

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-92/19
Location: 7 June Avenue
Hearing Date: November 14, 2019
Owner: Leslie Kuenzig
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Residential Semi-Detached/Duplex (R.2)

Request: The applicant is seeking relief from the By-Law requirements to permit the existing shed to have a left side yard setback of 0.22 metres.

By-Law Requirements: The By-Law requires that an accessory building or structure is not located within 0.6 metres of any lot line.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the existing accessory structure (shed) remain in the location and size as shown on the Public Notice sketch.

Engineering Services

2. The Owner(s) agrees to install eaves and downspout on the existing shed to ensure no rainwater from the shed impacts the adjacent property. The rainwater from the shed must discharge to the rear yard of the subject property.
-

Comments:

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the City and permits a range of housing types including single and semi-detached residential dwellings. The requested variance to permit an

existing shed with a reduced side yard setback, accessory to the residential dwelling, does not conflict with the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Semi-Detached/Duplex" (R2), according to Zoning By-law (1995)-14864, as amended, which permits a semi-detached dwelling. An accessory building or structure is permitted within the zone, subject to meeting the requirements of Section 4.5, Accessory Buildings or Structures, of the Zoning By-law. Section 4.5 regulates that accessory buildings or structures may occupy a rear yard or interior side yard on a lot provided that not more than 30% of the yard is occupied and is not located within 0.6 metres of any lot line. The total ground floor area of all accessory buildings or structures shall not exceed 70 square metres. The applicant is proposing to permit a 0.22 metre side yard setback for an existing shed located in the rear yard.

The general intent and purpose of the Zoning By-Law in requiring a 0.6 metre interior side yard and rear yard setback for accessory buildings and structures is to provide adequate separation from buildings on adjacent properties, to provide access along the yard and to allow for proper lot grading and drainage. The existing shed with a 0.22 metre setback has been reviewed by engineering by way of a site visit who found that there are no designated swales that have been blocked. Planning staff note that the applicant's sketch indicates the shed setback to the fence is 0.2159 metres. The survey shows there is an additional 0.1 metre of land past the fence to the property line. Reducing the required side yard setback to 0.22 metres for the existing shed is considered minimal and within the general intent of the Zoning By-law as there will be no impact on the adjacent residential property.

The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the development of the land and is considered to be minor in nature.

Planning staff recommend approval of the application subject to the above noted condition.

Engineering Services

Engineering staff conducted a site visit in June and advised the homeowner to install eaves and downspout to prevent future drainage problems.

Engineering has no concerns with request of seeking relief from the By-law requirements to permit the existing shed to have a left side yard setback of 0.22 metres, subject to the above noted condition being imposed.

We agree with recommendations made by Planning and Building staff.

Building Services

This property is located in the Residential Semi-Detached/Duplex (R.2) Zone. The applicant is seeking relief from the By-Law requirements to permit an existing shed (with a floor area of 4.46 square meters) to have a left side yard setback of 0.22 metres.

Providing that the conditions recommended by Engineering Staff are imposed, Building Services does not object to this application.

Comments from the Public

Yes (see attached)

Contact Information

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

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa

Facsimile: 519-763-1269

9 June Avenue
Guelph, Ontario N1H1H5
October 30, 2019.

Guelph City Hall,
1 Carden St.

Guelph, Ontario. N1H 3A1

Application A-92/19
Number

re: 7 June Avenue
Guelph, Ontario

RECEIVED
NOV 05 2019
CITY CLERK'S OFFICE

To whom it may concern at the Committee of
Adjustment and others.

The applicant is proposing to maintain an
existing shed adjacent to the left lot line
with a floor area of 4.46 square metres in the
rear yard of the property.

The applicant is seeking relief from the By-Law
requirements to permit the existing shed to
have a left side yard setback of 0.22 metres

I am Mrs. Holly Middleton of 9 June Ave.
I am grateful to have such a wonderful
neighbour living at 7 June Ave. I am acquainted
with her shed. I was invited over for the
evening when the shed was first built.

My neighbour is responsible, co-operative, kind and friendly. My neighbour took on the responsibility of building an attractive, high quality, wooden fence to separate the two backyards and for the security of her dog.

My neighbour consulted with me and wanted to know how I felt about her vision of the fence.

My neighbour wanted to make sure I was ok with the fence because she wanted me to be happy with it. My neighbour insisted on paying the full cost of the fence.

