

# COMMITTEE OF ADJUSTMENT AGENDA



Council Chambers, Guelph City Hall, 1 Carden Street

**DATE** Thursday, June 13, 2019 – 4:00 p.m.

Please turn off or place on non-audible all electronic devices during the hearing. Please note that this hearing will be audio recorded and streamed live on [guelph.ca/live](http://guelph.ca/live). An electronic version of this agenda is available on [guelph.ca](http://guelph.ca).

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

### **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF APPROVAL OF MINUTES – MAY 9, 2019 HEARING MINUTES REQUESTS FOR WITHDRAWAL OR DEFERRAL OF APPLICATIONS**

#### **CURRENT APPLICATIONS** (Application order subject to change)

- a) **A-57/19** Owner: Michael Finoro  
Agent: Brian McCulloch, James Fryett Architect Inc.  
Request: Protected view area variance for proposed apartment building elevation  
Location: 9 Cork Street West
  
- A-58/19** Owner: Maria Finoro  
Agent: Brian McCulloch, James Fryett Architect Inc.  
Request: Protected view area variance for proposed apartment building elevation  
Location: 11 Cork Street West
  
- b) **A-49/19** Owner: Thomasfield Homes Limited  
Agent: Astrid Clos, Astrid J. Clos Planning Consultants  
Request: Variances for side yard, building height, amenity area, floor space index, angular plane, and parking for proposed apartment building  
Location: 247 Gosling Gardens
  
- c) **A-50/19** Owner: Muhammad Khan and Farhana Khan  
Agent: N/A  
Request: Side yard setback variance for existing deck (landing)  
Location: 97 Drone Crescent
  
- d) **A-51/19** Owner: David Campbell and Nicola Campbell  
Agent: David White, Royal City Nursery  
Request: Variance for existing fence height in front yard  
Location: 54 Bennett Avenue
  
- e) **A-52/19** Owner: Annamaria Bartolomucci and Maria Bartolomucci  
Agent: N/A  
Request: Variance for proposed fence height  
Location: 58 Memorial Crescent
  
- f) **A-53/19** Owner: 922444 Ontario Ltd.  
Agent: John Rocchetta, The Beat Goes On  
Request: Variance to permit retail establishment  
Location: 23 Wellington Road East, Unit 14
  
- g) **A-54/19** Owner: Upper Grand District School Board  
Agent: N/A  
Request: Variance to permit accessory structure in front yard  
Location: 72 Lemon Street
  
- h) **A-55/19** Owner: Natalie Hearn  
Agent: N/A  
Request: Variance for location of off-street parking space  
Location: 31 Barton Street

# COMMITTEE OF ADJUSTMENT AGENDA

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- i) **A-56/19** Owner: 1887278 Ontario Inc.  
Agent: Lloyd Grinham, Grinham Architects  
Request: Variance for reduction in floor space index  
Location: 199 Woolwich Street
  
- j) **A-59/19** Owner: St. Andrew's Church  
Agent: Steve Dodge  
Request: Variance for proposed fence height  
Location: 161 Norfolk Street
  
- k) **A-60/19** Owner: Samuel Square Inc.  
Agent: N/A  
Request: Variances for location of off-street parking area, exterior side yard and planting area for proposed commercial buildings  
Location: 490 Clair Road East

## REQUESTS

- Application Fee Refund Request for file A-59/19 (161 Norfolk Street)

## STAFF ANNOUNCEMENTS

- LPAT decision – file A-5/18 (92 Clough Crescent)

## ADJOURNMENT – next hearing June 27, 2019

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

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 9 and 11 Cork Street West

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

**BY-LAW**

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

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

**REQUEST:**

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

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

**DATE:** Thursday, June 13, 2019  
**TIME:** 4:00 p.m.  
**LOCATION:** Council Chambers, City Hall, 1 Carden Street  
**APPLICATION NUMBERS:** A-57/19 and A-58/19

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

**PROVIDING COMMENTS**

Any person may attend the public hearing to provide comments regarding the applications. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **June 6, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

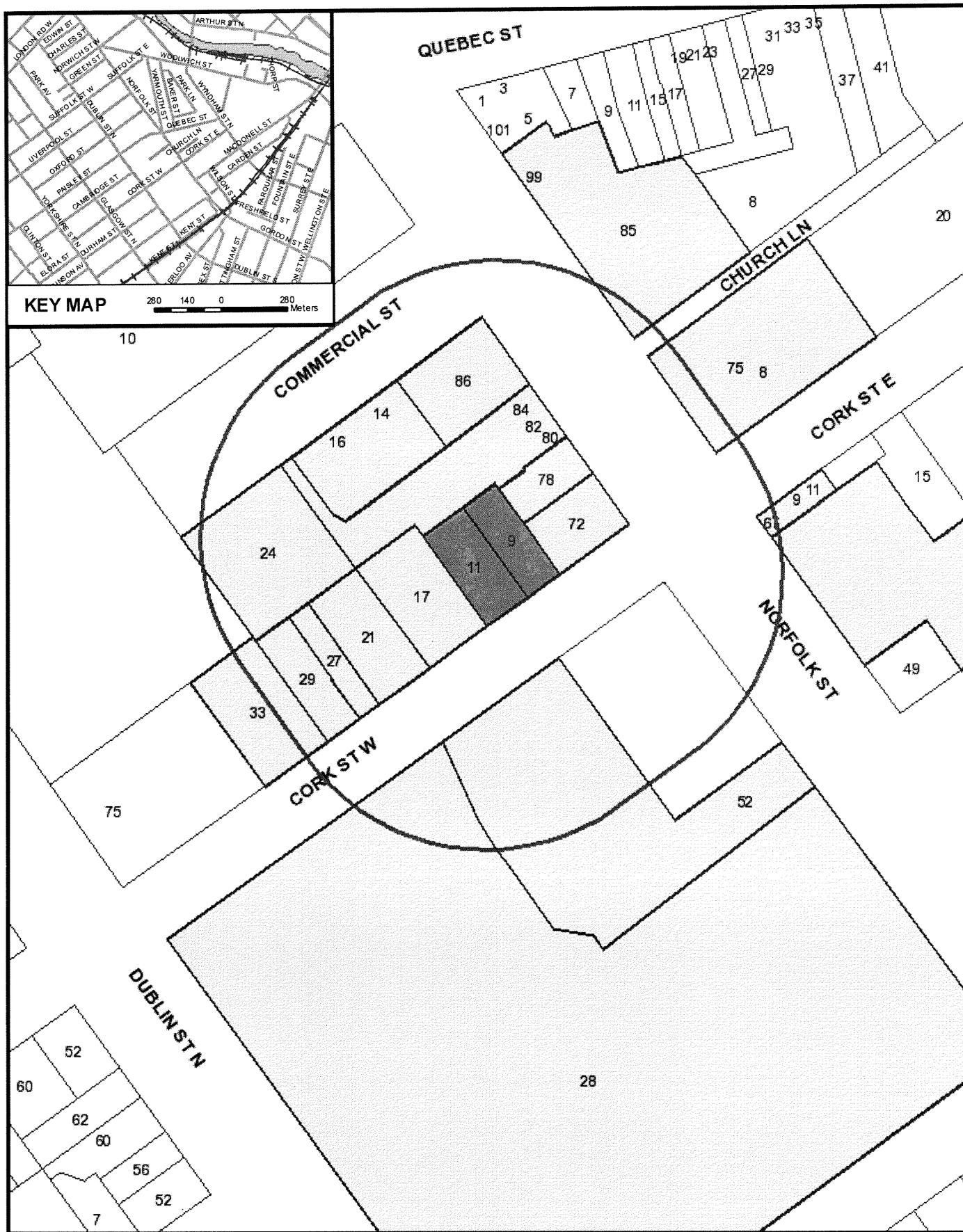
**ADDITIONAL INFORMATION**

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

**NOTICE OF THE DECISION**

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

Dated this 27<sup>th</sup> day of May, 2019.



 **9 & 11 Cork Street W (A-57/19, A-58/19)**  
**60m Circulation Area**

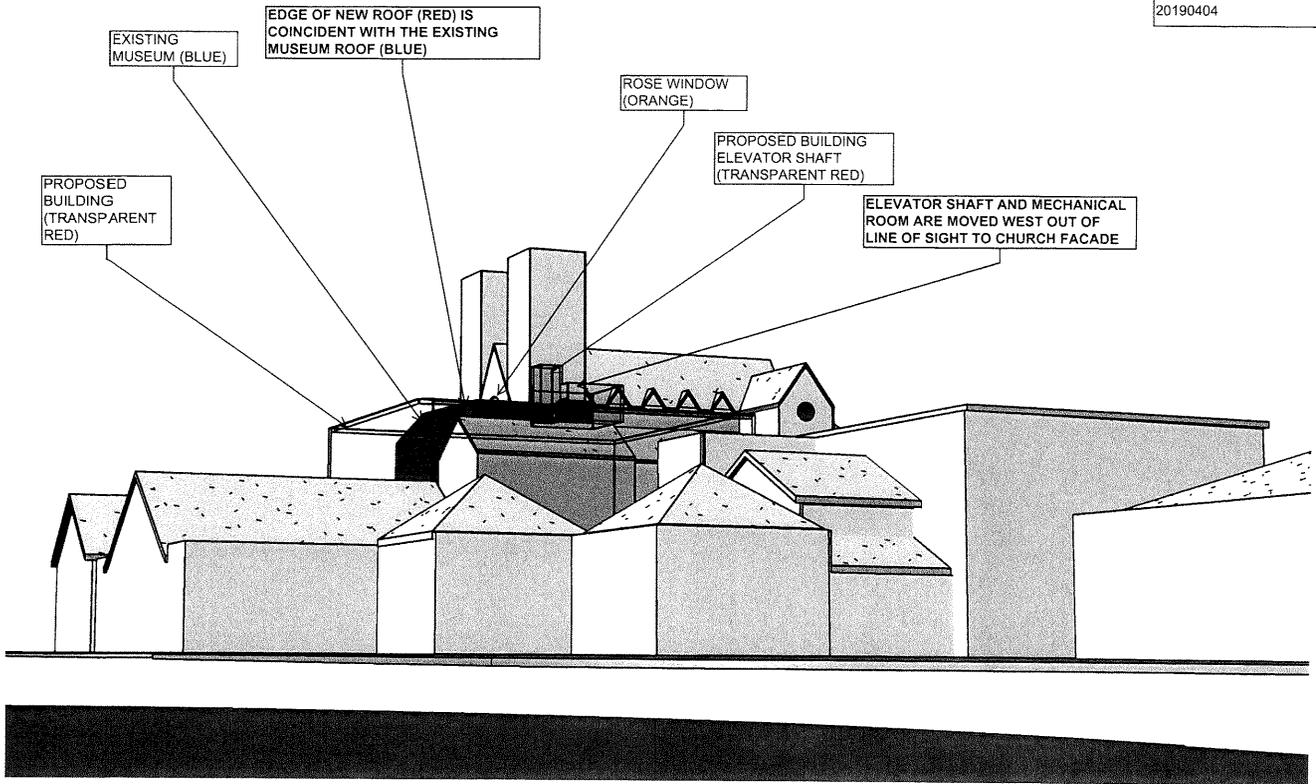
Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/22/2019, 8:54:52 AM

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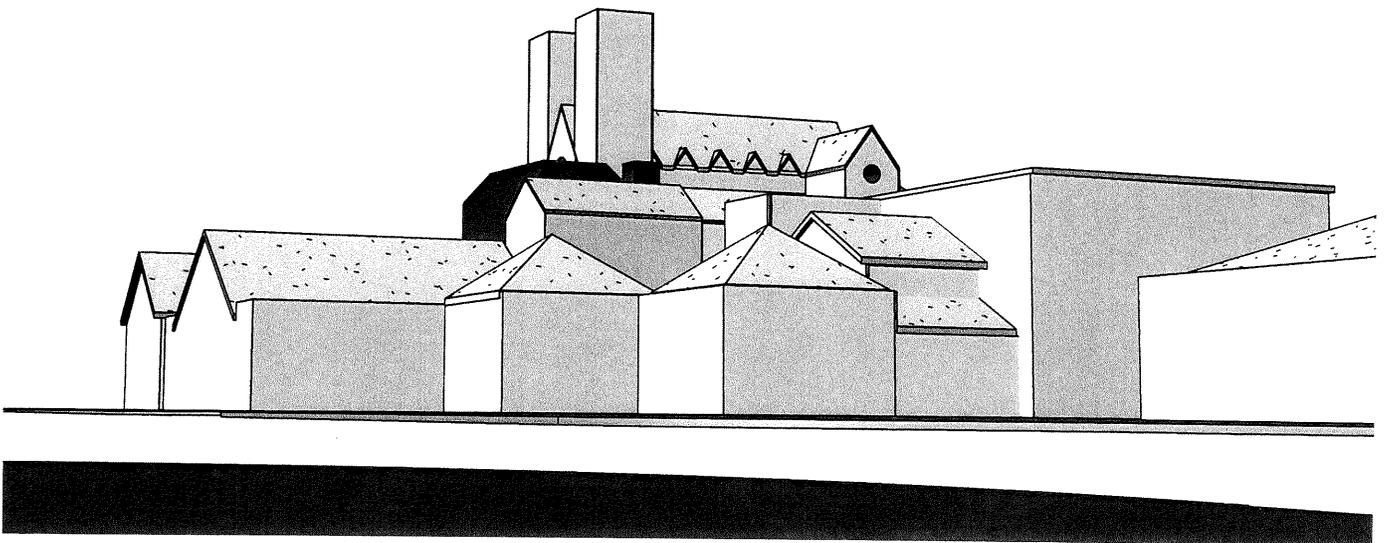
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CORK ST PROJECT  
VIEW FROM PARKETTE  
PROPOSED BUILDING  
20190404



CORK ST PROJECT  
VIEW FROM PARKETTE  
EXISTING CONDITIONS  
20190404



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 247 Gosling Gardens

**PROPOSAL:** The applicant is proposing to construct a 5 storey apartment building with 42 units and 58 off-street parking spaces. An underground parking garage is also proposed. This property is currently subject to an application for Site Plan Approval (File SP19-006).

## **BY-LAW**

**REQUIREMENTS:** The property is located in the Specialized General Apartment (R.4A-46) Zone. Variances from Table 5.4.2 Rows 8 and 18, Sections 5.4.3.1.46.1.5, 4.16.2, 5.4.2.4.1, 4.13.3.2.2, and 4.13.6 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum side yard equal to one-half the building height, but not less than 3 metres [being of 9.1 metres];
- b) a floor space index of 1;
- c) a maximum building height of 4 storeys;
- d) that in addition to maximum building height, in certain zones, angular planes are required in determining maximum building height, as follows: maximum 45 degrees from a street;
- e) a minimum common amenity area of not less than 30 square metres per dwelling unit for each unit up to 20 and for each additional dwelling unit, not less than 20 square metres shall be provided [total of 1,040 square metres required];
- f) minimum parking space dimensions within a garage of 3 metres by 6 metres; and
- g) a minimum of 20% of the calculated total required number of parking spaces shall be provided for the use of visitors to a residential building [minimum of 12 off-street visitor parking spaces required].

## **REQUEST:**

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

- a) a left side yard of 8.1 metres;
- b) a floor space index of 1.8;
- c) a maximum building height of 5 storeys;
- d) an angular plane of 58 degrees from Gosling Gardens and Poppy Drive;
- e) a minimum common amenity area of 979.5 square metres;
- f) minimum parking space dimensions within a garage of 2.75 metres by 5.5 metres; and
- g) a minimum of 11 visitor parking spaces to be provided.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-49/19

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

## **PROVIDING COMMENTS**

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**ADDITIONAL INFORMATION**

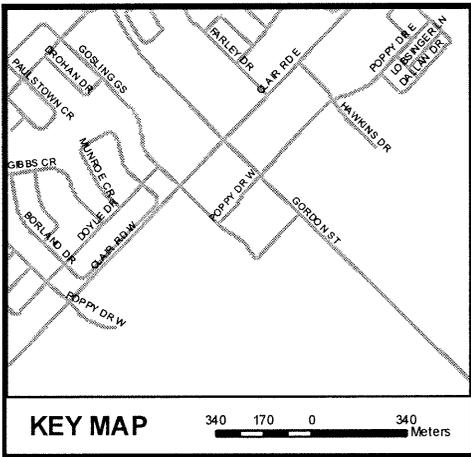
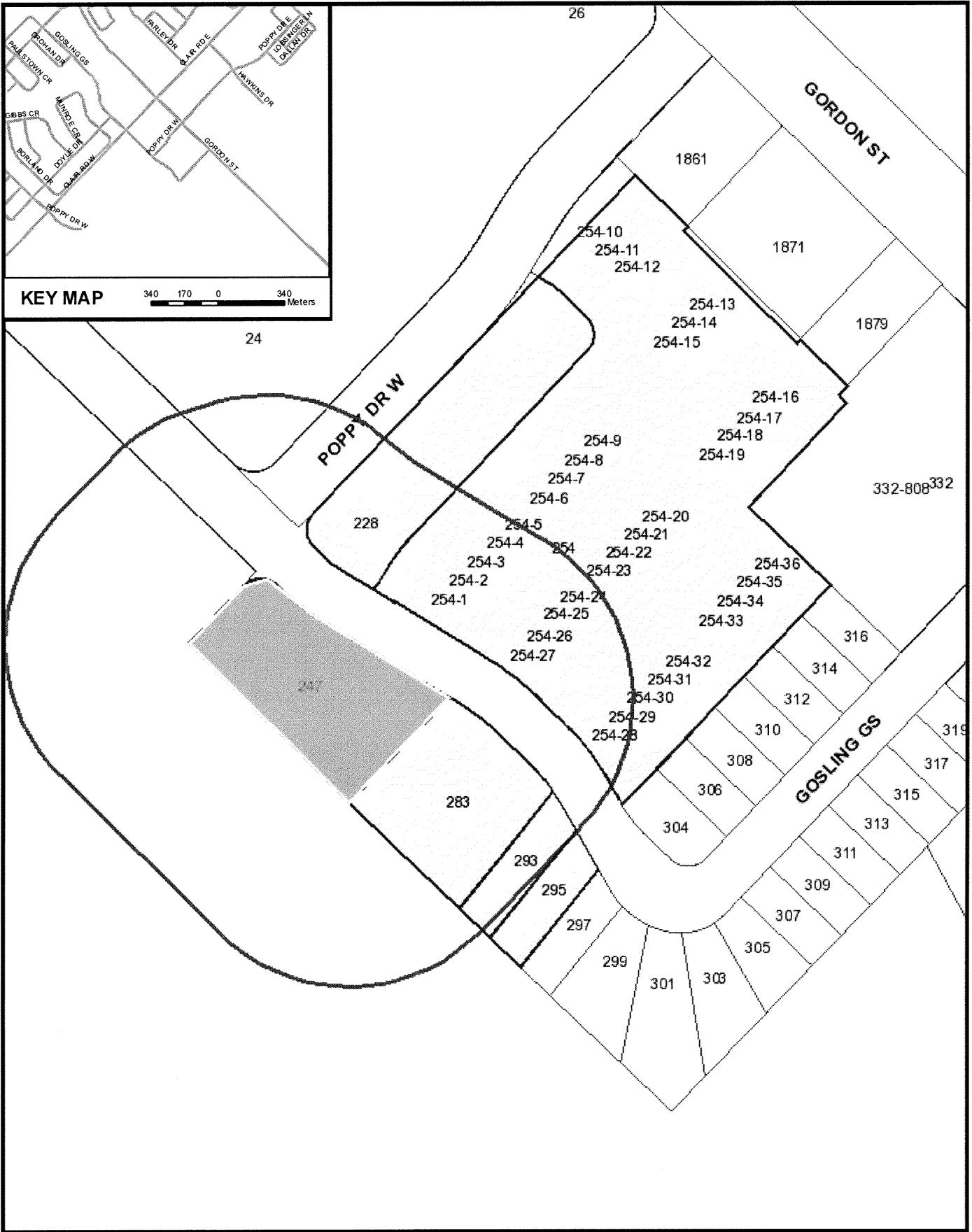
Agendas and comments related to this application will be available online at: [www.guelph.ca](http://www.guelph.ca) > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

**NOTICE OF THE DECISION**

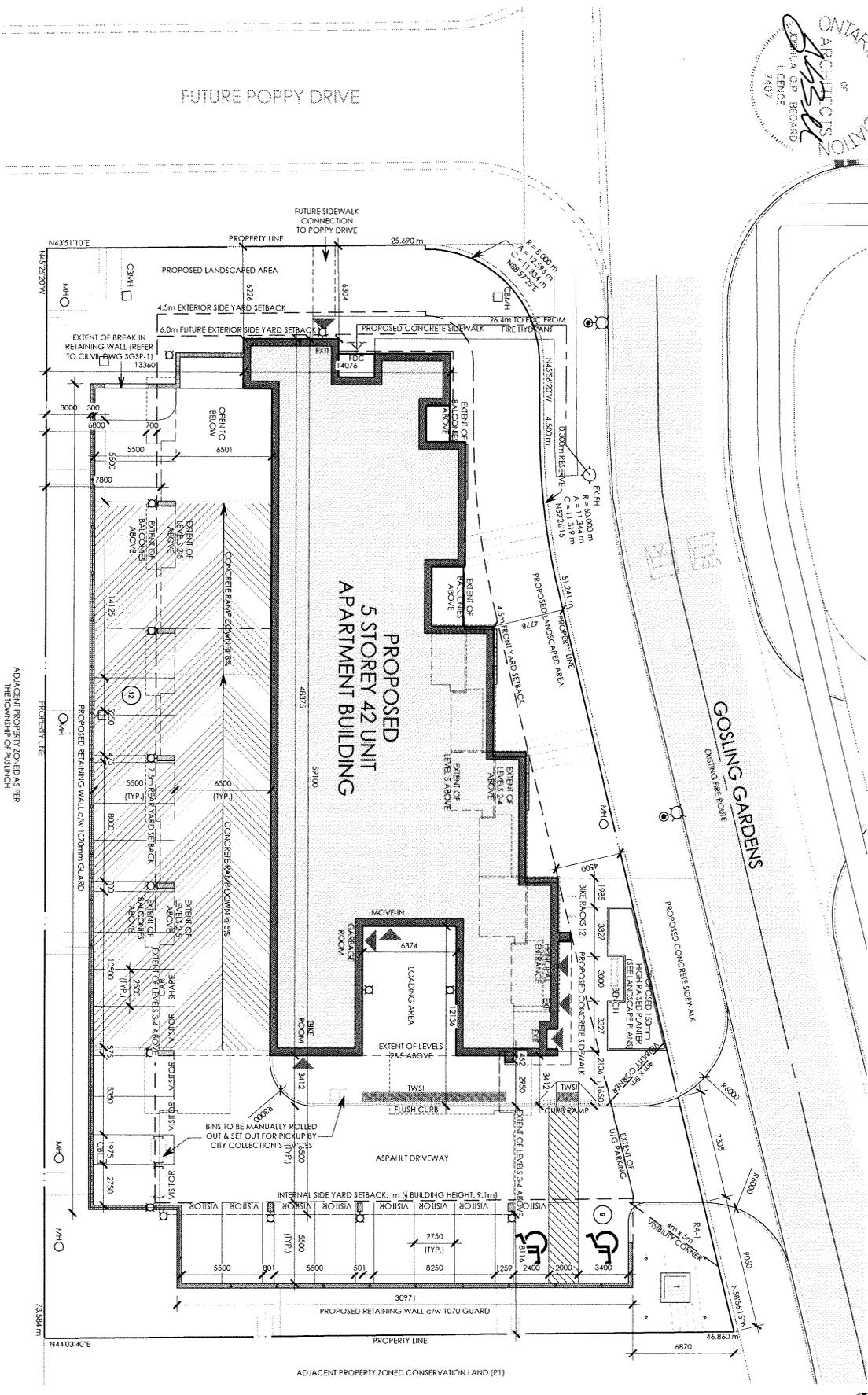
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

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

Dated this 27<sup>th</sup> day of May, 2019.



