COMMITTEE OF ADJUSTMENT AGENDA

Council Chambers, Guelph City Hall, 1 Carden Street

DATE Thursday, June 27, 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. An electronic version of this agenda is available on 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 – JUNE 13, 2019 HEARING MINUTES
REQUESTS FOR WITHDRAWAL OR DEFERRAL OF APPLICATIONS

CURRENT APPLICATIONS (Application order subject to change)

a) **A-3/19**
Owner: Jaspreet Dhillon and Gurkirat Dhillon
Agent: Lyle McNair
Request: Variance for driveway width
Location: 622 College Avenue West

b) **A-61/19**
Owner: Cindi Downes, Maxwell Kennedy, and Maria Kennedy
Agent: Nathan Azzoparde
Request: Variance to permit three stacked parking spaces
Location: 20 June Avenue

c) **A-62/19**
Owner: Vanessa Davis and Bryan McKay
Agent: William Davis
Request: Variance for location of existing pool
Location: 40 Milson Crescent

d) **A-63/19**
Owner: Ceri Lamplugh and Jason Mattiusi
Agent: N/A
Request: Variances for location of off-street parking and driveway
Location: 196 Cardigan Street

e) **B-7/19**
Owner: 2525271 Ontario Inc.
Agent: Nancy Shoemaker, Black, Shoemaker, Robinson & Donaldson Limited
Request: Consent to create new lot (separate existing buildings)
Location: 9 and 17-19 Elizabeth Street

A-64/19
Owner: 2525271 Ontario Inc.
Agent: Nancy Shoemaker, Black, Shoemaker, Robinson & Donaldson Limited
Request: Variances for setbacks and floor space index for existing semi-detached dwelling on proposed severed parcel
Location: 17-19 Elizabeth Street

A-65/19
Owner: 2525271 Ontario Inc.
Agent: Nancy Shoemaker, Black, Shoemaker, Robinson & Donaldson Limited
Request: Variances for side yard and porch setbacks, buffer strip, floor space index and off-street parking location for residential building on proposed retained parcel
Location: 9 Elizabeth Street

STAFF ANNOUNCEMENTS
– Staff Report: Committee of Adjustment Hearing Procedures

ADJOURNMENT – next hearing July 11, 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

CITY OF Guelph
Making a Difference

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

LOCATION: 622 College Avenue West

PROPOSAL: The applicant is in the process of registering an accessory apartment in the semi-detached dwelling and proposes to increase the driveway width to accommodate the three (3) required off-street parking spaces.

BY-LAW REQUIREMENTS: The property is located in the Residential Semi-Detached/Duplex (R.2) Zone. A variance from Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that a residential driveway in an R.2 Zone shall have a maximum driveway width of 3.5 metres.

REQUEST:
The applicant is seeking relief from the By-law requirements to permit a driveway width of 5 metres.

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 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street**
APPLICATION NUMBER:	**A-3/19**

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

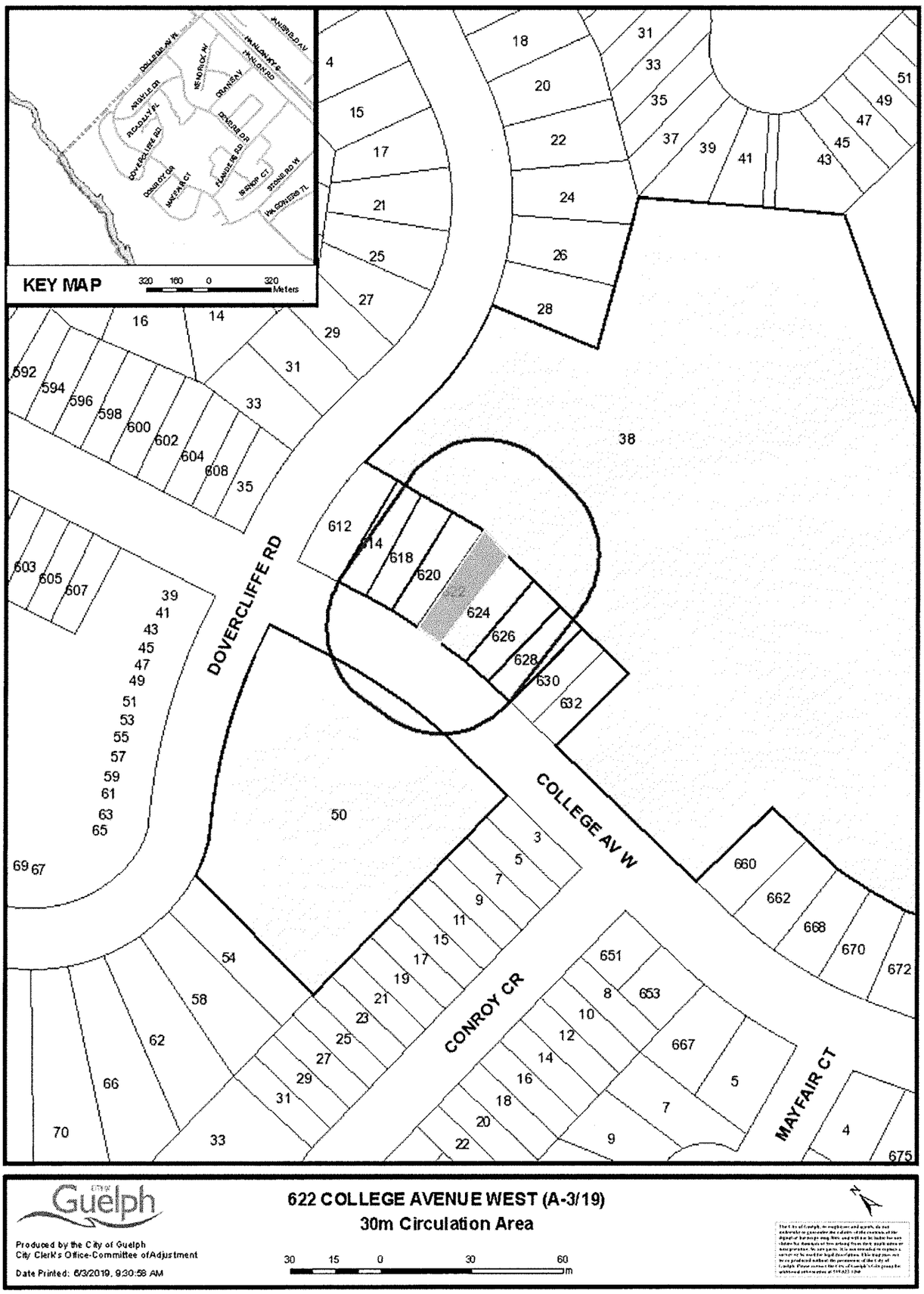
ADDITIONAL INFORMATION
Agendas and comments related to this application will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

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

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

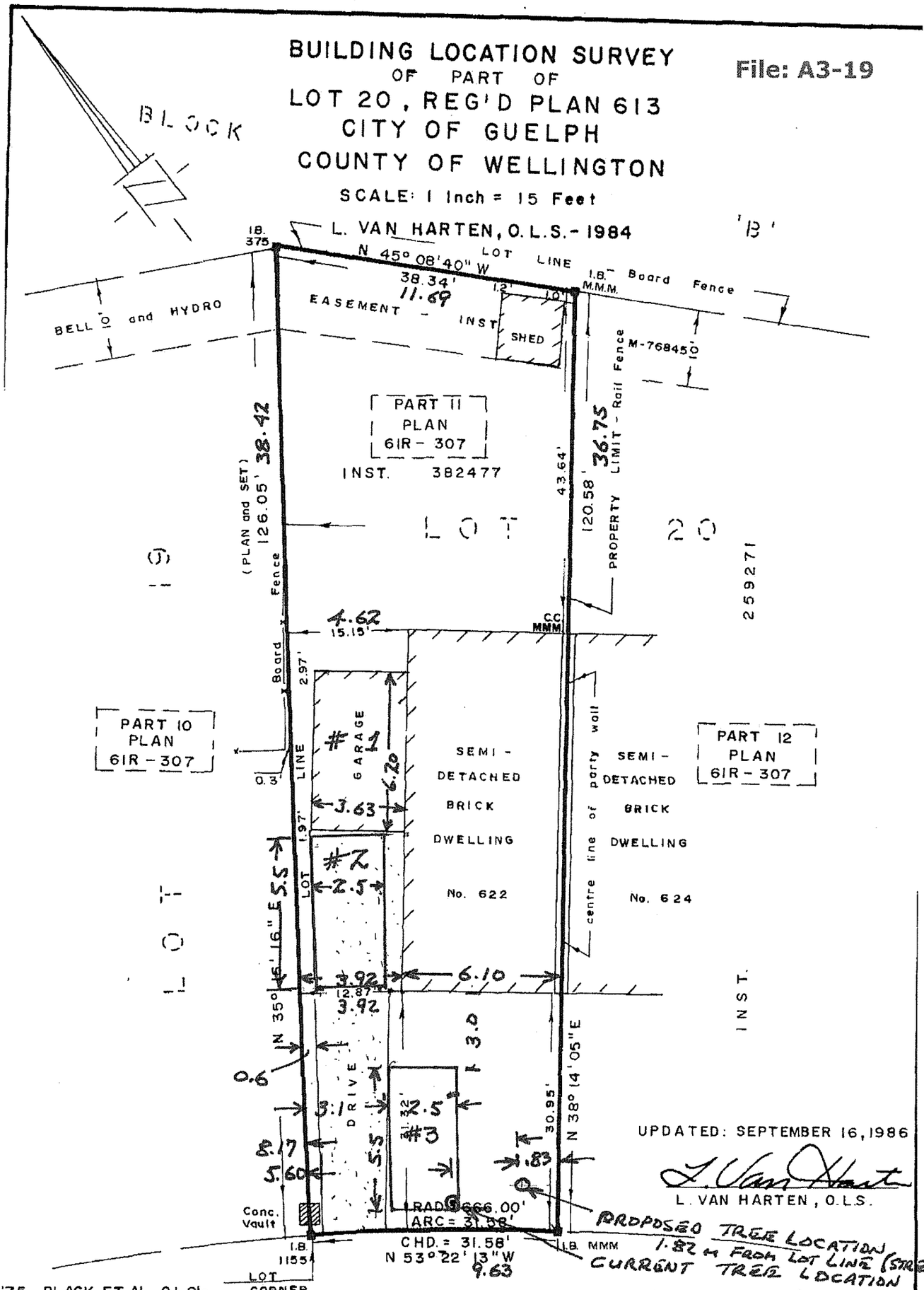
Dated this 10th day of June, 2019.