Regarding our shared chimney, which needed repair of bricks that were broken and chipped near the top; my neighbour insisted on taking on the responsibility herself. She brought in an expert who did an impressive job. She insisted on paying for the chimney repairs herself.

My neighbour at 7th Avenue is herself an exemplary neighbour. She deserves to be allowed the peaceful enjoyment of her own backyard. She deserves to be allowed to maintain the existing shed adjacent to the left lot line with a floor area of 4.46 meter.

She deserves the City of Kuelph to permit the existing shed to have a left side yard setback of 0.22 metres.

Respectfully Yours,

Mrs. Holly Middleton

9 Tume Avenue
Kuelph.

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-93/19
Location: 10 Eleanor Court
Hearing Date: November 14, 2019
Owner: Emily Jantzi
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B)

Request: The applicant is seeking relief from the By-Law requirements to permit an accessory apartment size of 98.2 square metres, or 41.2 percent of the total floor area of the dwelling.

By-Law Requirements: The By-Law requires that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

Staff Recommendation

Approval

Recommended Conditions

None

Comments:

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single detached residential dwellings with accessory apartments. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits a single detached dwelling. An accessory apartment is also a permitted use in the R.1B zone, subject to meeting the requirements of Section 4.15.1 of the Zoning By-law. Section 4.15.1.5 requires that accessory apartments not exceed 45 percent of the total

floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser. The applicant is requesting to permit an existing accessory apartment with an area of 98.2 square metres in the basement of the existing single detached dwelling. The accessory apartment of that size occupies 41.2 percent of the total floor area of the one-storey single detached dwelling.

The general intent and purpose of the Zoning By-law in limiting the floor area of an accessory apartment is to ensure that the unit is clearly subordinate and accessory to the primary use and to maintain the appearance of the built form, which in this case is a single detached dwelling. The proposed accessory apartment represents 41.2 percent of the total floor area of the dwelling (including the basement). Based on floor plans submitted by the applicant, the apartment contains two bedrooms, is interconnected to and is smaller than the host dwelling. Planning staff are of the opinion that the accessory apartment is subordinate to the host dwelling unit in size.

The requested variance for accessory apartment size is considered desirable and minor in nature as the accessory dwelling unit is wholly contained within the dwelling and does not exceed 45 percent of the total floor area of the building.

Planning staff recommend approval of the requested variance to permit an accessory apartment size of 98.2 square metres.

Engineering Services

Engineering has no concerns with request of seeking relief from the By-law requirements to permit an accessory apartment size of 98.2 square metres, or 41.2 percent of the total floor area of the dwelling.

We agree with recommendations made by Planning and Building staff.

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to maintain an existing accessory apartment with an area of 98.2 square metres in the basement of the existing single detached dwelling. A variance from 4.15.1.5 of the Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this variance request to permit an accessory apartment with an area of 98.2 square metres in lieu of the permitted 80 square metres. The intent of the regulation is to keep the accessory unit subordinate to the main unit. It has been indicated that proposed accessory apartment will make up 41.2 percent of the total floor area. The accessory apartment does appear to remain subordinate to the host dwelling and in compliance with the secondary size check (which does not permit the accessory apartment to exceed 45 percent of the total floor area of the building).

A building permit has been applied for and is pending this decision.

Comments from the Public

None

Contact Information

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

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Facsimile: 519-763-1269

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-94/19

Location: Phase 1, Lot 21 – Everton Drive (Subdivision currently known as 55 and 75 Cityview Drive North)

Hearing Date: November 14, 2019

Owner: Debrob Investments Ltd.

Agent: Phil Ha, Fusion Homes

Official Plan Designation: Low Density Greenfield Residential

Zoning: Specialized Residential Single Detached (R.1C-27)

Request: The applicant is seeking relief from the By-Law requirements to permit the required parking space to be 0.8 metres from the street line and to the front of the front wall of the proposed dwelling.

By-Law Requirements: 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.

Staff Recommendation

Approval with Condition

Recommended Conditions

Planning Services

1. That the Owner enters into an Agreement registered on title of the property prior to the issuance of a building permit, requiring the temporary sales office at Phase 1, Lot 21, Everton Drive, Draft Plan Approved subdivision file 23T12501, be removed from within the garage and the garage restored to accommodate a 3 metre by 6 metre parking space for the dwelling prior to the transfer of lease/title to a subsequent owner(s) or within 3 years of the issuance of a building permit, whichever occurs first.
-

Comments

Planning Services

The subject property is designated "Low Density Greenfield Residential" in the Official

Plan. The requested variance does not conflict with policies of the Official Plan and is therefore be considered to meet the intent and purpose of the Official Plan.

