# **Committee of Adjustment Agenda**



# Public hearing for applications under sections 45 and 53 of the Planning Act

Location: Council Chambers, Guelph City Hall, 1 Carden Street

**Date:** Thursday, January 9, 2020, 4:00 P.M.

Please turn off or place on non-audible all electronic devices during the hearing. Please note that this hearing will be audio recorded and streamed live on

<u>guelph.ca/live</u>. An electronic version of this agenda is available on <u>guelph.ca/cofa</u>.

# **Opening Remarks**

Election of Chair and Vice Chair for 2020
Disclosure of Pecuniary Interest and General Nature Thereof
Approval of Minutes – December 12, 2019 Hearing Minutes
Requests for Withdrawal or Deferral of Applications

# **Current Applications**

(Application order subject to change)

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

a) **A-1/20** Owner: Primaris Retail Real Estate

Agent: Jeff Martin

Request: Variance for capacity of outdoor patio for a licensed

establishment

Location: 433 Stone Road West

b) **A-2/20** Owner: Susanne and Robert Desantels

Agent: N/A

Request: Rear yard setback variance for existing addition

Location: 20 Edwin Street

c) **A-3/20** Owner: Rochelle and James Murray-Cako

Agent: Tom Keating, James Keating Construction Ltd. Request: Side yard setback variance for proposed addition

Location: 2 Edgehill Drive

d) A-4/20 Owner: Shellie and Terence Sawyer

Agent: N/A

Request: Variance for existing fence height

Location: 492 Victoria Road North

e) **B-1/20 and** Owner: The Roman Diocese of Hamilton in Ontario and the Wellington Catholic District School Board

Agent: Nancy Shoemaker, Black, Shoemaker, Robinson &

**Donaldson Limited** 

Request: Consent for severance as lot addition and creation of

easements for access and maintenance

Location: 98 Alice Street and 125 Huron Street

# f) A-5/20 and A-6/20

Owner: The Roman Diocese of Hamilton in Ontario and the

Wellington Catholic District School Board

Agent: Nancy Shoemaker, Black, Shoemaker, Robinson &

Donaldson Limited

Request: Variances to permit reduced lot area and setbacks

Location: 98 Alice Street and 125 Huron Street

#### **Staff Announcements**

Digital Agenda Management Demonstration

# **Adjournment**

Next Hearing February 13, 2020

#### **Contact Information**

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



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

# **Application Details**

#### Location:

433 Stone Road West

#### **Proposal:**

The applicant is proposing to increase the maximum capacity of the 140 square metre outdoor patio for the recently constructed licensed establishment (Beertown Public House). The current indoor licensed capacity is 200 persons.

#### **By-Law Requirements:**

The property is located in the Specialized Regional Shopping Centre (RC-1) Zone. A variance from Section 4.17.1 of the Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that the total number of persons permitted on all outdoor patios associated with the restaurant or licensed establishment shall not exceed 50 percent of the indoor licensed capacity, or 70 persons, whichever is less.

### **Request:**

The applicant is seeking relief from the By-Law requirements to permit a maximum capacity of 80 persons on the outdoor patio of the licensed establishment.

# **Hearing Details**

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

Date: Thursday, January 9, 2020

Time: **4:00 p.m.** 

Location: Council Chambers, City Hall, 1 Carden Street

Application Number: A-1/20

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

#### **Providing Comments**

Any person may attend the public hearing to provide comments regarding the application. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 2, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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# **Additional Information**