BUILDING LOCATION SURVEY
OF PART OF
LOT 20, REG'D PLAN 613
CITY OF GUELPH
COUNTY OF WELLINGTON

File: A3-19

SCALE: 1 Inch = 15 Feet



UPDATED: SEPTEMBER 16, 1986

L. Van Harten

L. VAN HARTEN, O.L.S.

375 BLACK ET AL, O.L.S.'s
M.M.M. MARSHALL ET AL, O.L.S.'s
C.C. CUT CROSS
-□- SURVEY MONUMENT SET
-■- SURVEY MONUMENT FOUND
S.I.B - 1" X 1" X 48" STANDARD IRON BAR
I.B. - 5/8" X 5/8" X 24" IRON BAR

NOTE:
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEAST LIMIT OF LOT 20 AS SHOWN HAVING A BEARING OF N 45° 08' 40" W

SURVEYOR'S CERTIFICATE: I CERTIFY THAT: THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 10th DAY OF APRIL, 1984

PROJECT Nº 84 - 6434

M.P. VAN HARTEN LIMITED
ONTARIO LAND SURVEYORS
423 WOOLWICH STREET
GUELPH - ONTARIO
519-821-2763

L. Van Harten

L. VAN HARTEN O.L.S.

DATE: APRIL 12, 1984.

Copyright © 2004 Land Survey Records Inc. All rights reserved. Document provided through www.landsurveyrecords.com

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING

CITY OF Guelph
Making a Difference

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

LOCATION: 20 June Avenue

PROPOSAL: The applicant is proposing to create an accessory apartment in the existing semi-detached dwelling.

BY-LAW REQUIREMENTS: The property is located in the Residential Semi-Detached/Duplex (R.2) Zone. A variance from Section 4.15.1.4.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires three off-street parking spaces for the existing dwelling and accessory apartment with no more than two of the required parking spaces permitted in a stacked arrangement.

REQUEST:
The applicant is seeking relief from the By-law requirements to permit three (3) off-street parking spaces for the existing semi-detached dwelling and proposed accessory apartment in a stacked arrangement.

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 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street**
APPLICATION NUMBER:	**A-61/19**

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

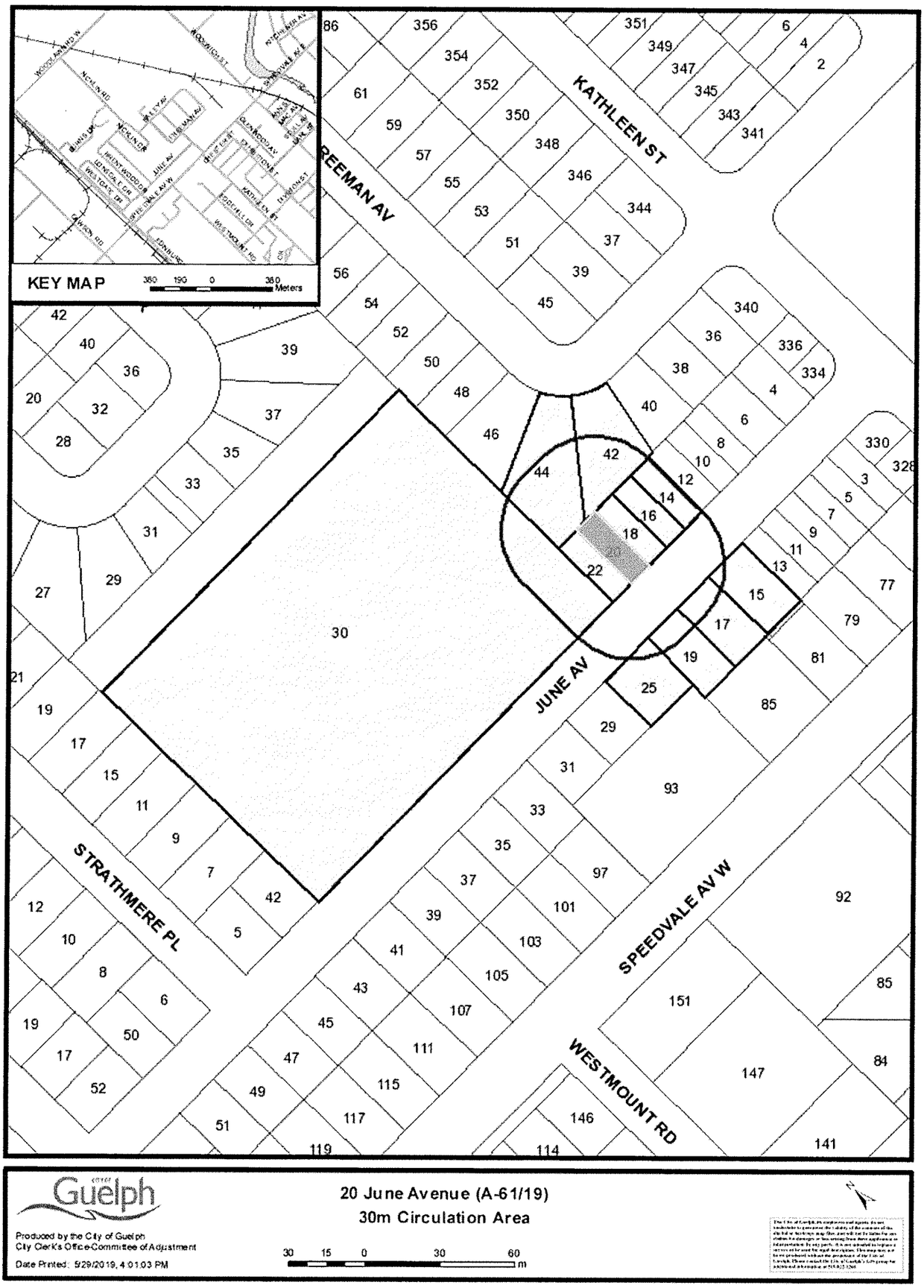
ADDITIONAL INFORMATION
Agendas and comments related to this application will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

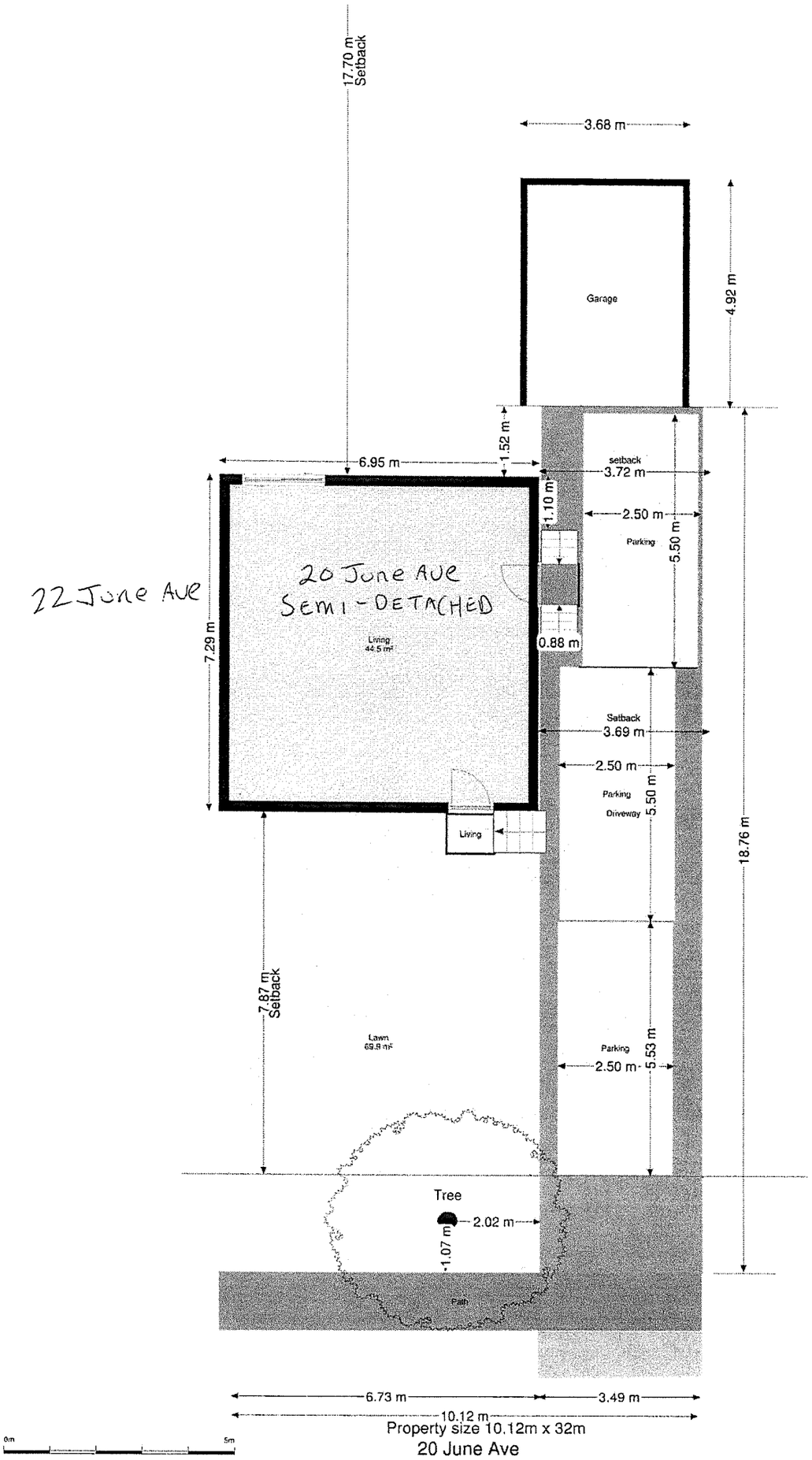
NOTICE OF THE DECISION
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for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

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

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

Dated this 10th day of June, 2019.