The subject property is zoned "Specialized Residential Single Detached" (R.1C-27) according to Zoning By-law (1995)-14864, as amended. The subject property is a lot on a draft approved, soon to be registered plan. The variance requested is for the required parking space to be located 0.8 metres from the street line and to the front of the front wall of the main building, whereas section 4.13.2.1 of the Zoning 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. The intent of this provision is to ensure the streetscape is not dominated by parking spaces and garages. The applicant is seeking relief from the By-law requirements allow the garage (legal parking space) to be used as a temporary sales office. Given that the sales office will eventually be closed and the model home will be sold and used for the intended purpose of a single detached residential dwelling, the variance can be considered to meet the general intent and purpose of the Zoning By-law, is desirable for the appropriate development of the land and is considered to be minor in nature.

Planning staff are recommending that the Owner enters into an Agreement registered on title, to ensure that the sales office in the garage is for a temporary period of time. Staff are recommending approval for 3 years. If the builder requires more time after the 3 year period, they have the option to apply for another variance application. A 3 year period will also allow time to evaluate the variance and ensure that there are no adverse impacts on the neighbouring properties.

The requested variance conforms to the general intent and purpose of the Official Plan and Zoning By-law, is considered to be desirable for the appropriate development of the lands and is considered to be minor in nature. Staff therefore recommend approval of the variance subject to the above noted condition.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit the required parking space to be 0.8 metres from the street line and to the front of the front wall of the proposed dwelling.

We agree with recommendations made by Planning and Building staff.

Building Services

This property is located in the Specialized Residential Single Detached (R.1C-27) Zone. The applicant is also proposing to temporarily use the garage of a proposed dwelling as sales office space. As a result, the applicant is requesting that the legal parking space be permitted to be located in the driveway rather than inside the garage. A variance from 4.13.2.1 of the Zoning By-law (1995)-14864, as amended, is being requested to accommodate this request.

Providing that the condition recommended by Planning Services is imposed, Building Services does not object to this application.

Grand River Conservation Authority (GRCA)

The Grand River Conservation Authority (GRCA) has no objection to the minor variance application. See attached report.

Comments from the Public

None

Contact Information

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

519-822-1260 Extension 2524 cofa@guelph.ca

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400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

PLAN REVIEW REPORT:

City of Guelph, Committee of Adjustment

Juan da Silva, Council and Committee Assistant

DATE: November 6, 2019

YOUR FILE:

A-94/19

RE:

Application for Minor Variance A-94/19

Phase 1, Lot 21, Everton Drive (Cityview Drive)

Robert Saroli

GRCA COMMENT:

The Grand River Conservation Authority (GRCA) has no objection to the minor variance application.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property (Phase 1, Lot 21) contains the regulated allowance to the Provincially Significant Clyde Creek Wetland complex.

2. Legislative/Policy Requirements and Implications:

Any future development within the regulated area on the property will require prior written approval from the GRCA in the form of a permit pursuant to Ontario Regulation 150/06. The permit process involves the submission of a permit application to our office, the review of the application by Authority staff and the subsequent approval/refusal of the permit application by the GRCA.

3. Additional Information/Suggestions provided in an advisory capacity:

A "minor" minor variance application review fee is required for our review of this application. With a copy of this letter, the applicant will be invoiced in the amount of \$270.00.

We trust the above information is of assistance. Should you have any further questions, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "Ashley Rye".

Ashley Rye
Resource Planner

Enclosed (1)

cc. Robert Saroli, 85 Parkshore Drive, Brampton, L6T 5M1
Phil Ha, Fusion Homes, 500 Hanlon Creek Blvd, Guelph, Ontario N1C 0A1 (email)

**** These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.***



Grand River Conservation Authority

Date: Nov 06, 2019

Author: AR

A-94/19, Phase 1, Lot 21-
Everton Drive



Legend

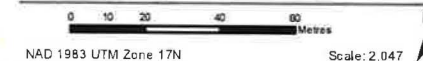
- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



Map Centre (UTM NAD83 z17): 563,388,41 4,823,953,20

This map is not to be used for navigation | 2015 Ortho (ON)

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-95/19
Location: 169 Gosling Gardens
Hearing Date: November 14, 2019
Owner: Lakhvir Johal and Sukhwinder Johal
Agent: Jeff Buisman, Van Harten Surveying Inc.
Official Plan Designation: Low Density Residential
Zoning: Specialized Residential Single Detached (R.1C-10)

Request: The applicant is seeking relief from the By-Law requirements to permit the exterior stairs to have a setback of 0.16 metres from the right side lot line.

