



**COMMITTEE OF ADJUSTMENT
MINUTES**

The Committee of Adjustment for the City of Guelph held its Regular Meeting on Thursday December 8, 2016 at 4:00 p.m. in Council Chambers, City Hall, with the following members present:

B. Birdsell, Chair
K. Ash, Vice Chair
M. Bosch
S. Dykstra
L. Janis
D. Kendrick
P. Ross

Staff Present: D. McMahon, Acting Secretary-Treasurer
L. Cline, Council Committee Assistant
M. Witmer, Planner
R. DalBello, Planner
G. Van den Berg, Council Committee Coordinator

Disclosure of Pecuniary Interest and General Nature Thereof

Member B. Birdsell declared a conflict of interest regarding application A-100/16 for 85 Mullin Drive as he has performed services regarding the file.

Approval of Minutes

Moved by M. Bosch
Seconded by L. Janis

THAT the Minutes from the November 8, 2016 Regular Meeting of the Committee of Adjustment, be approved as circulated.

CARRIED

Requests for Withdrawal or Deferral

Application: A-99/16
Owner: Glynis Logue
Agent: N/A
Location: 187-191 Paisley Road
In Attendance: N/A

Council Committee Assistant L. Cline noted that the applicant had indicated they were in agreement with the staff recommendation for deferral and wouldn't be attending today's hearing.

Moved by D. Kendrick
Seconded by S. Dykstra

THAT Application A-99/16 for 187-191 Paisley Road, be deferred sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral application fee be paid prior to reconsideration of the application.

REASONS:

This application is deferred to allow the applicant to meet with staff to review comments and provide additional information.

CARRIED

Application: A-101/16
Owner: TSMA Southgate Inc.
Agent: Nancy Shoemaker, Black, Shoemaker, Robinson and Donaldson Ltd.
Location: 340 Southgate Drive
In Attendance: Michael Smith

Council Committee Assistant L. Cline noted that the applicant had indicated they were in agreement with the staff recommendation for deferral and wouldn't be attending today's hearing.

Moved by D. Kendrick
Seconded by S. Dykstra

THAT Application A-101/16 for 340 Southgate Drive, be deferred sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral application fee be paid prior to reconsideration of the application.

REASONS:

This application is deferred to allow the applicant to meet with staff to review comments and provide additional information.

CARRIED

Application: **A-98/16**
Owner: **Barbara Main**
Agent: **N/A**
Location: **868 York Road**
In Attendance: **Barbara Main**

Ms. B. Main, owner, requested deferral of the subject application.

Moved by D. Kendrick
Seconded by K. Ash

THAT Application A-98/16 for 868 York Road, be deferred sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral application fee be paid prior to reconsideration of the application.

REASONS:

This application is deferred to allow the applicant to meet with staff to review comments and provide additional information.

CARRIED

Current Applications

Application: **B-25/16**
Owner: **Terra View Riverside Ltd.**
Agent: **Tracy Lesperance, Van Harten Surveying Inc.**
Location: **68 York Road**
In Attendance: **Tracy Lesperance**

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Council Committee Assistant L. Cline indicated that the sign was not posted on the subject property.

Ms. T. Lesperance, agent for the owner, confirmed that the sign was never posted and indicated that she would accept a deferral if necessary to ensure adequate public notice is given.

Moved by D. Kendrick
Seconded by M. Bosch

THAT Application B-26/16 for 68 York Road, be deferred sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral application fee be paid prior to reconsideration of the application.

REASONS:

This application is deferred to allow adequate public notice to be given.

CARRIED

Application: **A-91/16**
Owner: **Vivien, Rachael & Alistair Keir**
Agent: **N/A**
Location: **5 Vipond Street**
In Attendance: **Rachael Keir**
 Alistair Keir
 Vivien Keir
 Marcin Kozakowski
 Alice Rigby
 Alexandra Volpatti

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Ms. R. Keir, owner, indicated that the sign was posted and comments were received. Ms. R. Keir briefly outlined the application and explained that she wasn't able to park in accordance with the Zoning By-law without this variance.

In response to a question from member K. Ash, Ms. R. Keir responded that they had three cars when they purchased the house.

In response to a question from member K. Ash, Planner R. DalBello indicated he was unaware of any active complaints on adjacent properties regarding parking.