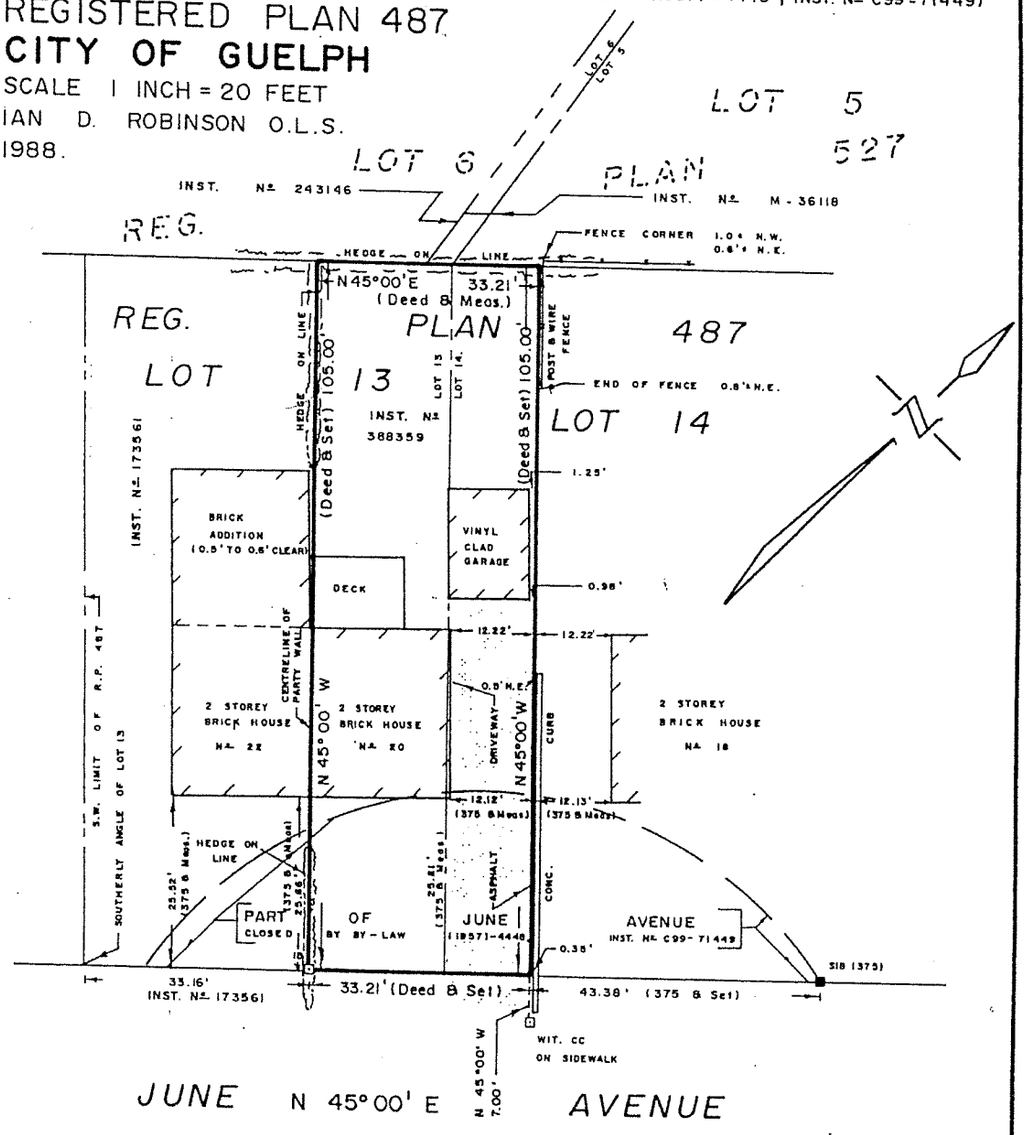

17.70 m
Setback
3.68 m
Garage
4.92 m
1.52 m
6.95 m
setback
3.72 m
1.10 m
2.50 m
Parking
5.50 m
22 June Ave
20 June Ave
SEMI-DETACHED
7.29 m
Living
44.5 m²
0.88 m
Setback
3.69 m
2.50 m
Parking
Driveway
5.50 m
Living
18.76 m
7.87 m
Setback
Lawn
69.8 m²
Parking
2.50 m
5.53 m
Tree
2.02 m
1.07 m
Path
6.73 m
3.49 m
10.12 m
Property size 10.12m x 32m
20 June Ave
0m
5m

BUILDING LOCATION SURVEY OF PART OF LOTS 13 & 14 and PART OF JUNE AVENUE (CLOSED BY BY-LAW (1957) - 4448 , INST. Nº C99-71449) REGISTERED PLAN 487 CITY OF GUELPH

SCALE 1 INCH = 20 FEET

IAN D. ROBINSON O.L.S.

1988.



WIT DENOTES WITNESS

CC DENOTES CUT CROSS

NOTE:

BEARINGS HEREON ARE REFERRED TO THE NORTHWESTERLY LIMIT OF JUNE AVE. AS BEING N 45° 00' E IN ACCORDANCE WITH REG. PLAN 487.

375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.

□ DENOTES SURVEY MONUMENT PLANTED

■ DENOTES SURVEY MONUMENT FOUND

IB DENOTES IRON BAR

SIB DENOTES STANDARD IRON BAR

DEED DENOTES INST. Nº 388359.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 14th DAY OF JUNE , 1988.

NOTE

THE PARCEL SHOWN HEREON IN HEAVY OUTLINE IS SUBJECT TO AN EASEMENT IN FAVOUR OF THE CITY OF GUELPH AS SET OUT IN INST. Nº C 100 - 71705

NO PERSON MAY COPY, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED.

© BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED
ONTARIO LAND SURVEYORS
351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

DATE: AUGUST 8, 1988 | SCALE: 1 INCH = 20 FEET | TCA

PER: Ian D. Robinson
ONTARIO LAND SURVEYOR

SEAL

PROJECT 88-5521

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING

CITY OF Guelph
Making a Difference

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

LOCATION: 40 Milson Crescent

PROPOSAL: The applicant is proposing to maintain the location of the existing above ground pool.

BY-LAW REQUIREMENTS: The property is located in the Residential Single Detached (R.1C) Zone. A variance from Section 4.5.5.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that every swimming pool shall be located a minimum of 1.5 metres from any lot line, and any decking associated with the pool that is above 0.6 metres from finished grade, shall be located a minimum 1.5 metres from a lot line.

REQUEST:
The applicant is seeking relief from the By-law requirements to permit the existing swimming pool to be located 0.16 metres from the rear and exterior side yard lot lines.

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 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street**
APPLICATION NUMBER:	**A-62/19**

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

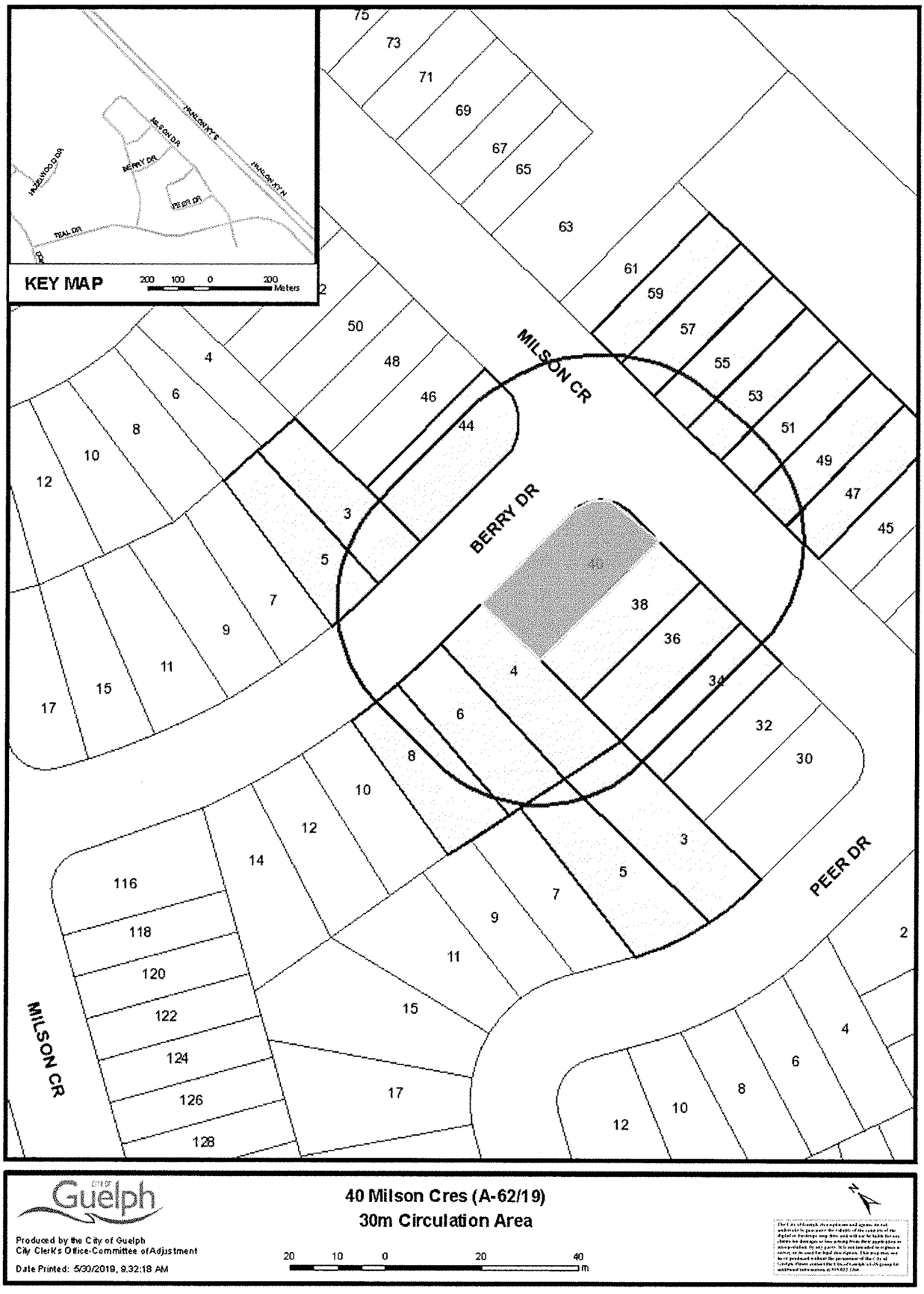
ADDITIONAL INFORMATION
Agendas and comments related to this application will be available online at: www.guelph.ca > City Government > Committee of Adjustment. Additional information related to this application may be obtained at City Hall by contacting the Secretary-Treasurer of the Committee of Adjustment,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

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

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

Dated this 10th day of June, 2019.