By-Law Requirements: The By-Law requires that exterior stairs have a minimum side yard setback of 0.6 metres from the lot line.

Staff Recommendation

Deferral

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single detached residential dwellings with accessory apartments. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Specialized Residential Single Detached" (R.1C-10) according to Zoning By-law (1995)-14864, as amended. The applicant is proposing to construct exterior stairs to the right (north) side of the dwelling to provide separate access to the proposed accessory apartment in the basement. Table 4.7, Row 12 requires exterior stairs to be setback a minimum of 0.6 metres from the side lot line. The general intent and purpose of maintaining side yard setbacks is to ensure that there is an appropriate separation between the building and property lot line, to accommodate appropriate side/rear yard access, and for drainage if required.

Building staff have identified there are additional variances required for existing conditions on the property. It is recommended that the applicant arrange a meeting with Planning, Engineering and Building staff to discuss the existing and proposed construction and alternative designs for the proposal.

Planning staff agree with Engineering's comments and recommend that the application be deferred.

Engineering Services

Engineering received a letter from the Van Harten Surveying Inc. dated September 5th, 2019 to ensure that there will be no adverse impact on the adjacent property due to the construction of the proposed stairs. We conducted a site visit on November 6, 2019 and it was discovered that the property requires additional variances.

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit the exterior stairs to have a setback of 0.16 metres from the right side lot line. However, we support Building and Planning staff for the recommendation of deferral.

Building Services

The property is located in the Specialized Residential Single Detached (R.1C-10) Zone.

The applicant is proposing to construct a set of exterior stairs onto the right side of the property to create a separate access for an existing accessory apartment located in the basement of the existing dwelling. A variance from Table 4.7 Row 12 of the Zoning By-law (1995)-14864, as amended, is being requested.

Upon review of this application, it has been determined that additional variances on this property are required, including a variance for the walkway in the front yard leading to the steps. Additionally, there is existing decking and stairs which are not shown on the application which may also require a variance. For the benefit of the Applicant, we are recommending deferral of this application to provide the applicant with opportunity to meet with staff and potentially amend this application.

Comments from the Public

None

Contact Information

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

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa

Facsimile: 519-763-1269



LAND SURVEYORS and ENGINEERS

September 5, 2019

27387-19

jeff.busiman@vanharten.com

Lakhvir Johal
169 Gosling Gardens
Guelph, ON
N1G 5E6

Dear Sir:

**Re: Proposed Exterior Stairwell—Initial Review
Lot 108 (169 Gosling Gardens)
Registered Plan 61M-39
City of Guelph**

We recently reviewed the lot grading on your property regarding the exterior stairwell that you hope to install in the north-western side yard of your property. The location of the proposed stairwell and the approximate elevation of your basement floor relative to the elevation of the grade adjacent to the house will accommodate steps ascending to the grade toward the front of the property. The existing drainage pattern incorporates sheet drainage from the side yard into a swale located parallel to the subject lot. This swale conveys the drainage to a catch basin downstream. The construction of the proposed stairwell is not expected to have any adverse effect on this historic approved drainage pattern or on the drainage of the adjacent lots.

Our review leads us to believe that the lot grading and drainage pattern on your property can accommodate the exterior stairwell that you propose to install in the side yard of your property.

Very truly yours,
Van Harten Surveying Inc.

