

COMMITTEE OF ADJUSTMENT

Minutes

The Committee of Adjustment for the City of Guelph held its Regular Meeting on Thursday September 10, 2015 at 4:00 p.m. in Room 112, City Hall, with the following members present:

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

Regrets: None

Staff Present: B. Aubrey, Zoning Inspector
T. Donegani, Planner
D. McMahon, Acting Secretary-Treasurer
V. Sobering, Council Committee Assistant

Chair Birdsell called the committee to order.

Declarations of Pecuniary Interest

There were no disclosures of pecuniary interest.

Meeting Minutes

Moved by D. Kendrick and seconded by P. Ross,

“THAT the Minutes from the August 13, 2015 Regular Meeting of the Committee of Adjustment, be approved as printed and circulated.”

Carried

Application: A-81/14

Owner: Rene Luypaert, Doug Ross, and Regine Ross

Agent: N/A

Location: 82 Galt Street

In Attendance: Rene Luypaert

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

Mr. R. Luypaert asked if all the committee members were present the previous time application A18/14 was in front of the committee and if everyone had a chance to review the material he provided, including notes from the previous hearing date.

Chair B. Birdsell replied that all but two members had joined the committee after the application was last heard and that this committee would be making a decision based on the application received.

Mr. R. Luypaert indicated that the accessory apartment was constructed prior to July 14, 1994 and therefore the matter under discussion was a fire code and not a zoning By-law matter.

Committee member K. Ash asked staff if they were satisfied that the apartment was legally in existence prior to 1994. Zoning Inspector B. Aubrey replied that the apartment has yet to be registered with the city and will be recognized as legal until it is registered.

In response to a follow up question from committee member K. Ash, Zoning Inspector B. Aubrey replied that the current by-law would require 3 parking spaces for a new accessory apartment, but given the history of this particular property, staff would be satisfied with 2.

In response to a question from committee member L. Janis, Acting Secretary-Treasurer D. McMahon relayed additional comments received from engineering staff after the comment deadline. He explained that there was a Sidewalk Needs Assessment Study Report completed in 2001 which identified a sidewalk extension on Galt street as a low priority, although this could be changed to high priority by Council at any time. He further explained that there was no current plan to extend the sidewalk beyond 80 Galt Street.

In response to a question from Chair B. Birdsell, Planner T. Donegani confirmed that two spaces are not provided on the property as the space located outside the garage is deficient.

Committee member K. Ash asked staff what the parking requirement was when the house was built. Planner T. Donegani stated that one space would have been required at the time the house was constructed. Mr. R. Luypaert questioned why the application was necessary when one space was provided. Committee member K. Ash clarified that one space would have been required for the single detached dwelling upon construction and a second space would be required due to the addition of the accessory apartment. Mr. R. Luypaert stated that the accessory apartment was built at the time of construction. Committee member K. Ash clarified that the apartment was illegal and therefore not recognized.

Mr. R. Luypaert stated that many of the neighbouring properties have utilized the street for parking as they cannot provide sufficient off-street parking due to small lot sizes. He stated that a fire inspection was completed on the property and believed the issue to be one relating to the fire code and not the zoning by-law.

Mr. R. Luypaert was granted time to present additional written material that he had prepared for distribution to the committee at the hearing. He outlined numerous examples of deficient parking in the neighbourhood including several properties in the same block as 82 Galt Street. He alleged that some of the properties did not even provide one legal off-street parking space, and repeated his concern that the issue was related to the fire code.

Committee member P. Ross asked Mr. R. Luypaert if he had considered moving the garage further back on the property to enlarge the deficient space and meet the requirements of the by-law. Mr. R. Luypaert stated that the property is a walk out and it is not possible to move the garage due to the change in elevation.

Mr. R. Luypaert stated that the space was more than 4 metres in length. Committee member S. Dykstra clarified that the application had been to permit an exterior parking space that was 3.5 metres in length and that this is what the committee would consider.

Committee member D. Kendrick asked staff if they would support approval of the application with one space. Planner T. Donegani replied that approval for one full space and one non-complying space would not be supported by staff.

Committee member D. Kendrick stated that if there is currently no sidewalk in front of the property, and no plans to extend the existing sidewalk, the variance is truly minor in nature.

No members of the public spoke in support or opposition of the application.