In response to a question from member S. Dykstra, Planner R. DalBello stated there was a similar application on an adjacent street that staff had recommended refusal for, however the Committee had approved the application with a condition that the garage must remain clear.

Mr. M. Kozakowski, area resident, stated he is in support of the applicant's proposal.

In response to a question from member S. Dykstra, Planner R. DalBello indicated that the Zoning By-law allows for two parking spaces for a semi-detached dwelling and that widening the driveway would decrease landscaped space in the front yard.

Member K. Ash indicated that she believes approving this application would set a precedent for similar applications in the future. Member M. Bosch expressed similar concerns.

Member L. Janis indicated that the style of homes in the neighbourhood allow for very little street parking, that many families require three vehicles and that it would make sense to allow the applicants to park on the walkway.

Member K. Ash stated this variance doesn't meet the intent of the Zoning By-law, is not desirable for the land and is not minor in nature.

Planner R. DalBello indicated that if the Committee were to approve the application, Guelph Hydro had provided a condition regarding the moving of a nearby hydro pole at the owner's expense.

Member S. Dykstra stated that, because the property could be sold in the future, it's necessary to consider what future owners may do. Member S. Dykstra further stated that the Committee shouldn't base their decision on the specific situations of owners.

Member D. Kendrick clarified that no renovations would occur on the subject property and that the applicants are simply legalizing an existing situation.

Mr. A. Keir, owner, indicated that Guelph Hydro's condition was not a problem and that the curb cut would not be altered.

Planner R. DalBello indicated that future owners of the subject property could request, and be granted, a curb cut if the variance is in place.

Moved by D. Kendrick
Seconded by P. Ross

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, for 5 Vipond Street, to permit a driveway width of 4.9 metres,

Be **APPROVED**, subject to the following conditions:

1. The garage shall be kept clear of debris and is available for parking at all times.
2. The applicant must maintain 1.5m clearance from the edge of driveway to street light pole. If 1.5m clearance cannot be maintained, Guelph Hydro will relocate the pole at the owner's expense.

REASONS:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: A-92/16
Owner: Nathan Reid Holdings Ltd.
Agent: Grant Worton, Reid Homes
Location: 45 DeShane Street
In Attendance: Grant Worton
Nathan Reid

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. G. Worton, agent for the owner, indicated that the sign was posted, comments were received and that he agreed with staff recommendations. Mr. G. Worton briefly outlined the application and indicated that no parking variance was required as four parking spaces are provided.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by M. Bosch
Seconded by P. Ross

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 45 DeShane Street, to permit an accessory apartment size of 113 square metres, or 34.5% of the total floor area of the building,

Be **APPROVED**.

REASONS:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: A-93/16
Owner: Nathan Reid Holdings Ltd.
Agent: Grant Worton, Reid Homes
Location: 36 DeShane Street
In Attendance: Grant Worton
Nathan Reid

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. G. Worton, agent for the owner, indicated that the sign was posted and comments were received. Mr. G. Worton briefly outlined the subject application.

In response to a question from member K. Ash, Mr. G. Worton indicated the zoning hasn't on the subject property hasn't recently changed.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by S. Dykstra
Seconded by P. Ross

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 36 DeShane Street, to permit an accessory apartment size of 113 square metres, or 34.5% of the total floor area of the building,

Be **APPROVED**.

REASONS:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: A-94/16
Owner: Eleane Reid
Agent: Grant Worton, Reid Homes
Location: 71 Norma Crescent
In Attendance: Grant Worton
Mei Han

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. G. Worton, agent for the owner, indicated that the sign was posted and comments were received.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by K. Ash
Seconded by L. Janis

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 71 Norma Crescent, to permit an accessory apartment size of 113 square metres, or 34.5% of the total floor area of the building,

Be **APPROVED**.

REASONS:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: A-95/16
Owner: Adam Bonnycastle & Shannon Thibodeau
Agent: Daphne Wainman-Wood, TALO Architect Inc.
Location: 37 Raglan Street
In Attendance: Daphne Wainman-Wood
Adam Bonnycastle

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Ms. D. Wainman-Wood, agent for the owner, indicated that the sign was posted and comments were received. Ms. D. Wainman-Wood presented a letter from a neighbour indicating that there was no objection to the variance.