Jeffrey E. Buisman B.E.S., B.Sc.
Ontario Land Surveyor

71 Weber Street East
Kitchener, ON N2H 1C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: B-14/19
Location: 43 Arthur Street South
Hearing Date: November 14, 2019
Deferred from October 10, 2019 hearing
Owner: 43 Arthur Street LP
Agent: Matthew Robson, Robson Development Consulting
Official Plan Designation: Mixed Use 1/Residential 2
Zoning: Specialized High Density Apartment (R.4B-15.6(H))

Request: The applicant proposes to create a 382 square metre easement (Parts 1 and 2) over a portion of 43 Arthur Street South to provide access and use of a barrier-free parking space in favour of 53, 63 and 73 Arthur Street South.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Committee of Adjustment Administration

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

4. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
-

Comments

Planning Services

The subject property is predominantly designated as 'Mixed Use 1' with a small portion designated as 'Residential 2' within the Downtown Secondary Plan. In addition to the standard policies of these land use designations, the Downtown Secondary Plan contains specific policies for the subject property. The subject lands are Zoned R.4B-15.6 (Specialized High Density Apartment).

The subject lands contain a commercial building with a surface parking lot. The commercial building is a part of the larger 'Metalworks' mixed use development. The 'Metalworks' development contains a high density residential component on the adjacent lands at 53, 63 and 73 Arthur Street. The surface parking lot for the subject lands contains four (4) accessible parking spaces. Only two (2) accessible parking spaces are required for the commercial development. One (1) of the accessible parking spaces is to be exclusively for the residential buildings on the adjacent properties of the Metalworks development. The applicant has requested an easement specifically for the use and access to one of the accessible parking spaces closest to the adjacent lands.

Staff are satisfied that the applications meet the Consent policies of the Official Plan and the criteria set out in Section 51(24) of the Planning Act. Planning staff further note that use of the one (1) accessible parking space on the subject lands is required to meet the minimum requirements for the adjacent lands. The proposed easement will tie the access to and use of this accessible parking space to the neighbouring property.

Planning staff recommend approval of the application.

Engineering Services

The applicant proposes to create a 163 square metre easement over a portion of 43 Arthur Street South to provide access and use of a barrier-free parking space in favour of 53, 63 and 73 Arthur Street South. Engineering review was completed during the site plan application process. Therefore, we have no concerns with the requested easements.

We agree with recommendations made by Planning and Building staff.

Building Services

This property is located in the Specialized Residential High Density Apartment (R.4B-15.6(H)) Zone. The applicant is proposing to create an easement over a portion of an existing drive aisle and barrier-free parking space located at 43 Arthur Street South in favour of the abutting lands known as 53, 63, and 73 Arthur Street

South. The subject property currently has a surplus of barrier-free parking spaces on site.

Building Services does not object to this application to create a 163 square metre easement over a portion of 43 Arthur Street South to provide access and use of a barrier-free parking space in favour of 53, 63 and 73 Arthur Street South.

Grand River Conservation Authority (GRCA)

The Grand River Conservation Authority (GRCA) does not object to the consent application to create an easement intended to provide access and use of a barrier-free parking space for adjacent lands. See attached report.

Comments from the Public

None

Contact Information

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

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Facsimile: 519-763-1269



PLAN REVIEW REPORT TO: City of Guelph, Committee of Adjustment
Trista Di Lullo, Secretary-Treasurer

DATE: October 2, 2019

YOUR FILE: B-14/19

RE: REVISED- 43 Arthur Street South, City of Guelph

GRCA COMMENT:

The Grand River Conservation Authority (GRCA) does not object to the consent application to create an easement intended to provide access and use of a barrier-free parking space for adjacent lands.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject property is within the floodplain of the Speed River.

2. Legislative/Policy Requirements and Implications:

The subject property is entirely within the regulatory floodplain of the Speed River. A portion of the floodplain on the property is within the defined floodway, and the remainder of the property is within the Guelph Special Policy Area. The proposed easement is through the Special Policy Area and no impacts to the floodplain are expected to result from this easement.

Due to the presence of the floodplain, the property is regulated by the GRCA under Ontario Regulation 150/06 - *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation*. Any future development or other alteration on the subject lands will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06.

3. Additional Information/Suggestions provided in an advisory capacity:

We wish to acknowledge receipt of the application plan review fee in the amount of \$380.00 for the previous consent application B-1/16.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2238.

Yours truly,

A handwritten signature in black ink, appearing to read "Ashley Rye", is written over a horizontal line.

Ashley Rye
Resource Planner
Grand River Conservation Authority

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

Encl. (1)

cc. 43 Arthur Street LP, 500 Hanlon Creek Blvd, Guelph Ontario, N1C 0A1
Matthew Robson, Robson Development Consulting, 435 East Ave, Kitchener, ON N2H 1Z7 (Sent via email,
matthew@robsonland.com)