SKETCH FOR BUILDING PERMIT APPLICATION

SCALE: 1 – 250

CAUTION: – THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
– IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION ALLOWS GRAVITY CONNECTION TO SEWER LINES.
© – THIS SKETCH IS PROTECTED BY COPYRIGHT.
– THIS LOT MAY CONTAIN STRUCTURAL FILL.

NOTE: LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M–55 AND HAVE NOT BEEN VERIFIED BY SURVEY.
PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

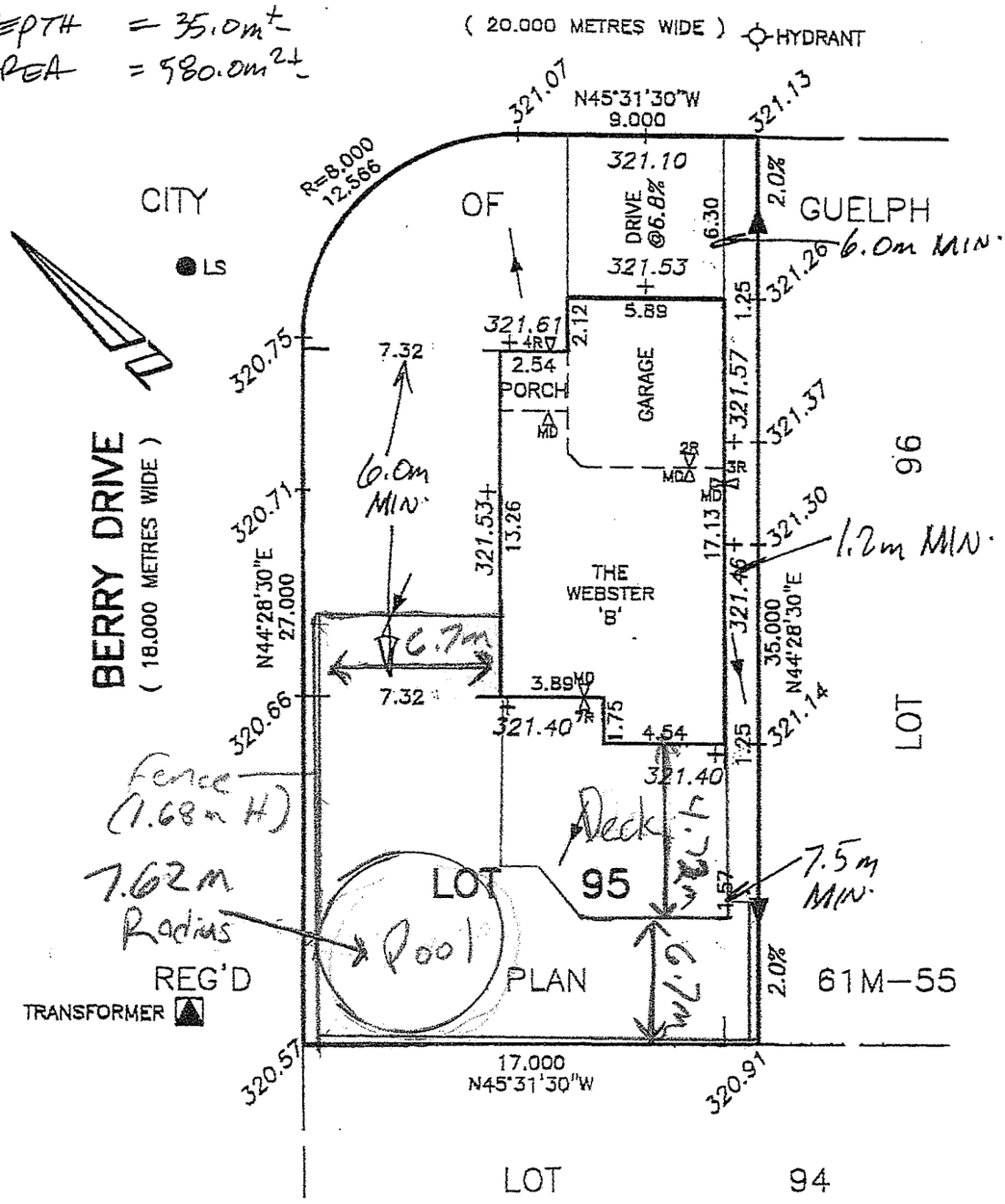
TOP OF FOUNDATION = 322.46
TOP OF FOUNDATION @ FOYER = 322.16
TOP OF FOUNDATION @ GAR. FRONT = 321.77
TOP OF FOUNDATION @ GAR. SIDE = 321.96
UNDERSIDE OF FOOTING = 319.94
BASEMENT FLOOR = 320.17
FINISHED FLOOR = 322.76
FOYER = 322.41
SIDE ENTRY = 322.02
GARAGE CUT = 0.24

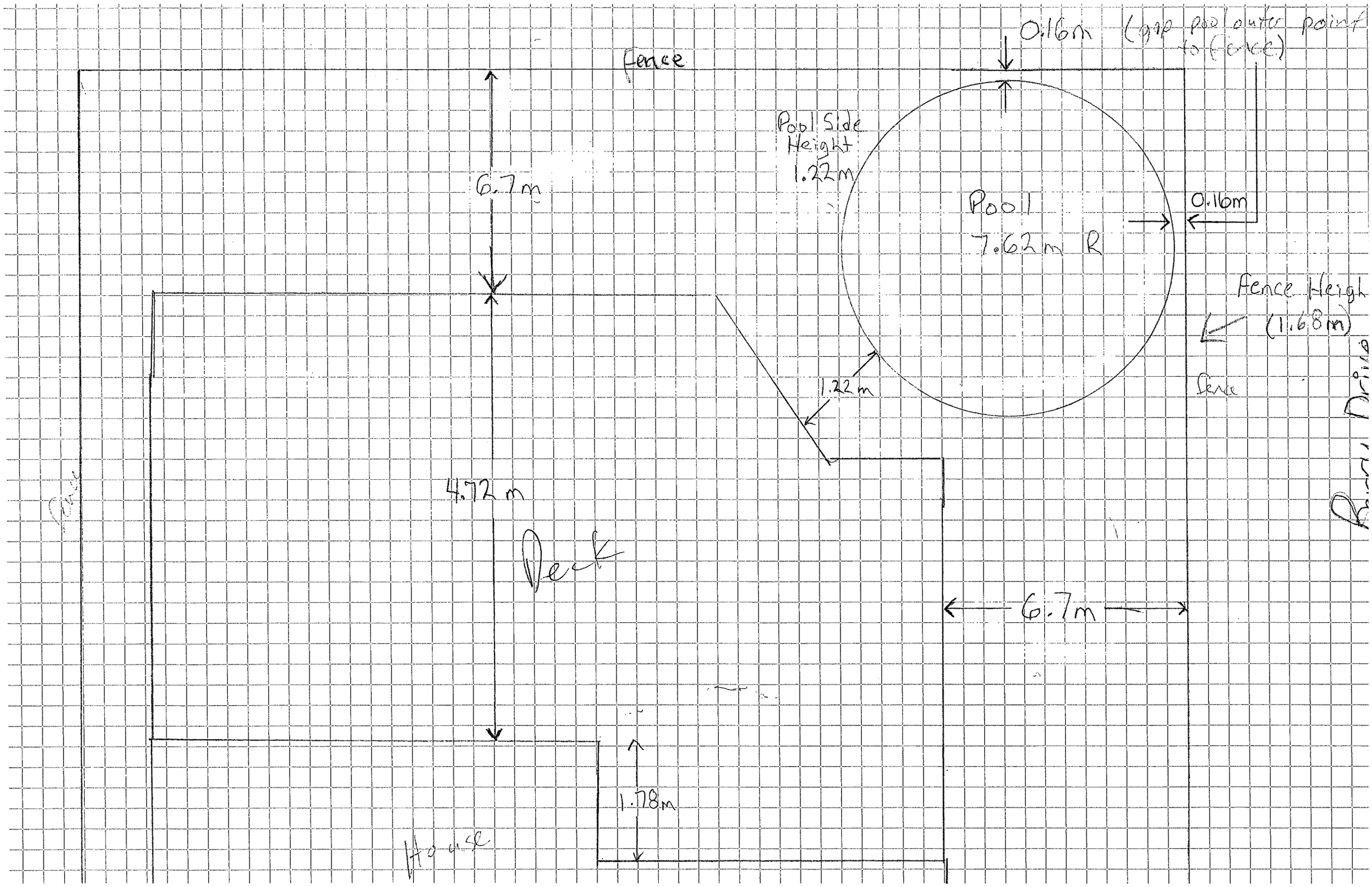
ZONE R.1C

FRONT YARD = 6.0m MIN.
SIDE YARD = 1.2m MIN.
EXTERIOR SIDE YARD = 6.0m MIN.
REAR YARD = 7.5m MIN.

SODDED AREA = 412.0 m2

LOT
FRONTAGE = 16.8m±
DEPTH = 35.0m±
AREA = 580.0m²±




Fence
0.16m (gap pool outer point to fence)
Pool Side Height 1.22m
Pool
7.62m R
0.16m
Fence Height (1.68m)
Fence
1.22m
6.7m
4.72m
Deck
6.7m
1.78m
House
Fence

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING

CITY OF Guelph
Making a Difference

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

LOCATION: 196 Cardigan Street

PROPOSAL: The applicant is proposing to convert the existing attached garage to extended family living space.

BY-LAW REQUIREMENTS: The property is located in the Residential Single Detached (R.1B) Zone. Variances from Sections 4.13.2.1 and 4.13.2.2.2 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

a) 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; and
b) that no part of any surface driveway or surface parking area shall be located within 3 metres of a building entrance or any window of a habitable room.