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

# **Notice of the Decision**

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

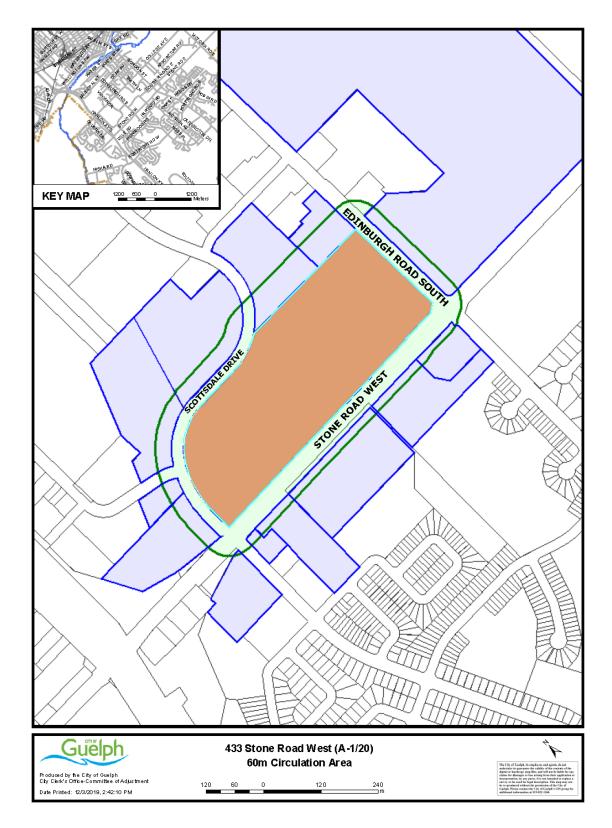
# **Notice Author**

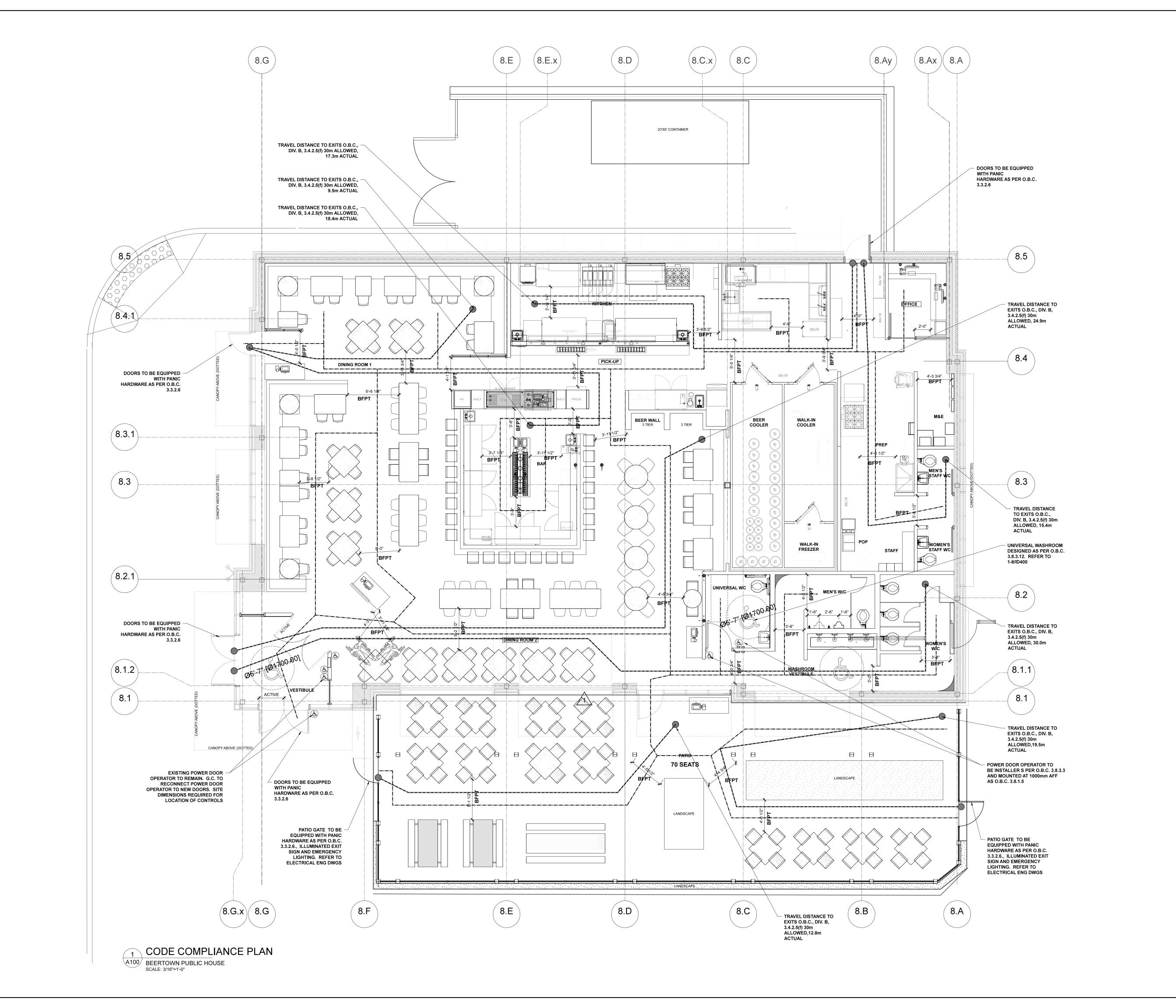
Juan da Silva Council and Committee Assistant Dated December 16, 2019.

