

# COMMITTEE OF ADJUSTMENT AGENDA



Council Chambers, Guelph City Hall, 1 Carden Street

DATE Thursday, May 10, 2018 – 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.

## **PUBLIC HEARING FOR APPLICATIONS UNDER SECTIONS 45, 50, AND 53 OF THE PLANNING ACT**

### **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF APPROVAL OF MINUTES - APRIL 26, 2018 REQUESTS FOR WITHDRAWAL OR DEFERRAL OF APPLICATIONS**

#### **CURRENT APPLICATIONS**

- a) **A-36/18** Owner: Eric and Denise Bitton  
Agent: N/A  
Request: Variances for front and side yard setbacks for second storey addition  
Location: 73 Bagot Street
  
- b) **A-37/18** Owner: Richard Companion and Helen White  
Agent: Ian Chan, Chox Contracting  
Request: Variance for size of accessory apartment  
Location: 118 Severn Drive
  
- c) **B-13/18** Owner: Juzef and Stanislaw Kuzyk  
Agent: Jeff Buisman, Van Harten Surveying Inc.  
Request: Consent for severance as a lot addition  
Location: 9 Eden Street
  
- d) **A-38/18** Owner: Tyler McIntyre and Cynthia Lennon  
Agent: N/A  
Request: Enlargement/extension of legal non-conforming use to permit existing semi-detached dwelling, variances for setbacks for proposed rear addition with uncovered porch, and setback for accessory play structure  
Location: 65 Suffolk Street West
  
- e) **A-39/18** Owner: Matthew Shacklady and Jennifer McCreedy  
Agent: N/A  
Request: Enlargement/extension of legal non-conforming use to permit existing semi-detached dwelling, variances for setbacks for proposed rear addition with exterior stairs and uncovered porch, and setbacks for existing shed and accessory play structure  
Location: 67 Suffolk Street West
  
- f) **B-14/18** Owner: Armel Corporation  
Agent: N/A  
Request: Consent for severance to create new lot and easements for access, utilities, servicing and maintenance  
Location: 129 Elmira Road South

#### **OTHER BUSINESS**

**ADJOURNMENT** – next regular hearing June 14, 2018

*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.*

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 73 Bagot Street

**PROPOSAL:** The applicant is proposing to construct a 90.1 square metre second storey addition to the existing dwelling.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Rows 6 and 7 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires:

- a) a minimum front yard setback of 6 metres or the average of the setbacks of the adjacent properties, being 0.6 metres; and
- b) a minimum side yard setback of 1.5 metres.

**REQUEST:**

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

- a) a front yard setback of 2.6 metres for the proposed second storey addition; and
- b) a side yard setback of 0.84 metres for the proposed second storey addition.

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, May 10, 2018  
**TIME:** 4:00 p.m.  
**LOCATION:** Council Chambers, City Hall, 1 Carden Street  
**APPLICATION NUMBER:** A-36/18

**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 **May 3, 2018 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 Jennifer Slater, Program Manager Information, Privacy and Elections at [privacy@guelph.ca](mailto:privacy@guelph.ca) or at 519-822-1260 ext. 2605.

**ADDITIONAL INFORMATION**

Agendas and comments related to this application will be available online at: [www.guelph.ca](http://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 4:30 p.m. (Monday to Friday).

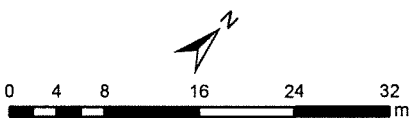
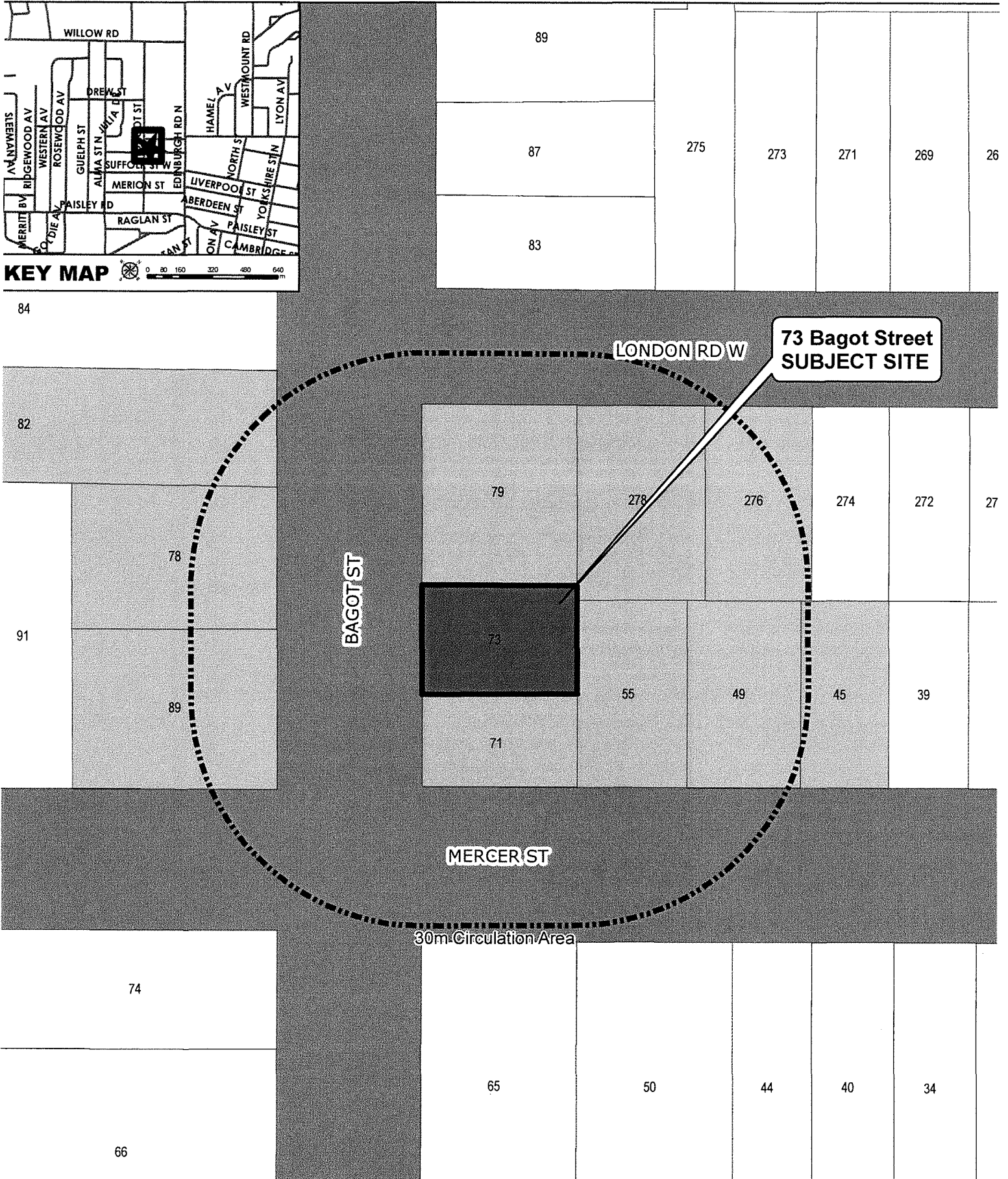
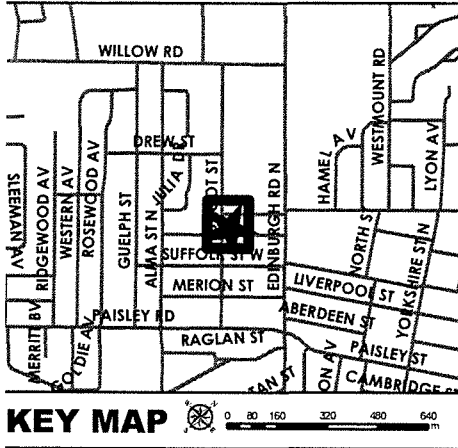
**NOTICE OF THE DECISION**

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(A)  
Secretary-Treasurer, Committee of Adjustment

Dated this 20<sup>th</sup> day of April, 2018.



