

COMMITTEE OF ADJUSTMENT

Minutes

The Committee of Adjustment for the City of Guelph held its Regular Meeting on Tuesday September 11, 2012 at 4:00 p.m. in Meeting Room 112, City Hall, with the following members present:

R. Funnell
J. Hillen
B. Birdsell
J. Andrews
L. McNair – Chair from 4:08 p.m.
D. Kelly, Vice-Chair

Regrets: A. Diamond

Staff Present: M. Witmer, Planner
K. Fairfull, Secretary-Treasurer
M. Bunnnett, Assistant Secretary-Treasurer

Declarations of Pecuniary Interest

Committee member B. Birdsell declared a pecuniary interest for Applications B-35/12 to B-47/12 as the owner is a former client.

Meeting Minutes

Moved by R. Funnell and seconded by J. Andrews,

“THAT the Minutes from the August 14, 2012 Regular Meeting of the Committee of Adjustment, be approved as printed and circulated.”

Carried

Other Business

The Secretary-Treasurer advised the Ontario Municipal Board hearing for Application A-79/12 at 103 Lynch Circle, being an appeal of the refusal of the size of an accessory apartment and driveway width variance has been scheduled for Tuesday October 23, 2012 in Room 112, City Hall.

Committee member B. Birdsell, having declared a pecuniary interest for the next applications, left the room.

September 11, 2012 C of A Minutes

Application: B-35/12 to B-47/12

Owner: Westminister Woods Ltd. / Guelph Sikh Society

Agent: Smith Valeriote Law Firm LLP, John Valeriote

Location: 410 Clair Street East / Goodwin Drive

In Attendance: John Valeriote

The Secretary-Treasurer advised there was a written request for a partial refund of the application fees. She advised that a sign is not required to be posted for a change of condition.

Mr. Valeriote explained matters are coming together and they are appearing before site plan committee in the next week. He noted additional time is required to complete the proposals.

Application Number B-35/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission or change of condition for consent for severance of Part of Block 175, Registered Plan 61M-143, Goodwin Drive, a parcel with a width of 8 metres and a depth of 2.9 metres, as a lot addition to the property municipally known as 410 Clair Road, East, be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That the following covenant is incorporated in the deed:-

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of

Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.

4. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
5. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
6. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-36/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for consent for severance of Part of Lot 10, Concession 8, described as Parts 3 to 10, Reference Plan 61R-10932, a parcel with a width of 73.6 metres and a depth of 29.097 metres, which will consolidate with Parts 11 to 18, Reference Plan 61R-10932, municipally known as 185 to 199 Goodwin Drive, be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That the following covenant is incorporated in the deed:-

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition

only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
4. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
5. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
6. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried

Application Number B-37/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission or change of condition for consent for severance of Part of Lot 10, Concession 8, being part of the lands associated with the property municipally known as 410 Clair Road, East, a parcel with a width of 34.5 metres and a depth of 29 metres, as a lot addition to a parcel fronting on Goodwin Drive (Parts 19 and 20, Reference Plan 61R-10932), be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That the following covenant is incorporated in the deed:

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."
3. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
4. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
5. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
6. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-38/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 4 and 12, Reference Plan 61R-10932, to be municipally known as 187 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-39/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 5 and 13, Reference Plan 61R-10932, to be municipally known as 189 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-40/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 6 and 14, Reference Plan 61R-10932, to be municipally known as 191 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-41/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 7 and 15, Reference Plan 61R-10932, to be municipally known as 193 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-42/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 8 and 16, Reference Plan 61R-10932, to be municipally known as 195 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-43/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by R. Funnell seconded by A. Diamond,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 9 and 17, Reference Plan 61R-10932, to be municipally known as 197 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-44/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for severance of Part of Lot 10, Concession 8 and Part of Block 172, Registered Plan 61M-143, being Parts 10 and 18, Reference Plan 61R-10932, to be municipally known as 199 Goodwin Drive, a parcel with a frontage of 9.2 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
18. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
19. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
20. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
21. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
22. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-45/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for consent for severance of Part of Block 175, Registered Plan 61M-143 and Part of Lot 10, Concession 8, to be known municipally as 201 Goodwin Drive, a parcel with a frontage along Goodwin Drive of 11 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City’s Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from

- time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
 10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
 11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
 12. That prior to the endorsonation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
 13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
 14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
 15. That prior to the endorsonation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
 16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsonation of the deeds for the proposed

lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.