# **Contact Information**

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>





NONE OF THE DRAWINGS AND OR DETAILS ISSUED FOR THIS PROJECT ARE TO BE SCALED.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR
TO VERIFY ON SITE ALL DIMENSIONS, NOTES AND
DETAILS PRIOR TO CONSTRUCTION START.
ANY DISCREPANCIES ARE TO BE REPORTED
TO THE ARCHITECT. ANY EXTRAS, DELAYS AND / OR
RESULTING IN CHANGES RESULTING IN FAILURE
TO DO SO WILL BE THE SOLE RESPONSIBLITY OF

ALL DRAWNGS, SPECIFICATIONS AND DETAILS ISSUED FOR THIS PROJECT ARE THE PROPERTY OF THE ARCHITECT. UNAUTHORIZED USE IS PROHIBITED.

THE CONTRACTOR.

REVISIONS:

No. REVISION DATE TA

1 ISSUED FOR PERMIT 19-08-20

# CRICKET

CRICKET DESIGN COMPANY INC.
708 GERRARD STREET EAST
TORONTO, ONTARIO M4M 1Y3
t. 416.463.1874 f. 416.466.2244
www.cricketdesign.ca





PROJECT ARCHITECT / PRIME CONSULTANT

Barrett Architect Inc.

708 GERRARD STREET EAST TORONTO ONTARIO CANADA M4M 1Y3 TEL. 416 469 8000 - FAX. 416469 8056 TOLL 1-800-779-6667





PROJECT TITLE:

BEERTOWN PUBLIC HOUSE

LOCATION

433 STONE ROAD WEST GUELPH, ON

SHEET TITLE:

CODE COMPLIANCE PLAN

ISSUED: 19-07-19

DATE: JULY 2019

DRAWN: MDC

CHECKED: MDC

SCALE: 3/16"=1'-0"

PROJECT No: BA/1923

DRAWING No:

A100



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

# **Application Details**

### **Location:**

20 Edwin Street

#### **Proposal:**

The applicant is proposing to maintain a 15.98 square metre existing addition to the rear of the existing dwelling. A previous minor variance (File A-85/04) for a reduced rear yard setback for the addition received conditional approval in 2004. The applicant did not fulfill all of the conditions. The applicant has submitted a new application so that new conditions may be imposed.

#### **By-Law Requirements:**

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2 Row 8 of the Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth (being 4.83 metres), whichever is less.

#### **Request:**

The applicant is seeking relief from the By-Law requirements to permit a minimum rear yard setback of 1.55 metres for the existing addition to the rear of the existing dwelling.

# **Hearing Details**

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

Date: Thursday, January 9, 2020

Time: **4:00 p.m.** 

Location: Council Chambers, City Hall, 1 Carden Street

Application Number: A-2/20

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

### **Providing Comments**

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City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

#### **Notice of the Decision**

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### **Notice Author**

Juan da Silva Council and Committee Assistant Dated December 16, 2019.

#### **Contact Information**

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519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



BASED ON BUILDING LOCATION SURVEY LOT 55 & PART OF LOT 56 REGISTERED PLAN 35 CITY OF GUELPH COUNTY OF WELLINGTON R.L. SHOEMAKER — Ontario Land Surveyor #25. N 34° 32' 40" W 5'-6 5/8" 1.69m 1.59m 1.59m 1.59m 1.69m 1.69m 1.59m 5'-2 3/4" .0'15.54 9.29 sq. m. 51.52, Ш Ш 2 STOREY  $0.7 \,\mathrm{m}^{-1}$ BRICK HOUSE 15.7  $\propto$ No. 20 S Ш -1.55m .00 13.54 Z 30.3 4.13m 9.24 m 50, 00 UNIT PAVER DRIVE 7.8m ≥ 7.3m 52. 50, Z Ш က် 2 Z N 34° 10' 00" W 79.20' 24.14 m Note: Metric conversions from the original sketch were provided by CoA staff

