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Coming up at 4 pm, it's this month's Committee of Adjustment meeting. Check out the Politico preview before everything begins at the top of the hour:



MEETING PREVIEW: Committee of Adjustment Meeting for December ...

There's no early holiday break for the Committee of Adjustment, they still have a pretty busy agenda of new applications this month, and they're all asking for a variety of variances. A...

<https://guelphpolitico.ca/2023/11/28/meeting-preview-committee-of-adjustment-meetin...>

Chair Smith calls the meeting to order.

Remember, if you have anything to say on any application today, keep this number handy:

To speak to an application,

please call 519-822-1260 extension 2524.



Disclosure of Pecuniary Interest and General Nature Thereof? None.

Member Hamilton has sent regrets.

First item, a request for deferral in the case of A-86/23 35 Hillcrest Drive. Staff would like time to work with the applicant on those setbacks requested around a new in-ground pool.

Lloyd Grinham from L. Alan Grinham Architect Inc. say they're in agreement with the recommendation with staff and have had some positive discussions with staff and they hope to have something back in the new year.

Goodfellow/Speer move to defer and committee approves.

Next, A-80/23 1-3 Quebec Street. This building on the corner of Quebec and Norfolk is looking to add a balcony or deck at the southeast corner of the building on the second floor. To do that, they require reduced side and rear yard setbacks.

The applicant, Daryl from Hickory Dickory Decks is the agent and he's appearing by phone. He says he's seen staff comments and agrees. Has nothing to add since since staff approve unconditionally.

No delegates for this item. Speer moves to approve and Goodfellow seconds. Application approved!

Next, A-81/23 145 Speedvale Avenue West – This is a rare request to have less than the minimum. The Shell service station at the corner of Edinburgh & Speedvale is asking to save two metres in height on their new automated car wash. They don't need it with their current plans.

Staff are recommending approval with conditions. Joe Lakatos, AJ Lakatos Planning Consultant, is appearing for the applicant and he agrees with staff comments. He has nothing further to add.

No questions from the committee.

No delegations either.

Member Balaban and Pyke move approval with the condition and it's approved!

Next, A-82/23 101 Beverley Street – The owners of this business park are looking to expand on the south end of the property but they need a reduced side yard setback, plus an allowance for a business that falls under the commercial entertainment use category.

Staff recommend approving the setback but not the use. Chris Lahn from Tacoma Engineers is here, and so is owner Craig Dool. Dool explains that when he bought the building there were only two businesses and it needed serious upgrades.

He bought the building to keep small businesses in the Ward, and five new businesses opened there. He says that the City implemented a new zoning bylaw (which is still not in effect) and that there was very little notice (which there was because staff worked on it for 3 years).

Dool says 3 of his 5 tenants are now legal non-conforming including Riot Axe. That business is looking to expand into the new building section, and Dool calls them an anchor tenant. Wants to break ground in March.

On the setback, Lahn says they've already consulted with staff on site plan and have addressed their concerns.

Speers asks Dool says that he thought the refusal was because it was already legal non-conforming. What's the issue? Dool says the hitch is they want to move into expanded space,

only legal non-conforming in existing space.

Goodfellow says staff could be in favour extend or enlarge the space, what's that about?

Planner Rempel says that's the conversation they've been having, but that's not one of the four tests for C of A.

No delegates. The Secretary-Treasurer notes that C of A can't pass the continuation of legal non-conforming, that would have to be a separate process.

Speers moves to accept the application as it stands with Sayer seconding. Speers says that if we're going take longer and end up in the same place, why not vote now. Goodfellow says she understood definition of commercial entertainment differently, and has some concerns.

Smith says he's wrestling with this, his inclination is to vote in favour but is concerned C of A is rezoning by other means. Given the context though, that tips the balance in favour.

Motion is approved 4-2 (Pyke and Sayer opposed)

Next application: A-83/23 108 Ferguson Street – We have the case of a home with an accessory building in the back of a single detached home.