REQUEST:

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

a) to permit the required off-street parking space to be located to the front of the front wall of the dwelling; and
b) to permit the existing driveway to be located 0 metres from a door or window in a habitable room.

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 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street**
APPLICATION NUMBER:	**A-63/19**

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

ADDITIONAL INFORMATION

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

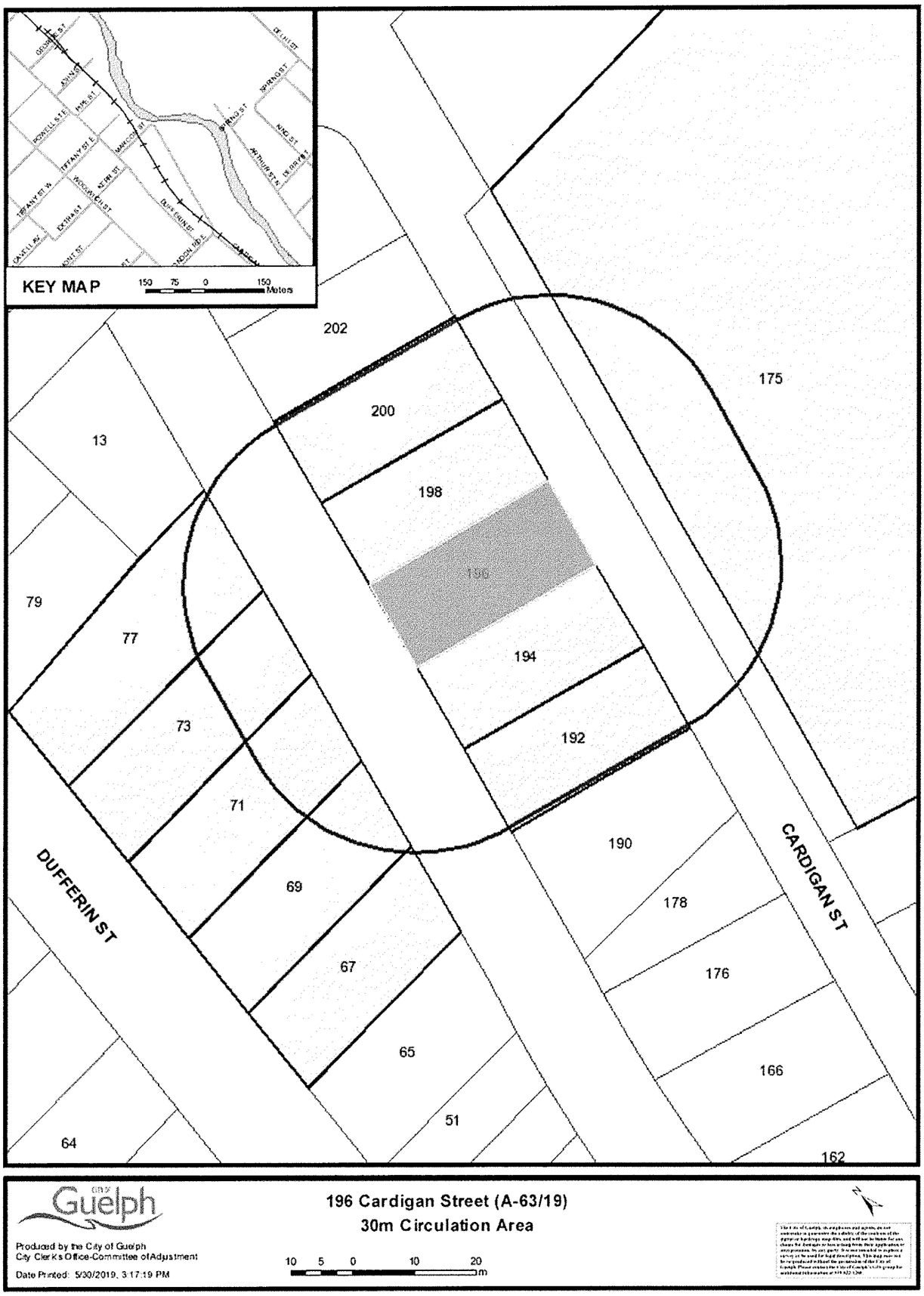
Committee of Adjustment, City of Guelph, 1 Carden Street, Guelph ON N1H 3A1
Phone: 519-822-1260 ext. 2524 | Fax: 519-763-1269 | Email: cofa@guelph.ca

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 10th day of June, 2019.



City of Guelph

196 Cardigan Street (A-63/19)
30m Circulation Area

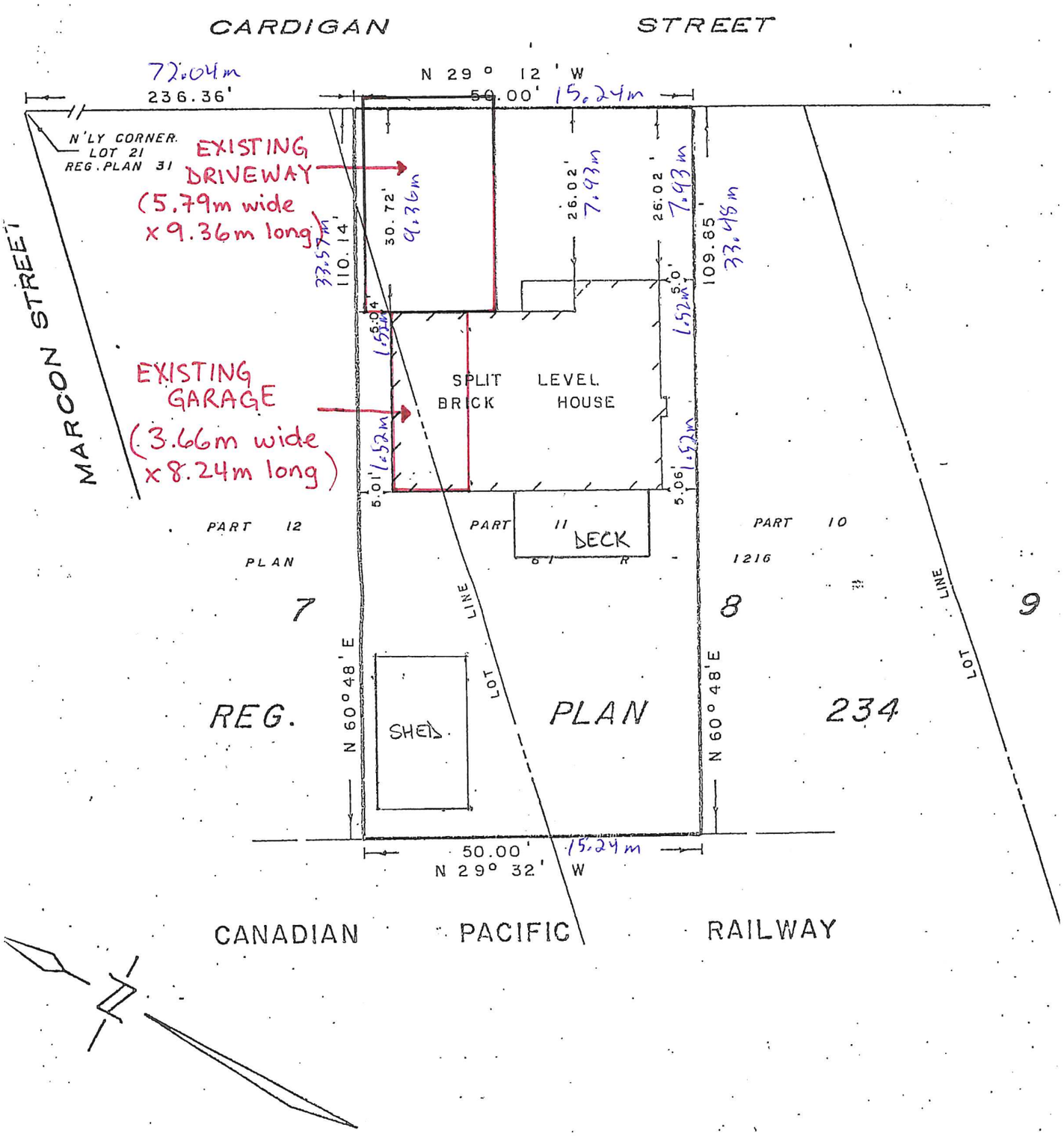
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 5/30/2019, 3:17:19 PM

10 5 0 10 20 m

PLAN OF BUILDING LOCATION ON PART OF LOTS 7 AND 8 REGISTERED PLAN 234 CITY OF GUELPH

ALSO KNOWN AS PART 11, PLAN 61 R-1216

(196 CARDIGAN ST. GUELPH ON N1H 3Z9)



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:

1. I HAVE SURVEYED THE PROPERTY SHOWN ON THIS PLAN.
2. THE IMPROVEMENTS SITUATE THEREON ARE AS SHOWN.

CAUTION

THIS PLAN IS FOR BUILDING LOCATION ONLY AND IS NOT A PLAN OF SURVEY WITHIN THE MEANING OF THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS THEREUNDER.

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

ONTARIO LAND SURVEYORS

351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

DATE: FEBRUARY 14, 1980	SCALE: 1 INCH = 20 FEET
FOR: CERNIUK CONSTRUCTION	DRAWN BY: L.B.
PER: A. Jean Donaldson ONTARIO LAND SURVEYOR	PROJECT 80 - 8599 - 2

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING

CITY OF Guelph
Making a Difference

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

LOCATION: 9 and 17-19 Elizabeth Street

PROPOSAL: The applicant is proposing to sever the property so the existing buildings can operate independently. The severed parcel (17-19 Elizabeth Street, shown as Part 2 on the attached sketch) contains an existing semi-detached dwelling, and the retained parcel (9 Elizabeth Street, shown as Part 3) contains an existing residential building, which is being expanded to accommodate 3 stacked apartment units. A two metre wide road widening (shown as Part 1) is also proposed along Elizabeth Street.

Minor variances from the requirements of the Zoning By-law are being requested for the severed and retained parcels (Files A-64/19 and A-65/19, see attached).

BY-LAW REQUIREMENTS: The property is located in the Specialized Downtown 1 (D.1-3) Zone.