L. Alan Grinham Architect Inc.

20 Douglas Street, Guelph, Ontario N1H 2S9 Tel: (519) 766-1580 Fax: (519) 766-1377 grinham@on.aibn.com

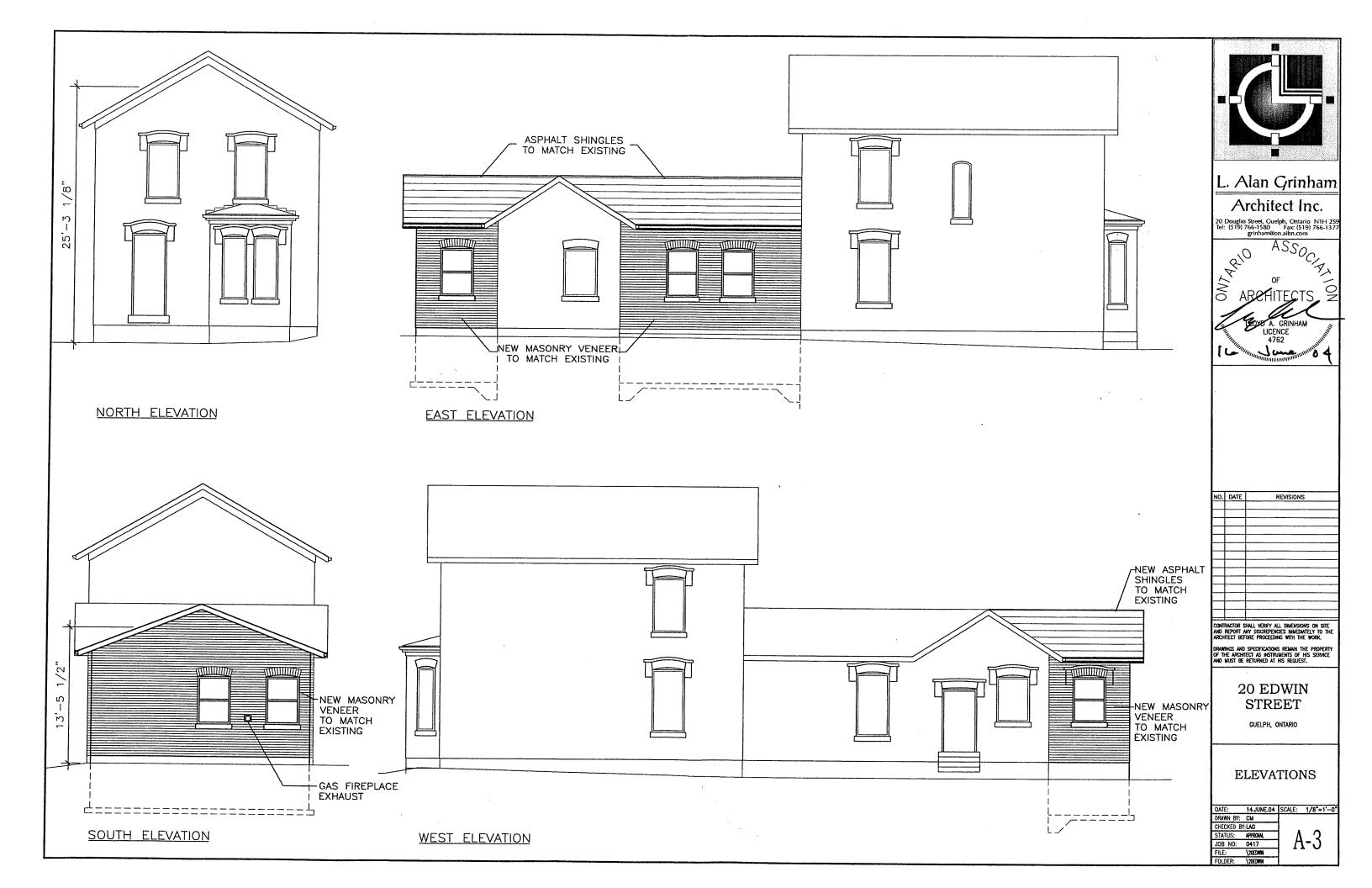
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		ODERSTONE DELINE THE DOORS

20 EDWIN STREET

GUELPH, ONTARIO

**EXISTING** SITE PLAN

A-1





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

# **Application Details**

#### Location:

2 Edgehill Drive

#### **Proposal:**

The applicant is proposing to construct a two storey addition to the right side of the existing dwelling. The addition includes additional floor space as well as an attached single car garage.

#### **By-Law Requirements:**

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2 Row 7 of the Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum side yard setback of 1.5 metres.

#### **Request:**

The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 1.25 metres for the proposed addition to the existing dwelling.

# **Hearing Details**

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

Date: Thursday, January 9, 2020

Time: **4:00 p.m.** 

Location: Council Chambers, City Hall, 1 Carden Street

Application Number: A-3/20

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

# **Providing Comments**

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### **Notice of the Decision**