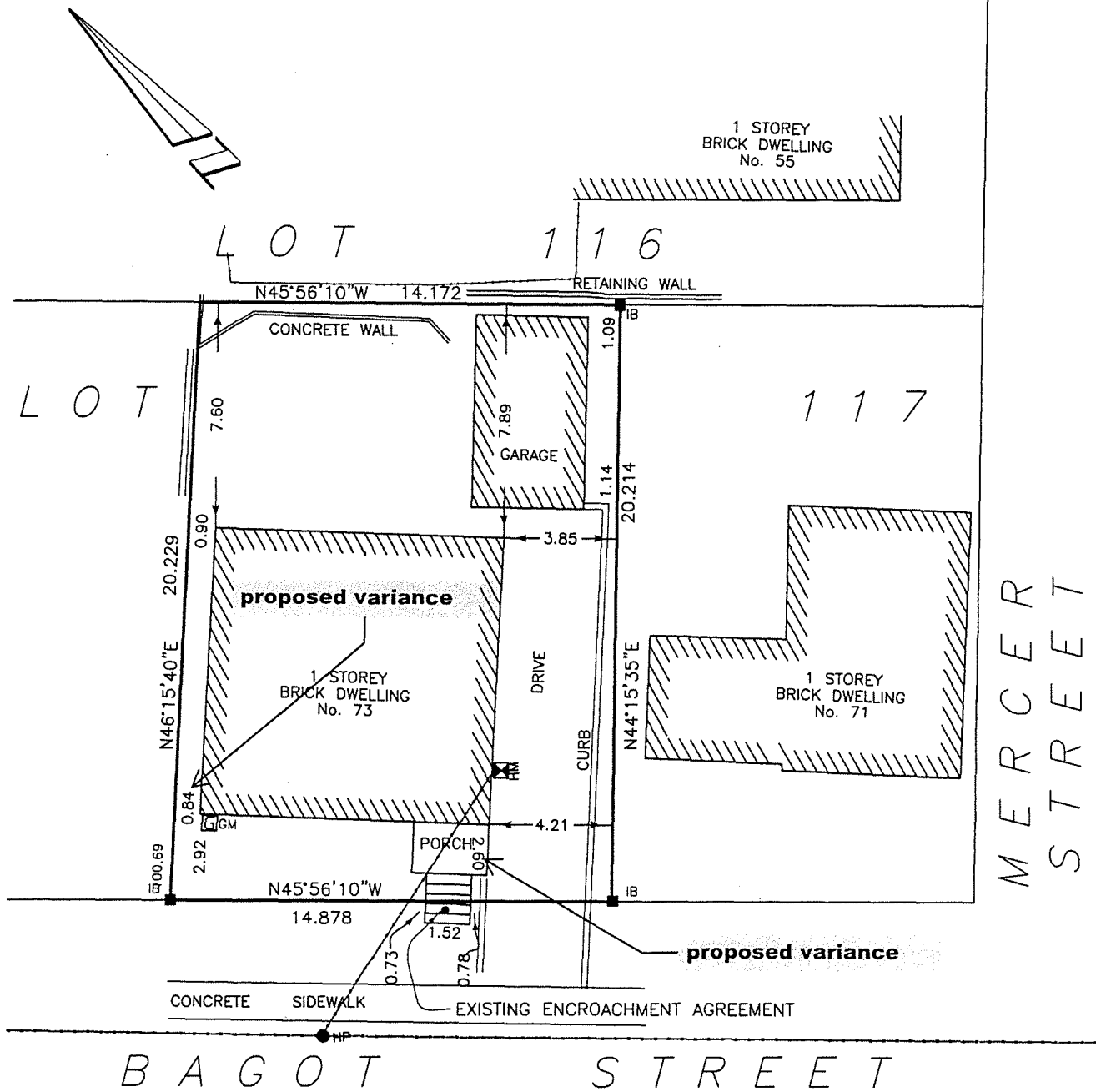
**30m CIRCULATION AREA**  
**73 Bagot Street**  
**File No.: A-36/18**



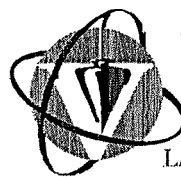
MINOR VARIANCE SKETCH  
OF  
PART LOT 117, REGISTERED PLAN 23  
CITY OF GUELPH  
COUNTY OF WELLINGTON  
SCALE: 1 - 200



VAN HARTEN SURVEYING INC.



REQUESTING A VARIANCE OF 0.82m FOR SIDEYARD SETBACK INSTEAD OF THE ZONING REQUIREMENT OF 1.5m. FOR THE PURPOSE OF A 2NDY STOREY ADDITION



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira  
Ph: 519-669-5070

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: JL

CHECKED BY: JL

PROJECT No. 17564-07

Apr 06, 2018-8:31am

C:\Program Files\MicroSurvey\MSCAD2015\templates\VH Template.dwt

**NOTE:**

THIS SKETCH WAS COMPILED FROM A SURVEY COMPLETED BY VANHARTEN SURVEYING DATED APRIL 27, 2007

JAMES M. LAWS, O.L.S.

DATED APRIL 4, 2018

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 118 Severn Drive

**PROPOSAL:** The applicant is proposing to enlarge an existing accessory apartment in the basement of the residential dwelling.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Specialized Residential Single Detached (R.1D-12) 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 an 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 105.67 square metres, or 28.3% of the total floor area of the building.

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, May 10, 2018

**TIME:** 4:00 p.m.

**LOCATION:** Council Chambers, City Hall, 1 Carden Street

**APPLICATION NUMBER:** A-37/18

**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 **May 3, 2018 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 Jennifer Slater, Program Manager Information, Privacy and Elections at [privacy@guelph.ca](mailto:privacy@guelph.ca) or at 519-822-1260 ext. 2605.

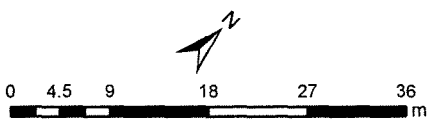
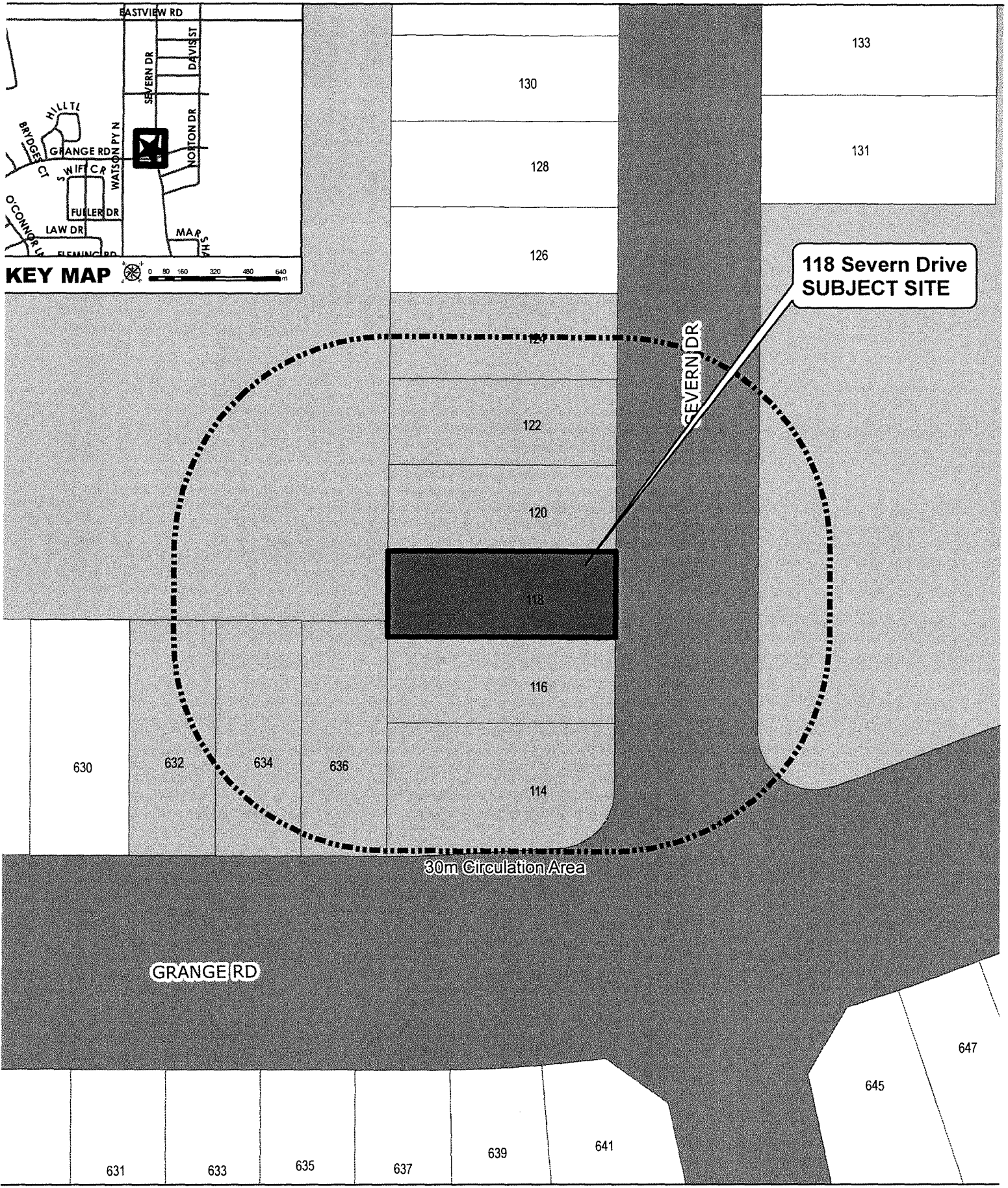
**ADDITIONAL INFORMATION**

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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 Ontario Municipal Board.

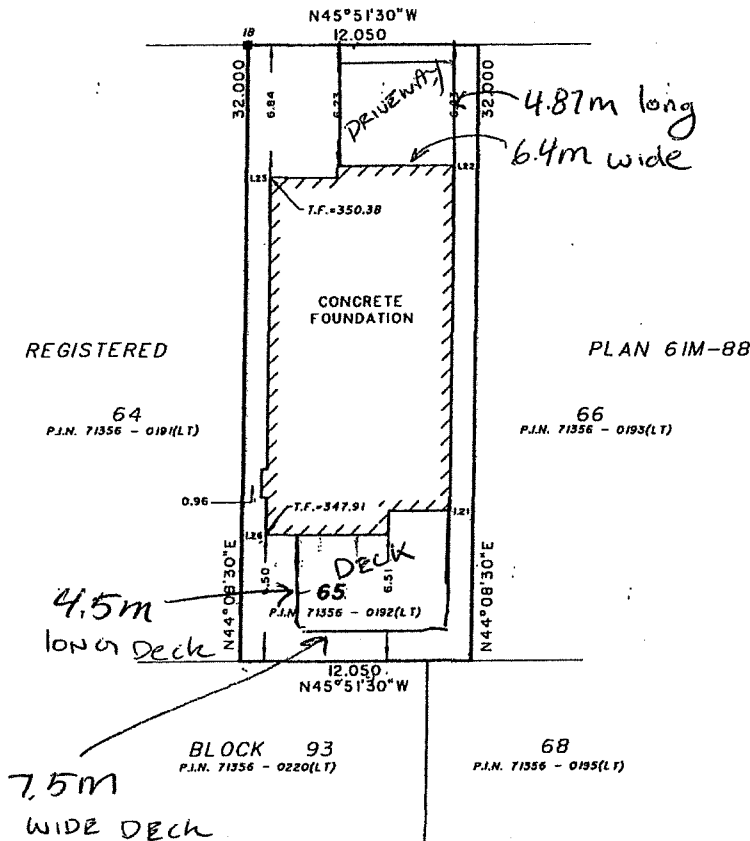
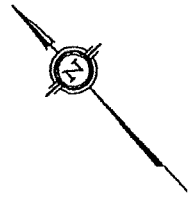
Dated this 20<sup>th</sup> day of April, 2018.