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 and 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, variances from the requirements of Sections 4.13.3.2.2 and 4.13.4.3 of Zoning By-law (1995)-14864, as amended, for 82 Galt Street,

- a) to permit the exterior parking space dimension to be 2.5 metres by 3.5 metres, when the By-law requires that the minimum exterior parking space dimension be 2.5 metres by 5.5 metres; and
- b) to permit one off-street parking space, when the By-law requires that where an accessory apartment is existing, two off-street parking spaces be provided,

be approved.

Carried

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.

Zoning Inspector B. Aubrey left the meeting at 4:52 p.m.

Application: B-18/15
Owner: 281142 Ontario Inc.
Agent: Tracy Lesperance
Location: 435 Woolwich Street
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. Ms. T Lesperance, agent for the owner, replied that the sign was posted and comments were received.

Committee member S. Dykstra asked staff if two easements were permitted on a single application, as they would create three parcels. Planner T. Donegani replied that he could not comment regarding the number of easements permitted.

In response to a question from the committee Planner T. Donegani indicated that staff believes the best interest of the City is upheld by an easement as opposed to a parking agreement in the case of application B18/15.

No members of the public spoke in support or opposition of the 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 K. Ash and 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 the creation of two (2) access easements/rights of way on Part of Lot 9, Registered Plan 18, municipally known as 435 Woolwich Street,

- a) an easement at the rear of 435 Woolwich Street with a width of 5.0 metres and a depth of 25.5 metres; to allow access to parking spaces located 423 Woolwich Street, 431 Woolwich Street, and 435 Woolwich Street.
- b) an easement at the rear of 435 Woolwich Street with a width of 5.4 metres and depths of 18.3 metres and 13.5 metres; to allow the existing parking spaces to be utilized by the owners of 431 Woolwich Street and 423 Woolwich Street.

be approved subject to the following conditions:

1. That the servient tenement (435 Woolwich Street, Part 2, Part of Lot 9, Registered Plan 18), grants an access easement/ right-of-way (Part 1) in perpetuity with a width of approximately 5.0-metres (16.40 feet) by a length of approximately 25.50-metres (83.60 feet), over the rear of 435 Woolwich Street, (Part 2), Part of Lot 9, Registered Plan 18, (servient tenement), registered on title, in favour of the dominant tenements (423 Woolwich Street, Part of Lot 11, Registered Plan 18 and 431 Woolwich Street, Lot 10, Registered Plan 18), to allow vehicular access to the parking spaces for the adjacent properties (423 and 431 Woolwich Street), prior to endorsation of the deeds or within one (1) year of the consent, whichever occurs first.
2. That the servient tenement (435 Woolwich Street, Part 2, Part of Lot 9, Registered Plan 18), grants parking spaces (Part 3) in perpetuity with a width of approximately 5.479-metres (17.98 feet) and approximately 7.205-metres (56.45 feet) by a length of approximately 13.575-metres (44.54 feet) and approximately 18.376-metres (60.29 feet), over the rear of 435 Woolwich Street, (Part 2), Part of Lot 9, Registered Plan 18, (servient tenement), registered on title, in favour of the dominant tenements (423

Woolwich Street, Part of Lot 11, Registered Plan 18 and 431 Woolwich Street, Lot 10, Registered Plan 18), to allow vehicular access to the parking spaces for the adjacent properties (423 and 431 Woolwich Street), prior to endorsement of the deeds or within one (1) year of the consent, whichever occurs first.

3. That prior to endorsement of the deeds, the owner of 435 Woolwich Street, (Part 2), Part of Lot 9, Registered Plan 18 (servient tenement) shall have an Ontario Land Surveyor prepare a reference plan identifying the required access easements/right-of-ways.
4. That prior to endorsement of the deeds, the servient tenement owner's solicitor certifies that the access easements/right-of-ways, in favour of the dominant tenements (423 Woolwich Street, Part of Lot 11, Registered Plan 18 and 431 Woolwich Street, Lot 10, Registered Plan 18), has been granted and registered on title.
5. That 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, prior to September 15, 2016.
6. 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 endorsement of the deed.
7. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement 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.
8. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-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.

Carried

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.

Application: A-69/15
Owner: Katy Verville
Agent: Wile Building Group
Location: 15 Raglan Street
In Attendance: Darrell Blake

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. D. Blake, agent for the applicant, replied that the sign was posted and comments were received.