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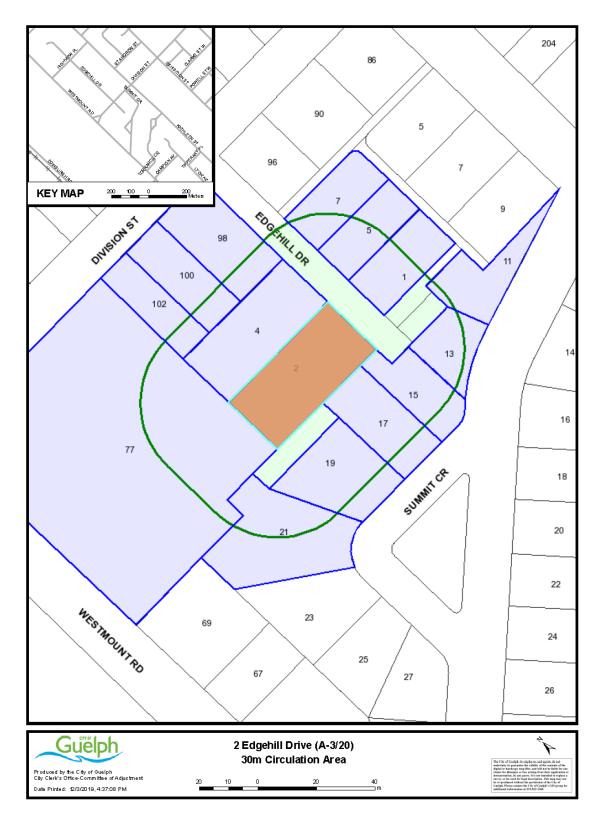
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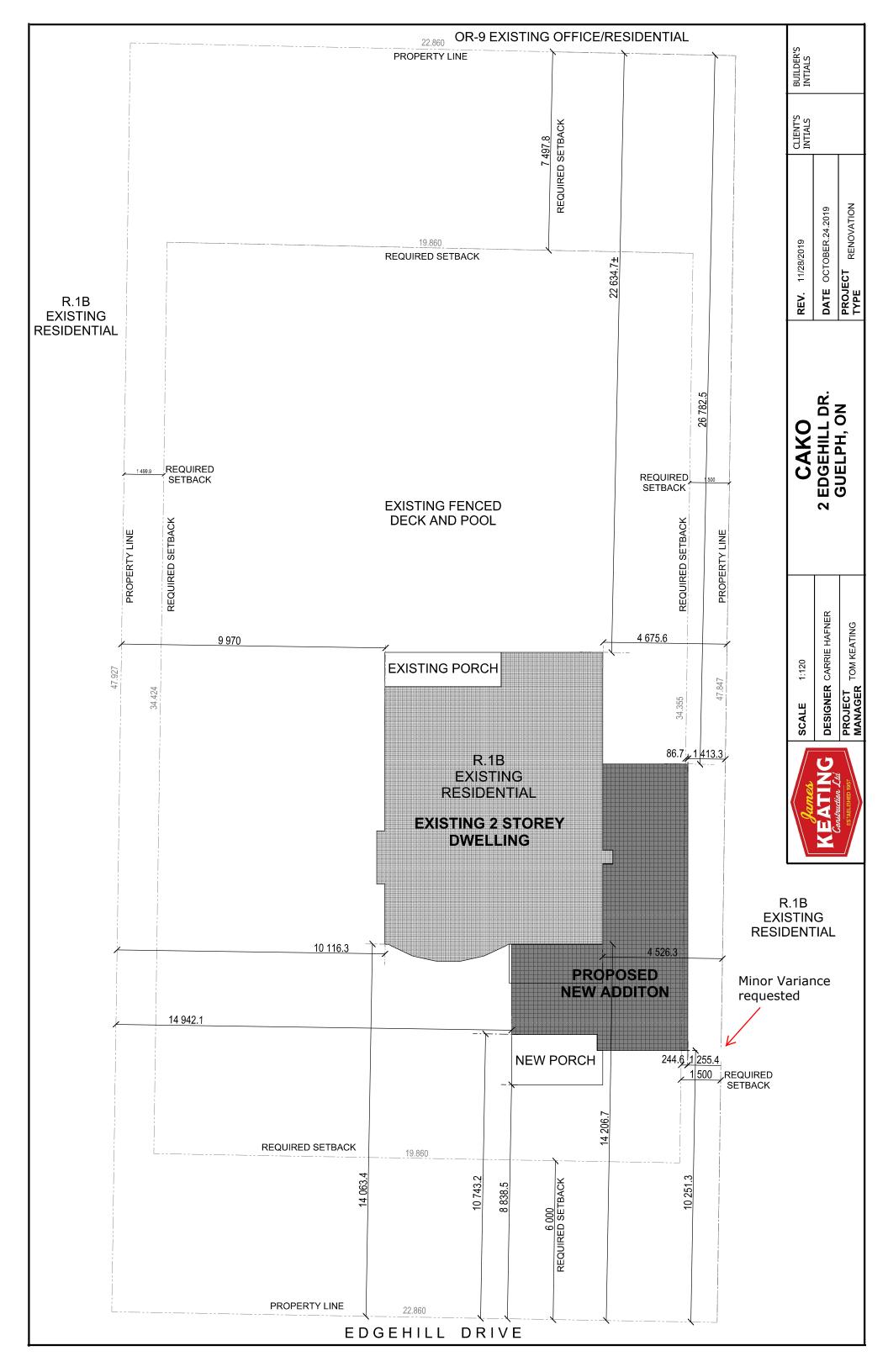
Juan da Silva Council and Committee Assistant Dated December 16, 2019.

