guelph building department and was approved and inspected by the City. Also, the size of my home has no impact or relevance to the minor variance I am requesting.

• The setback of my home was dictated by the City; I did not have carte blanche approval to place the building on my property.

2. "I know you were before the Committee of Adjustments some time ago on this issue" at 1:18:09
Ms. Janis' comment is accurate; I stood before the Committee of Adjustments on October 12, 2017 file # A-69/17 requesting a variance to seek relief from the By-law requirement to permit an accessory apartment size of 118 square metres instead of the required 80 square metres.

• As a citizen of the City of Guelph, it is my right to apply for a minor variance from City Zoning Bylaws

• This request fell under the Human Rights Code protected ground of family status'; I find her comments to be invidious as the reason for the request was to increase the size of the accessory apartment in order for it to be built to standards set forth in the Accessibility for Ontarians with Disabilities Act to accommodate wheelchair accessibility for my elderly grandmother. This specific ground within the Code protects adult children whom experience discrimination as they care for their aging parents.

3. Ms. Janis' comment re: "How tall is your dog?"

• Ms. Janis' comment was intimidating in tone and expression, and uncalled for as my application stated the request is being made for privacy and to keep my dog in.

• I felt belittled in front of the Committee and City staff members as well as citizens of Guelph and the public whom attended.

• The size of my dog is irrelevant to the fact that I wish to keep him fenced in my yard and for my privacy.

None of the issues above that Ms. Janis mentioned had anything to do with the minor variance regarding the fence height of 1.83 meters. According to the Committee of Adjustments Code of Conduct, "members shall take all reasonable steps to avoid any perception of bias towards or against any individual... involved in an application." I feel that these comments were made due to the biased public comments and should not have been publicly brought up, nor was there the necessity to discuss, as they were very intimidating, impartial, biased and affected the views of the other members. I felt compelled and bullied to disclosing personal information that is not necessary to my

application. Her actions were a direct violation of the Committee of Adjustment Code of Conduct where it states that Members shall demonstrate respect for all participants in the process"; I did not, and do not feel as though I was respected fully by all members throughout my delegation in front of the Committee.

Contrary to the Code of Conduct, I believe I was treated differently than the applicant with a similar request to mine including Hearing # A-51/19 – 54 Bennett Ave. time video 1:12:03 of which was heard prior to my application. The applicant's request is similar to mine in that the dwelling is located directly across from Green Meadows Park and in close proximity to a school (John F. Ross). Furthermore, this request is on a busier street with a fence that is closer to the sidewalk than I am requesting approval for, however despite all of these influencing factors – the application was approved. Also, his fence was already erected. There were no comment letters received, nor did the Committee members belittle, intimidate, bully or make comments to the applicant in the same manner of which I was spoken too.

I also feel that I have met the four test under Section 45(1) of the Planning Act and which considered whether or not the variance requested 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(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

This is also confirmed by City of Guelph Planning, Engineering and Building Services where staff have confirmed that the proposed fence is not located within the corner sight line. I am also in agreement with the condition of the Planning department to setback the fence an extra 1.5 meters from the property line which will reduce further impacts. I also do not think that the public is aware of the Planning departments condition and are commenting on my original request. If they were aware of the setback this may have addressed the concerns regarding the safe pedestrian crossing.

I would also like to mention that I would not want to cause unsafe pedestrian crossing.

At all points of crossing on the sidewalk the fence is located in the rear of the pedestrian which would have no impact when crossing. The setback from the site line triangle is 4.6 meters. There was an approved minor variance application for the home across the street at 69 Memorial Crescent to amend the bylaw of 6m frontage to 4.5m. This approval was less than the setback from the corner site line triangle.

Also, due to the property line tapering near the front of the house the setback from the curb would be 5.3m. The sight line visibility from the sidewalks farthest point is 13 + meters from the yield sign which I believe is more than enough visibility for pedestrian crossing at the farthest point. I also know that there are obstructed views on this street that are of more concern.

I would also consider an extra setback to accommodate the public and work together on a solution.

For these reasons above I believe that my application should be reviewed.

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

✓ Oral submissions at a public meeting of council

Written submissions to council

Planning Act matters only

Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/ were passed on or after July 1, 2016. (Bill 73)

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

Yes	N	lo
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6. Related Matters

Are there other appeals not yet filed with the Municipality?

🗌 Yes 🛛 🖌 No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

Yes	🗸 No
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if yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)

7. Case Information

For Planning Act appeals selected in Section 1A for Subsections 17(24), 17(36), 17(40), 22(7), 34(11), 34(19), and 51(34):

Detail the nature and/or expertise of witnesses you will have available should the Tribunal Member require oral evidence at the proceeding. (For example: land use planner, architect, engineer, etc.)

