



Adam A. Donaldson @adamadonaldson

Aug 10 · 67 tweets · [adamadonaldson/status/1689728970516783104](https://twitter.com/adamadonaldson/status/1689728970516783104)

Coming up at 4 pm, it's this month's Committee of Adjustment meeting. Here's a preview of all the applications:



MEETING PREVIEW: Committee of Adjustment Meeting for August 10, ...

Committee of Adjustment doesn't take summers off, so here we are with the August committee meeting coming up, and it is a very staked agenda indeed. Nearly 10 different items ranging from a l...

<https://guelphpolitico.ca/2023/07/28/meeting-preview-committee-of-adjustment-meetin...>

Chair Smith has called the meeting to order.

Note: This is an all-virtual meeting due to in-progress renovations in the council chambers.

To speak to an application,

please call 519-822-1260 extension 2524.



No Disclosure of Pecuniary Interest and General Nature Thereof.

Minutes approved, so let's get into the first application...

A-47/23 561 York Road. There's a medical clinic and a pharmacy, and the zoning for this commercial area says that they have to be separate units. But this developer would like to

have a combined pharmacy and clinic space, which means that these 2 will need increased floor space.

John Kong, from Rice Kong Engineering Ltd., is the agent for this proposal. Staff have recommended approval with no conditions. Kong says he's read the decision and has no comment to add.

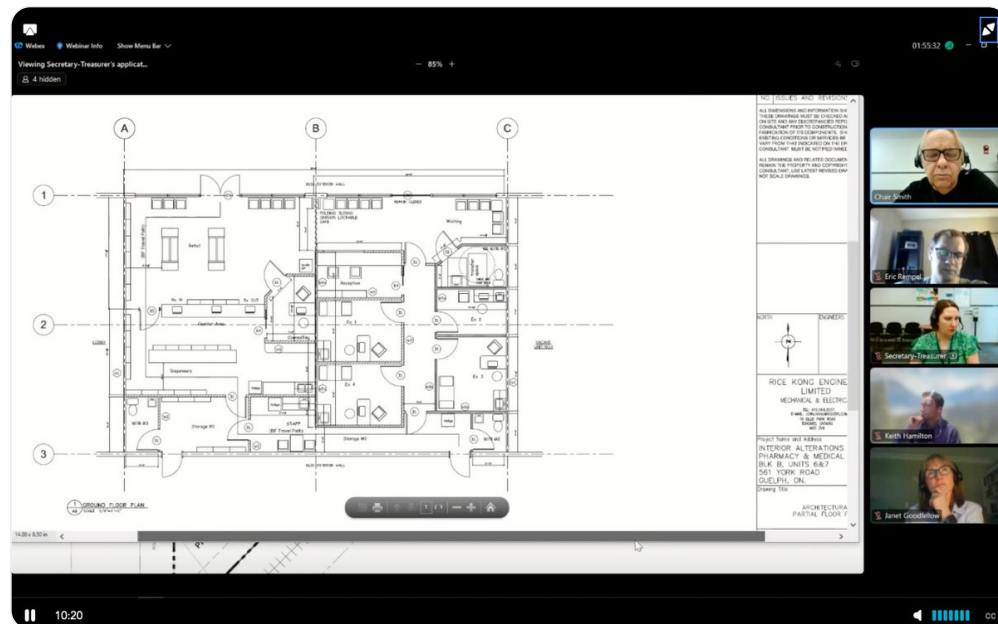
King re-iterates that the intention is combined medical office/pharmacy, which the zoning technically didn't allow. Both the developer and the building manager are cool with this.

No delegates for this matter.

No questions from the committee.

Smith asks if retail is allowed as permitted use? Staff member Eric Rempel says yes, but the pharmacy wouldn't be allowed and if separate from the clinic it would have to come back as a new permitted use instead of accessory.

Smith notes that he has concerns about the pharmacy as the accessory use since the main entrance is at the pharmacy and not the medical clinic. Kong says the pharmacy will be a dispensary for the medical office, it won't be open unless the clinic is open.



Smith says he's concerned about the night grill b/c if its closed, no one will be able to access the universal washroom. Kong understands the concern, the grill is there to secure the pharmacy, but they can look at other options.

Member Hamilton moves approval with Member Speers. Application approved with Smith against.

Next, A-48/23 2 Amsterdam Crescent. The homeowners here are looking to build a new sunroom at the rear of the house, which requires a minor variance to allow about two metres to be shaved off the rear yard setbacks. Staff approves.

Shawn Sawatzky is the agent for the homeowners. He says they've read and agree with the staff decision.

No delegation requests for this item.

No questions from committee.

Member Goodfellow moves to approve, Speers seconds.

Project approved.

Next, A-49/23 10 Samuel Drive. This property is zoned as a Neighbourhood Shopping Centre, and if the 2023 Comprehensive Zoning Bylaw was in effect this would be no big thing, but...