There were no questions from the members of the Committee.

No members of the public spoke in support or opposition of the application.

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 P. Ross and seconded by M. Bosch,

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 Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 15 Raglan Street, to permit a right side yard of 0.8 metres for the proposed rear addition, when the By-law requires that for a single detached dwelling in a R.1B zone, not exceeding two storeys in height, a minimum side yard of 1.5 metres, be approved.

Carried

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.

Application: A-70/15

Owner: Nathan Reid Homes Ltd.

Agent: N/A

Location: 104 Norma Crescent

In Attendance: Paul Nelson
Nathan Reid
Richard Reid
Grant Wahr

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. P. Nelson, agent for the owner, replied that the sign was posted but that staff comments were not received. Acting Secretary-Treasurer D. McMahon stated that the standard procedures for transmitting comments were followed, and that a copy of the comment package was available at the hearing for the applicant's review.

The Committee agreed to defer the application by ten minutes so that the comments could be reviewed. Upon reconvening Mr. P. Nelson stated that he understood the comments were previously sent by e-mail, and stated that the email account provided on the application was only monitored intermittently.

There were no questions from the members of the Committee.

No members of the public spoke in support or opposition of the application.

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 and seconded by S. Dykstra,

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 104 Norma Crescent, to permit the accessory apartment to have an area of 112.6 square metres (33.8% of the total floor area), when the By-law requires that an accessory apartment not exceed 45% of the

total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser, be approved.

Carried

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.

Application: A-71/15
Owner: Sherwood Forest Investments (Guelph) Ltd.
Agent: Black, Shoemaker, Robinson & Donaldson Ltd.
Location: 199 Victoria Road South & 490 York Road
In Attendance: Nancy Shoemaker

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Ms. N. Shoemaker, applicant, replied that the sign was posted and comments were received.

Committee member S. Dykstra asked Ms. Shoemaker about the 2006 Ontario Municipal Board Order relating to the subject property, and why the site plan was still not in compliance. Ms. N. Shoemaker responded that before she had joined the project the owner of the property had not fully understood the requirements of the order and that she was now attempting to bring the Site Plan into compliance. Committee member S. Dykstra asked if it would be too cumbersome to include Site Plan compliance as a condition should the Committee approve the Minor Variance application. Ms. N. Shoemaker replied that, while it would not be an issue, staff had not recommended this condition because they were relying on the Ontario Municipal Board Order for enforcement. Planner T. Donegani agreed that staff were relying on the Order and that it would not be necessary to encumber the minor variance application with enforcement.

Committee member M. Bosch asked N. Shoemaker why the trucks shown on the drawing were to be stored in three different locations on the property. Ms. N. Shoemaker responded that one site was in an unobtrusive location in the corner of the property and the other two sites were visible to the public from York street but far enough away from the building that employees of the plaza would have sufficient parking.

No members of the public spoke in support or opposition of the application.

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 P. Ross and 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 7.1.3 of Zoning By-law (1995)-14864, as amended, for 199 Victoria Road South and 490 York Road, to permit operation of a vehicle sales establishment,

be approved, subject to the following conditions:

1. That the Vehicle Sales Establishment use be limited to vehicle and trailer rentals.
2. That the use only be permitted on the property so long as the property is lawfully used as a Storage Facility.
3. That no rental vehicle or trailer obstruct a required off street parking space.
4. That a maximum of 20 rental vehicles or trailers be on the property at any time.

Carried

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.

Application: A-72/15

Owner: Victoria Wood (Dallan) GP Inc.

Agent: Reid's Heritage Homes Ltd.

Location: 10 Kay Crescent

In Attendance: Matthew Robson

Chair B. Birdsell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. M. Robson, agent for the applicant, replied that the sign was posted and comments were received.

Mr. M. Robson displayed the site plan for the property on the projector screen and outlined the application.

Committee member S. Dykstra asked the applicant for clarification on the drawing provided and stated that the intent of the application was not clearly reflected as many of the lot lines referred to in the variance request were interior lot lines. He proposed adding a condition to clarify that the variances would only apply to the interior lot lines.

Committee member D. Kendrick asked staff if the property would comply with the provisions of the zoning by-law were it considered as a whole. Planner T. Donegani replied that it would comply.