# **Contact Information**

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

# **Application Details**

#### Location:

492 Victoria Road North

#### **Proposal:**

The applicant is proposing to maintain an existing fence in the front yard of the existing dwelling (facing Islington Avenue) and remove the existing fence encroaching on city property.

#### **By-Law Requirements:**

The property is located in the Low Density Residential (R.1B) Zone. A variance from Section 4.20.9 of the Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that fences located in the front yard shall not exceed 0.8 metres in height.

#### **Request:**

The applicant is seeking relief from the By-Law requirements to permit a fence in the front yard between 1.7 metres and 2.25 metres in height as shown on the sketch provided.

# **Hearing Details**

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

Date: Thursday, January 9, 2020

Time: **4:00 p.m.** 

Location: Council Chambers, City Hall, 1 Carden Street

Application Number: A-4/20

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

#### **Providing Comments**

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# **Additional Information**

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# **Notice of the Decision**

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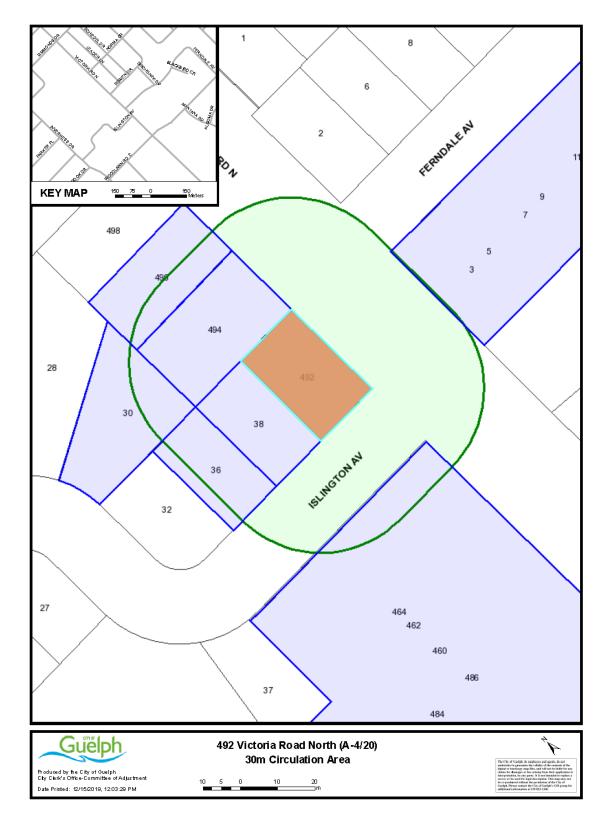
# **Notice Author**

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated December 16, 2019.

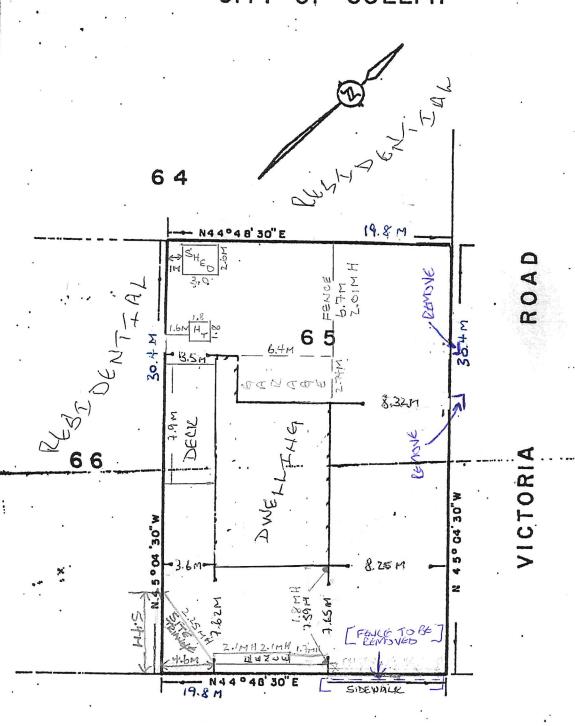
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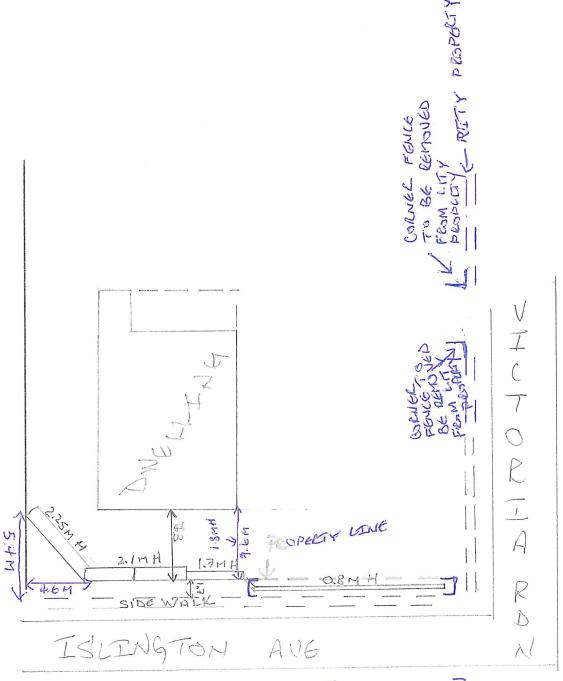