KEY MAP 340 170 0 340 Meters



**SK.1**

**SITE PLAN**  
SURFACE PARKING PROVIDED: 20 Spaces

1:250  
2019.04.16

PROJECT NO. 2017-166  
**BLOCK 23 - BIRD PROPERTY**





# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 97 Drone Crescent

**PROPOSAL:** The applicant is proposing to maintain the existing 1.4 square metre landing located in the right side yard.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Residential Single Detached (R.1D) Zone. A variance from Table 4.7 Row 1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum side yard setback of 0.6 metres for an uncovered porch not more than 1.2 metres above finished grade.

**REQUEST:**

The applicant is seeking relief from the By-law requirements to permit a right side yard setback of 0.42 metres for the existing 1.4 square metre uncovered porch.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-50/19

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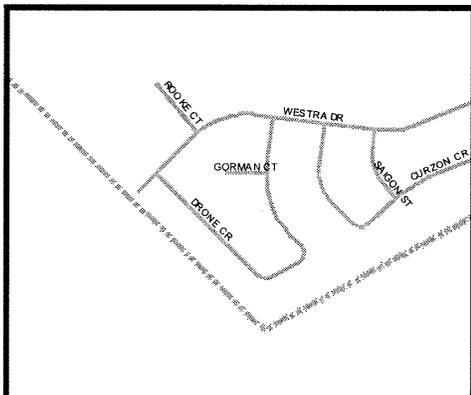
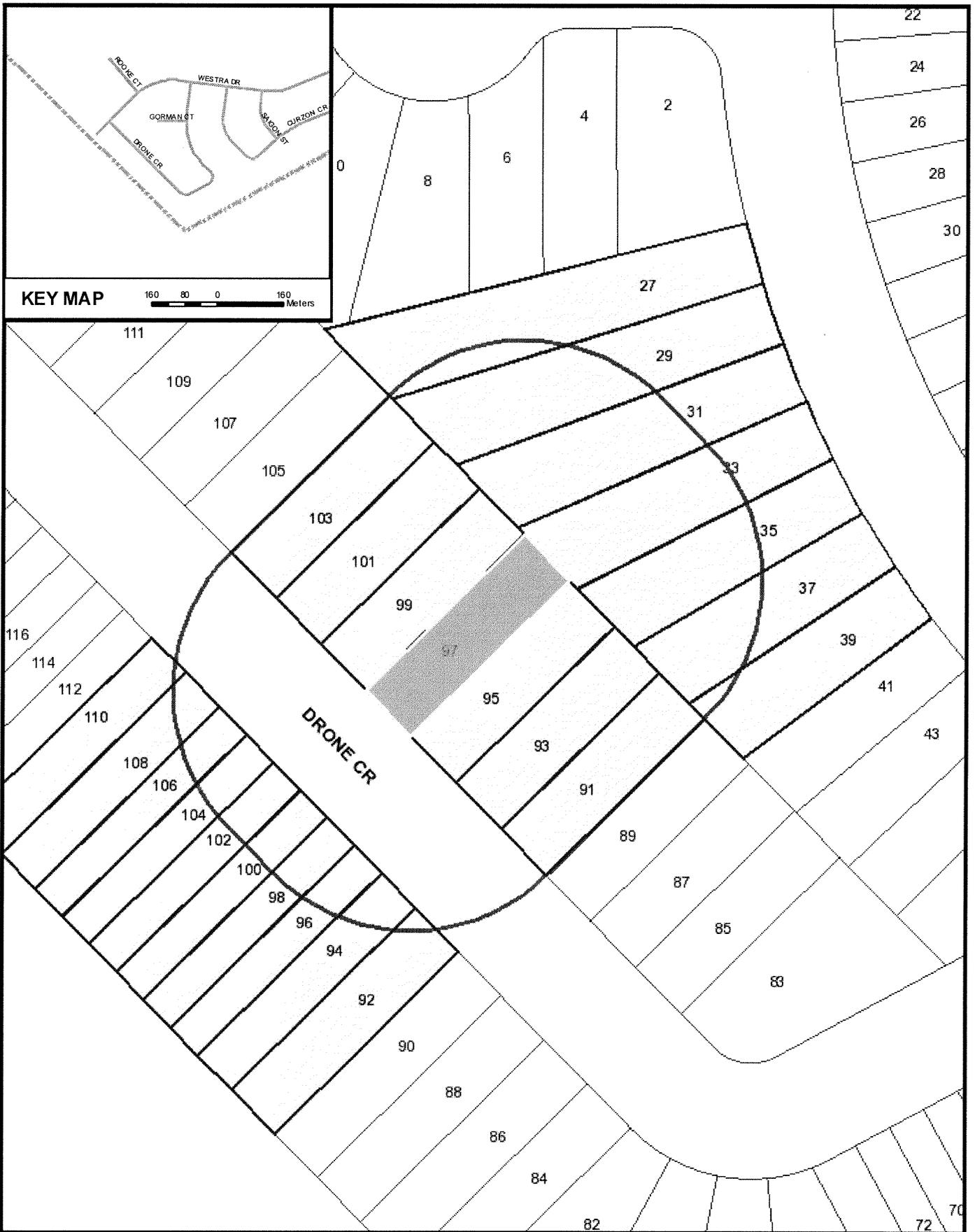
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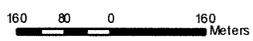
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Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment

Dated this 27<sup>th</sup> day of May, 2019.



**KEY MAP**



**97 Drone Crescent (A-50/19)  
30m Circulation Area**



Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/21/2019, 3:20:00 PM



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# SURVEYOR'S REAL PROPERTY REPORT

PLAN OF  
LOT 47  
REGISTERED PLAN 61M-196  
CITY OF GUELPH  
COUNTY OF WELLINGTON

KERRY F. HILLIS - ONTARIO LAND SURVEYOR  
2015

SCALE 1 : 250 

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

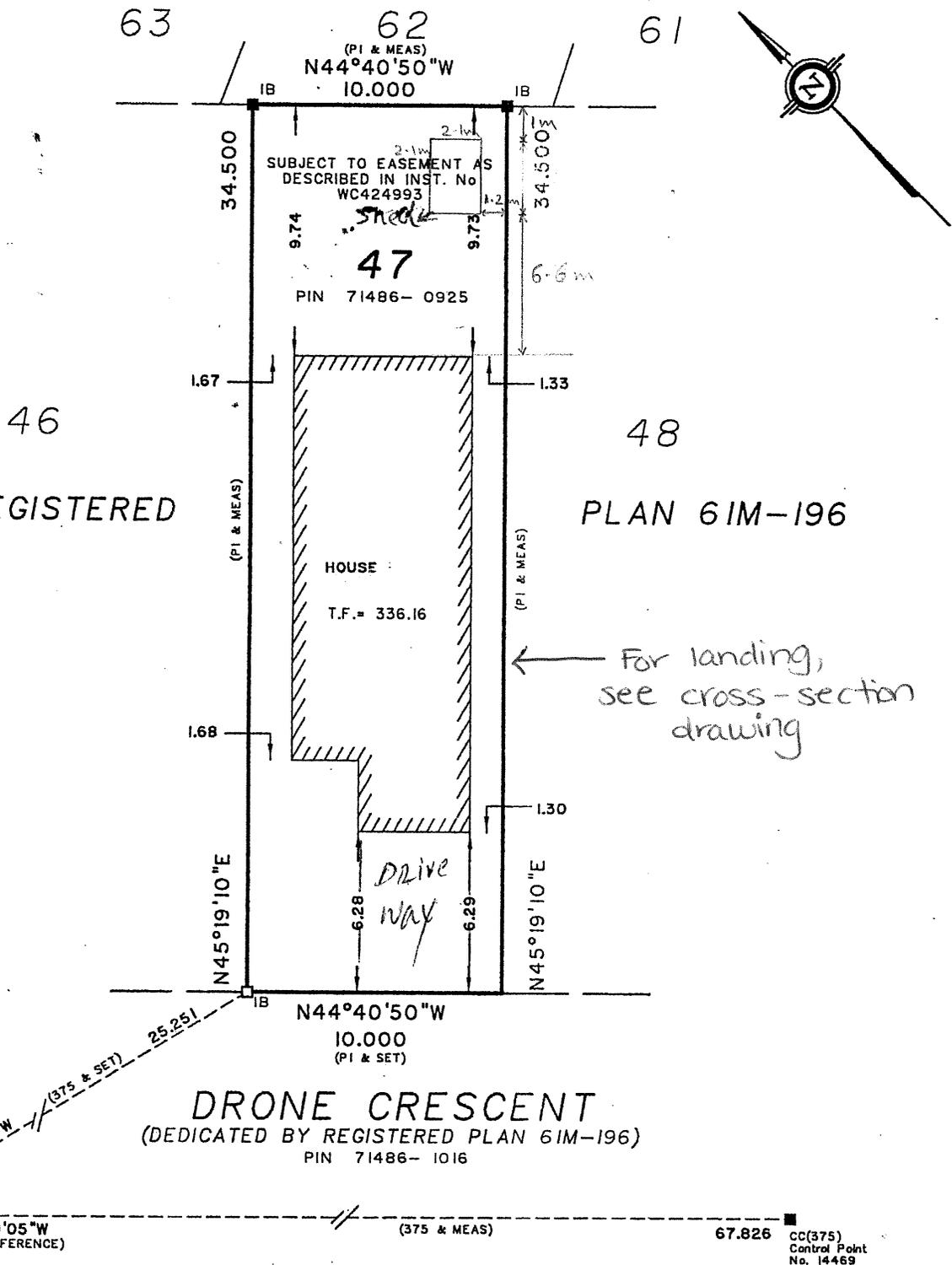
## NOTES:

- BEARINGS ARE UTM GRID AND ARE REFERRED AS THE LINE BETWEEN BSR & D CONTROL POINTS 14470 & 14469 AS BEING N44°40'05"W.
- UNLESS OTHERWISE NOTED, ALL BUILDING TIES SHOWN HEREON ARE PERPENDICULAR TO PROPERTY LINES.
- PROPERTY LINES ARE NOT FENCED, UNLESS OTHERWISE SHOWN.
  - DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
  - IB DENOTES IRON BAR
  - T.F. DENOTES TOP OF FOUNDATION
  - PI DENOTES REGISTERED PLAN 61M-196
  - CC DENOTES CUT CROSS

**ASSOCIATION OF ONTARIO  
LAND SURVEYORS**  
PLAN SUBMISSION FORM  
**1948474**



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
in accordance with  
Regulation 1026, Section 29(3).



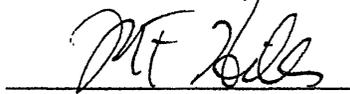
## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 29th DAY OF JUNE, 2015.

SEPTEMBER 24, 2015

DATE



KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

**SUMMARY REPORT:**  
THIS REPORT WAS PREPARED FOR  
FUSION HOMES  
AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR USE  
BY OTHER PARTIES.

**EASEMENTS:** LOT 47 IS SUBJECT  
TO EASEMENT AS DESCRIBED IN  
INST. No. WC424993

**FENCES:**  
NONE AT TIME OF SURVEY

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**BSR & D**

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Urban and Rural Planners

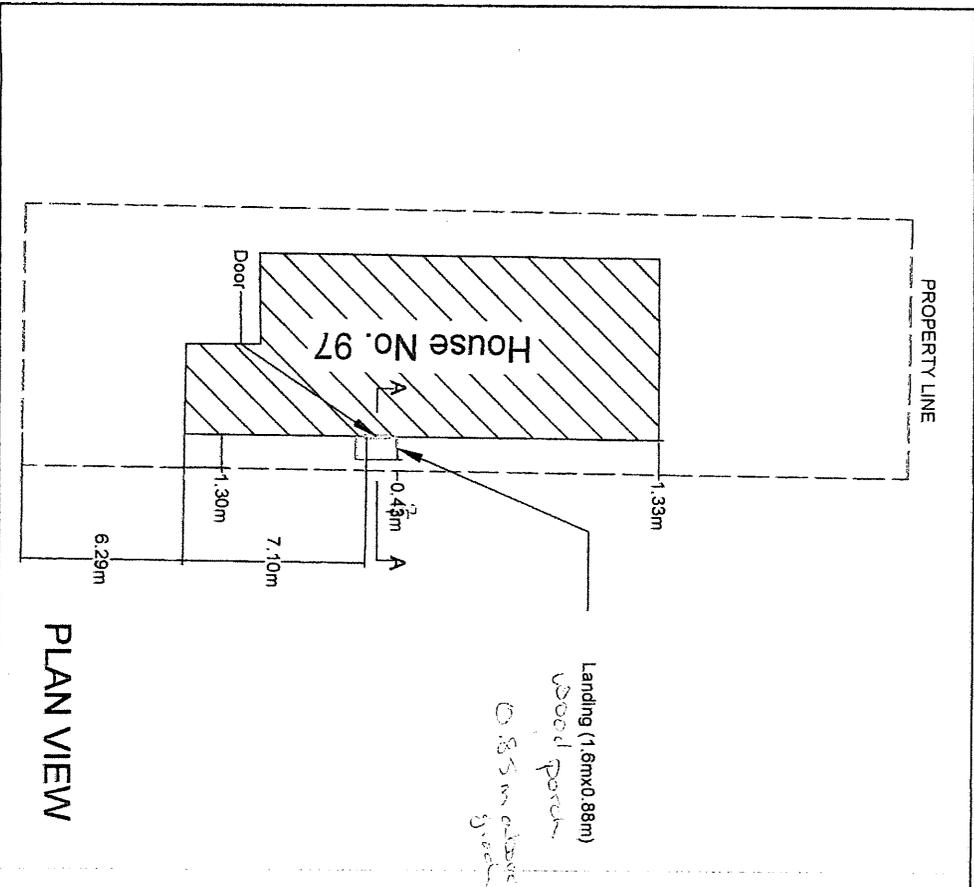
351 Speedvale Avenue West  
Guelph, Ontario N1H 1C6

FAX: (519) 822-1220  
TEL: (519) 822-4031

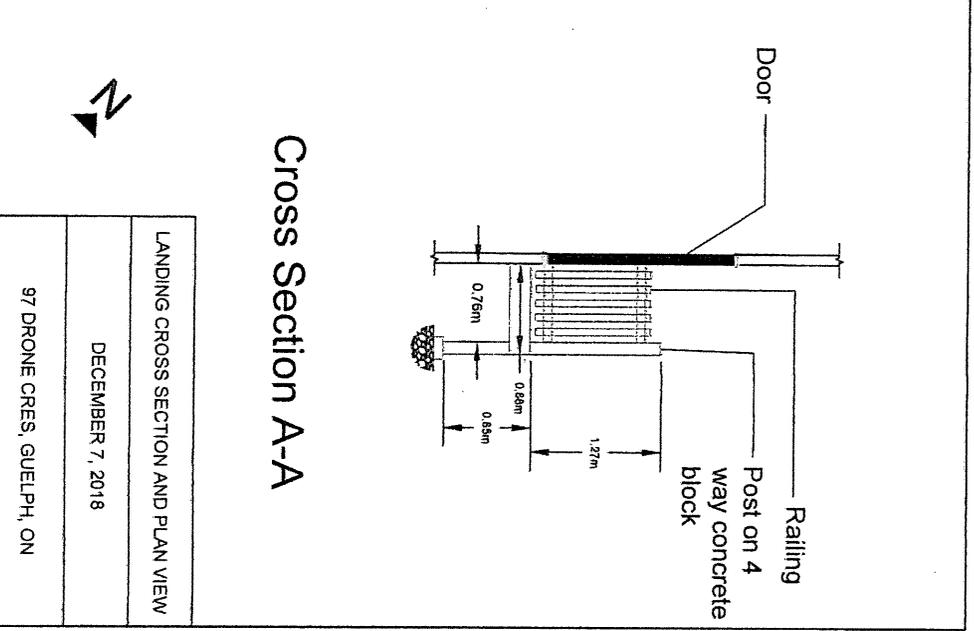
DATE: SEPTEMBER 24, 2015

SG

PROJECT 13-9477-44-BLS



PLAN VIEW



Cross Section A-A



LANDING CROSS SECTION AND PLAN VIEW
DECEMBER 7, 2018
97 DRONE CRES, QUELPH, ON

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 54 Bennett Avenue

**PROPOSAL:** The applicant is proposing to maintain the existing fence in the front yard (facing Stevenson Street North).