17. The owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
18. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
19. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
20. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
21. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
22. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
23. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Application Number B-46/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for consent for severance of Part of Block 175, Registered Plan 61M-143 and Part of Lot 10, Concession 8, to be known municipally as 203 Goodwin Drive, a parcel with a frontage along Goodwin Drive of 11 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.
5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.

7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsation of the deeds, at the rate in effect at the time of the endorsation.
10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
12. That prior to the endorsation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.
13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.

15. That prior to the endorsation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsation of the deeds for the proposed lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.
17. The owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
18. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
19. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
20. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.
21. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
22. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.

23. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk.”

Carried.

Application Number B-47/12

Having had regard to the matters that are to be had regard to under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by J. Andrews and seconded by R. Funnell,

“THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission for change of condition for consent for severance of Part of Block 175, Registered Plan 61M-143 and Part of Lot 10, Concession 8, to be known municipally as 205 Goodwin Drive, a parcel with a frontage along Goodwin Drive of 11 metres and a depth of 32 metres, be approved, subject to the following conditions:

1. That the owner shall construct the new dwellings at such an elevation that the lowest level of the new dwellings can be serviced with a gravity connection to the sanitary sewer.
2. The owner shall pay to the City the actual cost of constructing and installing any service laterals required from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing and installing any service laterals required to service the property.
3. The owner shall pay to the City the actual cost of the construction of the new driveway entrances and the required curb cut and/or curb fills from Goodwin Drive, and furthermore, prior to the issuance of any building permits, the owner shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway accesses and the required curb cuts off Goodwin Drive.
4. That the owner builds on the lots and grades and drains the lots in accordance with a plan that has been submitted to and approved by the City Engineer, prior to the issuance of a building permit.

5. Prior to the issuance of any building permits, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
6. That all electrical services to the lands are underground and the developer shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
7. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the General Manager/City Engineer.
8. That the applicant pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the applicant shall pay to the City cash-in-lieu of park land dedication for the entire development, in accordance with City of Guelph By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorstation of the deeds, at the rate in effect at the time of the endorstation.
10. That the owner shall complete a tree conservation and compensation plan for the entire property satisfactory to the General Manager of Planning and Building Services prior to any grading, tree removal, construction on the site or Site Plan Approval being issued. Furthermore, this plan will focus on providing additional landscaping and buffering between any proposed building and the single-detached housing lots to the north and west of the site.
11. That prior to the issuance of a building permit the owner agrees to plant a tree in the rear yard of each of the new lots for detached dwellings to the satisfaction of the General Manager of Planning and Building Services to compensate for tree removal.
12. That prior to the endorstation of deeds, the owner pay future costs of the installation of a municipal sidewalk across the frontage of the subject properties on Goodwin Drive.

13. That prior to site plan approval the owner agrees to plant trees at a minimum tree caliper of 80 mm in size to achieve the buffering between any proposed building and the abutting single detached dwellings to the north and west to the satisfaction of the General Manager of Planning and Building Services.
14. That the owner acknowledges and agrees that the dwelling units fronting on Goodwin Drive will be constructed to an ENERGY STAR standard that promotes energy efficiency standards in order to comply with the Community Energy Plan, to the satisfaction of the City.
15. That prior to the endorsation of the deeds, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
16. That the owner agrees to eliminate the use of any covenants that would restrict the use of clotheslines and that prior to the endorsation of the deeds for the proposed lots for detached dwellings, the owner's lawyer shall certify to the General Manager of Planning and Building Services that there are no restrictive covenants which restrict the use of clotheslines.
17. The owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
18. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
19. That prior to building or endorsation of the deed, the applicant makes arrangement for the underground hydro servicing to the severed parcels, satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc.
20. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to September 14, 2013.

21. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.
22. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
23. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Carried.

Moved by J. Andrews and seconded by R. Funnell,

"THAT an application fee of \$1,000.00 be payable for Applications B-35/12 to B-47/12 resulting in an application fee refund of \$7,736.00"

Carried.

Committee member B. Birdsell was summoned back to the room.
Chair L. McNair arrived at 4:08 pm

Application: A-100/12
Owner: GPM Investment Management
Agent: Astrid J. Clos Planning Consultants, Astrid Clos
Location: 600 Southgate Drive
In Attendance: Astrid J. Clos

Chair L. McNair questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received.

Ms. A. Clos replied that the sign was posted and staff comments were received. She explained that they are not proposing any physical changes to the property but are recognizing uses that have been on the site for some time. She noted that the variance request is to permit an office use with another use which then creates an industrial mall.

Having considered whether or not the variance(s) 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,

Moved by D. Kelly and seconded by J. Andrews,

“THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Sections 7.1.1 and 7.1.1.1 of Zoning By-law (1995)-14864, as amended, for 600 Southgate Drive, to permit a two unit industrial mall with a 8,134.5 square metre warehouse and a 1,498.86 square metre office when the By-law does not permit an industrial mall (2 units or more) or an office use, be approved.”

Carried

Application: A-101/12
Owner: City of Guelph
Agent: City of Guelph, Samantha Jansen
Location: 705 Woolwich Street (Riverside Park)
In Attendance: Mario Petricevic
Samantha Jansen

Chair L. McNair questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received.

Ms. Jansen replied that the sign was posted and the staff comments were received. She explained that they are replacing an existing storage building which is higher than the proposed new accessory building. She further explained that the height is required for the storage of very large equipment. She commented that the new structure will be located within the existing operation storage area.

Having considered whether or not the variance(s) 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,

Moved by B. Birdsell and seconded by J. Hillen,

“THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.5.2.2 of Zoning By-law (1995)-14864, as amended, for 705 Woolwich Street, to permit an accessory building with a height of 5.9 metres (19.5 feet), measured at the mid-point between the eave and the ridge, when the By-law requires that the maximum height for an accessory structure by 4.5 metres (14.76 feet), be approved.”

Carried

Application: A-99/12
Owner: Bhupinder Singh and Parmjit Grewal
Agent: n/a
Location: 29 Hewitt Lane
In Attendance: Bhupinder Singh
Parmjit Grewal

Chair L. McNair questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received.

Ms. Grewal replied that the sign was posted and the staff comments were received. She explained that they purchased the house last July and the driveway was done and the basement was finished at that time. She further explained that they tried to register the basement apartment but are not able to due to the driveway regulation. She noted that they were not aware at the time of purchase that the apartment was not registered with the City.

Having considered whether or not the variance(s) 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,

Moved by J. Andrews and seconded by D. Kelly,

“THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.2.2 Row 15 of Zoning By-law (1995)-14864, as amended, for 29 Hewitt Lane, to permit the driveway to occupy 70.25% of the front yard resulting in a driveway width of 5 metres (16.4 feet) when the By-law requires that the driveway shall not constitute more than 40% of the front yard which constitutes 2.84 metres (9.31 feet), be refused.

Reasons for refusal being:

1. The variance request is not minor in nature,
2. The variance request does not meet the intent of the By-law,
3. The variance request would create a negative impact on the neighbourhood.”

Carried

The meeting adjourned at 4:36 p.m.

L. McNair
Chair

Minna Bunnett, ACST(A)
Assistant Secretary-Treasurer

Kim Fairfull, ACST
Secretary-Treasurer