No members of the public spoke in support or opposition of the application.

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 and 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, variances from the requirements of Sections 4.13.2.2, 5.4.2.1, Table 5.4.2 Rows 8, 9, 12, 13, 18, and 5.4.3.1.45.1.1, of Zoning By-law (1995)-14864, as amended, for 10 Kay Crescent,

- a) To permit parking spaces for both Phase 1 (Building 1) & Phase 2 (Buildings 2 & 3) be within 0 metres of a lot line, when the By-law requires that no parking space be located within 3 metres of any lot line;
- b) to permit a side yard of 5.7 metres where windows of a habitable room face on a side yard when the By-law requires that such side yard shall have a minimum width of 7.5 metres;
- c) to permit a side yard of 8.9 metres for Phase 1 (Building 1) and 5.7 metres for Phase 2 (Buildings 2 & 3) when the By-law requires that the minimum side yard be equal to 9.1 metres for Phase 1 and 7.5 metres for Phase 2, equal to one-half the building heights;
- d) to permit a rear yard of 7.5 metres for Phase 1 (Building 1) when the By-law requires that the minimum rear yard be equal to 20% of the lot depth (requires 22.1 metres for Building 1);
- e) to permit a common amenity area of 769 square metres for Phase 1 (Building 1) when the By-law requires that the minimum common amenity area be no less 2,080 square metres for Phase 1 (Building 1);
- f) to permit a landscaped open space of 2,610 square metres for Phase 1 (Building 1), equal to 35% of the lot area, when the By-law requires that the minimum landscaped open space be 2,964 square metres for Phase 1 (Building 1), equal to 40% of the lot area;
- g) to permit a maximum floor space index of 1.13 when the By-law requires a maximum floor space index of 1; and
- h) to permit a density of 127 units per hectare for Phase 1 (Building 1), and 82 units per hectare for Phase 2 (Buildings 2 & 3), when the By-law requires that the minimum density shall be 90 units per hectare and the maximum density shall be 100 units per hectare,

be approved subject to the following conditions:

1. A part lot control exemption be granted to create two separately conveyable parcels generally as shown on the Site Plan application (File #SP15A025) Site Plan – Zoning Review Draft, revision 03 to the satisfaction of the General Manager of Planning, Urban Design and Building prior to the issuance of a building permit.
2. That the variance for parking spaces 0 metres from the lot line be limited to the proposed phase line shown on the Site Plan application (File #SP15A025).

Carried

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.

Applications: **A-73/15, A-74/15 & A-75/15**

Owner: **Reid's Heritage Homes Ltd.**

Agent: **N/A**

Location: **Hawkins Drive, Blocks 4, 5 and 6 of Plan 61M-201**

In Attendance: **Matthew Robson**

Acting Secretary-Treasurer D. McMahon noted to the Committee that there was an error under the comments from Planning Services relating to application A-73/15, A-74/15 & A-75/15. He explained that the comments should reference a shared condominium element not a vacant land condominium.

Chair B. Birdsell questioned if the signs had been posted in accordance with Planning Act requirements and if the staff comments were received. Mr. M. Robson, agent for the applicant, replied that the signs were posted and comments were received.

Committee member S. Dykstra asked if the requested variances applied for all three properties. Planner T. Donegani replied that they did.

Committee member M. Bosch raised concerns surrounding the fact that the building permit had already been granted as the site was already under construction. He indicated that he believed permits were granted without proper regard to the minor variance process.

Chair B. Birdsell indicated that a change in ownership structure following the approval of the site plan required the minor variances.

No members of the public spoke in support or opposition of the application.

Application A-73/15

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 and 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, variances from the requirements of Sections 5.3.3.2.20.2.1, 5.3.3.2.20.2.2, 5.3.3.2.20.2.4, and table 5.3.2 Rows 7, and 13 of Zoning By-law (1995)-14864, as amended, for Block 4 of Plan 61M-201 – Hawkins Drive,

- a) To permit a lot area of 140 square metres, when the By-law requires a minimum lot area of 152 square metres;
- b) to permit a lot area of 140 square metres, when the By-law requires a minimum lot area per dwelling unit of 152 square metres;
- c) to permit a rear yard of 5.8 metres, when the By-law requires a minimum rear yard of 7.5 metres;
- d) to permit a maximum building coverage of 55% of the lot area, when the By-law requires a maximum building coverage of 50% of the lot area; and
- e) to permit a minimum landscaped open space of 31% of the lot area, when the By-law requires a minimum landscaped open space of 35% of the lot area,

be approved.