**BY-LAW**

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

The By-law requires that within any residential zone, any fence 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 height of 1.9 metres in the front yard of 54 Bennett Avenue.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-51/19

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

**PROVIDING COMMENTS**

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**ADDITIONAL INFORMATION**

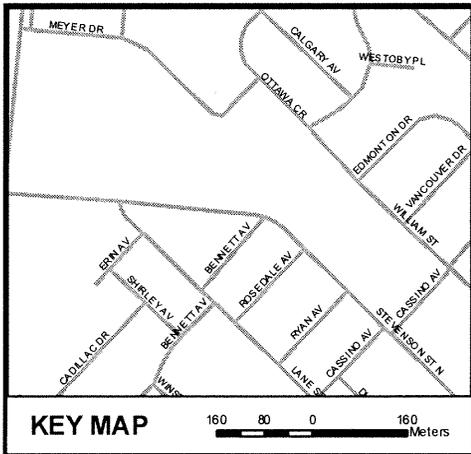
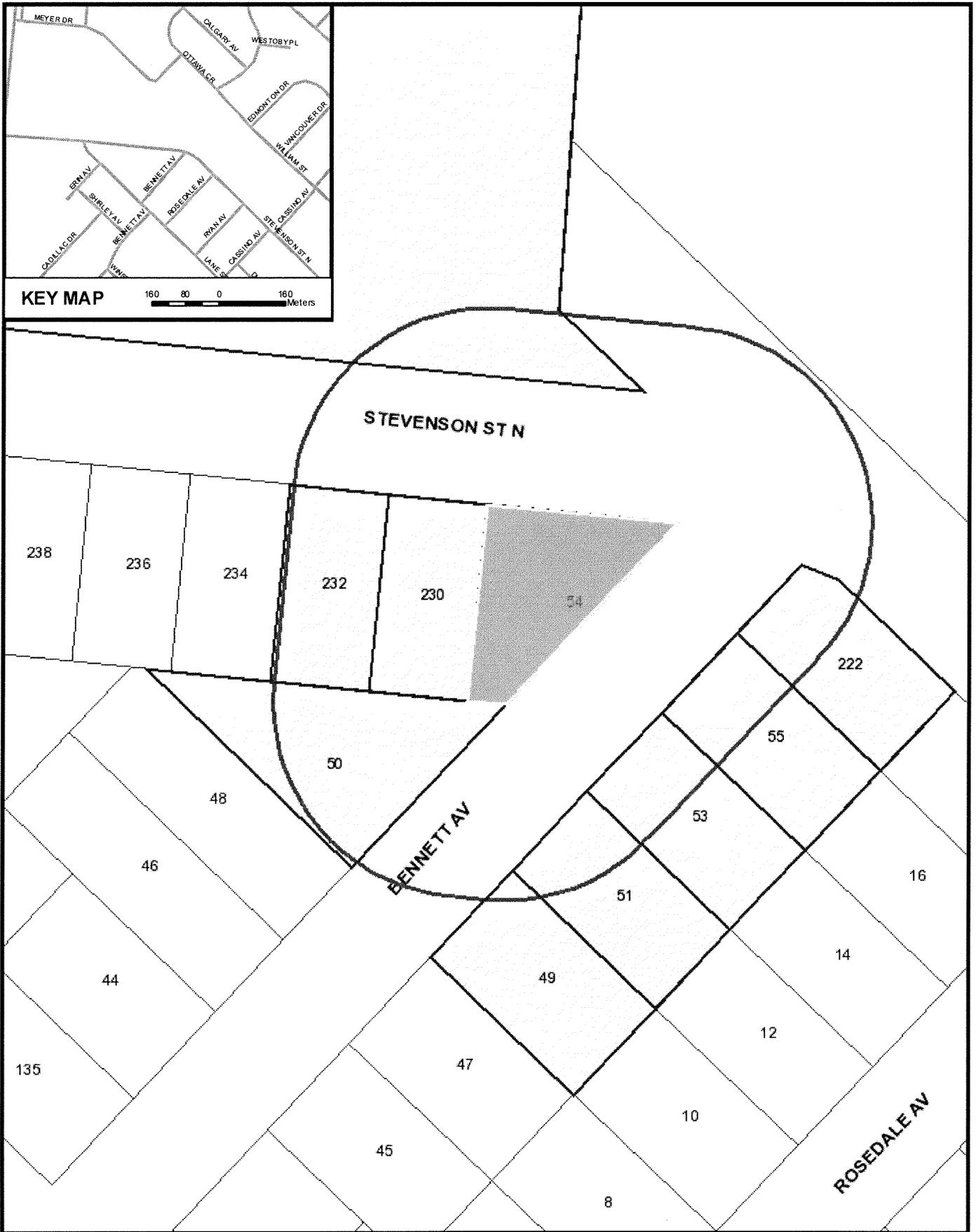
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**NOTICE OF THE DECISION**

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

Dated this 27<sup>th</sup> day of May, 2019.



**54 Bennett Avenue (A-51/19)**  
**30m Circulation Area**

Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/21/2019, 3:40:00 PM

0.015 0.0075 0 0.015 0.03  
km

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# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 58 Memorial Crescent

**PROPOSAL:** The applicant is proposing to construct a fence in the front yard.

**BY-LAW**

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

The By-law requires that within any residential zone, any fence 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 height of 1.83 metres in the front yard of 58 Memorial Crescent.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-52/19

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**ADDITIONAL INFORMATION**

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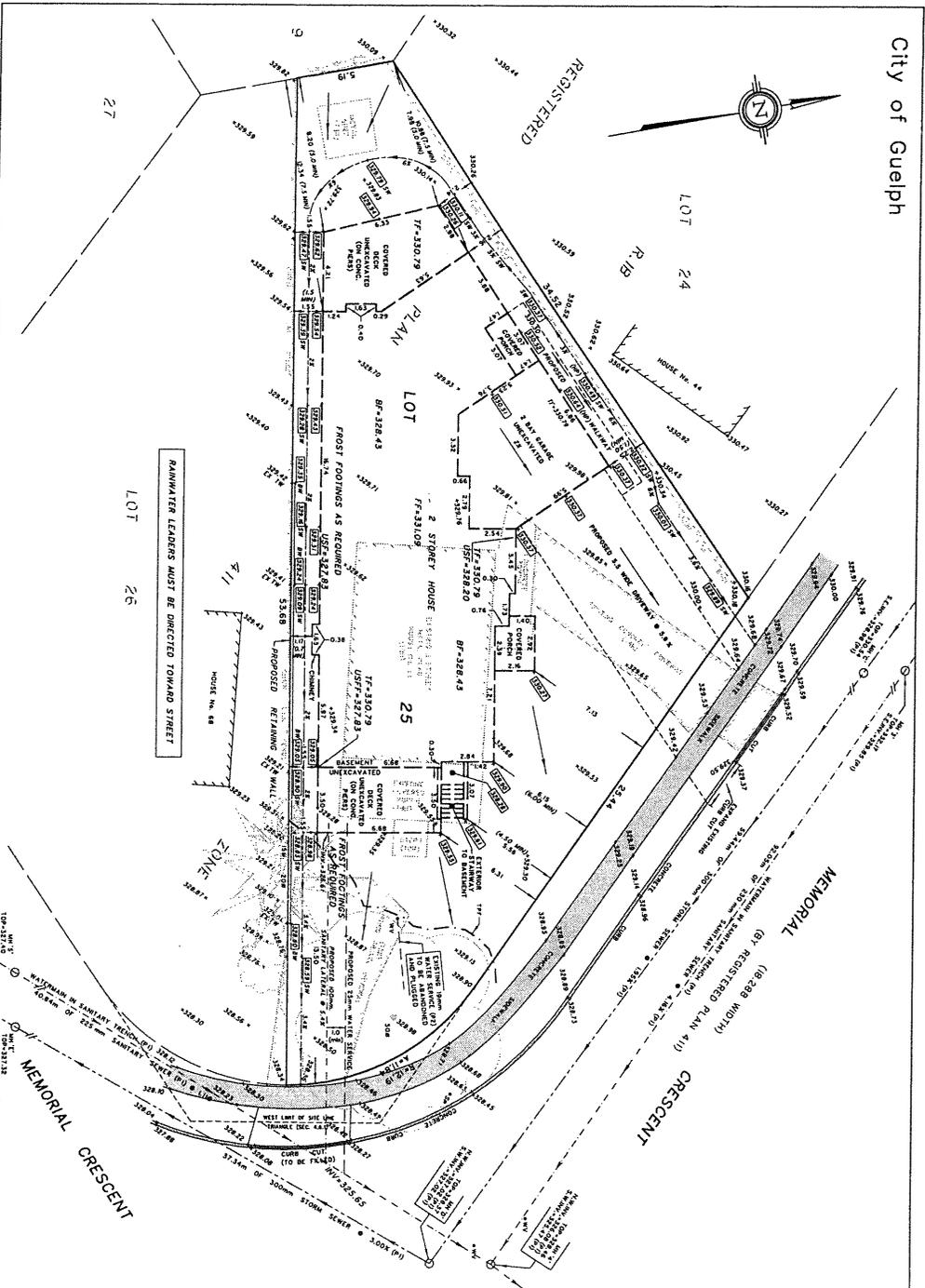
**NOTICE OF THE DECISION**

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

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

Dated this 27<sup>th</sup> day of May, 2019.





**R.1B ZONING**

REQUIRED	PROPOSED
LOT AREA	440 m <sup>2</sup> (minimum)
LOT FRONTAGE	15.0 m (minimum)
BUILDING HEIGHT	3 STOREYS (maximum)
FRONT YARD	6.0 m (minimum)
SIDE YARD	1.5 m (minimum)
REAR YARD	7.5 m (minimum)
	321.7 m <sup>2</sup>
	32.94 m
	2 STOREYS
	6.15 m
	1.53 m
	10.89 m

**SKETCH**

PREPARED FOR BUILDING PERMIT APPLICATION

SCALE 1:150



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

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

**NOTES:**

1. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 411 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING FOOTPRINT BY DEDUCTION, NOT BY SURVEY.
2. OTHER DIMENSIONS AND CORNER COORDINATE DATA SHOWN ARE NECESSARY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THESE DIMENSIONS AND COORDINATE DATA IS NOT GUARANTEED. EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FROM DAMAGE TO THEM.
3. WATERMAIN DUNE THROUGH DAMPENARY MANHOLES (P)

SYMBOL	DESCRIPTION	REMARKS
158	DEPOTES TO BE REMOVED	FRONT
159	DEPOTES TO BE REMOVED	FRONT
160	DEPOTES TO BE REMOVED	FRONT
161	DEPOTES TO BE REMOVED	FRONT
162	DEPOTES TO BE REMOVED	FRONT
163	DEPOTES TO BE REMOVED	FRONT
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165	DEPOTES TO BE REMOVED	FRONT
166	DEPOTES TO BE REMOVED	FRONT
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196	DEPOTES TO BE REMOVED	FRONT
197	DEPOTES TO BE REMOVED	FRONT
198	DEPOTES TO BE REMOVED	FRONT
199	DEPOTES TO BE REMOVED	FRONT
200	DEPOTES TO BE REMOVED	FRONT

THIS SKETCH WAS PREPARED FOR ANNA-MARIA BARTOLOMUCCI AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

*[Signature]*

DATE: JANUARY 30, 2018

PROJECT: 17-14-581-02-A

CLIENT: BSRP

ADDRESS: 101-237 Woodlawn Rd. W. Guelph, Ontario, N1H 8J1

CONTACT: OCTAVIO LARA SURVEYORS LIMITED

PHONE: (519) 822-4220

FAX: (519) 822-4220

TEL: (519) 822-4220

WWW.BSRP.CA

A liability owed subsidiary of JB BSRP Ltd.

DATE: JANUARY 30, 2018

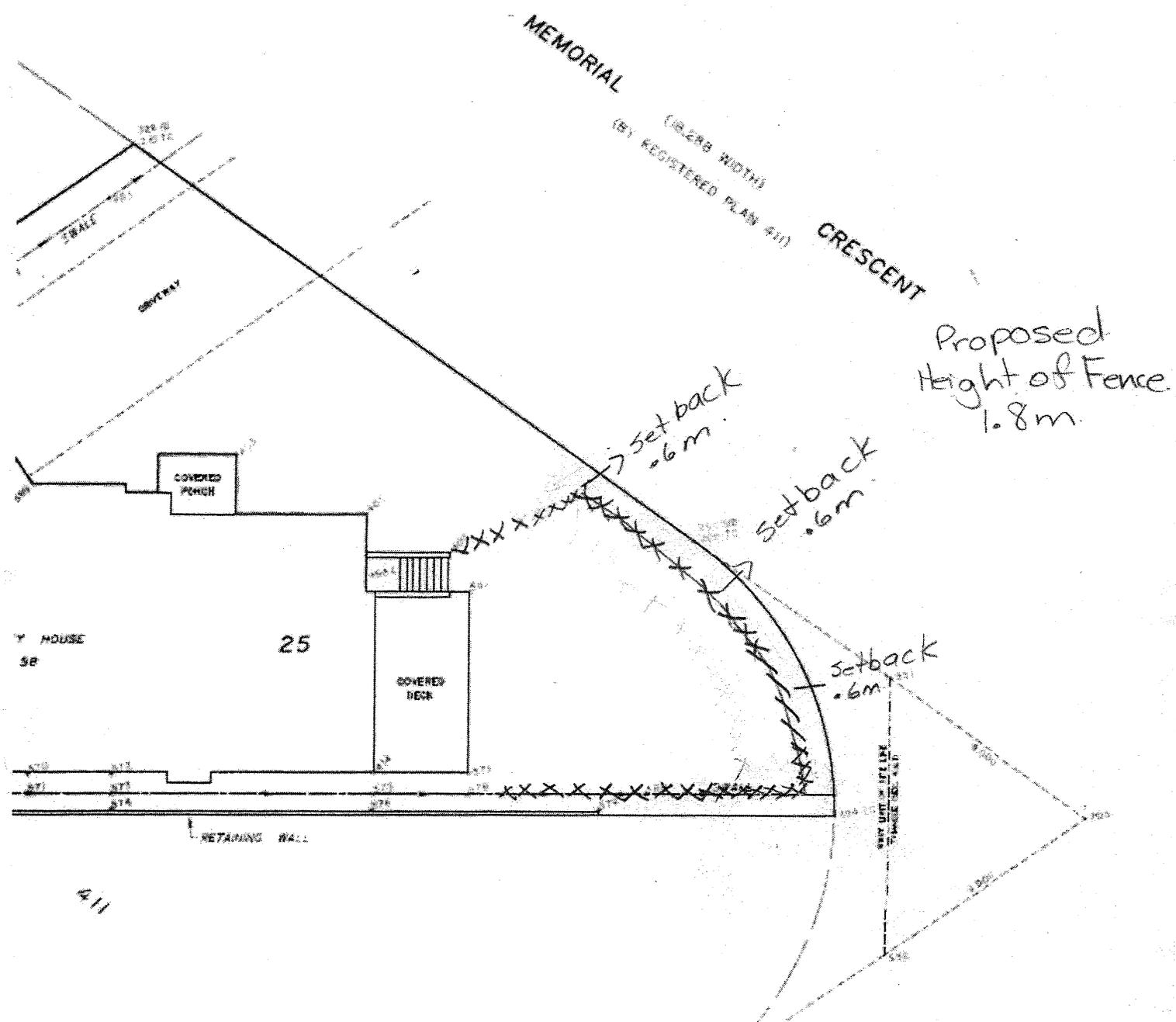
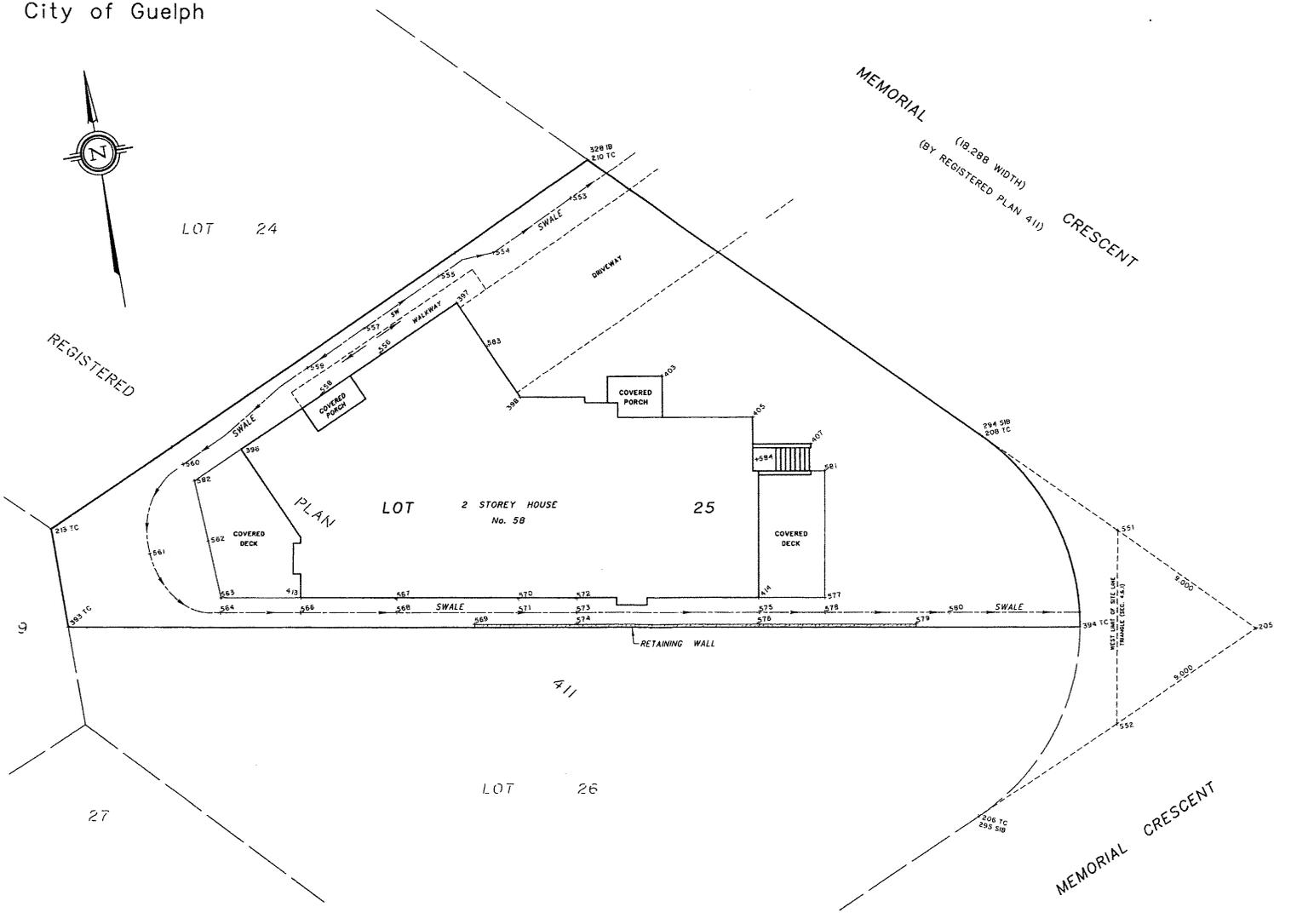
PROJECT: 17-14-581-02-A

CLIENT: BSRP

ADDRESS: 101-237 Woodlawn Rd. W. Guelph, Ontario, N1H 8J1

CONTACT: OCTAVIO LARA SURVEYORS LIMITED

City of Guelph



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 23 Wellington Road East, Unit #14

**PROPOSAL:** Unit #13 of the existing commercial plaza contains a 81.66 square metre retail store (The Beat Goes On), which was previously permitted by the Committee of Adjustment (file A-71/97). The applicant is proposing to expand this store into an adjacent unit (shown as unit #14 on the attached sketch), which is approximately 81.66 square metres in size.

## **BY-LAW**

**REQUIREMENTS:** The property is located in the Specialized Service Commercial (SC.1-2) Zone. A variance from Section 6.4.3.1.2.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the SC.1-2 zone, but does not permit a retail establishment.