**30m CIRCULATION AREA**  
**118 Severn Drive**  
**File No.: A-37/18**



**SEVERN DRIVE**  
(DEDICATED BY REGISTERED PLAN 61M-88)  
P.I.N. 71356 - 0235(LT)



**SURVEYOR'S REAL PROPERTY REPORT, PART I**  
PLAN OF  
LOT 65,  
REGISTERED PLAN 61M-88  
CITY OF GUELPH  
COUNTY OF WELLINGTON

KERRY F. HILLIS - Ontario Land Surveyor

SCALE 1 : 250

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

**NOTES:**

1. BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF SEVERN DRIVE AS BEING N45°51'30"W IN ACCORDANCE WITH REGISTERED PLAN 61M-88
2. UNLESS OTHERWISE NOTED ALL BUILDING TIES SHOWN HERON ARE PERPENDICULAR TO PROPERTY LINES.
3. PROPERTY LINES ARE UNFENCED UNLESS OTHERWISE NOTED.

- DENOTES SURVEY MONUMENT FOUND (575 UNLESS SHOWN OTHERWISE)
- 18 DENOTES IRON BAR
- T.F. DENOTES TOP OF FOUNDATION

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
1567166



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
in accordance with  
Regulation 1026, Section 20(3).

**PART 2**  
THIS PLAN MUST BE READ IN  
CONJUNCTION WITH SURVEY  
REPORT DATED AUG. 5, 2005.

**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 30th DAY OF JUNE, 2005.

THIS REPORT WAS PREPARED FOR  
PIDEL HOMES  
AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR USE  
BY OTHER PARTIES.

AUGUST 5, 2005

KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

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**BLACK, SHOEMAKER, ROBINSON & DONALDSON**  
LIMITED

**BSR&D** Ontario Land Surveyors  
Urban and Rural Planners

351 Speedvale Avenue West FAX: (519) 822-1220  
Guelph, Ontario N1H 1C6 TEL: (519) 822-4031

DATE: AUGUST 5, 2005 | RS | PROJECT 03-4705-62

MONUMENTATION USED TO  
RE-ESTABLISH THE SOUTH-  
WESTERLY LIMIT OF SEVERN  
DRIVE AND THE BOUNDARY OF  
LOT 65.

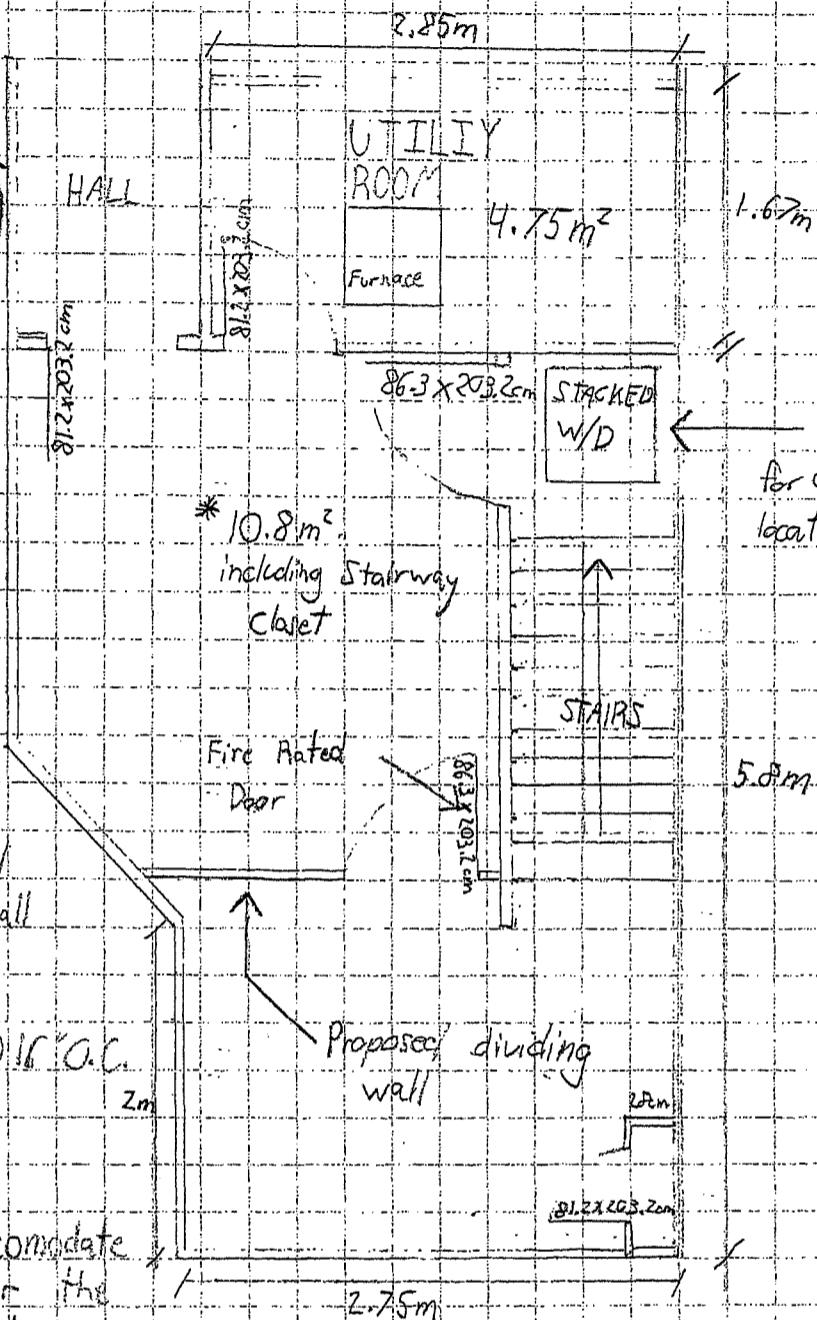
REFERENCE MONUMENTS  
4013 & 4469  
ON RECORD WITH  
BSR&D LTD.

# VARIANCE FOR BASEMENT SEVERN DA 118

Floor Area	Area
First Floor	124.5m <sup>2</sup>
Second Floor	124.8m <sup>2</sup>
Basement	124.5m <sup>2</sup>
Total	373.93m <sup>2</sup>

Apt % = 105.67m<sup>2</sup>

Purposed



New washer/dryer for accessory apartment located under the stairs

## NOTES:

- Wall Finish: 1/2" Drywall
- Ceiling Finish: 1/2" Drywall
- Typical Exterior walls
- 5 mill vapour Barrier
- 2x4 Wood studs @ 16" O.C.

## VARIANCE:

To add to accommodate a washer/dryer for the accessory apartment.

6.35mm = 30.48cm

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



Making a Difference

An Application for Consent [Severance] has been filed with the Committee of Adjustment.

**LOCATION:** 9 Eden Street

**PROPOSAL:** The applicant is proposing to sever a portion of 9 Eden Street as a lot addition to 7 Eden Street to be used for additional yard space and a parking area for the existing dwelling at 7 Eden Street. A Zoning By-law Amendment (File ZC1618) was approved by Council in March 2018 to rezone 7 Eden Street and a portion of 9 Eden Street to permit a coach house in the existing detached garage located on 7 Eden Street.

**BY-LAW REQUIREMENTS:** The property is located in the Residential Single Detached (R.1B) and Specialized Residential Single Detached (R.1B-49) Zones.

**REQUEST:** The applicant proposes to sever a parcel of land with frontage along Eden Street of 5.0 metres and an area of 359 square metres, as a lot addition to the abutting property known as 7 Eden Street. The retained parcel will have frontage along Eden Street of 30.4 metres and an area of 1,120 square metres.