REQUEST:
The applicant proposes to sever a parcel of land with frontage along Elizabeth Street of 17.61 metres, a depth of 18.11 metres, and an area of 324.4 square metres. The retained parcel will have frontage along Duke Street of 20.11 metres, a depth of 22.62 metres, and an area of 424.5 square metres.

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

DATE:	**Thursday, June 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street,**
APPLICATION NUMBER:	**B-7/19**

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

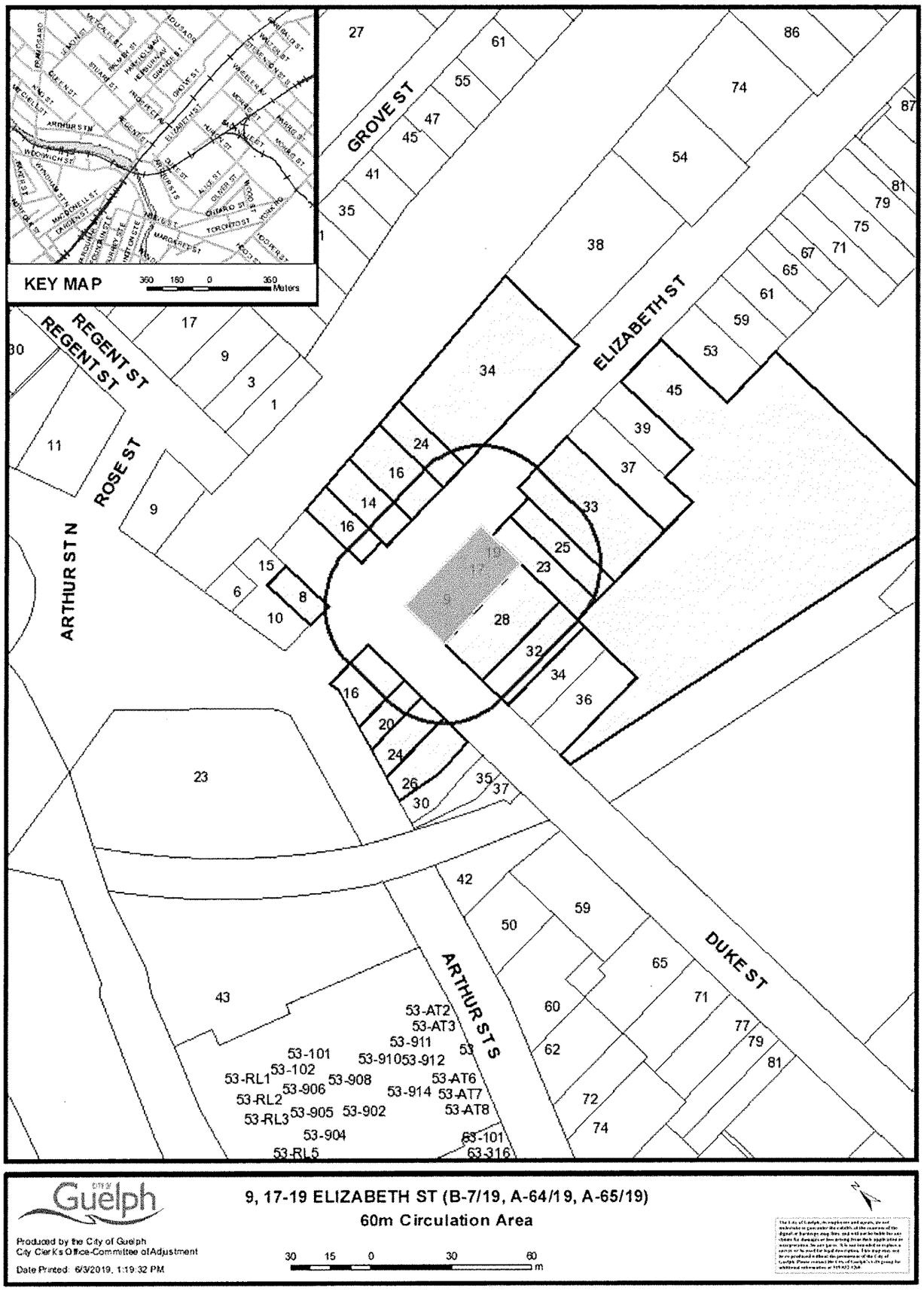
NOTICE OF THE DECISION

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

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

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

Dated this 10th day of June, 2019.



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

COMMITTEE OF ADJUSTMENT
NOTICE OF PUBLIC HEARING

CITY OF Guelph
Making a Difference

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

LOCATION: 9 and 17-19 Elizabeth Street

PROPOSAL: The applicant is proposing to sever the property so the existing buildings can operate independently (File B-7/19, see attached). The property is currently occupied by a semi-detached dwelling (17-19 Elizabeth Street) and a residential building (9 Elizabeth Street). As a result of the severance application, various minor variances are required to recognize the location of the existing buildings on the severed and retained parcels, and to accommodate the expansion of the building on the retained parcel.

BY-LAW REQUIREMENTS: The property is located in the Specialized Downtown 1 (D.1-3) Zone. Variances from Table 6.3.2.7 Rows 1, 4, and 14, Table 4.7 Row 3, Table 6.3.2.7 Rows 3, 7, and 14, and Section 6.3.2.5.2.1.1 are being requested.

The By-law requires:
a) that where a dwelling unit occupies the first storey of a building, that portion of the building shall have a minimum setback of 3 metres from the street line;
b) that where a lot line abuts a R.1, R.2 or R.3 zone, the minimum rear yard setback shall be 7.5 metres on the abutting side;
c) a minimum floor space index of 1.0 (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);
d) that an open, roofed porch not exceeding 1 storey in height have a minimum setback of 2 metres from the front and exterior side yard lot lines;
e) that where a lot line abuts a R.1, R.2 or R.3 zone, the minimum side yard setback shall be 3 metres on the abutting side;
f) a 3 metre buffer where the D.1 zone abuts a R.1, R.2, R.3, institutional, park or wetland zone; and
g) that no part of a parking space shall be located closer than 3 metres to a street line.

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

Severed Parcel - 17-19 Elizabeth Street (File A-64/19)
a) a 0 metre front yard setback;
b) a rear yard setback of 5.96 metres; and
c) a floor space index of 0.78.

Retained Parcel – 9 Elizabeth Street (File A-65/19)
a) an open, roofed porch not exceeding 1 storey in height to be located 0 metres from the front lot line (Duke Street);
b) a right side yard setback of 1.95 metres;
c) a 1.27 metre wide buffer along the right side property line;
d) a floor space index of 0.81; and
e) a parking space within 1.12 meters of the street line (Elizabeth Street).

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 27, 2019**
TIME:	**4:00 p.m.**
LOCATION:	**Council Chambers, City Hall, 1 Carden Street**
APPLICATION NUMBERS:	**A-64/19 and A-65/19**

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.

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

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 20, 2019 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