S. Daniel - City of Guelph Engineering Technologist

B. Bond - City of Guelph Zoning Inspector

A. Watts - City of Guelph Planner

For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

8. Required Fee		
Total Fee Submitted * \$ 300		
Payment Method * ► Certified cheque	Money Order Lawyer's general or trust acc	count cheque
9. Declaration		
I solemnly declare that all of the statements and the and complete.	information provided, as well as any supporting d	ocuments are true, correct
Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
ANNAMARIA BARTOLOMUCCI	ADal	2019/07/02

Personal information or documentation requested on this form is collected under the provisions of the Planning Act, R.S.O. 1990 c. P. 13 and the Local Planning Appeal Tribunal Act. After an appeal is filed, all information relating to this appeal may become available to the public.



Marry Cold Same II

JUL 15 2019

To file an appeal, select one or more below *

- Appeal of Planning Act matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, Building Better *Communities and Conserving Watersheds Act*, 2017, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- Appeals of other matters, including Development Charges, *Education Act, Aggregate Resources Act, Municipal Act* and Ontario Heritage, proceed to Section 1C

1 A. Appeal Type (Please check all applicable boxes)*

Subject of Appeal	Type of Appeal	Reference (Section)					
Planning Act Matters							
Official Plan or Official Plan Amendment	Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)					
	Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)					
	Approval Authority failed to make a decision on the plan within 210 days, or within 300 days if Approval Authority extended the appeal up to 90 days	17(40)					
	Council failed to adopt the requested amendment within 210 days	22(7)					
	Council refuses to adopt the requested amendment						
Zoning By-law or Zoning By-law Amendment	Appeal the passing of a Zoning By-law	34(19)					
	Application for an amendment to the Zoning By-law – failed to make a decision on the application within 150 days	34(11)					
	Application for an amendment to the Zoning By-law – failed to make a decision within 210 days where the application is associated with an Official Plan Amendment						
	Application for an amendment to the Zoning By-law – refused by the municipality						
Interim Control Zoning By-law	Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)					
	Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)					

Subject of Appeal	Type of Appeal	Reference (Section)
Site Plan	Application for a site plan – council failed to make a decision within 30 days	41(12)
	Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
	Appeal a decision that approved or refused the application	53(19)
Consent/Severance	Appeal conditions imposed	
	Appeal changed conditions	53(27)
	Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
	Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 180 days	51(34)
	Appeal a decision of an Approval Authority that approved a plan of subdivision	
Plan of Subdivision	Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	Appeal a lapsing provision imposed by an Approval Authority	51(39)
	Appeal conditions imposed by an Approval Authority	
	Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	Appeal changed conditions	51(48)
1 B. Appeal Type (Please municipality or Approval <i>i</i>	check all applicable boxes) Only for appeal(s) of a new decision or non-c Authority following a previous LPAT Decision (i.e., second appeal).	lecision by
Subject of Appeal	Type of Appeal	Reference (Section)
	Planning Act Matters	
Official Plan or Official Plan Amendment	Appeal of a decision by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	Appeal of a decision by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	Appeal of a refusal within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	Appeal of a non-decision within 90 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	Appeal of a refusal within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	Appeal of a non-decision within 90 days by Council following a LPAT decision	
	Appeal of a decision by Council following a LPAT decision	
		34(19) and 34(26.5)

1 C. Other Appeal Types (Please check all applicable boxes)							
Subject of Appeal	Type of Appeal	Reference (Section)					
	Development Charges Act Matters						
Development Charge By- law	Appeal a Development Charge By-law	14					
	Appeal an amendment to a Development Charge By-law	19(1)					
Development Charge Complaint	Appeal municipality's decision regarding a complaint	22(1)					
	Failed to make a decision on the complaint within 60 days	22(2)					
Front-ending Agreement	Objection to a front-ending agreement	47					
	Objection to an amendment to a front-ending agreement	50					
	Education Act Matters						
Education Development Charge By-law	Appeal an Education Development Charge By-law	257.65					
	Appeal an amendment to an Education Development Charge By-law	257.74(1)					
Education Development Charge Complaint	Appeal approval authority's decision regarding a complaint	257.87(1)					
	Failed to make a decision on the complaint within 60 days	257.87(2)					
	Aggregate Resources Act Matters						
	One or more objections against an application for a 'Class A' aggregate removal licence	11(5)					
	One or more objections against an application for a 'Class B' aggregate removal licence	· · ·					
	Application for a 'Class A' licence – refused by Minister	11(11)					
	Application for a 'Class B' licence – refused by Minister						
Annuanda Daaraa	Changes to conditions to a licence	13(6)					
Aggregate Removal Licence	Amendment of site plans	16(8)					
	Minister proposes to transfer the licence – applicant does not have licensee's consent						
	Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	18(5)					
	Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer						
	Revocation of licence	20(4)					
	Municipal Act Matters						
	Appeal the passing of a by-law to divide the municipality into wards						
Ward Boundary By-law	Appeal the passing of a by-law to redivide the municipality into wards	222(4)					