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, May 10, 2018

**TIME:** 4:00 p.m.

**LOCATION:** Council Chambers, City Hall, 1 Carden Street,

**APPLICATION NUMBER:** B-13/18

**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

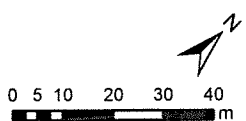
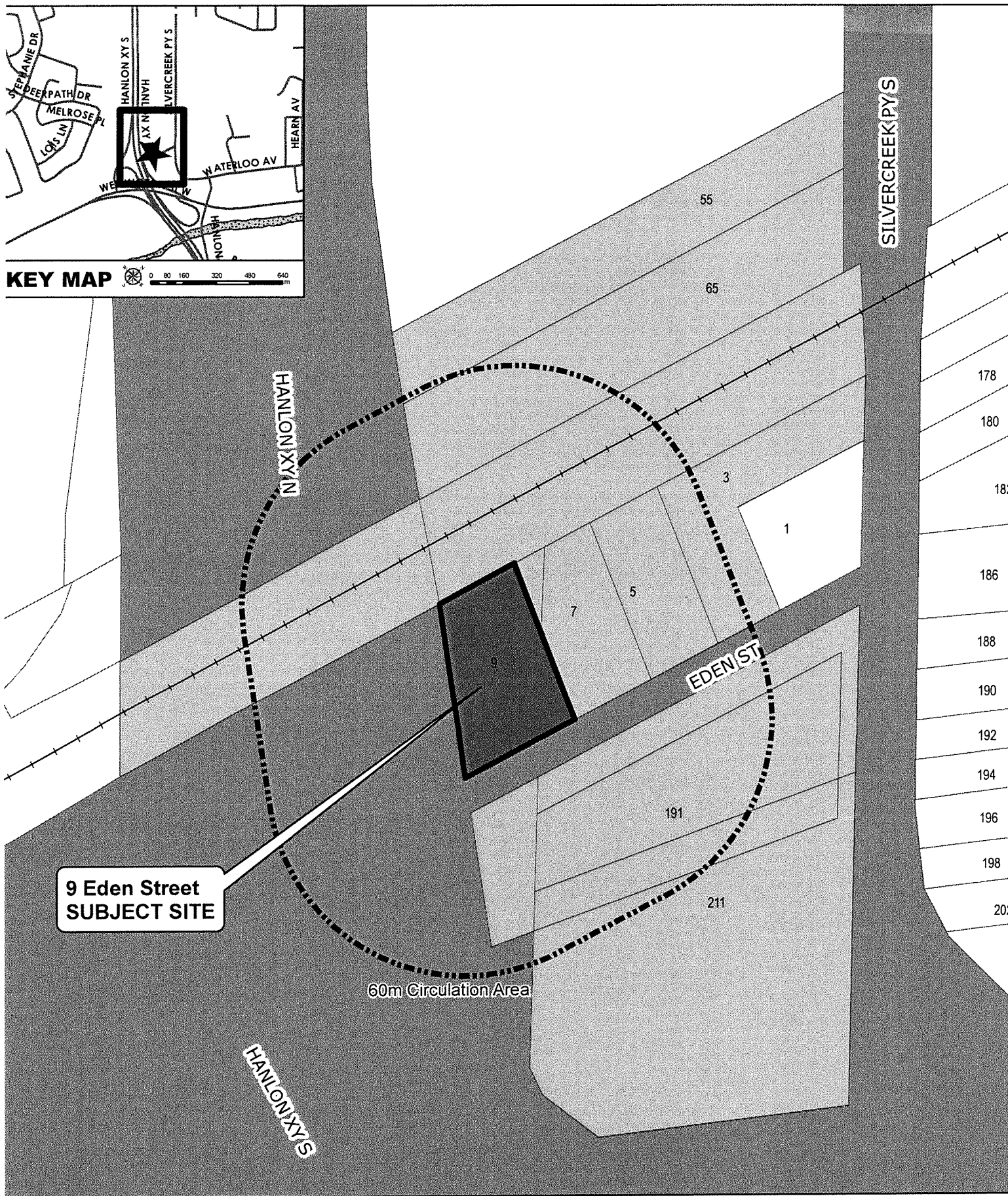
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in

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(A)  
Secretary-Treasurer, Committee of Adjustment

Dated this 20<sup>th</sup> day of April, 2018.

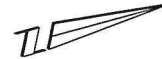


**60m CIRCULATION AREA**  
**9 Eden Street**  
**File No.: B-13/18**

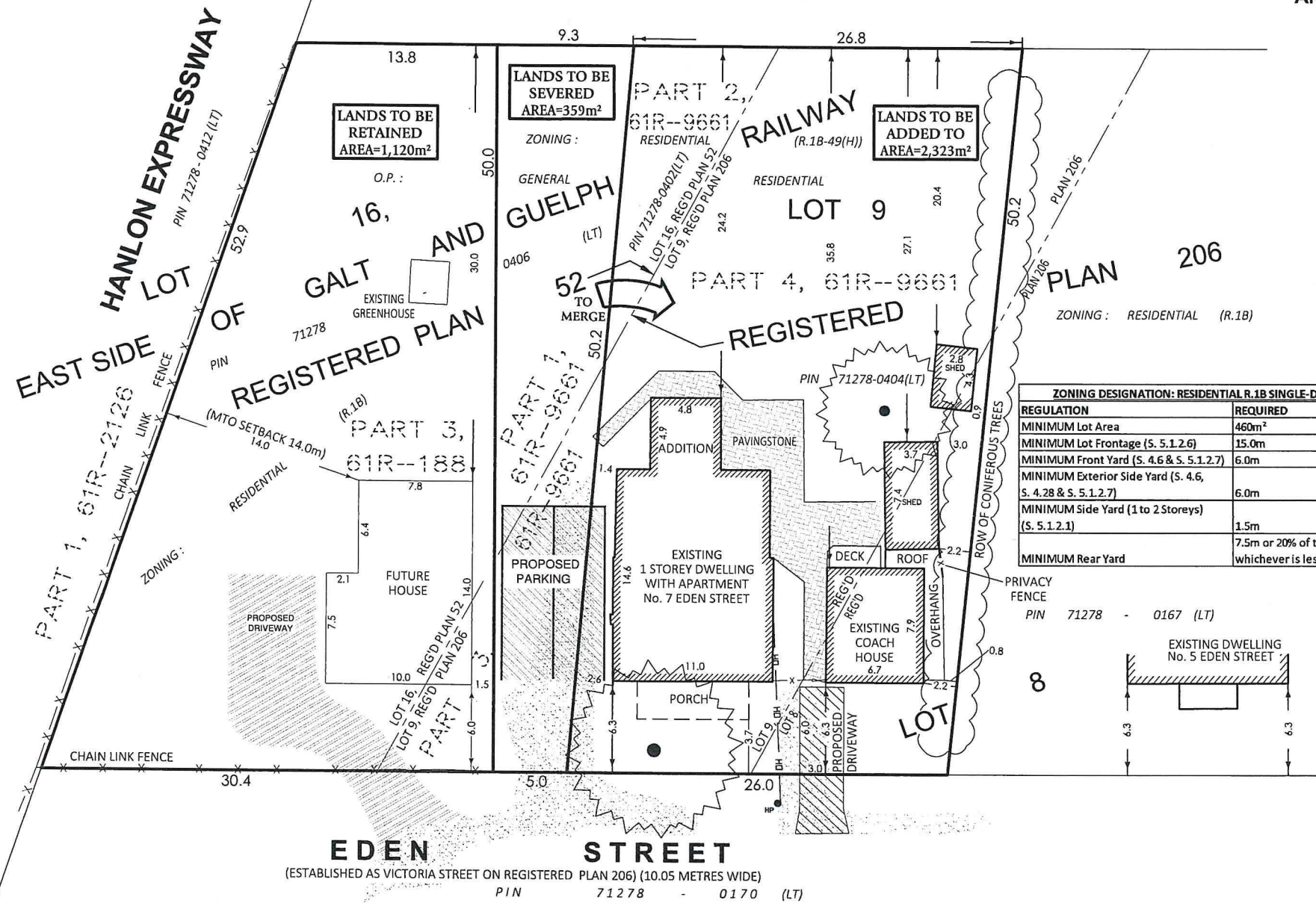
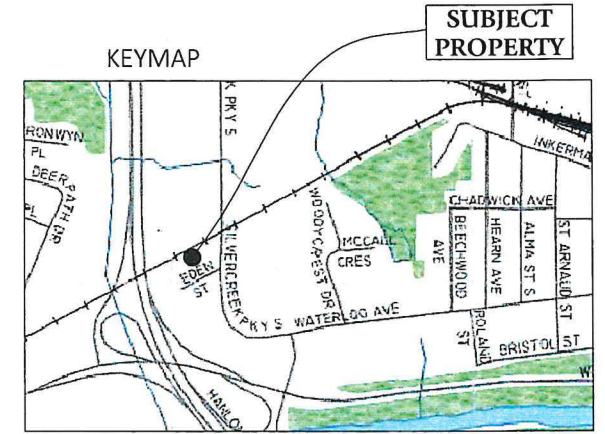


# CANADIAN NATIONAL RAILWAY

PIN 71278 - 0266 (LT)



**SEVERANCE SKETCH**  
**PART OF LOT 16**  
**EAST SIDE OF GALT AND GUELPH RAILWAY**  
**REGISTERED PLAN 52**  
**AND PART OF LOTS 8 AND 9, REGISTERED PLAN 206**  
**CITY OF GUELPH**  
**COUNTY OF WELLINGTON**



**ZONING DESIGNATION: RESIDENTIAL R.1B SINGLE-DETACHED DWELLING**

REGULATION	REQUIRED	RETAINED
MINIMUM Lot Area	460m <sup>2</sup>	1,120m <sup>2</sup>
MINIMUM Lot Frontage (S. 5.1.2.6)	15.0m	30.4m
MINIMUM Front Yard (S. 4.6 & S. 5.1.2.7)	6.0m	6.0m
MINIMUM Exterior Side Yard (S. 4.6, S. 4.28 & S. 5.1.2.7)	6.0m	14.0m
MINIMUM Side Yard (1 to 2 Storeys) (S. 5.1.2.1)	1.5m	1.5m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	30.0m

SCALE 1 : 300  
  
 VAN HARTEN SURVEYING INC.

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RESIDENTIAL R.1B & RESIDENTIAL R.1B-49(H)
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED ON THE 10th DAY OF APRIL 2018

*Jeffrey E. Buisman*  
 JEFFREY E. BUISMAN  
 ONTARIO LAND SURVEYOR

## Van Harten

SURVEYING INC.  
 LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 14730-01
Apr 10, 2018 - 2:02pm		
G:\GUELPH\052\acad\SEV PLOT16 (KUZYK) UTM.dwg		

ZONING: URBAN RESERVE (UR-3)  
 PIN 71278 - 0292 (LT)

EAST LIMIT OF EDEN STREET  
**APARTMENT BUILDING**  
 NO. 191 SILVERCREEK PARKWAY S  
 ZONING: RESIDENTIAL R.4A  
 PIN 71278 - 0281 (LT)

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



**An Application for Minor Variance(s) and Permission to Enlarge/Extend a Legal Non-Conforming Use has been filed with the Committee of Adjustment.**

**LOCATION:** 65 and 67 Suffolk Street West

**PROPOSAL:** The applicants are proposing to construct a two storey addition and uncovered decks to the rear of both units of the existing semi-detached dwelling. The addition will have a gross floor area of 60 square metres for 65 Suffolk Street West and a gross floor area of 59 square metres for 67 Suffolk Street West.