## **REQUEST:**

The applicant is seeking relief from the By-law requirements to permit a 81.66 square metre retail establishment at 23 Wellington Road East, Unit #14.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-53/19

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

## **PROVIDING COMMENTS**

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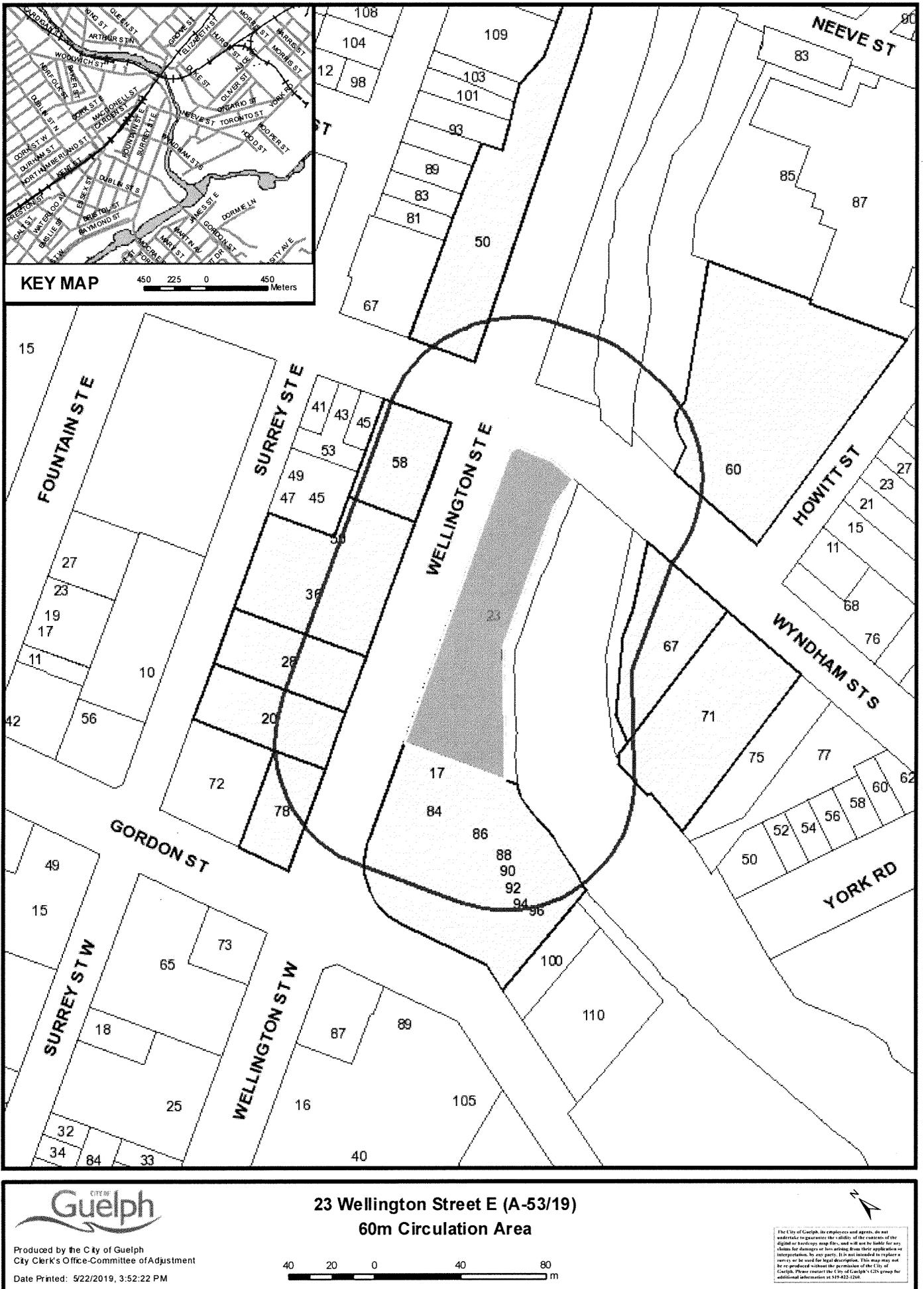
## **ADDITIONAL INFORMATION**

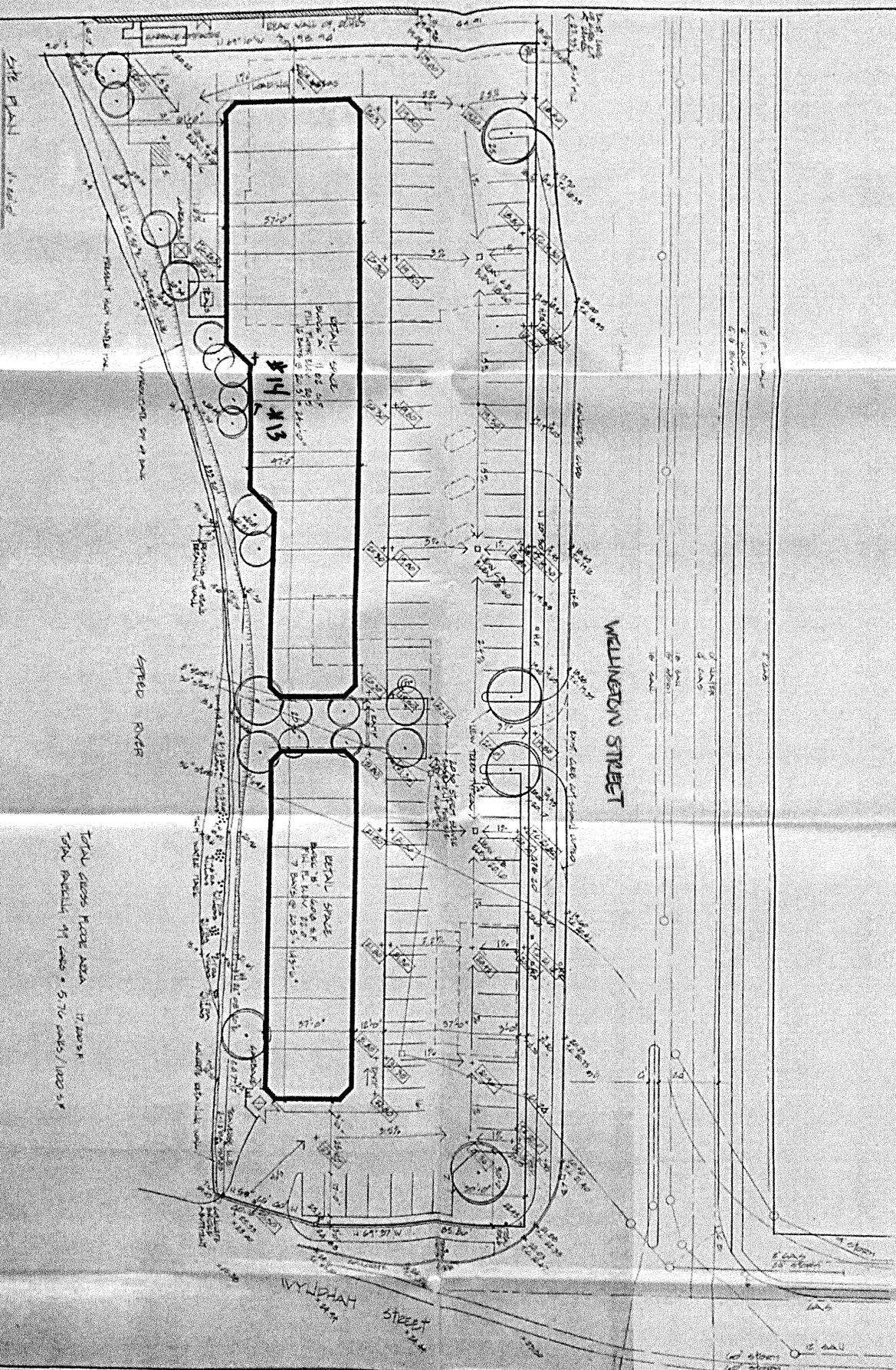
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## **NOTICE OF THE DECISION**

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Dated this 27<sup>th</sup> day of May, 2019.





TOTAL GROSS FLOOR AREA 17,000 sq ft  
 TOTAL AREA OF LAND 5,700 sq ft / 1000 sq ft

NOTES:  
 1. All dimensions are in feet and inches.  
 2. All bearings are true bearings.  
 3. All distances are in feet.  
 4. All areas are in square feet.  
 5. All volumes are in cubic feet.  
 6. All weights are in pounds.  
 7. All temperatures are in degrees Fahrenheit.  
 8. All pressures are in pounds per square inch.  
 9. All speeds are in miles per hour.  
 10. All times are in hours, minutes and seconds.

<b>PREPARED BY</b> ARCHITECT <b>SPENCER</b>	<b>DATE</b> 12/31/2024
<b>PROJECT</b> PRIVATE HOUSING	<b>SCALE</b> 1/4" = 1'-0"
<b>SCHEDULE B</b>	<b>APPENDIX</b>
<b>REVISIONS</b>	<b>NOTES</b>

← 13.411 meters →

→ 6.096 meters ←

Unit #13 - Current Best Goes On location  
81.66 sq. meters

||||| DIVIDE WALL |||||

→ 6.096 meters ←

Unit #14 - proposed expansion (currently vacant).  
81.66 sq. meters.

← 13.411 meters →

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 72 Lemon Street

**PROPOSAL:** The applicant is proposing to maintain the existing 5.76 square metre storage structure located in the front yard (facing Lemon Street) to accommodate kindergarten toy storage in the playground area for King George Public School.

## **BY-LAW**

**REQUIREMENTS:** The property is located in the Educational, Spiritual, and Other Services (I.1) Zone. A variance from Section 4.5.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that an accessory building or structure may occupy a yard other than a front yard.

## **REQUEST:**

The applicant is seeking relief from the By-law requirements to permit the 5.76 square metre accessory structure (playground toy storage) in the front yard of 72 Lemon Street.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-54/19

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

## **PROVIDING COMMENTS**

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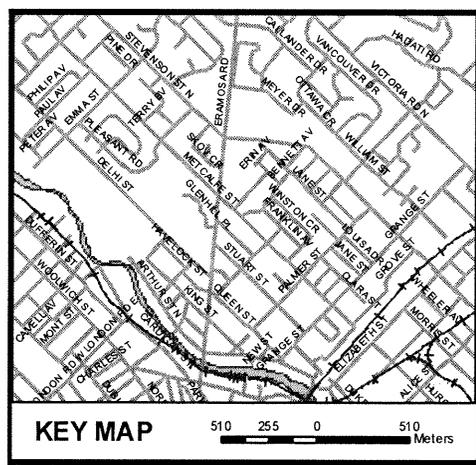
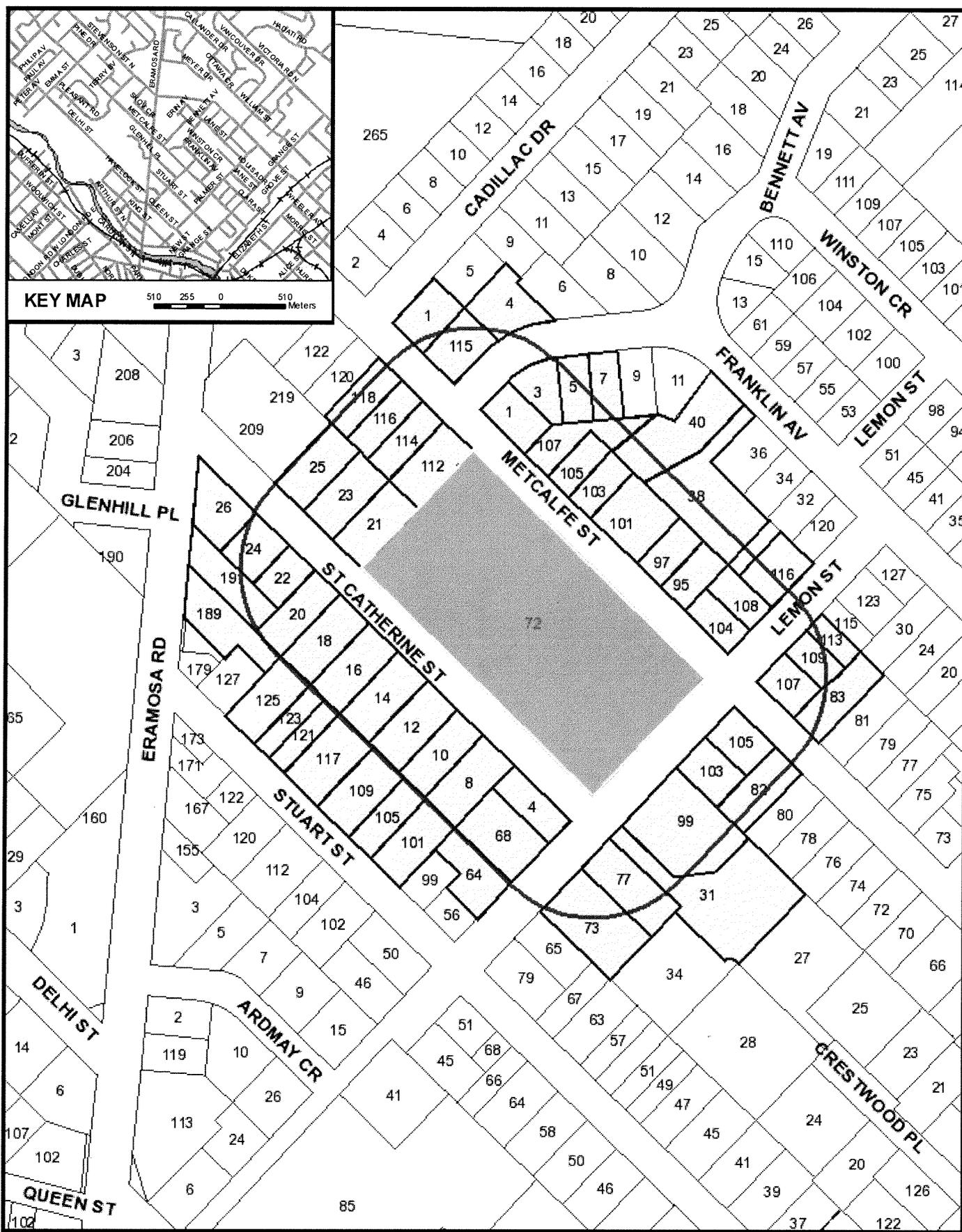
## **ADDITIONAL INFORMATION**

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## **NOTICE OF THE DECISION**

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Dated this 27<sup>th</sup> day of May, 2019.



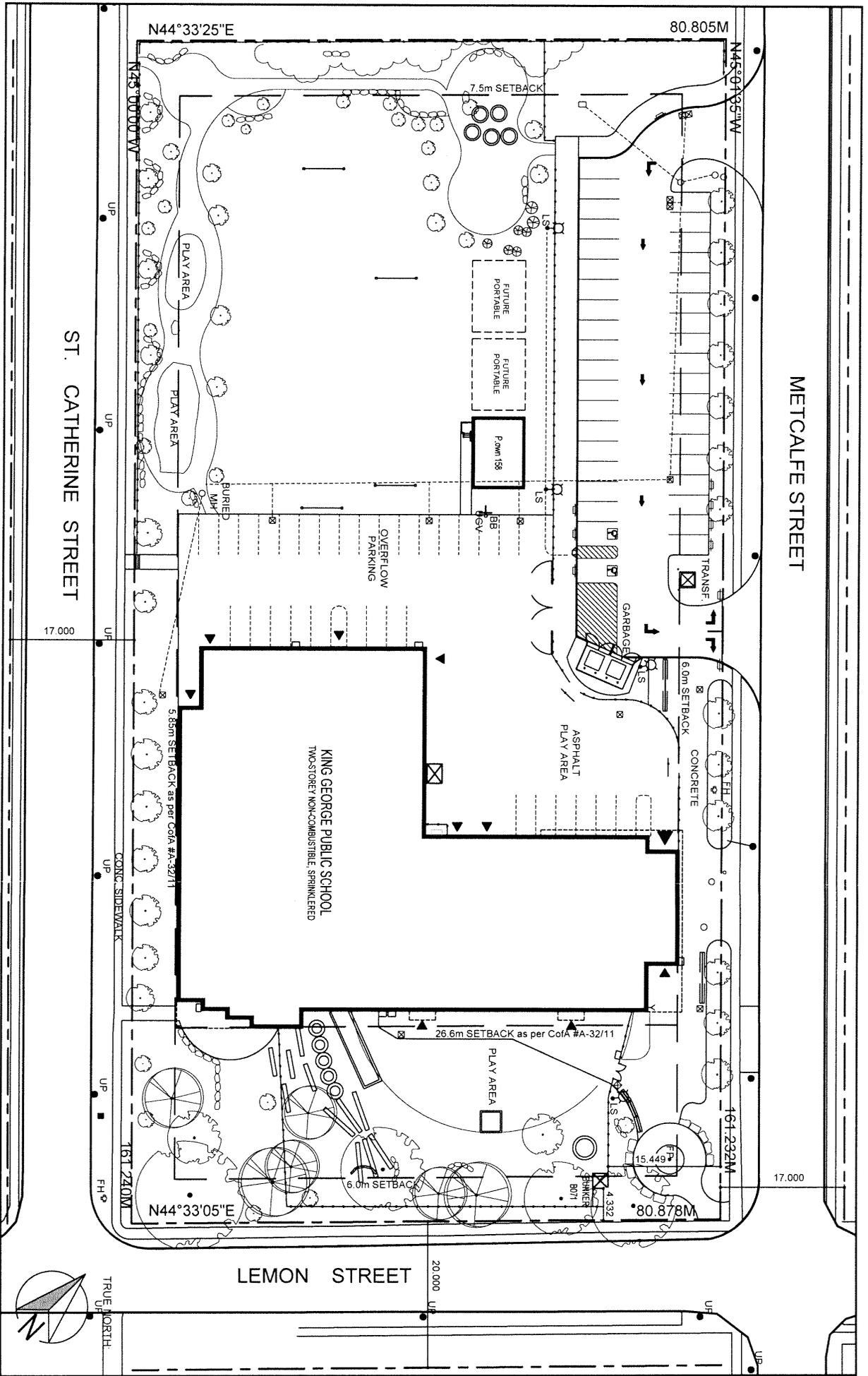
 **72 lemon Street (A-54/19)**  
**60m Circulation Area**

Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/21/2019, 4:01:55 PM

0.05 0.025 0 0.05 0.1 km



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LEGEND:

B	BOLLARD
BB	BASKETBALL NET
CB	CATCH BASIN
DCB	DOUBLE CATCH BASIN
FH	FIRE HYDRANT
LS	LIGHT STAND
MH	MANHOLE
SB	SALT BIN
UP	UTILITY POST
WV	WATER VALVE

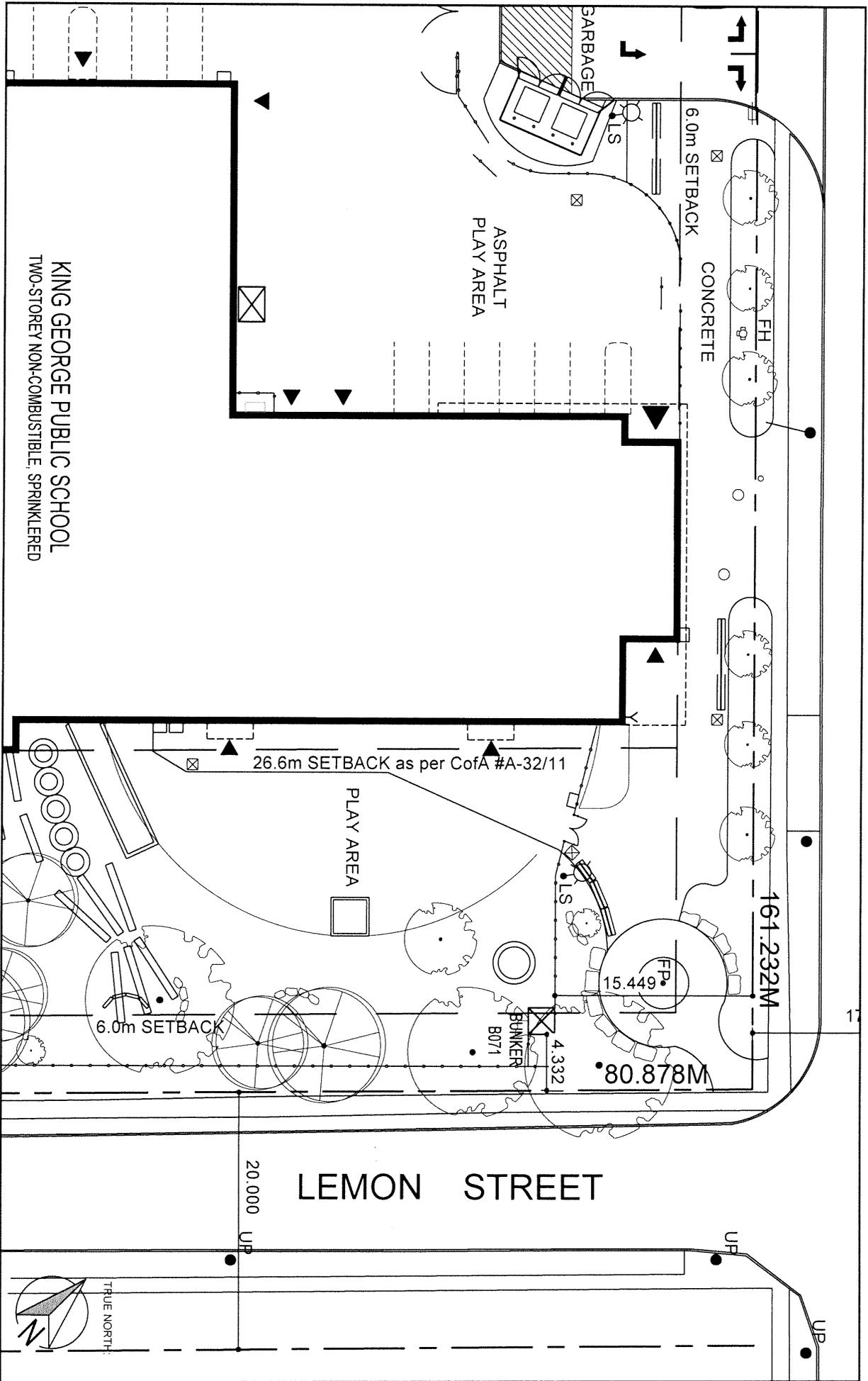
DRAWING TITLE:

**SITE PLAN**

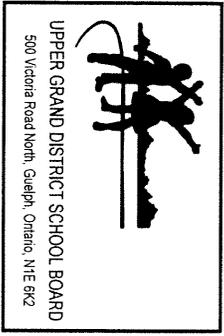
SCHOOL:  
**KING GEORGE PUBLIC SCHOOL**  
72 LEMON STREET  
GUELPH, ON, N1E 2H5

No.	DATE:	REVISION:
2	SEPT. 2018	PORTABLE ADDED
1	OCT. 2017	DRAWING REVISED

SCALE: 1:700  
DRAWING No. **A-101**



**KING GEORGE PUBLIC SCHOOL**  
 TWO-STOREY NON-COMBUSTIBLE, SPRINKLERED



LEGEND:

B	BOLLARD
BB	BASKETBALL NET
CB	CATCH BASIN
DCB	DOUBLE CATCH BASIN
FH	FIRE HYDRANT
LS	LIGHT STAND
MH	MANHOLE
SB	SALT BIN
UP	UTILITY POST
WV	WATER VALVE

DRAWING TITLE:

**PARTIAL SITE PLAN**

SCHOOL:

**KING GEORGE PUBLIC SCHOOL**  
 72 LEMON STREET  
 GUELPH, ON N1E 2H5

No:	DATE:	REVISION:
2	SEPT. 2016	PORTABLE ADDED
1	OCT. 2017	DRAWING REVISED

SCALE: 1:400  
 DRAWING NO: **A-101b**

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 31 Barton Street

**PROPOSAL:** The applicant is proposing to construct an addition to the rear and right side of the existing dwelling.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Residential Single Detached (R.1B) Zone. A variance from Section 4.13.2.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that in a R.1 zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

**REQUEST:**

The applicant is seeking relief from the By-law requirements to permit the required off-street parking space to be located to the front of the front wall of the dwelling.