ADDITIONAL INFORMATION

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

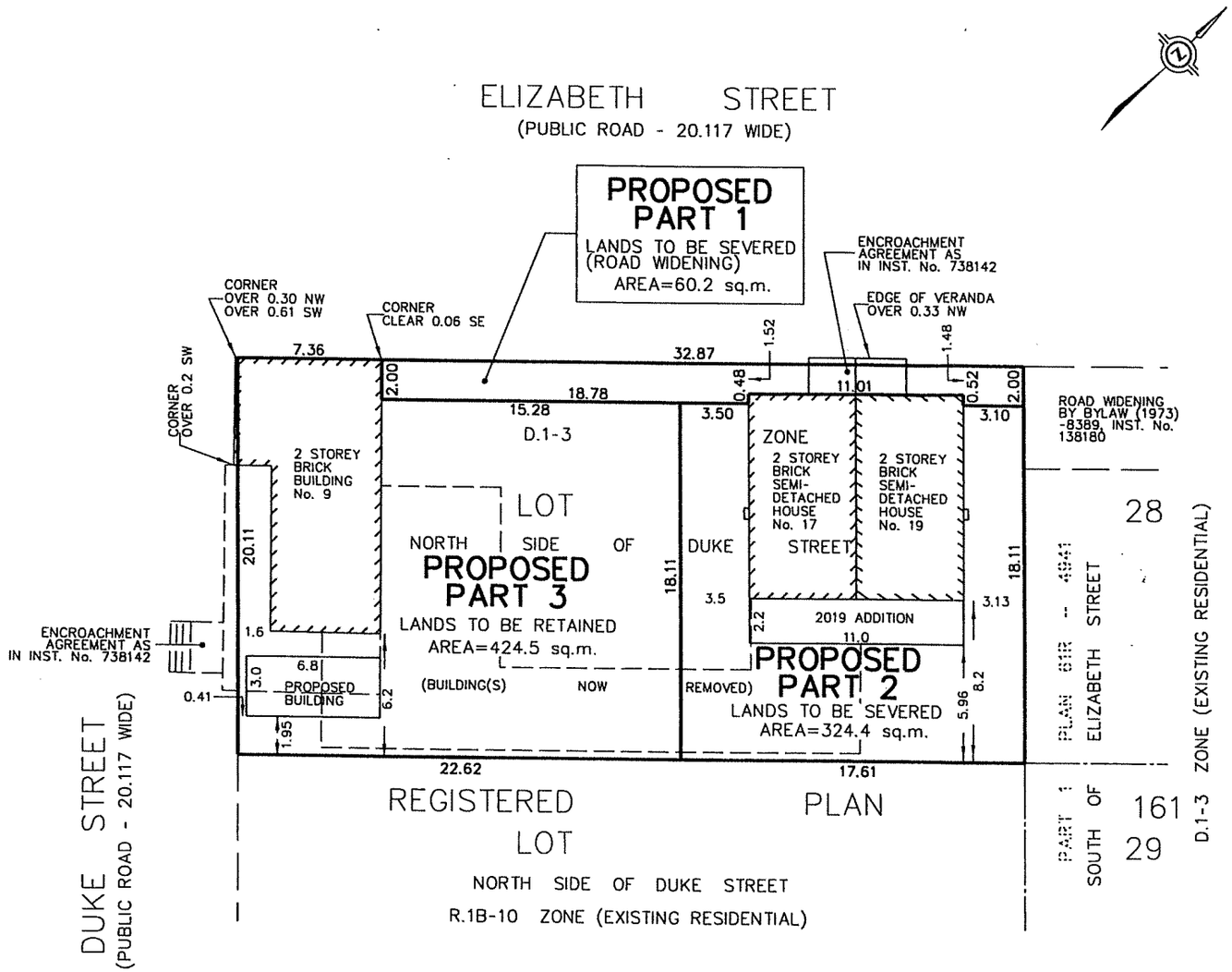
NOTICE OF THE DECISION

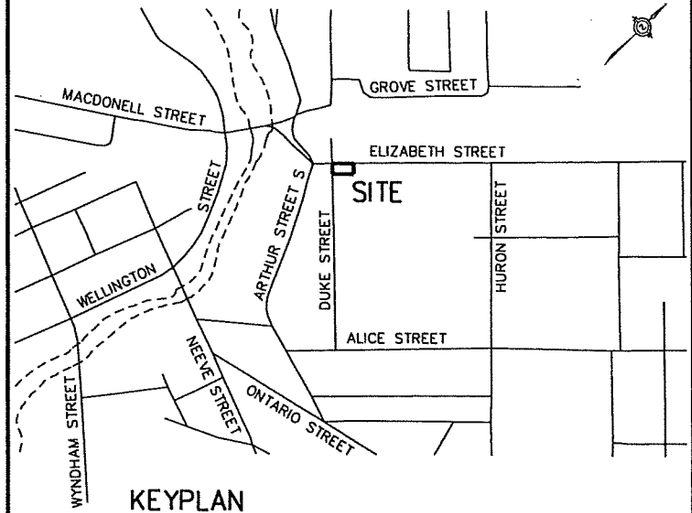
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

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

Dated this 10th day of June, 2019.

CITY OF GUELPH





KEYPLAN
SCALE 1 : 10,000

SKETCH
PREPARED FOR SEVERANCE APPLICATION

SCALE 1 : 250

5 0 5 10 15 metres

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

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

NOTES

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

THIS SKETCH WAS PREPARED FOR COLDPOINT HOLDINGS LIMITED AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

DATE

KERRY F. HILLIS
ONTARIO LAND SURVEYOR

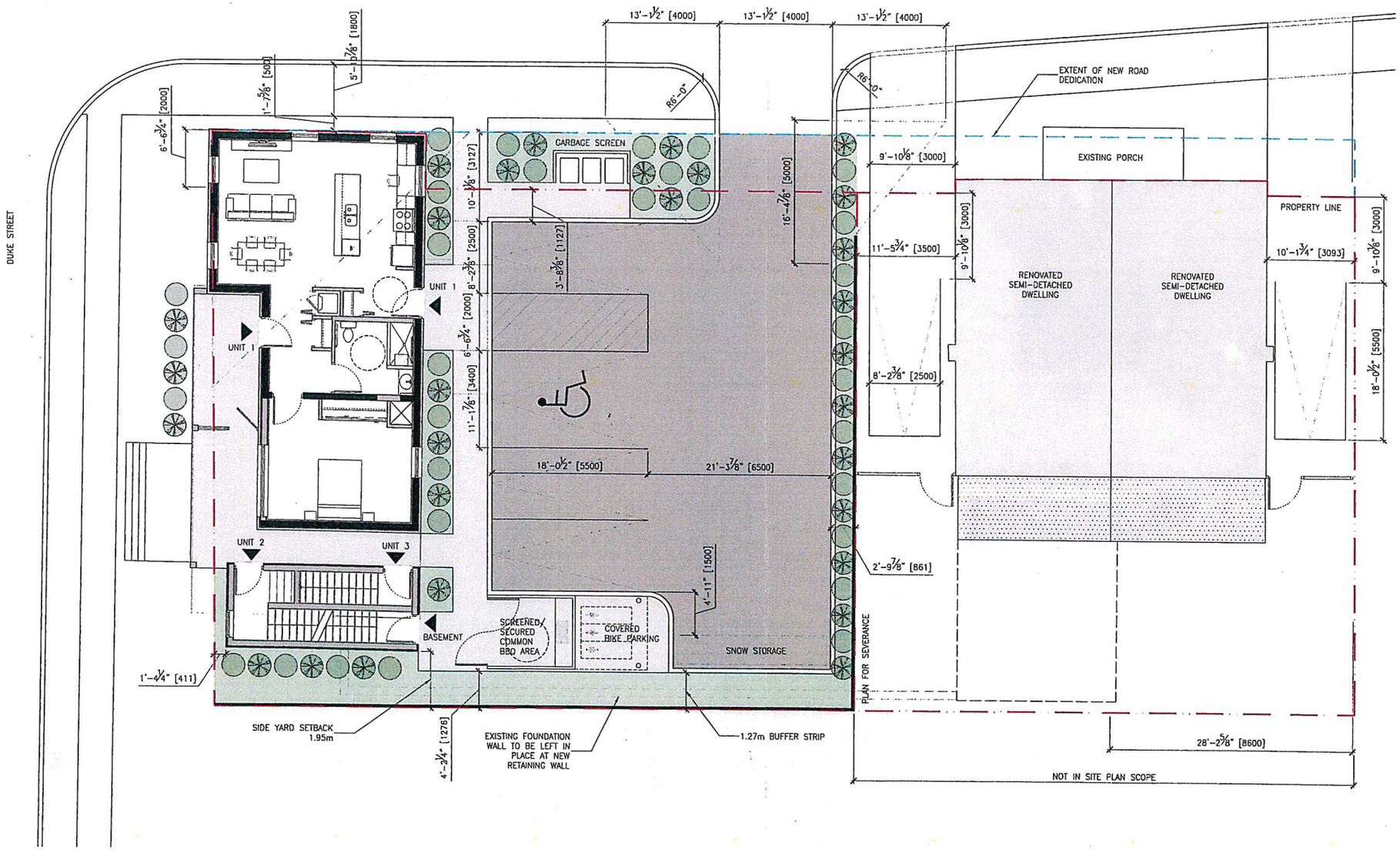
BSR&D ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS
A wholly owned subsidiary of J.D. Barnes Ltd.
SURVEYING MAPPING GIS

257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DRAWN BY:	CHECKED BY:	REFERENCE NO.:
DM		18-14-807

FILE: G:\18-14-807 (Coldpoint)\00\Drawing\18-14-807 CONSENT.dgn DATED: MAY 9, 2019

PLOTTED: 5/9/2019



CONCEPT SITE PLAN 3/16" = 1'-0" (1 A1.1)

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

PROJECT NORTH | ACTUAL NORTH

PRELIMINARY

CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPENCIES IMMEDIATELY TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF THE ARCHITECT AS INSTRUMENTS OF HIS SERVICE AND MUST BE RETURNED AT HIS REQUEST.

DO NOT SCALE DRAWINGS.

NO.	DATE	ISSUED FOR
01	10-JAN-2019	REVIEW
02	15-JAN-2019	REVIEW
03	25-JAN-2019	REVIEW
04	29-JAN-2019	SPA PRE-CONSULTATION
05	15-FEB-2019	REVIEW
06	02-MAY-2019	SEVERANCE

ELIZABETH & DUKE

ELIZABETH ST
GUELPH, ON

SITE PLAN

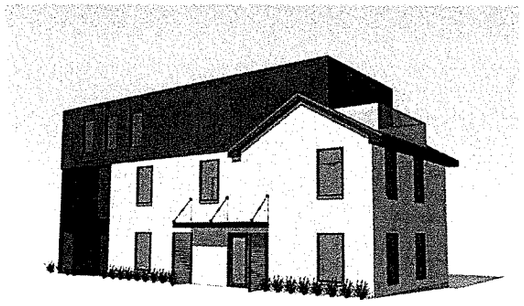
DATE:	2-May-2019
SCALE:	AS NOTED
DRAWN BY:	MC
CHECKED BY:	LAG
STATUS:	---
JOB NO:	1836
FILE:	---
FOLDER:	---

A1.1

New third floor addition, stair tower, and balcony structure

Repaired and/or reconstructed then painted, 19th Century two storey masonry structure

From Duke/Elizabeth



From Elizabeth / Parking Area Side

Duke Street Views

2525271 Ontario Inc.
9 Elizabeth Street, Guelph

Preliminary 3D Views

January 30, 2019
Grinham Architects Inc.

Staff Report

To	**Committee of Adjustment**
Service Area	Corporate Services
Date	Thursday, June 27, 2019
Subject	**Committee of Adjustment Hearing Procedures**

Recommendation

1. That the existing Committee of Adjustment Hearing Procedures, included as Attachment-1, be repealed.
2. That the Committee of Adjustment Hearing procedures, included as Attachment-2, dated June 27, 2019, be approved.

Executive Summary

Purpose of Report

To approve Committee of Adjustment (the Committee) Hearing Procedures (the Procedures) in accordance with section 238 (2) of the Municipal Act.

Key Findings

The current Procedures have not been updated since 2009 and are comprised of one-time directions provided by the Committee from time-to-time over a period of several years. The practice of adding specific clauses to the Procedures on a case-by-case basis has resulted in disparate and occasionally contradictory clauses that don't align with the procedures used by other City of Guelph committees.

The proposed Committee Procedures include updates to ensure consistency with applicable legislation, City Council's Procedural By-law and best practices.

Financial Implications

None.

Report

Background

Section 238 (2) of the Municipal Act requires that the Committee pass procedures to govern the calling, place and proceedings of meetings. The purpose of this report is to fulfill the requirements of Section 238 (2) of the Municipal Act.

City of Guelph Procedural By-law and Committee of Adjustment Hearing Procedures

The proposed Committee Procedures (included as Attachment-2) establish the City of Guelph Procedural By-law as the primary procedural document for the Committee in all cases and situations which are not covered explicitly by the

Committee Procedures. The Committee Chair, in consultation with the Secretary-Treasurer, has the authority to interpret the Procedural By-law and apply any modifications they deem necessary for the smooth functioning of Committee hearings. In all cases and situations which are covered by the Committee Procedures, the Procedural By-law does not apply.

In practice, this means customary procedural rules regarding moving and seconding motions, decorum, disclosure of pecuniary interest, etc. are applied to the Committee as presented in the Procedural By-law while Committee specific procedures are included in the Committee Procedures.