## **BY-LAW**

**REQUIREMENTS:** The property is located in the Residential Single Detached (R.1B) Zone. Variances from Section 4.5.1.2, Table 4.7 Rows 1 and 12, Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, are being requested.

The property contains a semi-detached dwelling, which is considered to be legal non-conforming in the R.1B Zone. Any additions or changes to a property which is legal non-conforming requires the prior approval of the Committee of Adjustment.

In addition, the By-law requires:

- a) that an accessory building or structure is not located within 0.6 metres of any lot line;
- b) that an uncovered porch not more than 1.2 metres above finished grade to be setback 0.6 metres from the side lot line;
- c) that exterior stairs are setback 0.6 metres from the side lot line; and
- d) a side yard setback of 1.5 metres.

## **REQUEST:**

The applications are requesting the following:

### 65 Suffolk Street West (File A-38/18)

- a) permission to enlarge/extend the legal non-conforming use to permit a 60 square metre, two-storey addition to the rear of the existing semi-detached dwelling;
- b) a variance to permit the existing play structure to be located 0.0 metres from the left lot line;
- c) a variance to permit the proposed rear deck to be setback 0.0 metres from the left lot line; and
- d) a variance to permit the proposed rear addition to be setback 0.0 metres from the left lot line.

### 67 Suffolk Street West (File A-39/18):

- a) permission to enlarge/extend the legal non-conforming use to permit a 59 square metre, two-storey addition to the rear of the existing semi-detached dwelling;
- b) a variance to permit the existing play structure to be located 0.0 metres from the right lot line;
- c) a variance to permit the existing rear shed to be located 0.29 metres from the left lot line;
- d) a variance to permit the proposed rear deck to be setback 0.1 metres from the right lot line;
- e) a variance to permit the proposed exterior stairs for the rear deck to be located 0.0 metres from the right lot line;
- f) a variance to permit the proposed rear addition to be setback 0.9 metres from the left lot line; and
- g) a variance to permit the proposed rear addition to be setback 0.0 metres from the right 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, May 10, 2018

**TIME:** 4:00 p.m.

**LOCATION:**

**Council Chambers, City Hall, 1 Carden Street**

**APPLICATION NUMBER:**

**A-38/18 and A-39/18**

**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 **May 3, 2018 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 Jennifer Slater, Program Manager Information, Privacy and Elections at [privacy@guelph.ca](mailto:privacy@guelph.ca) or at 519-822-1260 ext. 2605.

**ADDITIONAL INFORMATION**

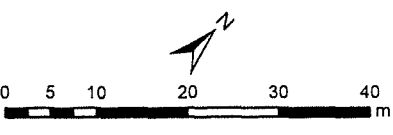
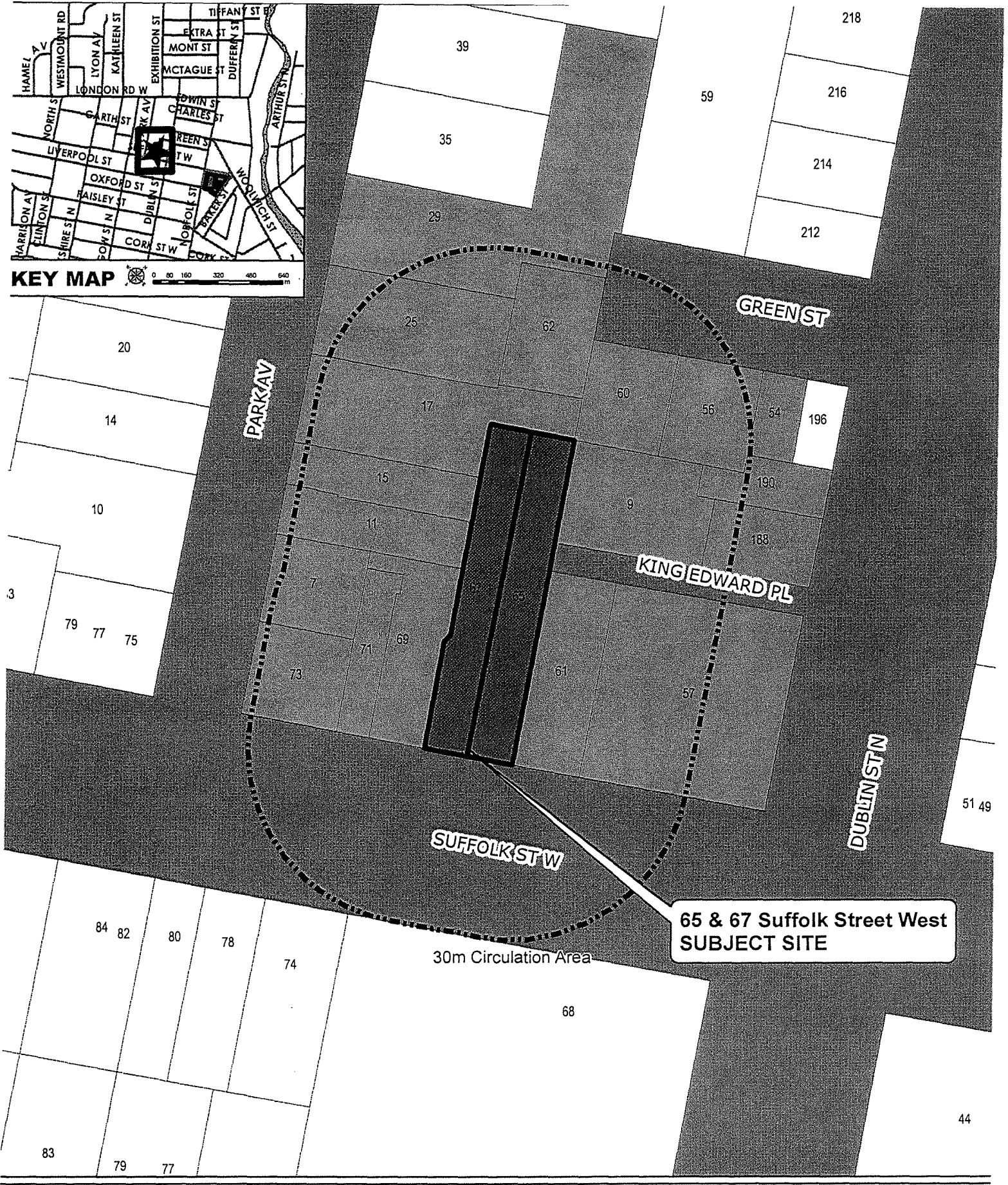
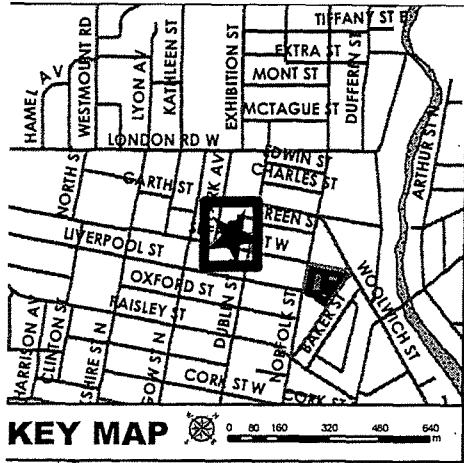
Agendas and comments related to this application will be available online at: [www.guelph.ca](http://www.guelph.ca) > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