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

**DATE:** Thursday, June 13, 2019

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

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

**APPLICATION NUMBER:** A-55/19

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

**PROVIDING COMMENTS**

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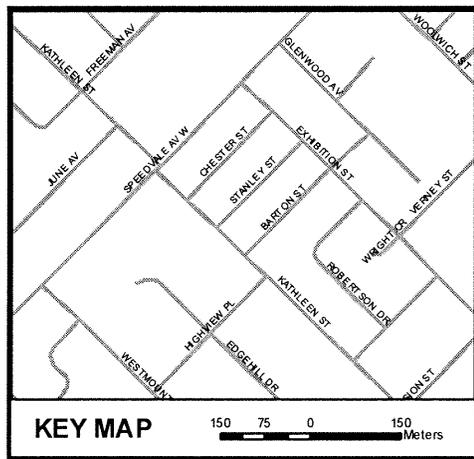
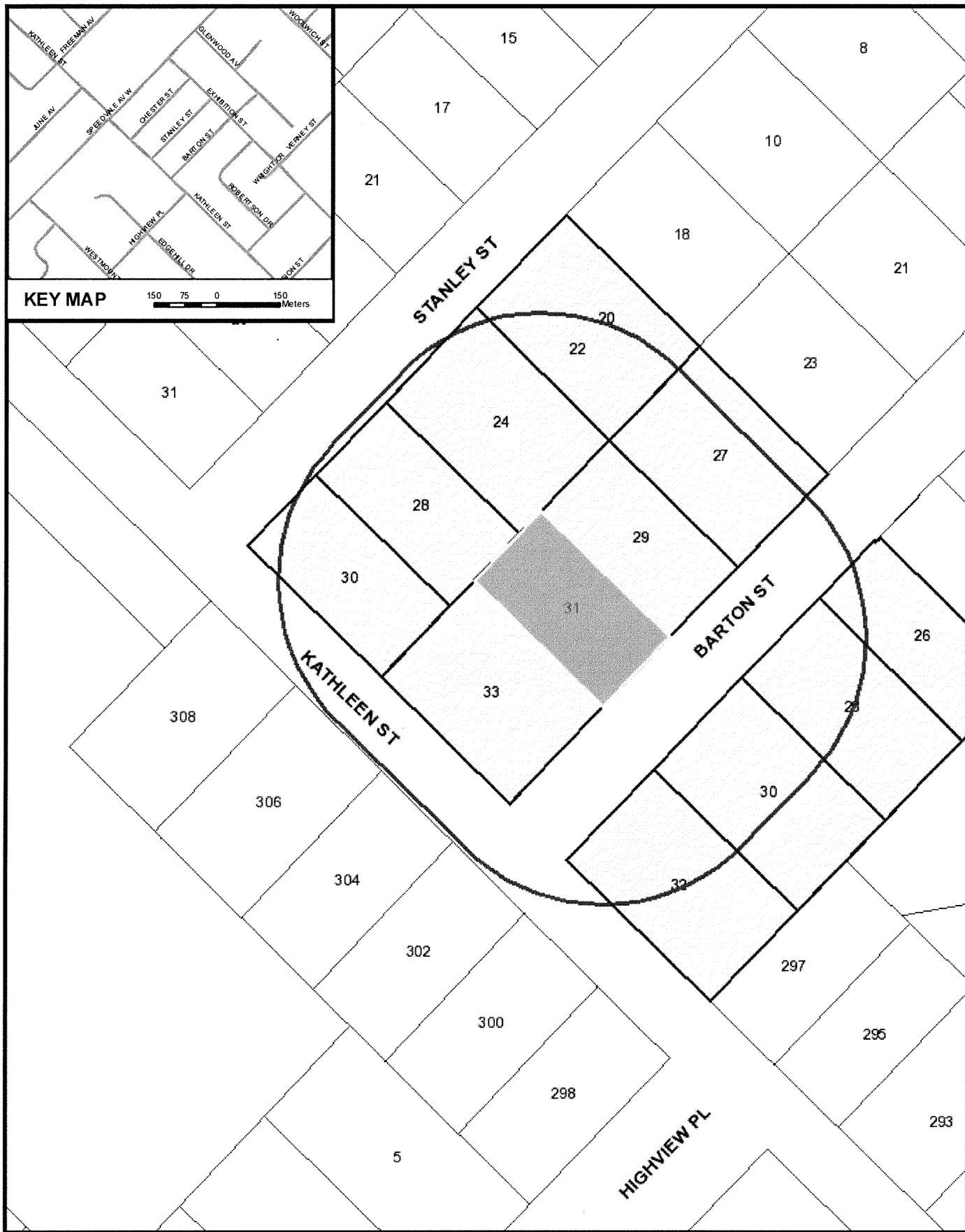
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**NOTICE OF THE DECISION**

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Dated this 27<sup>th</sup> day of May, 2019.



KEY MAP 150 75 0 150 Meters

 **31 Barton Street (A-55/19)**  
**30m Circulation Area**

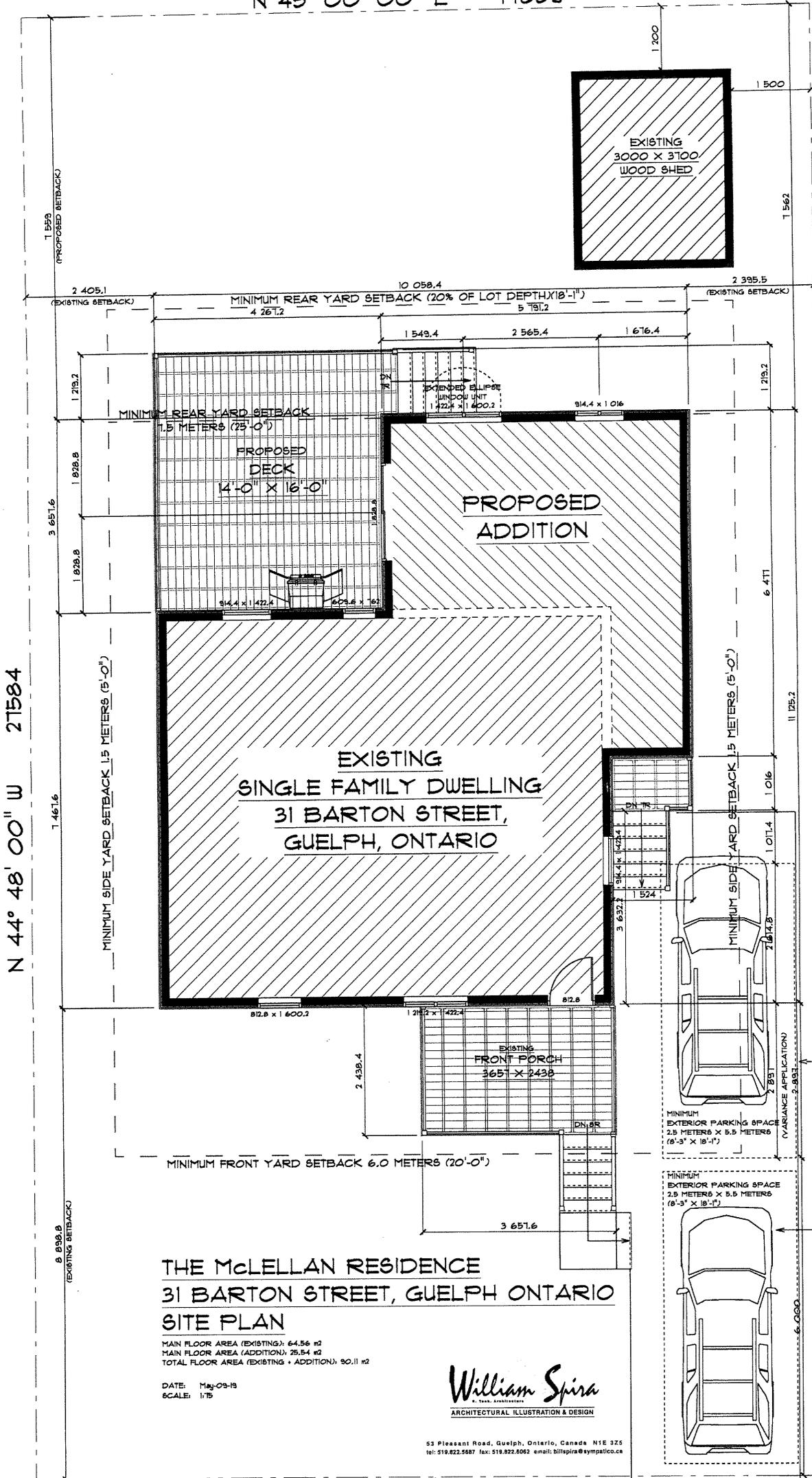
Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/21/2019, 4:07:52 PM

0.015 0.0075 0 0.015 0.03 km



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N 45° 00' 00" E 14859



N 45° 00' 00" E 14859

BARTON STREET

PROPOSED  
 4,13.2,1 PARKING SPACE  
 VARIANCE APPLICATION  
 (2897mm AHEAD OF  
 EXISTING FRONT WALL)

EXISTING  
 ASPHALT DRIVEWAY  
 (3651 x 12192)

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 199 Woolwich Street

**PROPOSAL:** The existing building currently contains a dental office on the first floor, which will be expanding to also occupy the second floor. The second floor of the building is proposed to be renovated, along with a 68 square metre addition proposed to the rear of the building.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Downtown 2 (D.2) Zone. A variance from Table 6.3.2.8 Row 15 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum floor space index of 0.6. Floor space index is defined as an index that, when multiplied by the total land area of a lot, indicates the maximum permissible gross floor area for all buildings on such lot, excluding an underground or covered parking structure and floor space located in the cellar or basement.

**REQUEST:**

The applicant is seeking relief from the By-law requirements to permit a floor space index of 0.35.

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, June 13, 2019  
**TIME:** 4:00 p.m.  
**LOCATION:** Council Chambers, City Hall, 1 Carden Street  
**APPLICATION NUMBER:** A-56/19

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

**PROVIDING COMMENTS**

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**NOTICE OF THE DECISION**

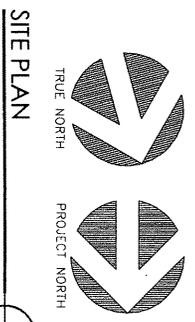
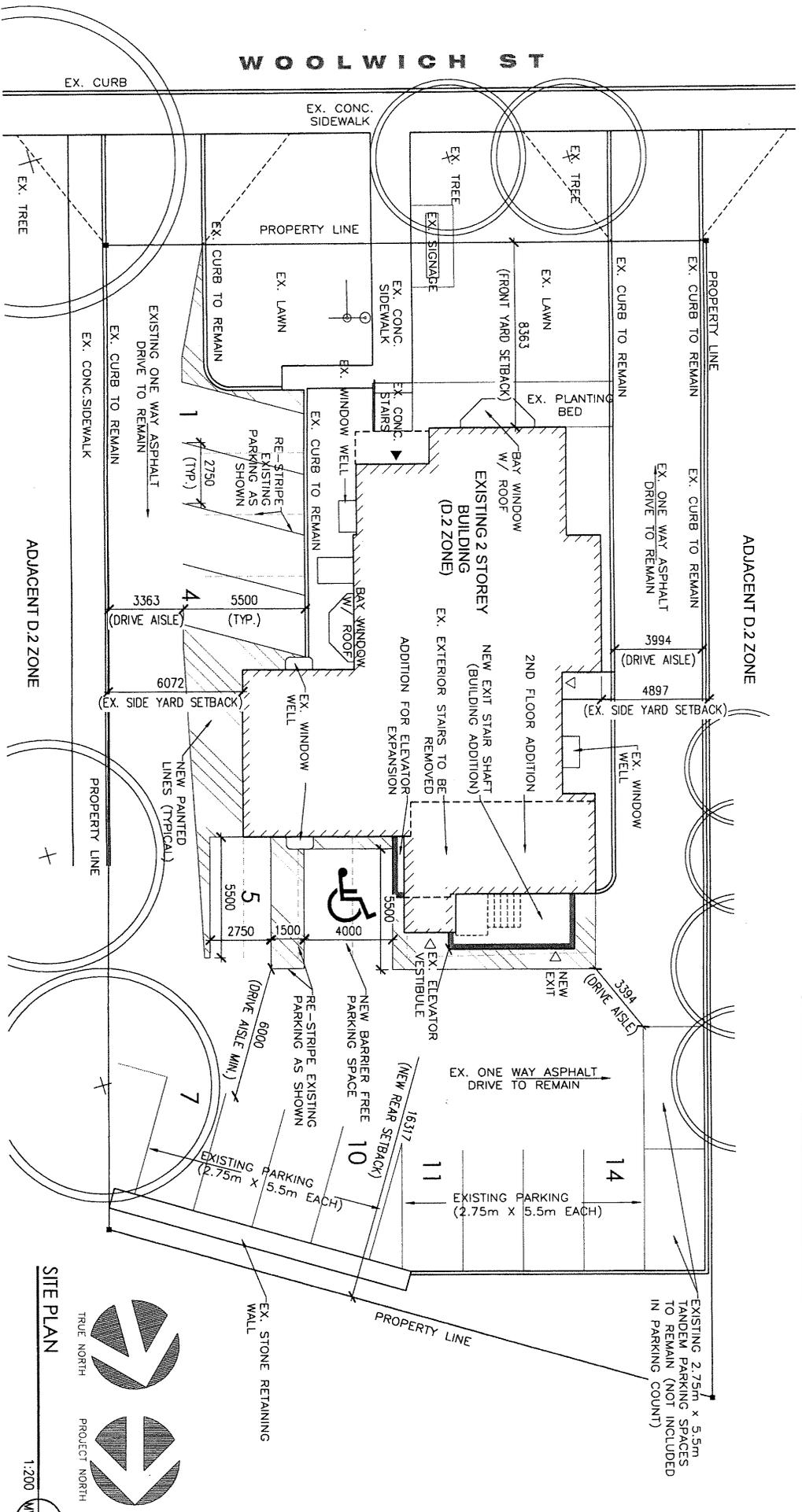
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Dated this 27<sup>th</sup> day of May, 2019.



**PLAN OF SURVEY**  
 OF PART OF  
 LOT 14 & PART LOT 15  
 PLAN 35,  
 CITY OF GUELPH  
 COUNTY OF WELLINGTON

ZONING DATA CHART			
REGULATION	REQUIREMENT	PROVIDED	CONFORMS
ZONE D2			Y
MINIMUM LOT FRONTAGE	12m	27.2 m	Y
MINIMUM LOT AREA	370sqm MIN	1,320.0 sqm	Y
ACTIVE FRONTAGE	N/A		Y
SETBACKS (TABLE 6.3.2.8)			Y
MINIMUM FRONT EXTERIOR YARD	3.0m MIN	8.36 m	Y
SIDE YARD	1.5m MIN	4.89 m	Y
REAR YARD	10.0m MIN	16.3 m	Y
BUILDINGS & STRUCTURES			Y
MAXIMUM BUILDING HEIGHT	3 STOREYS MAX.	2.3 STOREYS	Y
BUILDING AREAS:			
1ST FLOOR		254 sqm	
2ND FLOOR (EXISTING)	NOT REGULATED	213 sqm	
2ND FLOOR (ADDITION)		36 sqm	
GROSS BUILDING AREA:		463 sqm	
FSI	MIN FSI - 0.8	0.41 FSI	N
PARKING			
OFF STREET PARKING:	(Other: 1 space/87sqm GFA) = 8 spaces (0.2 space/100sqm GFA) = 1 space	14 spaces	Y
Variable Parking:		1 space/7m	Y
Bicycle Parking:		1 space/7m	Y



**SITE PLAN**  
 1:200  
 MV-1.1

SCALE: AS NOTED
DATE: 23-May-2019
DRAWN: MWA
CHECKED: LAG
STATUS: DESIGN
JOB NO: 1666
<b>MV-1.1</b>

**DENTISTRY OFFICES  
 (SECOND FLOOR)**  
 199 WOOLWICH STREET  
 GUELPH, ONTARIO

**SITE PLAN**

NO	DATE	REVISIONS
01	15/MAY/18	TO CITY FOR REVIEW
02	04/JUL/18	PRE-CONSULTATION
03	13/MAY/19	MINOR VARIANCE
04	23/MAY/19	MINOR VARIANCE

**GRINHAM  
 ARCHITECTS**  
 15 Yarmouth Street  
 Guelph, Ontario, N1H 4G2  
 Tel: 519.766.1580  
 Fax: 519.766.1377  
 Email: info@grinham.ca  
 Web: www.grinham.ca

# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 161 Norfolk Street

**PROPOSAL:** The applicant is proposing to screen the newly installed HVAC unit with fencing in the side yard of the subject property.

**BY-LAW**

**REQUIREMENTS:** The property is located in the Downtown 2 (D.2) Zone. A variance from Section 4.20.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that within any commercial, park, urban reserve or institutional zone, any fence located in a front yard, side yard or exterior side yard shall not be within 4 metres of a street line unless the height of such fence is less than 0.8 metres.

**REQUEST:**

The applicant is seeking relief from the By-law requirements to permit a fence height of 2.13 metres in the side yard of 161 Norfolk Street.

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, June 13, 2019

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

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

**APPLICATION NUMBER:** A-59/19

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

**PROVIDING COMMENTS**

Any person may attend the public hearing to provide comments regarding the application. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **June 6, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

**ADDITIONAL INFORMATION**

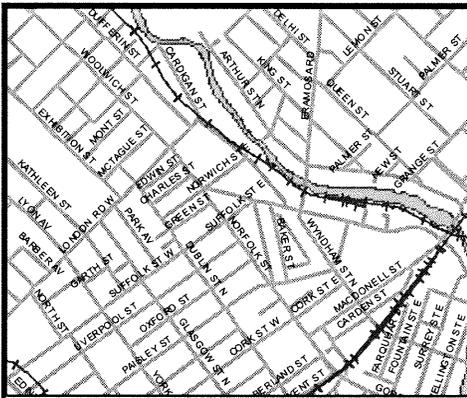
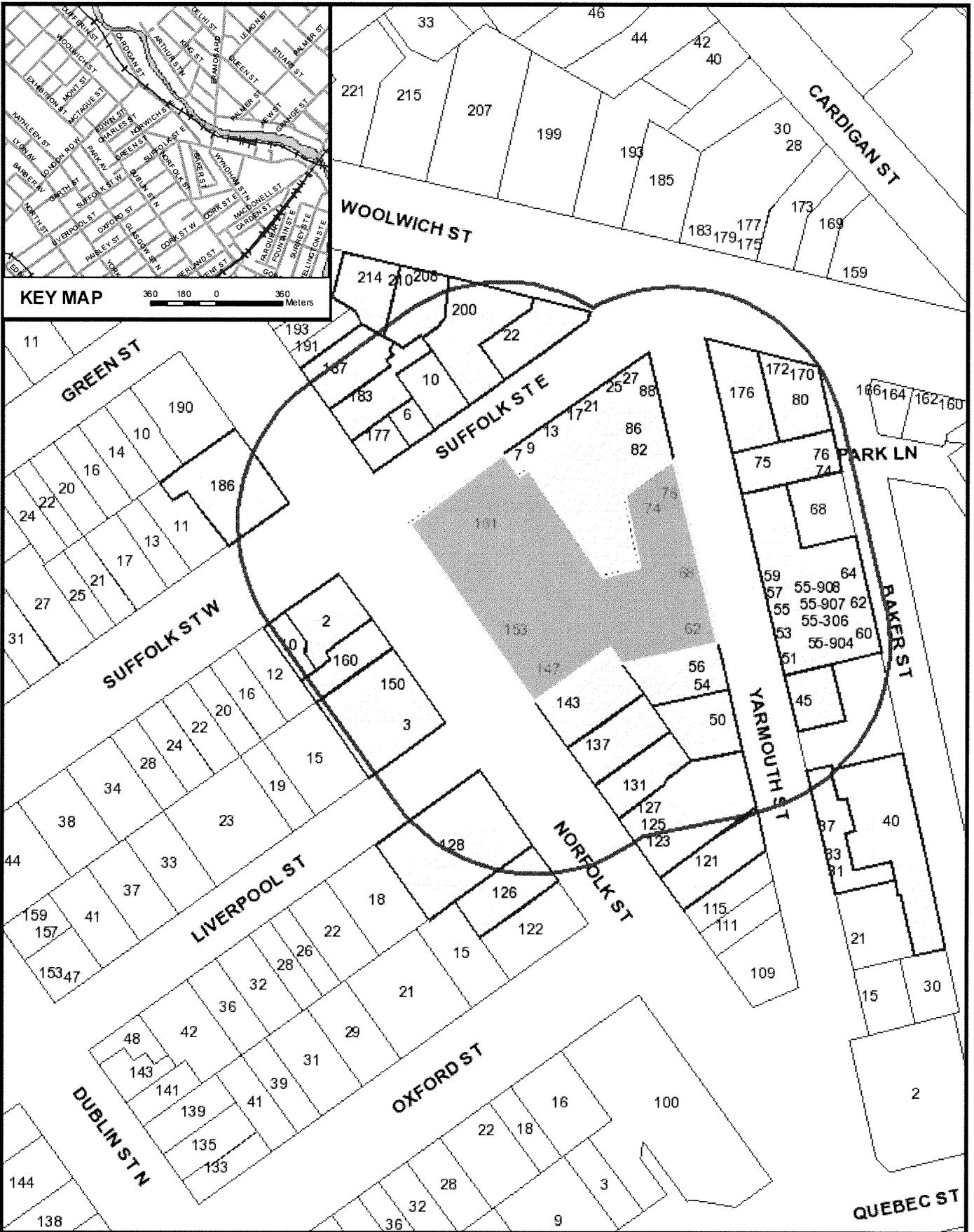
Agendas and comments related to this application will be available online at: [www.guelph.ca](http://www.guelph.ca) > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

**NOTICE OF THE DECISION**

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

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

Dated this 27<sup>th</sup> day of May, 2019.



