

APPLICATION FILE NO:     **A 05-23 – FITZHENRY**  
PROPERTY LOCATION:     **5827 FIFTH LINE**  
                                  CON 5 PT LOT 24 RP 61R2214; PART 1  
                                  Township of Guelph/Eramosa  
ROLL NO.                    **23-11-000-006-13950**

**PURPOSE OF APPLICATION:**

1. Relief from Section 4.4.1.2 of Zoning By-law 40/2016 to permit an additional residential unit (ARU) with a floor area of 161.4 m<sup>2</sup>, whereas a maximum floor area of 130 m<sup>2</sup> is permitted.

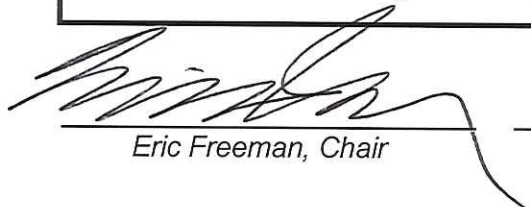
*We, the undersigned*, in making the decision upon this application, have considered:

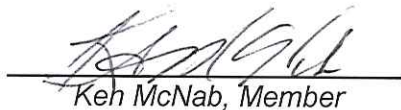
1. whether the variance requested was minor; and
2. whether the variance requested was desirable for the appropriate development and use of the land; and
3. whether the general intent and purpose of the official plan will be maintained; and
4. whether the general intent and purpose of the zoning by-law will be maintained; or
5. whether this application has met the requirements of section 45(2) of the Planning Act (*in the case of a change in a use of property which is lawfully non-conforming under the by-law*);

The request is hereby  Approved     Refused     Held Over, subject to the following condition(s):

**CONDITION(S):**

1. ***That the parking area for the additional residential unit shall not be located within 2 m of a building entrance or window of a habitable room.***

  
Eric Freeman, Chair

  
Keh McNab, Member

  
Michael Muldoon, Member

**DATED this 25<sup>th</sup> day of October 2023**

  
Amanda Roger, Secretary-Treasurer

You are hereby notified that under Subsection 45(12) of the Planning Act, R.S.O. 1990, the applicant, the Minister or a specified person or public body that has an interest in the matter, may within **20 days** of the making of the decision, appeal to the Ontario Land Tribunal (OLT) against the decision of the Committee of Adjustment by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee charged by the OLT as payable on an appeal from a Committee of Adjustment to the OLT.

A notice of appeal must be received by the Secretary-Treasurer of the Committee of Adjustment no later than 4:30 p.m. on **Tuesday, November 14<sup>th</sup>, 2023**.

Send notice of appeal to:

Amanda Roger  
Secretary-Treasurer, Committee of Adjustment  
Township of Guelph/Eramosa  
P.O. Box 700  
Rockwood, ON N0B 2K0 Fax (519) 856-2240