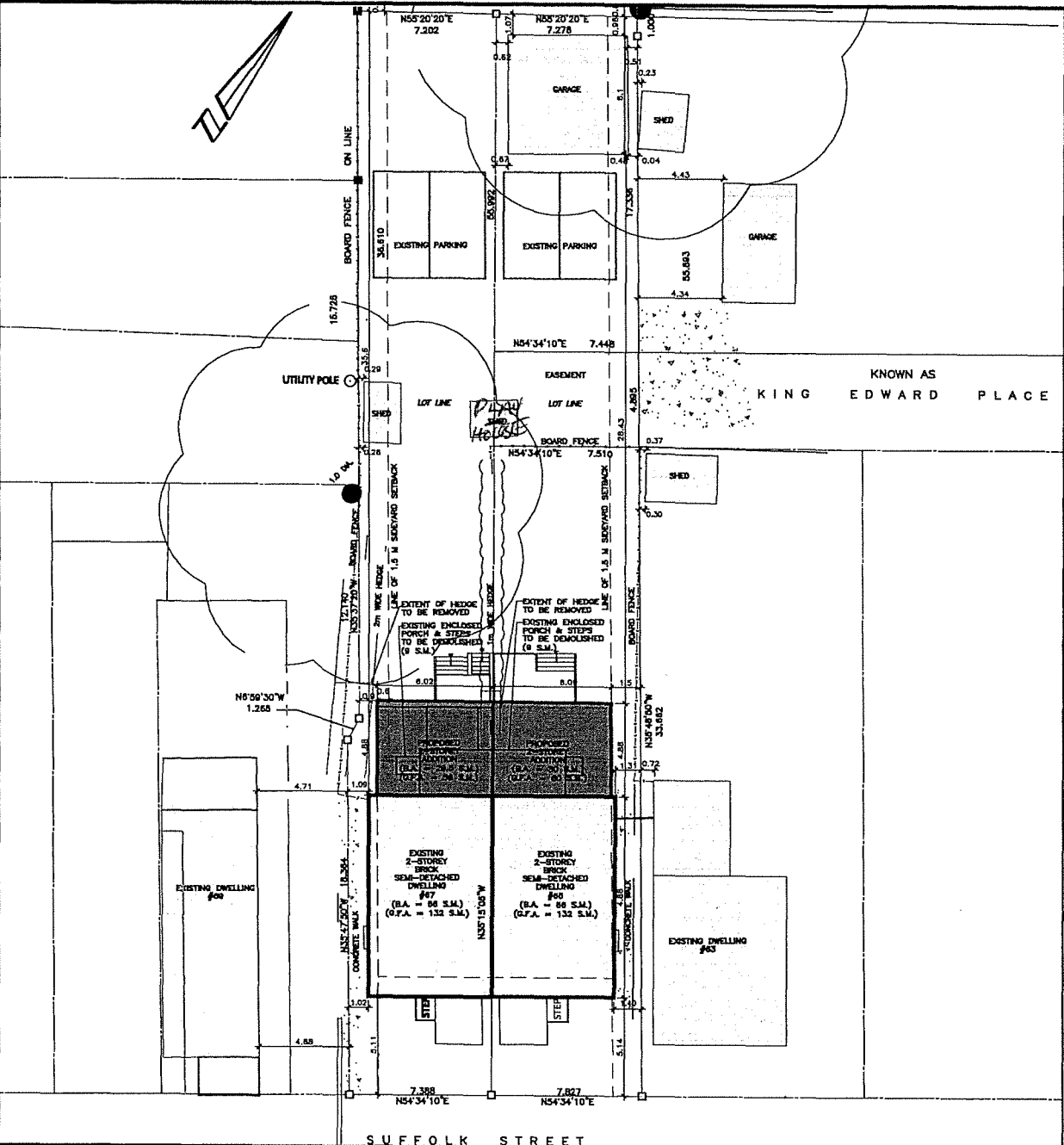
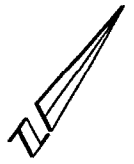
Dated this 20<sup>th</sup> day of April, 2018.



**30m CIRCULATION AREA**  
**65 & 67 Suffolk Street West**  
**File No.: A-38/18 and A-39/18**



produced by the City of Guelph  
 Committee of Adjustment



1 SITE PLAN  
A1.0 SCALE: 1:250 METRIC

PROJECT: <b>HOUSE ADDITION 65-67 SUFFOLK ST. GUELPH, ON</b>	DRAWING: <b>SITE PLAN</b>	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: <b>1:250 METRIC</b>	DATE: <b>22.JAN.2018</b>	<b>A1.0</b>
				DRAWN BY: <b>TD</b>	
				STATUS: <b>ISSUED FOR REVIEW</b>	

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



**An Application for Consent [Severance and Easements] has been filed with the Committee of Adjustment.**

**LOCATION:** 129 Elmira Road South

**PROPOSAL:** The applicant is proposing to sever the property to create a new commercial lot in order to facilitate the future development of a home improvement centre. The applicant is also proposing various easements for access, servicing, utilities and maintenance. One of the proposed easements will allow access off Elmira Road South over the retained commercial parcel to the new severed commercial parcel.

**BY-LAW REQUIREMENTS:** The property is located in the Specialized Community Shopping Centre (CC-24) Zone.

**REQUEST:** The applicant proposes to sever a parcel of land with an area of 39,462.6 square metres. The applicant is also requesting the following:

- a) an easement in favour of the severed commercial parcel over the retained commercial parcel for municipal services (storm sewer, sanitary sewer, water) to the severed commercial parcel [labelled as A on attached Figure 2];
- b) an easement in favour of the severed commercial parcel over the retained commercial parcel for utilities (gas, hydro, phone, cable, etc.) to the severed commercial parcel [labelled as B on attached Figure 2];
- c) an easement in favour of the retained commercial parcel over the severed commercial parcel to enable hydro looping from the transformer on the severed commercial parcel back out to the retained commercial parcel [labelled as C on attached Figure 2];
- d) an easement in favour of the retained commercial parcel over the severed commercial parcel to provide for vehicular and pedestrian connection between the adjacent lands and the severed and retained commercial lands [labelled as D on attached Figure 2];
- e) an access drive easement: (i) in favour of the severed commercial parcel and (ii) in favour of the additional retained lands, in each case over the main driveway on the retained commercial parcel into the site from Elmira Road South to the severed commercial parcel [labelled as E on attached Figure 2];
- f) mutual driveway access easements between the retained parcel and severed commercial parcels in favour of each other over the proposed shared drive aisle [labelled as F on attached Figure 2]; and
- g) general (blanket) easements: (i) in favour of the severed commercial parcel over the common areas of the retained commercial parcel to provide access from the severed commercial parcel for pedestrian and vehicular ingress and egress, and access to the proposed pylon sign located on the retained commercial parcel; (ii) in favour of the retained commercial parcel over the common areas of the severed commercial parcel to provide an easement for access from the retained commercial parcel across the severed commercial parcel to the retaining wall; and (iii) in favour of the additional retained lands to provide access across the common areas of the severed commercial parcel and retained commercial parcel for pedestrian and vehicular ingress and egress, and access to the drainage swale located behind the severed commercial parcel on the additional retained lands (in the Township of Guelph-Eramosa).

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, May 10, 2018  
**TIME:** 4:00 p.m.  
**LOCATION:** Council Chambers, City Hall, 1 Carden Street,  
**APPLICATION NUMBER:** B-14/18

**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 **May 3, 2018 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 Jennifer Slater, Program Manager Information, Privacy and Elections at [privacy@guelph.ca](mailto:privacy@guelph.ca) or at 519-822-1260 ext. 2605.

**ADDITIONAL INFORMATION**

Agendas and comments related to this application will be available online at: [www.guelph.ca](http://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 4:30 p.m. (Monday to Friday).

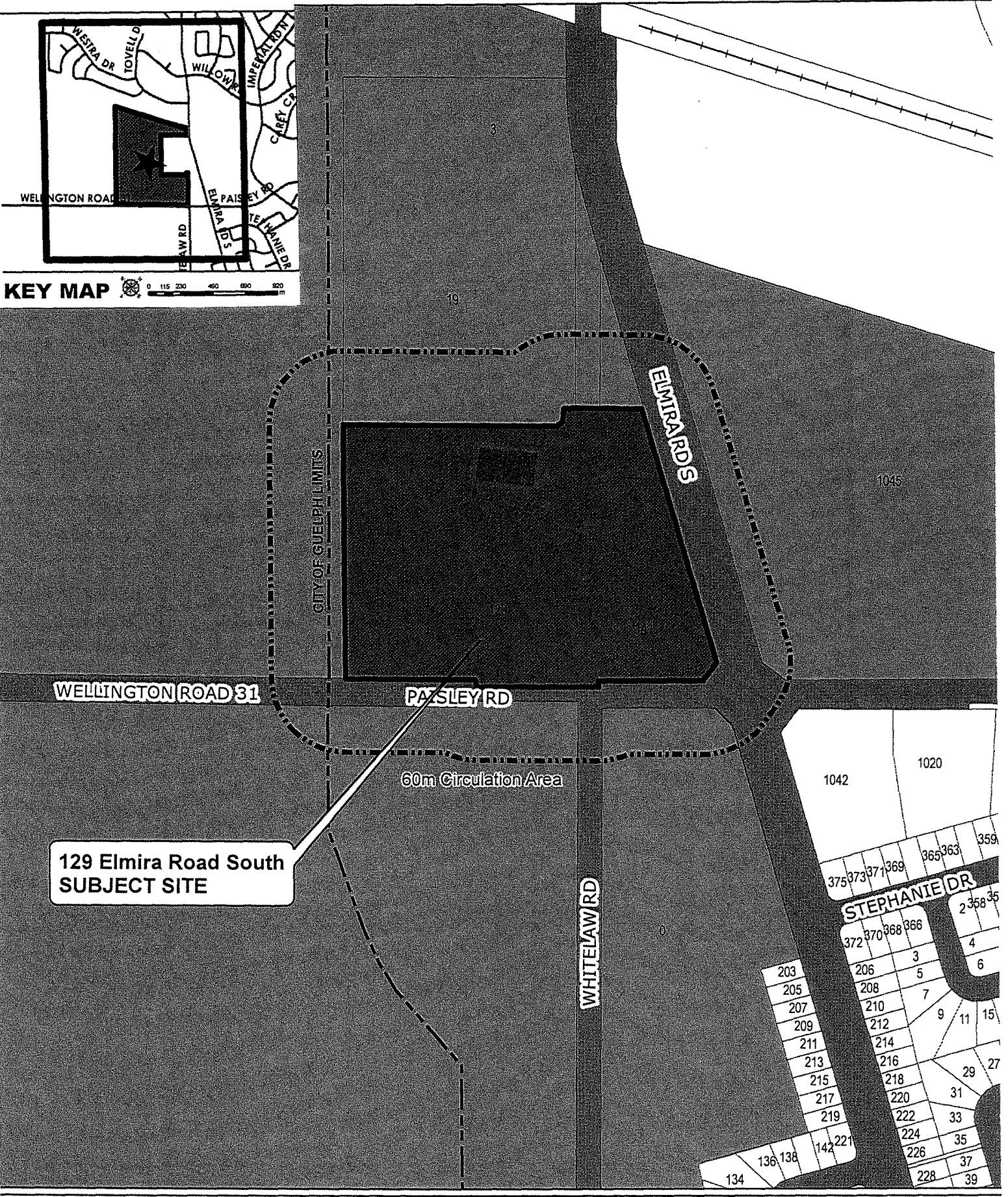
**NOTICE OF THE DECISION**

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.