In response to a question from member K. Ash, D. Wainman-Wood responded that there is a sidewalk in front of the subject property.

In response to a question from member K. Ash, Planner R. DalBello indicated that two parking spaces are required for the subject property.

In response to a question from member K. Ash, Ms. D. Wainman-Wood clarified that two parking spaces are available.

Member M. Bosch indicated that, based on his site visit, tandem parking would be possible.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by M. Bosch
Seconded by D. Kendrick

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 5.1.2, Row 7 of Zoning By-law (1995)-14864, as amended, for 37 Raglan Street, to permit a right side yard of 0.62 metres,

Be **APPROVED**, subject to the following condition:

1. That the setback variance applies to only the right side yard in general accordance with the sketch as shown in the Public Notice.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: A-96/16
Owner: Bruno Marziano, Jaral Properties (Arkell) Inc.
Agent: N/A
Location: 403 Arkell Road
In Attendance: Bruno Marziano
Gerrit Stam

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. B. Marziano, owner, indicated that the sign was posted and comments were received.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by D. Kendrick
Seconded by K. Ash

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.2.1.1 of Zoning By-law (1995)-14864, as amended, for 403 Arkell Road, to permit a recreation centre as an additional permitted use on the property,

Be **APPROVED**, subject to the following conditions:

1. That the recreation centre use on the subject property be limited to a maximum gross floor area of 247 square metres.
2. That the recreation centre not operate any component of the business outdoors on the subject property.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: **A-97/16**
Owner: **Jacqueline Harrison**
Agent: **N/A**
Location: **46 Teal Drive**
In Attendance: **Jacqueline Harrison**

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Ms. J. Harrison, owner, indicated that the sign was posted and comments were received.

In response to a question from member S. Dykstra, Planner M. Witmer indicated that the driveway width was not measured as the application did not relate to the driveway or parking.

Planner M. Witmer noted there is a two-car garage parallel to the driveway which provides four off-street parking spaces.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by K. Ash
Seconded by L. Janis

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 46 Teal Drive, to permit an accessory apartment size of 117.5 square metres, or 32% of the total floor area of the building,

Be **APPROVED**.

REASONS:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Chair B. Birdsell left the Council Chambers.

Application: A-100/16
Owner: Reid Homes
Agent: Hugh Handy & Sarah Code, GSP Inc.
Location: 85 Mullin Drive
In Attendance: Sarah Code
Hugh Handy
Adam Meyer
Donna Holmes
Paul & Anthoulla Christodoulou
Michael Ashby
Tess McDougald
Nathan Reid

Vice Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Ms. S. Code, agent for the owner, indicated that the sign was posted and comments were received. Ms. S. Code briefly outlined the subject application.

In response to a question from Vice Chair K. Ash, Council Committee Assistant L. Cline indicated that the cover letter was circulated electronically.

In response to a question from member S. Dykstra, Ms. S. Code confirmed that the angular plane is in reference to open space and the private amenity area applies to above grade units.

Mr. A. Meyer, resident of 109 Norma Crescent, expressed concern with the requirement for notification as he did not receive the public notice circulated via mail. Mr. A. Meyer requested deferral of the application so that proper public notice could be provided.

Council Committee Assistant L. Cline indicated that public notice was provided by mail and with the posting of a sign on the subject property as per Planning Act requirements.

Mr. A. Meyer distributed a package to the Committee members and presented a letter signed by 80 residents. He expressed a number of concerns with the subject application and indicated that the proposed variances are not minor and do not meet the intent of the Zoning By-law. He also noted that the proposed density is not in line with the existing community. He further expressed his concerns regarding the impact that the proposed development will have on the adjacent conservation area.

Ms. D. Holmes, resident of Norma Crescent, indicated that when she purchased her property she was told there would be a street townhome development behind her home. Ms. Holmes expressed concern with the development of stacked townhomes as it would more than double the allowable density. Finally, Ms. Holmes indicated that the requested variances for density and angular plane are not minor in nature.