KEY MAP

360 180 0 360 Meters

**161 Norfolk Street (A-59/19)  
60m Circulation Area**

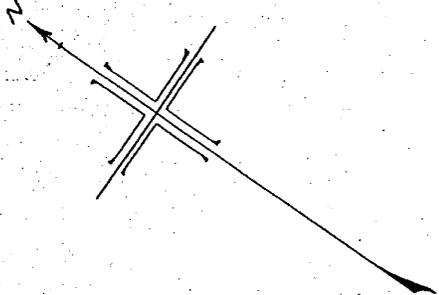
Produced by the City of Guelph  
City Clerk's Office-Committee of Adjustment  
Date Printed: 5/22/2019, 9:33:09 AM

30 15 0 30 60 m

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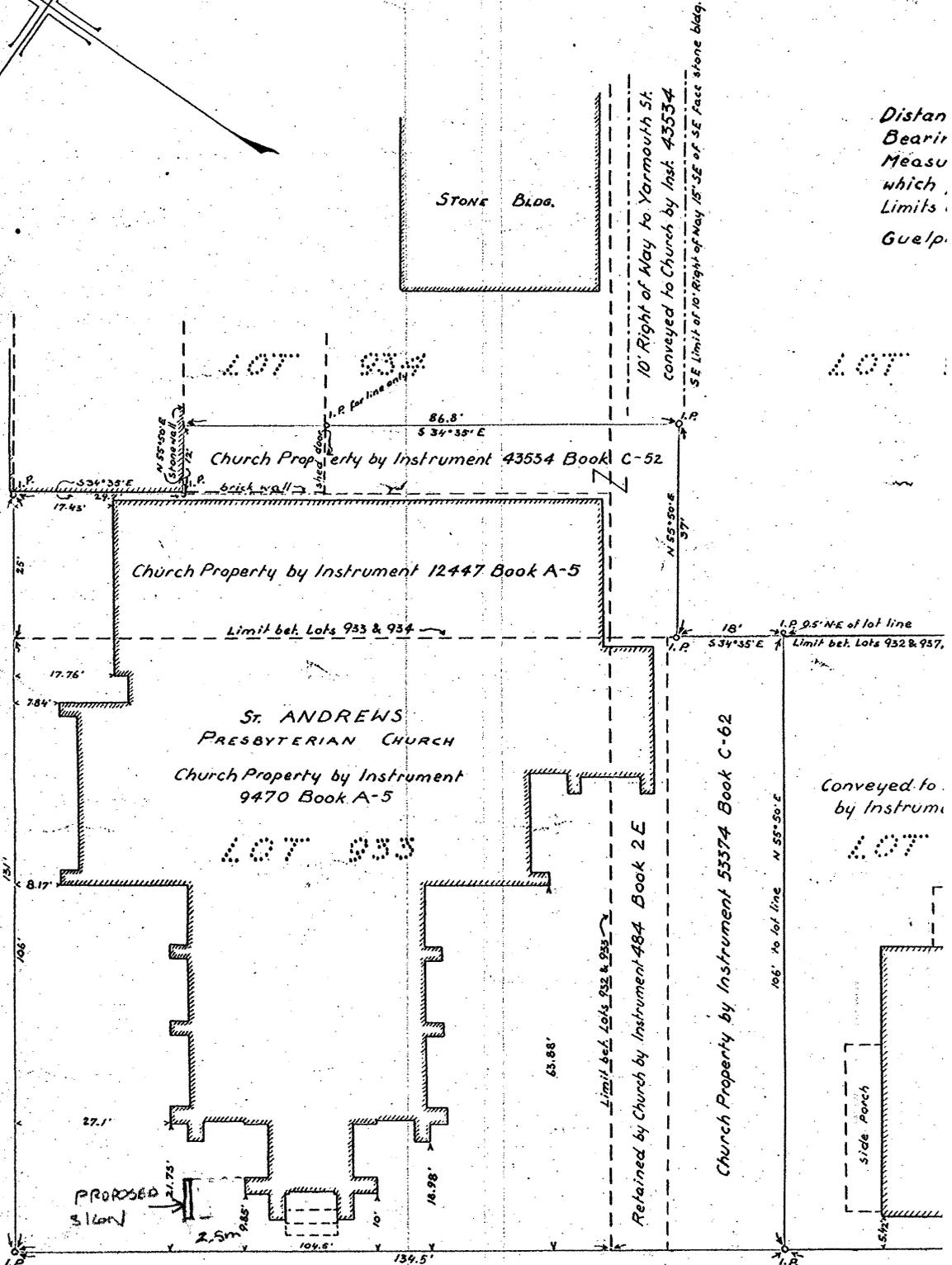
**PLAN OF SURVEY**  
**OF LOTS 932, 933 AND PARTS OF LOTS 934 & 937 C.C.**  
**CITY OF GUELPH**

Scale 20 feet = 1 inch



SUFFOLK N 55° 50' E STREET

NORFOLK S 34° 35' E ST

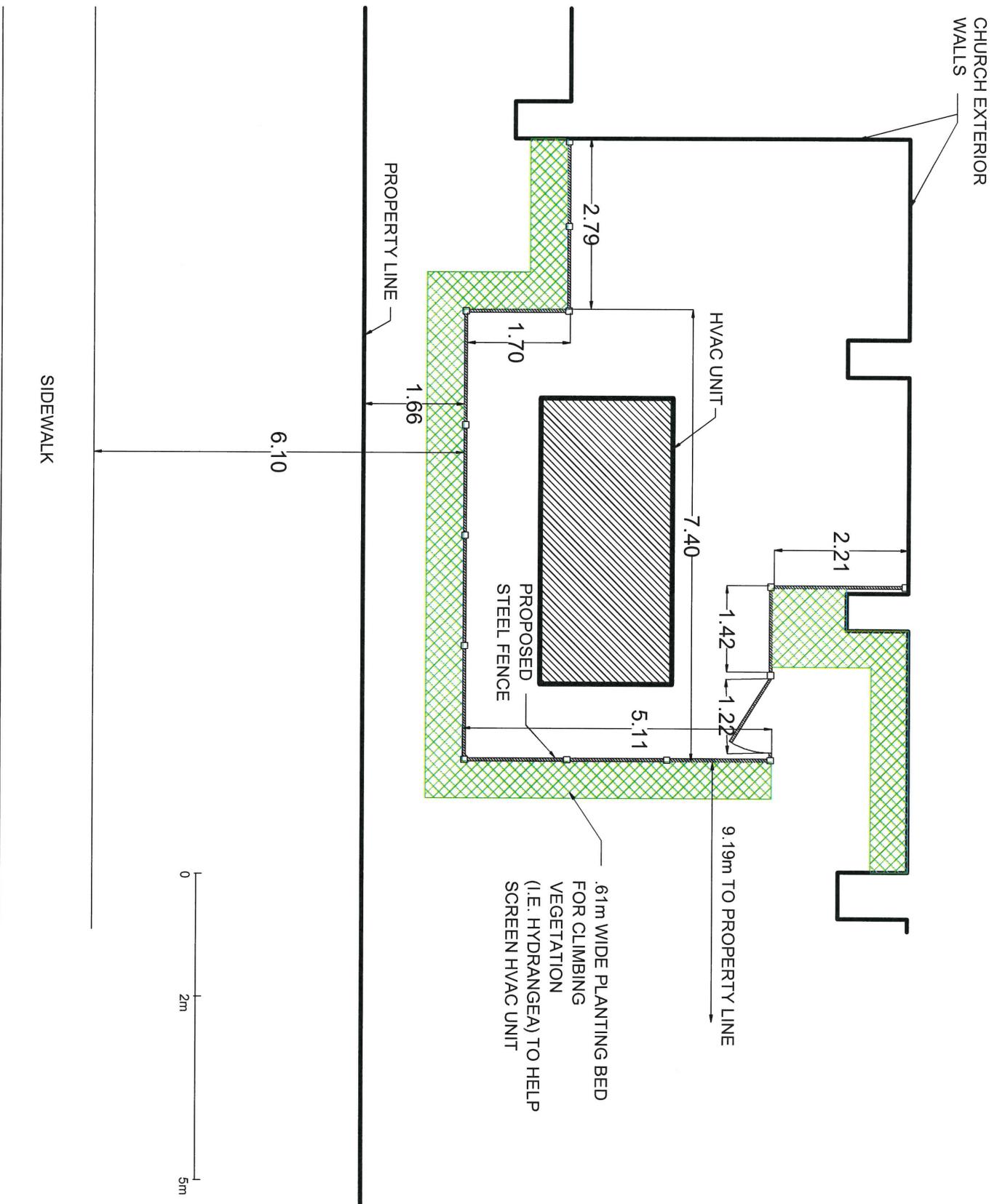


Distan  
 Bearin  
 Measu  
 which  
 Limits  
 Guelph

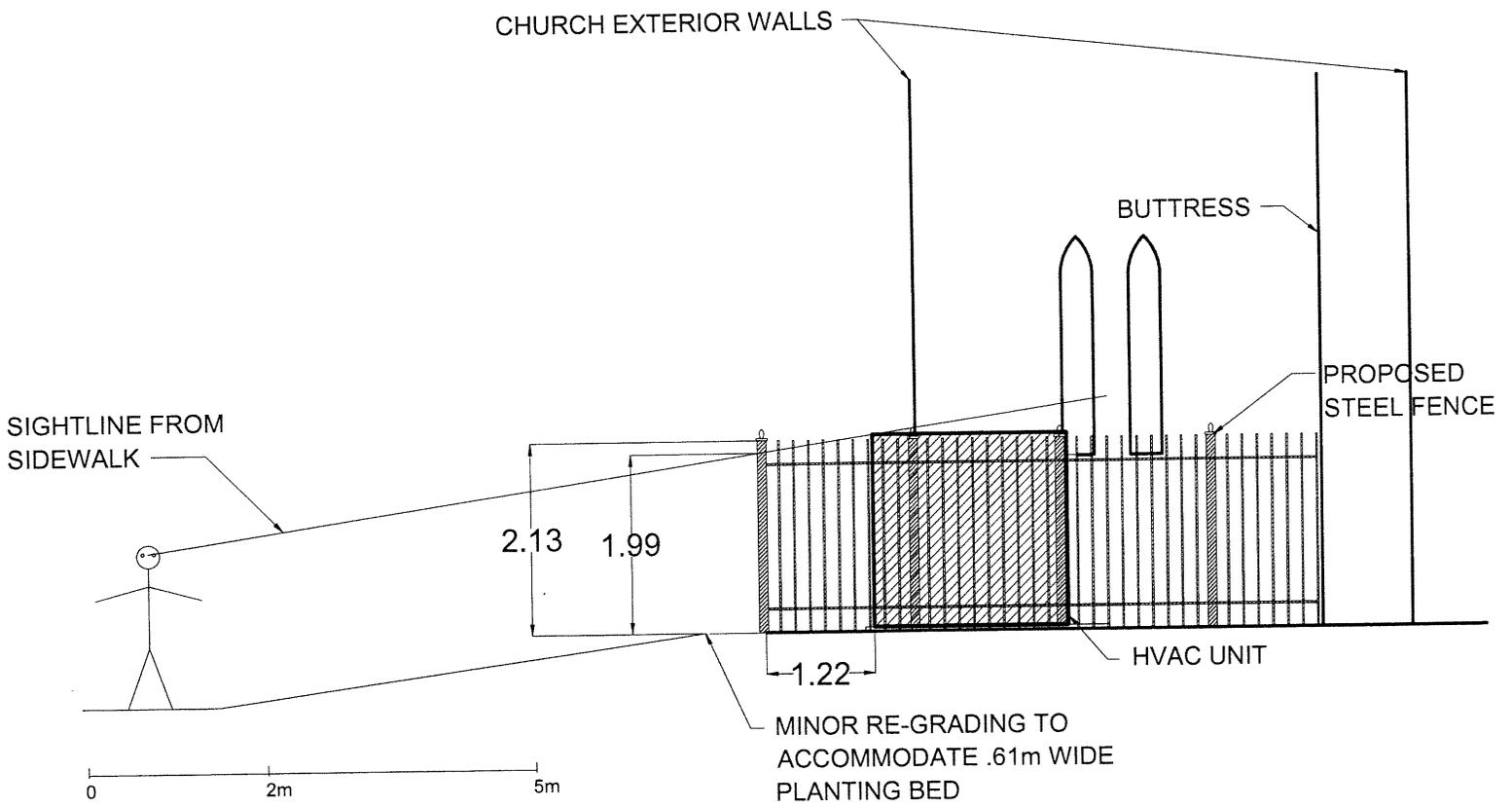
Conveyed to  
 by Instrum

side porch

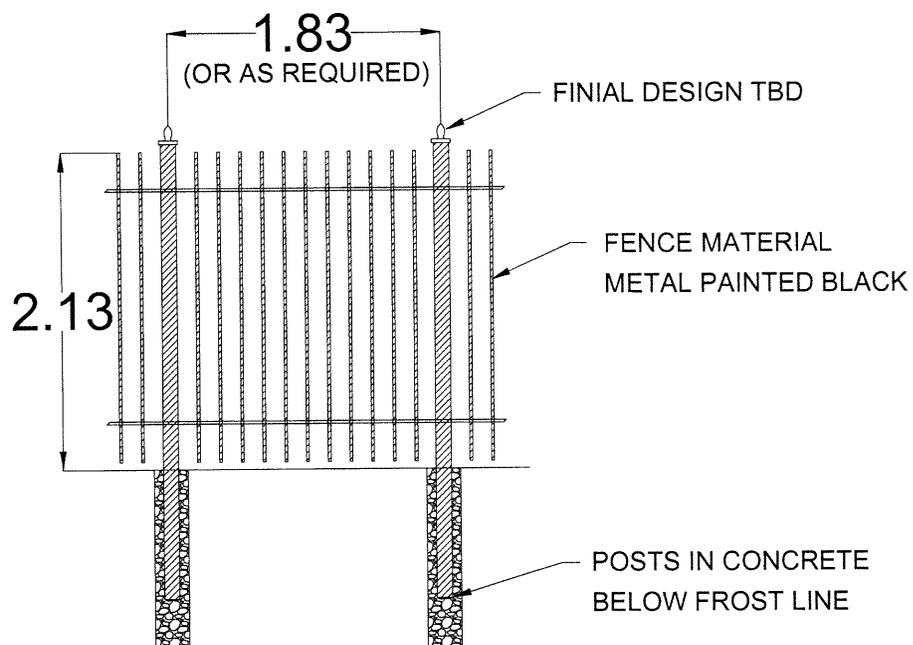
# ST. ANDREW'S CHURCH HVAC SCREENING



# ST. ANDREW'S CHURCH HVAC SCREENING



# ST. ANDREW'S CHURCH HVAC SCREENING



# COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING



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

**LOCATION:** 490 Clair Road East

**PROPOSAL:** The applicant is proposing to construct a commercial development (daycare facility and small-scale commercial activities). Samuel Drive is proposed to be widened, as on-street lay-by parking is proposed. This property is currently subject to an application for Site Plan Approval (File SP18-035).

## **BY-LAW**

**REQUIREMENTS:** The property is located in the Neighbourhood Shopping Centre (NC) Zone. Variances from Section 4.13.2.3 and Table 6.2.2 Rows 5 and 12 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that uncovered parking areas shall be located within all yards in the NC zone, provided that no part of a parking space is located closer than 3 metres to any street line;
- b) a minimum exterior side yard of 3 metres; and
- c) that a landscaped strip of land, 3 metres in width shall be maintained adjacent to the street line.

## **REQUEST:**

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

- a) the parking area facing Samuel Drive to be setback 1 metre from the street line;
- b) an exterior side yard of 1 metre; and
- c) a planting area 1 metre in width along the property line.

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

**DATE:** Thursday, June 13, 2019  
**TIME:** 4:00 p.m.  
**LOCATION:** Council Chambers, City Hall, 1 Carden Street  
**APPLICATION NUMBER:** A-60/19

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

### **PROVIDING COMMENTS**

Any person may attend the public hearing to provide comments regarding the application. You may also comment by mail, email, or fax using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **June 6, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

### **ADDITIONAL INFORMATION**

Agendas and comments related to this application will be available online at: [www.guelph.ca](http://www.guelph.ca) > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-

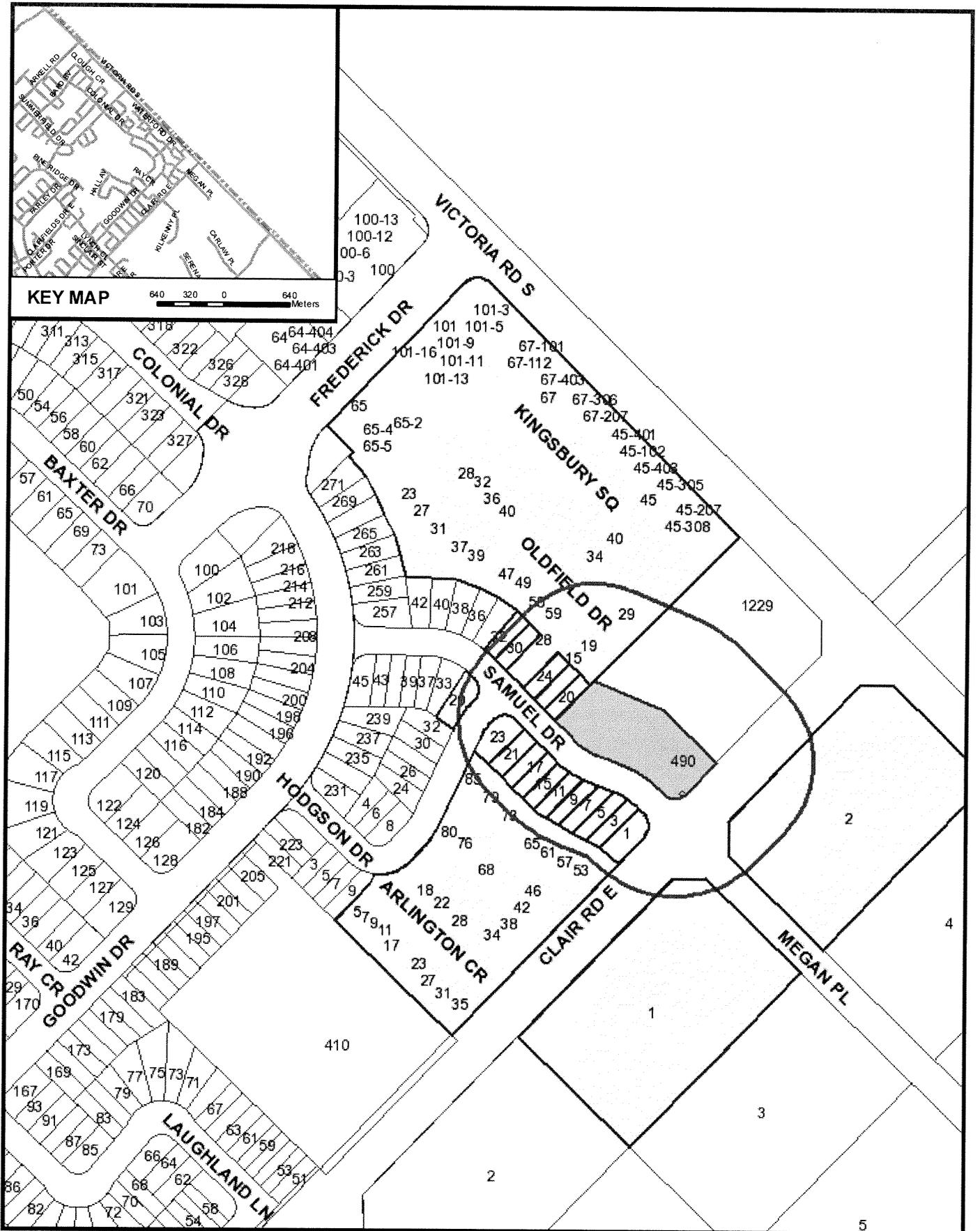
Treasurer of the Committee of Adjustment, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

**NOTICE OF THE DECISION**

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

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

Dated this 27<sup>th</sup> day of May, 2019.