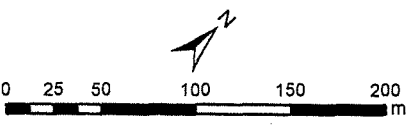
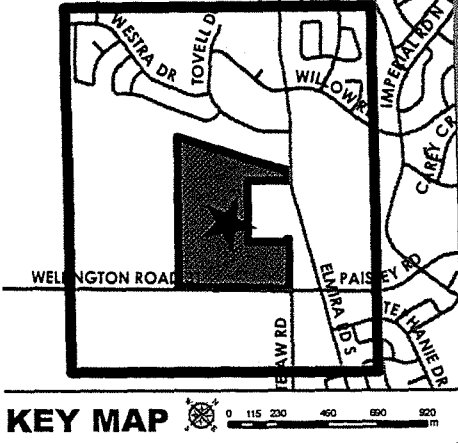
*If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent,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

Trista Di Lullo, ACST(A)  
Secretary-Treasurer, Committee of Adjustment

Dated this 20<sup>th</sup> day of April, 2018.



129 Elmira Road South  
SUBJECT SITE

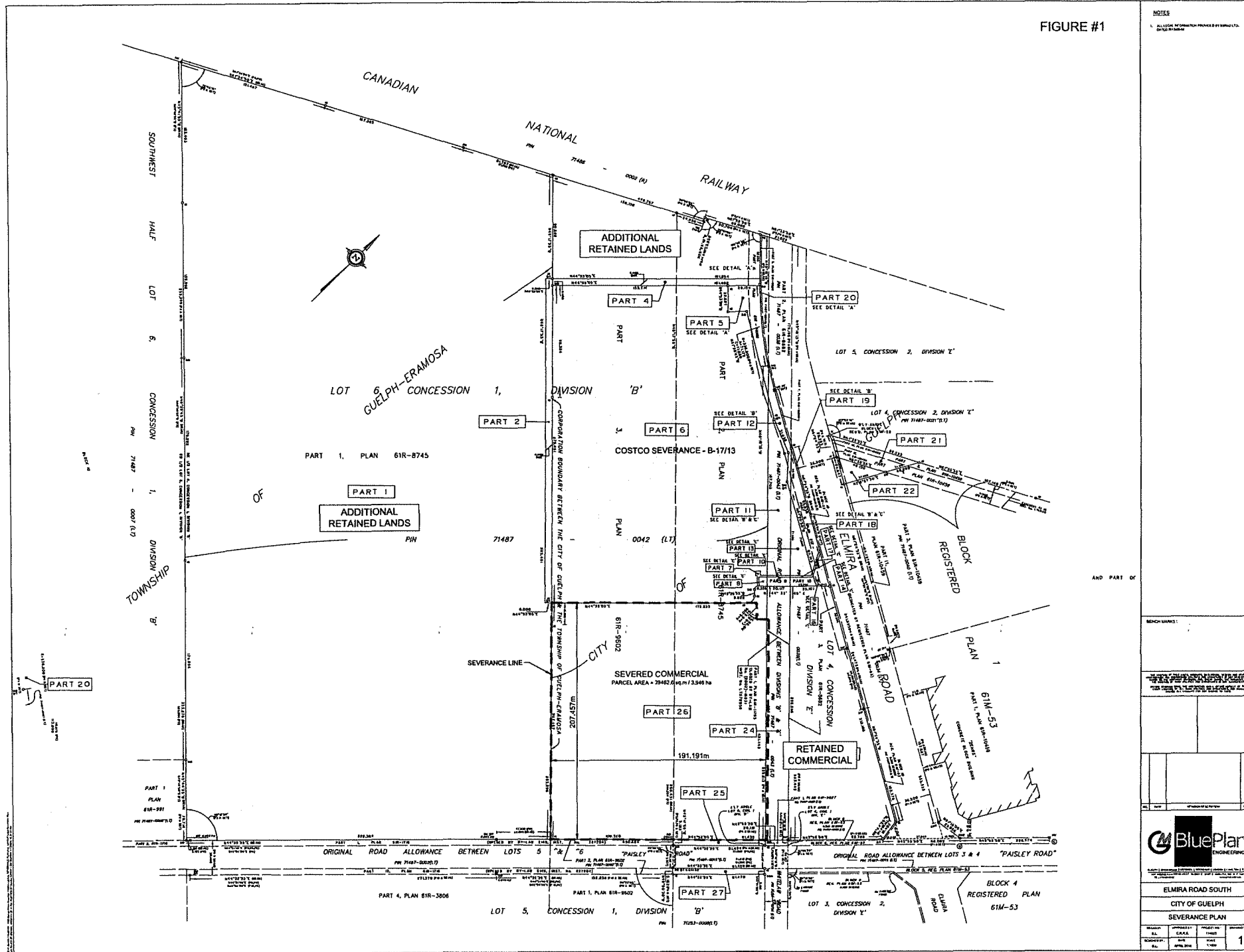


**60m CIRCULATION AREA**  
**129 Elmira Road South**  
**File No.: B-14/18**



roduced by the City of Guelph  
 ommittee of Adjustment

FIGURE #1



NOTES

1. ALL LEGAL INFORMATION PROVIDED BY THE REGISTRAR OF LANDS IS TO BE USED IN CONJUNCTION WITH THE ORIGINAL RECORDS.

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BENCH MARKS

NO.	DESCRIPTION	COORDINATES

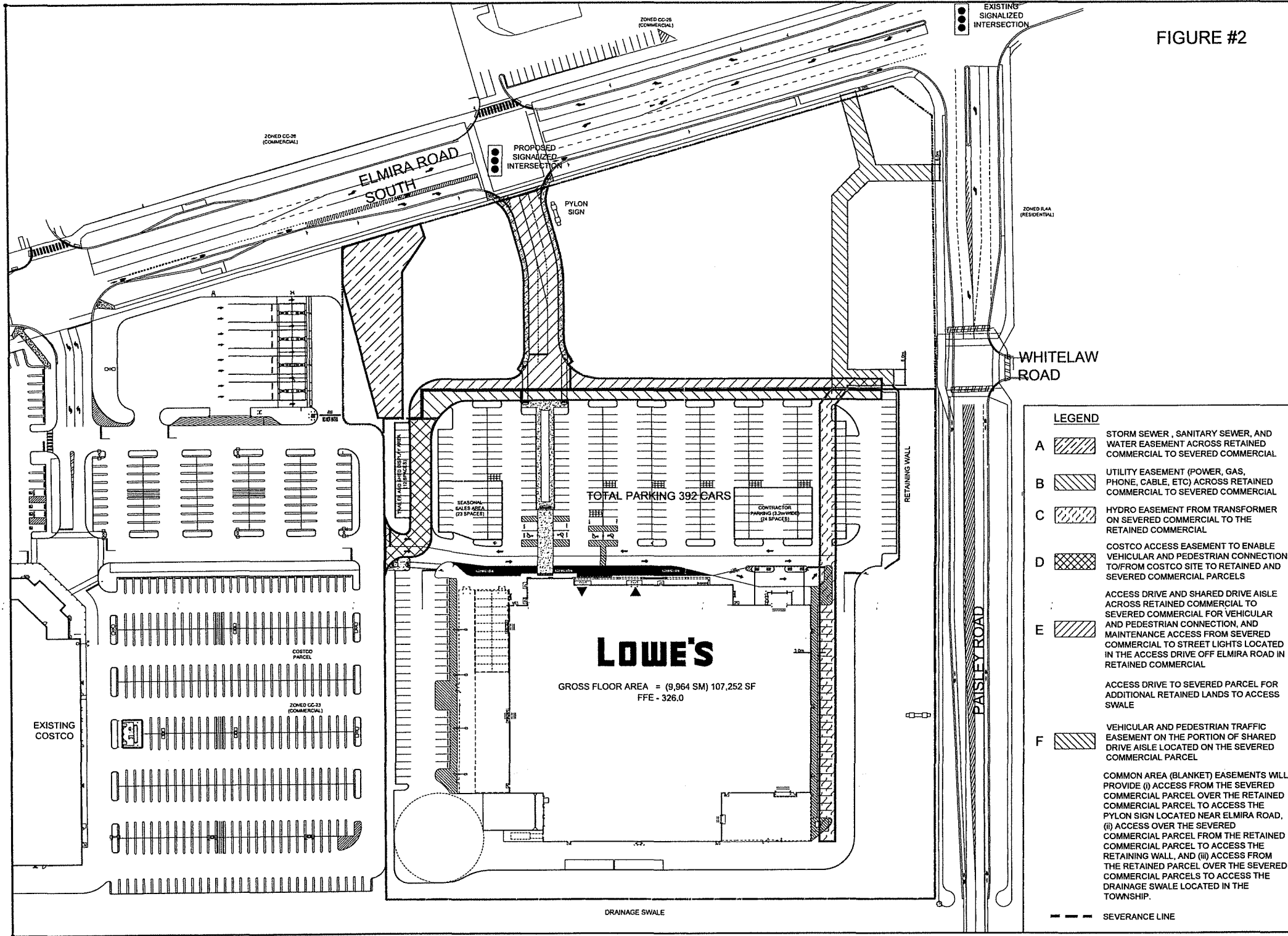
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