Ms. S. Code indicated that the site is designated medium density residential in the Official Plan and that the proposed density is consistent with what is permitted in the Official Plan. She also indicated that the site is currently zoned for stacked townhomes, the parking meets the requirements of the Zoning by-law, the land use is compatible with the surrounding area, and the height of the proposed development is in accordance with the Zoning By-law and similar to the neighbourhood. Ms. Code also stated that the requested variances for the private amenity area and angular plane meet the general intent of the Zoning By-law and are minor in nature.

In response to a question from member S. Dykstra, Ms. S. Code indicated that a traffic impact study wasn't completed for this site plan application but that it would have been completed at the time of the rezoning of the subject lands.

In response to a question from member S. Dykstra, Planner M. Witmer indicated that medium density development was planned for on this site during the rezoning of the neighbourhood.

Member S. Dykstra noted that, although the applicant is requesting an increase in density, the application meets the intent of the Official Plan.

Planner M. Witmer indicated that the density for medium density residential sites shall be a minimum of 20 units per hectare and a maximum of 100 units per hectare.

In response to a question from member D. Kendrick, Planner M. Witmer indicated that there are provisions in the Official Plan that provide a range or maximum net density for residential development. Mr. Witmer reaffirmed that Planning Staff continue to support the proposed application on the basis that it meets the general intent of the Zoning By-law and Official Plan.

Member D. Kendrick expressed concern with making the assumption that residents will check the Official Plan designation of a property before purchasing it.

Mr. P. Christodoulou, area resident, expressed concerns that Reid's Heritage Homes had indicated to him that there would be no development behind his home and that he paid a premium to guarantee that.

Mr. N. Reid, president of Ethanview Limited, indicated that plans posted on his website and given to future residents all show that there would be future development in this area.

Ms. T. Ashby, area resident, indicated that she paid a lot premium for her property and was told there would be no development behind her home.

Ms. S. Code indicated that there is still a large amount of open space behind the existing homes and that a buffer will continue to remain between the proposed development and the existing homes.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by D. Kendrick
Seconded by P. Ross

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Sections 4.16.2, 5.3.2.5.2, 5.3.2.6.2 and Table 5.3.2, Row 3 of Zoning By-law (1995)-14864, as amended, for 85 Mullin Drive, to permit:

- a) an angular plane to the park of 66.3°;
- b) a private amenity area of 8.4 square metres;
- c) a maximum density of 77 units per hectare; and
- d) a minimum lot area per dwelling unit of 129.8 square metres,

Be **REFUSED**.

REASONS:

This application is refused, as it is the opinion of the Committee that this application does not meet all four tests under Section 45(1) of the Planning Act, specifically being that the requested variances do not meet the intent of the Zoning By-law, are not considered to be desirable for the appropriate development of the lands, and are not minor in nature.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Application: B-26/16
Owner: Susan Patricia McLean & Kelly McLean Lo
Agent: Jeff Buisman, Van Harten Surveying Inc.
Location: 32 University Avenue West
In Attendance: Jeff Buisman
Kathryn McConnell

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. J. Buisman, agent for the owner, indicated that the sign was posted and comments were received. Mr. J. Buisman briefly outlined the subject application.

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

Moved by S. Dykstra
Seconded by M. Bosch

THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Parts of Lot 21 & 22, Registered Plan 363, municipally known as 32 University Avenue West, a parcel with frontage along University Avenue West of 5.5 metres, a depth of 30.4 metres, and an area of 167 square metres, as a lot addition to Part of Lot 20, Plan 363,

Be **APPROVED**, subject to the following conditions:

1. That the Owner shall remove the existing shed currently located on the "lands to be severed" to the satisfaction of the General Manager of Planning, Urban Design and Building Services prior to the endorsonation of the deeds.
2. The conveyance of (Severed Lands – legal description – Lot and Plan), City of Guelph, Count of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with – Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with – Lot and Plan)."
3. That prior to endorsonation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying all property lines of the severed parcel.
4. That upon fulfilling and complying with all of the above-noted conditions, the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement.
5. 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 endorsonation of the deed.
6. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsonation of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
7. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/right-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related

to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

CARRIED

Adjournment

Moved by D. Kendrick
Seconded by S. Dykstra

THAT the hearing of the Committee of Adjustment be adjourned at 5:32 p.m.

CARRIED

B. Birdsell
Chair

D. McMahon
Acting Secretary-Treasurer