Carried

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.

Application A-74/15

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 and 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, variances from the requirements of Sections 5.3.3.2.20.2.1, 5.3.3.2.20.2.2, 5.3.3.2.20.2.4, and table 5.3.2 Rows 7, and 13 of Zoning By-law (1995)-14864, as amended, for Block 5 of Plan 61M-201 – Hawkins Drive,

- a) To permit a lot area of 140 square metres, when the By-law requires a minimum lot area of 152 square metres;
- b) to permit a lot area of 140 square metres, when the By-law requires a minimum lot area per dwelling unit of 152 square metres;
- c) to permit a rear yard of 5.8 metres, when the By-law requires a minimum rear yard of 7.5 metres;
- d) to permit a maximum building coverage of 55% of the lot area, when the By-law requires a maximum building coverage of 50% of the lot area; and

to permit a minimum landscaped open space of 31% of the lot area, when the By-law requires a minimum landscaped open space of 35% of the lot area,

be approved.

Carried

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.

Application A-75/15

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 and 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, variances from the requirements of Sections 5.3.3.2.20.2.1, 5.3.3.2.20.2.2, 5.3.3.2.20.2.4, and table 5.3.2 Rows 7, and 13 of Zoning By-law (1995)-14864, as amended, for Block 5 of Plan 61M-201 – Hawkins Drive,

- e) To permit a lot area of 140 square metres, when the By-law requires a minimum lot area of 152 square metres;
- f) to permit a lot area of 140 square metres, when the By-law requires a minimum lot area per dwelling unit of 152 square metres;
- g) to permit a rear yard of 5.8 metres, when the By-law requires a minimum rear yard of 7.5 metres;
- h) to permit a maximum building coverage of 55% of the lot area, when the By-law requires a maximum building coverage of 50% of the lot area; and

to permit a minimum landscaped open space of 31% of the lot area, when the By-law requires a minimum landscaped open space of 35% of the lot area,

be approved.

Carried

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.

Application: A-76/15
Owner: The Chandler Holding Company Ltd.
Agent: N/A
Location: 18 Wilson Street
In Attendance: N/A

This application was withdrawn by the owner prior to the time of the hearing. The owner was not present.

Application: A-77/15
Owner: Granite Holdings Ontario Ltd.
Agent: Astrid J. Clos Planning Consultants
Location: 7 Edinburgh Road South
In Attendance: N/A

This application was withdrawn prior to the time of the hearing. Neither the owner nor applicant were present.

Other Business

Acting Secretary-Treasurer D. McMahon, in response to a request from the committee on information regarding a time limit for speakers at committee meetings, indicated that staff believed a ten minute time limit was fair and consistent with procedures for Council Planning meetings. The committee directed the Acting Secretary-Treasurer to include an item on the October 8th agenda to provide public notice of the intention to limit speaking time.

Acting Secretary-Treasurer D. McMahon advised that an Ontario Municipal Board (OMB) hearing for 117 Surrey Street East (File A-30/15) has been scheduled for November 10, 2015.

Committee member B. Birdsell requested photos of each site be available at the hearing for reference. Planner T. Donegani indicated that an electronic copy of photos is prepared for each hearing date and could be displayed for the committee upon request.

September 10, 2015 Committee of Adjustment Minutes

Committee member K. Ash enquired about having variances more clearly indicated on the drawings provided by applicants. Acting Secretary-Treasurer D. McMahon indicated he would consult with staff and commenting agencies about the feasibility of this for future meetings.

Committee member L. Janis requested that any and all information provided prior to the comment deadline, which would aid the committee in making a decision be provided in hard copy. Chair B. Birdsell acknowledged the City of Guelph's commitment to reduce costs and paper consumption but requested the Acting Secretary-Treasurer to consider the provision of hard copies as the Committee is a statutory one and email can be difficult to monitor.

The meeting was adjourned at 6:05 p.m.

B. Birdsell
Chair

D. McMahon
Acting Secretary-Treasurer