ELMIRA ROAD SOUTH  
CITY OF GUELPH  
SEVERANCE PLAN

REVISION	DATE	PROJECT NO.	SCALE

1

FIGURE #2



- LEGEND**
- A  STORM SEWER, SANITARY SEWER, AND WATER EASEMENT ACROSS RETAINED COMMERCIAL TO SEVERED COMMERCIAL
  - B  UTILITY EASEMENT (POWER, GAS, PHONE, CABLE, ETC) ACROSS RETAINED COMMERCIAL TO SEVERED COMMERCIAL
  - C  HYDRO EASEMENT FROM TRANSFORMER ON SEVERED COMMERCIAL TO THE RETAINED COMMERCIAL
  - D  COSTCO ACCESS EASEMENT TO ENABLE VEHICULAR AND PEDESTRIAN CONNECTION TO/FROM COSTCO SITE TO RETAINED AND SEVERED COMMERCIAL PARCELS
  - E  ACCESS DRIVE AND SHARED DRIVE AISLE ACROSS RETAINED COMMERCIAL TO SEVERED COMMERCIAL FOR VEHICULAR AND PEDESTRIAN CONNECTION, AND MAINTENANCE ACCESS FROM SEVERED COMMERCIAL TO STREET LIGHTS LOCATED IN THE ACCESS DRIVE OFF ELMIRA ROAD IN RETAINED COMMERCIAL
  - F  ACCESS DRIVE TO SEVERED PARCEL FOR ADDITIONAL RETAINED LANDS TO ACCESS SWALE
- COMMON AREA (BLANKET) EASEMENTS WILL PROVIDE (i) ACCESS FROM THE SEVERED COMMERCIAL PARCEL OVER THE RETAINED COMMERCIAL PARCEL TO ACCESS THE PYLON SIGN LOCATED NEAR ELMIRA ROAD, (ii) ACCESS OVER THE SEVERED COMMERCIAL PARCEL FROM THE RETAINED COMMERCIAL PARCEL TO ACCESS THE RETAINING WALL, AND (iii) ACCESS FROM THE RETAINED PARCEL OVER THE SEVERED COMMERCIAL PARCELS TO ACCESS THE DRAINAGE SWALE LOCATED IN THE TOWNSHIP.
- SEVERANCE LINE

**BluePlan**  
ENGINEERING

**Armel**  
CORPORATION

**KIWA**  
CORPORATION

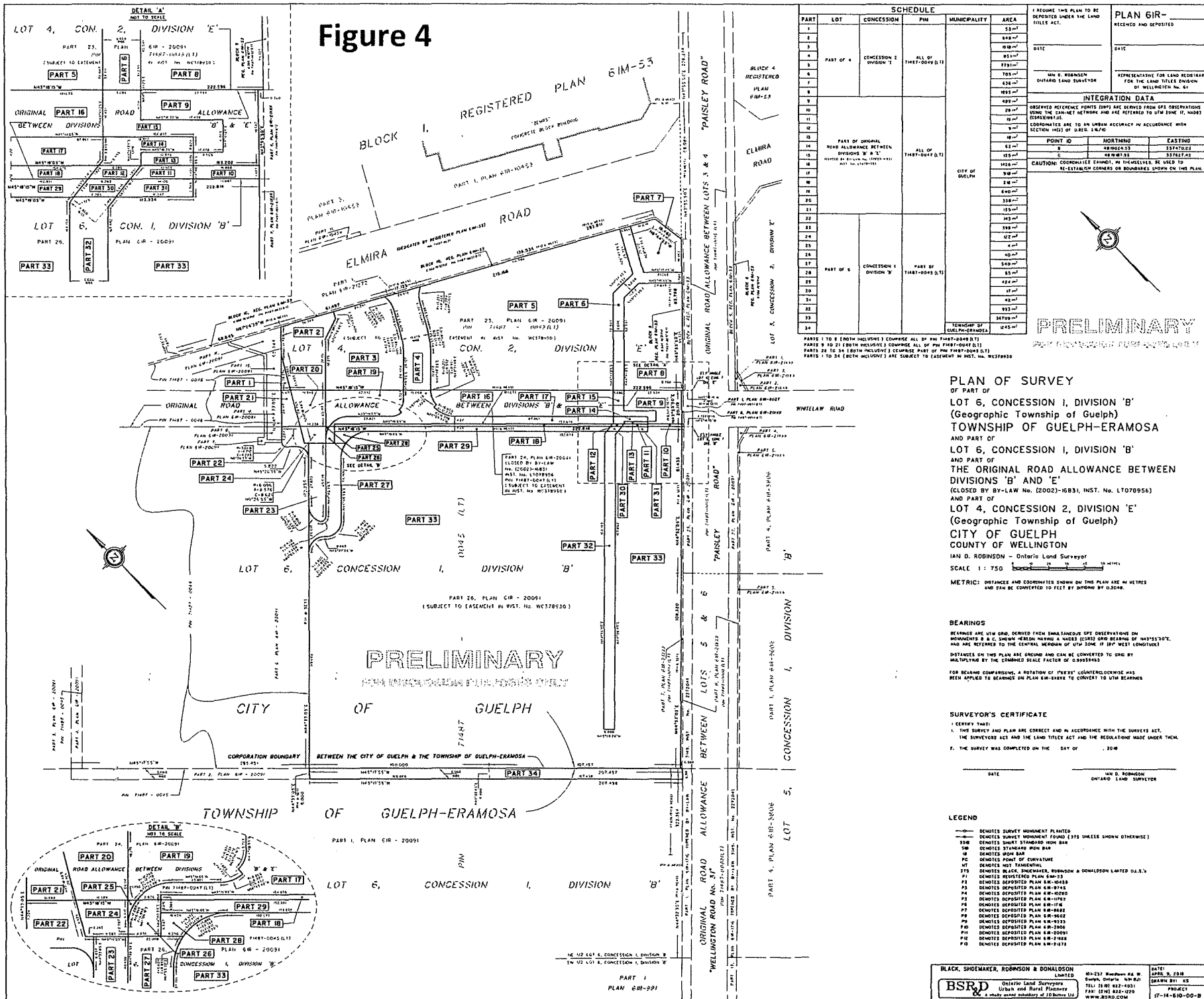
LOWE'S COMPANIES  
CANADA ULC  
9150 SPECTRUM WAY, SUITE 200  
MISSISSAUGA, ON L4W 5G2  
605.210.1000

LOWE'S

**ECCR B-2 - SEVERANCE**

LOWE'S OF:  
**GUELPH**  
GUELPH, ONTARIO

Figure 4



SCHEDULE				I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 61R-	
PART	LOT	CONCESSION	PIN	MUNICIPALITY	AREA	RECEIVED AND DEPOSITED	DATE
1					13.27		
2					8.89		
3					10.10		
4					8.11		
5					17.91		
6					7.05		
7					6.16		
8					10.11		
9					4.97		
10					2.81		
11					1.12		
12					1.12		
13					1.12		
14					1.12		
15					1.12		
16					1.12		
17					1.12		
18					1.12		
19					1.12		
20					1.12		
21					1.12		
22					1.12		
23					1.12		
24					1.12		
25					1.12		
26					1.12		
27					1.12		
28					1.12		
29					1.12		
30					1.12		
31					1.12		
32					1.12		
33					1.12		
34					1.12		

**PLAN OF SURVEY**  
 OF PART OF  
**LOT 6, CONCESSION 1, DIVISION 'B'**  
 (Geographic Township of Guelph)  
**TOWNSHIP OF GUELPH-ERAMOSA**  
 AND PART OF  
**LOT 6, CONCESSION 1, DIVISION 'B'**  
 AND PART OF  
**THE ORIGINAL ROAD ALLOWANCE BETWEEN DIVISIONS 'B' AND 'E'**  
 (CLOSED BY BY-LAW No. (2002)-1683, INST. No. L7078956)  
 AND PART OF  
**LOT 4, CONCESSION 2, DIVISION 'E'**  
 (Geographic Township of Guelph)  
**CITY OF GUELPH**  
 COUNTY OF WELLINGTON  
 IAN D. ROBINSON - Ontario Land Surveyor  
 SCALE 1 : 750  
 METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**BEARINGS**  
 BEARINGS ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS ON MONUMENTS B & C, SHOWING MERIDIAN HAVING A MAGNETIC (C-303) GRID BEARING OF 145°57'00". AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 18 Q (BY WEST LONGITUDE).  
 DISTANCES ON THIS PLAN ARE GRID AND CAN BE CONVERTED TO GROUND BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99934463.  
 FOR BEARING COMPARISONS, A ROTATION OF 1°02'37" COUNTERCLOCKWISE HAS BEEN APPLIED TO BEARINGS ON PLAN 61R-5382E TO CONVERT TO UTM BEARINGS.

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

DATE \_\_\_\_\_  
 IAN D. ROBINSON  
 ONTARIO LAND SURVEYOR

- LEGEND**
- DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
  - SBM DENOTES SHORT STANDARD IRON BAR
  - TM DENOTES TANGENTIAL IRON BAR
  - PC DENOTES POINT OF CURVATURE
  - AT DENOTES NOT TANGENTIAL
  - PTB DENOTES BLACK SHOEMAKER, ROBINSON & DONALDSON LIMITED O.S.'S
  - P1 DENOTES REGISTERED PLAN 61M-53
  - P2 DENOTES DEPOSITED PLAN 61R-10458
  - P3 DENOTES DEPOSITED PLAN 61R-10459
  - P4 DENOTES DEPOSITED PLAN 61R-10460
  - P5 DENOTES DEPOSITED PLAN 61R-10461
  - P6 DENOTES DEPOSITED PLAN 61R-10462
  - P7 DENOTES DEPOSITED PLAN 61R-10463
  - P8 DENOTES DEPOSITED PLAN 61R-10464
  - P9 DENOTES DEPOSITED PLAN 61R-10465
  - P10 DENOTES DEPOSITED PLAN 61R-10466
  - P11 DENOTES DEPOSITED PLAN 61R-10467
  - P12 DENOTES DEPOSITED PLAN 61R-10468
  - P13 DENOTES DEPOSITED PLAN 61R-10469