That building has been there for years and used for a variety of purposes, but the owner would now like to formally turn the building into an accessory apartment. Part of the plan is to build an attachment that will connect the accessory unit to the main house.

Reema Masri of Masri O Inc. Architects is the agent. Staff are recommending approval with conditions, fyi. Masri says this is a legal non-conforming situation and it needs to be made official because of the connection between the two.

Sayer/Pike move approval with condition. Speers asks if the applicant has accepted the condition, and Masri says yes.

Motion is approved

Next, A-85/23 48 Edinburgh Road South. This is already a two-storey building, but the homeowner wants to add an inclosed addition to the back end, and this will require a variance for the rear yard setback.

Staff recommend approval with conditions. Justin Kelly of Tri-City Drafting and Design Service, who's the agent for this, says some the issues raised from the neighbour are not unreasonable but they're essentially enclosing the balcony that's already there.

Kelly Patzer from planning staff offers some more context, the original structure was a bungalow and there have been many building permits over the years. There's not much left for amenity space and recognises that there is some privacy concerns.

There's a delegate on this item, and it's Jill Johnson (sp?). She's lived in the area for 30 years, and is concerned about the precedent for the new setback especially after all the changes. Thinks the effect of neighbouring properties needs consideration.

Jeanine Bernard is an additional delegate. She says the current setback is deep because it's a balcony and the front of her home gets the sun because of that setback. That will be gone if the addition is approved. Also concerned about the tree just behind the deck.

Jack DeVos (sp?) is also delegating. He's concerned about the owner insistence that tenants use the back way, which means that they have to go on neighbours' property to get in and out. Is curious about how many units are in there. Smith says 2 but Jack is doubtful.

Jack says that he's interested in knowing how many more people will live in the building with the addition. He says he hasn't lived in the area long, 7 years, but has noted several additions. Is this the end?

No further delegations. Smith throws it to Kelly to address concerns raised. On height, the proposed additional will meeting existing addition.

Smith asks about the building entrance. Kelly says tenants should be accessing the building only through the front, they should not be going through other yards. Suggests that a fence might be a condition.

Goodfellow asks about # of tenant and # of units. Kelly says there are 2 units, but is not sure how many people live there, a single family dwelling and an additional unit. Goodfellow asks about limits for tenants and staff says there's no restriction on # of ppl.

Patzer also adds that under the new comprehensive zoning bylaw allows for three units as of right on properties.

Smith asks for a motion. Speers moves to accept application without condition, no seconder though.

Pyke moves to approve with staff condition with an added tree inventory and preservation condition. Smith says he would like to second in lieu of anyone else.

Motion approved with only Balaban and Sayer opposing.

Next, A-87/23 110 Beechwood Avenue. This homeowner is looking to revamp their front end with a new uncovered porch and some new steps, but in order to carry out those plans they need variances for reduced front yard setback and increased front yard projection.

Staff are recommending approval with no conditions. Daryl from Hickory Dickory Decks is back as the agent. He says he agrees with staff's comments and has nothing to add.

No delegates. Nothing further from committee for questions.

Goodfellows moves staff recommendation with Pyke.

Motion approved.

And finally, A-88/23 16 Glenholm Drive. The homeowner would like to make the accessory unit above the garage legal.

When the current owner bought the property a few years ago they discovered that it was not registered as a legal unit with the City, though it had been used as an apartment for years. The homeowner wants to make it legal.

Staff are recommending approval without conditions. Phillip McFadden from Build Consulting Services is the agent, and he notes that this has been in place for 30 years and no new construction is taking place. It's administrative.

Goodfellow asks about comments received from the neighbour, and they're all being addressed through the review process including an apparent nuisance light.

Pyke/Sayer move approval of staff recommendation and it's approved.

Announcements!

- Reminder that chair/vice-chair will be elected in Jan.

- Recognition of Balaban as new member

- Last meeting for Member Pyke.

Smith says he'll be standing as chair for the next session and thanks Pyke for his service.

As for everything else, Smith says...



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