 **A-60/19 490 Clair Road E**  
**60m Circulation Area**

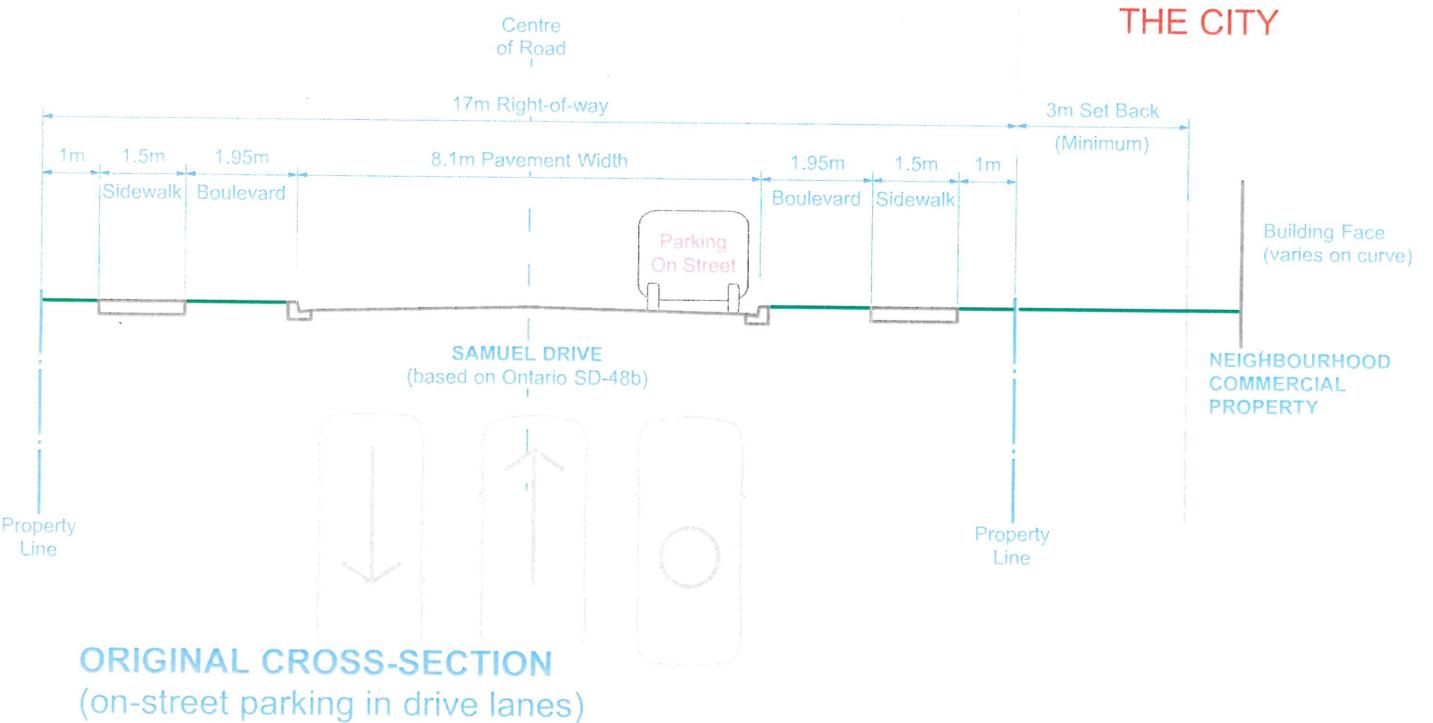
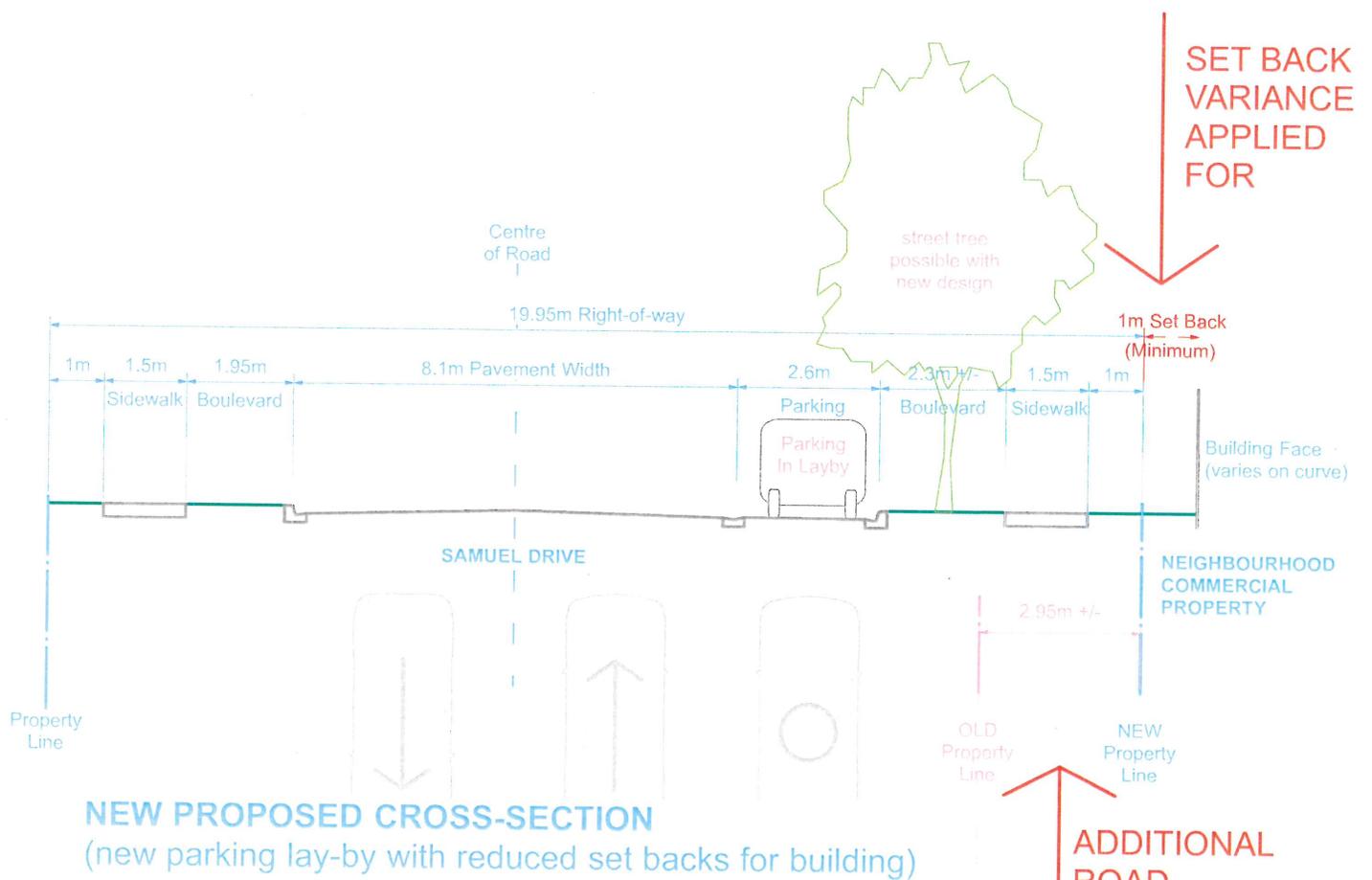
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Date Printed: 5/24/2019, 1:36:21 PM

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SET BACK VARIANCE APPLIED FOR

ADDITIONAL ROAD ALLOWANCE BEING GIVEN TO THE CITY

**SAMUEL SQUARE INC.**  
(Coldpoint Holdings Limited)

**STREET SECTIONS at SAMUEL DRIVE (looking North)**

Scale: 1:125      May 6, 2019

May 10, 2019

Committee of Adjustment,

St. Andrew's Church's application for a minor variance is regarding the construction of a screened enclosure around our newly installed heating and cooling unit. The zoning by-law allows a fence to the maximum height of 0.8 metres. For aesthetic and security reasons, we are requesting permission to construct screening of 2.13 metres. The design of the screening (fence) was recommended by members of the City's Planning and Building Services Department.

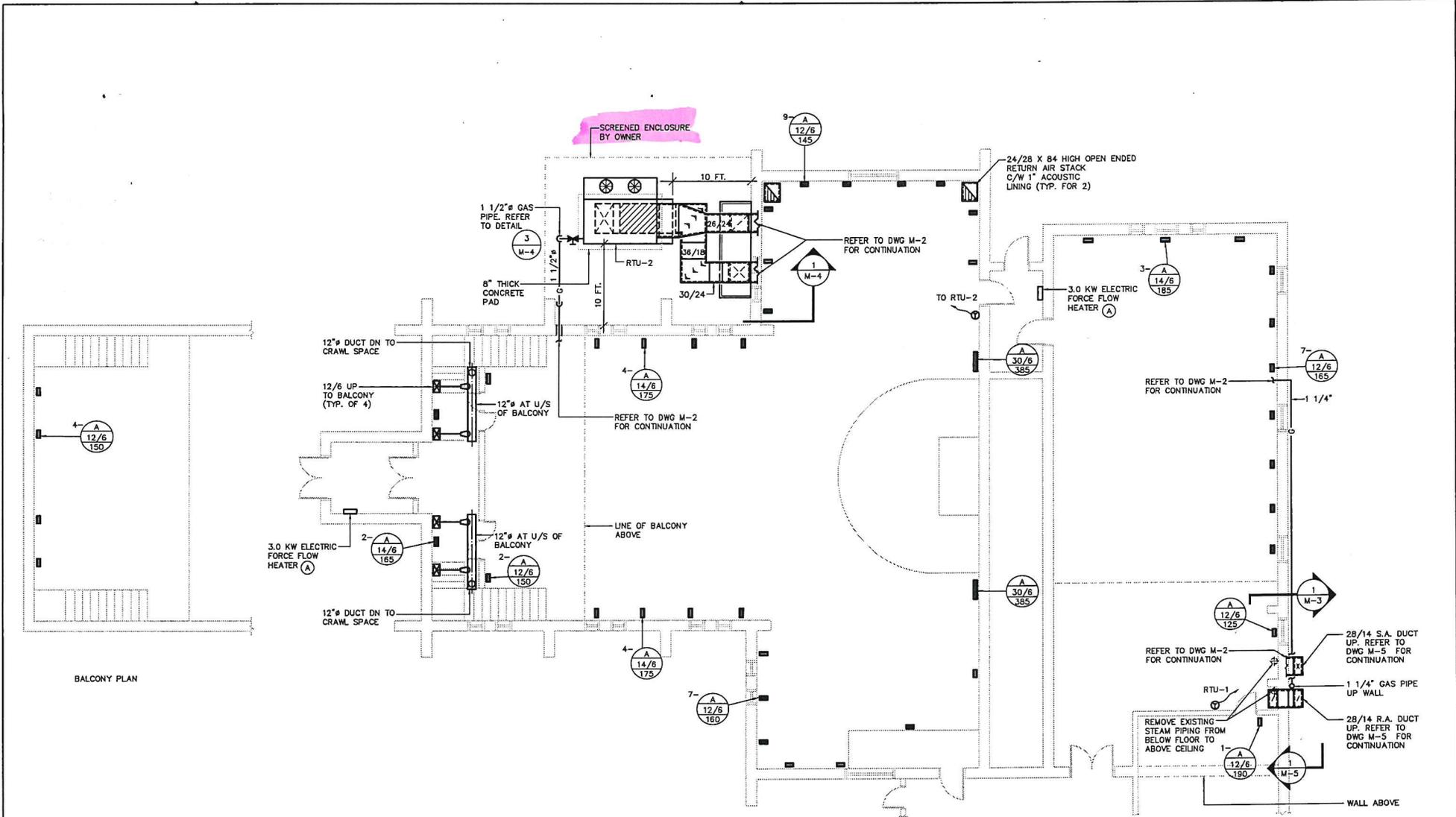
The City of Guelph Building Services approved our application for a permit to install the new HVAC system. (Folder #18 004840) The required screening of the HVAC unit was noted in our application on Drawing M-1 (attached).

Since the City was aware of the required screening and approved the heating system design, we request that you consider waiving the application fee for this minor variance.

Sincerely,



Steve Dodge  
St. Andrew's Church Board of Managers



- NOTES:**
- COORDINATE THERMOSTAT LOCATIONS WITH OWNER.
  - ALL DUCT SIZES ARE CLEAR INSIDE DIMENSIONS.



MECHANICAL CONSULTING ENGINEERS  
**ANDRONOWSKI & Associates LTD**  
 330 SPEEDVALE AVE. W. UNIT 6 GUELPH ONT. (519) 821-2800

No.	DESCRIPTION	DATE
1.	ISSUED FOR TENDER	18-JULY-18
	ISSUE	

Drawing Title  
**ST. ANDREWS CHURCH  
 161 NORFOLK STREET  
 GUELPH, ONTARIO**

Project Title  
 HVAC LAYOUT  
 MAIN LEVEL

Drawn By: LM  
 Checked By: MGA  
 Date Plotted:  
 Project No.: D006-18  
 Scale: 1/8" = 1'-0"

Drawing No.: **M-1**

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** April 18, 2019

**CASE NO(S):** PL180128

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Alexandra & Antony Savich
Subject:	Minor Variance
Variance from By-law No.:	(1995) - 14864
Property Address/Description:	92 Clough Cres
Municipality:	City of Guelph
Municipal File No.:	A-5/18
LPAT Case No.:	PL180128
LPAT File No.:	PL180128
LPAT Case Name:	Savich v. Guelph (City)

**Heard:** January 15, 2019 in Guelph, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

Alexandra and Antony Savich

Kevin Thompson and Keera Merkley (student)

City of Guelph

Jeffrey Aitkens

**DECISION OF THE TRIBUNAL DELIVERED BY MARCIA VALIANTE**

---

## **INTRODUCTION**

[1] Alexandra and Antony Savich (“Applicants”) own a semi-detached dwelling located at 92 Clough Crescent (“subject property”), in the City of Guelph (“City”). In December 2017, in order to establish and register an accessory apartment in the basement of the dwelling, the Applicants applied to the Committee of Adjustment (“Committee”) for approval of a minor variance from the City’s Zoning By-law No. (1995)-14864 (“ZBL”) to permit two off-street parking spaces on the subject property, whereas the ZBL requires three spaces. On January 11, 2018, the Committee refused the application, which decision was appealed by the Applicants to the Ontario Municipal Board (“Board”), now the Local Planning Appeal Tribunal (“Tribunal”), in accordance with s. 45(12) of the *Planning Act* (“Act”).

[2] The Tribunal held a hearing on January 15, 2019. The City appeared and opposed the variance. The Tribunal heard the evidence of two Registered Professional Planners, Hugh Handy and Michael Witmer. Mr. Handy, who was called by the Applicants, is a Senior Associate at GSP Group Inc. Mr. Witmer, who was called by the City, holds the position of Senior Development Planner at the City. The Tribunal qualified both Mr. Handy and Mr. Witmer to provide opinion evidence in the area of land use planning.

## **THE SUBJECT PROPERTY AND THE PROPOSED VARIANCE**

[3] The subject property is located within a residential subdivision known as Victoria Gardens in the southeast part of the City. The subdivision is comprised of a mix of detached and semi-detached dwellings and townhouses. The City Official Plan (“OP”) designates the area as “Low Density Greenfield Residential”. The subject property is zoned “Specialized Residential Semi-Detached (R.2-5)”. The R.2-5 zoning permits an accessory apartment in a semi-detached dwelling provided that the criteria set out in s. 4.15.1 of the ZBL are met. The one criterion at issue here is s. 4.15.1.4, which provides that parking for an accessory apartment “shall be developed in accordance with s.

4.13". Section 4.13 requires: for a semi-detached dwelling with no accessory apartment, a minimum of one parking space located a minimum of 6 metres ("m") from the street line and to the rear of the front wall of the main building; and, for a semi-detached dwelling with an accessory apartment, a minimum of three parking spaces. Section 4.15.1.4.1 further provides that parking for the accessory apartment may be stacked in the driveway behind the one required parking space for the host dwelling but only for a maximum of two spaces.

[4] The dwelling was constructed on the subject property in 2008. The ZBL parking requirement was met by having one space in the attached single car garage behind the front wall of the dwelling. There is also sufficient room in the driveway, which measures 6.29 m by 3.2 m, for a second, stacked parking space. Subsequent to construction of the dwelling, a one-bedroom accessory apartment was constructed in the basement; however, the apartment is unregistered. No further construction is anticipated but, in order to legally establish an accessory apartment use, the ZBL requires that a third parking space be provided on the subject property. The Applicants argue that there is no additional space on the site to add a third parking space; thus, they seek relief from the ZBL requirement.

## **THE EVIDENCE**

[5] Mr. Handy provided his opinion with respect to whether the application has regard for provincial policy on accessory units, is consistent with the Provincial Policy Statement, 2014 ("PPS") and conforms with the Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan"). He also provided his opinion as to whether the application meets the four tests in s. 45(1) of the Act.

[6] Mr. Handy reviewed the provisions of the *Strong Communities Through Affordable Housing Act, 2011*, S.O. 2011, c. 6 ("Bill 140"), which came into force on January 1, 2012. Bill 140 amended s. 16 of the Act to require official plans to contain policies authorizing the establishment of accessory residential units in detached houses,

semi-detached houses and row houses and added s. 35.1 to the Act requiring municipalities to ensure their zoning by-laws give effect to such policies. Bill 140 also provided authority for the Minister of Housing to make regulations prescribing the standards with respect to accessory units. Mr. Handy noted that the Minister of Housing took steps in 2016 and 2017 to develop such standards by identifying “best practices” in an Information Sheet and by drafting a regulation. He stated that both documents specified that the “maximum parking required per second unit should be one space”. Mr. Handy conceded that the draft regulation, which would have imposed this requirement, was not adopted and is not in effect but testified that, in his opinion, the ZBL should have regard for it as provincial policy guidance. Specifically, he noted, although accessory apartments are nominally permitted in the City within an R.2 zone, the combined effect of several provisions of the ZBL operates as a complete prohibition on establishing accessory apartments in semi-detached dwellings without obtaining a variance with respect to parking, either to increase the permitted width of the driveway to add a third space, to reduce the number of required spaces, or to permit three stacked spaces. It was his opinion that the proposed variance would give effect to provincial policy guidance supporting the establishment of accessory apartments.

[7] Mr. Handy testified that, in his opinion, the Applicants’ proposal is consistent with a number of PPS policies, including policies that promote the efficient development of land, accommodate an appropriate range and mix of housing needs, facilitate intensification, and utilize existing infrastructure and services. He noted that the variance would permit modest intensification by enabling an accessory apartment without impact to surrounding land uses and residents. Mr. Handy further opined that the variance would conform with similar policies in the Growth Plan.

[8] With respect to s. 45(1) of the Act, Mr. Handy provided his opinion that the proposal meets all four tests for a variance. In his view, the variance maintains the general intent and purpose of the OP. He referred specifically to OP policies supporting a compact, vibrant and complete community, intensification, transit-supportive development, and active transportation. He noted that the OP states that the City “shall

provide for the creation of accessory apartments in low density designations”. According to Mr. Handy, the proposal would promote modest intensification of a property, which is in a low-density designation and within walking distance of three stops along two bus routes.

[9] Mr. Handy was also of the view that the proposed variance maintains the general intent and purpose of the ZBL. He stated that the accessory apartment is a permitted use and would meet all of the standards in the ZBL other than the minimum parking requirement. He further stated that the ZBL predates the current OP and that the City has authorized a comprehensive review of the ZBL to ensure that it is brought into conformity with the OP and current provincial policies. Mr. Handy further testified that he considers the basis of the three-space requirement to be the Shared Rental Housing Review, Final Report and Recommendations, 2005 (“2005 Shared Housing Review”), prepared by the City’s Planning and Building Services. It was his opinion that this report is outdated.