# LOT 65, REG. PLAN No. 598 CITY OF GUELPH



ISLINGTON

AVENUE.



FENCE TO BE T REMOVED



Applications for Consents [Lot Addition and Easements] have been filed with the Committee of Adjustment

# **Application Details**

#### Location:

98 Alice Street and 125 Huron Street

#### **Proposal:**

The applicants are proposing to maintain the existing church and school buildings and correct an existing error through a lot addition. The church was constructed in 1922 and an addition (shown as part 1 on the attached sketch) was constructed at a later date, however the church addition was constructed on the adjacent school lands. The applicants are also proposing to create easements over the existing laneway between the church and school to allow for access and maintenance.

Minor Variance files A-5/20 and A-6/20 have been submitted (see attached pages) to correct zoning deficiencies resulting from the lot addition.

### **By-Law Requirements:**

The properties are located in the Educational, Spiritual and Other Services (I.1) Zone.

#### **Request:**

The applicant proposes the following:

### File B-1/20 - Easement (98 Alice Street)

a) the creation of a 19.7 square metre easement for access and maintenance in favour of 125 Huron Street (shown as part 3 on the attached sketch).

#### File B-2/20 – Lot addition and easements (125 Huron Street)

- a) severance of a parcel of land with an area of 186.3 square metres (shown as parts 1 and 4 on the attached sketch) as a lot addition to 98 Alice Street (shown as parts 2 and 3 on the attached sketch). Once enlarged, 98 Alice Street will have an area of 650.3 square metres (comprising parts 1 to 4 on the attached sketch);
- b) the creation of a 21.7 square metres easement for access and maintenance in favour of 125 Huron Street (shown as part 4 on the attached sketch); and
- c) the creation of a 117.7 square metre access easement (shown as part 5 on the attached sketch) in favour of 98 Alice Street.

# **Hearing Details**

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

Date: Thursday, January 9, 2020

Time: **4:00 p.m.** 

Location: Council Chambers, City Hall, 1 Carden Street

Application Numbers: B-1/20 and B-2/20

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

### **Providing Comments**

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prior to the hearing. Comments submitted after this date will be provided at the hearing.

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#### **Additional Information**

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#### **Notice of the Decision**

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

#### **Notice Author**

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated this December 16, 2019.

#### **Contact Information**

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



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

# **Application Details**

#### Location:

98 Alice Street and 125 Huron Street

#### **Proposal:**

The applicants are proposing to maintain the existing church and school buildings and correct an existing error through a lot addition, as well as creating various easements and a right-of-way, through consent files B-1/20 and B-2/20 (see attached pages). Minor variances are required to correct zoning deficiencies resulting from the lot addition.

#### **By-Law Requirements:**

The properties are located in the Educational, Spiritual and Other Services (I.1) Zone. Variances from Table 8.2 Rows 2, 5 and 6 of the Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum lot area of 700 square metres;
- b) a minimum side yard of 6 metres or one-half of the building height, whichever is greater; and
- c) a minimum rear yard of 7.5 metres or one-half of the building height, whichever is greater.

### **Request:**

The applicant is seeking relief from the By-Law requirements to permit, once the lot addition is completed:

#### File A-5/20 (98 Alice Street)

- a) a minimum lot area of 650.3 square metres;
- b) a minimum side yard setback of 0.65 metres; and
- c) a minimum rear yard setback of 0.84 metres.

#### File A-6/20 (125 Huron Street)

a) a minimum side yard setback of 0.8 metres.