...since the old definition of an NC doesn't allow for a "commercial school", in this case a pilates studio, a minor variance is needed for the studio to proceed.

Karen Mayfield and Julia Cicuttin of Zamparo CA Ltd. are appearing as agents, it's their school. They're looking to promote a diverse clientele and promote more general wellness in the Guelph community.

No delegates.

Goodfellow asks for some clarity about whether this is a school teach members of the community and not instructors. Mayfield says that's right, but will have a master trainer in a couple of times per year for weekend classes.

Member Hamilton moves approval, Member Cline seconds.

The application is approved

Next, B-11/23 A-50/23 A-51/23 239 Kathleen Street – This proposes a severance to split this one property on Kathleen between St. Andrew and Division. The current building will be demolished and there will be two new detached buildings.

Amanda Davids of Ediphique Ltd is the agent. She's also the homeowner. Her partner Dan is here too.

Staff are recommending approval with conditions, and Davids says they agree with staff's conditions: <https://pub-guelph.escribemeetings.com/filestream.ashx?DocumentId=39399>

This is what it might look like:



Delegates? Yes! We start with Sam Turton, who says he concerned about safety. It's a narrow street and there are a lot of kids around so he's concerned about any increase in traffic.

Next delegate, Quentin Sillingale, who's a licensed realtor. He says in the last 24 hours alone he's had convos with long-time clients who can't afford to live in the city. He's endorsing the project as positive infill.

Next, Heather Snider. She's also concerned about safety and the increased traffic.

No more delegates on this matter. In response, Dan says he understands the safety concerns, but he's not sure how one more house will radically change that. Davids notes that there should be sufficient off-street parking.

Smith asks if the project is in keeping with the neighbourhood character-wise. His concern is that much of the houses in the area are 1 or 1.5 storeys.

Speers moves to approve the application with conditions, Cline seconds.

Hamilton says he won't support the motion, he doesn't see the reduction as minor and he says Kathleen is not suitable for intensification.

Goodfellow says she won't support the application either. She's concerned about intensification in this area too and has concerns about stormwater management.

Speers says he will support it. He sees a neighbourhood in transition with new builds and in-fills.

Smith says he won't support due to topography, it also doesn't seem to be in best interest of community since the community has come out against.

Motion fails with only Cline and Speers voting in favour.

Hamilton moves that committee refuse the application, and Goodfellow seconds. The motion carries 3-2.

Next application is A-52/23 16 Cityview Drive South. It's a request for a minor variance to allow for a two-storey addition to the exiting house at the corner of Cityview and White Street. The variance requested is to shave off a little more than a metre on the rear setback.

Staff are recommending approval with one condition:

Recommended Conditions

Planning Services

1. That prior to the issuance of a building permit, the applicant shall prepare and submit a Tree Inventory and Preservation Plan (TIPP) for any City-owned trees along White Street that may be impacted by the proposed development to the satisfaction of the General Manager of Parks. If any trees are to be injured or

removed to accommodate the proposed development, the applicant shall provide compensation either in the form of Cash in Lieu or Replacement Trees, or a combination of the two at the discretion of City staff. The applicant must contact Forestry staff to confirm requirements prior to preparing the TIPP.

Hamilton/Goodfellow move approval. The motion is carried.

Next, A-53/23 277 Arthur Street North. The homeowners here are asking for a minor variance on the side yard next to a vacant property for a new attached garage. The bylaw says that the setback needs to be 1.5 metres, but with the garage that setback will only be one-metre.

Staff are recommending approval with conditions: <https://pub-guelph.escrimemeetings.com/filestream.ashx?DocumentId=39395>

Joel Bartlett, from Joel Bartlett Architects Inc., is the agent for this project. He says they've seen the recommendation and agree with the conditions.

There are no delegations for this application.

Goodfellow/Cline move approval with conditions.

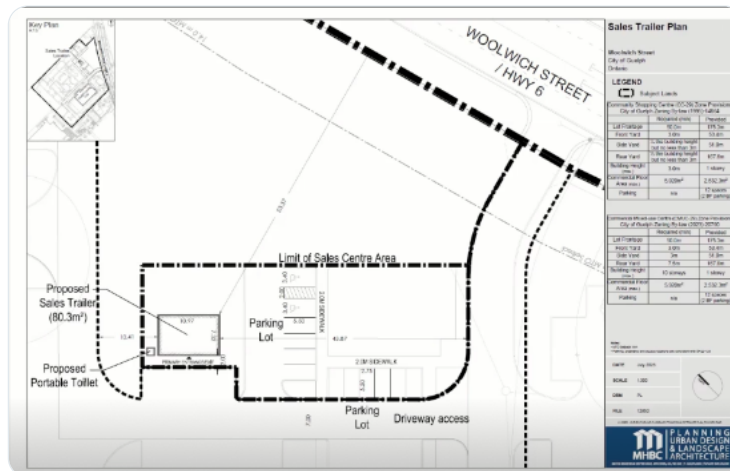
Motion approved.