[10] In Mr. Handy’s opinion, the proposed variance is desirable for the appropriate development and use of the subject property in that it adds an accessory apartment in a low-density residential area close to transit and within walking distance of schools, parks and commercial and personal services, with no alteration to the existing built form of the surrounding neighbourhood. He further stated that he considers the application to be minor because there will be two parking spaces for the subject property, which is one more than is required for a semi-detached dwelling without an accessory apartment, and will not create negative impacts on the surrounding neighbourhood.

[11] Mr. Witmer testified with respect to the variance’s consistency with the PPS and conformity with the Growth Plan and the application of the tests in s. 45(1) of the Act.

[12] It was Mr. Witmer’s opinion that the proposal is not consistent with the PPS because it will add an accessory apartment in a location where it cannot be appropriately accommodated. He agreed that the variance would permit a form of

residential intensification within a settlement area, which the PPS supports. However, he stated that the PPS in s. 1.1.3.3 requires local planning authorities to identify appropriate locations for intensification “where it can be accommodated taking into account existing building stocks or areas” and further provides in s. 1.1.3.4 and 1.4.3 that “[a]ppropriate development standards” for residential intensification should be established by municipalities “which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.” Mr. Witmer testified that the City has developed appropriate development standards; specifically, the OP and the ZBL permit residential intensification but also provide guidance for the evaluation of whether a specific location is appropriate and the accessory apartment can be accommodated. In Mr. Witmer’s opinion, when the subject property is evaluated in accordance with that guidance, residential intensification cannot be appropriately accommodated on this site. Mr. Witmer further testified that, in his opinion, the proposal does not conform with the Growth Plan, citing similar policies.

[13] Regarding the tests in s. 45(1) of the Act, it was Mr. Witmer’s opinion that the variance would create a deficient off-street parking situation and meets none of the four tests. In his view, the other criteria in s. 4.15.1 of the ZBL are restrictions that ensure an accessory apartment remains subordinate to the host dwelling and does not adversely affect the character of a neighbourhood, whereas the minimum parking requirement is a “resource” that supports the accessory apartment. According to his evidence, where the only resource required to support an accessory apartment cannot be provided due to the physical limitations of a property, as is the case here, such a proposal cannot be considered “minor”. In addition, he stated, the proposal has the potential to affect adjacent properties because a parking deficiency could lead to parking on landscaped areas of the front yard or on the street. He noted that there have been complaints and convictions under the traffic by-law with respect to the subject property even though two parking spaces effectively exist.

[14] Mr. Witmer also stated that he does not consider the proposal to be “desirable for the appropriate development or use” of the subject property because it creates a

parking deficiency that does not adequately support both the primary dwelling unit and the accessory apartment and could negatively impact the neighbourhood by encouraging parking on the front lawn or landscaped areas or reliance on on-street parking, which is contrary to the City's by-laws.

[15] It was Mr. Witmer's opinion that the proposal does not meet the general intent and purpose of the OP, which seeks to ensure that adequate parking is provided on all properties and requires that parking standards, both generally and specifically for accessory apartments, are to be addressed through zoning by-laws and site plans. He further stated that the proposal does not meet the general intent and purpose of the ZBL. In his view, the intent of the ZBL is to balance community character with housing needs and to ensure that adequate on-site parking is provided that meets the needs of two self-contained dwelling units and does not rely on illegal or temporary parking. He noted that the ZBL permits accessory apartments in semi-detached dwellings but that, because semi-detached dwellings are often on narrow lots, they often cannot accommodate them. Nevertheless, he stated, 50 building permits have been issued by the City for accessory apartments in semi-detached dwellings where no variances were required.

## **SUBMISSIONS**

[16] The Applicants submit that the proposed variance, by permitting an accessory apartment in an existing dwelling, would be consistent with policies in the PPS and would conform with similar policies in the Growth Plan that support residential intensification which makes efficient use of land, infrastructure and public services. They argue that the OP and the ZBL in particular are out of date with respect to accessory unit standards and have not been brought into line with provincial law or policy as required by Bill 140. As a result, the Applicants submit, the combined effect of the provisions in the ZBL is to prohibit the establishment of accessory apartments in semi-detached dwellings in the City without a variance. They argue that a prohibition on a lawful use in the guise of a regulation contravenes the Act, citing several cases.

[17] The Applicants argue that provincial policy as evidenced by the draft regulation and guidance from the Minister of Housing identifies a maximum of one space per unit as a “best practice” regarding the parking standard for accessory units. They refer to decisions of the Board in which that standard was accepted as appropriate for accessory units.

[18] The Applicants concede that accessory units are not appropriate in every location in the City but argue that the subject property is an appropriate location, with no concerns about public health or safety. Further, they submit, the variance meets the tests in s. 45(1) of the Act, noting Mr. Handy’s evidence to the effect that there will be no physical changes to the built form and no adverse impacts on the neighbourhood.

[19] The City submits that the proposed variance does not meet any of the tests in s. 45(1) of the Act because it would create a permanent parking deficiency that has the potential to create negative impacts on the subject property and in the surrounding neighbourhood. According to the City, this parking deficiency would very likely lead to illegal parking, which is not a minor impact, is not desirable for the appropriate development of the subject property and conflicts with the general intent and purpose of the OP and the ZBL.

[20] The City states that the PPS and the Growth Plan direct the City to establish appropriate standards for the location of accessory units, which the City has done. The City disagrees that there is an effective prohibition on accessory units in semi-detached dwellings, submitting that accessory units are permitted in low-density residential zones and that more than 50 have been established in semi-detached dwellings under the ZBL standards. It argues that the draft regulation and the Minister of Housing’s Information Sheet identifying a preferred parking standard for accessory units do not have legal effect and do not override the City’s own standard, which was established in 2005 based on an in-depth study and survey and was not revised in 2015 after a follow-up survey. The City refers to Mr. Witmer’s evidence regarding the comprehensive review

of the ZBL that is currently underway, which includes a review of appropriate parking standards, and submits that, as a result, the variance application is premature.

## **ANALYSIS AND FINDINGS**

[21] To approve a variance, the Tribunal must find that it meets all four tests in s. 45(1) of the Act. If even one of the tests is not met, then the variance cannot be approved. These tests are that the variance: maintains the general intent and purpose of the official plan; maintains the general intent and purpose of the zoning by-law; is desirable for the appropriate development or use of the land, building or structure; and is minor. In addition, the Tribunal must be satisfied that the variance is consistent with the PPS and conforms with the Growth Plan.

### **The General Intent and Purpose of the OP**

[22] The OP contains general intensification policies in s. 3.7, which provides that a range and mix of housing will be planned for, “taking into account affordable housing needs and encouraging the creation of accessory apartments throughout the built-up area.” In s. 9.2.3, the OP provides that the City is to provide for the creation of accessory apartments in low-density residential designations and that the ZBL “will provide specific regulations for accessory apartments.” Thus, while the OP expresses the intent to encourage the creation of accessory units and generally endorses their establishment in low-density residential areas, it identifies no specific standards, leaving them to be developed under the zoning regulations.

[23] With respect to parking generally, the OP provides that the City “will ensure that adequate parking facilities are provided to meet the parking demands generated by various land uses” and will “specify off-street parking requirements” in the ZBL. In s. 5.11.6 and 5.11.8, the OP also provides:

6. Reduced parking requirements may be considered as part of a Parking Study, particularly within Downtown, Community Mixed-use

Nodes and Intensification Corridors, or for affordable housing, or where high levels of transit exist or are planned.

8. The City may encourage managing the supply of parking as a [Transportation Demand Management (“TDM”)] measure.

[24] Thus, while the general intent of the OP is for the City to develop parking standards based on demand generated by different land uses and to specify those standards in the ZBL, the OP also expresses an intent that in certain circumstances those standards may be reduced below what would otherwise be considered appropriate.

[25] The ZBL was adopted and amended prior to the OP, which was adopted by City Council in 2012 and approved by the Board in 2017. Nevertheless, the City did establish off-street parking standards for semi-detached dwellings with accessory units in low-density residential zones in the ZBL in 2006, based on demand as identified in a survey carried out as part of the 2005 Shared Housing Review. The 2005 survey, of properties with existing accessory units, indicated that the average number of vehicles owned by occupants of houses with accessory apartments was 2.3, with occupants of the accessory unit having an average of 0.8 vehicles (29% of those responding had no vehicle) and occupants of the host unit having an average of 1.5 vehicles. At the time, the ZBL minimum requirement was two parking spaces; following the 2005 Shared Housing Review, the City amended the ZBL to *increase* that requirement to three but did not increase the minimum requirement of one parking space for a semi-detached dwelling with no accessory unit. The City submits that a minimum of three spaces is still an appropriate standard. In terms of demand, in the 2015 survey, the average number of vehicles owned by occupants of houses with accessory apartments increased slightly from 2005, with occupants of accessory units having on average 1.1 vehicles and occupants of host units having on average 1.7 vehicles.

[26] To maintain the general intent of the OP with respect to parking, the variance would have to ensure there is “adequate” parking based on expected demand. The City does not at present permit overnight on-street parking in this neighbourhood in the

winter months, so all parking must be provided on the subject property. Both parties' counsel explored several possible car ownership scenarios with Mr. Handy and Mr. Witmer and addressed the issue in their submissions. These scenarios are not very helpful in determining an adequate standard, as it is easy to envisage some situations, with or without an accessory apartment, where there could be inconvenience for a large number of occupants with many vehicles, while in other situations there would not be.

[27] The Applicants submit that the most likely scenario is that the person seeking to rent an accessory one-bedroom apartment would have either no car or at most one car. They submit that they could advertise the rental as having no parking, or one space, as the needs of the host unit change, so that allocating two parking spaces to support the dwelling as a whole would be adequate. The Applicants accept that a variance reducing the parking would run with the land but argue that that would be known by a subsequent purchaser at the time of any future sale and, if the accessory unit was converted back, the parking would be double the minimum required in the ZBL.

[28] The OP contemplates that reductions in parking standards may be appropriate in some circumstances: in specific areas of the City, "for affordable housing", or where high levels of transit exist or are planned. Here, the variance would support the establishment of an accessory unit and thus, would be "for affordable housing". The OP defines "affordable housing" to mean "in the case of rental housing, a unit for which the rent is at or below the average market rent of a unit in the City..." While the evidence did not establish what the rental rate for the accessory apartment would be, it is generally recognized that accessory units are an affordable form of rental accommodation and are encouraged on that basis. As stated in the letter from the Minister of Housing provided in the Joint Document Book:

[S]econd units are an important tool in contributing to the supply of private sector affordable housing choices. They are widely recognized as one of the most affordable forms of rental housing. Second units help optimize the use of the existing housing stock and infrastructure, all the while providing an income stream for homeowners, particularly younger and older homeowners, who may respectively have a greater need for income to help finance and/or remain in their homes.

[29] The City's 2015 report, *Affordable Housing Strategy: The Current State of Housing in the City of Guelph, October 2015* ("Affordable Housing Strategy"), indicates that there is a need for affordable rental accommodation in the City. The Affordable Housing Strategy sets out the nature of the problem facing the City as follows, with emphasis added:

Tenant households, with annual incomes at or below the 30<sup>th</sup> income percentile (\$23,000) have very limited housing options in the private market. They typically seek out government subsidized housing options, shared accommodations, rooming houses, or lower cost accessory apartments. ... The City is currently exceeding its affordable homeownership target to provide 27% of new units below the benchmark price, but *is not meeting the 3% affordable rental target*. However, over half of households in Guelph cannot afford housing at the affordable benchmark amounts. ... *The lack of primary rental market construction, coupled with a very low vacancy rate, places increasing importance on the secondary rental market in meeting the community's needs for rental accommodation.*

[30] Even though the ZBL standard of three parking spaces was applied specifically to the establishment of accessory units, in the context of the subject property that standard operates as the only impediment to the establishment of an affordable unit. Therefore, the Tribunal finds, a variance that reduces the parking standard from three spaces to two in order to facilitate the establishment of an accessory apartment on the subject property maintains the general intent and purpose of the OP.

### **The General Intent and Purpose of the ZBL**

[31] As noted above, the ZBL was amended in 2006 to set out the standards for the establishment of accessory units in low-density residential dwellings. The ZBL identifies several criteria, in addition to the parking standard, including the maximum number of units, the maximum area of an accessory unit, the maximum number of bedrooms, and the requirement for interior access between the accessory unit and the host unit. The general intent of the ZBL is to ensure that accessory units are subordinate to the host unit. The proposed variance maintains this general intent. The only criterion that the proposal does not meet is the parking standard.

[32] The challenge with the ZBL is that it pre-dates the OP, with its emphasis on encouraging accessory units and the direction to consider reducing parking requirements for affordable housing, and predates the most recent versions of the PPS and the Growth Plan. The City has acknowledged that “some aspects of [the ZBL] may not conform to the Official Plan. A comprehensive review of the City’s zoning by-law is required to ensure that it conforms to the Official Plan and is reflective of current zoning practices.” The City is in the process of undertaking a review of the ZBL’s off-street parking standards and s. 4.13 in particular. Part of the study will explore and provide recommendations on the utilization of minimum and maximum parking requirements and on TDM measures, “including flexible parking standards, shared parking, and bicycle parking.” It is expected that new parking standards will be adopted as a result of this review.

[33] If the proposal met the existing parking standard, there would be no need for a variance. The intent of the ZBL with respect to parking is to ensure that there is adequate parking on the site for the needs of the permitted uses. The requirement for a semi-detached dwelling without an accessory apartment is one parking space. As applied to the subject property, one space is adequate for a four-bedroom dwelling. Aside from the conflicting opinions of the two witnesses, the only evidence provided of what the parking needs might be with an accessory apartment comes from the surveys of established accessory apartments conducted in 2005 and 2015. These surveys indicate that the average number of vehicles owned by all occupants of existing dwellings with accessory apartments averages more than two. However, these averages apply to the aggregate of all established accessory apartments across the City, including those with two or three bedrooms, in both detached and semi-detached dwellings. The 2015 survey notes that 95% of established accessory apartments are in single detached dwellings, with only 5% in semi-detached dwellings, and states that 3% are bachelor units, 52% have one bedroom, 41% have two bedrooms and 4% have three. It is difficult to tease out from these figures what would be adequate for a semi-detached dwelling with a one-bedroom accessory apartment, but it seems likely that the need would be below the average. The Tribunal finds, therefore, based on need, that

the variance to permit two parking spaces would likely provide adequate parking; thus, the variance maintains the general intent and purpose of the ZBL respecting the provision of adequate parking.

### **Whether the Variance is Desirable for the Appropriate Development or Use of the Land, Building or Structure**

[34] The test of desirability refers to whether the variance is desirable from a planning and public interest viewpoint. There is no evidence that a reduction in parking will have any adverse impact on the usability or functionality of the subject property. Because the variance would permit the establishment of an accessory apartment, it provides flexibility for the owner in how the dwelling is to be used. The proposed modest level of intensification is suitable for the nature of the dwelling and for the neighbourhood. The use is supported by two bus routes within walking distance. The Tribunal finds that the variance is desirable for the appropriate development of the property.

### **Whether the Variance is Minor**

[35] One important measure of whether a variance is “minor” is impact. Here, there would be no construction and no change in built form if the variance is granted. The only potential impact identified was Mr. Witmer’s opinion that a parking deficiency will have an adverse impact on the neighbourhood because it would push occupants of the subject property (if they collectively own more than two cars) to park illegally on the landscaped portion of the front yard, negatively affecting community character. This is speculative. If the variance is granted, there will be two parking spaces on the subject property and the Applicant can make this constraint known to any potential tenant of the accessory apartment. In any event, the evidence indicates that any complaints of illegal parking can be effectively addressed by the City through enforcement of its traffic by-law. Given that no other adverse impacts were identified, the Tribunal finds that the variance is minor.

## Conclusion Regarding the s. 45(1) Tests

[36] In summary, the Tribunal finds that the variance meets the four tests in s. 45(1) of the Act.

## Provincial Policies and Plans

[37] In addition to meeting the tests in s. 45(1), it must be determined if the variance is consistent with the PPS and conforms with the Growth Plan. The PPS has a number of policies that promote efficient land use, compact communities, residential intensification, a range and mix of housing, and affordable housing. For example, s. 1.4.3 provides:

Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market by:

- a) Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households.  
...
- b) Permitting and facilitating: ... all forms of residential intensification, including second units ...
- c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists ...  
and
- e) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

[38] Section 1.1.3.4 of the PPS states that “appropriate development standards”, which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety are to be established. Mr. Witmer’s view is

that the meaning of what development standards are “appropriate” must be found in the OP and the ZBL and if a proposal does not meet those standards it must necessarily be inconsistent with the PPS. The PPS directs that the OP is the most important mechanism for implementing the PPS and that zoning by-laws are important for implementation and must be kept up to date. The City has acknowledged that the 2006 parking standards require review and may not be in conformity with the OP. More importantly, the PPS in s. 4.4 provides that the PPS “shall be read in its entirety and all relevant policies applied to each situation”. It is not appropriate to reduce consideration of all relevant PPS policies to the single question of what the OP and ZBL say. This is particularly so where the ZBL was adopted prior to the most recent version of the PPS.

[39] The variance would permit a second unit in a low-density residential area, which is a modest form of residential intensification. It is in a neighbourhood that has appropriate levels of infrastructure and public service facilities to meet the needs of this change and the change would contribute to their more efficient use. The neighbourhood is served by two bus routes, walking trails and public services. The PPS speaks to the promotion of appropriate development standards which *facilitate* intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Here, the parking reduction would facilitate the establishment of an accessory unit. It would impose no risks to public health and safety. Reading the PPS in its entirety and applying all relevant policies, the Tribunal finds that the variance is consistent with the PPS.

[40] The Growth Plan states that application of its policies will support the achievement of complete communities that, among other things, “provide a diverse range and mix of housing options, including second units and affordable housing...” and “expand convenient access to... a range of transportation options...” The Growth Plan requires municipalities to develop a strategy to achieve intensification targets and to encourage intensification throughout their built-up areas. In s. 2.2.6, the Growth Plan requires municipalities to develop a housing strategy that supports achievement of policies in the plan by “identifying a diverse range and mix of housing operations and

densities, including second units and affordable housing to meet projected needs of current and future residents...” Pursuant to s. 2.2.6.1 d), this strategy will be implemented through official plan policies and designations and zoning by-laws. For Designated Greenfield Areas, the Growth Plan in s. 2.2.7 sets out density targets and states that new development will be planned, designated, zoned and designed in a manner that supports achievement of complete communities and active transportation and that encourages the integration and sustained viability of transit services.

[41] As discussed above, the City’s Affordable Housing Strategy outlined the need for more affordable housing options, including in particular secondary rental units. The OP has policies that support the establishment of accessory units and affordable housing options and it expressly states that reductions in parking standards can be considered “for affordable housing”. While the Growth Plan contemplates that a municipality’s housing strategy will be implemented through official plans and zoning by-laws, the City acknowledged that the parking standards in the ZBL may not conform with the OP. The current parking standard was adopted in 2006 and does not appear to have been considered through the lens of the Growth Plan policies that stress the need to encourage and facilitate affordable housing and a range of transportation options. The variance, by permitting the establishment of a second unit, would contribute to the intensification of a Designated Greenfield Area and add to the mix of housing units, helping to meet a demonstrated need within the City. The Tribunal finds that the variance conforms with the Growth Plan.

### **Case Law and Other Submissions**

[42] The parties referred to several Board and Tribunal decisions that either approved or rejected variances or by-law changes respecting parking standards for accessory units. The Tribunal is not bound by these cases. Moreover, their circumstances, such as in areas of Toronto well-served by higher order transit and on-street permit parking, are generally not comparable. The case of *McCluskey, Re, 2013 CarswellOnt 8960*, does address the Board’s interpretation of the same ZBL provision in a low-density

residential area of the City. In that case, the Board refused a variance to reduce the parking requirement, finding that the variance did not maintain the general intent and purpose of the ZBL, was not desirable and was not minor. The Board relied on the 2005 Shared Housing Study to conclude that a minimum of three parking spaces was appropriate and anything less would not be minor or desirable. However, the Board there did not have the benefit of any expert evidence from the applicant. The Board did not address the OP or consider the PPS or the Growth Plan and did not address whether the ZBL standard might be out of date or whether transit infrastructure might support a different standard. Six years on, the circumstances and policy context have changed, as have the needs of City residents, and the ZBL parking standards are now acknowledged by the City to be in need of review and, in all likelihood, revision.

[43] Given the Tribunal's findings, it is not necessary to consider the Applicant's other submissions.

## **ORDER**

[44] The Tribunal orders that the appeal is allowed and the requested variance to Zoning By-law No. (1995)-14864 is authorized.

*"Marcia Valiante"*

MARCIA VALIANTE  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

### **Local Planning Appeal Tribunal**

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