Ensuring that the meeting procedures for Guelph's local agencies, boards, committees and commissions (ABCs) are consistent with one another helps maintain transparency and confidence in the decision making process. For this reason, the Procedural By-law is applied to all of Guelph's many ABCs.

Changes Resulting from the Proposed Committee of Adjustment Hearing Procedures

The following is a brief summary of the specific procedural changes codified by the proposed Committee Procedures:

- Section 4.11 (d) of the Procedural By-law stipulates that the failure to vote by a member who is otherwise qualified to vote shall be deemed a vote in the negative. This section effectively prohibits any member, including the Chair, from abstaining to vote. If a member chooses not to vote it is recorded as a negative vote. This is consistent with the practice of City Council and Section 246 (1) and (2) of the Municipal Act.

Financial Implications

None.

Attachments

Attachment-1 Current Committee of Adjustment Hearing Procedures

Attachment-2 Proposed Committee of Adjustment Hearing Procedures

Report Author

Dylan McMahon, Manager, Legislative Services / Deputy City Clerk

THE COMMITTEE OF ADJUSTMENT OF THE CORPORATION OF THE CITY OF GUELPH

To provide rules governing the procedures of the Committee of Adjustment of the City of Guelph.

WHEREAS it is necessary and expedient that there should be rules governing the order and procedures of the Committee of Adjustment;

AND WHEREAS it is a requirement under the Municipal Act and the accompanying regulations that each local board shall adopt a Procedural By-law;

AND WHEREAS, this By-law will be known as the "Committee of Adjustment Procedural By-law";

THEREFORE, the Committee of Adjustment adopts the following:

1. CALLING OF MEETINGS

1.1 All meetings and proceedings of the Committee of Adjustment for the City of Guelph will be conducted in public.

1.2 AMENDED Nov. 27, 2001 Nov. 10, 2009 The Committee of Adjustment shall meet at 3:30 p.m. on the second Tuesday of each month, and if more than 9 applications are being heard on the first Tuesday of the month, members and staff shall attend the second scheduled meeting on the fourth Tuesday of each month, if required, with meetings to be held at City Hall, except as hereinafter provided:

a) unless another time is ordered by the Secretary-Treasurer;
b) unless another location is ordered by the Secretary-Treasurer;
c) unless such Tuesday is a public holiday in which case the next following day, not being a public holiday;
d) unless the Secretary-Treasurer has scheduled a Special Meeting.

2. APPOINTMENTS

2.1 The members of the Committee of Adjustment who are not members of City Council shall hold office for the term of the Council that appointed them, or until their successors are appointed.

2.1.a Nov. 10, 2009 The Chair of the Committee of Adjustment shall be limited to serve as Chair for a maximum of 4 successive years.

2.1b Nov. 10, 2009 The limit on length of service for any resident is 8 consecutive years.

2.2 The members of the Committee of Adjustment who are members of City Council shall be appointed annually.

2.3 Three members of the Committee of Adjustment will constitute a quorum. If a member of the Committee declares a conflict of interest on any matter, it does not affect the composition of the quorum. Two votes are required as a minimum to make a decision on any application.

2.4 The Committee of Adjustment shall annually elect a Chair and a Vice-Chair. The Vice-Chair shall preside in the absence of the Chair.

2.5 The Committee of Adjustment shall appoint a Secretary-Treasurer who will keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee.

2.6 AMENDED Nov. 27, 2001 That the Secretary-Treasurer of the Committee of Adjustment be non-aligned, autonomous and responsible to the Committee of Adjustment and that Kim

Fairfull, or her successor, pursuant to the provisions of the Planning Act, R.S.O. 1990, Chapter P13, as amended, Section 44(8) being the Secretary-Treasurer of the Committee of Adjustment for the City of Guelph, be responsible for the administration of the Official Business, staff, budget, applications, decisions, records, appeals and any other matters related to the operation of the Committee of Adjustment for the City of Guelph.

2.7 The Committee of Adjustment shall appoint an Acting Secretary-Treasurer to act in the absence of the Secretary-Treasurer.

3. MINUTES

3.1 The minutes of every meeting shall be recorded and shall be submitted for confirmation at the next following meeting.

3.2 Following the opening of the meeting and disclosure of possible pecuniary interest arising out of minutes or matters listed on the agenda, the Committee of Adjustment shall confirm, with or without amendments, the minutes of the previous meeting. It shall not be necessary to have the minutes read where copies thereof have been furnished to the members of the Committee of Adjustment.

4. RULES OF ORDER

4.1 AMENDED NOV. 27, 2001 Members of the Committee of Adjustment, subsequent to declaring a pecuniary interest with respect to an application being considered, shall leave the room in which the consideration of the application is conducted, being recalled by the Secretary-Treasurer or a member of staff at the time of the consideration of the next application.

4.2 AMENDED Nov. 27, 2001 That it be the policy of the Committee of Adjustment that applicants be limited to a maximum of 10 minutes for the presentation of an application and that a maximum of 10 minutes be provided for any rebuttal and that a maximum of two minutes be provided for the summary of an application.

4.3 The time allotted in Section 4.2 can be extended, provided that a majority vote of the Committee of Adjustment allows for the time to be extended.

4.4 AMENDED Nov. 27, 2001 That it be the policy of the Committee of Adjustment that any person requesting deferral of an application, appear before the Committee in their scheduled time slot, or a decision can be made in their absence.

4.5 PASSED NOV. 27, 2001 The decision of the Committee of Adjustment for an application for Change or Extension of Legal Non-Conforming Use or Minor Variance must be made by the majority of the members of the Committee of Adjustment present. If the members of the Committee fail to reach a majority vote on a motion, the Committee may reserve their decision, defer until full Committee attendance is achieved or consider another motion on the floor for discussion.

4.6 For an application submitted under Section 53 of the Planning Act R.S.0, 1990, Chapter P13, as amended, that Roberts Rules of Order, Newly Revised, apply for tie votes and as such, the application is lost and refused.

4.7 PASSED NOV. 27, 2001 The Chair shall not be required to vote unless there is a tie.

4.8 In all unprovided cases in the proceedings of the Committee of Adjustment, parliamentary procedures shall be followed, as used by the Corporation of the City of Guelph, the Ontario Legislature and failing that, Roberts Rules of Order, Newly Revised.

4.9 PASSED JAN. 13, 2004 Members of the City of Guelph's Committee of Adjustment have a duty to conduct themselves in an impartial and objective manner and in accordance with the principles of natural justice. It is understood that members of the Committee will perform their duties in such a way as to promote public confidence and trust in the integrity, objectivity and impartiality of the Committee. All members are

required to comply with the requirements of the Municipal Conflict of Interest Act, including disclosure of any pecuniary interest in a matter before the Committee and to abstain from voting or participating in the discussion of the matter which gave rise to the conflict. In addition, all members shall decide each application fairly and objectively and without bias.

None of the provisions herein are intended to supercede any requirements of the Planning Act, the Statutory Powers Procedure Act, the Municipal Act or any other applicable law and in the event of a conflict, the applicable law shall apply.

Original Procedure Rules adopted by Committee of Adjustment on the 9th day of May, 1995.
Amended by the Committee of Adjustment on the 27th day of November, 2001.
Adopted as consolidated by the Committee of Adjustment on the 26th day of February, 2002.
Amended by Committee of Adjustment on January 13th, 2004.
Amended by Committee of Adjustment on November 10, 2009.

_____
Chair

_____ _____

_____ _____

_____ _____

CORPORATE POLICY AND PROCEDURE

POLICY	**Committee of Adjustment Hearing Procedures**
CATEGORY	Departmental
AUTHORITY	City Clerk's Office
RELATED POLICIES	The Procedural By-law
APPROVED BY	Committee of Adjustment
EFFECTIVE DATE	June 27, 2019
REVISION DATE	N/A

1. Definitions

'Committee' means the City of Guelph Committee of Adjustment.

'Chair' means the individual acting as the chair of the Committee at any given Committee hearing.

'Hearing' means any hearing of the Committee of Adjustment.

'Secretary-Treasurer' means the Secretary-Treasurer of the City of Guelph Committee of Adjustment, or his or her designate.

2. Calling of Hearings

2.1. The Committee shall meet at 4:00 p.m. on the second Thursday of every month and at 4:00 p.m. on the fourth Thursday of every month, if required, or as determined by the Secretary-Treasurer.

2.2. Committee hearings will be held at Guelph City Hall unless otherwise ordered by the Secretary-Treasurer.

2.3. In consultation with the chair, the Secretary-Treasurer may cancel or reschedule a hearing.

3. Appointments

3.1. Appointments to the Committee will be made in accordance with the City of Guelph Public Appointments Policy.

3.2. The Committee will elect a chair and vice chair at the first hearing of every year.

3.3. The Committee will appoint a Secretary-Treasurer and Deputy Secretary-Treasurer as required based on a recommendation from the City Clerk.

4. Minutes

4.1. The minutes of every hearing shall be recorded by the Secretary-Treasurer and submitted for adoption at the next Committee hearing.

4.2. When the minutes have been adopted, the chair and Secretary-Treasurer shall sign them.

5. Rules of Order

5.1. The Committee will, where any cases arise that are not covered by these procedures, be governed by the Procedural By-law of Guelph City Council with necessary modifications as judged by the chair in consultation with the Secretary-Treasurer.

5.2. Three members of the Committee will constitute quorum as per the Planning Act.

5.3. Applicants and public delegations shall have a maximum of ten minutes for which to speak regarding an application.

5.4. In accordance with the Planning Act, all decisions of the Committee must be made by the majority of the members present at a hearing. If the members of the Committee fail to reach a majority vote, the Committee may defer the motion to a future Committee hearing or consider another motion.

5.5. The sections of the Procedural By-law relating to reconsiderations and notices of motion do not apply to the Committee.

6. Order of Business

6.1. The Secretary-Treasurer, in consultation with the chair, shall have discretion to prepare an agenda containing the following:

- Disclosure of pecuniary interest and general nature thereof
- Approval of minutes
- Requests for withdrawal or deferral of applications
- Current applications
- Requests for refunds and fee waivers
- Staff announcements

6.2 The Committee may consider each application in the order in which it appears on the agenda, or may change the order at the chair's discretion.