Next application, A-54/23 842 Woolwich Street. ranite Homes is looking to establish a temp. real estate sales office on the site of their redevelopment of the Guelph Curling Club property.

Staff are trying to get the agent into the meeting, but there are some...



Emily Elliott from MHBC Planning, the agent for the project, is now on the line. She notes that the redevelopment application of this site was approved last year.



Staff had one condition, and Elliott says that they've read the report and agree with it.

Recommended Conditions

Planning Services

1. That the temporary real estate sales office be permitted for a maximum of five (5) years from the date of issuance of a building permit.

No delegates for this application.

Speers/Hamilton moves approval with conditions.

Committee approves the application.

Next, A-55/23 11 Cork Street West. The developer here, which already got a variance for reduced parking last year, is looking for a couple of additional variances.

Two of them concern parking, one variance for setbacks from the lot lines and another for setbacks from the windows and habitable rooms.

The other variance will essentially allow the project to proceed, because the Downtown 1 (D.1) Zone allows for a variety of residential uses, except this one.

Charlotte Balluch of GSP Group Inc. Staff are recommending approval of the project with no conditions, and Baluch says they agree with the comments and recommendation.

No delegations for this item.

No questions from committee, but...

Chair Smith asks about the view corridors, is that an issue here. Rempel says that there no issues and Kelly Patzer adds that she personally reviewed it and the site is under the threshold when it comes to the viewing corridor.

Smith asks if an accessible parking spot when there's no accessible unit is overkill? Rempel's not sure if replacing the accessible spot with a standard spot really helps the application.

Also, pulling the accessible parking spot would requiring filing another variance request.

Hamilton moves approval with Cline seconding.

The application is approved!

Last, but not least, A-56/23 13 Kensington Street. It's a requests for an expansion of a detached garage with a reduced right-side setback of 0.3 metres, and an allowance for an increased ground floor area of 83 squares metres (typically 70 is the maximum).

Staff recommend approval with conditions:

Staff Recommendation

Approval with Condition

Recommended Conditions

Building Services

1. That an Access and Maintenance Agreement be registered on title of the neighbouring property (11 Kensington Street) to the satisfaction of the Chief Building Official. The agreement shall contain provisions to permit access for the owner of 13 Kensington Street onto 11 Kensington Street, to allow for maintenance and construction of the right side of the accessory building.
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Paul Tonizzo, the homeowner, says he has an objection to the clause:

I object to the proposed condition for the following reasons:

1. This condition is recommended and most importantly it is not required by law under the City of Guelph's Zoning By-law or the Ontario Building Code
2. The new wall is entirely maintenance free. It is 100 % vinyl siding with no window
3. There is an existing wall that I have owned for the last ²⁵ years. This wall is less than .6 meters to the property line and was built under a building permit issued by the City. I have had no issues with this wall and my neighbor
4. I have a verbal agreement with my neighbor and I would not have embarked on this project without discussing access with her
5. I have spent a considerable amount of money up to this point to do things correctly – such as obtaining the services of a Land Surveyor and applying to the Committee of Adjustment
6. I have spent a lot of time and experienced considerable delays to this point and any further delays will prevent me from commencing construction in 2023
7. If my neighbour refuses - it most likely will be based on the encumbrance that is placed on her property for the benefit of someone else. Also, this encumbrance will prevent her and all future owners from using their own backyard as they wish – such as planting a garden, trees and other landscaping features or erecting a fence for security purposes. All of this may have a financial impact on the value of their property and I would not want that placed on my property either
8. Access to properties between neighbors is a civil matter that exists everywhere in the City. Also, access is controlled by Trespassing Laws
9. If my neighbour refuses to have an Access Agreement registered on her property's title, my family will not be able to enjoy our property to its fullest due to the City requesting a condition on an adjoining property that we have no control over

Tonizzo says that any further delays will mean that he won't be able to start construction in 2023. He also notes that it puts a lot on his neighbour, especially since he's already gotten their stamp of approval to proceed.

Delegations? None.

Smith asks for staff comment on Tonizzo's presentation. Patzer says when buildings are that close to the property line the Access and Maintenance Agreement is needed for the sake of future property owners. Standard requirement in these situations.

Hamilton asks if committee moves it without the condition, can the matter be revisiting later in the process? Patzer says yes, it will still be request at building permit.

Speers asks for clarity, won't the project still be stymied at building permit if the applicant doesn't want the agreement. Patzer says that could be the case.

Hamilton moves approval w/o the condition, and Speers seconds.
Committee approves the motion.

Announcements?

-This is the last hearing for a couple of staff members who support the committee. They're moving on to "new roles".

That's a wrap for this month's Committee of Adjustment meeting.



@threadreaderapp unroll please!

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