Subject of App	eal	Type of Appeal				Reference (Section)			
		Appeal the passing of a by-law to dissolve the existing wards							
				Ontario Her	ritage Ac	t Matter	S		
Heritage Conservat District		Appeal the passing of a by-law designating a heritage conservation study area					40.1(4)		
		Appeal t district	he pass	ing of a by-law o	designatir	ng a her	itage conservation		41(4)
				Other A	ct Matter	s			
Subject of Appeal	Act	/Legislat	tion Nan	le				Sec	ction Number
2. Location Inform	nation				Call No.				
Address and/or Lega 622 College Avenu	al Descriptic Je West (P	on of pro PT LOT :	perty su 20, PLA	bject to the app N 613 , PART	eal * ⁻ 11 , 61I	R307 ; :	S/T MS76845 GUELP	H)	
Municipality * City of Guelph									
Upper Tier (Example County of Wel li ngt	e: county, di סוזי) איגנ	istrict, re いて フ	gion) IER	Ú					
3. Appellant/Obje	ctor Infor	mation							
Note: You must noti Number(s) after					lephone r	number	in writing. Please quote	your	LPAT Case/File
Last Name * Dhillon					First Na Jaspre		urkirat		
Company Name or A	Association	Name (A	Associat	ion must be inco	orporated	– inclue	de copy of letter of incor	porat	ion)
Email Address ghungrana@gmail	.com								
Daytime Telephone 519-830-6924	Number *			ext.			te Telephone Number 65-3808		
Mailing Address									
	Street Num 47	ber *	Street I Teal D						PO Box
			Province * Ontario			Country * Canada		Postal Code * N1C 1G4	
4. Representative	Informati	ion	4.20	A service in	1.49				
✓ I hereby authoriz	e the name	d compa	any and/	or individual(s)	to represe	ent me			
Last Name McNair				First Na	ame				
Company Name									
Professional Title P.Eng. & REALTO	R®								

Email Address lyle@lmcnair.com

Daytime Telephor 519-831-1654	ne Number	ext.	Alternate Telephone Numb	per
Mailing Address				
Unit Number	Street Number 20	Street Name Woodridge Drive		PO Box
City/Town		Province	Country	Postal Code

City/Town Guelph	Province Ontario	· · · · · · · · · · · · · · · · · · ·	Postal Code N1H 7E2
Note: If you are representing the appellant and a			
written authorization, as required by the L	PAT's Rules of Practice and Proc	cedure, to act on behalt of the	e appellant. Plea

confirm this by checking the box below.

✓ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

5. Subject Information

Municipal Reference Number(s) * File A3.19 (Committee of Adjustment)

For appeals of Official Plans, Official Plan Amendments, Zoning Bylaws and Zoning By-law Amendments, please see information on the LPAT website [<u>http://elto.gov.on.ca/tribunals/lpat/lpat-process/]</u> detailing the requirement to set out the nature of your appeal and the reasons for your appeal based on requirement A **or**, for some appeal types, both A and B:

A: If you are appealing a decision of a Council or Approval Authority, outline which part of the decision is:

☐ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the Planning Act

igsqcup Fails to conform with or conflicts with a provincial plan

☐ Fails to conform with an applicable Official Plan

Please explain:

And

B: If you are appealing a non-decision or decision to refuse of a Council for Subsection 22(7) or	34(11),
outline how your application brings the Official Plan [22(7)] or Zoning By-Law [34(11)] into:	

consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*

☐ conformity with a provincial plan

conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

Please explain:

For all other appeal types *

Outline the nature of the appeal and the reasons for the appeal

This appeal relates to the decision of the Committee of Adjustment at their meeting of June 27, 2019 to refuse approval of the application. It is our opinion that the Committee did not take into consideration all the relevant information relating to this application, perhaps in part due to the blamket recommendations of planning staff against 5 meter wide driveways for semi-detached homes, regardless of the lot width. This not consistent with the administration of driveway widths throughout the City.

Oral/written submissions to council

If applicable, did you make your opinions regarding this matter known to council?

✓ Oral submissions at a public meeting of council

✓ Written submissions to council

Planning Act matters only

Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/ were passed on or after July 1, 2016. (Bill 73)

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

Yes	No
6. Relate	d Matters
Are there of	other appeals not yet filed with the Municipality?
Yes	No
Are there of	other matters related to this appeal? (For example: A consent application connected to a variance application)
Yes	No V
if yes, plea	se provide LPAT Case Number(s) and/or Municipal File Number(s)

7. Case Information

For Planning Act appeals selected in Section 1A for Subsections 17(24), 17(36), 17(40), 22(7), 34(11), 34(19), and 51(34):

Detail the nature and/or expertise of witnesses you will have available should the Tribunal Member require oral evidence at the proceeding. (For example: land use planner, architect, engineer, etc.)

For all other appeal types :

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

The representative is a Professional Engineer in the Province of Ontario and was a member of the Committee of Adjustment in the City of Guelph from early 2004 to early 2015.

8. Required Fee					
Total Fee Submitted *	\$	300			
Payment Method * 🕨 🖌 Certified cheque		Money Order	Lawyer's general or trust account cheque		
9. Declaration			A CREAKER		
I solemnly declare that and complete.	all of	the statements an	d the information pro	vided, as well as any supporting documents are true, corre	ct

	//-		
Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)	
Lyle McNair	Mallen	2019/07/15	
			*

~

Personal information or documentation requested on Ethis form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.