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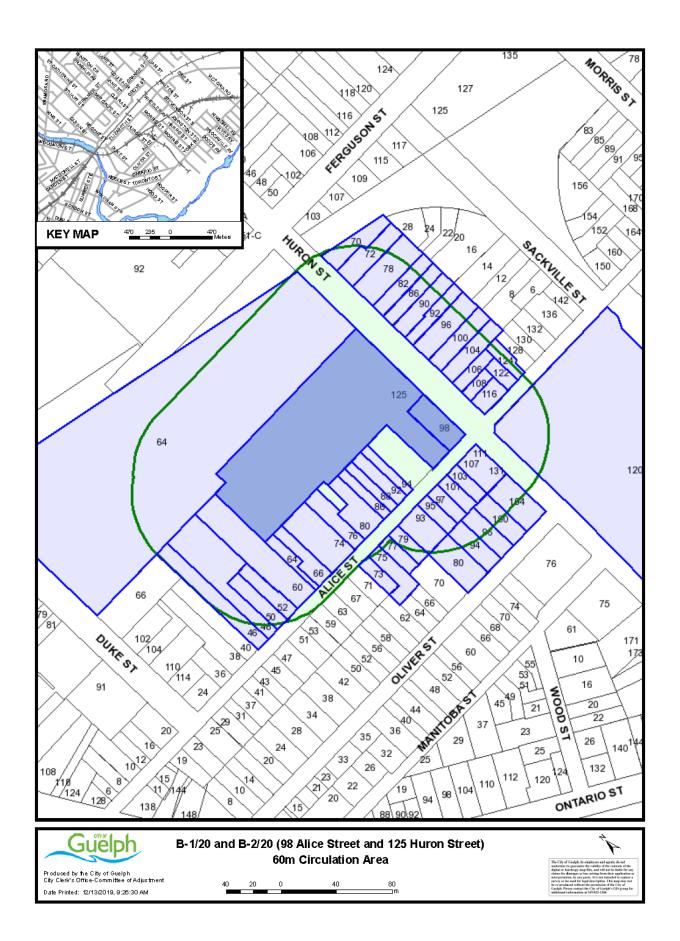
# **Notice Author**

Trista Di Lullo, ACST Secretary-Treasurer, Committee of Adjustment Dated December 16, 2019.

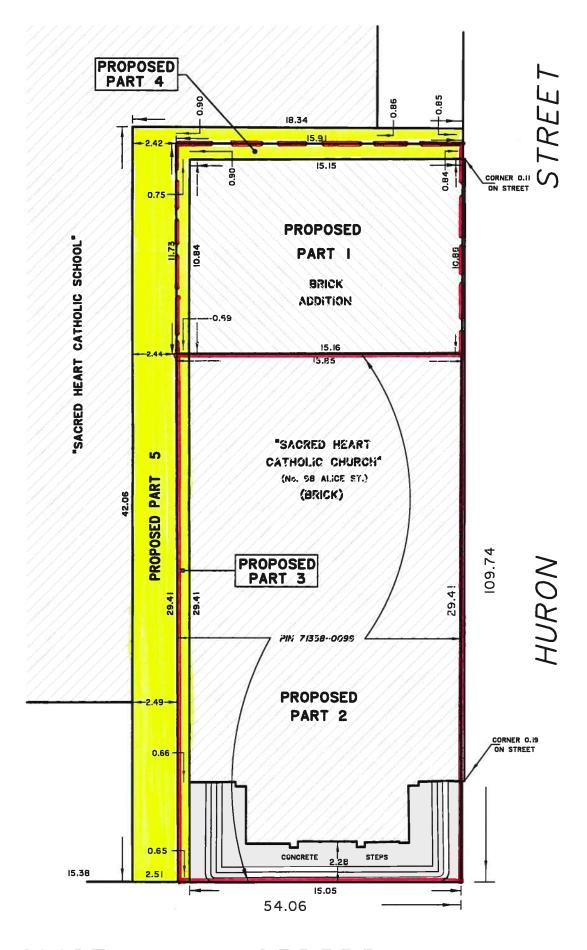
# **Contact Information**

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519-822-1260 Extension 2524 <u>cofa@guelph.ca</u> **TTY:** 519-826-9771 <u>guelph.ca/cofa</u>



PROPOSED PART SCHEDULE (ZONING = I.I)					
PART	AREA (m <sup>2</sup> )	PURPOSE			
PART I	164.6	TO BE ADDED TO PART 2			
PART 2	444.3	EXISTING PARISH LAND			
PART 3	19.7	COMMON RIGHT-OF-WAY (EXISTING PARISH LAND)			
PART 4	21.7	TO BE ADDED TO PART I AND COMMON RIGHT-OF-WAY			
PART 5	117.7	COMMON RIGHT-OF-WAY (OVER RETAINED SCHOOL LAND)			
PART 6	11325.3	RETAINED SCHOOL LANDS			
PART 7	936.0	ADDITIONAL LANDS OWNED BY THE DIOCESE - PARKING LOT FOR PARISH			



ALICE

# STREET

EXISTING CHURCH PROPERTY

LOT ADDITION

EXSEMENT/RIGHT-OF-WAY (ACCESS)

DETAIL

SCALE 1: 200 5 10 15 METRES

